



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

Official Report of the Proceedings of the East African Legislative Assembly

INFORMAL SITTING – FIRST ASSEMBLY

Wednesday, 28 November 2001

The East African Legislative Assembly met at 4.05 p.m. in the Manyara Room, Serengeti Wing of the Arusha International Conference Centre

(The Clerk of the Assembly, Mr Murumba Werunga, presiding)

(The meeting was called to Order)

The Clerk of the Assembly (Mr. Murumba Werunga): Honourable Members, you are most welcome to our first informal meeting to deliberate on the Draft Rules of Procedures of the Assembly and any related matters.

I hope that all of you have a copy of the Rules, and have had time to go through them. Before we continue, I would like to get your clearance on whether we could allow photographers and journalists to take photographs in this conference room. Please, your permission is needed, honourable members.

Mr Mabere N. Marando: My opinion is that we should give them a few minutes to take photographs and then we

continue. That is my opinion, and I thank you Mr. Clerk.

The Clerk (Mr Werunga): So it is agreed. Thank you.

(Journalists were allowed to get into the Conference Room to take photographs)

The Clerk (Mr Werunga): Dear journalists, you could pick the printed copies of the names of the EALA Members here but they are not in the order or sequence in which you took their photographs. This is just to assist you and them.

So Honourable Members, our draft Rules of Procedure, which I believe each one of you has a copy of, and which I hope some of you have had time to

peruse were prepared by the Secretariat with an input from the Partner States. In a meeting that was held last year in October in Mombasa together with the Attorneys General, we went through the final draft of these rules and then this year, the Council of Ministers also went through them and adopted them as suitable for the Assembly take off from the ground, until a time when the Assembly itself could be able to modify them as and when the situation would arise.

The draft Rules of Procedure has got sixteen parts, and each part addresses a certain aspect of the procedure of the House. For example, Part 16 has got "miscellaneous provisions", and within that there is Rule number 84, which addresses the adoption of these Rules. If we could all please turn to page 32, the rule reads:

"The first Sitting of the Assembly elected under the Treaty shall be an informal meeting during which the Rules of Procedure of the Assembly shall be adopted. The Clerk shall convene and preside over the informal meeting of the Assembly under sub-rule (1)."

So that is what we are doing this afternoon. Then in the same Part 16, we have Rule number 83, which is also on page 32 of the draft rules. It says:

"This rule shall come into force on the day of adoption by the Assembly".

So, at the end of this sitting, if we will have adopted these Rules, they will then come into force and begin to govern anything else that we shall do as an Assembly.

The other parts are general: Part One is preliminary interpretations and so forth. Part Two talks about incompatibility: how you cannot be a Member of this Assembly and your National Assembly at the same time; where the seat of the Assembly will be, all those are in the general part, which is part two.

Part Three addresses "Proceedings in a new Assembly." And this is a new Assembly because this is your first sitting, though informal, after elections. So this is actually a new Assembly. So anything that we are going to do in this new Assembly will be governed by Part Three. So, when we have our first sitting tomorrow, rules number (5), (6) and (7) specify what we shall do tomorrow. The list of Members will be laid, and then there will be election of the Speaker, then the administration of oath and other things will then follow in that order.

So, I am just briefly mentioning what I think is key for this meeting. Then of course the other aspects are the "prayer" in Part Four; there is the question of the quorum, where we need at least three elected Members from each Partner State to constitute a quorum, adjournment of the House, adjournment of debate and then Order Paper in Part Five. Every part, as I said, honourable Members, addresses a specific aspect of the procedure of the House.

Can I get an indication whether you would like me to go through or we can now move on and have any proposals, any questions, any issues about the rules that I can help clarify before we can go on to the main object which is the adoption of the Rules? I would like to ask you, before you speak, to say your name in full and your state.

Mr Daniel Wandera Ogalo (Uganda): Thank you, Mr. Clerk. Before we go to adoption of the Rules, you have posed the question on whether we should raise some issues before we go for adoption of the Rules. Now, if there are amendments to be moved on these Rules, where would you fit it? I raise this because of a problem I foresee.

As an example, the Speaker's nomination should be 48 hours before election. Now if we adopted the rules as they are, we are already time barred because the Speaker's election is tomorrow. So at what stage do we move in with amendments so that we can clear out some problems?

The Clerk (Mr. Werunga): Any other views that any other Member may have? I am recording so I will respond to them after two or three.

Mr. Yonasani Bankobeza Kanyomozi (Uganda): Thank you. I also have another procedural problem. I don't know whether all of us have read these rules to be able to digest them and be able to suggest amendments fully. Is it possible for us to provisionally pass them so as not to delay the other things that we want executed and then revisit them with appropriate amendments at a later stage when we will convene?

I am suggesting this because I share a bit of a problem for over-assuming that we have read. This is a very technical document. We don't want to pass it and then find ourselves tied or loose. So, if that is possible, we could provisionally pass them so that we can operate, and at a later stage propose adequate amendments so that we have a proper working document. Thank you.

Ms. Irene Ovonji-Odida (Uganda): Thank you, Mr. Clerk. I agree with the spirit of the last submission, however, I think we still have to take note of some of the technical difficulties raised by Hon. Wandera Ogalo, especially on the issue of the election of the Speaker. There may be some procedural handicaps which we have to deal with by amending these draft rules even at this sitting. And so what I propose is that such amendments be proposed so that any others that we may wish to raise can be dealt with at a later stage. But the ones which impact on our business in this first sitting should be dealt with. That example that he gave, I think we all know that it is the first business that we have.

Dr. Harrison George Mwakyembe (Tanzania): I am Harrison Mwakyembe from Tanzania. I think my fellow Members of this Assembly have excellently raised important issues. I am just proposing a way forward that maybe we should go page by page, and quickly. We should not really go for those general simple errors that we can rectify later, but only those substantive issues which may impact or may affect our business for the coming two weeks.

I think there is only one aspect that was raised by my colleague from Uganda regarding the nomination of the Speaker. I can see that as the only obstacle which can hold us back, but we should always be able to go back to these rules later, actually in greater detail because some of us have gone through them and indeed there are a number of arguable elements here. Thank you.

Mr. Mabere Nyaicho Marando (Tanzania): Thank you Mr. Clerk. I was proposing to my honourable colleagues that we could just pass a resolution temporarily suspending the provision relating to 48 hours for the election of the Speaker so that we may be able to move forward, and then the amendments may later be proposed as per rule 80 on page 31. At least that would move us forward.

Mr Calist Mwatela (Kenya): I just want to state that we from Kenya are in a peculiar situation because we have just seen this thing for the first time as we are here. I think I fully concur with the views raised that we need to have time to look at these documents before we can formally say these are the rules of this Assembly. Thank you.

The Clerk (Mr. Werunga): Any other views? I thank you honourable Members. I have taken some notes on the views that have been expressed. There is an obvious contention about the 48 hours required for the election of the Speaker. We had hoped in the Secretariat that we would have started our meetings earlier than today, and that would have given us the 48 hours. But circumstances which all of us are aware of have not played in our favour. So, it does seem appropriate to me that we chart a way forward so as not to handicap ourselves in the present circumstances.

That being the case, there has been a proposal which has also been supported by two or three other Members that this meeting can move to temporarily suspend the provisions requiring 48 hours to allow us to proceed with the

election and to be able to have the election of the Speaker as scheduled.

Number (b) of that is that we will then go ahead and have a resolution also to adopt the rules as they are, having regard to Rule number 80 on page 31, which I think is quoted on pages three and four of the notes that I had given out. We were talking about amendments, but only the Members themselves can do amendments. So, that is one of the issues that we need to deal with. So honourable Members, if that is the view of the House, is it possible that one Member can formally move and then we can have a seconder?

Mr Sozi Kiwanuka Med Kagwa (Uganda): Thank you Mr. Clerk. The technical problem I have is that you cannot move a resolution to suspend the Rules when they are not adopted. So you will have to adopt the Rules temporary then you move the motion to suspend. That is the technical problem.

The Clerk (Mr Werunga): I thank you Honourable Med. I know we made these Rules together some time back, so it is good to have you here. You have helped me on the background. So it is therefore possible that we can formally move to adopt the rules then we proceed to the next stage. I will need at least one Mover and a Secunder then I will put the question.

A Hon. Member: I move the Motion that this House adopt the Draft Rules of Procedure.

The Clerk (Mr Werunga): Thank you; any seconder? Could you please put your voice on record?

Ms Kate Sylvia Kamba (Tanzania): Seconded.

The Clerk (Mr. Werunga): I now put the question that the Draft Rules be adopted as the Rules of the Assembly.

(Question put and agreed to)

The Clerk (Mr. Werunga): So the Rules are formally adopted, and whatever amendments we make now, we will be making them to our Rules. They are not draft rules any more. So we can now proceed with the other aspects of the election of the Speaker and what we were discussing. If there is any Member who would like to do that for us, he or she is most welcome.

Mr Kaggwa (Uganda): Mr. Clerk, I want to move that we do not only suspend that provision, but we make a general motion that we temporarily suspend all those provisions in these rules that will hinder our progress, I beg to move.

Mr Mabere Nyaicho Marando (Tanzania): Seconded

The Clerk (Mr. Werunga): Thank you, Honourable Members. I would like to advise that - hon. Medi maybe you could re-phrase your motion under rule number 79.

Mr Ogalo (Uganda): Rule 79 would pre-suppose a situation where we already have the Speaker, which we do not. I propose that we move under 81 to propose an amendment that would specifically touch on Rule 7(3) to provide for the elimination of the 48 hours such that if, for example the motion was to the effect that the names

of candidates for election to the Office of Speaker shall be entered upon nomination papers obtained from and handed to the Clerk a day before the House is to meet to elect the Speaker and so forth, then you can be able to make the nominations today - and even if it is up to midnight it will still be today - and then we elect tomorrow. I say so because suspension will not specifically address the issue of the time limit.

Ms Rose Wairimu Waruhiu (Kenya): I am interested in the general proposal of suspending any interventions that may stop our work tomorrow. Maybe we could get an amendment to the first proposal so that all we would be saying would be to temporarily suspend the Rules to enable our first sitting so that we have a specific time limit. In other words, I don't know most of the Rules, those who have read them may be aware of other inhibitions, so the only way we could take care of that is to be very specific that we are only temporarily suspending the Rules to enable us to get through our first sitting. At the moment I think the Member from Uganda has pointed out the 48 hours limit, there could be another, I don't know. That is what the first proposal meant.

The Clerk (Mr. Werunga): Honourable Members, if we move any amendments - hon. Ogalo, if you read through Rule 80, it is talking of amendments going to a committee and so forth, and then the amendment coming into effect in a new session. And we are not after doing that; we are not saying that, that rule should be amended. We are only saying that we suspend it. In fact for this transition, for this first sitting the rule can remain there, but in the future if there is need to elect

the Speaker, then we shall abide by it. We are not amending it as such.

Mr Ogalo (Uganda): Then my problem would be - if you just suspend it, what procedure are you going to follow for the nomination? Because if you suspend, then you are also suspending the requirement to obtain from you the nomination papers, you are suspending the requirement to hand to you the nomination papers! That is my problem really.

The Clerk (Mr. Werunga): Thank you for that. Honourable Members, I think what Honourable Ogalo is saying is right, but that we are only suspending the 48 hours, not collection of the forms, returning of the forms. That I am sure can remain. We can manage within the time available; even if it is up to midnight; that we can manage. That was my view, but if there is any other view then we can still take it.

Mr Kaggwa (Uganda): I just want to add that, I think that at a later date when the Speaker is in place, we will even have to ratify this suspension we are making now because the rule we are referring to, Rule 78, refers to the Speaker, who is not there at the moment. So, whatever action we take now will have to be ratified by the Speaker so that it can take legal effect.

Mr Kanyomozi (Uganda): I was going to re-enforce that the procedures that are in part (b) refer specifically to institutional structures that we will be having which we can not use now. I am suggesting that we just deal with a specific issue, solve it so that we can proceed but if it is an impediment, then

at a later stage go back and formalize things so that we can have rules which are in place, and which are specific. Thank you.

The Clerk (Mr. Werunga): Honourable Members, is that the consensus?

Hon. Members: Yes!

The Clerk (Mr. Werunga): Can I please ask any honourable Member to formally move so that we can put the question?

Mr Kaggwa (Uganda): Mr Clerk, I want to move that this House do suspend, for purposes of electing the Speaker, Rule 73, and in particular the requirement for the 48 hours. I so move.

Mr Kanyomozi (Uganda): Seconded.

The Clerk (Mr. Werunga): There being no other member wishing to speak, can I then propose the question that the provisions of Rule 73 in relation to 48 hours under the "election of Speaker" be suspended for the purposes of the election of the Speaker at the beginning of this session?

(Question put and agreed to)

(The proposal to suspend the provisions of Rule 7 was adopted)

The Clerk (Mr. Werunga): Also, I was going to point out, honourable members, that Rule 5 on page (3) somehow indicates that there should be a proclamation by the Presidents to convene this House after an election. If you go on to Rule 11(1), you can start without requiring to be convened on the first Tuesday of a session other than the first session after an election. So, for the

first sitting - like now - after an election, we will need a proclamation.

Now, I have perused the Treaty, which is the superior law to the Rules of Procedure and in Chapter Four of the Treaty for the Establishment of the East African Community, on page 18, under Article 11, among the many functions of the Summit which is constituted of the three Presidents, there is none requiring them to issue a proclamation to convene the Assembly after an election. So it does appear to me like the drafters of the Rules assumed that that provision was already in the Treaty, so they incorporated it in the Rules.

Now this contradiction between the Treaty and the Rules is something that we have discussed in the Secretariat, and it was our recommendation, which I am making now formally, that we could also suspend this requirement for the proclamation because within the time left between now and tomorrow, it is not possible to get the three Presidents to be able to sign the proclamation and gazette it before the Assembly could be convened. That is one. Number two, in the same vein I was going to propose that if we feel the proclamation is necessary in the future, maybe you can limit it to the Chairman of the Summit. It would be easier to get one president than to go looking for three presidents around East Africa. So that is for the future, but for now we could suspend that provision and then go ahead.

Ms Sarah Nanziri Bagalaaliwo (Uganda): Mr. Clerk, I just want to ask that we correct the previous amendment in which case we are now going to go over all the rules that are impeding us from going on with business. So, I suggest that we the Assembly move to

make a general suspension for all the rules that would be impediments and allow the process to go on rather than start discussing any amendments now. It is a suspension I think we will do for the purposes of allowing us to move on.

The Clerk (Mr. Werunga): Would you like to move that please? Just move it formally then we will proceed.

Ms Bagalaaliwo (Uganda): Mr. Clerk, I formally move that.

A Hon. Member: Mr. Clerk, I want to advise Hon. Sarah Bagalaaliwo to have a provision that we shall be amending those particular areas accordingly. So when she is moving the motion, she should bear that at the back of her mind. I do not know whether my point has been got, but because the rules are different, what we may want to suspend in one aspect now is the proclamation, in another one it may be something different. So when we suspend it will be subject to enabling us to go forward.

Ms Bagalaaliwo (Uganda): Mr. Clerk, I wish to move that the House suspends in general provisions that impede the process of the Assembly proceeding with its deliberations provided that the suspension is subject to any amendments that will be made after the proper sitting of the Assembly.

The Clerk (Mr. Werunga): Honourable Members, hon. Bagalaaliwo has proposed that we suspend any provisions in the rules, which would impede the formal commencement of our business pending the review of the procedure by the House. Because we have Committees, which these rules will be subjected to, so the Committees will

then take up the matter in a more detailed manner. Is there any seconder? There are some rules which we may wish to amend in future, and there are others we may not wish to amend.

What is agreed is that we would like sufficient time so that we can address the rules properly. This last Motion that has been moved then, in my understanding, should only deal with the issue of suspension without having to go into the question of whether these rules will be amended in future or not, because under the rules there is provision for that. I do not think in the motion we need to cater for the possibility of amendments it has already done. All we are seeking here is suspension of the rules which will constrain us in carrying out our business in this time.

Mr Mwatela (Kenya): I just want to say that the rules we want to suspend are specifically to ease our work for this period, and it is for this first sitting that we have. So I think that has to come out clearly in the Motion.

The Clerk (Mr. Werunga): That is the clarification from Irene Ovonji-Odida and Hon. Calist Andrew Mwatela. Can I propose the question therefore in an amended form to cater for the two views that were expressed, that any provisions in the Rules of Procedure, which impede the formal operation of the Assembly, be suspended? I therefore put the question that any provisions in the Rules of Procedure that impede the inauguration and formal operation of the Assembly be suspended.

(Question put and agreed to)

(The proposal to suspend some rules was adopted)

The Clerk (Mr. Werunga): Honourable Members, unless there are any other issues, that brings us to the end of our informal business this afternoon, which was the Adoption of the Rules of Procedure. Are there any questions or any other matter before we adjourn?

Mr Kanyomozi (Uganda): We are not likely to have any other session formally, except may be to elect the Speaker. Now the main issue I have, and maybe some colleagues may also have, is how we are going to know our own programme and what we are likely to do. I am asking this because it affects all of us. We don't want the programme sprung on us when we have other work to do. Are we going to have a session where you are going to brief us of that programme in the future or are we going to sit down and draw our own programme, so that we know how to fit in our private life or public life before we leave this place? It is very important for planning purposes, and also for allocation of time and effort. Thank you.

Ms Sheila Kawamara Mishambi (Uganda): Thank you very much Mr. Clerk. To add to what hon. Kanyomozi has said, I would very much wish to know, for example, our terms. How are they defined? Because we have had a lot of contradictory information since we got here and eventually started verbal communication. I would appreciate it if we could know our terms and how we fit in. That also goes for the fitting into the programmes. Thank you.

Mr Abdulrahman Omar Kinana (Tanzania): I wish to add my voice to that of both members. I wish to add my voice to that of the distinguished Members of the Assembly from Uganda. I think this afternoon there was a

programme for us to meet the Secretary General and sit down and get a brief from him and also the entire staff on administrative and financial issues and Assembly matters. Unfortunately this did not take place, and I believe that one of the issues that we were going to discuss was both administrative and legislative. So I also put an additional question, when are we going to meet the Secretary General and senior staff to discuss matters related to our duties? Thank you.

Mr Kaggwa (Uganda): I only just want to know, because you are about to adjourn this meeting but we are not even focused into what will happen tomorrow! Do we wake up and sit in our hotels until a van comes? Are we going to be told? I think you should have really indicated what the likely time is so that whoever is doing this or that, and those interested in the speakership may know how to operate. Thank you - *(Applause)*.

Ms Lydia Wanyoto Mutende (Uganda): Mr. Clerk, just to add to what other Members have said, I think what I would like to know is the rest of the Members who have not been able to talk. I don't know whether we know those who were not able to talk by their names and the countries they are coming from! Maybe we could have formal introductions so as to get an opportunity to listen to our colleagues. We don't know whether as of now we are twenty-seven or twenty, and I think to me it is important because that is how we are going to know who is fighting for the speakership. Are we twenty-seven; are we twenty; who is here Mr. Clerk sir?

And also, I would be privileged to know the programme after the adjournment

this evening until even tomorrow, and then may be Friday because many of us do not know exactly what is happening! I thank you sir.

Mr Kanyomozi (Uganda): Just to supplement that, there was a provision in some of the papers the Secretariat sent to us of producing a brochure, which would have profiles of all of us. Is this brochure going to come? We would like to know if we are going to elect the Speaker and all these other things that we are supposed to do. We want to know even when the person is going to stand, the background.

We don't want to elect somebody whom we don't know. Okay, we are all ladies and gentlemen I am sure, but additional information now that we have seen some of the few faces or the major half of the faces, we would like to have profiles of some of all of us, and I am sure the Secretariat already has these things. Can we get an outline so that if tomorrow I get the list of who wants to be Speaker, I can refer and say "Yah, yah! Professor so and so is an honourable lady; we think she is worthy to chair our meetings"! Can we get this? Are you in a position to give it to us maybe possibly tonight before we proceed with the exercise? Thank you.

Mr Haither Abdirahim Haji Abdi (Kenya): To react to your question, I think some of us didn't know we would come here until this morning. I don't think you can have our profiles because I think some of us who have driven down have not made it here yet. I think three of our colleagues have not made it so far. And against the election of the Speaker, what have you? Yes, it is good to have others' consensus but you know

for us we are five instead of nine, and I think right now four of us are still missing. But anyway, I don't know how we have to go about giving in the nominations. You know how it should be done.

Maj. Gen. Muntu O. Mugisha (Uganda): It has proved difficult for the Secretariat to provide the profiles of all the twenty-seven of us. I propose that you only provide the profiles of the Members who were forwarded as candidates so that we can look at them between now and the time when the voting is going to take place. But I would also like to take this opportunity to at the same time maybe ask when that is going to be. When is the election supposed to take place? Thank you - *(Applause)*.

Ms Waruhiu (Kenya): Looking at the timetable we have, I would think that one of the matters you could consider is that we are operating late in our time, and to tell us whether there will be any handicaps in changing the timing of our session, which is at 10.00 o'clock tomorrow. I think maybe we do need more time, and that may be one of the things you could address in your response to us. In fact we need more time to consult each other, to get to know each other, and even find our way around the building and feel that we are here. Thank you.

The Clerk (Mr Werunga): Honourable Members, my response is as follows: According to our Rules of Procedure, which we have just adopted, and the timetable that we have tentatively circulated to all of you, we expect to have the first sitting tomorrow in the

Simba Plenary Hall on the Ground Floor of AICC at 10.00 o'clock.

At that first sitting, we will elect the Speaker from among the elected Members, and then once the Speaker is elected and sworn in by the Clerk, the Speaker will then swear in all the other Members, including the ex-officio Members. After that, the Speaker, unless there will be any other issue that he wants deliberated, will then adjourn the House until the afternoon when we will have the finals of the football tournament and then in the evening we will have a reception by the Chairman of the Council of Ministers in the Natural Museum in Arusha. The following day is the Inauguration Day, and you have the programmes.

There has been no change as far as I know. Now you were also saying that - *(Interruption)*-

Mr Mwatela (Kenya): Mr Clerk, may I just interrupt because - *(Interruption)* -

The Clerk (Mr Werunga): One minute please, one minute please.

Mr Calist Andrew Mwatela (Kenya): I am only saying that what you are talking is different from what we have. The swearing in of the Speaker is stated here to be on Friday!

The Clerk (Mr Werunga): Yes, I had not finished; that is why I wanted you to hold on for a while. As far as the Assembly is concerned, the election of the Speaker and swearing-in of the Speaker will take place in the Chamber. He or she will take an Oath of Office

and an Oath of a Member of the Assembly. On Friday the Speaker will take an Oath of Allegiance to the Community and to the Treaty. That is the one, which is in the programme of inauguration. So those are two different Oaths for the Speaker. And once he has sworn allegiance, he will then introduce each one of you by name to the East Africans who will be there, and then after that, of course the other thing that will happen is taking of group photographs.

We will have a group photograph of all members and the Summit, and then together with the members of the Court of Justice and the Summit. All those are in the programme, but I think the issue that was raised is that may be we could delay the sitting of tomorrow.

The technical problem is that on Friday the Summit will also be sitting. The Summit will also sit on Friday morning, so we need to finish our work tomorrow because tomorrow also the Council of Ministers will be meeting here, and they are Members of this Assembly. So we will be able to have them tomorrow in the morning with us, but if we delay, then it may interfere with the other programmes.

Relating to tomorrow, the cards for invitation have already been sent out and they are reading 10 o'clock. Some of the people may be flying in specifically for that session only and then going away. They may not want to stay for inauguration, which is on Friday. So, if we do so, we will have to interfere with so many other things; unless you think it is such a big issue to warrant that.

Then, as far as the brochure for all Members' biographies is concerned, we

have not been able to receive biographies from the coordinating ministries in the Partner States except from Uganda, which were brought in on Monday. But from the other countries we have not received any. So I am still pursuing this matter with the Clerks, because I believe that since the National Assemblies elected the Members, they would have received their curriculum vitae. But beside that, I have with me biography forms that we have designed, which I will distribute to each member, which you can fill and return to me for our own record.

As for tomorrow's programme, I think I have gone through it, except to add that we can assemble in the Simba Plenary Hall by quarter to ten. I don't know if that is okay. The people you have invited, if you can tell them to be there by 10 O'clock, then we start off.

Hon. Members: Nine thirty!

The Clerk (Mr Werunga): You would like to assemble at 9.30? How is that for everybody?

Hon. Members: Fine!

The Clerk (Mr Werunga): Okay. So can we send the bus around at 9.00 O'Clock so that you leave Impala at 9.00 O'Clock? And will it go to Ilboru at 08.30?

Hon. Members: At 09.00 it has to come to Ilboru.

The Clerk (Mr Werunga): Okay, so it goes to Ilboru at 09.00, then by 09.30 it is in Impala, a few minutes to quarter to 10, it will be here and you will enter the Simba Plenary Hall. So is that okay, is that agreed?

Hon. Members: Yah!

The Clerk (Mr Werunga): Okay. Then there was an issue raised about the programme for the session. I may have my own ideas as your Clerk, but my ideas may not count until we have the Speaker in office, and the Speaker then consults with you and we are able to chart the way forward together. So, I may have ideas but anything I say about the programme cannot hold until we have elected the Speaker. So, I would plead with you that between now and the end of the orientation seminar, I am sure once the Speaker is elected, we will put our heads together and by the end of the induction, we will be able to come up with something. If the Speaker and you Members feel that you need a formal sitting, then it will be so, but if it is something that can just be agreed without coming back here for a formal sitting, then that will be communicated to each Member. I think that is the much I can say about the programme.

Now, there was an issue of terms and conditions of Service for the Members of the Assembly. If you look in your programme for the induction, on Day Two, 2nd December from 08.30 -10.45 there will be a presentation on the management and administration of the EAC. Under that subject, the Deputy Secretary General responsible for Finance and Administration - and I know that the Secretary General will also be present and the Permanent Secretaries of the coordinating ministries will also be in attendance - will deal with all the issues to do with your terms and conditions of service. So that will be dealt with at that point.

Sorry, maybe the final thing I can remember that was raised is that we do a

self-introduction so that we get to hear and know each other's voice, and maybe you can say a little about your self and then we proceed. But more finally, for the election of the Speaker, we are meeting at 10.00 o' clock tomorrow.

We have suspended the 48-hour rules. I have designed nomination forms for the office of Speaker, and I have the forms here with me. If one of you has already campaigned and you want to nominate him or her, the forms are available. You can collect the forms and return them to my office on the sixth floor, Room 616, by the end of the day, say by 6.00 O'clock. Then I will be able to prepare the ballot papers if there is more than one Member nominated for the election tomorrow. I have already got the sample of a ballot paper and the ballot box is already in my office. Every thing is ready. I don't know if I have left out anything; you could remind me.

Mrs Waruhiu (Kenya): Thank you very much for that information but maybe we could just get a simple document or we could just get the list of names. We want at least to begin familiarization even without a full biography.

Hon. Members: We need the full programme!

Ms Waruhiu (Kenya): Thank you for that information, I don't think I have it. I have been looking for it and I have not seen it.

Hon. Members: It is incomplete!

The Clerk (Mr Werunga): Honourable Members, I have an updated list but I'm sorry I didn't bring enough copies but the list is ready in my office. I will avail it to you as we leave.

An Hon. Member: There is one here.

The Clerk (Mr Werunga): Thank you.

An Hon. Member: Mr Clerk, there is one thing I would like to mention. It is not something that we had addressed earlier, but I think it is important for us to know. Are there cards, like invitation cards to these – *(Interjection)* -

Hon. Members: They are in there!

Ms Ovonji-Odida (Uganda): Mr Clerk, there was the issue raised about introductions, are we going to conclude with that?

The Clerk (Mr Werunga): As I was concluding my responses, I said that the final thing would be self-introduction, but I was then reminded that our agenda today had a provision for us to meet the Secretary General. Some of you may recall that the Deputy Secretary General (F & A) came in and said they were locked up in a meeting with the Council of the Ministers, and that meeting is still going on. And by our standards at the Community, that meeting may go on up to 11.00 o' clock in the night. So I cannot guarantee that you will be able to see him today. But since he is a Member of the Assembly, tomorrow before the election of the Speaker, he will be with you. So you will be able to see him, then we can arrange another time in the course of tomorrow, if he has time, to

meet. I will communicate your feelings to him.

If there is no other issue, we can start here to the left and go round. Please mention your name, your country and may be a little bit of your history. I thank you.

(The following members introduced themselves)

Mr Abdulrahman Omar Kinana (Tanzania): My name is Abdulrahman Kinana; I am a Member of the Assembly from Tanzania. I was a Member of Parliament for this Town, Arusha, for 10 years. I served as Deputy Minister of Defence, Deputy Minister of Foreign Affairs, and Minister of Defence of Tanzania for five years. I am currently the Chairman of the Red Cross Society in Tanzania; I am a Member of the Development Commission of the International Federation of the Red Cross. I think that is enough to save time. Thank you - *(Laughter and Applause)*.

Mr Said Bakari Jecha (Tanzania): I am Said Bakari Jecha, from Tanzania, Zanzibar. I have been minister in different ministries in Zanzibar. I am a Member of the Revolutionary Council; I was a Member of Parliament for 15 years. That is all. Thank you.

Amb. Isaac Abraham Sepetu (Tanzania): I am Isaac Abraham Sepetu, former ambassador. I have served abroad as an ambassador of my country Tanzania for about ten years. I have served in the Union Government, both as a junior minister, to start with, and then as cabinet minister, for about ten years or so. I have served in the Zanzibar Government as a minister, and

also as Advisor to the President. Currently I am an elected member of this Assembly. I think that suffices.

Prof. Margaret Jepkoech Kamar (Kenya): I am Professor Margaret Kamar from Kenya. I am a University Professor. I served in Moi University, but I am also a Member of the Council of Kenyatta University in Kenya. I sit in the UNESCO Commission in Kenya, and I am a member of very many women organizations, Maendeleo, which is a massive movement. I am the provisional chair. But I am a soil scientist. Thank you.

Mr Haither Abdirahim Haji Abdi (Kenya): My name is Abdirahim Haither, I am just a businessman by profession, and I don't serve in any government. I have a transport business, which I run. I am a member of this Assembly now. Thank you.

Mr Calist Andrew Mwatela (Kenya): My name is Calist Andrew Mwatela from Kenya. I am an educationist by profession. I have been involved in the development of the curriculum in mathematics for the primary schools in the country. I have sat on a number of education boards in the Kenya National Examinations Council dealing with mathematics. I have served in the Democratic Party of Kenya as national treasurer for the past five years, and I am also a businessman.

Mrs Rose Wairimu Waruhiu (Kenya): My name is Rose Waruhiu, I consider myself an East African. I graduated from the University of East Africa just over 30 years ago. I started my public life in the university administration, and in the private sector as a consultant, and in the

last 10 years I have been very active in the Democratic Party of Kenya. I am the Deputy Secretary General of Operations. I am glad to be here.

A Hon. Member: You were also at one time a Member of Parliament?

Mrs Waruhiu: And I should not forget; I served as a nominated member of the Sixth Parliament in Kenya.

Mr George Francis Nangale (Tanzania): My name is George Francis Nangale. I am a businessman, involved in activities such as private equity, venture capital, civic education and so forth. I was trained as an agricultural engineer. I am very much interested in farming and writing. I am glad to be here. Thank you - (*Applause*).

Mr Mabere Nyauchō Marando (Tanzania): My name is Mabere Nyauchō Marando; I am a practicing Advocate in Tanzania, in Dar es Salaam. I was a Member of the last Parliament in Tanzania, and now I am here, ready to work with you. Thank you - (*Applause*).

Mrs. Mahfoudha Alley Hamid (Tanzania): My name is Mahfoudha Alley Hamid from Tanzania from the Spice Island of Zanzibar. I am a freelance journalist by profession. I am also a media consultant. I worked with the Sudestfunk Films in German, BBC, ITV, Channel Four of UK, and several others. I am also a Member of the Tanzania Media Women's Association (TAMWA) and I am its founder Member. I am also a member of Women in Law and Development in East Africa. I am glad to know you all. Welcome.

Ms Sarah Nanziri Bagalaaliwo (Uganda): I am Sarah Nanziri Bagalaaliwo from Uganda. I am a

lawyer by profession, and I worked in the government for over eight years. For the last twenty years I have been in private business. I also hold a Masters Degree in Business Administration. I am an active person in women affairs having held the chair of FIDA. Also I was the Vice President for FIDA, Africa Region, and currently I am a Director of the International Board of FIDA. I am also a Lecturer at a University in Uganda. Thank you.

Mr Wandera Daniel Ogalo (Uganda): My name is Wandera Ogalo. I am in private legal practice in Kampala, where I have been for about twenty years. I have served in the Constituent Assembly that enacted the present Constitution of the Republic of Uganda, and I was a member of the last Parliament, that was the sixth Parliament, and like Honourable Mabere Nyaicho Marando said, now I am here! *(Laughter)*

Mr Maxwell Shamala (Kenya): My name is Maxwell Shamala from Kenya. I am a Biological Scientist. I trained at the University of Nairobi. I also trained in Australia, U.K, USA and a number of other places. I am an active member of Ford-Kenya. I am Second Deputy National Organizing Secretary of that Party, and I am very glad to be here with you. Thank you.

Mrs Kate Sylvia Magdalene Kamba (Tanzania): I am Kate Kamba from Tanzania. I am a teacher by profession, but I taught for very few years. I have been very active in politics. I have been a Member of Parliament for ten years. I have been a women activist. I have served as Secretary General of a women's organization for nine years. I have been in government as a deputy

minister. Well, I am glad that I was elected this time to this Assembly. Thank you very much.

Mrs Sheila Kawamara Mishambi (Uganda): My name is Sheila Kawamara Mishambi; I am a feminist activist in Uganda. By background, I am a teacher. I am also a trained journalist and practice as a journalist. I have a masters Degree in Politics of Alternative Development Strategies and I am actively involved in fighting for Women's rights at whatever cost. Thank you - *(Laughter and Applause)*.

Mrs Irene Ovonji Odida (Uganda): My name is Irene Ovonji Odida; I am a lawyer from Uganda. I am currently the Chairperson of the Uganda Association of Women Lawyers. I am also a Director in Ethics and Integrity in the Office of the President in Uganda. Before that I worked in the Law Reform Commission and also in the Constituent Assembly Commission. I am a member of various boards in the civil society and in government institutions. I also serve on the board of African Development Fund based in Ghana. Like Sheila, I am a feminist and one of the amendments I will propose to the Rules in future is that the references to the "chairman" should be changed to "chairperson."

Mrs Beatrice Shellukindo (Tanzania): My name is Beatrice Matumbo Shellukindo, a civil servant for about 24 years working with government in different sectors starting with Women in Development, Children Affairs, going to Health, Natural Resources and Tourism, Environment and so forth. I am also a Member of various women organizations. I have been active somehow in many women organizations. I am also involved in a number of boards

within the government institution and the private sector. Thank you.

Capt. Richard Baker Ddudu (Uganda): Thank you Mr Clerk and Members. My name is Captain Ddudu Richard Baker. I have been working in the Air Force of Uganda. I have been a teacher, an instructor and a politician. I studied in Makerere University and I have got a BSc in Zoology and Geography, majoring particularly in Ecology, land use and resource assessment. I was in the CCM University in Kivukoni, and that is where I built my political base. In conclusion, I am an Honourable Member of this East African Legislative Assembly, a soldier, a politician and a revolutionist. Thank you.

Mr Yonasani Bankobeza Kanyomozi (Uganda): My name is Yonasani Bankobeza Kanyomozi from Uganda. I am an Economist by profession. I studied Economics at the London School of Economics and did an MBA in Business Managerial Economics. I started working in the infrastructure sector with Electricity, and then I moved to the East African Community. I was the Assistant Manager of the East African External Telecommunications Company until the Community collapsed, and then I went to work with the African Development Bank as an Economist and Loan Officer. With the revolution in Uganda, I joined the liberation war; I became the Minister for Co-operatives and Marketing. I later became a Member of Parliament of the National Resistant Council for another period of six years. I have been self-employed as a Management Consultant dealing with so many things. Now I have had an opportunity to come and restart

the Community, and that is why I am here – (*Applause*).

Mr Med Sozi Kiwanuka Kaggwa (Uganda): I am Med Kaggwa, a lawyer by training. I have an LLB from Makerere University and an LLM from the National University of Ireland. I have been a Lecturer in Makerere Business School. I was also a Bank Secretary for many years. I was a Board Secretary and I started the Revenue Authority in Uganda. I have been a member of the Makerere University Council for many years. I was a Constitutional Commissioner in Uganda. Also, I was elected a member of the Constituent Assembly representing one of the constituencies in Kampala. I was a member of the Sixth Parliament; I was also a Minister of State in charge of Political Affairs in the Office of the President. I later became a backbencher, and I have been in private practice. I am glad to be here.

Maj. Gen. Mugisha O. Muntu (Uganda): My name is Muntu Mugisha Oyera, graduate of Makerere University in the year 1981 in Bachelor of Arts, Political Science, then a Member of Parliament for 14 years, a Member of the Constituency Assembly for two years representing the Uganda Peoples' Defence Forces. I am married with two kids; a boy of eight and a girl of five. I am glad to be here, thank you - (*Applause*).

Mrs Lydia Wanyoto Mutende (Uganda): I am Lydia Wanyoto Mutende from Uganda. I am a Policy, Gender and Communication Advocacy Analyst by training. I have an information and communication background. I have a Masters Degree in Gender and Community Development. My second Masters Degree is in Human

Rights as an emerging issue in our countries. In the Sixth Parliament, I was attached to Parliament as a Policy Analyst but my mother ministry is the Ministry of Finance, Planning and Economic Development in Uganda. Of course I am also a Mobilisation and Policy Analyst. Like my neighbour, I am married. I have two children. I am one of you and I am happy to be here. Thank you.

Dr Harrison George Mwakyembe (Tanzania): Thank you. I am Dr Harrison George Mwakyembe. I have been teaching Law at the University of Dar-es-Salaam for several years now. I am an Advocate of the High Court of Tanzania and I am also the Chairman of the Governing Council of Tanzania's leading journalism training institute called Tanzania School of Journalism (TSJ). And lastly, to my colleagues from Kenya and Uganda, I should take this opportunity to say, "*Karibuni Sana Tanzania*".

The Clerk (Mr Murumba Werunga): Thank you Honourable Members. Now we know each other a bit. My name is Murumba Werunga. I was appointed by the Council of Ministers to be a temporary Clerk of the Assembly since August 2001, until you appoint your own Clerk. Before that I served for over twenty years in the Kenya National Assembly in the Clerks Department. I am a Bachelor of Education (Hons.) graduate from the University of Nairobi, 1976. I taught for three years then joined Parliament as a trainee Clerk Assistant, and I rose through the ranks to the present position.

My position, because I am on secondment, is a Deputy Clerk of the Assembly. In that period I have served in all parts of the National Assembly. I have taken care of Committee work, I have done Table Office, I have done research, I have done conferences, and luckily I have also been a Consultant for the Commonwealth Parliamentary Association (CPA) and Inter Parliamentary Union (IPU) and UNDP, et cetera.

I took time off duty to study for a Masters of Public Administration at Liverpool in U.K. I have done attachment to various Parliaments in the Commonwealth. I have done writings on Parliament and governance, book reviews of literature about parliaments and governments. The CPA in the Parliamentarian has published these. I have done consultancy in Africa - in Zambia, Nigeria, in The Gambia and recently I was in Ethiopia to try and restructure the Parliamentary System. So, I am glad to be with you at the beginning of a new era in the East African Community. Thank you very much – (*Interjection*).

Mrs Irene Ovonji Odida (Uganda): Thank you, Mr. Clerk. Thank you for taking the time to prepare this outline. I have looked through it and I note that there isn't much provision for those who have something to do with the civil society. I know the civil society is one of the stakeholders to this process of cooperation. I imagine that the information that some of our Members have, some of that background is also relevant, but it is not here. You did not provide for that.

The Clerk (Mr. Murumba Werunga): I take note of that. We will do some

revision, but if you look on page seven there is some provision for other engagements. Maybe the space provided is not sufficient, but we could improve on that. But I would also appreciate it if you could just make the write-up and attach to it then we can summarize it. Thank you.

Is there any thing else, honourable members? I believe we have some tea behind here, and then we will take our Riverside bus at the parking in front of AICC to go to the Stadium to watch the football match. Thank you very much, and let us meet tomorrow - *(Applause)*.

(The Meeting was adjourned at 5.35 p.m. until Thursday, 29 November 2001).