



## **EAST AFRICAN COMMUNITY**

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### **IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)**

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

#### **154<sup>TH</sup> SITTING - THIRD ASSEMBLY: THIRD MEETING – FIFTH SESSION**

**Thursday, 24 November 2016**

*The East African Legislative Assembly met at 2:30 p.m. in the Mini Chambers, County Hall in the Parliament of Kenya, Nairobi.*

### **PRAYER**

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

*(The Assembly was called to order at 2.30 p.m.)*

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### **COMMUNICATION FROM THE CHAIR**

VISITING DELEGATION FROM THE  
INTERNATIONAL COMMITTEE OF THE RED  
CROSS

**The Speaker:** Honourable Members, this afternoon, we have guests in our Gallery. These distinguished guests of the East African Legislative Assembly from the International Committee of the Red Cross are here to follow the proceedings of this Assembly. They are Mr. David Quinsy, the Deputy Head of Regional Delegation and Mr. Philip A. N. Mwanika.

The team had paid a courtesy call to the Speaker in Arusha and they are in the

Assembly to have consultations with the Committee on Legal, Rules and Privileges and the Committee on Regional Affairs and Conflict Resolution on humanitarian issues. You are most welcome and thank you for taking interest in our business – *(Applause)*.

### **PAPER**

The following Paper was laid on the Table:-

(by Ms Patricia Hajabakiga (Rwanda) :

The Report of EALA Sensitization Activities in Partner States from 27<sup>th</sup> October to 7<sup>th</sup> November 2016.

## MOTION

### FOR THE CONSIDERATION AND ADOPTION OF THE REPORT OF THE THIRD SENSITIZATION ACTIVITIES IN PARTNER STATES

**Ms. Patricia Hajabakiga (Rwanda):** Mr. Speaker, Sir, thank you once again.

I beg to move -

That, the Report of the East African Legislative Assembly on the Sensitization Activities conducted from 27<sup>th</sup> October to 6<sup>th</sup> November 2016 in Partner States be adopted.

I beg to move.

**The Speaker:** Seconders? Hon. Odette, hon. Mulengani, hon. Rwigema, hon. Kizigha and all Members standing.

Hon. Patricia, proceed.

**Ms. Hajabakiga:** Thank you Mr. Speaker, Sir. I will start by thanking the President of the Republic of Kenya, His Excellency President Uhuru Kenyatta, the Parliament of Kenya and our colleague Members of the Kenya Chapter for having been with us and making us feel at home in Nairobi.

I will now go to the Report.

#### Background

The East African Community (EAC) was established on 30th November 1999 following the signing of the Treaty for its establishment. Since then, several achievements, challenges and opportunities have been registered in the economic, political and socio-cultural sectors.

EALA as an organ of the Community mandated by Article 49 of the Treaty was inauguration in November 2001. To date, the Assembly has established itself into a strong and effective regional legislature and registered a number of achievements. It has continued to fulfil its core legislative, oversight and representation functions in a various ways as follows.

Since this is the Third Report and the achievements are the same as captured in previous reports, allow me to section 2.0 on Sensitisation. The rest will be captured in the reports, which were tabled and adopted by this House.

#### SENSITIZATION ACTIVITY

One of the ways in which the Assembly has performed its functions, is the undertaking to perform sensitization activity in all EAC Partner States. The current sensitization activity was a continuation of the previous one that was undertaken in April, 2016, which also emanated from the policy guidance by the Summit and the decision of the Assembly's Commission to reach out to the people of East Africa as part of their representative role, which was also in accordance with the EALA Strategic Plan (2013-2018) that is based on a people-centred approach. The sensitization was carried out from 27<sup>th</sup> October, 7<sup>th</sup> November 2016 under the Theme: EAC Integration Agenda; Accessing the Gains.

#### Objectives of the Sensitization

- (i) To sensitize the people of East Africa on the integration process;
- (ii) To create awareness among the people of East Africa on the gains and challenges of integration;

- (iii) To enhance mutual relationships and sustainable networking between EALA and the people of East Africa;
- (iv) To promote liaison with EAC National Assemblies and key stakeholders;
- (v) To inform the people of East Africa on the role of EALA in the integration process;
- (vi) To get the feedback and recommendations on the integration.

#### Methodology of the Sensitisation

The Chapters employed the following approaches, among others, while undertaking the sensitization activities:

- (i) Held planning meetings to deliberate on the modalities of the how and where to conduct the sensitization;
- (ii) Held press conferences to inform the public on the objectives of the sensitization;
- (iii) Held discussion with different media houses on the EAC Integration;
- (iv) Distributed brochures on the EAC Integration process, and handed over various materials including the EAC Flag and Anthem to the stakeholders;
- (v) Chapters conducted interactive sessions with the parliamentarians, local government authorities, civil society organisations, and private sector among other stakeholders;
- (vi) Conducted sensitisation programs in the higher learning institutions;
- (vii) Conducted field visits;
- (viii) Made courtesy calls on different dignitaries and
- (ix) Held roundtable meetings.

#### Stakeholders of the Sensitization

During the sensitization programme, The EALA committees in Partner States engaged the following stakeholders: Media, local

government authorities, institutions of learning, private sector, civil society, Members of Parliament (MPs), border communities, Government institutions and higher learning institutions in Government. Ministries including those responsible for EAC Affairs in all Partner States coordinated this activity to identify and access the target stakeholders.

#### Expected Outcomes of the Sensitization

- (i) Sensitization of EAC people on the overall integration process;
- (ii) Promotion of liaison with EAC National Assemblies and key stakeholders;
- (iii) Creation of awareness among the people of East Africa on the gains and challenges of integration;
- (iv) Enhancement of mutual relationships and sustainable networking between EALA and the people of East Africa;
- (v) Informed people of EAC on the role of EALA in the integration process.

### FINDINGS OF THE SENSITIZATION

#### BURUNDI

In Burundi, the following Members participated in the sensitization activities: Hon. Emerence Bucumi, Chairperson of Burundi Chapter, Hon. Isabelle Ndahayo, Member, Hon. Leonce Ndarubagiye, Member, Hon. Emmanuel Nengo, Member, Hon. Jean Marie Muhirwa, Member, and Ms. Beatrice Ndayizeye who was the secretary to the Delegation.

- (a) Courtesy call on the Rt. Hon. President of the National Assembly of Burundi

The Hon. President of the National Assembly appreciated the visit by EALA Members and Members briefed him about the objective of the visit. They informed him on activities undertaken by EALA during the sessions of August to September and that of October 2016. He appreciated the fact that they reported to him.

In their interaction, the Rt. Hon. Speaker of the National Assembly raised the following points:

- (i) The need to have a broadcasting programme in the National Radio and Television on EAC Integration;
- (ii) The need for the continuation of media coverage on EAC integration process especially on the important exercise being done by EALA Members including sensitisation.
- (iii) The need for the Ministry of the President's Office on EAC Affairs to implement Article 65(a) of the Treaty in order to strengthen communication and fast track procedures

He also pointed out challenges faced in regard with harmonizing National Laws with EAC laws.

In the same interaction, the visit of EALA Speaker to Burundi was evoked as a good opportunity to talk about isolation of Burundi by EALA. Therefore, there is need for Burundi Chapter to be always facilitated by EALA in all its activities like other chapters and not just during sensitization.

- (b) Courtesy call on the Minister at the president's office in charge of EAC Affairs

The objective was to inform the Minister on the third round of sensitization, the target groups and the activities to be undertaken, among which was public hearings on two EALA pending Bills. They reminded her of

the challenges the Burundi Chapter is facing by working alone without support by EALA. They thanked her for always availing an officer from her Ministry to support them. The Senate should also be involved mainly because it has a standing Committee on EAC Affairs. The Members recommended strengthening the cooperation between the Ministry and the National Assembly.

- (c) Courtesy call on Local Leaders' Association (ABELO)

The Burundi Chapter met the ABELO representatives at their office in Bujumbura. The Chairperson of this association presented ABELO mandate to Members. This Association was created in 2008. The main role of the Association is to contribute in capacity building of communes and all local elected leaders for the sustainable development of local entities. The following are issues they raised:

- (i) The Association is supportive to the integration process. ABELO appreciated the visit by EALA Members and found it as an eye-opener on EAC Integration as they did not have useful information;
- (ii) ABELO requested Chapter Members to help them to learn from similar associations from EAC Partner States. To this end, Members of the association requested EALA Members to get for them information from EAC Partner States on Decentralization as they are in the process towards it. They were requested equally to get information on how similar associations mobilize funds for their self-sufficiency and learn from it and get for them model laws on decentralization;

- (iii) ABELO requested to be always involved in the Public Hearings on EAC Laws whenever needed;
- (iv) The EAC Ministry should involve ABELO in its sensitization exercise so that it can relay information to all communes of the country;
- (v) ABELO should get all EAC enacted laws as it is done for all Ministries;
- (vi) There should be synergy between ABELO and EALA Members as they all represent the population;
- (vii) ABELO agreed to relay the information they received from EALA Members to the population and they agreed to invite them in future to come and talk to leaders during its General Assembly.

(d) Interactive session with the Media

This interaction was preceded by a press statement, which was read by the Chair of the Burundi Chapter, Hon. Emerence Bucumi, who was also the Head of Delegation for the Committee that went to Burundi. The following were issues raised by the media:

- (i) They recommended coverage of all exchanges with the target groups so that they can share with all citizens;
- (ii) They wanted to know what Burundi is doing to gain more from integration. The answer was that they have to be informed on all laws that allow them to gain in various areas like education and doing business in the region among others;
- (iii) They wanted to know why the FGM law comes to Burundi when these practices are not observed in Burundi. They were told that it is a way of protecting the population from being influenced by bad practices, which come with new cultures coming in with free movements of people. Bad practices have to be avoided and good ones emulated. The FGM Law will

protect Human Rights of women. Members informed the media that the FGM Bill has to be supported by Burundians as claims for human rights and fights against transmittable diseases.

- (e) Courtesy call on the Governor of Muyinga Province, Madam Aline Manirabarusha

Members visited Kobero One Stop Border Post between Burundi and the United Republic of Tanzania, in the northern part of Burundi. Prior to this field visit, they paid a courtesy call on the Governor of Muyinga where Kobero is located. The following observations were raised:

- (i) It was mentioned that before Burundi entered into EAC, there was too much smuggling at Muyinga Border which has since stopped;
- (ii) Advantages of integration are visible mainly through non-payment of visa fees and free movement is a reality near the border. People from both sides cross without identity cards and go back;
- (iii) The country has gained a lot in terms of tax collection looking at money collected by Burundi Revenue Authority compared to before;
- (iv) It was pointed out that refugees were returning home to Burundi and found their property safe. It was further noted that there has been effects of climate change in Kirundo Province, which unfortunately caused famine to people, forcing them to cross the border from Burundi to Tanzania. However, whenever they arrive, they claim to be running away from the political situation.

- (f) Field visit and interactive session with Customs and Revenue Authorities and small business communities at Kobero One Stop Border Post

Members met the Director of Customs and the person responsible for fighting smuggling. He said that due to introduction of the EAC Single Customs Territory systems that allow the clearance of imported goods to directly from the point of entry (Dar-es-Salaam), it was observed that taxes on main products like maize and beans have reduced from 18 per cent to 10 per cent.

The use of GPS in tracking movement of goods is indeed a milestone and salaries for personnel have increased to motivate staff members. Fraud has also reduced according to authorities found in place.

The following are the challenges they raised:

- (i) The non- harmonization of working hours in EAC;
- (ii) They are not using the same system with EAC Partner States in tracking goods, which requires the need to harmonize systems;
- (iii) Language is another barrier for business communities because the documents they use are in the English Language, which they do not understand. There is, therefore, need to have them translated into French and Kiswahili.

While interacting with small business communities, the following were observations pointed out:

- (i) It takes longer and costly to get a certificate of origin at the border. More so, unrecognised certificates of origin are being issued at the border;

- (ii) There was a complaint by drivers that owners of trucks delay to clear their goods which has a cost implication;
- (iii) Business communities reported that there are delays occasioned by limited number of personnel available over the weekend;
- (iv) It was observed that business communities are ignorant about price variation problem, until they get clarification from Burundi Revenue Authority. Members, therefore, recommends that these communities should be regularly informed on variation of prices.

- (g) Interactive session with university students and their professors at University of Ngozi

The interaction brought together over 600 participants including students, lecturers and staff members. At the meeting, the following observations were made:

- (i) They wish to see tangible gains resulting from the membership of Burundi in EAC with regard to education opportunities and employment;
- (ii) They need more clarification on harmonization of school fees.
- (iii) Students complained about the high rate of unemployment in EAC;
- (iv) Students requested Members to inform them on possibilities in EAC Secretariat to fund youth projects;
- (v) Students complained about the language used in the Community and asked when Kiswahili will start functioning. They requested to get dictionaries and books in Kiswahili;

- (vi) Students were concerned about the loss of sovereignty once political federation is in place;
- (vii) Students needed to know how the Community handles disputes between EAC Partner States because they found it as a threat to its continuity;
- (viii) They recommend establishment of Inter-University Network among EAC students;
- (ix) There should be free movement of lecturers through professional networks between universities in the region;
- (h) Public Hearings on two EALA pending Bills: The EAC Prohibition of Genital Mutilation Bill and the EAC Whistle Blower Protection Bill.

EALA Burundi Delegation Members included in their programme, public hearings on the captioned Bills. They agreed to meet stakeholders from various relevant Ministries to brief them on these laws to get their views on how these laws can be improved. The key issues stakeholders identified were as follows:

- (i) Parliamentarians from Social Affairs Committees of the Chambers of Parliament;
- (ii) Representatives (one from the following ministries: EAC Affairs, Justice, Gender, Solidarity and Human Rights, Culture, Youth and Sports, Health and the Fight against HIV/AIDS as well as Women's Forum.

After presentations on the two Bills by EALA Members, the following came out:

- (i) Stakeholders complained that they were informed on short notice and they did not get enough time to look into the two laws;

- (ii) Stakeholders wondered why the FGM Law yet the practices stipulated in it do not exist in Burundi. Members responded that the context offered by Common Market Protocol allows free movements. As such, people move with their cultures and can influence Burundians. Members said that the Law aims at fighting against bad practices and human rights violation. Furthermore, EALA enacts, not only for Burundi, but also for all EAC Partner States and there are such bad practices in some EAC Partner States;
- (iii) Stakeholders further observed other practices like "pulling" in some EAC Partner States, but which are not stipulated in the law. Members informed stakeholders that "pulling" has not been reported as a bad practice, a reason as to why it is not included in the Bill.

#### (i) Specific Observations

From the interactive sessions with stakeholders, the Members of EALA Delegation observed the following:

- (i) The sensitization and outreach activity was appreciated by all stakeholders interacted with;
- (ii) Burundians need to open-up, change their mind-set and start to travel in EAC Partner States to access opportunities and start engaging in entrepreneurship.
- (iii) There is limited knowledge about the integration by the majority of stakeholders. Therefore, sensitisation should be continuous.
- (iv) Students are very enthusiastic about being part of a big Community and want

the EAC to bring tangible gains to Partner States;

- (v) There is a keen interest of the students to get thorough information related to EAC and the laws it enacts.
- (vi) Stakeholders interacted with are keen to reap the gains offered by the regional integration mainly the youth who need to study the programmes they wish in EAC Partner States and business communities to engage more in businesses.
- (vii) There is need for a regular update by EALA Members on laws being enacted at regional level to allow stakeholders to be up to date.
- (viii) It was finally observed that EALA has suspended all its activities on Burundi ground.

#### (j) Specific Recommendations

1. EALA should work closely with local government associations in the sensitization and outreach exercise to be able to reach citizens at the grassroots level.
2. Burundi Revenue Authority should increase personnel during weekend to be able to fast track goods clearance at the Kobero Border Post.
3. EAC should ensure strict adherence to proper use of Certificates of Origin at the border posts.
4. EALA should bring back its activities to Burundi as it is being done for other Partner States.
5. Urge the Government of Burundi to increase sensitization programs to its citizens to change the mind-set, become pro-active in entrepreneurship, and start to export in other EAC Partner States what is available in Burundi.
6. Urge the Council of Ministers to fast track the decision of Summit to

consider French as one of the official language of the Community.

7. Urge EAC Partner States to harmonize systems in tracking movement of goods.
8. Recommend a strong cooperation between EALA and National Assemblies as required by article 65 of the Treaty for the establishment of the East African Community.
9. Recommend the media and schools to teach the EAC Anthem to citizens of Burundi;
10. Urge private universities to teach the English language to their students and encourage them to use more internet to reach information related to EAC Integration.

#### KENYA

The EALA Sensitization activity was undertaken by a delegation which comprised of the following Members: Hon. Nancy Abisai who was the Leader of Delegation, Hon. Abubakar Ogle, Hon. Abubakar Zein Abubakar, Hon. Judith Pareno, Hon. Sara T. Bonaya, Hon. Mumbi Ng'aru, Hon. Saoli Ole Nkanae, Hon. Peter M. Mathuki, Hon. Joseph O. Kiangoi, Hon. Jeremie Ngendakumana, and Ms. Anastacia Mbeba who was the secretary to the delegation. This delegation engaged various stakeholders where observations and recommendations emerged:

(a) Courtesy call on the Cabinet Secretary for Interior and Coordination of National Government

The Minister, Hon. Joseph Nkaissery, appreciated the visit and Members congratulated him on his appointment to this docket. The Kenyan Delegation briefed the Cabinet Secretary (CS) on the role and mandate of EALA. They informed him about the activities being carried out by the



Assembly. They also gave a brief history of the sensitisation programme, how it began, where it is currently, and the achievements it has realised so far.

The Members engaged the Cabinet Secretary on issues regarding peace and security in the region with emphasis being put on the many hotspots in the country; for instance, the north-eastern part of Kenya. The team also discussed illegal activities that have been taking place in the borders.

The issue of insecurity in South Sudan was raised and Members requested the Cabinet Secretary to urge the Government of Kenya to come up with legal instruments to intervene on this matter.

Members urged the Cabinet Secretary to pass a message to the Head of State so that he can give a message of hope to all East Africans during the coming plenary sitting in Nairobi.

Members also implored upon the Cabinet Secretary to discuss with their counterparts about the issue of the EAC Peace and Security Protocol, which Burundi has not yet ratified to with other EAC counterparts.

(b) Courtesy call on the Director General, Immigration and Registration of Persons

This Department deals with processing of passports, visas, work permits and border management. They regulate entries, exits and foreign investment, maintenance and safe retrieval of documents.

The Department issues work permits to foreigners coming in for either employment or business. The Department also issues student passes. They also allow citizenship for people who come from countries where dual citizenship is allowed. Below are the issues that were highlighted:

#### (i) The E-Passport

The E-passport is aimed at simplifying travel in the region. The passport has enhanced security features and is aimed at improving the security situation in the region.

The Director General informed the EALA team that his Department was ready to start effecting the use of the E-Passports, come 1<sup>st</sup> January 2017. The Department has already purchased machines for processing the passports. He further informed Members that the E-passports would enhance security issues. The e-passports will be fully digitized and will incorporate biometric security, making it fully compliant with international best practice and, therefore, accepted at border controls all over the world.

Owing to these security features, the new passport will make it easier to negotiate visa-free access to other countries. The common passport also reaffirms the right of residence and establishment of all EAC citizens.

#### (ii) One Stop Border Posts

Among the many initiatives implemented is the One Stop Border Post (OSBP) concept, which has boosted trade facilitation across borders by harmonizing border control regulations and procedures and, thus, enabling expeditious and more effective border control mechanisms.

#### (iii) Border Management

The department ensures that all the borders posts are properly manned. However, due to porous nature, these borders turn out to be conflict areas such as those between Kenya and Somalia.

Kenya has taken a lead in attending to issues regarding the EAC integration agenda and

the immigration department has contributed to this through professional and effective services.

#### Specific Recommendations:

- (i) The Department should approach EALA to pass laws that affect the region.
- (ii) There should be accelerated harmonisation of immigration laws in all Partner States in terms of work permits, free movement of persons, capital and so on.
- (iii) Members encouraged the Department to go ahead and implement the use of the E-passports through the application of the variable geometry which is provided for under the EAC Treaty.

Members complimented the Department for taking steps to register the Makonde people who make up a population of about 2,000 people in Kenya. These people came into the country as sisal labourers but they have been living without any form of identification.

- (c) Courtesy call on the Communications Commission of Kenya (CCK)

The Communications Commission of Kenya is the regulatory authority for the communications sector in Kenya.

#### Legal Mandate

Established in 1999 by the Kenya Information and Communications Act, 1998, the Authority is responsible for facilitating the development of the information and communications sectors including; broadcasting, multimedia, telecommunications, electronic commerce, postal and courier services.

After promulgation of the new Constitution 2010, the legal mandate of the CCK was expanded. As a result, the organisation did rebranding and became Communications Commission.

#### Their responsibilities entail:

- (i) Licensing all systems and services in the communications industry, including; telecommunications, postal, courier and broadcasting;
- (ii) Managing the country's frequency spectrum and numbering resources;
- (iii) Facilitating the development of e-commerce;
- (iv) Approving and accepting communications equipment meant for use in the country;
- (v) Protecting consumer rights within the communications environment;
- (vi) Managing competition within the sector to ensure a level playing ground for all players;
- (vii) Regulating retail and wholesale tariffs for communications services;
- (viii) Managing the universal access fund to facilitate access to communications services by all in Kenya;
- (ix) Monitoring the activities of licensees to enforce compliance with the license terms and conditions as well as the law.

It was also observed that the affiliated international bodies include; International Telecommunications Union (ITU); Commonwealth Telecommunications Organization (CTO); African Telecommunication Union (ATU); Universal Postal Union (UPU); Pan-African Postal Union (PAPU); Association of Regulators of Information and Communication in Eastern Africa (ARICEA); African Advanced Level Telecommunications Institute (AFRALTI); Vision 2030; and, East African

Communication Organization (EACO). The following issues were discussed:

(a) Harmonisation of ICT Policies and Regulations

In order to achieve the objectives of the EAC Common Market Protocol with respect to ICT sector, it is necessary that ICT policies, laws and regulations across the Partner States be harmonised. Consequently, the development of harmonized policies and regulations is in progress. Priority areas for harmonization include licensing, tariff regulation, interconnections, numbering, and spectrum management. Currently, a work plan for the assignment has been developed, and the process of developing EAC cross-border interconnections regulations is at an advanced stage.

(b) Harmonization of Mobile Roaming Charges within the EAC.

In response to concerns on the high cost of mobile roaming charges within the EAC, the CA has developed a harmonized framework for mobile roaming charges. The framework imposes tariff caps on the telecommunications traffic originating and terminating within the EAC. Full implementation of the Framework is expected to be complete by October 2015.

(c) Consumer Education

The Commission carries out consumer education outreach programmes that aim to empower consumers by providing them with relevant information as an effective mechanism to protect and help them make informed choices when purchasing and using ICT.

The Commission has, in the past, carried out consumer education outreach programmes

targeting users of mobile and internet services through a campaign dubbed “*Chukua Hatua*” and another targeting postal/courier consumers dubbed “*Kaa Macho*”.

Other consumer awareness initiatives that the Authority has carried out focused on Registration of SIM cards, mobile number portability, anti-counterfeit campaign, migration from analogue to digital broadcasting, and universal access projects by the Authority.

(d) Regulation of Media Content

It was observed that the Communications Commission of Kenya also regulates broadcast content. The Communications Commission of Kenya is also mandated to license all broadcasting service providers in accordance with the Kenya Information and Communications (Amendment) Act, 2013.

In accordance with provisions of Section 46(c) of the Kenya Information and Communications Act, 1998, it is illegal to provide any form of broadcasting service in Kenya without a license. Contravention of this law attracts a fine not exceeding Kshs. 1 million or imprisonment for a term not exceeding three years or both.

### Specific Observations

- (i) After the breakup of the former EAC, the ICT section of the EAC continued to operate. East African Communications Organisation (EACO) was then established to deal with issues of common interest in the EAC Partner States. There are always teams that meet to discuss different issues affecting the region. A cordial relationship has always existed among the Partner States.

- (ii) It was observed that the roaming charges are still very high in the region. The EACO recently started carrying out feasibility studies that should help lower these rates. However, while conducting this exercise, EACO fell into financial crisis and this exercise had to be halted.
- (iii) Registration of SIM owned by citizens should be regularised in all the EAC Partner States to cut down on possible crime. It was observed that a person could easily commit a crime in one Partner State and relocate to another Partner State. All Partner States, therefore, should establish laws regarding registration of SIM cards. It was further observed that although the EACO has been doing this, the organisation is still an observer in the EAC since its members are private companies. The organisation is able to track down messages sent through mobile phones, which can incite the public.
- (iv) Cybercrime is crime perpetuated through mobile phones like kidnapping, extortion, political messaging and manipulation of phone numbers (this is where someone disguises their number and when they call you a different number other than the one they are using appears). These illegal connections should be stopped in all the six Partner States.
- (v) There is also non-harmonisation of the registration of SIM cards due to lack on non-machine readable identity cards in some EAC Partner States.

#### Specific Recommendations

- (i) All the six Partner States should implement the universal SIM card registration to stop crime in the region. The Communications

Commission of Kenya should work with the Ministry responsible for EAC Affairs as its collaborator to deal with issues of compliance. The Commission should also collaborate with the security systems to reduce on cybercrime.

- (ii) Members appreciated that the Commission is not facing very many challenges in the region since most issues concerning the region are addressed through the EACO. The organisation is working in collaboration with other agencies like the National Cohesion and Integration Commission (NCIC). The Commission is working with its peers from Partner States to improve on communications network.
- (iii) The EALA should come up with legislation or a legal framework to ensure registration of all SIM cards in all Partner States. This can be done either in the form of a Council Bill or a Private Member's Bill.

#### RWANDA.

The sensitization activity in Rwanda was carried out by the Delegation which comprised of the following members; Hon. Patricia Hahabakira who was Leader of Delegation, Hon. Oda Gasinzigwa, Hon. Dr. James Ndahiro, Hon. Xavier Francois Kalinda, Hon. Dr. Odette Nyiramilimo, Hon. Pierre Celestin Rwigema, Hon. Martin Ngoga, Hon. Straton Ndikuryayo, Hon. Valerie Nyirahabineza, Hon. Frederic Ngenzebuhoro, and Mr. Enock Musiime, secretary to the Delegation.

In a bid to undertake the sensitization in Rwanda successfully, the delegation performed various activities and engaged

various stakeholders where observations and recommendations emerged:

(a) Planning Meeting.

The EALA delegation held a planning meeting on 28<sup>th</sup> October 2016. At this meeting, Members designed a program for the sensitization and agreed on which places to visit and the stakeholders to engage.

(b) Courtesy Call to the Minister of East African Affairs, Trade and Industry

The EALA delegation on sensitization made a courtesy call on Hon. François Kanimbla, the Minister for East African Affairs, Trade and Industry, Rwanda. The EALA delegation first and foremost congratulated him for his recent appointment to the Ministry of EAC Affairs and they invited him to be sworn in by EALA since he is an *ex-officio* Member to participate fully in the activities of the Assembly.

The EALA Delegation highlighted the operations of the EALA in collaboration with other organs and institutions of the Community including the Council of Ministers where the Minister belongs. On this note, Members observed that the EALA operations are always disrupted due to a number of reasons including but not limited to financial constraints, slow harmonisation and approximation of laws among others.

From the meeting, the following recommendations were made for effective operations of the EALA:

- (i) Treaty amendment to provide for the office of the Deputy Speaker;
- (ii) To fast track the finalisation of the institutional review which has lagged behind for a long time;
- (iii) To fast track the process of harmonisation and approximation of

laws among the Partner States in order to improve and strengthen interaction between the Council of Ministers and the EALA.

The EALA Delegation informed him about the background, nature and objectives the EALA sensitization programme as routine activities carried out in all Partner States. Further, the Minister was informed that these activities aim at creating awareness about the EAC Integration Agenda in general, and that the sensitization program was currently in its 3<sup>rd</sup> phase.

(c) Tanzania International Container Terminal Services (TICTS)

Members met the representative of TICTS based in Kigali. He informed Members that TICTS is a private company for handling containers of goods based at the port of Dar-es-Salaam. It opened a branch in Rwanda to promote awareness among traders to use the central corridor.

He further informed members that TICTS helps traders in avoiding container loss incidents and also clearing delays through cargo insurance and physical verification of goods at each stage and all times.

TICTS is well connected to Tancis, a customs clearing system used by Tanzania. He reported that Tancis is undergoing upgrading where by it will be able to interface with other systems used by other East African Partner States.

It was further revealed that Tanzania Ports Authority (TPA) has improved the efficiency and effectiveness of the port and that TPA will be opening offices in Kigali during the month of November 2016.

(d) National Monitoring Committee (NMC) on NTBs

The EALA Members met the National Monitoring Committee (NMC) on Non-Tariff Barriers (NTBs) and the following observations were made:

- (i) The NMC concept was initiated in 2008 to operationalize Article 13 of EAC Common Market Protocol, and was established in 2011 under the funding of Trade Mark East Africa (TMEA);
- (ii) In 2011 and 2012 Rwanda signed a memorandum of understanding and established a joint border committee on NTBs with Uganda and Tanzania respectively;
- (iii) Partner States established NMCs at National level and have so far done a tremendous job in identifying and removing the NTBs in the East Africa. However, despite the good progress, some NTBs still exist while new ones come up;
- (iv) It was observed that in 2010, 45 NTBs were reported. However, they increased to 136 by 2015. Out of this, 106 were resolved while 30 are still outstanding. It was said that these NTBs mostly affect the manufactured goods moving in the region;
- (v) NMC informed Members that the introduction of the EAC Single Customs Territory has tremendously reduced most of the identified NTBs on both northern corridor and central corridor, and that the electronic single window is operational.
- (vi) Introduction and construction of OSBPs has also contributed to the reduction of the NTBs.
- (vii) Extension of working hours (24hrs) on some borders also did a great deal with regard to removal of NTBs;

- (viii) It was observed that on central corridor, Tanzania reduced the weighbridges to only three at Vigwaza, Singida and Nyakahura and congestion at the port of Mombasa was reduced;
- (ix) Roads were also upgraded both on the northern and central corridors;
- (x) The NMC pointed that studies were carried out and they showed that in 2010, cargo from Mombasa to Kigali would take 15 days at a cost of USD6,595, while Dar es Salaam to Kigali would take 19 days at a cost of approximately USD6,000. However, a recent study done in 2015 has shown that cargo from Mombasa to Kigali takes only 5 to 6 days at a cost of USD4,833, while from Dar es Salaam to Kigali takes 3 to 4 days at a cost of USD3,600;
- (xi) NMC members also highlighted that Trinity public buses are now allowed to carry passengers to Dar es Salaam unlike in the past. However, left hand buses are not allowed and buses with Rwanda number plates are charged a road toll fee of USD150. Moreover, these Rwandan registered buses are not allowed to load and offload passengers on the Tanzanian soil until the final destination. These conditions are expensive and restrictive in nature;
- (xii) It was observed that no incidences of container theft from Rwanda have been reported since April 2015 where a container worth USD1 million was last stolen at the Port of Dar es Salaam. Measures that are taken to control theft include close monitoring and insurance of containers;
- (xiii) With regard to standards, it is clear that there is an existing regional law, which is the EAC Standards, Quality Assurance, Metrology and Testing

- (SQMT). The application of this law is a responsibility of bureau of standards of the Partner States. However, in the United Republic of Tanzania unlike other Partner States, when goods approved by Rwanda Standards Board, they are further subjected to approval by Tanzania Food and Drugs Authority. This results into double checks and increase the cost of doing business in terms of time and resources. It was further noted that the delays also lead expiry of goods that have short life span such as perishables;
- (xiv) Members noted with concern that the NMCs face challenges such as; resolving NTBs and reoccurrence of new ones in different nature, documentary evidence as required by council in reporting the NTBs and limited operational budgets to sensitize other stakeholders on how to address NTBs.

#### Recommendations

- (i) It was recommended that all the EAC OSBPs should harmonise all the working hours and operate on a 24 hours basis to reduce more NTBs;
- (ii) NMC's should adopt an SMS feedback approach to assist in instant reporting the identified NTBs;
- (iii) NMCs should regularly update the EALA on the progress of NTBs in the region;
- (iv) All standards matters should be regulated by the existing regional since it takes precedence of the national similar laws.
- (e) Rwanda Standards Board (RSB)

Members of the EALA visited the Rwanda Standards Board (RSB) and held a meeting

with the officials of the board. At the meeting, the following observations were made:

- (i) Members were informed that RSB started in 2002 to provide services in standards, quality assurance, metrology, testing and certification. RSB follows on the above mentioned services nationally and regionally under the guidance of the EAC Standards, Quality Assurance, Metrology and Testing Act, 2006;
- (ii) It was reported that 70 per cent of the regional standards have been adopted while 30 per cent are not yet adopted majorly because of slow pace of harmonisation of laws, rules and regulations;
- (iii) With regard to calibration in Rwanda, it was noted that RSB deployed inspectors at four borders out of fifteen borders;
- (iv) It was reported with concern that products from Rwanda certified by RSB with its certification marks cannot access Tanzania markets without being subjected to Tanzania Food and Drugs Authority yet the RSB marks are recognised by all Partner States' bureau of standards including Tanzania Bureau of Standards. This acts as an NTB and does not facilitate cross border trade;
- (v) It was reported that there is no accreditation body in East Africa subjecting all products that need accreditation to South Africa and European Union for that purpose;
- (vi) It was also found out that Rwanda is in the process of establishing an authority called Rwanda Inspection and Competition Authority (RICA). This authority will be responsible for quality assurance and certification among other responsibilities;
- (vii) It was observed that consumers in the EAC are not protected from cheap poor products imported from other countries;

- (viii) It was observed that Rwanda is in the process of establishing laboratory for testing pharmaceuticals. However, there are limited skills regarding standards in the region;
- (ix) It was mentioned that peer review on inter laboratory inspection comparisons at a regional level is done regularly.

#### Recommendations

- (i) The Council should fast track the finalisation of amending the EAC Standards, Quality Assurance, Metrology and Testing Act. I want to point out that this Bill has been outstanding and we are informed that it has been sitting with the Legal and Judicial Sectoral Council for many years.
- (ii) It was recommended accreditation body should be established in the region;
- (iii) Consumer protection mechanisms should be stepped up in the region;
- (iv) Standards harmonisation processes should be given adequate budget allocations;
- (v) Education systems in EAC should include standards in the curricula to promote and enhance skills in the region.
- (f) Gatuna OSBP

At the sensitization activity in Gatuna OSBP, the following observations were made;

- (i) It was observed that Gatuna OSBP is very busy with active border operations. However, the OSBP facilities and structures are still under construction;
- (ii) It was observed that a lot of awareness needs to be undertaken for border communities to change their

mind set and attitude on how to use the border;

- (iii) It was further observed that there is limited space to accommodate passengers and cargo due to the terrain of Gatuna;
- (iv) The border community in Gatuna strongly desires to have a physical market where they can sell their merchandise. However, it was mentioned that Ministry of EAC Affairs, Trade and Cooperatives(MINEACOM) is in the process of constructing a modern market at Gatuna Border;
- (v) It was found out that there are cross border associations comprising of membership from both countries. One of them is an association of moneychangers. These associations even hold regular cross-border meetings to iron out cross-border challenges;
- (vi) It was observed that people from both Uganda and Rwanda can open bank accounts in either of the country's bank using identity cards;
- (vii) Use of identity cards has eased cross-border movements at Gatuna;
- (viii) Traders decried of the fact that certificates of origin for small traders that are issued at the border are being charged a fee on the Ugandan side yet they ought to be free of charge. In addition to that, they are issued by the private companies yet they are supposed to be issued by the Revenue Authority free of charge;
- (ix) Traders commended the EAC integration on the fact that customs duties on tradable products were reduced, levies on vehicles crossing to a different country were relaxed, temporary movement permits for one year are issued to travellers without identity cards including and one area



- network whereby roaming charges were reduced;
- (x) Adequate awareness should be provided to people about the importance of owning yellow fever cards as a requirement to cross borders.

#### Recommendations

- (i) The construction of the physical market at Gatuna Border should be fast-tracked;
- (ii) Awareness on the use of yellow fever cards should be improved among the people intending to travel across borders;
- (iii) Engage Uganda bilaterally and through cross border meetings to address the issue of the simplified certificates of origin.

#### (g) Rusumo OSBP

During the sensitization, activities at Rusumo One Stop Border Post (between Rwanda and Tanzania), the following observations and recommendations were noted:

- (i) The Customs Border Manager appreciated the One Stop Border Post for facilitating clearing and forwarding, which used to take 4 hours but now it takes 30 minutes;
- (ii) Members were informed that vendors are charged a lot of money when they buy foodstuffs from across for their families;
- (iii) Work permit: Members were further informed that Rwanda Immigration offers free work permit to Partner States' citizens to work in Rwanda while Rwandan nationals are charged to get a work permit to work in Tanzania;
- (iv) Awareness gap: It was observed at the border community that there is still a

knowledge gap regarding regional integration;

- (v) Corruption: Stakeholders complained of corruption tendencies at the border especially on the Tanzanian side where a certain amount of money is demanded in return of the services required;
- (vi) The border community portrayed ignorance about the importance of yellow fever vaccination card;
- (vii) Period of stay: It was highlighted that Tanzania allows a limited time of below six months in their territory and fines those who exceed the given period of stay. The border community decried that this requirement should be harmonised with other EAC Partner States;
- (viii) Trinity transport buses with Rwandan number plates are charged USD150 while buses from Tanzania are not subjected to any fee;
- (ix) It was reported that agricultural products imported from Rwanda need to have sanitary certificate that acts as an obstacle to cross border trade.

#### Recommendations

- (i) Traders were encouraged to form cross border trade cooperatives to protect them from corruption, make them understand cross border laws and requirements and be easily funded by the government;
- (ii) It was recommended that a medical facility at the border should be established to vaccinate those who need yellow fever cards to cross the border;
- (iii) Ministry of local government to communicate travel requirements to the people as much as possible;
- (iv) Establishment of information desk at the border need to be fast tracked.

(h) Akanyaru One Stop Border Post (OSBP)

This is the border post between Rwanda and Burundi. While touring the border, the following observations were noted:

- (i) The Akanyaru Border operates from 6:00 a.m. to 6:30 p.m.;
- (ii) Members were informed that Burundians move freely from Burundi to Rwanda. However, Rwandans movement to Burundi is restricted;
- (iii) Food stuffs such as fresh fruits, vegetables and other agriculture products from Burundi to Rwanda were stopped;
- (iv) Public vehicles from Rwanda carrying passengers are also restricted to enter Burundi. Therefore, they offload passengers at the Rwandan side;
- (v) It was noted the Akanyaru OSBP is no longer active because the border operations are down as a result of restricted movement of people;
- (vi) Border staff for both Partner States no longer share offices as per the operational requirements of the OSBP;
- (vii) It was observed that the construction of OSBP structures was put on halt due to insecurity.

Recommendation

The EALA Members committed to continue advocating at a regional level for provision of long lasting solutions to political problems that disrupt cross border operations between both countries.

(i) Nemba OSBP

While carrying out sensitization activities at Nemba OSBP (between Rwanda and

Burundi), the following observations were made;

The border management informed the Members that the OSBP was built in 2008 under the funding from African Development Bank with a purpose to facilitate cross border trade. It was found out that before the OSBP was built, the two border posts were approximately 6 kilometres apart. However, since inauguration in 2009, border staffs from both Rwanda and Burundi share the same building.

It was further mentioned that before the OSBP the clearance procedure used to take 1 hour and 30 minutes whereas now it takes only 45 minutes or less.

The Management and coordination of activities of the OSBP alternate between Immigration Border Managers of both Partner States for six months deputized by the counterpart.

It was observed that all staff from both Partner States share common utilities such as water and electricity. There are harmonized border standard operating procedures, which act as guidelines to implement day-to-day activities.

A number of challenges currently facing the border were identified as follows:

- (i) No housing, water and electricity facilities at the border;
- (ii) The border lacks a scanner;
- (iii) Burundi authorities do not allow foodstuffs and other produce from Burundi to be sold to Rwanda; neither do they accept the ones from Rwanda to Burundi. This act has disrupted cross border trade;
- (iv) Rwanda Revenue Authority informed Members that tax revenues at the border have

- reduced by approximately 80 per cent;
- (v) It was mentioned that Joint Border Meetings no-longer take place due to security issues in Burundi.

#### UNITED REPUBLIC TANZANIA

In the United Republic of Tanzania the activity was conducted in Dar es Salaam and Tanga from 27<sup>th</sup> October to 7<sup>th</sup> November, 2016 by the EALA with the following Members: Hon. Charles Makongoro Nyerere was the team leader, Hon. Twaha Taslima was the team secretary, Hon. Nderakindo Kessy, Hon. Abdullah Mwinyi, Hon. Adam Kimbisa, Hon. Shy-Rose Bhanji, Hon. Maryam Ussi Yahya, Hon. Bernard Murunya, Hon. Angela Kizigha, Hon. Yves Nsabimana and Mr. Asheri Wimile was secretary to the Delegation.

#### (a) Visit to the Immigration Service Department

The Team visited the Immigration Services Department headquarters in Dar es Salaam for interactive meeting with the management. The team met with the top management of the Department under the leadership of Acting Commissioner General of Immigration Ms. Victoria Lembeli. The meeting focused on two agenda: sensitization and discussion on the preparedness of the department in relation to the implementation of the East African Community Common Market, specifically the free movement of persons and right of establishment.

The team made a presentation on the historical background of the East African Community, stages of integration, functions of EALA, opportunities of integration and the need to sensitize the citizens to enable them to participate in the integration agenda. On its

side, the Immigration Service Department informed the team that as a department, they have been participating in the integration process from the time of negotiating the Treaty. Specifically, they participate in the Meetings of the Forum of Chiefs of Immigration, which works under the Sectoral Council of Ministers responsible for East African Community and Planning.

They explained that cooperation among immigration services started before the signing of the Treaty for the Establishment of the East African Community. In relation to the implementation of Common Market, Immigration is doing the following:

- (i) Participated fully in the negotiation of the Protocol for the Establishment of the EAC Common Market;
- (ii) Amendment of the immigration rules to make them comply with the requirements of the Protocol for the Establishment of the Common Market;
- (iii) Reduced the residence fees for citizens from EAC Partner States from USD2,000 to USD500;
- (iv) Conducting training to officers especially those on the border on the requirements of the Protocol;
- (v) They participated in the development of the new EAC E-Passport and the related instruments;
- (vi) They are Members of the National Committee on the Implementation of Common Market and the Committee on the Elimination of Non-Tariff Barriers; and
- (vii) They are also Members of the Regional Committee on Elimination of Non-Tariff Barriers.

The Department also explained some of the challenges they face:

- (i) The problem of illegal immigrants especially from Ethiopia, Somalia

- and Eritrea who enters Tanzania using other EAC Partner States;
- (ii) Difference of the external policies and cooperation among the EAC Partner States. For example, Ethiopians do not need visa entering Kenya while they need visa in entering Tanzania; and,
- (iii) Increase of cross border criminal activities.

Following the interaction with the Immigration Services Department, the team observed the following:

- (i) Immigration have done tremendous work in implementation of EAC integration agenda in general and Common Market Protocol in particular;
  - (ii) The Ministry of Foreign Affairs and East African Cooperation should intensify coordination of ministries and institutions within the country; and
  - (iii) Partner States need to cooperate more in tackling cross border and transnational criminal activities like illegal immigrants.
- (b) Meeting with the Former Speaker of EALA

The Team visited the Former Speaker of EALA, Rt. Hon. Abdulrahman Kinana at his office in Dar es Salaam. The Team used that opportunity to discuss various issues relating to the integration process of the East African Community. Among the issues discussed were the Burundi crisis and the ongoing peace negotiation, the slow pace in the implementation of various stages of integration, expansion of the East African Community since the joining of the Republic of South Sudan, and the role of EALA in sensitizing the citizens of EAC Partner States

about the integration process, challenges and benefits.

- (c) Meeting with the Regional Commissioner for Tanga

At the Port of Tanga, it was observed that the port is becoming more important in the EAC integration as it is going to be the final destination for the oil pipelines from Hoima, Uganda. Therefore, the region should sensitize its citizens to prepare for the economic boom.

It was recommended that areas for investments should be planned and opened up for investors and business people especially those from the EAC.

A number of challenges facing the port were identified including the problem of illegal immigrants and the illegal importation of khat (miraa). Khat is illegal in Tanzania where it is considered as one of the illicit drugs due to its proven effects to the users. However, khat is legally grown in Kenya for export.

With regard to the port of Tanga, the following recommendations were made:

- (i) There is need for improving the infrastructure connecting Tanga and other EAC Partner States especially rail for the optimum utilization of the Tanga Port; and,
- (ii) There is a need for Partner States to work together in addressing some of the challenges like the problem of khat (miraa) in the region.

- (c) Meeting at the Horohoro Border

At Horohoro Border, the following observations emerged during the interaction:

- (i) The building of OSBP is complete and the launching is underway

- although they are still working on installing the system linkage between Tanzania and Kenya;
- (ii) About 15 passenger buses cross the border of Horohoro daily;
  - (iii) Lack of facilities such as water, cold room, warehouses, residential houses and other social services like schools and hospitals to cater for officers working at the border;
  - (iv) Certificates of origin are issued at the border for goods that do not exceed USD2000;
  - (v) People are still using un-official routes (panya roads) to escape taxes regardless of the fact that goods manufactured within the EAC are not taxed;
  - (vi) Mkinga District in Tanzania always have bilateral meetings with the Kwale District in Kenya to discuss various issues affecting the community of the two districts;
  - (vii) The Tanzania Revenue Authority conducts education programs to small scale traders to educate them the procedures;
  - (viii) A problem of illegal immigrants especially Somalis, Eritreans and Ethiopians was identified;
  - (ix) The District Council is doing audit areas of investments and residents near the border in order to utilize their geographical advantage. There are plans to build a physical market at the border and they have so far allocated 1,000 plots for that purpose.
  - (x) Many people still uses unofficial routes (panya roads) to export/import goods because of lack of awareness;
  - (xi) Border passes are not issued at the border, hence they are forced to follow them to Tanga;
  - (xii) Small traders especially those who are changing money are prohibited to enter the border (custom area) for

- business especially changing money. The team was informed that under the OSBP Agreements no business is allowed within the custom territory;
- (xiii) They complained that they are charged a fee of Tshs180,000 when they weight their goods at the border. It was learned that the fees is charged by the Weight and Measures Agency though the team could not ascertain the reason for such a fee;
  - (xiv) Some young people are taken to Kenya for religious where they end up being radicalised. For example in the 2016/2017 a total of 70 young people were rescued and their passports are confiscated by the authorities; and
  - (xv) It was observed that around 95 per cent of the people living there are not citizens of Tanzania but they are claimed to be citizens of Kenya. They explained that it was their grandparents who crossed the border and established themselves on the Tanzanian side, but until now, they are not recognized as Tanzanians hence they are denied some of their civil rights.

#### Specific Recommendations

After the interactions between Members and the border community at Horohoro, the following were recommended:

- (i) The EAC Summit of Heads of States should put more efforts to fast track the on-going peace negotiation for the Republic of Burundi;
- (ii) Partner States through their relevant ministries must take extra efforts to educate the public on the EAC integration;
- (iii) Governments need to construct decent houses for the officials

- working at borders. Equally, the related social facilities should be provided;
- (iv) The sensitization program by EALA should be a continuing exercise;
  - (v) The EAC Secretariat and Partner States need to develop systems of involving common people in the integration process; and
  - (vi) Government officials from all relevant institutions and authorities need to be sensitized on requirements of EAC integration to enable them facilitate the process.
  - (vii) There is a need to fast track finalization and launching of the OSBP at Horohoro;
  - (viii) The problem of water at the Horohoro Border should be solved to facilitate the operation of OSBP;
  - (ix) The border officials should develop sensitization programs to sensitize the community the integration agenda; and,
  - (x) Authorities at the border enforce various laws, some of which are still a hindrance to the smooth implementation of the EAC Customs Union and Common Market.

## UGANDA

The EALA delegation that undertook sensitization in Uganda comprised of the following members: Hon. Nusura Tiperu who was Leader of Delegation, Hon Opoka Chris, Hon. Dora Byamukama, Hon. Mike Sebalu, Hon. Bernard Mulengani, Hon. Margaret Zziwa, Hon. Fred Mukasa Mbidde, Hon. Dr. Martin Nduwimana, and Ms. Gloria Nakebu, secretary to the delegation.

In carrying out this activity, Members engaged various stakeholders and made a number of observations and recommendations:

- (a) Courtesy call on the Speaker of the Parliament of Uganda

During the interaction, a number of issues were discussed, which included the following among others:

- (i) The Third EALA has been quite effective, but the link between EALA and the national parliaments was still weak. How to use the laws passed by EALA is still a challenge, which is being compounded by the lack of effort to amend the Treaty provisions governing the matter.
- (ii) EALA needs to interact more with the Committee on EAC Affairs. The EALA should ensure that all committees of EALA meet and work together with the respective committees of the national parliaments during public hearings on Bills and other oversight activities in the Partner States.
- (iii) It was noted that although sensitisation and outreach programs are a relatively new idea in the EALA, it was well received among the stakeholders because the information given raised a lot of awareness on the EAC integration;
- (iv) It was noted that the implementation of the EAC Common Market Protocol had registered some successes, however: -
  - (a) The Common Market Protocol was designed for implementation at the Partner State level and there is no regional framework to whip the Partner States in its implementation;

- (b) Each Partner State is implementing the Protocol at its own pace, resulting in the Protocol being static in some of the Partner States;
- (c) The Principle of variable geometry adopted by the EAC means that the treatment of the EAC citizens in the Partner States is varied;
- (d) Learning of Kiswahili should be spearheaded in Uganda for competitive advantage for the Ugandans.
- (v) The funding challenges that the EAC is currently facing, is caused by the Partner States delays in meeting their financial obligations. Therefore, there is an urgent need to find an alternative source of funding for the EAC;
- (vi) On the Bills that are currently before the Assembly, the following issues were discussed, among others:
  - (a) On the Gender Bill, it was noted that EALA should benchmark with countries that have enacted similar laws like Namibia, which passed a similar law in 1999.
  - (b) On the Whistle Blowers Bill, it was observed that there is a need to put in place special machinery to minister rewards and the protection of witnesses because the law could be misused;
  - (c) On the Female Genital Mutilation Bill, it was observed that there was still a lot to be done, and that EALA could be involved in the meeting of IGAD on FGM currently being chaired by the Rt. Hon. Speaker Kadaga.

(b) Press Conference

Following a press release issued by the EALA Working Group, the following are

some of the highlights of the interaction that followed:

- (i) Available statistics indicate that EAC intra-trade has grown and yet the economies of all the Partner States are depreciating. The statistics are not commensurate with a positive indication within the countries and in the region;
- (ii) The joining of the Republic of South Sudan into EAC was also appreciated;
- (iii) It was observed that there are high number of refugees in the region and Uganda in particular. Therefore, there is need for a common mechanism for the management of refugees in the region. Notably, EAC Law on Disaster Risk Reduction and Management should be operationalized to help in handling the issue of refugees in the region;
- (iv) It was observed that the Monetary Union and Political Federation are very ambitious stages of integration. Therefore, the focus should be on establishing several relevant institutions for effective implementation;
- (v) The views of the people on the East African Political Federation are important;
- (vi) It was noted that as the team of experts drafts the EAC Constitution, the views of the people should be sought and incorporated;
- (vii) It was recommended that for EAC to address the current funding challenges, it should invoke Article 143 of the Treaty for the Establishment of the East African Community, which provides for sanctions on a Partner State that defaults in meeting its obligations. In addition, the summit directive on the alternative and sustainable funding

mechanism of the Community should be fast tracked.

(c) Interaction with Uganda Chamber of Commerce

The Uganda National Chamber of Commerce and Industry (UNCCI) is the oldest nationwide umbrella organisation for the private sector in Uganda. During the meeting with EALA, the UNCCI made a presentation covering what UNCCI is all about.

The UNCCI commended the EAC for the some positive effects of the Integration. However, they highlighted a number of challenges that need to be addressed:

- (i) Harmonisation of the Economic Processing Zones Law;
- (ii) The need to harmonise the Investment Codes in the EAC;
- (iii) Expensive air travel in the region;
- (iv) Fast-tracking the review of the EAC Competition Act to deal with cross-border and multi-jurisdictional competition cases;
- (v) Need to have an EAC dispute/mediation resolution centre to resolve business conflict in the region;
- (vi) Harmonisation of bank rates;
- (vii) Harmonisation of business financing;
- (viii) The Code of Conduct for business in the region which was developed by the private sector in the EAC should be legalised;
- (ix) Harmonisation of scaling and testing machines;
- (x) Removal of NTBs, both those staying by commission and those staying by ignorance;
- (xi) The logistical challenges that make exporting AGOA to the USA very expensive.

(d) Meeting with the Committee on EAC Affairs

At this meeting, the following observations and recommendations were highlighted:

- (i) It was observed that there is need to re-orient focus on regional and international perspectives of governance. Integration is a structural aspect that is not easily appreciated by the people. There is therefore need to integrate this into the interactions of the national Members of Parliament with the people;
- (ii) This is a competitive world and to survive, there is need to create viable entities that will move integration to the next level in terms of implementation of laws governing the Community;
- (iii) It was pointed out that integration is all about people and facilitating them through creating mediums of exchange to allow transactions in a manner that is convenient, that is what the Monetary Union is aiming to do;
- (iv) The Partner States of the Community are still operating as sovereign states. There is therefore need to ensure that they operate as an entity by ceding some of the powers to the centre;
- (v) The Committee on EAC Affairs is critical because Parliament plays a role in the integration process through representation, legislation and oversight, which is reduced into concrete actionable interventions by the EAC Committee;
- (vi) The role of EAC Committee in the integration process is in the status of implementation of Council and Summit decisions;



- (vii) The EAC Affairs Committee should be part of the EALA Nanyuki Series Seminars because the more the people, the better the multiplier effect;
- (viii) There are still challenges facing the domestication of the laws passed at the regional level. The Common Market Protocol is still facing some challenges in the area of the free movement of persons across the borders. The EAC should focus on and address the challenges in implementing principles agreed upon or the protocols signed;
- (ix) It was stated that there is need for the EAC to intervene in the conflicts between border communities, for example at the Uganda-Kenya border;
- (x) It was observed that the air transport in EAC is too costly. Therefore, the EAC airspace should be liberalised;
- (xi) Insecurity is affecting different EAC Partner States. Therefore, peace and security in EAC should be prioritised for people to appreciate the benefits of integration;
- (xii) There is an urgent need for Uganda to take up Kiswahili.

(e) Interaction with Kyambogo University

At Kyambogo University, the EALA Team interacted with a group comprising the student leadership, members of the University teaching staff, and members of the University administration and the following were highlighted:

- (i) It was noted that there are a number of student activities sponsored by the EAC in Uganda. These include,

- student debates, EAC clubs in secondary schools, the EAC associations in universities, EAC essay competition for secondary school students, and EAC youth ambassadors in tertiary institutions;
- (ii) It was noted that there is need to rationalise and assist students to get internship training in the East African Community;
- (iii) It was noted EAC Partner States need to align their respective visions to the EAC Vision 2050 as well as African Union Vision 2060;
- (iv) It was noted that the strategic objective of the EAC integration is to engage the youth strategically to address rampant unemployment in the region;
- (v) It was further noted that the EAC is anchored on a foundation of peace and security. Therefore, strategies to ensure that all communities work together to ensure peace should be developed and upheld.

(f) Visit to the Uganda Heart Institute

At the Uganda Heart Institute, the following issues were discussed, among others:

- (i) It was observed that the Institute is an entity under the Ministry of Health. Following the passing of the Uganda Heart Institute Act, 2016, the Institute can explore the avenue of Public-Private Partnerships;
- (ii) It was noted that the minimum requirement is a bachelors in Nursing, followed by a specialisation in Cardiology. It was however pointed out that there were no such training centres in Uganda. So the Institute depends on a programme of skills transfer, which is done in-house;
- (iii) It was explained that the Institute had set up its own training programmes,

especially for cardiologists and surgeons, to train in-house through fellowships, which requires establishing universal accreditation;

(g) Visit to the Uganda Cancer Institute

At the Uganda Cancer Institute, below are some highlights of the general interaction:

- (i) It was noted that Uganda Cancer Institute is an EAC Centre of Excellence;
- (ii) The Government of Uganda provided Ugsh25 billion as the initial tranche for construction of the institute;
- (iii) It was noted that the institute has a machine for treating cervical cancer. However, the Institute requires four new modern machines;
- (iv) It was pointed out that although free medicines are provided, delivery delays are phenomenal;
- (v) The Institute has a Community Cancer Awareness Programme which provides community awareness and free screening services;
- (vi) It was observed that the Institute plans to be self-sustaining in terms of funding, and therefore it is exploring other sources of income as an EAC Centre of Excellence.

(h) Public Hearing on Bills

The public hearing considered the EAC Female Genital Mutilation (FGM) Bill, and the EAC Whistle Blowers' Bill and the following observations were made on the Bills:

(i) The EAC Female Genital Mutilation Bill

The FGM Bill attracted stakeholders from the Ministry of Gender and from the Ministry of

Justice and Constitutional Affairs and they raised the following issues:

- (i) Uganda has an FGM law in place and other Partner States should be encouraged to do the same;
- (ii) The focus of the EALA Bill should be on dealing with the perpetrators who cross the borders in the region;
- (iii) Although the EALA Bill is in sync with the Ugandan law, there are some significant discrepancies. The penalties need to be harmonised;
- (iv) The Ugandan Act has a trans-boundary provision that the EALA should look at;
- (v) The Ugandan Act provides for self-cutting, which is missing in the EALA Bill;
- (vi) Measures to prohibit the practice need to be incorporated in the EALA Bill;
- (vii) The penalty in the EALA Bill need to be increased to a minimum of 10 years so that it is deterrent;
- (viii) Leaders and elders in the communities that practice FGM should be taken on board in the fight against FGM.

(j) The Whistle Blowers Bill

This Bill attracted stakeholders from the Inspector General of Government and the following were some of the highlights on the Bill:

- (i) Article 134 of the EAC Treaty gives the Audit Commission some powers. The Bill should be able to recognise and capture this;
- (ii) The Bill should explore ways of handling confidentiality in light of the advent of ICT;
- (iii) It was observed that regional laws should be more flexible than national laws and should not be so constrictive;

- (iv) The aspect of timeframes is very important; attention should be paid to this in the Bill. Propose a minimum of 2 years and any extension has to be justified;
- (v) The Bill should include a provision for the protection of other witnesses not specified in the Bill;
- (vi) The Bill requires further consultations with corruption agencies;
- (vii) There is a need to organise a re-drafting session for the Bill. The Rules of Procedure in the EAC Treaty requires the Sectoral Council on Judiciary, which is charged with the responsibility of drafting EAC Bills, to pre-empt redrafting;
- (viii) The importance of the Bill is to provide for a whistle-blower not to be disclosed. The Bill should provide for evidence given in camera.

#### General Findings of the Sensitization Programme

- (i) It was observed that there is limited awareness among the people on EAC integration, its programs and benefits and how to explore for the opportunities;
- (ii) Harmonisation of national laws is one of the critical steps required to facilitate regional integration. It is a process that has to go hand in hand with other undertakings of Partner States, otherwise, all agreed programs and stages of integration may be hampered by national laws;
- (iii) Members observed the growing interest of the participants/stakeholders in embracing and learning the Kiswahili language. Besides promoting unity among the EAC populace, Kiswahili language is a critical medium of communication that will further facilitate trade in the region;

- (iv) It was observed that political crisis in Burundi hinders the EAC integration process;
- (v) It was observed that insecurity in the EAC region is affecting EAC integration process.

#### General Recommendations

The Assembly recommended that:

- (i) Sensitisation and awareness on the EAC integration process be institutionalised to be a continuous activity;
- (ii) Urged the Partner States to fully implement the Common Market Protocol which provides for free movement of people, capital and services among others, to allow citizens of East Africa to enjoy their rights;
- (iii) Urged the Partner States to eliminate the NTBs which impact negatively on intra-regional trade activities;
- (iv) Partner States to address the issue of work permit to facilitate those who wish to work in EAC Partner States;
- (v) The issue of certificates of rules of origin should be addressed to facilitate cross border trade;
- (vi) The EAC Summit of Heads of States should put more efforts to fast track the on-going peace negotiation for the Republic of Burundi;
- (vii) Peace and Security in EAC should be prioritised for people to appreciate the benefits of integration, and the EAC should fast track the implementation of the EAC Peace and Security Protocol;
- (viii) Summit of Heads of State should upgrade Kiswahili to be one of the official languages of the Community.

Mr. Speaker, Sir having read this long Report with 31 pages, I want to put it that this Report was received by the subcommittee only yesterday afternoon. We tried to do what we did.

With those few remarks, I beg to move and request that the Report be adopted – *(Applause)*.

**The Speaker:** Thank you very much, Hon. Patricia for a good presentation of the Report. Indeed, on behalf of the Office of the Clerk, we apologise to the subcommittee of five persons who attended to this Report. I remember I just gave you yesterday to work by the side of the Plenary and I was worried that you would not put this together. Therefore, I really would like to congratulate the subcommittee for putting this Report together.

Honourable Members, the Motion before this Assembly is: -

THAT the Report of the EALA on the Third Sensitization Activities conducted from 27<sup>th</sup> October, to 6<sup>th</sup> November, 2016, in Partner States be adopted.

*(Question proposed)*

**The Speaker:** Debate is open. Let me start with Hon. Isabelle.

**Ms. Isabelle Ndahayo (Burundi):** Mr. Speaker, Sir, I will try to be very brief because many of the observations we made during this activity seem to be the same. The Third Sensitization exercise was again very successful. It was a good opportunity for us to evaluate the effects of the previous session of sensitization. We have now started to realise its impact. People are now following what we are doing in the EAC and at the EALA. They have realised the impact of EALA in Burundi. It was an issue, which came up many times, but we did not want to bring out the findings from different stakeholders. Burundi still needs East

Africans. You are also welcome in Burundi. Burundi is safe for you and Burundians are expecting to see you soon again.

The second issue I would like to raise is one that is raised many times when we meet different stakeholders. This is about the relationship between EALA and the National Assemblies. This is a very big concern and we even fail to convince Members of National Assemblies when we meet them.

Mr. Speaker, Sir, Article 65 is very clear. However, I cannot say that the implementation is not there because EALA is trying to do its best. The Clerk sends all records as we are told. This includes Bills and resolutions. We have seen that Ministers are trying their best because they respond to all questions and give reports of what is going on in the EAC and in the EALA in the National Assemblies. However, we still have challenges. Different stakeholders appreciate the work of the EALA but National Assemblies claim that they are totally disconnected from our work, and they want to know what we are doing. I can even give an example.

As the EALA, we are at the regional level and we make laws for the region. At the national level, there are National Assemblies. When we make laws at the regional level, sometimes they are not necessarily passed at the national level and they need amendments. Those who do amendments are Members of Parliament (MPs) of National Assemblies. So, if they are completely disconnected, it is then not easy for them to know what needs to be done.

I would like to ask this Assembly and the Council of Ministers to help us work in harmony on how to report. This should be harmonised in all Partner States. If need be, we can share with other Partner States and tell

them what we are doing in order to solve this problem and maybe come up with a good way of doing it in the region.

Another issue that I would like to raise is about the certificate of origin. I will not say too much, but this issue needs to be given more attention. People should be aware on how to use this and how they can get it. Many problems occur which are caused by ignorance in most cases.

When we were meeting the members of the community at the border point, they said that sometimes they go into Tanzania, for example, to buy matchboxes, which are labelled at the back "Made in Kenya". They think that it is enough when you buy products in big quantity and that it is not necessary to have a certificate of origin. The issue is, how can they get the certificate of origin? They do not understand why it is necessary to have the certificate of origin when it is clearly written where a product originates. All these were issues, which were raised by different stakeholders who need to use the certificate of origin.

We realised that the certificate of origin is the main reason we found very many trucks at the border post. Therefore, the Council of Ministers should help us. This recommendation is also in the Report but it needs to be clarified.

I also would like to say something very briefly about public hearings. It is about information we gave to people and shared with them. There was an issue raised regarding participation of people in public hearings. People wanted to contribute on the two Bills we were dealing with but the time was not sufficient for them to prepare and contribute. So, this Assembly should organise another time for public hearings in order to enrich those two Bills properly.

Mr. Speaker, Sir, the last issue I would like to raise is a correction to the Report. As you said, we received it yesterday in the afternoon. We could not spot all the mistakes but the issue I want to raise here – I do not know whether it was done purposely or by mistake and maybe they will help me – is about Akanyaru OSBP and it confused me. The Report says that it was noted that Akanyaru OSBP is no longer active because border post operations are down because of restrictive movement of people. It has also been pointed out that the border staff for both Partner States no longer share offices as per the operation requirements of the OSBP. I think this is wrong because the OSBP never existed.

**Dr. James Ndahiro (Rwanda):** On a point of information, Mr. Speaker, Sir. I want to inform my colleague, Hon. Isabelle that the physical buildings were not yet there but the existing buildings were used as such. People from Burundi operated in the same buildings at the border side of Rwanda and people from Rwanda crossed to the other side in the existing infrastructure. The operations were there as they continued with the construction programme. Thank you.

**The Speaker:** Thank you. Hon. Isabelle.

**Ms. Ndahayo:** If I may go on, in No.7, they have said that the construction has been put on halt due to insecurity.

**The Speaker:** Hon. Isabelle that is a very interesting point. Do you concede to the information that the physical infrastructure OSBP on the border was not yet completed but the practice of OSDP was ongoing as given by Hon. Dr. Ndahiro?

**Ms. Ndahayo:** Maybe we will get that information from the Council of Ministers

because I am not convinced by the information provided. The last issue is that if the construction was not stopped because of insecurity but to the best of my knowledge, by lack of funds and the mobilisation of funds is ongoing. Maybe the Council of Ministers will help us on that. Thank you.

**The Speaker:** The Chairperson of the Council of Ministers has the status report of the OSBP. You will remember that the Committee on Communication, Trade and Investment visited all the OSBP and the records are clear in this House. Therefore, I caution Members to speak cautiously when they are referring to matters, which have already been documented in this House.

Hon. Shy-Rose, you may proceed.

**Ms. Shy-Rose Bhanji (Tanzania):** Mr. Speaker, Sir, thank you for giving me this opportunity so that I also contribute to this very important Motion on Sensitization Activities conducted in our Partner States. Let me begin by congratulating *Mheshimiwa* Patricia Hajabakiga for presenting the Report very eloquently.

Mr. Speaker, Sir, we are discussing an important issue of EAC sensitization. Without sensitization, all the efforts of uniting six countries of the EAC Partner States – in uniting these countries in the EAC framework and resulting of policies and the benefits – will be meaningless to the majority of the East Africans who are now numbering 165 million people.

Mr. Speaker, Sir, today, we cannot take it for granted that this integration will progress without involving as many East Africans as possible in order to inform, educate and give them updates on the issues that are developing in the EAC. This is very important because these developments have

direct impact on their daily lives. The EAC integration is not exclusive to politicians and few companies that conduct business and trade amongst themselves but it is meant to involve every East African, young and old, rich and poor, men and women, educated and uneducated, employed and unemployed and also farmers. All these are direct beneficiaries of the EAC Treaty.

To sensitise East Africans is to tell our stakeholders about what is happening in this Community and for whom. Our youth and women have a special role to play in the EAC especially taking into account that now there are a lot of emerging easy markets of the products across East Africa. We all know the importance of sensitization. Sensitization is a strategic tool for integration. We need to keep our people informed about the opportunities and the solutions so that they can get answers and take full benefits from our local East African industries.

The subject of sensitization is very dear to my heart and mind because when I was campaigning for an EALA position, I made it plainly clear that this would be my mission; to focus on sensitization of the EAC affairs to the East Africans.

Mr. Speaker, Sir, taking stock of my four years plus in EALA, I have noticed that I have regularly and consistently campaigned on the role and importance of sensitization for the EAC benefits and its impact to our people. I take this opportunity to thank you, this Assembly and the Council of Ministers for approving the sensitization programmes because they are of great benefit to our people. I expect a round of applause. *(Laughter)*

Mr. Speaker, Sir, you will agree with me that the Third EALA has shown tremendous and immense contribution and improvement on

sensitization activities. Equally, I would like to commend all the Members who took part in the sensitization programme in various counties. You did a commendable job. All the things that we have had in this Report are very commendable.

Mr. Speaker, Sir, I have always been very critical to the Department of Corporate Communication of the EAC. However, there is a saying that goes; give credit when it is due. Over the years, the Department has done a very good job. Today, you can see that the Department is working day and night on social media such as *Twitter* and *Facebook* and every other media including the electronic media and hard news media. They are doing a very good job. I know this is not the topic for today but as a way of information, I thought I should tell them to keep up the good work.

Finally, let me conclude by saying that the Third EALA has done a commendable job on sensitization strategy but there is still much to be done. So, we should continue with this strategy. That way, I will also have something to go back home with and say that I managed to fulfil what I had campaigned for when I was vying for EALA position. Because we have been able to publicise EALA very much, now it is very well known across East Africa and beyond. Therefore, we should expect very many candidates to vie for many positions that we are currently occupying. So, my dear colleagues let us all be prepared. I am fully prepared and so help me Lord.

*Asante Mheshimiwa Spika.*

**The Speaker:** Thank you very much. That is a fruit of sensitization.

We will have Dr. Martin and then Hon. Maryam.

**Dr. Martin Nduwimana (Burundi):** Mr. Speaker, Sir, I thank you very much for giving me this opportunity to contribute to this very important Report. Before that, because it is the first time I am taking the Floor during this meeting, I must express my thanks towards the Republic of Kenya, through His Excellency the President and his Government, the Speakers, the Parliaments and our colleagues from the Kenyan Chapter for welcoming us in this very nice city and very good country.

As some colleagues have said, we are already enjoying Nairobi. It is a bit cold and wet but those are graces. For those who are very sensitive to cold, I invite our colleagues to show them how they can stay warm because they know the ways and means to do so. Personally, I am okay.

Mr. Speaker, Sir, back on the Report, I stand to support it and congratulate Hon. Hajabakiga for having worked hard and brought it in a timely manner. I will speak on the side of the Ugandan Chapter because it was in Uganda that I performed my duties in terms of sensitization activities. I wish to express my heartfelt thanks to the Ugandan Chapter for having adopted me in their Chapter. It was the first time I performed the activity and I felt that definitely I would be part of the fourth or the fifth ones because Uganda is already my home.

**A Hon. Member:** You are welcome!

**Dr. Nduwimana** I heard someone say that I am always welcome. Thank you very much - *(Interruption).*

**The Speaker:** Dr. Martin, you should not mind because the Common Market Protocol is very clear about the right of settlement and establishment for all East Africans. You may proceed.

**Dr. Nduwimana:** Thank you very much. I am the one to testify that it is true.

Mr. Speaker, Sir, the sensitization in Uganda went on very well. With each and every partner we met, the outcomes were always excellent. We sensitised people but also in turn got a lot of information. We had very rich interactions. Within the good, there is usually the best. To me, the best was the meeting we had with the committee in charge of EAC Affairs from the National Assembly. It was very interesting and I want to assure you that during the three hours of meeting with them, the discussions were very relevant, rich, deep and of course useful. This could be partly because those MPs are new in parliament. It was evident to me that they were interested and committed to come back and contribute to the integration agenda.

As you can see, in the Report, not less than 13 points have been touched. We parted ways with them although we felt that it was not time to separate. Lucky enough, we separated with them with a commitment that we have to interact again. I would like to request the presenter of the Report, if she wishes, to pick the point I am alluding to. I will read it and it is a kind of an amendment to the Report. It is a point which could stand as a strong commitment between the committee in charge of EAC Affairs and EALA Uganda Chapter on the critical importance of meeting and interacting on a regular basis in order to enhance the integration agenda. This is very important.

Just to conclude, we touched on this yesterday and Hon. Isabelle mentioned it again. It is important that our sensitisation activities take place when we are meeting during Plenaries in a particular country so that we take the opportunity to interact with

Members of National Assemblies in order to move together.

Mr. Speaker, Sir, with those few words, I beg to submit and stand to support the Report. I thank you.

**The Speaker:** Thank you very much. We will now have Hon. (Dr.) Odette.

**Dr. Odette Nyiramilimo (Rwanda):** Mr. Speaker, Sir, thank you. First of all, I would like to thank the people of Kenya, starting with His Excellency the President of Kenya, the Speaker of the National Assembly, the Senate and Members of Kenyan Chapter for the warm welcome they always reserve to us while we are in Kenya. From the onset, I would like to also congratulate and thank Hon. Patricia Hajaabakiga for the very good Report she has presented to us and the team from the commission who worked on it because it is a very good report.

Mr. Speaker, Sir, this is my eighth year in EALA. I think something very important was missing in the first six years I spent in EALA and that is the sensitization activity. We started it last year but it should have been started with the First EALA and not the Third EALA. While conducting sensitisation that is when we really feel that we are representing the people of East Africa as parliamentarians. During sensitisation, we can see what is being done. The oversight activity is facilitated. When we sensitise the people of East Africa, we know which laws and Acts are lacking and we can start thinking of how we could initiate laws. This is a very good initiative for our Third EALA to make sure that we have sensitisation during our tenure.

Mr. Speaker, Sir, we talk about NTBs and some people who are engaged or supposed to work on stopping proliferation of NTBS always fear to talk about complete



suppression of the NTBs. NTBs are still there and some are new. One of them, that I observed last week, is the certificate of origin which is necessary to prove that goods are made in East Africa but not imported from outside or at which level the goods have been manufactured in East Africa. When traders are at the border, it becomes very difficult for them. It can also give room to corruption because I have seen somebody who crossed the border. When he was at the border, he was asked to produce the certificate of origin from a town which is about or more than 1,000 kilometres. That person had to ask for somebody to send blank certificates of origin without stamps. The person was even asking me how to fill them. That was the first time I saw the certificate of origin and I wondered how one could have a blank certificate of origin and fill it themselves because they could fill anything. They trusted me but that was a real shock because if people can even access blank certificates of origin, that means they had to pay something in order to receive them. Sometimes we put laws in place hoping that they will be followed but we need to be on the ground to see how implementation is being done.

Something else I would like to talk about is when we plan the sensitisation programme, we should take into account the EAC Week. The Ministry of EAC Affairs should organise sensitisation activity during EAC Week. Sometimes there is duplication of the activities that EALA has conducted. For example, we had been invited in Rwanda to participate in the EAC Week but, unfortunately, we were already engaged in EALA activities and we could not. If it had been the other way round to have activities after another period then go to the sensitization together with the Ministry, that would have been a good thing. I think it should have been better than how it was but what we have done regarding sensitisation

was good in all the Partner States according to the Report. I congratulate the Third EALA and our very able Speaker to have achieved this. Thank you very much.

**The Speaker:** Thank you Hon. (Dr.) Odette. We will now have Hon. Maryam and then I will come to this side. I will give priorities.

**Ms. Maryam Ussi Yahya (Tanzania):** Mr. Speaker, Sir, thank you very much for giving me way to speak. First of all, let me also thank Hon. Patricia Hajabakiga for eloquently putting the report before us because all the Chapters were represented. I also thank and congratulate you because you have done this many times. It is because of your administration that we started a robust sensitisation programme.

Mr. Speaker, Sir, I just have three points. First of all, since I did the sensitisation in Tanzania, let me take this opportunity to congratulate the United Republic of Tanzania through the Immigration Services Department Headquarters. They have done tremendous work. We had a very informative meeting with them. They gave us a lot of information which is in points (b), (c), (d) and (e) on page 23 of the Report.

Mr. Speaker, Sir, it is only when we do sensitisation as EALA Members that we realise we have problems in our countries and that we need to represent them properly in EALA. I am saying this because there were a lot of queries about the Immigration Services Department. However, since I have been serving in EALA and this is almost my final year, we have never been to the Immigration Services Department. As you know, there were a lot of queries on the borders and all that. When we got there, we received a lot of very important information. Most of it was about the decrease of visa fees from USD2,000 to USD500 and there was a little

bit of confusion about harmonization. This needs to be clearly defined. Some Partner States are saying harmonization of laws is to make laws apply equally in all Partner States. However, some understand harmonization as to harmonise so that all flows together and it does not mean zero tariff or specific tariffs. The Treaty does not specify the issue of harmonization.

Mr. Speaker, Sir, since it was a sensitisation programme, I will put forward a problem that arose during the Plenary in Zanzibar whereby young students from the East African Partner States had gone to Tanzania for a programme. Unfortunately, Ugandan students got stuck there because they were supposed to pay fees both in Tanzania and Zanzibar. The Immigration Services Department has so far cleared that. Officers at the Immigration Services Department said that they have not received any information about that. So, we urge the Immigration Services Department to provide information to all East Africans on fees that need to be paid by students because this is one way of having corruption. They told us that all students of East Africa are free to go in Tanzania and they do not have to pay any fees.

Mr. Speaker, Sir, allow me to go to my second point on relationship between EALA and the National Assemblies. I was a Member of the Committee on General Purpose. All the time I stood to speak during the session that discussed the Budget and during other times, I insisted on sensitisation and I am happy that it has been done. I always talked about the relationship between Members of national parliaments and EALA. I am now happy that in this Sensitisation Report, all the Partner States have realised that it is important. The relationship is provided for under Article 65 of our Treaty which I will read quickly. It states that:

“In pursuance of the policy of the Community of popular participation in the achievement of its objectives and so that the Council may be able to take into account in the exercise of its functions, the opinion of the general public in the Partner States on matters relating to the achievement of the objectives of the Community as expressed through the debates of the elected members of their National Assemblies, and those of the Assembly and to foster co-operation between the Assembly and the National Assemblies of the Partner States hereinafter referred to as “the National Assemblies”:

Mr. Speaker, Sir, we have not been having close relationships with Members of National Assemblies. It is very hard for us who want to be in the Fourth EALA to go and campaign because they will be asking us where we have been all these years. The only Member of National Parliament from Tanzania who knows us well is the Minister here because she is here with us all the time. If we followed what the Treaty instructed us, we would not be talking about all these problems of approximation, harmonization and our EALA laws.

We should have begun sensitisation activities and conducted them every year to meet with MPs of Partner States, explain to them our programmes and tell them what we are doing. At the end of the day, they are the ones who make sure that the laws we pass here are implemented. They are our constituency but their constituencies are people of East Africa. So, we cannot just go to someone's constituency and start talking yet the MP of that constituency does not even know who Maryam Ussi is. I cannot, therefore go to an MP's constituency and start talking about East Africa. If we all stuck to this Treaty

which we all signed, there would be no problems. Now we are having a lot of difficulties to explain ourselves; who we are and what we are doing because people do not know what we are doing.

Mr. Speaker, Sir, taking this into account, the Nanyuki Series is coming. We are happy that a part of Members of National Parliaments will be there. My suggestion is that we should not just put a specific theme for Nanyuki Series because the MP from the Government of Uganda and the United Republic of Tanzania are all new and they do not even know the theme of Nanyuki Series that we spoke about last time. So, it is better that during the meeting of Nanyuki, we put different themes so that at least we give different information to the Members of national parliaments. I am dwelling too much on this even though it is away from the sensitization because all Partner States have given this as a problem. Just few weeks ago, the United Republic of Tanzania held a seminar on integration process. People were texting me to ask what integration is and that means that they are not aware and they need to be aware.

Mr. Speaker, Sir, I would like to urge the Council of Ministers to do something about the issue of Kiswahili because we have seen the Burundi and Uganda sensitisation reports talking about Kiswahili. Burundi said that they want all paperwork to be translated into Kiswahili. Ugandans are also proud to study Kiswahili. So, it is time our Council of Ministers, through our Chairperson, passed a resolution regarding the use of Kiswahili as the East African language. It is the Ministers who have access to our Head of Summit. We urge that when you meet with them, you should put our resolution forward and tell them to not only note what EALA Members are saying but what the East Africans on the ground are saying. I pray to God that I

continue serving in EALA and hope that the sensitization programme will be done every year during our tenure – (*Interjection*).

**Ms. Nusura Tiperu (Uganda):** On a point of information, Mr. Speaker, Sir. I just want to give assurance to my sister, Hon. Maryam Ussi and to urge her to be positive. Considering the manner in which she has given her contributions in this House, I believe she will be in in the next EALA.

**Ms. Ussi:** Hon. Tiperu I have taken the information but the only problem is that my contribution here might not reach even 10 per cent of MPs in Tanzania. However, I thank you for your information. Of course I want to come back.

Mr. Speaker, Sir, we need to put the programme in the first, second, third and fourth year until the fifth year because they may not talk about this during their fourth year.

I thank you.

**The Speaker:** Hon. Ussi, thank you very much. I would like to allay your fears that in our annual calendar, we still have sensitization ongoing before elections. So, just belt up for it.

I would like to give my good friend and brother from Burundi the Floor.

**Mr. Jean Marie Muhirwa (Burundi):** Mr. Speaker, Sir, thank you for letting me have the Floor to express my regards on the serious issues that we are dealing with. Before I move ahead, I am quite honoured to stand up in this House to make my speech for the first time since I got elected to be a Member of EALA. Allow me to express my gratitude because of the way you warmly welcomed me. I thank you for that.

Secondly, before I move ahead, allow me to join other voices to congratulate His Excellency President Uhuru Kenyatta, the President of the Republic of Kenya. I also thank the people of Kenya for their warm hospitality that they have shown us because we are really enjoying.

Mr. Speaker, Sir, allow me to apologise in advance. I am very sorry if I will express myself in a way or a manner which you may consider inappropriate. I beg you to point out to me when I am out of order because I am still adapting to rules and regulations of this House. Allow me then to move forward.

I stand up to contribute and give views regarding the present report on sensitisation. First of all, I support this Report though I have some contribution to make with regard to assessing it so as to enrich it. I support Hon. Isabelle for what she presented here about the function of OSBPs of Akanyaru. I got information but I was not totally convinced because when you look at a detailed schedule of OSBP and the status, you will find that formerly Akanyaru OSBP did not exist. What happened was not due to insecurity in Burundi but rather, it was due to budget constraints. When you read the formal report that we have, you will see that the finalising of the budget to make it a reality is still ongoing. That was the first issue.

Secondly, moving further to this, I am quite satisfied and convinced that to make integration in East Africa a reality, we have to reinforce the behaviour of sensitisation. According to me, sensitisation should be carried out in different countries by groups of Members from different Partner States. This would raise the relevance of the reports presented.

Third is the issue of amendments. When you go to page 7 of the present Report, the correct position is that the Chapter met ABELO which is the association of locally elected Members but it is written here that the chapter met an association of local leaders, which is not the case.

I would also like to take you to page 31, and I will read points four and five under General Findings of the Sensitisation Programme.

- (iv) It was observed that political crisis in Burundi hinders the EAC integration process;
- (v) It was observed that insecurity in the EAC region is affecting EAC integration process.

Mr. Speaker, Sir, my conviction is that the political crisis Burundi is facing is a political problem. This fourth point should be removed from this Report because I am wondering how the political crisis in Burundi hinders EAC integration process. A question comes to my mind on whether there was a study conducted by EALA or the EAC to find out that the internal crisis hinders the EAC process of integration – (*Interjection*).

**Mr. Fred Mukasa Mbidde (Uganda):** On a point of order, Mr. Speaker, Sir. The process of formulation of the Report has the basis of substantive study by the rules of this Assembly called sensitisation. Therefore, is the current speaker in order to say that the results of the Report are not backed by a study, where in fact, he is part of those that conducted the study because he was a Member by then?

**The Speaker:** The honourable Member is expressing his views. First, in his own views, he acknowledges that there is a political crisis in Burundi. Secondly, he asserts that the political crisis in Burundi, in his opinion,

does not affect the political integration of the EAC. The report which is a compilation of findings and an agreement of the people who compiled says that the political crisis in Burundi affects the integration. It may not stop it. The final person to accept amendments or not in our Rules of Procedure and processes as we do here is the Mover of the Motion. So, the Member is at liberty to express his opinion but the final say will be done as per our Rules of Procedure.

Honourable Member, proceed.

**Mr. Muhirwa:** Mr. Speaker, Sir, thank you. Let me conclude in the same line. Further to this conclusion headed by what I have been saying before - (*Interruption*) -

**The Speaker:** By the way, honourable Members, this House deserves to apologise to Hon. Jean Marie. Our rules provide that in your maiden speech, you are just as good as that and nobody is supposed to interrupt you. Sir, you are liberty to speak. Proceed.

**Mr. Muhirwa:** Mr. Speaker, Sir, thank you once again. I was saying that we are quite satisfied because due to the political crisis in Burundi, there is internal and external dialogue. The internal dialogue is being guided by EAC organs via *Mheshimiwa Rais Mstaafu* Benjamin Mkapa. So, what is happening in Burundi may affect the region and I think we should work hand in hand. We should have a look at the EAC not as a group of individual countries but as an entire single common community. Thank you.

**The Speaker:** Thank you very much Hon. Jean-Marie.

Hon. Oda.

**Ms. Oda Gasinzigwa (Rwanda):** Mr. Speaker, Sir, thank you very much. First of

all, let me also take this opportunity to thank you for the good work done. As a newcomer in this Assembly, I am in a good position to tell you about the impact of sensitisation because I have been following it up and I had a privilege of being a Member of the task force when Rwanda was joining the EAC. That is what I have been waiting for all these years. I take this opportunity to thank the Assembly and the able leadership for putting this in place because outside there, citizens have been benefiting from the work you have been doing this year.

Before going further, I also want to thank the team which compiled this Report though it has been read by Hon. Patricia whom I also appreciate. I take this opportunity to also support the Report because it contains most of the important points and areas which we think will take this integration forward.

I have few recommendations to add on this. Once again, I request the Speaker to bear with me if my proposals have been discussed in previous deliberations of this Assembly in one way or the other. First is on the procedure and/or the methodology of doing this important activity. It would be wise before embarking on this important exercise to take a stock of the priority areas and focus on what we want to undertake during our outreach programme. I assume this can be found in the reports, researches and different papers which have been passed throughout the period. We can decide which areas at the regional level we feel it is high time to take down to the community and talk the citizens about. We should listen to them and come up with feedback which we will use in planning our future programmes or doing the advocacy for those who are supposed to do the implementation especially through the Ministers responsible for EAC affairs.

I am proposing that if it is possible we have a plan before we go for sensitisation. We need to know the major focus areas we will take to the regional level without putting aside the priorities at the national level because I also understand that we are from different member states and we might be having different challenges in sensitisation and making sure that people understand the EAC integration. All in all, I think we have some priority areas at the regional level, as a group, which we can focus on without putting aside the national priorities as it has been said.

Secondly, I support what Hon. Odette mentioned and would like to add a little bit of practicality in how this can be done. She proposed harmonizing the planning of the sensitisation. At times, you will find that some stakeholders especially the Ministries of EAC or sometimes our national parliaments have programmes of sensitisation. With the experience I have, sometimes when you go as different institutions, for example, in this particular case as EALA, EAC and parliaments that gives an opportunity for the citizens to also get feedback there and then. This is because we take some of the issues they raised when we went for the sensitisation and bring them here. However, someone from the Ministry can immediately give the feedback and tell us those things we need to take up to EALA level for more advocacy and implementation through the programme. So, I feel that we need to maximise the time, resources and energy of the people who go down to the communities. But again, we should not leave our citizens waiting for us to give them feedback after another period of time when we go back during another period of sensitisation. Even if we have one period during the year where we can organise with the implementers, legislators and another group which we feel can go with us, then with that kind of planning, we can solve some of

the issues and come back with issues we feel need to go to another level.

I will end by again thanking all of you. I enjoy being part of this good team and I am learning a lot from you. I hope I will do enough during the little period I have before the end of this Assembly.

**The Speaker:** Thank you very much Hon. Oda for that good input as a fresh brain and mind from out there and validating the impact of the sensitization programme.

Hon. Yves.

**Mr. Yves Nsabimana (Burundi):** Mr. Speaker, Sir, thank you for giving me this opportunity to contribute on this important Report. I will start by thanking the President of the Republic of Kenya, His Excellency President Uhuru Kenyatta, the people of Kenya and the Members of the Kenyan Chapter for the welcome they gave us and the commitment they have in the integration agenda.

Coming to our Report, I thank the Kenya Chapter because I was with them in the First and the Second Sensitisation exercises. I would also like to thank the Tanzanian Chapter because I was in Tanzania. I thank them for having adopted me as an EAC citizen and as their brother for conducting this activity. I felt at home being *mwananchi mwenyeji. Asanteni sana* brothers and sisters - (*Interruption*).

**The Speaker:** Hon. Yves, sorry for the interruption. Honourable Members, the guideline as set out by the Commission for the sensitisation is such that if any Member of the Assembly would like to go and work in another Partner State, he or she is at liberty to do so. Members go to Partner States as working committees of the Assembly and

sensitisation is just designed as such. So, these are working committees of the Assembly and any Member can do it anywhere because the choices are open. Thank you very much.

Hon. Yves, proceed.

**Mr. Nsabimana:** Mr. Speaker, Sir, I have two observations that I would like to share with this House. When we go out there to visit citizens, we should not do things the way we have been doing them. When I tell EAC citizens that I am Nsabimana, Member of EALA representing Burundi that is not a good way of introducing myself. When you are sworn in this House, you stop being an ambassador of your country and become a representative of all the citizens of the EAC. I say this because when I say that I am Yves Nsabimana, a Member of EALA born in Burundi that shows, to the one I am presenting myself to, that I am committed to the integration agenda. If something happens in a particular country, I am also convicted not to consider that as a problem that concerns someone else or one that is far away from me but one which is my concern and I should be committed to contribute in solving it. That is why I said that we must keep in mind that we are EAC citizens and must represent the EAC citizens. That is what I observed when we were in Tanzania. *(Interruption)*

**The Speaker:** Hon. Yves, that is a matter of law and Members should know it clearly; we do not represent Partner States. We represent the East African people. If by any slightest chance any Member thought he was representing his country, he should get that out of his mind.

Proceed.

**Mr. Nsabimana:** Mr. Speaker, Sir, thank you for emphasizing that.

**The Speaker:** There is a point of clarification.

**The Minister in the Office of the President for EAC Affairs, Burundi (Ms. Leontine Nzeyimana) (Ex-Officio):** Mr. Speaker, Sir, it is good that you have made it clear. So, there is no vocabulary of adoption and everybody can go to anywhere they want to work and there should be no adoption.

**The Speaker:** Thank you. Hon. Yves, proceed.

**Mr. Nsabimana:** Mr. Speaker, Sir, the second point I want to raise is a request but not a point of observation. When we were conducting the sensitisation activity, I observed that communities that share borders around Partner States are facing a lot of problems. This House may not have the solution to their problems but the solution is in the hands of Ministers of different Partner states. I would like to request, through this House, that the five Ministers should carry out sensitisation together since they are Members of this House.

There are problems surrounding borders. If the Council of Ministers takes time to do the same sensitisation we are doing, this Community will go very far and we will solve many problems. One day, I wish to see the five or six Ministers, if South Sudan is incorporated, working on a programme of sensitisation – *(Interjection)*.

**The Third Deputy Prime Minister and Minister for EAC Affairs, Uganda (Dr. Kirunda Kivejinja) (Ex-Officio):** Mr. Speaker, Sir, point of information. I thank the honourable Member for giving that information. Efficiency goes with

organisation. The Council of Ministers and the Legislature have got specific roles. The best way is not to bog the whole system to perform one thing but rather let each organ do its work. The team should establish what is to be done by the Ministers and give them the task and then they will come up with the answers. We should not say that if we are moving together, then it means we are efficient. We shall be very inefficient and achieve nothing.

**The Speaker:** Thank you honourable Minister and Hon. Yves.

**The Minister in the Office of the President for EAC Affairs, Burundi (Ms. Leontine Nzeyimana) (Ex-Officio):** Mr. Speaker, Sir, point of information. I would like to inform this House that in Burundi, every year, we have a budget set for sensitisation. Last time, we had planned to do the sensitisation as the Parliament together with EALA. We could not make it but they did it on their own and I know that other Partner States do that as well. So, we are on board with other states concerning the sensitisation issues. Thank you very much.

**The Speaker:** Thank you very much honourable Minister.

**Mr. Nsabimana:** Mr. Speaker, Sir, I thank the different Ministers who have given me information. There are many problems in the surrounding populations that share borders which need to be solved by the Governments. The problems cannot be solved by EALA. EALA can only make recommendations - *(Interruption)* -

**Ms. Angela Kizigha (Tanzania):** Mr. Speaker, Sir, point of information. If I may help Hon. Yves because he was part of the delegation that carried out sensitisation in Tanzania. Citizens of Tanga between the

border of Horohoro and Lungalunga raised the issue of land. Those people expressed themselves and said that they have been living there for more than 40 years but they do not have any citizenship up to now. The issue of water is also a very a serious problem. They also raised very many issues which touch on the issue of the Government or MPs from the national assemblies. Therefore, he is right but he should find out how MPs can help him. However, during sensitisation, we discovered that there is nothing we can do to help especially with the issue of OSBP.

There are places where people work at night but that does not happen in other places. Regarding the issue of Horohoro in Tanzania side, they work and the vehicles are allowed to pass on one side of Tanzania but they are not allowed to pass on the other side. Therefore, they wanted to know the views of the EAC. There are Kenyans there and also people from Tanzania but only one side is permitted to carry out activities and yet on the other side people are not allowed. Others also said that they have been there for many years and wondered why they are not allowed to have land occupancy as citizens. They have previously been permitted to vote for their president and other representatives but last year they were not allowed to vote. So, there are land issues there and the issue of citizenship. They also wanted to know where they belong because they have been there for years.

Mr. Speaker, Sir, I thank you.

**The Speaker:** Hon. Yves, proceed.

**Mr. Nsabimana:** Mr. Speaker, Sir, I would like the Ministers to be sensitive regarding some problems around the borders. This is because the issues can cause problems. The



issues need to be solved by governments quickly.

**Ms. Kizigha:** Mr. Speaker, Sir, I take the information which is good. However, I would like them to take the problems in their hands and solve them because they are the immediate persons who can find solutions for those populations.

Thank you, Mr. Speaker, Sir. I support the Report.

**The Speaker:** Thank you. Hon. Ngoga.

**Mr. Martin Ngoga (Rwanda):** Mr. Speaker, Sir, I am also pleased to join my colleagues here to appreciate the fact that this activity has taken place and possibly it has become the most popular activity that this Assembly is doing. It has added a lot of value to EALA out there in the Community. For that reason, we have to commend you, first of all, for the inception of the idea itself and Members who have participated in these activities.

Back to this Report, I just want to start with one point which is a correction to Hon. Patricia's Report. I was part of the team that visited Rusumo Border Post where the issue about corruption was raised. That is on Page 21 where it is indicated that stakeholders complained of corruption tendencies at the border especially on the Tanzanian side where a certain amount of money is demanded in return for the services required. I want to put this in context. It is not a complaint that came in such a raw accusatory form. There were complaints about certain services that are missing at the border and as a result, they create openings for possible corruption. At times, corruption does happen.

One such service required is the yellow fever card. Most citizens around the borders do not have the yellow fever cards yet they cross the

borders daily. So, they said that they have to manoeuvre their way at times and that may involve corruption. The bigger idea was that the services should be made available at the border. There must be somebody there to do vaccination and give the cards. If the services are provided for one, two or three years, we will have the whole population around the border in possession of the cards which last for 10 years. That was one point from which this idea originated.

There was also the issue of visas for those who travel deep into Tanzania. As we said yesterday, one should have a visa for a longer stay. So, there is no clear instruction or proper enforcement at the border to make sure that happens. Even if there is room to exercise discretion, it must be exercised reasonably and there must be some explanation. They said this is another opening where people have to manoeuvre their way to have a longer visa in order to stay longer in Tanzania. So, it was not just an accusation but an explanation in the context that I have said. I do not know whether this should be a recommendation or correction of the content but the services must be provided at the border and also proper instructions should be given to those who are responsible for issuance of visas.

Mr. Speaker, Sir, I would like to make a recommendation and this is a kind of footnote to what Hon. Oda has suggested in terms of how we can improve our planning. Two weeks ago, there was the EAC Week in Rwanda where they did pretty much of what we had already done. It involved the Ministry of EAC Affairs and other stakeholders meeting with the same people we had met a few weeks ago and telling the same stories we had been telling them. So, I think this kind of repetition can bore our stakeholders. I guess the EAC Week is supposed be rotational in the entire region. Therefore, we should at least make one sensitisation activity to

coincide with the EAC Week. That will help us to partner with other stakeholders as Hon. Oda suggested but also to avoid duplication of what we do when we go to meet citizens.

Mr. Speaker, Sir, lastly, another recommendation is that we should do this activity and get recommendations. We will approve the Report but what is the mechanism for the follow up of what we recommend? I suggest that some of these activities must constitute committee activities. We must apportion different recommendations to committees as substantive activities as a way of following through what we recommend.

Mr. Speaker, Sir, thank you. I support the Motion.

**The Speaker:** Thank you very much Hon. Ngoga for the good remarks.

I will now have two from this side then I will come to this side. We must conclude this before 6.30 p.m. Let us have Hon. Susan and then Hon. Rwigema. Please do not take more than five minutes and then we will have these contributions from this side.

**Ms. Susan Nakawuki (Uganda):** Mr. Speaker, Sir, thank you very much. I rise to support the Motion and the Report. First of all, I would like to thank you for facilitating the sensitisation process. Allow me to thank the entire Assembly because as you are aware, the sensitisation has been majorly funded by EALA. When I say funded by EALA, you know what that means. These Members have had to sacrifice to ensure that the sensitisation takes place. *(Applause)*

Mr. Speaker, Sir, allow me to also say that sensitisation is a key component of the roles of EALA considering that even our Strategic Plan of 2013-2018 makes it very clear that this is a people-centred Community and we

will take the people-centred approach and this is exactly what we are doing. I would like to use this opportunity to urge the Council of Ministers that as we budget next time, we should reserve enough money for sensitisation. I remember when we had plenary in Kampala, His Excellency President Yoweri Kaguta Museveni promised this Assembly that they will be availing funds every financial year to cater for the sensitisation. So, I urge the Council to take this up. We expect that money for sensitisation will be available in the next financial year.

I understand that the EAC is private sector-led and market driven. For us to make sure that it is really private sector-led, we need to have much more interaction with our private sector the way we have done. Indeed, this is just a beginning.

I will read Clause 3(g) and (h) of Article 5 of the Treaty, which provides for the objectives of the Community. It states that the Community shall ensure:

- “(g) The enhancement and strengthening of partnerships with the private sector and civil society in order to achieve sustainable socio-economic and political development; and
- (h) The undertaking of such other activities calculated to further the objectives of the Community, as the Partner States may from time to time decide to undertake in common.”

All these are objectives of the Community and sensitisation is one of those activities that we can do to further the integration process.

Mr. Speaker, Sir, this was important because during the outreach activity, we notified the stakeholders of the benefits and the critical importance of the integration process. Many

people did not have enough knowledge about the EAC. They thought we are just here to enjoy ourselves and enjoy salaries, *per diems*, flights and what have you. However, by the time we left, at least very many people had gotten a hint on what the EAC is all about. I also want to call upon the Assembly to ensure there is more sensitisation on the part of the Members.

Mr. Speaker, Sir, I appreciate you because the programme that we had in Zanzibar. When we were in Zanzibar the Secretariat gave us updates on the different activities carried out under the Secretariat. For example, we had the Motion on the Floor on the issue of alternative funding and the information when we got from the Secretariat when they gave us an update was alarming. So, I pray that such activities continue.

In fact, that also brings me to my other concern about tomorrow's programme. Tomorrow, morning at 9.30 a.m., we are supposed to meet with a consultant on equitable sharing of benefits and costs of the Community. However, the Committee on General Purpose is supposed to be meeting from 10.00 a.m. I am wondering, since I am Member of the Committee on General Purpose, I do not know whether I should also be informed by the consultant or whether to attend the meeting of the Committee of the General Purpose and miss the other. I need you to help me on this because -  
(Interruption) -

**Dr. Nyiramilimo:** Mr. Speaker, Sir, point of information.

**The Speaker:** There is a point of information from Hon. Dr. Odette who is the Chairperson.

**Dr. Nyiramilimo:** Thank you very much Hon. Nakawuki. We all would wish to be in the workshop that will take place here but

there is an urgent matter for the Committee on General Purpose. So, you should attend the meeting of the Committee on General Purpose and you will know what I am talking about.

**The Speaker:** Hon. Susan, before you take the Floor, we discussed this matter. We are highly constrained by time on how activities can be scheduled such that they do not clash. We advise the Clerk and the Chairperson to the Committee to make sure that the activity of the Committee, which we know very well takes only one hour, to allow Members to proceed to the workshop. So, let us functionally be proactive on this matter.

**Ms. Nakawuki:** Mr. Speaker, Sir, on that note, I request that the workshop delays a bit so that I also benefit from the entire presentation of the consultant. If not, the meeting of the Committee on General Purpose should begin at 9.30 a.m. so that we are here at 10.30 a.m. in order to benefit.

Mr. Speaker, Sir, on the issue of training, I also request that we be given adequate information regarding the certificates of origin because it appears as if this issue has been cross-cutting in all Partner States. People wanted to know how they could get the certificates of origin and they wanted to know how they look like. They even needed to see a sample. They wanted much information but we did not have a uniform package. All Members gave what they knew but we needed at least uniform information now that we know and are aware that almost all stakeholders are interested.

Through the Council, I appreciate the Ministries responsible for the EAC Affairs because nowadays, they have started involving EALA Members when it comes to sensitisation activities. This should continue because there is a lot of information that we,

Members of the EALA have, which Ministries might not have. There is also a lot of information that Ministries have that we may not have. So, that partnership should continue.

Mr. Speaker, Sir, allow me also to note this. When I looked at the report which has just been read, I realised that a lot, for example, from the report on Uganda has been left out. For that matter, the part of Uganda it appears very incomprehensive and I am concerned. I will give a few issues that were left out. For example, when we had a meeting with the Speaker, Ms. Rebecca Kadaga, she expressed concern about former Members of EALA and said that after they leave EALA, they are not utilised. She was of a considered view that those Members should be brought on board in either way maybe under different institutions of EALA or otherwise, so that we do not lose the wealth of information and knowledge that they have. That is lacking in this Report.

There is also an issue of sitting in Burundi. She expressed concern that she did not know the exact reason why Members of EALA do not sit in Burundi. She was concerned about the fact that they did not receive any formal communication regarding this issue and that was also left out and I do not know why. In fact, I have consulted all my colleagues from Uganda and they told me they were not there when the subcommittee saw it important to delete the issues that came out in Uganda.

**Ms. Hajabakiga:** Mr. Speaker, Sir, point of clarification. You are aware that we received this Report yesterday in the afternoon. We looked at it but unfortunately, there was nobody from Uganda because the Member who sits in the subcommittee is Hon. Opoka but he was not around. I wrote a note and sent it to the Chairperson of the Ugandan Chapter to join the team as well as the Chairperson of

the Tanzanian Chapter who were leaders of the delegation so that we are sure what issues were raised. Those people did not turn up and they did not join us. Therefore, what we have is what we received from the person who drafted the report for us.

**Ms. Tiperu (Uganda):** Mr. Speaker, Sir, point of information. I really appreciate the effort undertaken by the subcommittee to do a very good job. I want to confirm, as Hon. Patricia has said, that she circulated a note yesterday to us and she did that why we were on session. So, when I looked at the House and saw the number of Ugandans in the House, I knew that if I walked out, we would have a question of quorum. So, I did not get out because I did not want to deny you quorum because of the timing but if the meeting was in the morning, I do not think I would have failed to be in the meeting. All I can say is that you did a good job and hope that through this debate, issues left out can be added.

**The Speaker:** Thank you very much Hon. Tiperu. Honourable Members, we are constrained by time not only for the consideration of this Report but in the totality of our work. When a piece of work has been done by a committee and you realise there are some gaps, just fill that gap so that we move forward. Hon. Susan, proceed.

**Ms. Nakawuki:** Mr. Speaker, Sir, thank you for your guidance. I will go to my proposed solution to this problem after highlighting this very key issue that was left out. In fact, this is very important because the Speaker emphasised the need for institutional memory for purposes of continuity of this institution and this is key. In fact, it should even be written in bold but I wonder why the subcommittee did not find it important to adopt it. I am constrained from going on to look into this Report because I feel it is partial

and it does not really reflect what came from Uganda. I think we should even adjourn this debate until the very important issues are included.

**The Speaker:** Hon. Susan, let me help you again here. First, on the issue of institutional memory in terms of the inclusion of former Members, in the construct and structure of this Community, there is no organogram that puts in place former Members. So, in terms of budgetary framework, you cannot budget for former Members. That is one constraint.

Secondly, we should be very innovative to see how best we can tap every group or stakeholders when we go to the countryside. When working committees go to Partner States, they should change their approach to see former Members as great stakeholders and incorporate them. Administratively, it is just not possible to budget for them and that is clear.

Thirdly, if there is a gap as I stated earlier, just bring the recommendation and we move forward. In terms of Legislative Calendar, we are highly constrained by time. Please, proceed.

**Ms. Nakawuki:** Mr. Speaker, Sir, thank you for your guidance. Allow me to propose that even if we are constrained by time, they should at least attach the original reports from the Partner States. I have the original report from Uganda which I was given two days ago and I expected it would come as it is. Therefore, they should be attached as annexes so that when somebody reads this Report, they get the full picture of issues raised by Partner States. That will greatly help.

Finally, as I wind up, there is a group of youth that I met in Uganda who developed an application which is supposed to send alerts

of anything that transpires in the Community that is posted on the EAC website to peoples' cell phones. I believe that that is something good if we are to have support on the issue of sensitisation. They informed me that they interacted with the former Secretary General, Dr. Sezibera, and they showed him the technology and he really appreciated it. It is my humble prayer to the Council that the idea does not die with the absence of Dr. Sezibera in this Assembly. Maybe the Council can adopt it and see how best we can work with this kind of technology.

Mr. Speaker, Sir, I thank you.

**The Speaker:** Hon. Susan, thank you very much but I kindly request you, because you worked with EAC youth ambassadors and the former Secretary General, Hon. Dr. Sezibera, that you please follow up this matter with the current Secretary General.

I will now allow Hon. Rwigema, Hon. Pareno, Hon. Mathuki and then Hon. Taslima. Each will have three minutes. Good enough, here, I have capacity to switch you off. (*Laughter*)

**Mr. Pierre-Celestin Rwigema (Rwanda):** Mr. Speaker, Sir, thank you for giving me the Floor. I congratulate you for having initiated this activity. This will be a very strong legacy after we have left and everybody will appreciate it.

Coming back to this Report, I want to support it and congratulate Hon. Patricia Hajabakiga for eloquently presenting it because it. It was very well presented and elaborated. The Report gave some sensitive points but whatever we want, feel and wish, this Report is based on findings from places. That is why sensitisation activities were initiated. We have to go over our personal sensitivity for this Report because there are some findings

you cannot skip. For example, if there are some people who do not want to walk or cross the border, that is a finding and you cannot write it in another way. I know it was not very easy but I congratulate Hon. Patricia for presenting this Report.

Mr. Speaker, Sir, colleague and friend here, Hon. Yves, in few words mentioned something about incorporating Ministers and honourable Members. We have not yet achieved political federation. We as MPs are federal MPs but we have in this House the opportunity to get Ministers who are Members of this House. In each country, MPs and Ministers could resolve to revisit a certain matter to come up with a very lasting solution. This is an important point. We have Ministers who are Members of this House and they can help in resolving some problems quickly. That is the reason I support what my colleague, Hon. Yves said.

Mr. Speaker, Sir, fourthly, I want to talk about the issue of learning Kiswahili. When we talk about learning Kiswahili, we must realise that we have gone beyond that because we have visited some schools. I am an MP who wants to change education and adopt certain new things. We have to see how to approach Ministers of Education and see how we can harmonise the curriculum. Each programme or level of education must be harmonised.

Regarding Kiswahili, if we do not agree on the implementation to see how the curriculum can be harmonised, we will just be talking and talking without getting anything done for the region. We have to go to the forefront and meet with the Ministers of Education if we want the future of our Community to be better and if we want to leave a strong legacy for our citizens.

Lastly, my colleague was talking about the relationship of this Assembly and National Assemblies. I do not know if each National Assembly has a Committee on East African Affairs. If that is not the case, we have to introduce that in each assembly. We should go to the ground and see how we can be associated because when national MPs advocate for matters of Partner States, they have to also incorporate matters of the region. They should be more practical according to the level of integration.

Mr. Speaker, Sir, I do not want to talk a lot. I thank you and support this Report.

**The Speaker:** Thank you very much Hon. Rwigema. Let us now have Hon. Pareno and then Hon. Mathuki.

**Ms. Judith Pareno (Kenya):** Mr. Speaker, Sir, I rise to support the Report and thank the Chair of our subcommittee for a job well done.

Mr. Speaker, Sir, having done three sensitisation programmes, I have come to realise that the sensitisation programme has not only come to be a tool of awareness to East Africans but has also somehow turned out to be a programme that helps us to fulfil our mandate as representatives of the East African citizens. I say this because as we went round sensitizing East Africans, we had to come up with questions from that engagement alone. We have come up with Motions from the sensitisation programme. We even have proposals of certain laws that are required. Actually, some of the bodies that we have met have proposed to us that we need this or that kind of law. So, apart from sensitizing them, it has turned out to be a way of also representing them and speaking on their behalf. To me, this is a fulfilment of one of our core functions of this Assembly.

If I may give an example. There are questions on the Order Paper that had been raised to the Council of Ministers. These are questions that came up after our engagement during the sensitisation programme. So, you will find that a lot of our work is going to come up and there is so much generation of activities of this Assembly just because of this simple engagement. There are some proposals that have been made. For example, in Kenya when we engaged with the *Jua Kali* Sector, they came up with proposals on certain laws that help in the engagement of their business. Hon. ole Nkanae was proposed by our Chapter to engage with the *Jua Kali* Sector to come up with a proposed legislation. That is a law coming out of this engagement.

Another proposed law from the engagement with the citizens of Kenya is an amendment to the certificate of origin. We got this from BIDCO Kenya Limited, and they said that we needed to engage on the issue of the certificate of origin. This is something that cuts across because there are issues of certificate of origin. They are all said that this certificate does not address some problems and this came out from BIDCO Kenya Limited during our sensitisation.

Mr. Speaker, Sir, our last engagement was with the Communication Commission of Kenya (CCK). From that engagement, they told us that we need certain aspects to be addressed. We felt that certain aspects of communication arising out of our cross-border communication can only be addressed by some harmonised laws.

There was an issue on cybercrime. They said that they are not even able to follow up because of lack of registration of SIM cards because some of our Partner States do not have machine readable identity cards. They told us that unless we create and implement laws that are harmonised in registration of

SIM cards, we will not be able to fight crime. They even gave us an example. They said that while we have registration of SIM cards in Kenya, in Uganda, for example, there is a problem of machine-readable identification cards. They asked that we consider having a regional law on how we can harmonise and have a universal law that deals with the registration of SIM cards. That is another proposal that came up from the Communications Authority of Kenya (CAK).

Mr. Speaker, Sir, from the engagements, we have become richer than we thought. Initially - (*Interruption*)-

**The Speaker:** There is a point of information from Hon. Tiperu. Honourable Members, you know that at exactly 6.30 p.m., if nobody moves a Motion to suspend Rule 11, I will just call the House to adjournment.

**Ms. Tiperu:** Mr. Speaker, Sir, I would like to give information to this House that I was privileged as a Member of the Uganda Chapter to have joined the Kenya Chapter during their last activity when they visited the CCK. It was such a wonderful experience to have somebody from the other side. What the Member is saying is true. We were also told that most of the communication companies are driven by the desire to make profits. So, even if they have been told not to issue SIM cards, some of the telecom companies go ahead and issue cards and that becomes very difficult to manage the issue of crime in the region. So, they urged this House to ensure that all our Partner States comply with the fact that whoever does not use their identification card, he or she should not be given a SIM card. They urged our Partner States to ensure that every citizen is issued with a national identification card.

They also informed us that when the Community collapsed, the communication

sector did not. They went ahead and formed an organisation called the East Africa Communications Organisation (EACO) which continued to manage the interests of the communication sector.

Mr. Speaker, Sir, in conclusion, they informed us of the fact that whereas EALA is talking about alternative financing mechanisms, the communication sector - *(Interruption)* -

**Mr. Issa Twaha Taslima (Tanzania):** Mr. Speaker, on a point of procedure, I beg to move:-

That under Rule 11, the sitting time be extended to allow this discussion to go on past 6.30 p.m. and until we finish our Debate.

**The Speaker:** Seconders?

*(Hon. Pareno, Hon. Ndahayo and Hon. Mathuki seconded the Motion)*

*(Question of the Motion proposed)*

**Ms. Hajabakiga:** Mr. Speaker, Sir, it is not because I would not like to support my colleague, Hon. Taslima but as the Mover, I am constrained with time. I have an appointment which was scheduled assuming that we would have finished by 6.30 p.m. and I cannot stay beyond that. Maybe we should extend to next week to conclude on this Motion because I will not be here after 6.30 p.m.

**The Speaker:** The Motion was moved by Hon. Taslima and seconded by Hon. Pareno after Hon. Isabelle, Hon. Mathuki. The Motion was that this debate be extended.

**Mr. Joseph Kiangoi (Kenya):** Mr. Speaker, Sir, I think there is a counter Motion that we

should not adjourn because the Mover of the Motion will not be available after 6.30 p.m. and I support that.

**The Speaker:** Hon. Kiangoi, you understand rules very well that there can never be a Motion on a Motion before the first one is disposed of. The first Motion here is that this debate be extended and it was seconded. So, it is a duly seconded Motion in this House which we must agree or disagree whether we should extend the debate or not. I am not going to allow debate on this matter because we are constrained. I will put it direct to vote.

*(Question that the debate be extended put and negatived)*

Therefore, the Motion is lost. *(Applause)*

## ADJOURNMENT

**The Speaker:** Honourable Members, I am very aware of Rule 11(1), which states that the sitting shall, unless the Assembly otherwise resolves ordinarily commence at 9.00 a.m. in up to 1.00 p.m. in the afternoon and resume at 2.30 p.m. in the afternoon at conclude at 6.30 p.m. in the evening. Quite aware with rightful clock before me, it is now 6.31 p.m. Therefore, the House stands adjourned to Monday, at 2.30 p.m.

*(The House rose at 6.30 p.m. adjourned until Monday, 28 November 2016 at 2.30 p.m.)*