



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

Official Report of the Proceedings of the East African Legislative Assembly 38TH SITTING - SECOND ASSEMBLY: FIRST MEETING – SECOND SESSION

Thursday, 25 September 2008

The East African Legislative Assembly met at 10.00 a.m. in the Chamber of the Burundi National Assembly, in Bujumbura.

PRAYER

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

The Assembly was called to order

MOTION:

FOR THE CONSIDERATION AND ADOPTION OF THE REPORT OF THE COMMITTEE ON AGRICULTURE, TOURISM AND NATURAL RESOURCES, ON FOOD SECURITY, ENVIRONMENT PROTECTION, CLIMATE CHANGE AND TOURISM DEVELOPMENT

The Speaker: Honourable Nangale.

The Chairperson, Committee on Agriculture, Tourism and Natural Resources (Mr George Nangale) (Tanzania): Honourable Speaker, I beg to move that the Report of the Committee on Agriculture, Tourism and Natural Resources on Food Security, Environment Protection, Climate Change and Tourism Development be adopted.

Mr Dan Kidega (Uganda): Seconded.

Dr. Nangale: *Mheshimiwa Spika*, first of all I want to thank the people of Rwanda, and the Parliament of Rwanda, for availing us an opportunity to conduct our business in a very good environment at this seat of Kigali. *Asanteni sana (Applause).*

Honourable Speaker, I now turn to the Report of the Committee on Agriculture, Tourism and Natural Resources on Food Security, Environmental Protection, Climate Change and Tourism Development.

1.0 Introduction

Honourable Speaker, according to the Treaty establishing the East African Community, the East African Legislative Assembly is charged with the function of legislating for the East African Community to ensure the full realisation of the Community's objectives. In executing this function, EALA works through its standing committees, one of which is the Committee on Agriculture, Tourism and Natural Resources.

1.1 Committee on Agriculture, Tourism and Natural Resources

The Committee on Agriculture, Tourism and Natural Resources is one of the seven Standing Committees of the Assembly, and the main functions of this Committee are broadly to: initiate and review legislations; receive or call for reports from Sectoral committees; monitor and oversee the implementation of projects and programmes; receive and investigate complaints on non-compliance or failure; facilitate efforts to achieve objectives and goals of the Community; carry out studies of specified aspects of programmes and projects in its realm. The functions I have enumerated above hinge on - though are not limited to - the provisions of the Treaty in chapters 18 through 20. Chapter 18 is on agriculture and food security; Chapter 19 is on environment and natural resources; and, Chapter 20 is on tourism and wildlife management.

1.2 Objectives of the Report

Mheshimiwa Spika, in pursuit of its mandate, the Committee participated in a workshop, which was held in Dar-es-Salaam, and was later briefed by the East African Community Secretariat in Arusha, in February 2008, on the food security situation in East Africa, environmental protection, climate change and tourism development, after which the Committee resolved to share this experience and insight with the Assembly, with a view to informing the Assembly, and also for purposes of inviting debate on the way forward. However, as both the workshop and briefings were conducted before the members of Rwanda and Burundi joined the Assembly in May 2008, the Committee envisages to find time and space in future to organise a committee hearing, which will bring along experts and stakeholders from all Partner States to explore further, these important issues to our Community.

2.0 The Insights

A capacity building workshop was held in Dar es Salaam and later on the EAC Secretariat briefed the Committee in February, 2008 on which the following thematic areas were covered:

- i. Agriculture: food security investments, policies and Treaties on agriculture; genetically modified organisms (GMOs) and sustainable livelihood.
- ii. Environment: environmental management; sustainable utilization of natural resources. Environmental protection: Climate change protocols. The area addressing urban environment and concerns such as pollution, solid wastes and congestion were not covered.
- iii. Tourism: imperatives of regional integration and perspectives of sustainable tourism development. Tourism development: status and challenges Tourism promotion: joint marketing and promotion

2.1 Presentations and discussions

2.1.1 Agriculture and Food Security Situation in East Africa

It was noted that Agriculture will continue to be the base for sustainable economic growth and development at least in the East African immediate future, whereby the majority of the people in East Africa will continue living in the rural areas and derive their livelihood from agricultural production.

Most of the present industries in the region are agro- based and use agricultural raw materials as inputs. Furthermore, the export trade of each Partner State is presently dominated by agro-based commodities and will continue to be of importance in an increasing and highly competing future trade.

The structure of the East African economies is generally dominated by agriculture, more so Tanzania, Rwanda, Burundi and Uganda than Kenya, and agriculture caters for the livelihood of large part of the population of East Africa.

It was revealed that during the past three decades the governments of three partner states (Kenya, Uganda and Tanzania) have tried to implement a combination and mixture of the intentional policy directions and/or action. However, during the last decade under the impact of the WTO agreements the focus of the agricultural policies has been more pointed towards liberalized production and Trade regime away from subsidies via fixed prices, a lowering of export subsidies etc. Different mix of instruments is in use in order to implement the said policies.

It was also noted that in changing focus in agricultural policies the Partner States have moved away from direct involvement in the agricultural primary production and almost completely out of the marketing of commodities, despite the fact that they are still involved in some strategic areas such as large scale irrigation, processing of coffee, sugar, cotton etc. The countries have implemented a fairly open trade regime for agricultural products especially Uganda, and they have adopted stepwise further reduction of tariffs, resulting in a situation where the national agricultural sectors have to compete at world market conditions. Indirect support e.g. via the extension service has been drastically scaled down adding to the general picture of declining public spending in the agricultural sector

The Committee observed from the EAC Secretariat that progress on sectoral issues has generally been slow and few tangible specific decisions have been reached. For instance, the Sectoral Committee on Agriculture and Food Security has so far identified only few key areas including agricultural chemicals and other inputs and the sanitary and phyto-sanitary measures. Cross-border trade in agricultural products and inputs has been identified as the starting point in cooperation in the field of agriculture.

During the discussion it was revealed that the progress in agricultural negotiations has been slow.

Food Security

Food Security is defined as access by all people at all times to enough food for an active and healthy life. Its essential elements are food availability and ability to acquire it. Other food security elements include food distribution in society and within household as well as the physiological and psychological state of the consuming individual, which determines the internal utilization of the consumed food.

Food insecurity occurs when people lack access to nutritionally adequate food for various reasons. Two kinds of food insecurity have been identified transitory and chronic. Transitory food insecurity is a temporary decline in access to enough food, resulting from one or a

combination of declines in food availability and unmatched food price increases and income drops.

Chronic food insecurity is when lack of access to adequate food occurs persistently; it is caused by the inability to either produce own or obtains enough food from other sources. Accessibility can be defined as the ability to physically access the available food supplies. Accessibility is essential because in several instances persons suffer from hunger and famine amidst the availability of plentiful food.

During the discussion it was noted that the root cause of food insecurity in the East African countries is the inability of the agricultural sector to function suitably and ensure food availability and ability to acquire it amongst others. Food insecurity is the result of failure to gain access to food due to poverty. While the rest of the World has made significant progress towards poverty alleviation, Africa in particular continues to lag behind. The Committee was informed that projections show that there will be an increase in this tendency unless preventive measures are taken. Many factors have contributed to this tendency including the high prevalence of HIV/AIDS, Civil war, poor governances, frequent drought and famine, poor governance, frequent drought and famine, and agricultural dependency on the climate and environment.

It was revealed that among the major factors affecting agriculture and food security in East Africa, which need to be revisited, are:

- i. The existing policies on agriculture and investment including the WTOs agreements on agriculture and how they are facilitating or hampering the flow of food commodities in the region and what actions are being taken or should be taken.
- ii. The various controversies surrounding the Genetically Modified Organisms (GMOs) and their impact on the sustainable livelihood of the people of East Africa;
- iii. The current initiatives related to seed multiplication and distribution plant and animal diseases control;
- iv. The current initiatives and systems related to crop storage and food reserves.
- v. The dependence on rain-fed agriculture which is increasingly been affected by the global climatic change.
- vi. The land degradation as the result of soil erosion, agricultural practices and open field livestock grazing among other things.

A number of other driving forces do exist such as livestock multiplication and distribution as well as policy measures on irrigation and water catchments management.

The above-enumerated factors pose big challenges to the situation of agriculture and food security. A lot of questions are left unanswered: How does the agricultural sector react to the shift in the agricultural policies is causing the new development trends of the agricultural sectors in Partner states? It was observed that the food security situation for many people in East Africa remains critical and a number of regional trade policies and rules are either absent or unclear and not harmonized. A huge chunk of the cross border trade is taking place unmonitored and therefore unrecorded. The problem is particularly serious with the informal agricultural trade, which dominates the official one.

It was noted that three years back, East Africa experienced a serious food crisis, triggered by an acute drought. Communities lost several harvests in a row, resulting in 13 million people struggling to overcome severe hunger. Kenya, Burundi, Ethiopia, Somalia were the worst affected in the sub region, but Rwanda and Tanzania were also hit by the drought.

But if the people and governments of the region are committed to working together, it was observed, we should be able to take far-reaching measures that ensure long-term food security.

Genetically Modified Organisms (GMOs)

The Committee was informed that much the debate about biotechnology in East Africa assumes that the Partner states are only being asked to accept products developed elsewhere. To the contrary, it was noted, biotechnology in East African development shows that extensive biotechnology research is underway in the region. The East African governments, its industry and its research institutions are well aware of the potential that agricultural biotechnology holds if applied in other ways to indigenous crops. The Committee was informed that in Kenya, the first GM biotechnology product to be developed was a virus and weevil resistant sweet potato. In Uganda, the Uganda National Agricultural Research Organization (NARCO) opened a new research laboratory in 2003 to conduct work on the genetic modification of banana. The goal was to insert genes that will confer resistance to black siatoka and banana weevils. It was further submitted that in terms of the progress in implementing national bio-safety frameworks, as required by the UN Convention on Biological Diversity's Cartagena Protocol to protect biodiversity from any potential harm posed by genetically modified organisms, Cameroon is leading the way, followed by Kenya, Uganda and Namibia. It was further noted that there are various public institutions in all the East African Countries that are active in biotechnology activities.

Biotechnology has developed fast and contrary to observe declining public and private resources towards, conventional agricultural research; it enjoys growing funding from the private commercial sector. Some use this fact about sources of biotechnology research funds to question motives and incentives behind biotechnology research, and hence its suitability for developing countries, especially Africa.

The Committee was informed that the world has not received and approved GM food plants unanimously. There are serious divisions and disagreement on the way forward with GM foods.

Seed Multiplication and Distribution and Plant Disease Control

One of the major EAC decisions on Agriculture and Food Security was reached in 2001 and it related to seed production and marketing. It was agreed that each Country prepare and submit to the EAC Secretariat a list of important crop varieties to promote circulation of this information to Partner States. In addition, harmonization of the seed policies and ease trade of seed within the East African region featured very high in the priority list.

The Committee was informed that although there are some constraints and challenges in rationalization and harmonization of seed policies and legislations, substantial achievements have been made in key areas including: variety evaluation procedures; seed production; import and export procedures; seed certification procedures and standards; plant variety protection; and harmonization of seed laws and regulations.

Crop Storage and Food Reserve

The amount and types of available food commodities vary on spatial and temporal basis because most crops are produced over a limited period during a particular year since climatic and socio economic conditions limit production of certain crops. In some localities storage,

processing and transportation help to reduce temporal and spatial variations. Hence, strategic Grain Reserve remains the main and important policy instrument that the Partner States could use to deal with emergency situations.

Poorly developed data, crop monitoring and early warning systems are challenges facing food security evaluation today. Mechanisms for dealing with food emergencies or with market failure are inadequate. The Disaster Management Departments and the strategic Grain Reserves are supposed to work together in responding to any food emergency. However, it was noted, this collaboration is hampered by the poor unreliable data, which are used to estimate the extent of food emergencies and poor coordination.

Peace and security are among the fundamentals for ensuring food security in the East African region. Civil wars and ethnic conflicts have tended to effect negatively both production and distribution of food from surplus to deficit areas. The point in case is the post-election crisis in Kenya in January and February 2008 which resulted in some displacement of people from their homes. The civil war in Burundi that lasted over ten years disrupted the whole system of agriculture.

2.1.2 Environmental Protection and Climate Change

Environment is one of the areas of Natural Resources which are generally defined as the gifts of nature broadly classified as renewable and non renewable. Renewable natural resources are land, water, forests, wildlife, fisheries and bio diversity while non-renewable are fossil fuels like oil and gas, metallic minerals, such as gypsum and clay.

There are also natural resources such as wind, tidal and solar energy that are none depletable. Other natural resources such as air and water sustain life and are often associated with scarcity and human survival.

It was revealed that soil degradation in form of erosion, salinization, compaction and other forms of degradation negatively affects the environment. Forests and wetlands, which regulate floods by absorbing rain and recharging aquifers, are degraded and as a result flooding destroys settlements and crops and contaminates water supplies. Siltation accelerated by upstream deforestation clogs dams and reservoirs, rendering many of them useless before they can pay for themselves and contributing to poverty and displacement. It was reported that forest and woodland areas are shrinking at a rate of about 4 million hectares per year in the sub Saharan Africa.

Water which is one of the most important natural resource and is at the same time becoming an increasingly scarce commodity is not spared. In addition to water scarcity, the problem of access to safe water supplies and sanitation is also intensifying. It is estimated currently one fifth of the Earths population does not have access to safe drinking water, and about one third lack adequate sanitation, and in all countries poorer populations are the most vulnerable to water borne diseases.

In order for these natural resources to benefit the people there must be sustainable utilization.

The situation has posed challenges to the East African region. The region relies on its natural resource base for development from both an economic and a social perspective.

Climate Change and the Kyoto Protocol

Climate change is caused by global warming. This is a complicated phenomenon involving the whole world, tangled up with difficult issues such as poverty, economic development and population growth. It is said that dealing with it will not be easy and ignoring it is even worse. Reasons for global warming are said to be human activities for over 150 years of

industrialization burning of ever greater amounts of oil, gasoline, coal, cutting forest and certain farming practices.

It was submitted that the effects of Global warming are:

- Extinction of plant and animal species;
- Rise in sea levels which could in future cause disappearance of some nations foul of fresh water supplies for billions of people and mass migration;
- Severe weather decline of winter, long dry weather, storms, frequent floods, droughts etc;
- Decrease in water body levels, Lake Victoria and catchments areas.

The Committee was informed that the Kyoto Protocol was adopted in 1997 and entered into force on 16th February 2005. Its prime objective is to cut down the emissions of industrialized countries from 8 percent to 10 percent of the Countries individual 1990 emission levels and reduce the overall emissions by at least 5 percent below the existing 1990 levels.

Under this protocol there is a programme known as Clean Development Mechanisms. Under the programme, industrialized countries pay for projects that cut or avoid emissions in poorer nations and are awarded credits that can be applied to meeting own targets.

The potential benefits of this project are the global reduction in gas emissions, increased timber and non-timber forests, employment, infrastructure improvement, and increased incomes from the sale of C credits. Others are biodiversity conservation ecological restoration and soil improvement and productivity through land use, however, the requirements for securing a project are very strict and to some extent prohibitive to a common man. For example by the end of October 2007 844 (23 from Africa) had been approved. Less information is available than what is demanded by the methodologies e.g. land eligibility.

2.1.3 Tourism Development and Marketing

Tourism Development

Tourism is one of the major industries for East African Countries attracting sometimes much needed foreign exchange and stimulating economic development in industries from transportation and retail to a mass of spin of small business areas such as currency exchange, restaurants, bars, and tour operations.

Tourist attractions in the Partner States to a large extent compliment each other. Hence working together to promote the industry and maximize gains for the Partner states to undertake and develop a regional strategy for tourism promotion.

It was confirmed that according to UNWTO the international tourists both residents and non resident increased in 2006 generating US\$735 billion, African Countries showed a strongest relative increase in both receipts and arrivals. The number of tourists coming to Africa increased from 15.2 million in 1990 to 40.7 million in 2006 with the sub Saharan Africa as the best performing region recording 11 percent annual growth in 2006 against 7 percent growth recorded in North Africa. It was further presented that the overall arrival in East

Africa increased by 6 percent both in 2004 and 2005; Kenya continued to record positive growth. However, the sharp rise was notched up two successive years of very rapid growth with 927 tourists in 2003 to 1,193 in 2004 and 1536 in 2005. Tanzania enjoyed positive growth in tourist arrivals since 2000 with average annual growth rates of 4.24 percent. On the other hand, Uganda recorded the highest number of arrivals in 2004 of 512,000 before it fell by 9% in 2005 to 468,000 arrivals. Rwanda and Burundi, tourism, industry was affected due to internal conflict and political instabilities.

One of the key challenges in marketing of tourism products today is the increasing cost of marketing given a fierce international competition, hence the need for joint marketing. It's so expensive for an individual country destination to launch an international TV promotional campaign for the whole year. The Committee was informed that CNN channel for instance charges US\$20,000 rates for a 30 second spot of TV advert. However, the cost burden can be minimized if countries in a region team up for the campaign, which is mutually beneficial.

There are a number of advantages of joint marketing namely:

- Joint marketing is an effective way for travel and tourism organizations to share marketing costs of advertisements, production of brochures and promotion campaigns;
- Joint promotion enhance image of the destination enabling to target large prospects;
- There is gain of competitive advantage marketing jointly ensure wider coverage of audience, provide additional services as a unit and diversity and expand customer care;
- It generates greater return by increasing the marketing and sales resources applied to any particular market source;

The Committee noted some opportunities, which are available to EAC Joint tourism marketing as:

- Production of promotional materials jointly e.g. publishing in-flight magazines and making VCDs in cooperation;
- Hosting of familiarization programmes to key corporate associations, celebrities travel, news writers and other important dignitaries;
- To participate in international trade shows as cooperative partners and by working as a united team;
- Conducting road shows in tourist source markets jointly;
- To establish website and email marketing campaigns that will promote EAC tourist attractions;
- Joint promotion campaigns promote regional domestic tourism by providing complimentary offer to EAC tourists.

The Committee observed that East Africa as a region already has a tourism industry with outstanding natural and cultural assets that make it known around the world. The fiercest competition in the international marketing of tourism is the competition between regions. Although competition between countries in the same region is evident, but due to the spill over affects of tourism activities every country is assured of its share from the tourists visiting the region.

3. PROPOSED INTERVENTIONS

3.1 Agriculture and Food Security

1. The Committee is concerned that given the current food crisis, at which food production has decreased and prices are rising, the pace at which the agricultural instrument documents — The Agriculture and Rural Development Policy; The Agriculture and Rural Development Strategy; and The Agriculture and Rural Development Programme — adopted by EAC in 2006, are being implemented is low, and that speedy legislation of a Food Security Bill is necessary for the provision of a legal framework aimed at streamlining food availability and ability to acquire it, among others.
2. The Committee recommends that Partner States should jointly strive to improve agricultural extension services, land degradation control, water and agricultural input supply in view of modernizing farming practices for increased quality production. There is a need to address the issue of reliance of rainfed agriculture. The Committee proposes that an Irrigation Master Plan be developed in the trans-boundary water resources so that the shared resources such as Lake Victoria and Lake Tanganyika play a vital role in food production.
3. The Committee calls upon governments to assume full responsibility for eliminating food insecurity by ensuring such conditions as good governance, health and education services and their people's empowerment. Resource allocation, particularly to support basic agricultural production activities carried out by small-scale farmers, would be tangible commitment to relieving their dependence on external assistance.
4. The Committee calls upon the EAC to formulate and implement a Regional Food Security Programme (RFSP), encompassing conflict resolution, technical cooperation, and promotion of interregional infrastructure development, the fostering of trade and the liberalization and harmonization of trade policies, economic integration and an integrated early warning system for the region.
5. The Committee is concerned that the pace at which agricultural biotechnology is advancing requires East African countries to make not only quick and independent, but also strategic decisions specifically because of the importance of the sector to their economies in terms of food security and as their major earner from world trade.
6. The Committee applauds the commendable efforts been made in harmonizing and rationalizing seed multiplication and distribution laws, policies and regulations. However, the implementation pace has been slow, thus delaying the anticipated benefits.
7. Livestock yields more returns than crop farming thus enhancing more ability to access food. We are putting very little effort toward livestock development. The Committee calls for the need to put more efforts on livestock development and look into the trans-boundary diseases, such as the foot and mouth pandemic which threatens to wipe out the cattle population.
8. Owing to the fact that mechanism for dealing with food emergencies is inadequate, the Committee calls upon the Partner States to put in place mechanisms and guidelines for responding to food emergencies where the market is not able to respond accordingly. They should also strengthen the Disaster Management Departments and Early warning system and establish the Food Security Information system for continuous monitoring and assessment of food security situation in villages so as to generate reliable data and to better coordinate responses to disaster situations.
9. In our societies, food security cannot be discussed without acknowledging the aspect of gender in ensuring food security. Literature and evidence show that women spend a larger

amount of time to ensure food security through farming and taking care of their households. The Committee position is that no policy or legislation should leave out women.

10. Conflicts and war in the region have a serious effect on food security. The Committee proclaims that Political Federation could be one of the possible strategic interventions.

3.2 Environmental Protection and Climate Change

1. The Committee is concerned that Renewable resources are being utilized beyond their regenerative capacity, thus posing a threat to the poor, whose resource base tends to be narrow and less easily shifted geographically and sectorally. The Committee calls upon implementation of the EAC Renewable Master Plan and legislation of the Utilization and Management Renewable Energy resources.
2. Non-renewable resources are depleted with insufficient savings in human or social capital, and with minor benefits directed especially to the poor. The Committee calls upon implementation of the EAC Power Master Plan and legislation of the Utilization and Management of Extractive resources.
3. The Committee is concerned that there are no guidelines in place protecting EAC Trans-boundary ecosystems resources, thus subjecting the shared natural resources at the peril of abuse and extinction. The Committee calls upon for legislation of the management of trans-boundary ecosystems in view of enhancing the quality of the environment and so to ensure sustainable utilization of shared natural resources.
4. Climate change information is reasonably well known, but the Kyoto Protocol concept and how they can be put to work within our areas is not adequately known to many policy makers. The Committee recommends that there is need for awareness within the policy makers on international agreements like the Kyoto Protocol and climate change convention to which all East African Countries are signatories so as to disseminate the benefits of green ventures such as carbon credits and offsets to a wider public.
5. Urban-rural migration is increasingly affecting the urban environment by putting pressure to existing infrastructure such as housing, water supply, sanitation and energy. The Committee proposes that the EAC address these issues seriously before it gets out of hand.
6. Africa and most developing countries are being used for dumping of global wastes. The Committee proposes that the issue of dumping and waste management be addressed seriously in view of coming of EAC legislation and regulations on that effect.
7. The Committee calls on joint EAC efforts be made to address the issue of fertilizer utilization and pest management in sustainable manner
8. Due the importance and role of the multilateral environmental conventions, The Convention to Combat Desertification and Land Degradation and The Convention of Biological diversity, the Committee recommends that EALA strive to bring awareness and understanding of the impact of such conventions and seek accreditation to the Conventions, UNEP and UNHABTTAT.

3.3 Tourism Development and Marketing

1. It is a fact that EAC countries participate in international tourism fairs in an isolated manner. Even the resolve to promote and market EA as a single

destination in international tourism fairs seems to lack coordination. The Committee proposes for a coordinated joint marketing of [AC as a single tourist destination.

2. As the policy focuses on sustainable tourism, tourism development should not be concentrated at single spots, but should rather be spread to other circuits/zones. The Committee calls upon diversification of tourist attractions.
3. Given the wealth of African culture and traditions, the Committee proposes that cultural tourism could be promoted to supplement/compliment conventional products on offer.
4. The Committee proposes that developing classification criteria of Hotels that emphasis on the unique taste of the African Product is appealing rather than to only copy what seems to suit the Western industry preferences.
5. The Committee is concern that there is an inverse proportionate relationship between the number of tourists that visit East Africa and the benefits accruing to the region. There is need for developing joint shareholding and ownership.
6. The Committee notes that there is need for construction of infrastructure in the region such as road and railways and diversifying hotel facilities (quality and quantity) and coordinate East African Security services to guarantee safety to all, including visitors.
7. The Committee proposes diversification of traditional tourism both supply and demand sides and encourage and focus on domestic and local tourism by subsidizing to domestic tourist.
8. The Committee proposes to establish a formula of sharing of revenues and other benefits amongst EAC Partner states from the joint tourist attractions.
9. While encouraging tourists from abroad, the Committee proposes that efforts should also be made to encourage local tourism.
10. The Committee notes the need to develop high quality institutions of learning for the tourism industry.
11. The Committee notes that there is a need to ensure that Environmental Impact Assessment is carried hand in hand with cost benefit analysis.
12. The Committee notes that there is need to develop tourist information centres in selected areas in the region that provide tourism related information for the entire region.
13. The Committee proposes that a tourist fund to be established to support local entrepreneurs in the tourism industries, marketing, training, protection of ecosystems, among other things.
14. The Committee proposes that an EAC legislation to govern the trans-boundary illegal poaching and encroachment on shared natural be put in place.
15. The Committee proposes that updated study on security situation in EAC countries be done to address the issue of false threat alarms which deter some prospective tourists coming to East Africa.
16. As most of these recommendations require a legal basis for their implementation, the Committee intends to move a motion for a Bill aimed at enhancing and

streamlining joint management of tourism and wildlife industry in the East African Community.

4.0 CONCLUSION

The Strategic Development of EAC 2006-2010 recognizes the importance of the Agricultural sector in the economic development of the Partner States. In this respect, areas of socio-economic cooperation earmarked by the Treaty include Agriculture and Food Security, Environment and Natural Resources Management, Tourism and Wildlife Management.

Agriculture will continue to be the base for sustainable economic growth and development at least in East African immediate future, whereby the majority of people of East Africa will continue living in the rural areas and derive their livelihood from agricultural production. Most of the present industries in the region are agro- based and use agricultural raw materials as inputs.

Furthermore the export trade of each Partner States is presently dominated by agro -based commodities and will continue to be of importance in an increasing and highly competing future trade.

In the context of the general economic changes, its is expected that the concerned agricultural sectors will have to adjust to the changing global conditions through the lifting of import restrictions, the exposure to international markets, and the abolishment of many other Non-tariff Barriers (NTB) which exacerbate food insecurity in the region and frustrates investment in the agricultural sector. In order to achieve these objectives its is expected that the agricultural sectors of the EAC Partner States will increase their output of staple food, improve the competitiveness of the traditional and non-traditional export crops and minimize the dependence on food imports.

Mheshimiwa Spika, I beg to Move. (Applause)

The Speaker: Honourable Members, the proposal on the Floor is that the report of the Committee on Agriculture, Tourism and Natural Resources on Food Security, Environment Protection, Climate Change and Tourism Development, be adopted. Debate is open.

Ms. Margaret Nantongo Zziwa (Uganda): I thank you very much, honourable Speaker. I want to take this opportunity to thank the Committee on Agriculture, Tourism, and Natural Resources on this very important report on food security, environmental protection, climatic change and tourism development. I want also to thank the chair for the able way in which he has presented this report.

Mr Speaker, towards the end of last year - I think it was in November and December - there was a very serious threat to food security. There was an international warning about looming hunger, and the developing countries, particularly the Least Developed Countries, were seriously warned about this impending problem.

The developed countries organised themselves and they started marshalling resources to help some of the populations which were affected by this food crisis. Notably, food prices, particularly of rice and other cereals rose so high that many of the poor populations could not afford, or even access them.

It is on from that basis that I rise to add my voice to that of the Committee to say that it is very important for the East African Community as a region to put in place a framework to address this very important challenge.

It is true that our region is agriculture-based: We have very fertile soils, both for food growing and livestock rearing. It is true that the climate is very good - it is said that virtually anything you throw out can grow - but it is very frustrating and disappointing that we have the highest levels of malnutrition recorded. It is also true that we have high levels of stunted people; stunted children. It is also true that some of our mothers when they go to the labour wards they have problems giving birth because of the fact that they have inadequate food, or the food is not well balanced such that they do not grow to the proper sizes appropriate for child bearing.

It is unfortunate that we have high levels of malnutrition among our children. It is still common, when you go to some of our villages, to see children with red or brown hair...I don't know how I should really describe it, but that hair which expresses kwashiorkor, and some of the efforts made by some governments - like in Uganda we used to have a *Mwana Mugimu* clinic, which literally translated means "better child" - are no longer in place, and very many of our children, particularly, in some of the rural areas, are still suffering from this Kwashiorkor.

It is also true that this food crisis or lack of food leads to domestic violence. I have had the opportunity to be a woman leader in Kampala for over 15 years, and I have interacted with many women, and many of them have reported that some of the domestic conflicts which they experience, the wife battering which normally is an incidence in domestic violence, is a result of food inadequacy in families - (*Interruption*)

Mr Kidega: Thank you Mr Speaker, I and I thank hon. Zziwa for giving way. My concern is on the issue of wife battering. I have some piece of information that I would like to irrigate you with. Time has gone by and things have changed in this region. Not that I am a member of our informal MAWE group, but I know for a fact that men are just being brave; the trends have changed. There is actually husband battering now going on - (Applause). The women have taken charge, and we men are quietly suffering in homesteads. So, I think wife battering is no longer a very serious issue. In fact, the women movement should have abandoned that struggle by now. I thank you - (*Applause*).

Ms Zziwa: Mr Speaker, sir, I beg to reject that information. I think I want to request my honourable Colleague to go to the field and carry out thorough research. If men are battered we have not received their cries - (*Interruption*) - I am not going to take more information.

Mr Sebalu: Thank you very much Mr Speaker. I just want to inform my honourable Colleague, Zziwa, that the only difference is that for us we are able to suffer quietly but things happen - (*Laughter*).

The Speaker: Honourable Zziwa, I think they might be talking from personal experiences - (*Laughter*).

Ms Zziwa: Mr Speaker, sir, I would like MAWE, this informal organisation which the honourable Kidega has talked about, to document their experiences and then post it on our

website. We shall be able to appreciate and come in to intervene and consider them a marginalised group. But as of now, I think they just want to run away from the evident fact that many of the men who in our African society should be bread winners have relegated their role, and after relegating their role they are going ahead also to sell the small pieces of land because in most cases it is in their custody – (Interjection). Mr Speaker, please protect me from hon. Sebalu - (*Laughter*).

The Speaker: Please go ahead.

Ms Zziwa: - they go ahead even to sell the little pieces of land on which the women cultivate food for the family, leaving the family with a very small piece of land. (*Interruption*)

Ms Tiperu: Thank you very much. I just want to give my sister information that even in situations where the women are trading, the men find a way of taking advantage of the proceeds of whatever they trade in or whatever they grow. Thank you very much.

Ms Zziwa: Mr Speaker that should tell you that the situation is very worrying. I wanted to elaborate this because I think it is an area where, when government is instituting policies, it needs to come in directly and see how best it can help the women. I have to salute the Committee for acknowledging the role played by the women in food security (*Applause*). I want to say that the situation in families is aggravated because there is very little food. In most cases the husband goes out to drink and when he comes back – (Interjections) - these are very sensitive matters you can see. Some may be guilty -

The Speaker: Honourable Members, order!

Ms Zziwa: - You will find that when the man comes back late, and because the food was so little that when it was shared amongst the big family, there was hardly any left for him, he will complain, either because the volume is small, or because only one type of food has been kept for him. Moreover, the woman in most cases has very few options, because she may not even be able to explain that only *sukuma wiki* and cassava were available. So, when these kinds of challenges that our families are facing are brought in the limelight and are directly addressed at policy level, they may be alleviated.

I want to salute the Committee for bringing to light the fact that when the liberalisation or privatisation policies were adopted by our countries, governments moved away from providing seeds to the people for planting, for both food and cash crops, and I want to support the recommendation of the Committee to demand for the governments to go back to the practise of giving out and distributing seeds for food crops. At times it is envisaged that seeds for food crops can be bought easily, but considering the looming poverty, many of the families may not be able to afford substantial quantities of seeds, and that will further contribute to the hunger problem. I think this is a strategic area where our governments can be exonerated for subsidising our farmers in the World Trade Organisation arrangement.

In the same breath, Mr Speaker, I want to support the call for irrigation efforts and mechanisms. It is true that maybe in the beginning of the 20th century this region was considered a rain fed region, but times have changed. The climatic changes have adversely affected us; rains do not come at the envisaged time.

Mr Speaker, I want to share with the House some information. Back home in Uganda, in the part of the country where I come from, my mother would know that on the 15th of August it would start to rain, and so around 12th or 13th she would go to the field to plant either groundnuts or beans, expecting it to rain on the 15th. And, indeed, it would rain! But these days, farmers do not know when it will rain: In some cases they start planting but the rains do not come, and the seeds dry in the soil. In some other cases they plant and it rains so much that all the *shambas* flood and the crops rot. So, in this kind of situation, and in addition to the warnings from the meteorological departments and other government departments, I think the irrigation arrangement would help some of our farmers to ensure that they get adequate produce from their farms. Moreover, we cannot ignore the fact that in many of our countries presently, farmers in search of water have encroached on swamps. All the swamps have been cultivated because that is where at least some little water can be got. So, in order to protect the remaining swamps, we should encourage this policy of irrigation.

I want also to support, as I conclude, the policy on environmental protection, where the phenomenon of rural-urban migration is looming in many of our cities. I think the committee talked of “urban-rural migration”, but I think it should be “rural-urban migration”, which is threatening many of our cities. The populations in our cities have swollen, some of the infrastructure in the cities cannot cope with the growing populations, and the living conditions are so poor that we have big slums cropping up everywhere. So, if we have a sustainable way of living in the rural areas, I think many more people will remain in the rural areas, and we shall not have these huge pressures on the urban areas.

Mr Speaker, I want to support the recommendations made by the committee and urge the Council of Ministers to respond to the recommendations as they are, and encourage the Secretariat to hasten the implementation of the decisions because we cannot afford to see our people dying of hunger.

Mr Speaker, sir, I beg to support the Motion (*Applause*).

Ms. Kate Kamba (Tanzania): Mr Speaker, I thank you for giving me another opportunity to add my voice to congratulate a well done job by this committee on agriculture, tourism and natural resources on food security, environmental protection, climate change and tourism development. I really applaud the chairman for ably presenting the report.

I commend the recommendations the Committee has given, and when you look at East Africa, it is a region, which is endowed with natural resources; water in terms of rivers, and the great lakes of Africa like Lake Tanganyika, Lake Nyasa, Lake Victoria and other small lakes, and yet we are a food deficit region, with a lot left to be desired. The region has been enjoying relative peace compared to other regions like the West African region and the Horn of Africa, and yet we are a food deficit area.

Mwalimu Julius Nyerere used to say “*Siasa ni Kilimo*”- (*Applause*) – meaning that agriculture is politics and food is politics. You will never claim to be independent if you have no food, if you are going to beg from a neighbour. If every morning you carry your plate to go and ask for food, you will never have respect, and this is what is happening to Africa, and especially Africa south of the Sahara. Egypt is a desert and actually tapping water from our region, but they are self sufficient in food!

Mwalimu kept on telling us that if you want to develop, you need four things: *Watu, ardhi, siasa safi na wongozi bora*. I think that is the missing point - (*Applause*). We need people as human resource, land, leadership...what do we miss? (*Interjection*) Yes; and good policies. We do not have good policies and good leadership to rid our people of poverty, and this is a sin, for which all leaders, including us, will pay a price.

I followed the chairman's explanation of poverty and the missing points in our leadership very carefully, and I applaud the suggestions the Committee has made to us, but the suggestion which I think we should really adopt to rid this region of poverty is for us to give ourselves timeframes. You have not given us a timeframe, so how long should we keep on talking about food sufficiency?

Take the example of Vietnam: For a very long time Vietnam was fighting an imperialist war and most of the country was embedded with bombs. Vietnam was an importer of food, but do you know what happened? The Vietnamese gave themselves five years and they said, "If we managed to fight an imperialist war, we can fight hunger - (*Applause*). We are not going to be importers of food." They used to import Rice from Thailand and other places, but within four years, with good policies and good leadership, they are now the second largest exporters of Rice - (*Applause*). Last year they exported 4.5 million tonnes of rice! Africa is now buying rice from Vietnam - (*Shame, shame!*) We are buying rice from Vietnam; we should not allow it!

Let us give ourselves five years and say we want to make Africa, and East Africa in particular, get out of that shame! (*Applause*) Let us give ourselves a timeframe. We have the East African Legislative Assembly overseeing things, but we have ministers who are responsible. If we cannot do tourism, then let us bring respect for ourselves by making sure that within a certain period of time we are exporters of food to Africa - (*Applause*).

The good thing about ECOWAS is that it is very good at stopping wars. It spends millions and millions of money to stop wars and coups, but for us, with the money and the resources that we have, let us get rid of this shame. And we can do this within a very short period. We have plenty of land- you can say that a lot of the land in some countries is actually occupied or owned by just a few individuals, but for the rest of Africa, we are not short of land. We can move and make sure that everybody gets enough land to feed the family, or to get money out of to change their lifestyles. We cannot cry of malnutrition in East Africa; it is a sin not a seed that we the leaders are sowing for our people.

So, if we are going to agree with what the Committee has given us in this report, let the Council of Ministers, when they are drafting, draft a document that is going to work, and not one that is going to be put on the shelves. Let us bring all the universities - we have universities; what are they doing? Now we have more educated people in East Africa than before and yet we are crying!

The seed multiplication unit which was supposed to be centred in Zimbabwe is in East Africa; it is in Sokoine University. It sits there and a lot of people all over the world come and benefit from that institution. Not only that, if you go to KARI (the Kenya Agriculture and Research Institute) there is a lot of information, which, if we used, would change these countries. If you go from Mtwara to Mombasa and look at the houses, and look at the agriculture...we really have to change.

It has been well stated in this report that the peasants need extension services; that they need properly researched seeds. Now, if Egypt is exporting cotton to China, why not us? If Vietnam is exporting to us, why can't we export to Vietnam also?

Mr Speaker, I visited Vietnam as an Ambassador, and I looked at the statistics. You would really feel bad: Vietnam is the biggest exporter of *pilipili* – hot pepper - in the world, and yet they have very small land. Even we cannot afford to do that, why? It is because we lack proper policies and leadership! Let us take our people to heaven and not to hell, as we are doing.

Mr. Speaker, I agree with the suggestions on tourism. Regarding the environment, we talked yesterday, and I am sure today we are going to repeat what we said. Hon. Oyondi was saying that if you do not plant trees it is your own problem. I think he is right. Some of these programmes, for example on fuel wood - when we complain about our natural forests being depleted, I think the alternative is to have fuel wood because it would take long before our peasants can afford to use gas cookers, but look at the amount of charcoal which is going to all the cities in the region, can we not do something to stop this scourge?

In Tanzania, we have a lot of gas, why can't we bring this gas to all the cities of the region, so that these people in the hotels can use this gas? Secondly, we should look at Nigeria. Let us not copy West Africa; they are busy flaring all the gas that is produced, and they cannot even supply electricity to ten per cent of the population, which is absurd. So, let us look for good examples of Africans in the other regions to copy. The Council of Ministers and we will only be remembered by our children if we make a difference.

With those few remarks, I beg to support the Motion. (*Applause*)

Mr. Dan Kidega (Uganda): Thank you, Mr. Speaker, I would like to pray for the indulgence of the House for one simple fact that I am a member of the Committee, but my participation in its proceedings was limited because of my absence from the work station. I would like to congratulate my Chairperson and the team for the great work they have done, and I am going to confine my brief contribution to food security only.

Food insecurity is categorised into two: the chronic and the transitory food insecurities. The chronic one, to me, is mainly due to the unfortunate acts of God, like finding yourself in bad climatic areas, desert places and so on, but what I am not so comfortable with is the transitory food insecurity. I associate that with bad leadership. I would like to salute hon. Kamba for the emphasis she has put on the question of leadership.

Mr. Speaker, ten years ago when I was an active student leader, I found myself in this hall under the able leadership of the hon. Jacqueline Muhongayire, and I pleaded with the people then in this hall that if we want to sort out the problems of our people and our countries, then we should invest in leadership. I want to echo the same sentiments. I think our biggest problem is leadership – (*Applause*).

Mr. Speaker, transitory food insecurity is caused by poor planning, and it is mainly a result of situations like what is quoted here like the political hiccup that happened in Kenya, erratic climatic conditions, or bad storage facilities. If we have good leadership that can develop infrastructure for food storage, some of the short-term food insecurity can be dealt with.

I know that in this region, particularly in the country where I come from, there are families that produce excess food which just rots away and after a few months the families are starving, simply because they do not have storage facilities, nor access to where they can transform that food into liquid cash or into a storable form! So, if we want to see this region get out of this chronic problem of food insecurity, we must address the question of leadership. By leadership I do not mean only the president, the ministers, the Members of Parliament; I think it is holistic.

Our local leadership of the churches, the mosques...it is not pleasant to preach to hungry or malnourished people; it is not interesting to preach to people who are not concentrating because they are hungry! Also, scientific studies have shown that organs of the human body develop at different rates, and notably, the brain and the sexual organs especially need food. If a child is malnourished, the brain development of that child will be bad, and the other organ will also be under-developed. (*Laughter and loud consultations*) These are fundamental organs in making a complete, strong human being.

Mr Speaker, I tend to think that one of the reasons why most people from sub-Saharan Africa are not matching the competition in terms of science and technology is because of malnutrition in the homesteads; children grow up eating bad food! I think the first thing we should address should be the question of malnutrition. I am tired of this rhetoric I hear in every African country I go to – (*Interjection*)-

Mr. Mike Sebalu (Uganda): On a point of information, Mr. Speaker, sir, the issue of malnutrition is a very important one, and it is a factor that we need to look at. At times it is just a function of ignorance. One time I was attending a burial and there was this reverend who was so candid. We were burying a kid who had died of kwashiorkor. The mourners had uprooted some green vegetables, and the reverend then said that the kid had not died of kwashiorkor but of ignorance, because here we were, cutting away the green vegetables that would have averted the situation that caused us to bury the kid. So, the issue of ignorance is a factor in respect of malnutrition. You will find families that sell eggs to buy cassava or *coca cola* for the kids. So, the issue of ignorance is a factor that needs to be addressed.

Mr. Kidega: Thank you, hon. Sebalu for that information. It boils back to the same situation of leadership. If the people are ignorant, the leadership should be better. At every unit of our society, there is a form of leadership. So, for me, until the time God calls me, I will always keep emphasising the question of leadership in our communities to address all these problems we have.

Mr. Speaker, I am tired of certain rhetoric among the African leadership about agriculture being the backbone of our economies, or agriculture being the biggest employer of our people. Can we translate that rhetoric into action? In all our countries, the contribution of agriculture to our GDP's is between 60 and 75 per cent. Maybe with the exception of Kenya which has leaped a bit into industrialisation, but still, the output from that sector is what feeds into those industries.

If you look at the budgetary support to the sector as a percentage of GDP, I know for a fact that in my country it is about 4.8 per cent, in Tanzania it is about 4 per cent. I know the differences do not match with these other Partner States, but the sector is contributing 65 to 70 per cent to the GDP's annually, and our investment to that sector is only about 5 per cent.

Kweli, huo ni uungwana? I think some people are thinking upside down. It is either us or them. So, I think we need to put emphasis where things must happen.

Mr. Speaker, for us to deal with food insecurity, the question of the land tenure system in use comes up. These countries that belong to the East African Community have variations in the land tenure systems they practice, so these need to be synchronised to ensure ultimate production or productivity out of the quantity of land available. The land tenure system in throughout the region must be properly co-ordinated.

Where I come from, I know there are people who own ancestral land, which means that they do not have land titles or title deeds. This land is useless to these people; they cannot move with this land to the bank to access loans. Do our bankers or the financial sector in the region actually give loans to the farmers? How about insurance? Are they willing to insure farms? We need to deal with those issues in order for us to deal with food insecurity.

Mr. Speaker, the current problem of food insecurity in the world is a golden opportunity for us Africans, and this region in particular, to benefit. But, most importantly, governments must subsidise farmers. The subsidies that the governments can give the farmers are in the area of infrastructure. There are fertile lands and people are growing food all over the region but the food rots because there are no feeder roads leading to where the food is grown! Governments should give simple farm inputs; they should waive taxation on things that deal with farming. That is the infrastructural support that the governments need to give to the farmers.

We also need to modernise agriculture. In certain schools in my country, digging is still being used as a form of punishment for the children. These children come out of school fearing and hating agriculture. Let us modernise it. The nomads who are still following their animals instead of the animals following them should be improved. People using hand hoes...how much will you till in a day? We need to modernise our farming.

Mr. Speaker, let me speak on the question of research. I want to thank the government of Kenya for what I saw at the Kenya Sugar Research Institute (KESRI) at Kilifi. Sugar is a much cherished product in the world market right now and at KESRI we were told that elsewhere in the world, there is only one output in a season but at the Coastal region they have two outputs in a season. It is the only research institution developing species of sugarcane for the whole region. We must ask our governments to emphasise on research to develop species that are resistant to pests and diseases. I want to thank my Chairman for mentioning the issue of disease and pest surveillance systems. I don't think we have effective mechanism to do that.

Finally, I am not part of those proponents who emphasise agriculture as a way of generating wealth. Agriculture can only be emphasised for food security. If we want to get rich as nations, we need to emphasise other sectors like the service industry; we need to grow and invest in the tourism industry and other service and manufacturing sectors for our economies to develop. Agriculture, to me, is simply for food security. I beg to support the Motion. *(Applause)*

The Speaker: Honourable Members, I would like to request you to be brief so as to allow other Members to contribute. I can see a lot of faces; I know most of you will not speak, but I will ask Hon. Damien.

Mr. Pierre Damien Habumuremyi (Rwanda): Honourable Speaker, first of all I would like to thank you very much for giving me the Floor.

Mr. Speaker, allow me to congratulate the Committee on Agriculture for this detailed report and the important recommendations they have made. However, I have some few comments on the report.

The report does not talk about subsidies that should be given to farmers, especially farmers' cooperatives. The problem is that many investors do not want to invest in a sector that has natural risks. Mr. Speaker, no Partner State should expect good results if farmers are not organised in cooperatives. I think our governments should do everything to encourage farmers to work together.

Mr. Speaker, the East African Community strategic plan states that pastoralists should be helped to diversify their activities or modernise them. Nothing has been said about this in this report of our Committee. The report does not give us statistics in the different areas of this important sector. If you look at the report, you cannot find any data. With those remarks, I beg to support.

Ms. Dora Kanabahita Byamukama (Uganda): Thank you, Mr. Speaker. I would also like to thank the Committee for a very good report. I must say that we have waited for it for a very long time, but we are very glad the report has been very comprehensive and is of high quality.

Mr. Speaker, I will just make three points. The first is to congratulate the members of the Committee for moving Private Members' Bills; this is hon. Safina Kwekwe and hon. George Nangale. The issue of Private Members' Bills is a right established in the Treaty under Article 59. We hope and pray that the Council of Ministers will support us in our endeavour rather than stifle this kind of pro-active action – (*Applause*).

I would like to thank this august House and the Chairperson of the Committee for exposing us to issues of climatic change, as well as food security. As I said before, when we had the tour of the Lake Victoria basin, we were able to see this. We have had several seminars, on the extractive industries and on climatic change, in Nairobi. So, this House is very conversant with the issues which we are raising.

I would like to point to one particular issue which was raised when we attended a session on "The East Africa we want." This showed us the different scenarios, and we were warned on issues of food security, water shortage and lack of leadership and direction. I must say that after this particular session, I did take some time to think hard about this issue. One thing I discovered was that none of the East African Community Partner States has the right to food established within their laws. If we had the right to food established in our constitutions, then we would put to task the leaders who do not ensure that this right is respected. So, I would like the Committee to take it into account, when they are looking at the food security Bill, to establish a right to food so that we can use this to punish those who do not ensure that there is a right to food.

Article 59(3) of the Treaty for the Establishment of the East African Community states that "*The Council shall publish annually, and present to a meeting of the Assembly, a general report on the activities of the Community, and the Assembly shall consider this report at its meeting.*" I am wondering; when you look at Chapters 18 to 20, this is the heart of the reason we are here. Without food, we would not be here.

I would like to propose that the Council of Ministers finds time within its schedule to brief us comprehensively, for example, on the food security situation, on issues of the environment, and on other issues that are being raised in this particular report.

Finally, for those of us who went to the Eastern and Southern Africa Management Institute (ESAMI), we learnt something that was very interesting on subsidies, especially on agricultural products. We do not have fair terms of trade as African countries and yet we are agriculture-based economies. So, when I heard one of my colleagues talking about subsidies, my heart stood up, and I was a bit alarmed because when we talk about fair terms of trade, I think we need to go further and see how we can evolve a joint mechanism of negotiating. We have already done our part as Members of this Assembly: we passed the Joint Trade Negotiations Bill, and I sincerely hope that the Council of Ministers will take up this matter and ensure that we as a region will be able to work on the issue of agriculture, so that we can have fair terms of trade, and, therefore, work on the issues of poverty, which have been highlighted.

Mr. Speaker, I cannot sit down without talking about the issue of access to land, especially for women. This is a very serious issue. My sister, hon. Zziwa was talking about the issue of violence. I would like to say that it is psychological violence when a woman produces food and the man takes this food to the market and sells it and uses the money, for example, to marry another woman - (*Laughter*).

Permit me to also say that there are very many instances where women have produced food, like, for example, maize, and the man goes and sells the maize and comes back and batters the same woman. Let me tell you why I am saying this. We have a report in Uganda of some women who had been doing very well growing rice, and suddenly the yields started dropping. The reason was very simple: the women were first boiling the rice and then planting it. It was because they felt that if they grew more rice, then the men would marry more women. So, this issue of access to land and women's right to own land is very important.

I would like to hail the Republic of Rwanda for addressing this issue. The Republic of Uganda has indeed done some commendable work, but we need to do more. Indeed, we need to do more as a region to make sure that the women who are tilling the land are given an incentive to protect the environment and to grow more food.

I thank you for your attention, and I support the Motion.

Ms. Valerie Nyirahabineza (Rwanda): Thank you very much, hon. Speaker, for giving me the Floor to say a few words, especially after my sister, hon. Byamukama has just spoken. She mentioned an issue that is known by everybody; that of domestic violence and ownership of land. Perhaps I should not go back to that because she really highlighted the issues very well, but I would like to give a very sad example.

When we have a family composed of a man, a woman and ten children - seven boys and three girls or vice versa; when each boy wants to get married, he asks for a portion of land. I think we need to think further. We should not only ask the parents not to dislocate society, but we should also sensitise them about how to produce. I say this because when the family giving out those small portions of land, each one ends up getting only a fraction of the land, and definitely they cannot produce enough on them to feed their families.

Mr. Speaker, I would also like to commend hon. Byamukama for praising the leadership of the Rwanda Government, especially His Excellency the President, because I know that he is preaching by example. Being the Chairman of the East African Community, he will help all of us to make a difference within our region.

Mr. Speaker, I also wish to thank my colleagues who touched on the issue of agriculture, acknowledging that our region's economies are still agriculture based. I want to propose something else. It was somehow touched on by hon. Kidega, but I just want to emphasise it. This is what we call off-farm activities. We do not have to rely on agriculture only; we can also create other activities which can give us revenue, such as handcrafts, services and so on.

Mr. Speaker, in order for us to eradicate poverty, we should not allow developed countries trading with us to buy unprocessed goods from us. We should encourage our local people to proceed to full processing. There is also a need to develop an East African Community joint strategy on irrigation. If it is possible to think about a master-plan on irrigation within EAC, it would be better.

Finally, we should also urge EAC Partner States to establish some agricultural guarantee facilities so as to enable, at least the poorest families, to access money in order for them to increase productivity.

Another aspect, which goes with that is the one related to regionalisation of crops. Last month we were in Kenya and we were able to see different crops that are cultivated within different parts of the region. If we could sit down together and think about how, for example, Kenya and Tanzania can produce maize and Rwanda could produce sweet potatoes in order for us to exchange those products so as to fight against food insecurity, I think that would help.

Mr. Speaker, I beg to support the Motion.

Mr. Clarkson Otieno Karan (Kenya): Mr. Speaker, I thank you for giving me this opportunity. As a member of the Committee, I would like to say that I totally agree with the recommendations of the Committee, but I have just two points to make.

First, on the issue of agriculture, especially in respect to food security, I would like to totally agree with hon. Kidega that the problem is leadership. If our leaders would be serious with the implementation of laws governing agriculture, I don't think this region would be talking about food insecurity.

I remember, some time back when I was in Uganda, I was told a story of an investor who, after living in Uganda, decided to import soil from Uganda to be able to start dairy farming in Iraq. If dairy farming could thrive in Iraq, why can it not thrive in East Africa where we have good land and we can be able to feed our people?

The other point I am worried about is the issue of tourism. If you talk to any leader in the East African region, they will say that East Africa should be marketed as one tourist destination, but there appears to be a problem. As the Kenyan chapter of the East African Legislative Assembly, we had an opportunity to meet with our ministries to find out why they were not moving with speed on issues of integration and the implementation of policies of the East African region. To date it appears that the Sectoral Council on Tourism has not met in the region.

I want to urge the Chairperson of the Council - because I believe in her - to take this issue seriously so that tourism development should be activated in East Africa. I think the problem

here is greed. There is competition among the Partner States; they do not want to think as a region. I remember when Kenya was in turmoil, a Partner State stationed an officer in Mombasa to canvass for tourists, and the slogan was that come to this country because it is the land of tranquillity and peace! If the Partner States are going to conduct themselves in such a manner – *(Interjections)* - I am being pressed by Members to name the Partner State. Indeed, I can name that Partner State.

I want to urge the Chairperson of the Council of Ministers that, we normally travel around to get best practices. Article 12(3) states that the mode for the Summit to arrive at decisions is by consensus. Similarly, Article 15(4) says that the Council shall arrive at decisions through consensus. But best practices have shown that where regional integration has succeeded is where leeway is given to the Partner State that is not able to move with the rest to join later so that the rest can move on. I do not believe that to date the issue of tourism is still an issue which is shared. It is in the boardrooms, and we have not taken any steps to promote tourism in this region!

Mr. Speaker, I want to agree with hon. Zziwa that men sometimes stay away from home late, but the reason she advanced for that is not the correct reason. Surely men are not causing food insecurity! The only reason that I would want to advance, for the benefit of honourable Members, is that since this programme of women empowerment started, some women have decided to inherit men's voices, and when they talk with men's voices in the houses, men decide to keep away because you never know whether there is another man in the house or not - *(Laughter)*.

I would want to congratulate the Republic of Rwanda – *(Interruption)* –

Ms. Byamukama: On a point of order, Mr. Speaker, I would like to ask whether the honourable Member is in order to allege that because women who have deep voices may be taking on men's roles is really an issue that he can verify and justify, considering that we are in a country whereby 54 per cent of Members of Parliament are women, which is the will of the people. Is he in order?

The Speaker: I think he only talked about their deep voices. He did not talk about anything else.

Mr. Karan: Thank you, Mr. Speaker, for protecting me. I did not mean that I despise women. If there is anything to borrow from Rwanda, the Chairperson of the Council of Ministers currently is a lady from Rwanda, and she still uses her feminine voice. That is what I would want the ladies to borrow - *(Laughter)*.

Mr. Speaker, in conclusion, I would like to support the report of the Committee, and I urge the Chairperson of the Council of Ministers to look into the amendment of this particular article of the Treaty so that those Partner States in agreement can move on and those who still want to work in isolation can join later so that East Africans can start one step to integration. *(Applause)*

Hon. Patricia Hajabakiga (Rwanda): Thank you, hon. Speaker for giving me this opportunity to speak again today, and especially since it is the last day of the plenary session here in Kigali. I would, therefore, wish to take this opportunity to thank everyone of us who has spoken and congratulated Rwanda on different issues, and particularly the last Member to speak who thanked Rwanda for choosing a lady as the Chairperson of Council of Ministers,

and my colleague, hon. Byamukama, for congratulating Rwanda for electing more than 50 per cent women in Parliament.

Mr Speaker, I only want to speak on one recommendation under the environment; that is recommendation number five in relation to rural-urban migration. The question of rural-urban migration has an impact on different spheres of our economy, and if it is not looked into by this region, we shall be sitting on a bomb.

In 1996, the UN conference on human settlement in Istanbul put a figure of people who live in the slums of developing countries at 100 million. I am sure 20 years after that it has increased, and yet the world looks at Africa as just an agricultural continent. Nobody looks at the issues of the urban areas. However, due to various reasons, including conflict in our region, climate change, impacts of landlessness, the issue of rural populations finding refuge in urban areas has created a situation where, whether we like it or not, we are moving into the urban areas. So we need to be prepared.

I will give the example of Rwanda. In 1994, there were only 150,000 people living in Kigali. In 1996 when we did a mini-census, there were about 600,000 people. Today, Kigali is inhabited by more than 1 million people, an estimate of about 7 per cent growth per year. That means that about 73,500 people are entering Kigali every year. You can imagine what happens in other cities in East Africa.

Looking at this phenomenon, what are the challenges? We need to accommodate all these people; we need to have amenities, including water and other services required to cater for the people living in the urban areas, not forgetting the aspect of transport and security. Most of our cities right now are insecure. If you walk in the evening in many of these cities - Nairobi or Kampala - if you are a woman, your bag will be snatched, or you can even be raped. These are serious matters which we need to look into.

Mr. Speaker, hon. Byamukama raised the issue of ownership of land in relation to women, but this is probably true for many poor people. As populations increase in the urban areas, we also need to expand the surface of these urban areas. This would require undertaking expropriation, which would mean leaving out people getting out of urban areas relegated to very poor or marginal areas such as wetlands, up hills, and cutting of more trees so that the people can get somewhere to put their small houses. So, I would urge that we request the Council of Ministers to do a survey on how best we can deal with the issue of rural-urban migration, and the possibility of organising a system where we will have the master plans for our cities revised so that we can accommodate all these people who are coming into the urban areas.

Thank you, hon. Speaker, for giving me this time.

The Counsel to the Community (Mr. Wilbert Kaahwa): Mr. Speaker, let me begin by joining issue with all those honourable friends of mine who have appropriately congratulated you upon your presiding over the second meeting of the second session of the East African Legislative Assembly in this beautiful city in the land of a thousand hills. Let me also join issue with those honourable members who have, again appropriately, thanked the Government of the Republic of Rwanda, the National Assembly of the Republic of Rwanda, the Ministry for East African Community Affairs in Rwanda, and the people of Rwanda for

their joint and several inputs into the effective and efficient facilitation of the sittings of the Assembly during this session – (*Applause*).

Mr. Speaker, sir, I know we are time pressed, so I will confine my contributions to only two issues, which have got a legal bearing on the Motion on the Order Paper this afternoon. But first of all, it behoves me to sincerely thank the Chairperson of the Agriculture and Natural Resources Committee, the hon. Dr. George Nangale and the entire Committee for their insight into the need to realise the ideals of the areas of cooperation in agriculture, tourism development, natural resource management and related aspects, as provided under Chapters 2, 18, 19 and 20 of the Treaty.

Mr. Speaker, having read this report in its entirety, and having listened to the contributions on the Floor, I am of the humble view that the nature and target of the report is a shot in the arm to address the slow pace and tardiness in actualising paragraphs 4.5.1, 4.5.3 and 4.5.4 of the East African Community Development Strategy, which provides strategic interventions in the areas addressed by the Committee, and where real benefits for the people of East Africa are not being realised in a timely and purposive manner.

Mr. Speaker, sir, regarding what is taking place at this point in time, let me just make one report for the benefit of the House. The Summit of the EAC Heads of State is equally concerned with problems associated with agriculture and food security in the region. At their 7th Extra-Ordinary Meeting, which was held in Kigali in June, the five Heads of State considered this matter and directed the Council of Ministers to take into account the development strategy, the existing policies and programmes and come out with a mechanism for the quick resolution of problems associated with food insecurity and agricultural shortcomings.

Mr. Speaker, sir, the gist of my contribution, as indicated, is on the need to enrich this debate with one or two points, which are legally based. Let me first of all appreciate the Committee's need for legislation, as pointed out, in the areas of food security, management of tourism and wildlife, and also to establish an agency to address tourism management in the region. I may add that for full effect, maybe we have to take advantage of the need for legislation.

The fact that the Partner States have been trying to harmonise a lot of their legislation in an EAC context, is a basis to found legislation in all other areas which have not been pointed out in the report of the Committee. These include plant protection, handling of seeds, acaricides and other chemicals, the burning of grass, trade in agro- and livestock products, environment protection, protection of wetlands, cattle rustling and so on. All these are areas in which, on the basis of the insight by the Committee and the power entrusted to this Assembly, legislation can be founded by both the Council of Ministers and Members of the Assembly through private motions.

Mr. Speaker, sir, my second point is with regard to a subject which has been on my mind for some time. The Assembly - today and yesterday, and on previous occasions - debates motions and passes resolutions. The business of the Assembly is always translated into either legislation or resolutions based on motions. Those are the two basic outputs of the Assembly by way of decisions. The question which was raised by my learned friend, the hon. Ogalo yesterday is the logical conclusion of those resolutions. Legally, how binding are those resolutions? How far can you go in ensuring that what comes out of the debates on the

motions and resolutions is transmitted into some binding effect on the EAC organs and institutions?

Mr. Speaker, sir, allow me to refer to the Treaty: According to Article 16 of the Treaty, the decisions, directives and recommendations of the Council have got binding effect on the Partner State organs and institutions other than the Summit, the Court and the Assembly. You can easily see that the policy-making organ on the basis of the Treaty has got a clear leeway on the binding nature of its decisions. In the same Treaty, under Article 38, any judgement of the East African Court of Justice must be accepted in its entirety by the Partner State organs and institutions, and parties to any given action under the Court.

When you consider the legal effect of the decisions of these three key institutions, you will find that there is a gap with regard to the legal effectiveness of the resolutions of the Assembly. With legislation it is obvious, pursuant to Article 8(4) of the Treaty, which states that legislation enacted by the Assembly is binding on the Partner States and takes precedence over national legislation on similar areas legislated upon. But with regard to resolutions, there is that gap, which is not tantamount to ensuring that there is a logical conclusion or a binding effect on the resolutions of the House.

To that extent, and since I must take responsibility for drafting the Treaty - I drafted the Treaty along with the hon. Mr. Justice Akilano Akiwumi - this was an oversight. But given the fact that there is a Treaty amendment process which is on-going, I want to assure the House that I will be proposing an amendment with regard to ensuring that the resolutions of this House have got a binding effect on the Community – (*Applause*).

Mr. Speaker, sir, my last point is with regard to an intervention by hon. Clarkson Otieno Karan. The honourable Member took issue with the principle of consensus in decision making. This principle, which was meant to be an initial part of the Treaty to build confidence among the Partner States, is now proving to be an unruly horse in decision making because it affects, adversely, the question of Partner State representation, and the question of decision making because it requires majority decision making. I am glad to indicate that this is a matter which is also being addressed within the context of the Treaty amendment process. In addition to that, I have also deemed it necessary, because the Treaty amendment process may take too long, to seek an advisory opinion regarding the application of the principle of consensus in decision making, vis-à-vis the other operational principles stipulated in the Treaty, of variable geometry.

With those few words, I support the Motion.

The Minister for EAC Affairs, Rwanda, and the Chairperson, EAC Council of Ministers (Ms. Monique Mukaruliza): Mr. Speaker, sir, I thank you for giving me the Floor. I thank the hon. Dr. George Nangale and the Committee on Agriculture, Tourism and Natural Resources for the well reasoned report. I note that the report gives due insight into the areas of agriculture, environment protection and management, and tourism and wildlife management. These are some of the core areas for our regional development and for the socio-economic advancement of the people we serve.

Mr. Speaker, sir, much as the Committee carried out part of its initial survey and assessment before Burundi and Rwanda joined the Community, the matters addressed implore the Council and other organs of the Community to purposefully reflect on how best the following provisions of the Treaty can be logically and effectively implemented: These are:

- a) Chapter 18 on agriculture and food security, including cooperation in seed multiplication and distribution, livestock multiplication and distribution, plant and animal disease control, irrigation and water catchments management;
- b) Chapter 19 on cooperation in environment and natural resources management;
- c) Chapter 20 on cooperation in tourism and wildlife management.

Mr. Speaker, the findings of the Committee on the situation on the ground will greatly assist the Council in implementing and hastening the implementation of relevant provisions of the EAC Development Strategy, 2006-2010 on the subject so deeply addressed by the Committee. Given the adverse impact of climatic change and the economic impact on our agricultural output and food security, the stiff competition in the management of tourist attractions and the perils facing our environment and natural resources, the Committee's suggestions are not only a timely warning, indeed they are a shot in the arm for our joint efforts in bringing the ideals of integration down to the benefit of the region and the advancement of our 120 million people and posterity.

Mr. Speaker, I have taken note of the challenges before the Council regarding a regional policy on agriculture, food security, tourism and natural resources development, and particular among these is the need to expedite implementation of regional policies and plans on agriculture and rural policy, the need for initiating Bills on food security and other matters, the involvement of all stakeholders in addressing problems associated with low agricultural production, and nationally convened arrangement of tourism and natural resources, creation of awareness on international conventions and standards, control of dumping practices, etcetera. The list is long but not unmanageable if commitment and dedication is ensured. Therefore, the Council of Ministers will surely stand up to these challenges – (*Applause*). In this way, the critical analysis and interventions put forward by the Committee on Agriculture, Tourism and Natural Resources will not be in vain.

Mr. Speaker, the enrichment of the Motion by hon. Margaret Zziwa, hon. Kate Kamba, hon. Dan Kidega, hon. Damien Habumuremyi, hon. Dora Byamukama, hon. Valerie Nyirahabineza, hon. Clarkson Otieno Karan, and hon. Patricia Hajabakiga, and the contributions regarding leadership in the region, priority setting, data collection and use, support for private Bills moved by the honourable Members, proper management of land and urbanisation, the need for the Sectoral Committee on Tourism to urgently meet, are key follow-up areas on the report, which I undertake to further study along with the Council.

I thank you, sir. (*Applause*)

The Chairperson, Committee on Agriculture, Natural Resources and Tourism (Dr. George Nangale) (Tanzania): Mr. Speaker, I want to take this opportunity, on behalf of the Committee on Agriculture, Natural Resources and Tourism, to thank all the Members who have had time to contribute to this Motion. Those who did not get the opportunity, I am sure will be communicating with us in writing, or in other interactions as days go on.

As I said when I was concluding the presentation of our report, the Committee is committed to see that the recommendations we have made are taken seriously, not only by the House but also by all the EAC organs and institutions. As an Assembly, we have the obligation to

ensure that we provide the necessary oversight and representation of the people of East Africa, and also come up with legislation and resolutions. As you have seen, this report has been extensive, and out of it, many resolutions and pieces of legislation can be drawn.

With those remarks, I wish to appeal to the House to adopt this report.

(Question put and agreed to)

Report Adopted.

MOTION

FOR THE CONSIDERATION AND ADOPTION OF THE REPORT OF THE COMMITTEE ON ACCOUNTS ON THE REVIEW OF IUCN AND OTHER PROJECTS SUPPORTED BY THE EAC DEVELOPMENT PARTNERS

The Chairperson, Committee on Accounts (Mr Christopher Nakuleu) (Kenya): Hon. Speaker, sir, I beg to move_

THAT, the report of the Committee on Accounts on the review of IUCN, MERCEP and the other projects supported by the EAC development partners be adopted.

Ms Margaret Nantongo Zziwa (Uganda): Seconded.

Mr Nakuleu: Hon. Speaker, allow me to read the report of the Committee on Accounts on the review of the World Conservation Union (IUCN) Project, the Mount Elgon Regional Ecosystem Conservation Programme (MERCEP) and the projects supported by the EAC development partners compiled in Nairobi from 10th to 14th August, 2008.

Mr. Speaker, sir, in compiling this report, we subdivided it into a few sub-topics, namely: introduction, methodology, observations and then recommendations for the consumption of this House. This report is a follow-up of the report of the EALA directives and the status of implementation of the said directives on the audited accounts of MERCEP and all projects supported by the EAC development partners.

The EALA Accounts Committee meeting in Kampala, which reported on the status of implementation of MERCEP, prompted the Assembly in the Arusha meeting to direct the Committee on Accounts to meet in Nairobi for a follow-up to consider the audit reports of MERCEP and projects supported by the EAC development partners. The Accounts Committee convened on 11th to 13th August, 2008 at Grand Regency Hotel, Nairobi, Kenya. The main purpose was to analyse, review and consider, among others, the MERCEP and the report of all projects supported by EAC development partners.

With regard to the methodology adopted, the Committee interacted with the stakeholders, including the Audit Commission, technical personnel from IUCN, the Lake Victoria Basin Commission, the EAC Secretariat, and reviewed documents that were availed to it, and wish to report to the Assembly on this very day. The Assembly directives, the Committee findings and the recommendations thereof are discussed as follows:

Projects Under consideration

The first project we considered as per the directive of the Assembly was the MERCEP project. This is one of the projects being implemented by the EAC with technical and managerial assistance provided by IUCN, funded by the Government of the Royal Kingdom of Norway and Sweden. The report of the Accounts Committee on this project was considered and adopted by the Assembly at its sitting held on Wednesday, 20 February 2008.

The first issue that the Assembly had contention over was the non-opening of specific bank accounts for MERCEP by IUCN and the partner institutions. The Assembly then directed the management of EAC and the IUCN to follow up the matter with the donor in order to ensure that funds are not mishandled.

During the Nairobi meeting, we had to rely on information provided mainly by the Audit Commission and members of the technical team, because we did not have time to visit these projects. So during that interaction, the Audit Commission reported that the process of opening a MERCEP bank account in Nairobi was on-going and that the account would be fully operational by the end of August. It is a long time since this report was compiled, and up to now...maybe we need to have a spot check to see if the report we were given was authentic.

The second finding was that a MERCEP bank account had already been opened in the Uganda by the country office. The Committee, therefore, does recommend to this Assembly that the issue of opening a MERCEP bank account in Nairobi should be resolved forthwith without any further delay, and to inform the Audit Commission of the details of bank account before 15th November.

Non-Opening of MERCEP Bank Accounts by Partner Institutions:

The directive of the Assembly while we were sitting in Arusha was that the EAC management should take immediate steps to ensure that all Partner State implementing institutions open up bank accounts because it is incomprehensible for a project of this magnitude and importance to take two years to open an account. The Audit Commission confirmed to the Committee that the following institutions had not opened bank accounts: Trans-Nzoia District in Kenya, NEMA Uganda and the Ministry of Water and Environment, Uganda. The Committee therefore recommends that the EAC management should make a serious follow-up of this issue with the institutions to open bank accounts without delay, and to report to the Audit Commission the details of the bank accounts.

Another issue that was under consideration was the uncompetitive procurement made by NEMA, Uganda. The Assembly had directed NEMA to refund to the project the full amount of US\$14,654 purportedly spent on procurement of services. The second directive was that the imprest system at NEMA should stop forthwith, and that further disbursement of funds should only be made when NEMA opens up a separate bank account for the project. The third issue under consideration was that procurement should be made in accordance with the requirements of the programme implementation manual. If abused, the Assembly had at that time suggested punitive measures to be taken.

During the Nairobi meeting, the Audit Commission reported that NEMA had responded, and that IUCN had concurred that the nature of the activity by NEMA was not a competitive procurement. The Audit Commission was satisfied with the explanation of the expenditure by NEMA.

The second finding by the Committee was that the imprest system had been stopped and funds had been disbursed to NEMA this year. NEMA is committed to opening a bank account to receive the funds. The third finding was that the IUCN has also written to the implementing institutions to adhere to MERCEP implementation manual, which was being complied with.

In view of these findings, the Committee is recommending to the Assembly that much as it was satisfied with the progress and the level of compliance to the Assembly directive, the issue of opening bank accounts has to be attended to.

Another directive of the Assembly was on the issue of delayed implementation of programme activities. The Assembly had directed that EAC should improve on its monitoring and supervisory role in the running of the projects, that the programme performance reports should be submitted to EAC every three months. A mid-term review of these projects was to be carried out as soon as possible with a view of restructuring the running of the programme. The review was to involve all stakeholders, including the Assembly.

The EAC Secretariat reported to the Committee that a fulltime officer at the Lake Victoria Basin Commission (LVBC) had been dedicated to follow up the implementation of the MERCEP project, and, in addition, the Directorate of Productive and Social Sectors is now fully involved at all levels of MERCEP implementation and decision making. Another finding by the Committee was that the programme performance reports, which include the consultancy report, the MERCEP coordination committee report, the policy steering committee report, the annual meeting and progress reports have been submitted to LVBC. Hon. Speaker, I must attest that the Committee has not seen this report, but we were purely operating on the information from the Audit Commission.

A third finding was that a mid-term review of the project was conducted and the reports are available. Also, the implementation of the recommendation of the MTR that had been agreed with the donor was started.

In view of these findings, the Committee noted that the Assembly directives have been complied with, and recommends that the MTR report should be made available to the Committee at the earliest time possible. After consultation among the members of my Committee, we suggest that the latest we expect that document is 15 November 2008.

Another issue that we considered, which the Assembly was not comfortable with in its Arusha sittings was in respect to the Assembly directive to the management of the EAC to ensure that the programme activities are carried out within the agreed time frame and in accordance with the annual action plan.

The Audit Commission explained to the Committee that the implementation of MERCEP faces many challenges based on different internal systems of the different institutions. These include procurement procedures, poor internal and external communication; political interference, and security concerns in some parts of the ecosystems. The Committee was informed of some of the efforts to address these challenges, which included the following:

On procurement, the Committee was informed that some of the districts had initiated the prequalification of supplies of goods and services at the beginning of every financial year. On communication, the Committee was informed that the assessment to enhance interconnectivity to the MERCEP implementing institutions had been undertaken, and what is remaining is just connection. This is expected to facilitate communication and information

sharing between and among Partner States, and with IUCN. The political leadership to the programme is being enhanced through radio talk shows, workshops and exchange visits.

On security, the Committee was briefed that improved security by the Government of Kenya on the Kenyan side of Mt. Elgon has created an environment conducive for the project to be implemented, particularly in the Mt. Elgon District.

On the mid-term review, the redesigning of MERCEP according to the recommendation of the MTR will contribute to the identification of the institutions that will participate in the processes to enhance effectiveness and efficiency of the re-designed MERCEP. The Committee noted the serious challenges facing the implementation of the project, therefore recommends that the implementing agencies should work closely with the stakeholders in order to overcome the challenges and ensure buy-in into the project.

On lake the accountability for the funds disbursed to implementing institutions, the Assembly had directed that no further disbursement of funds should be made to any institution that had not fully accounted for funds previously received. The second directive was that all the purported documentation that had been received by IUCN should be submitted to the Audit Commission for verification by the end of March, 2008. Thirdly, the Assembly had directed the EAC to issue a stern warning to all the institutions, informing them that accounting for funds without supporting documents should stop immediately and that in future it would attract punitive measures.

The IUCN informed the Committee that late accountability for funds by implementing institutions was linked to the many challenging aspects of MERCEP implementation. For example, it is a requirement for the implementing institutions to report quarterly, but, by the time reporting is due the institutions would not have spent the funds they received, therefore contributing to lateness in accounting. However, Mr Speaker, the following are being done as control measures:

1. IUCN management is not disbursing funds to the institutions that have not fully accounted for funds previously received. The following initiatives are being taken to reduce late accountability:
 - (i) Training of all finance officers and MERCEP local persons from implementing institutions on financial management and reporting;
 - (ii) On-job training is done on case by case basis, particularly in institutions where turnover is very high.
2. IUCN has written to all institutions stressing the need to adhere to the MERCEP implementation manual and it has also pledged to monitor compliance levels and to remove technicalities.

The Committee noted the positive steps being taken towards improving the accountability process and, I would say that they have complied with the directives of the Assembly. *(Applause)*

On avoidable operational costs, the Assembly had directed that IUCN, NFA and UWA should take responsibility for all unnecessary costs. Secondly, the Committee had recommended to the EAC to write to the above institutions on the need to exercise responsibility, to avoid high operational costs and to ensure that funds are released when required, failure to do which some measures would have to be taken. The Assembly had also

directed that in future, EAC management should ensure that the responsible officers in implementing institutions should appear before the Committee to answer audit queries regarding their respective institutions. It had also directed the Deputy Secretary-General in charge of Programmes and Projects to carry out performance audits on the programmes of MERCEP.

Mr Speaker, the Committee's findings are as follows:

The IUCN wrote letters on 6th February, 2008 to both UWA and NFA MERCEP local personnel re-emphasising the need to reduce avoidable costs and risks. IUCN has since received written assurance from both organisations committing their institutions to address the concerns raised by the Audit Commission.

Our second finding was that EAC wrote letters dated 15th April, 2008 to NFA and UWA management. The UWA management has made commitment to ensure that all signatories to the MERCEP account in Mbale are within Mbale National Park headquarters. NFA has also rationalised its costs on travel to ensure that the costs only relate to MERCEP and do not include travel related to other NFA activities.

Mr Speaker, the Committee commends EAC for complying with the directives of the Assembly, and the following are the recommends that the IUCN should continue monitoring and controlling avoidable high costs.

The Committee noted that the performance audit of MERCEP had not been carried out, and recommends that the Deputy Secretary General (Finance and Administration) and the Audit Commission need to come together and work out a modality of doing the performance audit of the MERCEP programme.

On the programme activities not being properly supervised, the Committee recommends that the EAC management should institute a review of the relationship between the IUCN and the implementing institutions with a view of redefining the role of the focal point officers. Secondly, the Committee recommends that in order to make sure that the programme activities are properly managed, the focal point officers within the district authorities should be held accountable for the management of the programme activities.

Honourable Speaker, sir, for all these, the Committee relied on the report of the Audit Commission, and agreed that appropriate action had to be taken.

On the Luciana and Kaliandra Orchid seedlings ploughed down by the Sironko Prison officials, Mr Speaker, you will agree with me that this was a contentious issue when our report was tabled in the Assembly in Arusha. The Assembly noted that the conduct of the prison officials in this regard was extremely unfamiliar, and that why the Assembly directed the management of the programme to liaise with the appropriate authorities to ensure that the ploughed-down seedlings were compensated for by Sironko Prison, and for appropriate disciplinary action to be taken against the concerned officials. The Assembly further directed the EAC to carry out intensive awareness programmes in areas where they are having projects.

The Audit Commission reported to the Committee that Sironko District had since taken the following actions:

1. It made efforts to have the officials responsible for ploughing down the seedlings punished, although the mode of punishment was not revealed to the Members of the Committee.
2. It made sure that all the 6 acres of sea orchid was ploughed with kaliandra without Lucian between September and October, 2007 because of the demand by the target farmers for the former.
3. It made sure that the area was surveyed and registered by the respective authorities.

On these findings, the Committee accepted the explanation of the Audit Commission and agreed that appropriate action had been taken in accordance with the directives of the Assembly.

Hon. Speaker, sir, on the need to harmonise MERCEP and ADB activities, the Assembly had directed the EAC to synchronise the funding in Tans-Nzoia and any other area where there is more than one donor so as to avoid double funding. The Assembly had further directed that the establishment of basket funding arrangement in order to streamline and maximise fund utilisation to be adopted.

The Audit Commission reported that this was a task that had been taken up by the national focal ministries for MERCEP in Kenya and Uganda. Firstly, a simple but elaborate participatory monitoring tool had been rolled out for implementing institutions to ensure that not only the contribution of MERCEP but other programmes and projects active in target sites are also captured so as to avoid multiple funding. The harmonisation of MERCEP with ADB activities has not been undertaken because it requires a lot of preparation and consultation with various stakeholders. Hon. Speaker, the Committee agreed with what was reported by the Audit Commission, but noted that while it would be desirable to have a basket funding, this would require further consultation between the donors, the implementing agency, and the EAC. The Committee, therefore, recommends that EAC continues to pursue this matter to its logical conclusion.

Hon. Speaker, the second part of this report is on the reports of the EAC donor funded projects. The very manner in which we handled the first part of the report is the manner in which we handled this one.

Following the Assembly directive arising out of the report of the Committee on Accounts, the Secretary-General submitted a list of EAC donor funded projects to the Committee. The Committee then requested for more details on the projects with regard to amounts received, amounts spent, and status of implementation, among others. Hon. Speaker, sir, you will agree with me - and Members will also agree with me - that this is the first time since the inception of the Assembly that the Committee on Accounts has considered the EAC donor-funded projects. In pursuing this, we had full interaction with the Secretariat, which was represented by the Deputy Secretary General in charge of projects and programmes.

The report of the EAC projects supported by development partners was presented in six parts. The first part was on the Partnership Fund, the European Community supported projects and programmes, and you can see that Part C is the construction of the EAC headquarters in Arusha, Tanzania and the amount of money allocated for it is indicated there. The fourth is the World Bank funded projects, the EALA and others. These others are those that do not fall among the first five in the list of projects.

On the Partnership Fund, the priority intervention areas supported include the common market negotiations, the fast-tracking of Rwanda and Burundi into the EAC, capacity building of the EAC Secretariat, studies and support to the projects implementation unit. The concept behind the Partnership Fund is budget support where funds are put in a common basket and planned for when need arises.

On supported projects, the EAC is currently supported by the European Community in the following projects: the Regional Integration Support Programme (RISP), the Regional Integration Support Mechanism, Conflict Prevention Management and Resolution in Eastern and Southern Africa, the Regional Information, Communication and Transport Support Programme, the East African Avian Flu Regional Response.

Hon. Speaker, Sir, on the construction of the EAC headquarters, the total cost of expenditure will amount to 14 million Euros and is funded by the Government of Germany.

The World Bank approved a capacity building programme for the EAC in 2007. This programme is for two years and its key components include support in project management monitoring and evaluation. The amount is indicated there – I will not go through the amounts because of time constraint; and I believe each Member has a copy of this report. The second is support to strengthen the accounting and budgeting systems, and to enhance the records management of the EAC Secretariat.

In respect of the East African Legislative Assembly, the projects directly funded by the development partners are as follows: the EALA capacity building project funded by ACBF (The African Capacity Building Fund) to the tune of US\$1.5 million to be spent within the time frame indicated; 2007 to 2011. The second project is the EALA capacity building project funded by SIDA (the Swedish International Development Agency) and AWEPA (the Association of the European Parliamentarians for Africa) to the tune of one million Euros, for the period 2008 to 2010.

The East African Community is an implementing partner and, therefore, funds cannot come through it. The other projects which did not fall in the previous groups include: the EAC/AMREF/LVBC Programme; the AIDS Partnership Programme; the Regional Comparative Study of the Provisions of the EAC Partner State Patent Laws Relevant to the Access of Generic Essential Medicines in East Africa Project; the EAC Trade Capacity Building Project; the Establishment of Extremities on the Standardisation in the East African region, Phase II; the East African Trade and Transport facilitation project; the Feasibility Study for the EAC Upper Flight Information Project, the East African Trade and Transport Project, the Feasibility study on the multinational roads project, and the Arusha-Namanga-Athi River Road Project.

The Committee was also informed that there were some proposals that were made that are still awaiting responses. These include: the EAC Partner States Customs Union implementation and Sensitisation programme; the East African Avian Flu Regional Response; the EAC Regional Health Information Systems; and the implementation of the regional strategy for scaling up access to modern energy services, among others.

Hon. Speaker, during the course of the interaction between Members of the Committee, the Audit Commission and the Secretariat, there arose some issues that the honourable Members felt were very pertinent and needed to be addressed. One of the issues was that of the Common Market.

Honourable Members requested the Secretariat to make the direction, progress and goal of the Common Market as clear as possible because the manner in which it is moving was of great concern to the Members. The response was that the Common Market is currently a major priority as it is a creation of the Treaty, the Council of Ministers and a Summit directive. Members were also informed that the objective that is pursued currently is for the adoption of the Common Market Protocol, and that the negotiations are taking place in three dimensions, namely; the formation of a high level task force, the formation of thematic groups that sit simultaneously, and the introduction of the process of negotiation. I think Members will read all this for themselves because the issues are very clear.

On the issue of tourism, the Committee noted that whereas EAC has a comparative advantage in tourism over other regions, little attention had been invested in this sector. The response of the Secretariat was that they are doing something to market East Africa as a single tourist destination. The follow up to this will be seen in future.

Regarding the EAC development strategy, the Committee noted that there was no a need for a consultancy to review the East African Community Development Strategy and its operationalisation. This attracted a very funny debate. We were informed that by so doing ... the Deputy Secretary General stressed that this would be implemented by bringing onboard new staff, linking it to the mandate of the Treaty. He said hiring of consultants was, in addition, intended to create synergy between the EAC and the Partner States, and that the mid-term review would be used to enable countries to move together. Honourable Members may have to think over this statement because the Committee was not comfortable with it.

On fast-tracking of the integration of Rwanda and Burundi, the Committee inquired from the Secretariat the status of fast-tracking the integration of Burundi and Rwanda. The response was that efforts, or activities to fast-track these two Partner States were under way. However, after a new Ministry in charge of East African Community was created, the Minister put it on hold in order to incorporate them.

Regarding the attachment of the EAC headquarters from Rwanda and Burundi, the Committee was informed that the matter is under consideration.

Support to the programme implementation unit and the issue of overspending was also of great concern to the Committee. The Committee inquired more about the programme implementation unit, and whether overspending is in tandem with the financial rules and regulations. The EAC Resource Mobilisation Officer informed the Committee that what was happening was not overspending but rather poor budgeting. He said that miscalculation was noted by the Deputy Secretary General in charge of Finance and Administration, and it was attended to in a manner featuring in the report.

On the issue of late remittance of pledges leading to half or non implementation of activities, the EAC Resource Mobilisation Officer informed the Committee that a strong letter had been written to development partners showing how late remittances of pledged funds affected the programmes. I think in Arusha the issue also came up that there were some Partner States which had not paid their contribution to the Community. I think by now the office of the Secretary General should be in a better position to inform us.

On part C, "status of implementation of EAC supported projects and programmes", the EAC Resource Mobilisation Officer informed the Committee that the regional integration fund is being managed by COMESA, and that the EAC had since 2005 been drawing up programmes for funding. He said that the programmes for 2006, 2007 and 2008 had been accessed and

that their work plan for 2008 had been approved. They have already earmarked areas to be supported. The customs union, the common market negotiations, the EAC development fund, investment promotion, and the harmonisation of the EAC regional statistics have so far improved.

The Committee took note of this explanation and demanded more clarification on: why there existed double allocation; why the accounting system was not being streamlined; and the analysis of proposed projects. The Committee was also not comfortable with the reporting style and it went ahead to say that there was a need to harmonise and adopt a format that is standard. The Committee also raised issues on protocol.

On the consideration of this report by the Committee, the Chairperson advised on the need for two extra days. I shared this with the hon. Speaker and the Clerk, but we did not have the two extra days. That is why we have been working overnight to make sure that this report gets to the House on time. The Deputy Secretary General said that the time given was not sufficient to put all the required information together and to come up with a concrete report. The Committee therefore unanimously agreed that the interim report should be drawn back.

All in all, the observation of the Committee was that there were no relevant documents made available to the Committee. It was as if information was being held in secrecy. So now, I would wish for the House to reinforce our proposal for the Secretariat to submit reports whenever they are required to do so by the various Committees. These reports are mainly for public consumption. The funds drawn from the public coffers should not be a secret anymore.

There was also the issue of the format of the report. The manner in which the Secretariat advanced the report to the Members was quite confusing, and the Members recommended to the Secretariat to adopt a standardised format in the future.

The time frame was not enough for substantive recommendations.

General Observations

The Committee also observed that the report on donor funded projects did not contain the information that had been requested for and, therefore, the information submitted to the Committee was inadequate. The Committee had requested for information on activities, donor sources, periods of implementation, and status of implementation ... we should have included achievements and challenges.

Another issue that the Members observed was that the report in some instances touched on the implementation status and in others did not show the level of implementation.

The Secretariat also did not seem to be aware of funding that some organs had received, giving the example of the EALA. The DSG said he was not aware of sources of some of the funds advanced to the Assembly.

In the course of his presentation, the Deputy Secretary-General also referred to documents which the Committee did not possess. That crippled the functioning of the Committee and so we could not work effectively. So, the DSG and the Committee agreed to meet before this session in Kigali. But since I came here, I have never met him. He promised me that we would meet.

Recommendations

There is need for the Secretariat to adopt a standardised mode of report writing for purposes of consistency.

Reports need to be revised in order to provide relevant information.

There is need to regularise periodic meetings between the Secretariat and the Committees of the House.

Performance audits need to be taken and appendices put to indicate where it has been done.

There is need for value for money audit and systems audit.

There is need to have on-site visits so that Members know where these projects are and ascertain their levels of implementation. Otherwise, we are also getting worried that we may be getting stories. Somebody may sit somewhere, write a report and say they have done this and we believe them.

There is need for interface and compliance to the Committee recommendations.

In conclusion, the Committee extends its appreciation to the following persons and institutions that have enabled it to execute its duties effectively:

The Audit Commission for fulfilling their obligations pursuant to the provisions of Article 134 of the Treaty, and for giving clarity on issues pertaining to the directives of the Assembly;

The Government of the Republic of Kenya for providing an enabling environment for the Committee to carry out its work;

The Deputy Secretary-General who appeared before the Committee on behalf of the Secretariat together with his team for availing themselves to clarify the issues raised regarding projects supported by the EAC development partners, although they did not have sufficient documentary evidence for most of the projects.

Hon. Speaker, bearing in mind the fact that the report did not have the required information and that the documents referred to were not availed to the Committee, the Committee hereby reports that it was unable to perform its oversight function over the EAC funded projects.

Hon. Speaker, I beg to move. (*Applause*)

The Speaker: Honourable Members, for someone who did not have enough time to review the project, he has tabled a 26-page report, congratulations. (*Applause*)

(*Question proposed*)

The Speaker: Well, since no one wants to contribute to the debate, I will go ahead and put the question.

(*Question put and agreed to*)

MOTION

For seeking leave of the House for the Introduction of a Private Member's Bill

Ms. Safina Kwekwe Tsungu (Kenya): Hon. Speaker, sir, I beg to move that this House do grant me leave to introduce the following Bill:

WHEREAS Article 59 of the Treaty for the Establishment of the East African Community empowers Members of the Assembly to propose any Motion or to introduce any Bill in the Assembly;

AND WHEREAS the provisions of Article 59 of the Treaty are translated in the Rules of Procedure of the Assembly, and particularly in Rules 26 and 64; and,

RECOGNISING the right of Members to introduce a Private Members' Bill for purposes of deepening and widening the EAC integration process;

NOW THEREFORE, this Assembly do resolve to grant Hon. Safina Kwekwe Tsungu leave to introduce a Private Member's Bill entitled "The East African Community Tourism and Wildlife Management Bill, 2008."

I beg to move.

Dr. Lwanyantika Masha (Tanzania): Seconded.

Ms Kwekwe Tsungu: Hon. Speaker, tourism and wildlife are symbiotic in nature. They not only have a direct and proportional relationship with each other, but they also contribute heavily to foreign exchange earnings and the GDPs of East African Partner States.

In the years 2004 and 2005, tourist arrivals in East Africa overly increased by 6 per cent, and individually between 4.24 per cent and 9 per cent. This is regardless of the political and social instability that the region has faced in the past decade.

Therefore, the object of this Bill is to establish a cooperation framework in natural resources management, particularly in tourism promotion and wildlife management. In effect, the Bill seeks to operationalise Articles 114, 115 and 116 of the Treaty, which make provisions for the establishment of a framework for cooperation in natural resources management, including the management of tourism and wildlife.

Sustainable tourism development within the context of the EAC necessitates deliberate and concerted and common policies for the region to guide the establishment of a cooperation framework that will guide and facilitate the actions of the respective governments and the private sector in this industry. This is especially so because the global key challenge facing the tourism industry today is the increase in the marketing costs and the fierce competition between regions in the international market of tourism.

Hon. Speaker, sir, tourism in East Africa in particular is natural resource-based; that is, it is based on flora and fauna. This base, however, is very fragile and its sustainable management is still a challenge since most of these resources are inherent in the lives of the majority poor.

Hon. Speaker, sir, it is, therefore, imperative to charge the responsibility of integrating tourism and wildlife management in East Africa through a relevant legislation to a legally

constituted framework that defines parameters to work out and coordinate the cooperation areas in this very important livelihood and income generating sector of the entire region.

Hon. Speaker, sir, this Bill seeks to do exactly that.

I beg to move.

(Question put and agreed to)

COMMUNICATION FROM THE CHAIR

The Speaker: Honourable Members, before I adjourn the House, I would like to make the following communication.

On behalf of the East African Legislative Assembly, may I take this opportunity to thank the President of the Senate, the Chamber of Deputies and indeed, the government of the Republic of Rwanda for having accepted to host us here in Kigali for the last three weeks? *(Applause)* I wish to record our appreciation for the warm reception we have received, and I am sure you will all agree with me that we have been received and accorded very warm hospitality since our arrival here. I particularly wish to thank the Parliament of Rwanda for all the facilities extended to us. As a Parliament, I am sure we appreciate that the facilities we were offered were excellent for our legislative work, proof of which is the many Bills, reports and motions that we have been able to consider. *(Applause)* Our special thanks go to the President of the Senate and the entire leadership of the Parliament of Rwanda for this kind gesture.

I also wish to thank the Clerk and all the staff of the Parliament of Rwanda for the dedicated support they have given us during this period. *(Applause)*

We also thank the media for continuously covering and publishing our proceedings and the other programmes we have been undertaking.

I also take this opportunity to thank the government of Rwanda for organising and funding the tour of Rwanda. For most of us, this is our first time in this country and this tour should indeed enable us to know Rwanda and hopefully to remember it forever.

Finally, I wish to pay special tribute to our colleagues, the EALA Rwanda Chapter for their excellent coordination of our programmes. I am sure you will agree with me that the successful completion of our programme here is a direct result of their personal dedication and hard work, for which we must sincerely thank them. *(Applause)*

ADJOURNMENT

The Speaker: Honourable Members, I now adjourn the House *sine die*.

(The Assembly rose at 5.43 and adjourned sine)