



## **EAST AFRICAN COMMUNITY**

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

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

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

**Monday, 28 November 2016**

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

#### **PRAYER**

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

*(The Assembly was called to order)*

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#### **COMMUNICATION FROM THE CHAIR**

##### **1. PENDING COMMITTEE WORK**

**The Speaker:** Good afternoon, honourable Members. I have a passionate appeal to the Chairpersons of Committees who have work pending before their Committees. The Clerks of those Committees should utilise all the available time and resources as appropriated to them to conclude those assignments before them. You know very well that this Plenary is fed by the work of Committees. Those Committees that have urgent work before them know themselves. Please, put in extra

time to ensure that the assignments given to you are concluded.

##### **2. VISITING DELEGATION FROM THE PARLIAMENT OF UGANDA**

Honourable Members, I would like to recognize our special guests who are in the gallery. These are our colleagues Members of Parliament from the Republic of Uganda Parliament. They are part of the delegation that will be working with us during the Nanyuki series and our sports tournament.

In the gallery, we have:

Hon. Esther Anyankun;  
Hon. Mariam Naigaga;

Hon. Joel Sedikali; and  
Hon. Kafusi Jackson.

You are most welcome hon. Members and thank you for being our guests.

### **3. ALTERATION OF BUSINESS ON THE ORDER PAPER**

I also have an announcement that I will eventually communicate to you. However, there was an earlier Order Paper that was circulated that has been recalled because it has introduced new oral questions for answer by the Chairperson of the Council of Ministers for which she is not yet ready. We will have the questions by hon. Pareno, which were on the Order Paper on Thursday before we adjourned. The Chairperson of the Council of Ministers will address us on that question.

Secondly, you must have realized that there was a Motion on the Order Paper on Thursday that we did not complete and yet it is not on the Order Paper now. That is not by error; it is by technical consultation. The Mover and the Seconders of this Motion have been advised by my office and the office of the Clerk to rephrase the Motion because it has references to meetings, which have not yet taken place. That is the reason for which the Motion is not on the Order Paper.

Since today is going to be our last day of transacting business - tomorrow will be a Special Sitting - if the Movers re-organize themselves and approach my table in time, I will use the Speaker's prerogative to see how to deal with it.

I thank you so much.

## **BILL'S FIRST READING**

### **THE ADMINISTRATION OF THE EAST AFRICAN COURT OF JUSTICE BILL, 2016**

**The Speaker:** Hon. Chris Opoka-Okumu to move.

**Mr. Chris Opoka-Okumu (Uganda):** Thank you Right Honourable Speaker. Hon. Members, I beg to move:

*THAT, the Administration of the East African Court of Justice Bill, 2016 be read the First Time.*

**The Speaker:** Thank you, Hon. Chris. The seconders are Hon. Dora, Hon. Kessy, Hon. Mathuki, Hon. Sarah and Hon. Ussi and all those Members standing.

Bill read a First Time.

**The Speaker:** Hon. Members, I refer the Bill to the Committee on Legal Rules and Privileges.

*(The Bill was read a First Time and committed to the Committee on Legal, Rules and Privileges)*

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

*(Debate interrupted on Thursday, 24 November 2016, resumed)*

**The Speaker:** Hon. Members, you will remember that on Thursday afternoon we had to implement to the letter our Rules of Procedure and in specific terms, Rule 11. Debate on this matter was interrupted. The Member on the Floor that time was Hon. Judith Pareno. The Floor is yours.

**Ms. Judith Pareno (Kenya):** Thank you, Hon. Speaker. I had earlier submitted on this debate before we adjourned the House. I wish to recap what I had said. I submitted that from the experience we have had while doing our sensitization, it is now clear that it is a dream come true for us to represent East Africans in a better way. We have been able to engage and interact with them. It is no longer just sensitization. This is because initially we were reaching out to the people, but out of this sensitization programme, they are reaching out to us. They know that they can talk to us; they know the procedures through which they can talk to us.

Hon. Speaker, in some of these interactive sessions, they even get surprised when we tell them that they can petition us on aspects of their concern. We tell them that they can write a petition and address it to the Clerk or the Speaker. However, most important are the concerns that they are raising. They have been telling us what they feel this Assembly should speak on their behalf. They feel that we can pass certain laws in order to address their concerns. They feel that we can ask certain questions on their behalf in order for them to get answers. They know that we can move Motions here that will seek to address their concerns.

I gave an example: The questions that you see on the Order Paper today are actually because of our interactive sessions with them. So, it is no longer just sensitization *per se*. It is through this sensitization that we now have an engine through which we are able to generate a lot of work for our Committees. We are now able to generate many Motions and even propose laws. I have given here an example of the cybercrime law, which was proposed by one of the institutions that we visited. I also talked about a proposed law on *Jua Kali* that was proposed by the *Jua Kali*

sector. All these are because of our interactions with the people.

In brief, I would like to state as follows, that as we go for our last sensitization programme next year, maybe, what we need to do is to create a forum under which this Assembly can take stock of what we would have achieved through the sensitization programmes that we have already undertaken. Yes, we have done three of them, but have we audited what we have achieved?

I think this is a great achievement for this Assembly. Through the interactive sessions, probably, in the last sensitization programme, we should be able to discuss the achievements we have so far made with the people. I was looking at areas where they have proposed laws. How much have we done in terms of answering their prayers and enacting these laws? Where they have proposed a certain law to address the problems that they have, how much have we done in terms of answering them back? Do they know that we have acted on their concern? Could we, probably, have a feedback to the people?

This way, we will be in a position to tell them that we did three or so sensitization programmes or we reached out to them and they did the same to us. We will be able to tell them that we answered their concerns by passing this and that Motion. That way, we shall have answered their prayers and they will be up to speed with what we do here.

Hon. Speaker, on this particular aspect, I think we have really achieved a lot and so we need to celebrate it together with the people. I thank you.

**The Speaker:** Thank you, Hon. Pareno. I had actually given an opportunity to Hon. Peter Mathuki. I will then come to Hon. Leonce.

**Mr. Peter Mathuki (Kenya):** Thank you, Hon. Speaker. I know we had a weekend between the Motion and today. However, I hope that all of us enjoyed the weekend and that we are enjoying our stay in Nairobi.

My submission is that if there is anything that this Assembly has ever done during your tenure – I must congratulate you – to inter-phase and interact with the citizens then it is the sensitization programmes. This is one activity for which I would even propose that we suspend all the future sittings and we concentrate on sensitization. *(Laughter)*

Hon. Speaker, this is because it is about the people. It is about going to the people. In the past six months, we have passed many laws. If only we could now go to the people and do sensitization until we complete the remaining part of our term, we would be doing a lot of justice to ourselves and to the citizens of East Africa – *(Interjection)*.

**Ms. Nusura Tiperu (Uganda):** On a point of order, Rt. hon. Speaker.

**The Speaker:** Hon. Mathuki, there is a point of order from Hon. Tiperu.

**Ms. Tiperu:** Hon. Speaker, our duty involves representation, oversight and legislation. Is the hon. Member on the Floor in order to say that we should only focus on one component and ignore the rest?

**The Speaker:** The hon. Member was belabouring to deliver a point that we have done a lot of legislation as a House and a lot of oversight work through several Committees. He was underscoring the fact that the representation role has been on the lower side of things. However, he should know that the function of Parliament is clearly stipulated in the Treaty.

Proceed, Hon. Peter Mathuki.

**Mr. Mathuki:** Thank you, Hon. Speaker. Thank you, too, Hon. Tiperu. I know that is not coming from you. I can guess from whom it has come. *(Laughter)*

Nevertheless, Hon. Speaker – *(Interjection)* -

**Dr. Martin Nduwimana (Burundi):** On a point of order, Hon. Speaker.

**The Speaker:** Proceed. You are on.

**Dr. Nduwimana:** Hon. Speaker, is the Member on the Floor in order to underestimate the capacities of one of the best Members in this Chamber by saying that she is not able to think by herself? *(Laughter)*

**The Speaker:** I think Hon. Peter Mathuki should refrain from guesswork. The Member who spoke caught the eyes of the Speaker. Proceed.

**Mr. Mathuki:** Hon. Speaker, I am guided. I was only saying that in this Assembly we appreciate the three major roles that we play. Indeed, we have done a lot – it may not be enough – on legislation. We have also done a lot in terms of oversight and so we need to do more with regard to representation. Our rules do not say that we should do more of one than the other should. I was guiding my good sister.

Hon. Speaker, when I said that this Assembly should concentrate on sensitization, I was actually basing my remarks on the reactions we have from the people. Hon. Pareno was right to say that the work we are now dealing with in this Assembly actually emanated from our interaction with those people. I felt that if I am given that kind of opportunity to do more of representation then I would be

grateful. I am saying this because I have seen even the private sector engaging us more and this is even at country level. They want to know what we can do to help them. One of them is BIDCO Company, which we visited during the sensitization programme. They said that they would help us come up with Bills, which will help the private sector. So, I think that should be the way.

When we visited Narok in Kenya, we realized that the people of Narok wanted to do a petition to us in this Assembly with regard to a number of issues that touch on the border. I am bringing this to the attention of the House for purposes of record. It is important. I am sure that it may not be during our time that their petition will be before this House, but that is to inform this House that our interaction with the citizens of East Africa in different partner States through this programme has helped us understand the issues affecting the citizens.

Even the issue of language has come out. They are telling us that as we continue to sensitize them, we need to move faster and bring Kiswahili on board as an official language of the Community. Indeed, that particular point has been raised everywhere. I am even seeing a situation where one of the partner States has gone ahead to make Kiswahili a formal language to be used in various departments. I think that is also informed by this sensitization programme. This is the right way to go. People are now feeling that they are closer to the Assembly. It is important that we should be doing this more and more.

Hon. Speaker, I feel that if it is only one programme remaining for sensitization then that is unfortunate. You could devise ways through our activities as Committees and an Assembly that will enable us meet the people more and more.

I support this Motion and Report. I congratulate, particularly, the Chairperson of the Kenya Chapter, Hon. Nancy Abisai. She has offered good leadership in the way we have been working. She has led us well as Members during this programme. I have seen in the Reports that other Chapters have done the same. We must learn to appreciate where Members have put efforts.

**The Speaker:** Thank you, Hon. Mathuki. I will now give an opportunity to Hon. Leonce, and then I will come to Hon. Valerie.

**Mr. Leonce Ndarubagiye (Burundi):** Thank you, hon. Speaker, for giving me the Floor. I would like to appeal to the Mover to expunge one sentence appearing on Page 31 that talks about Burundi in a very negative way. It is written in the general findings of the sensitization programme in Uganda under (iv) that *“It was observed that the political crisis in Burundi hinders the EAC integration process.”*

Hon. Speaker, it is unsubstantiated and so it should be expunged. I think it is unjust.

On the same page, they are recommending that the Heads of State find a solution to this – *(Interruption)* -

**The Speaker:** Hon. Leonce, you are talking of No. (iii), which is on general findings of the sensitization programme. It is not under the programme in Uganda.

**Mr. Ndarubagiye:** Hon. Speaker, if it is the general finding by the Committee, then that is why – *(Interruption)* -

**The Speaker:** Just one second, please. Since it is a general finding, then tell us clearly whether you want it amended and how you want to amend it, with clear recommendations.

**Mr. Ndarubagiye:** I would like to replace it with No.5 on general recommendations, or we expunge it totally, because it is not substantiated. We should remove it because it reads as follows:

“It was observed that the political crisis in Burundi hinders the EAC integration process.”

Allow me to give you some examples. There have been situations before where there was tension and crises between some Partner States but nobody ever raised that. I remember the situation in a country of the Community where its neighbours were living in that country illegally. Nobody came here to say that it was hindering integration. They found a solution very quickly. That is all. Why should we mention Burundi all over this Report? Is it an obsession? Is it an aggression? I really do not know. Please, there is no substance here.

**The Speaker:** Hon. Leonce, maybe we need to get some things clear here. Honourable colleagues, I beg for your indulgence to be realistic about the debate. We are debating the Report of the sensitization exercise. What is contained in this Report is what the people we met said. What Hon. Leonce is drawing on board is, in fact in the general findings, which is drawn from a particular sensitization programme. It cannot have come from nowhere; it must have come from one of the working groups, which could have interfaced with some stakeholders or people who talked like that.

However, it is also important to note that this Assembly has been seized with a number of issues. You will remember that we passed a Motion condemning a coup in Burundi. You remember we had a public hearing based on a petition from the civil society. A number of things have taken place with the clear

intention to promote the EAC integration and to improve the livelihoods of the people of Burundi who are East Africans. Therefore, for any statement made here, the intention should be clear, that is, to promote EAC integration and to improve situations in any part of the EAC. That should be the light of the debate.

Proceed, Hon. Leonce.

**Mr. Ndarubagiye:** I stand guided, hon. Speaker. You said that it is something that came from the people during the sensitization programme. Therefore, definitely, it is not from the people of Burundi. I thank you.

**The Speaker:** Hon. Valerie, but before you take the Floor, allow me to say this: you know how we procedurally deal with reports in this House. Any Member who wants to cause an amendment is supposed to write to the mover and send a copy to the Clerks Table. We then pronounce ourselves on the amendment at the end when the mover is proceeding.

**Ms. Valerie Nyirahabineza (Rwanda):** Thank you very much hon. Speaker for giving me the opportunity to contribute to this very important Motion. Right from the outset, let me congratulate my sister, hon. Patricia for eloquently presenting this Report to us. I know it is not an easy task to compile findings from five different Partner States, put them together and come up with such a wonderful report.

Before I go to the content of the Report, let me also sincerely thank you, once again, for your guidance, wisdom and for offering leadership as always, and spearheading this activity. We know that as the head of EALA, you made it possible, together with the Commission, for these activities to see the light of day. These activities have tremendously increased our visibility out

there. This is the feedback after our interaction with the different stakeholders that we have been interacting with.

Hon. Speaker, I just want to focus on two issues. One is in the form of a recommendation. I thank my sister, hon. Judith Pareno, for her contribution. She mentioned something about audit with regard to the findings arising from the sensitization activities that we have so far undertaken. I do not support that idea, but mine is like a recommendation.

You know that this activity has been undertaken, and in the wisdom of each chapter, we reached out to different groups of stakeholders. It does not mean that the groups that we reached out to, say, in Rwanda, are similar to the groups that were reached out to in Uganda, Tanzania, Kenya, and Burundi. So, whenever we do our audit, which is good, especially in the spirit that has been proposed by Hon. Judith Pareno, is it possible to determine whether we may not have forgotten a key stakeholder, say, in one partner State so that we kind of harmonize the stakeholders that we have to reach out to. That is the recommendation I want to make and it is in addition to what hon. Judith Pareno has proposed.

Secondly, we were very lucky, as she said, because we reached out to the people and they reached out to us. This was a very good exercise in that we were able to teach the people what the integration is all about. In a way of feedback, they came back to us to tell us what is happening out there in line with the integration process that we are talking about. This enabled us to come up with some Bills that we need to work on. There are many petitions that the stakeholders are eventually likely to bring to the Assembly. One of the things I liked most in our last sensitization activity in Rwanda is that we were able to

interact with this integration process implementers or facilitators. I want to allude to the National Monitoring Committees (NMCs). I was very happy to interact with these people. They told us that even if their existence derives from the Common Market Protocol, they would still have come up with such a proposal even if the Common Market Protocol had not been signed and ratified in order to ease this integration process as far as trade facilitation is concerned.

They told us about the existence of the non-tariff barriers. They told us how they are building partnerships, which are bilateral. In one instance, they said that they have a bilateral partnership with the Uganda and Tanzania NMCs, if I am not mistaken. I think this should be strengthened now that we do not have a regional monitoring committee that they should report to. This kind of partnership should be strengthened and – *(Interruption)* -

**Ms. Patricia Hajabakiga (Rwanda):** On a point of information.

**The Speaker:** There is a point of information by hon. Patricia.

**Ms. Nyirahabineza:** It is okay, hon. Speaker.

**Ms. Patricia Hajabakiga (Rwanda):** Hon. Speaker, I want to inform my sister that there is a regional monitoring committee. It exists.

**Ms. Nyirahabineza:** Thank you. The idea I wanted to emphasize on is that they told us that they develop bilateral partnerships. You can see that the National Monitoring Committee in Rwanda is partnering with the National Monitoring Committees in Uganda, Tanzania or Burundi, and *vice versa*. The idea here is for us to push or facilitate them so that they can partner amongst themselves.

Now that there is a co-ordination mechanism according to the information given by my sister, I think it is just a matter of looking into that mechanism with a view to strengthen it. That way, the partnerships that have already been built will be strengthened. The National Monitoring Committees will be able to exchange information. They told us that sometimes they remove non-tariff barriers or else deal with them, but the next day, the same non-tariff barriers are put on the road.

I want to emphasize the fact that this Assembly should call upon the Council of Ministers to see how those National Monitoring Committees can be strengthened and given the budget that they require to deal adequately with the non-tariff barriers. We know that the EAC is a trade-oriented bloc, and there is no way trade can be facilitated if the non-tariff barriers are still emerging.

Those are the two points that I want us to emphasize. I thank you, hon. Speaker.

**The Speaker:** Thank you, hon. Valerie. I had given a chance to hon. Nengo. I will then come to hon. Nancy.

**Mr. Emmanuel Nengo (Burundi):** Thank you, hon. Speaker, for giving me the way to contribute to this Motion. First of all, I wish to add my voice to that of the Members who have said that we are enjoying the hospitality of Kenya, especially here in Nairobi. I thank the Government and the people of Kenya, especially the Kenya Chapter.

I rise to speak on one point, which is on Page 21 of the Report. It says, *“Border staff for both Partner States no longer share offices as per operational requirement of one-stop border post at Akanyaru, the border between Burundi and Rwanda.”*

Hon. Speaker, last time, hon. Isabelle and hon. Muhirwa spoke on this point. If I am not mistaken, you have guided on this matter by saying that the Communication, Trade and Investment Committee had visited the one-stop border post. We, however, went further to seek information on this border. As it is now, just as it was before, it is not a one-stop border post. That is why I request Hon. Patricia to delete this particular point.

As other Members have said, this sensitization activity is very interesting and it is important. If I pick from what hon. Ngoga has proposed as the way forward, we have reached out to many stakeholders. They have raised some issues for which they want solutions. It would be better if each Chapter collected views from stakeholders and then we help them find solutions.

I am saying that because regarding the Burundi side, there are some relevant authorities that have said that they do not have the list of rules passed by this House. Those rules could be made available to them. I remember what hon. Yves said that there are some issues raised by the citizens that did not get any solutions. I think each Chapter could meet the relevant authorities and discuss those matters. When we come back here, we would then report and discuss how the matters raised could be resolved. For those issues that are supposed to be overseen by this House, we could refer them to the relevant Committees and then follow up on them afterwards.

That is all I had to submit. Thank you so much.

**The Speaker:** Honourable Members, just before I proceed to hon. Nancy, you will remember that this is the third report that we are debating on sensitization. In the last debate, when we were considering the



Second Sensitization Report, there was an issued raised by hon. Mwinyi on the findings from the United Republic of Tanzania and there is a way we treated it. We could borrow a leaf from that precedence that was created in the last one. However, what is most important is to make the work of the person moving the Report easy. If you want any specific amendments, which includes deletion, please, put it in writing and submit to the mover for ease of reference.

Hon. Nancy, proceed.

**Ms. Nancy Abisai (Kenya):** Thank you, hon. Speaker for giving me this opportunity. Before I contribute to this Motion, I would like to take this opportunity to thank all those colleagues who found time to unwind with our Principal Secretary on Friday evening. I think that was a very good gesture, which was offered by the Principal Secretary. It is not every day that somebody offers this and so on behalf of the Kenya Chapter I would like to say *Asante sana*.

I would like to add my voice to what has already been reiterated by my colleagues. This is the third Report of the sensitization programme that we are discussing. It is important now to agree. I know we had done so, but maybe we need to review the process and content. That is what is bringing out some of the issues that are being discussed. Therefore, we need to agree.

For example, when we talk about the process, we need to rethink how we carry out the sensitization programme. Why were we calling it sensitization? It is because this is only the Third Assembly, and it is, therefore, still very young. It was quite clear that quite a number of people within the region still do not understand the EAC and EALA. Therefore, the Assembly decided to

undertake sensitization so that it can fulfil its representative role, among other things.

When we go out for sensitization, I think that maybe the most important thing that we should do is to let citizens understand the various stages of integration, the various laws that we have passed, and the processes that we have arrived at. The people should then tell us what they understand. It should not look like we are going for fact-finding missions so that we only get fact-finding information and ideas. It is about understanding what people know and telling them what they need to know. Therefore, we need to be very clear about this process.

In future, we will have to agree that when we submit country reports to the sub-committee, the sub-committee is actually supposed to compile the report. If one Partner State submits five pages or ten pages and then another submits 50 pages...you give the person doing the report a difficult job. This is because they cannot come here and read a report of 100 plus pages to the Assembly. So, we need to agree, right from the outset, that if we are going to do these reports, every Partner State should summarize its ideas and submit its findings within a given scope. This is so that if Kenyans bring a report of, say, seven or ten pages, Rwanda, Tanzania and the other Partner States should bring a report of the same number of pages. They could do an executive summary, but then the report will state the contents it is supposed to have.

I am talking about this very competently as the Chairperson of our Chapter; my colleagues can bear me witness. We have visited many institutions. If we were to write every particular finding in that report, the Kenyan report would be very big. This is my opinion, and opinions differ, but I can still air what I think.

We have the general reports, which are annexed. Once that is done, they become the property of the Assembly. I am saying this because I think that is the best way to go about things. Otherwise, in future, what will stop any Partner State from writing a report of 100 pages? There is no limit! You could summarize and then not present the issue the way it is supposed to be presented, and that would bring about these problems.

I remember our colleague, hon. Zein, talking about a tool on how to do reporting. You may differ with me or disagree with me, but I am telling you. In any process, there must be a basic minimum, which we cannot run away from – (*Interruption*).

**The Speaker:** Honourable Member, I think what you are emphasizing is the format. The format should be the same even though the issues and the magnitude may vary.

**Ms. Abisai:** Exactly! And I do not need to belabour the point. You have summarized. That is all I was saying. It is so that it is in tandem with what all of us want to bring forward. I could write something and then say that the person who summarized it has put in his or her own things. It is so that we present the report as it is on the Floor.

About content, I was saying that when we did the sensitization exercise, there were quite a number of issues that came out. One of the things that I know we need to emphasize is the understanding on the various legislations that have been passed in this House in terms of implementation and harmonization at the Partner State level. Many of the citizens that we interacted with do not seem to have the knowledge of what it entails to have certain laws in place, how those laws affect them, what is in it for them, and what the Partner States are doing at the level of implementation. I think that is very critical.

Some questions are asked and you note that it is clearly because of lack of information. For those of you who read the Bible, you know that it says, “My people perish for lack of knowledge.” If you do not know something, you will complain about it because you do not know about it. So, I think it is our role to ensure that people understand issues.

We passed the One-Stop Border Post Bill, the Non-Tariff Barrier Bill and so on. If people do not understand what it means, they will still complain about issues within the law that already protects them and gives them an opportunity to carry out their businesses within the framework of the law. So, when we start our next step of sensitization, maybe, we will need to focus a lot on the laws that we have passed, and especially on the levels of their implementation, and how Partner States understand them.

Honourable Speaker, my colleagues have talked a lot about the issue of content. I thought we needed to emphasize a lot more on legislation, and at what level we are. We need to emphasise how citizens understand the level of implementation of the laws we have passed and how it affects them in the way they carry out their normal business so that we now know at what level of integration we are.

I would like to reiterate that we are still a young parliament. This is the third parliament. I know that there are many expectations. For instance, people think that these things should be done quickly. We should appreciate that we should do things at a pace that brings everybody on board. That is the level of integration that we should be speaking to. I thank you.

**Mr. Mike Sebalu (Uganda):** Thank you very much, hon. Speaker. I would like to thank the teams that went to the various

capitals. I would also like to thank the team that assembled the various reports and integrated them into one report.

Mine is to do with sensitization in the context of the Treaty provisions. I think we need to consider this so that we do not appear to be sending different signals to the population. You will all appreciate that as per the Treaty, we do have four stages of integration. We have the Customs Union, which is the entry point. In other places, Free Trade Areas and the rest can do that, but for purposes of the EAC, we chose to do the Customs Union as an entry point. We do have the Common Market, the Monetary Union and ultimately Political Federation. However, something is emerging, which we need to steer clear of, especially when we are engaging the population.

This is because the population has come to appreciate the stages as provided for within the Treaty, but arising from some consultations at the level of the Council of Ministers, this idea of a confederation is now coming in. It is being discussed at different levels.

I was following up on some meeting, which took place in Nairobi recently - the Media Summit. An officer from the Ministry came out to explain how Political Federation has been abandoned and now the confederation is the in-thing, and that modalities are being worked out because it is easier, it does not affect sovereignty, it allows flexibility for the national interests to be pursued, and so on.

Yes, those arguments may sound good, but what is provided for? If there is a clear departure from that, let it be properly put so that even the Treaty then is understood in proper context. When we go out there, we tell people that we are moving towards a political federation. They appreciate that, but when

you start getting new developments, indicating that, it is now a confederation... These two are essentially different. They are mutually exclusive, and they are not the same thing. Therefore, we need to have clarity on that matter. I wish the Council of Ministers, at an appropriate time, would give us an answer.

When we go out, we follow the four stages. I believe that of all the teams that went out, none of them could ever have talked of a confederation. We are talking about a political federation. At one stage, a process was put in place to seek the views of East Africans regarding the form of federation that they want. You will remember there were committees put in place to fast track the East Africa integration with the a political federation as the ultimate. I had an opportunity to serve in the Committee in Uganda. The reports that came out were very clear. People overwhelmingly supported integration up to that stage. The only reservation they had was something to do with the speed. Those were the views from the people. We now have a shift of attention to another aspect of it.

Hon. Speaker, as people's representatives, those of us who go out there to explain these matters need an authoritative position on the shift. That should be concretized by an amendment of the Treaty so that we know now it is Customs Union, Common Market, Monetary Union and the Confederation. This is so that the words "Political Federation", which many of us have talked about time and again... We are now confusing people. The media is equally confused. We need to come clean on what exactly we want to achieve.

I was told that in the meeting that was held here a couple of days ago, all the other Partner States agreed on a confederation but they actually had to convince Uganda. This is

because in Uganda there is even a Cabinet position on the issue of the Political Federation. It is a Cabinet matter. However, the report from that meeting indicates that even Uganda was convinced, and now we have abandoned our former position.

Hon. Speaker, my intervention is limited to that aspect so that our sensitization is consistent, and so that we do not send mixed signals to the people regarding the stages, and what is entailed in the stages. Any shift in focus needs to be properly - (*interruption*) -

**The Speaker:** Hon. Sebalu, the point you are raising is very important for us as an Assembly that is going out there to sensitize the people. We have a Treaty before us that we stick to, to the letter. I would like to cause the Chairperson of the Council of Ministers to clarify the matter that hon. Sebalu has raised. For us, as of now, we should stick to the Treaty as our legally binding document.

Proceed, hon. Sebalu.

**Mr. Sebalu:** Hon. Speaker, I agree, but my concern is that when you get a meeting like that and Ministers go to their capitals, they really wield quite a bit of political influence and they are the ones who oversee the sector. Therefore, when a Cabinet Minister indicates that we have since abandoned that, as EALA, when you come with your Treaty, you look like someone who is not well updated. I do not want us to fall in that category of people who are not up to date in terms of what is happening. That is why we need to have a common point of engagement so that what comes out of the Executive is the same that comes out of the Legislature.

We should not give people the problem of having to choose which one to take, or to say, who is more authoritative? Who is telling the truth? Who is not telling the truth? Who is

knowledgeable? Who is not knowledgeable? And so on and so forth. The discussion will shift, and it will go to competence levels of different stakeholders. That is why I want us to get some authoritative position because the Treaty, as it is, is the official document.

Whenever we are asked questions, we are always very fast to pick provisions and give answers. One of the questions that will always come has to do with the Political Federation. When we come together, how will we be structured, given that different countries do things differently? So, we need to come clean on that and send messages that are co-ordinated and uniform so that our people are not thrown off balance in terms of what to take and what not to take.

My submission is specifically to seek clarification on that so that when we go out, statements that come from other fora other than ours do not contradict us.

**The Speaker:** I had given an opportunity to hon. Leonce but he had already spoken. Hon. Leonce, your amendment has already been received and there is a way we are co-ordinating it. Let me give a chance to hon. Mumbi, and then to hon. Dora.

**Ms. Mumbi Ng'aru (Kenya):** Thank you, hon. Speaker for giving me an opportunity to contribute to this Motion. The Report is good. Every great thing starts as a small thing. Allow me to remind the Assembly that a small thing has started. It started in the First Commission of the Third Assembly through our strategic plan. I was a Member then. We received it well, but we did not know how to start. When a sub-committee was formed to deal with the issue of whether it is possible to start sensitization - the *Hansard* can bear me witness - it was a false start. I chaired that sub-committee that comprised of hon. Jeremy Ngendakumana, Chris Opoka and

others. We used EALA money to discuss sensitization. Those were the days when the Assembly was going through some very difficult times, and so we never tabled our Report, but it can never be rubbed that once there was a sub-committee dealing with sensitization.

When we had the first and only EALA Kenya Country Programme, President Uhuru Kenyatta came to give his Address in Arusha. He mentioned it, and promised another Kenya Country Programme. Unfortunately, the Kenya Chapter had already given a very negative report of what we experienced during the first Kenya Country Programme.

Then we had another false start. We needed a car, but it was not availed. The Commission found it fit... We appreciate so much to have the sensitization programmes. This is our third sensitization programme, and as I said, every great thing starts small. We are at the implementation stage. This is our third report, and we are doing well. Whether the Report is big, small, or contradictory, or whether there are Partner States, which have issues with it, the point is that we have started. In my view, that is what is important.

In our interactions in the various Partner States, we had an opportunity to hear stakeholders ask us pertinent questions about integration. In Kenya, laws have been suggested that we need to bring to the House so that the areas that affect the citizens are taken care of.

We have heard stakeholders complain that sometimes we talk to ourselves. This is because they do not know us. The Report should not worry us, amendments or no amendments. We are going through some teething problems, and any other sensitization programme will be better than the last one.

We have had some contradictions, and whether it is about the Political Federation or the Council of Ministers, those things will sort themselves out as we walk towards integration. Therefore, I am excited.

I know that some Partner States are doing the sensitization programme under very difficult situations, but they are trying. That is the most important thing. Whatever report they bring here, let us not even try to amend it because it is the wearer of the shoe who knows where it hurts. We cannot assume that – let us say Burundi has brought a report here, and because we know that we were not there, we should criticize that report. Let us take it as it is. This is because next time it will be better for us all.

Therefore, my take is that we should encourage each other. Whatever we have gathered from the stakeholders, let us bring it here as it is. *(Interjection)*

**The Speaker:** There is a point of clarification from hon. Dora.

**Ms. Ng'aru:** I will take it.

**Ms. Dora Byamukama (Uganda):** Hon. Speaker, I am seeking clarification on what she is saying. Suppose in the Report there is what I can call an “error”, should we keep it in the report or we could amend it?

**Ms. Ng'aru:** Hon. Speaker, the judgment is yours. What you say we delete and the Assembly agrees we delete, then we shall delete. My plea to this Assembly is that we know there are Partner States that are going through a very difficult time – *(Interruption)*  
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**The Speaker:** Hon. Mumbi, just a slight guidance here. The sensitization programme is meant to inform the populace of East

Africa about the integration process and to be an avenue of feedback to the Assembly about what we find among the population. The report, which is brought to the House, is not a final document. It is tabled and debated for that purpose. In the process of debating, we go on to improve the facts, based on the different working groups of the Assembly that went to the different parts, and we also omit or add new facts that have come from other parts of the Community through the different working groups. So, the Report is here for us to look at and eventually adopt as amended by this Assembly. It is not the final Report yet.

Proceed, Hon. Mumbi.

**Ms. Ng'aru:** Thank you, hon. Speaker. You have said it for me. In the Report, there is some sentence about some difficulties in Burundi. That is what I was referring to. As they say in my culture, if you have a baldhead and every time somebody talks about a baldhead, you tend to be very sensitive. So, I rest my case on that issue.

I am urging this Assembly that let us move, let us appreciate that there are difficulties. Let us not give up. We should continue making progress, and where we have difficulties, we need to understand each other. We need to tolerate each other.

My last plea about this Report is to ask the Council of Ministers, are we together in this? My feeling is that we are not together. I have pointed this out before, and I will say it again. I think the Council has one foot in the Partner States and the other foot in EALA. They are sworn Members, but the only difference is that they do not take a vote. However, if integration is going to succeed, we urge the Council of Ministers to be part of this Assembly as we walk towards integration. If we still have to push and pull, it is going to

take a long time. I pray that in the next EALA, probably, there will be Ministers for the East Africa integration affairs only.

I thank you, hon. Speaker. I support the Motion.

**The Speaker:** Honourable Members, I will give a chance to hon. Dora, and then I will invite the Chairperson of the Council of Ministers, and lastly, the mover.

**Ms. Dora Byamukama (Uganda):** Thank you very much, hon. Speaker, for giving me this opportunity. I would like to add my voice to those who have spoken before me. I thank your office for supporting this particular activity on sensitization. Before I go ahead, I would like to thank our colleagues from Kenya for hosting us to a very good function on Friday. I must thank the chairperson, hon. Nancy Abisai and hon. Kiangoi. We had a very wonderful time and we thank you very much - (*Applause*). Talking about sensitization, this was also sensitization in its own sense in that we were sensitized as to how the people of Kenya enjoy their evenings, and it was very good.

Hon. Speaker I want to go straight to the point of sensitization. I thank our Chairperson, hon. Tiperu for her leadership. I also want to thank the hon. Speaker of the Parliament of Uganda, hon. Rebecca Kadaga who met us on short notice. She was able to give us feedback on what she thought we should handle and some ideas on what we should do. She posed a very important question, which I thought this House should take some time off to analyse. She asked us about the impact of the previous sensitization. That helped us, because we were able to evaluate. I am glad we are continuing to do this during this particular meeting.

I also want to thank the EAC Committee of Uganda, which met us and shared with us its views on integration issues. We also thank the media, as well as the Parliament of Uganda for giving us space. I also would like to thank our Clerk, Gloria Nakebu, who made a very good report.

Let me go quickly to the issues and highlight some of them. One, what came out very clearly is the need for us to disseminate information on the Treaty. This has been said. I remember very clearly that there was a plea that the Treaty should be simplified and translated into different languages for people to appreciate its contents better. Maybe the Ministries of EAC can take it up through the Council of Ministers so that information can get to the people in a more simplified manner, and in a language that they understand.

On the issue of the message, we have heard that sensitization is not enough, and that people are not aware of the EAC integration. Interestingly, if you consider the number of people who are interested in running for the office of Member of EALA, in Uganda I think we have more than 50 people who have expressed interest. The question is this, if you have such a big number expressing interest, how come they keep on insisting that people do not know about the EAC integration?

One of the qualifications under Article 50(2) (d) of the Treaty states that a person must have proven experience or interest in consolidating and furthering the aims and objectives of the Community. So, when it comes to membership of EALA, there is a lot of interest, media discussion, and it is very vibrant. However, they keep on insisting that people do not know much about the East African integration. I think that is a contradiction; something is not being said right. I do not understand how you can be very interested in being a member of EALA

and at the same time, you say that you do not know much about the EAC integration. We need to get to the bottom of this and understand clearly, what they mean.

Maybe their meaning of understanding of the EAC integration could be vested in the tangible benefits of integration. This came out very clearly. The question is what is new? This was our third programme, as we are doing it on a quarterly basis. If we continue like this, we may run out of a message because we may not have something new. If we could consolidate and focus on about five or six areas where we have tangible benefits, then the EAC integration will become a reality. Let me give you an example.

The first one is fees for students...Let me first talk about mobility. Can a person use their identity card to travel in the EAC? This is what we should push for. If you can use your ID card to travel through the EAC, then the issues of integration will have been resolved to that extent.

We discussed this at length and we discovered that much as we have agreed at the level of Council of Ministers, when it comes to the technical people, they still put non-tariff barriers in place, which hinder people from moving freely within the EAC. So, this issue of a travel document is very important. As an Assembly, if we could push for a travel document in form of an ID card that can be used in the EAC as it is being done within certain Partner States, this would be an achievement that is tangible and it would be better understood.

The other issue is air travel. I know this is a very difficult topic, but air travel is very important for the business community. If you are transporting goods from Nairobi to Mombasa, you are likely to pay almost one-third of what you would pay if you were

transporting the same goods from Entebbe to Nairobi. This discrepancy is a non-tariff barrier in itself. So, the Council of Ministers could also look at the issue of air travel so that we have a similar way of treating travellers in the EAC, especially when they are EAC citizens.

The other thing is school fees. We need to treat our children in the EAC similarly. This is very important. I know some efforts have been made, especially by hotels. This is because when you go to a hotel and you say you want an EAC rate...I want to commend the United Republic of Tanzania on this. Indeed, this has been done. They actually give you a good rate, and you are able to visit the national parks more easily. The tangible benefits that I am talking about would make people say that they understand the EAC.

There is also the issue of the international e-passport. This should be launched in 2017. I think once we have an ID card that can enable us to travel in the EAC, and once we have an international e-passport, we would have defined an East African citizen. In essence, we shall be moving towards a political federation. As far as my understanding goes, once you have a citizen called an East African person, then you will have a federated EAC.

Hon. Speaker, I would like to remind you and this House that at one time I raised a question on the issue of the harmonization of time. Why should our sister Republics of Rwanda and Burundi be on a different time zone from those of Uganda, Kenya, Tanzania and Southern Sudan? Why should they be driving on different lanes, which is, keep right instead of keep left? This is one decision that can be reached in one day by the Heads of State – *(Interruption)*.

**The Speaker:** There is a point of information from hon. Dr. Odette.

**Ms. Byamukama:** I will take it.

**Dr. Odette Nyiramilimo (Rwanda):** Thank you, hon. Dora for giving me way for this information. I would like to give information that there are so many countries in this world where even the time is different. If you are in, say, San Francisco, the time there would be different from the time in New York, and there is no harm in that. This is because the time is determined by the meridian. I am not going to define what meridian is because you know about it. I think that is not a big issue. It cannot really jeopardize the integration process.

**Mr. Ngoga:** Hon. Speaker, further information.

**The Speaker:** There is also a point of information from Hon. Ngoga. Hon. Dora, will you take it?

**Ms. Byamukama:** Yes.

**Mr. Martin Ngoga (Rwanda):** Thank you very much, hon. Member. I support the idea of harmonizing be it time or anything else. However, the planning is not that simple. I am informed that the road network during construction considers the side on which you drive. So, it cannot be a one-day decision because it would affect the entire road network. In the long run, however, it is something that we need to consider.

**Mr. Sebalu:** Hon. Speaker, I have further information.

**The Speaker:** Yes, Hon. Sebalu.

**Mr. Sebalu:** The information I want to give to my sister Odette is that it is true that there are different time zones across the world, which are distinct. You can appreciate the theoretical framework and the reality on the



ground. At 7 o'clock in Burundi and at 7 o'clock in, say, Gatuna, in Gatuna the people will say, "For us we have closed" and yet it is still daylight and others are still working. For that one, the reality is a bit disorganizing, even to the ordinary people. This is because there are those areas where you will agree that if it is dark it is dark, but here where the chicken start crowing at around the same time, it could be done to ease the way we do things. In reality, this one is a bit artificial.

**The Speaker:** Thank you, hon. Sebalu. Hon. Leonce.

**Mr. Leonce Ndarubagiye (Burundi):** Thank you very much for giving way. I totally agree with hon. Martin Ngoga that it is difficult to change from keeping right on the road to keeping left. It is difficult to plan, but it can also be done progressively. I remember there is a country that changed from the law of keeping left to that of keeping right just in one day. Of course, they had informed their people beforehand. I am talking about Sweden. It worked for them.

**The Speaker:** Maybe hon. Dora may want to tell you that it is a fact, as hon. Sebalu said, that the cocks at the border towns crow at the same time. We have human beings who sign documents using their left hand while others do the same with their right hand, but they remain human beings.

Proceed, hon. Dora.

**Ms. Byamukama:** Thank you very much, hon. Speaker. I also would like to thank my colleagues for the information. Let me make it a little bit easier. When we formed the EAC, there were Partner States that joined the EAC as is. I think it is time we faced these issues. With regard to the issue of time, if Ethiopia is on the same timeline as Uganda, Kenya, Tanzania and the Democratic

Republic of Congo, why do we have countries, which are closer geographically being on different time frames? Let us be honest to each other. This was just a political decision of the colonialists and, maybe it is time for us to change it. I know it may seem simple, but – *(Interruption)*–

**Mr. Yves Nsabimana (Burundi):** On a point of information, hon. Speaker.

**The Speaker:** Do you want to get information from hon. Yves?

**Ms. Byamukama:** Let me just conclude.

It may seem simple, but when it comes to doing business, for example, submitting tenders which are guided by time frames, or the issue of harmonizing the financial year, say, from June to June and so on...I am talking about harmonization. Look at the European Union, before you join it, there are certain standards that you must have as a country, whether it is in health, infrastructure, education, and so on. Much as we have many people who want to join the EAC at this point in time – I know there is Ethiopia – I think we need to organize our house so that we can have a harmonized way of doing things.

I come from a border town near Gatuna. There was a time there occurred a terrible accident and over 50 people died in a bus. It was because the driver had to switch from right to left. Somehow, the driver forgot which side of the road he was on and he drove on the right. It was a terrible accident. These things will continue to happen. Therefore, it is an issue of attitude.

Let us not be mentally enslaved by the people who colonized us. Let us have an open mind when it comes to these things. You will forgive me, hon. Yves for not giving you

space. I hope you will have your time to contribute.

The issue of time and driving lanes will go together with culture. I do not think we should force anybody, but I think it will be good. I am just making a proposal. It would be good if we harmonized the way we do things in the EAC. This is so that when you give a single tourist visa to somebody, then that person is advised that when he or she comes to East Africa the language spoken is Kiswahili. If someone says, "*Hujambo?*" you reply, "*Sijambo*"; when you want to go to an office, the starting time is 8 o'clock, and that it is the same wherever you go within the EAC.

These tangible benefits, these lower hanging fruits are some of the reasons why every time we meet citizens of the EAC they keep on saying that they do not understand the EAC. People who understand the EAC will, for example, know that it lifts them out of poverty. If it provides opportunities, lifts them from poverty, and abolishes the issue of permits to work in the EAC, all these things will form a good foundation for us all to talk about the EAC in a more tangible manner than just talking about an entity that seems utopian.

I would like to mention two things before I conclude. There is the issue of refugees. In Uganda, it was observed that there are some Partner States, which are hosting a very big number of refugees. However, the way we host them differs. In certain Partner States, refugees go to camps while in others they go to settlements. Therefore, there was talk about handling refugees in a similar manner. We pointed out to them that Article 124 states that we should establish a common mechanism on how to handle refugees. Actually, I want to raise a question to the Council of Ministers. We need to have a

common mechanism on how we handle refugees. When you look at the refugee rules of Kenya and Uganda, you will realize that they are more or less similar. I know we did them almost at the same time in 2005/2006. On a personal note, however, I do not think that we should have any refugees within the EAC. They could be referred to as Internally Displaced Persons (IDPs). This is because we are moving towards a political federation. So, when somebody comes to your country, say, from Rwanda or Burundi, and you treat them like a person who is coming in from some other country, which is not an EAC Partner State, then the EAC would not have sense. I will bring a question, or even a Motion, on this. The way we treat refugees in the EAC should be different because these are East Africans.

Hon. Speaker, a lot was said about South Sudan. We did our best to explain. More work needed to be done on this issue. Our simple explanation is that South Sudan needs to meet all the criteria to be a member of the EAC. Our explanation was that when you have political instability, it is not permanent nor is it unique to one part of the EAC. By having South Sudan in the EAC we will be able to sort out many of the problems that were raised.

Finally, I will talk about Female Genital Mutilation (FGM). Thank you very much for providing space. This particular Bill was welcomed in the Republic of Uganda. I know there are some Partner States in which this practice is not prevalent. However, once you have immigrants, especially from Eritrea and even West Africa, you are most likely to have this particular practice going on. When you have it happening on your soil, it is important that you have a law to deal with it. For example, the United Kingdom has in place a prohibition of Female Genital Mutilation law since the 1980s. This shows

that in the EAC where we have this practice as a cross-border practice, and where is practiced by immigrants, it is important that we have a law against this form of sexual and gender-based violence.

On the liaison function, we need to do more. I am glad that we are going to have the Nanyuki Series Seminar. We need to harmonize how our work reaches the parliaments and national assemblies, and how we can be more relevant and how we can be more visible in the Partner States.

I would like to conclude on the issue that was raised by hon. Sebalu on the Political Federation. As far as we are concerned, we are heading towards a political federation. This is what the Treaty says. Anything else by any other name is not a political federation. This is because the word “Con” is “akin”; it is not the actual thing. You even have words like conman and so on. This is not the real thing. Here, you would be assuming that you already have federates. Do we have federates? No, we do not. So, can we have a confederation? No, we cannot. Therefore, I think that whoever is talking about a confederation is misguided, as far as I am concerned, because the Treaty is very clear.

We are heading towards a political federation, and this is not a confederation. This may not even need a lot of explanation. It should not derail us. We already have the three arms of Government in place, that is, the legislature, the court, and the executive, which is taking shape in form of the Council of Ministers and the Secretariat. This is where we, maybe, need to put more strength so that we can have it separated.

**The Speaker:** Hon. Dora, before you conclude, you were supposed to move some amendment. Did you write something down?

**Ms. Byamukama:** Hon. Speaker, actually I wrote to you. I was trying to mitigate a situation where hon. Leonce had a concern, which he was attributing to Uganda. I am glad that was corrected because not all these were said in Uganda. I am talking about Page 31 of the Report. I was proposing to him that since these are general findings of the sensitization programme, we could not be specific in the general findings. Therefore, what would sit properly under general findings would be that under No.4 we state that it was observed that the political crisis in the EAC hinders the EAC integration process. That would be better understood, and it would also address what hon. Leonce was talking about rather than us singling out a particular Partner State where we cannot substantiate in what way this has hindered the integration process. That is the amendment I had proposed to mitigate. I think that hon. Leonce has already written it. Let us make it general and wherever it is applicable then it will serve. That is my humble proposal. I thank you. (*Interjection*)

**The Speaker:** Unfortunately, the honourable Member has already left. I think that matter has been concluded. An amendment has already been submitted.

**Ms. Tiperu:** Let me just say one thing.

**The Speaker:** No. You take the Floor substantively because there is nobody on the Floor now. If you want to speak, that is a different matter, but on this matter, an amendment has been submitted to the mover to say, “Generally” because it is under general findings.

I now invite – (*Interjection*) -

**Ms. Byamukama:** I support the Motion. Thank you.

**The Speaker:** Thank you, hon. Dora. You accepted so many points of information.

Hon. Chairperson of the Council of Ministers, you have to respond to a few issues that have been raised during the course of the debate that pertains to your docket.

Hon. Tiperu, I give you two minutes. I am giving you the advantage because you headed the working committee of Uganda.

**Ms. Nusura Tiperu (Uganda):** Hon. Speaker, let me join my colleagues in congratulating us who the Partner States during the sensitization programme. As you clearly noted, sensitization is a feedback on progress. It is a mechanism of informing the population. Following our visits, I believe that our debates here will be more enriched.

I had earlier on hinted that after our sensitization programme in Uganda, I also had an opportunity of joining the Kenyans. I want to thank the Chairperson and her team from Kenya for accepting me to join them. We had very fruitful discussions.

The population out there is anxious. Every time they are told that EALA Members are coming to interface with them, it is an opportunity for them to give us some of the challenges that they are facing. Allow me to begin with the issues raised at the Kenya Communications Commission.

They were anxious to interact with the Ministry of EAC Affairs. They said that the communication sector actually continued the integration process even after the first EAC had collapsed. They believed that without a wider market, things would be very difficult. My call is to all EAC ministries to ensure that they link up with our parastatals bodies because many of them are doing things that are related to integration, but if they do not

speak to the ministries concerned, then their work becomes very difficult.

*Mheshimiwa* Speaker, we also got to know about one key issue. EALA is talking about alternative financing mechanisms. The communication industry is one big industry that can help the EAC to get resources, even to support the integration process. We have a challenge, because most of the telecom companies would declare revenues as they wish. None of the EAC Partner States has a communications gadget that can reveal the actual revenue that these telecom companies make. Every time a country nears to bring in the telecommunication equipment, politics intervenes and a lot of lobbying takes place. To date, we do not have the equipment that can help East Africans to raise the revenue that they could have got from telecom companies. In other words, they are minting a lot of money from our population and yet we are getting little. If, as EAC, we pushed our governments to bring in these communications equipment, then we would be able to put in the percentage required to finance the EAC.

*Mheshimiwa* Speaker, this sensitization is good. If you look at the areas that we in Uganda visited and you compare with the other areas that Members from other Partner States visited, you will realize that we did not go to the same institutions. Therefore, when we look at the reports from the different countries, the reports help us to get to know what is in the sector that we did not visit, say, in Uganda.

Hon. Speaker, I am glad that you have given me the chance to raise issues, especially from Mulago. We visited Mulago Hospital, and specifically the Cancer Institute and the Heart Institute. We have the centres for excellence in the area of health. Uganda hosts the cancer institute. We were told that by 2017 we

would have the capacity to handle all cancer cases in the region. When we visited the Heart Institute, we were shocked. Some of us who are resident in Uganda were not even aware that Uganda has a state-of-the-art equipment called the Cath-Lab. We now have the capacity to do open heart surgery and even closed heart surgery. We have so many cases of people dying due to cardiovascular diseases and yet the equipment is lying in Mulago Hospital without many people knowing that it is there. Therefore, I want to use this opportunity to announce that as EAC we have the capacity to handle cardiovascular diseases, and if you are not able to get treatment in Kenya, please, come to Uganda because you will be treated. I am talking especially to those who have issues to do with diabetes and high blood pressure. The Mulago Hospital has built capacity to handle such cases.

We were also told about the increment in cases of Leukaemia among our children in the region. These are diseases that were foreign to the region, but now Leukaemia is on the increase. The Cancer Institute in Mulago is managing a number of patients with consultants from America and other areas. They are doing a lot of research. So, if you have cases of Leukaemia in any of our Partner States, please, come to Uganda. The children are being given hope through the ongoing treatment.

This sensitization has helped us to understand what our business community is facing. People are complaining about the exorbitant air charges, especially by Kenya Airways, as you may know. They also asked why we should not look at the possibility of domesticating our flights. For example, if I am in Nairobi, I should not only be looking at Mombasa as the domestic flight. Let Rwanda be a domestic flight. If you are going to Tanzania, let it be considered a domestic

flight. Unless you are flying outside the EAC, then you can look at those as international flights. That could have a relation with the flight charges in the region.

We interacted with the Uganda Chamber of Commerce – *(Interruption)* -

**The Speaker:** Do you want to take information from Hon. Abisai?

**Ms. Tiperu:** Being Hon. Abisai, I have no option.

**Ms. Abisai:** Thank you, hon. Nusura, for giving way. The information that I want to give is that I agree with you when you talk about the domestication of flights. I want to let you know that the Kenya Chapter visited the Kenya Civil Aviation Authority, and we were told that one of the reasons that has not happened is because there is supposed to be an agreement and some technical issues handled so that the airspace is opened and taxes and landing fees from different airports is agreed upon.

**The Speaker:** Thank you, hon. Nancy. Hon. Tiperu, proceed as you conclude.

**Ms. Tiperu:** Hon. Speaker that is what I was talking about. They have information that I was not privy to.

Lastly, I would like to talk about the issue of disjointed investment codes in our Partner States. We should be marketing EAC as a single investment destination. The absence of a single EAC investment code is affecting the manner in which trade is being handled in the region. The population out there is saying that the EAC should come out to ensure that what is done individually is done regionally because whoever comes to invest in East Africa is not looking at the market in Uganda

or Kenya, but rather they are looking at the market within East Africa.

*Ahsanteni sana.*

**The Speaker:** Thank you so much hon. Tiperu. Hon. Members, before I invite the Minister to give her position, let me recognize our very special guests who are actually also part of us.

We have in the gallery our coaches and sports people who are taking us through the drills of our training. May you rise for recognition? *(Laughter)*

I know they are about to leave to go *kiwanjani*, but I think it is important to recognize them and thank them for their contribution towards the various training. We have present, Geoffrey Makwila, who is our team physician. He is a highly qualified physician and he handles us when we have muscle strains and so on. We also have Ali Mtuma, a professional football coach. Now we are very sure of retaining our trophy. We have Daniel Makwanja, the volleyball coach. The netball coach and the tug-of-war coach and golf are all present. We thank you so much for your commitment – *(Applause)*.

Proceed, hon. Minister.

**The Deputy Minister for Foreign Affairs, East African, Regional and International Cooperation (Tanzania) (Dr. Suzan Kolimba) (Ex-officio):** Hon. Speaker, I thank you very much for allowing me to respond to some of the general issues that were raised by Members of this Parliament. On behalf of the Council, let me say that we are taking note of all the concerns that have been raised and the recommendation included in the Report. I will respond to some of the issues.

The first issue that was raised is about the slow pace of the harmonization of our laws. I would like to assure you that we have taken note of that and that is why last week I informed you that the Council of Ministers will be sitting in December to clear some of the backlog. That will bring development and increase the pace. I assure you that I will follow up on that issue.

On the issue of ensuring that Partner States have in place the integration policy, I have taken note of it and I will follow up to ensure that the policy is in place in every Partner State, including Tanzania.

On the issue of mainstreaming integration issues into the national budgets, I would like to reassure you that they are there. We included them because they belong to the Ministries in our respective Partner States.

On the issue of the sub-committee on approximation, which failed to pursue its work because of the insufficiency of the budget, I would like to say that we are aware that last financial year was bad. This sub-committee had failed to meet some objectives because of an insufficient budget. This is because we depended much on our donor. However, I can assure you that the budget and the mechanism of making sure that we facilitate this sub-committee are in place. Indeed, it is improving.

On the issue of ensuring that we make sure that the Council submits the report on the status of harmonization of laws passed by this Assembly, I would like to say that we have taken note of this recommendation. We have discussed this matter with the Secretariat to ensure that when we submit the annual report of the EAC activities, we also include the status of harmonization in the EAC.

On the issue of whether the EAC ministers, who are members of EALA, really inform the sectoral ministers in the Partner States regarding whatever happens in the Assembly or whatever is decided in the Council, I can say that this has already been done, and that is why in some of the reports brought here you will see reports by the sectoral Ministers on issues which have been decided by the Assembly and also the directives of the same.

Hon. Speaker, there were some specific recommendations urging the Council of Ministers to make sure that it puts in place the metrology Act, and I want to say that it is in place. This is because this Act was including standardization, quality assurance and metrology. They wanted to separate the two issues, that is, deal with standardization and quality assurance separately from metrology. This is in accordance with the international best practices. We are waiting for that Act to be prepared. When it is ready, we will bring information to the Assembly.

On the issue of eliminating the non-tariff barriers in some activities in the Partner States, we have discussed here that we have two committees, that is, the Regional Monitoring Committee and the National Monitoring Committees, which deal with the elimination of these non-tariff barriers. What I can assure you as the chairperson and on behalf of the Council is that we will ensure that these non-tariff barriers are reduced. We appreciate you for reminding us about this matter.

On the issue of asking the Chair of the Summit to upgrade Kiswahili to be the official language of the Community, we have taken note of that. You will remember that you have passed the resolution here. The Council of Ministers will make sure that when this matter reaches us, we shall support it and give it first priority.

On the issue of urging the Summit to make sure that they fast track the peace negotiations in the Republic of Burundi, I wish to say that the efforts are already there. We have a negotiator and a facilitator. The process is going on, and these efforts are not in vain. We will still work hard to ensure that the Burundi issue is completed.

On the issue of fast tracking the implementation of the EAC Peace and Security Protocol, we take note of that. We will make sure that the status will be upgraded. I assure you that we are also working on this matter.

Many people have raised the issue of reconciling the use of the certificate of origin. It has been said that the process is difficult. We are taking note of that. We are tasking the specific sectoral committee to work on it. You also raised concern that there are some Partner States, which use a blank certificate of origin. This is a serious matter. I have taken note of that. I will follow up with the immigration and then give you feedback. Thank you for giving us that information.

I think those are the issues that I took note of.

**The Speaker:** You could help us on one thing. I know it will come in your response, but it is a subject of this debate. It is the question of the One-Stop-Border Posts.

**The Deputy Minister for Foreign Affairs, East African, Regional and International Cooperation (Tanzania) (Dr. Suzan Kolimba) (Ex-officio):** On the issue of Akanyaru border policy, I think they have wrong information here. This is not in place and we are still looking for funds. You will see that in my response. That is what I can say as the Chairperson of the Council of Ministers.

**The Speaker:** Thank you so much. May I now invite hon. Patricia, the Mover, to respond?

**Mr. Abubakar Ogle (Kenya):** On a point of procedure.

**The Speaker:** Yes, hon. Ogle.

**Mr. Ogle:** Hon. Speaker, before you allow the mover of the Motion to respond, in order to avoid or in order to mitigate against the situation where we have had the Minister trying to recall a debate that began last week and in the process fumbles with facts and figures, I would like you to invoke the provisions of Rule 89(a). I guess so. I do not have a copy of the Rules of Procedure. Is it Rule 89(a) or 89 (b)? Who has a copy of the Rules of Procedures? (*Interjection*)

**Mr. Mathuki:** On a point of order, hon. Speaker.

**The Speaker:** What is your point of order?

**Mr. Mathuki:** Hon. Speaker, is the hon. Member in order to stand and waste parliamentary time by guessing on procedure? Is he a Member of this House? He should be able to tell us the rule that he is invoking before he continues.

**The Speaker:** Very well. The Member is just trying to develop his point. You know, because of the structure of the sitting, he is trying to get his Rules of Procedures so that he can read exactly what he wants to read. However, I think the Member should be specific to the rules he is referring to.

**Mr. Ogle:** Thank you, hon. Speaker, but I will ignore that with the contempt that it deserves.

**The Speaker:** The Speaker has already ruled on that. Please, proceed.

**Mr. Ogle:** Hon. Speaker, let me just be sure. I think I am – (*Interjection*) -

**Mr. Mathuki:** Time! Time!

**Mr. Ogle:** Who cares about time!

Hon. Speaker, nonetheless, I think we can get the right rule, but the point I am trying to devise is that there is a certain provision - I think in the annexure or something - that states that when a report is presented to this House, the Speaker, by his own discretion allows a limited debate to ensue. He should not allow a report that is just within ourselves. It is so that we do not waste so much time talking to each other. We have been doing this thing. This has been our activity. This is our Report. We have been discussing it for the last two days. It is only fair that we invoke the provisions of that particular rule that allows for only a very limited debate. We could then proceed to do some more serious business instead of talking to ourselves.

**The Speaker:** Hon. Ogle, the business we are dealing with is damn serious. We are talking about sensitization of the East African people, about the integration process. You saw the issues that came up, including terrorism, refugees, free movement of persons and so on. These core issues affect our integration. If a Member feels that there has been enough debate, our rules are at your disposal to move that the debate be halted and that the question be put. You are at liberty to do that.

Proceed, hon. Patricia.

**Ms. Patricia Hajabakiga (Rwanda):** Thank you, hon. Speaker. I will try to be very brief



because, as you said, this is our Report, and last week on Thursday and today we have been discussing this report. We were all in the House. There is nothing new, which I will repeat because we all have ears and we heard what people were saying.

Hon. Speaker, the issue I want to tackle is whether the Report should be appearing as it is. First of all, there are some delegations, which wrote a report of 50 pages. How can we summarize that? If we have reports of 50 pages times five, how will we read that Report? That is why we tried as much as we could to come up with this.

I want to thank hon. Nancy because that is exactly the instruction the sub-committee gave to the Clerks who write these reports. This is so that we have shorter reports, but which include everything. Once the report is done, it is submitted to Chapters. Unfortunately, people do not even make comments. They do not do anything until the last minute. The sub-committee has to do its work. It is unfortunate if there are areas that were omitted. I agree that if we wish it, we can attach the report of each of the Partner State as an annex. I have no problem with that. We should not look at it as if the sub-committee intended to remove anything.

Let me give you an example. With regard to Uganda, the Speaker, hon. Kadaga, raised the issue of institutional memory. I want to read it out: "It was noted that the former Members of Parliament have a lot of experience and they can contribute to serve their countries as resource persons in training institutions on governance issues." That is what was said and nobody can deny that. However, that is not something we could have put in the report because it does not concern EALA; it concerns a specific country, which wishes to make Members who were in EALA as an institutional memory in order to support the

rest of the country on a continuous process. It is a good idea, and maybe we could all adopt it. I must say it was not an omission. It was not really a critical issue that we did not include. If we want to have them as annexures, we will be glad to do that.

The other issue is about Burundi. They have quite a good number of amendments on that issue. I am glad that although hon. Muhirwa had earlier on requested to remove a section, later on he agreed to take on board the amendment by hon. Leonce and discussed by hon. Dora. It reads, "*Any crisis in any part of the EAC or Partner State hinders integration.*" I think that, that is a friendly amendment, and he has accepted it. I also agree with it.

Hon. Speaker another controversial issue was the Akanyaru One-Stop-Border Post. A number of Members and the Chairperson of the Council of Ministers have said that Akanyaru One-Stop-Border Post has never existed. However, I am a member of the Communications, Trade and Investment Committee. What is a One-Stop-Border Post? It is not a structure; it is not a building. It is a concept.

The Committee on Agriculture visited the EAC water and sanitation project. We went to Burundi and other Partner States. Members of Rwanda and Burundi were sitting on the Burundi side and clearing their passports very quickly. When it came to the Rwanda side, as much as the offices were very small, there were still Members of Burundi there. That is what is called the One-Stop-Border Post concept. There is a difference between a structure - as a building - and the concept itself. Because even at Gatuna border that is what - (*Interruption*) -

**Mr. Nengo:** On a point of clarification.

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

**Mr. Emmanuel Nengo (Burundi):** Hon. Speaker, I have crossed that border from Burundi to Rwanda many times. If it was done this year, then I could agree. However, if it is last year, then I am not sure and I cannot agree. This is because I crossed that border many times to Rwanda. What I saw is that you leave the Burundi side and cross the river to the Rwanda side where your passport is stamped. That is what I saw. If it is this year, I agree and that is why I am seeking clarification.

**Ms. Bucumi:** On a point of clarification.

**The Speaker:** Clarification from Hon. Bucumi.

**Ms. Emerence Bucumi (Burundi):** Hon. Speaker, what hon. Nengo is saying is true. Even today morning I was talking to the Chief of the Burundi Revenue Authority and he confirmed that the one-stop border post has never existed at that border point. Maybe there is a wrong interpretation of the one-stop border post.

**The Speaker:** There is clarification from hon. Pareno.

**Ms. Judith Pareno (Kenya):** Hon. Speaker, we are getting it wrong, and I wish to be corrected. The issue here is not whether there is what we would describe as a one-stop-border-post or not. The issue and the spirit that I read in the sensitization report is whether operations are running smoothly. We all agree that it is a border post, whether there are structures or not. Can people be truthful enough to tell us whether there is smooth movement of people and smooth operations? I think the spirit of integration is what we need to look at. When they interpret

that there is no smooth operation, then definitely, integration is being affected. If there is smooth operation, then definitely we are upholding the principles of integration.

**The Speaker:** I need to preside over this matter. Honourable Members, you know that there is a directive of this Assembly that the Committee of Communications, Trade and Investment, and the Regional Affairs Committee to visit that border post to ascertain the allegations that have been raised. Is that okay? It is not for them to go and visit Namanga or Malaba or any other border post. This means that there are some issues there. Are we together? Now, in the light that the Committee has not yet come back to the House and the terms of reference for our sensitization programme did not exactly entertain that, I suggest that we amend the Report to reflect that there is disruption of normal operations at the border. That is the fact of what is obtaining. The border is not operating normally, and that is why we are sending two Committees of the House there to go and ascertain the situation. Let us not refer to the one-stop-border-post at this point. We shall deal with the rest when the Committee reports to the House.

**Ms. Hajabakiga:** Thank you, hon. Speaker, for your guidance. I was actually coming to that. I am glad you have already clarified it. Since we cannot even agree, let the substantive Committee go there and bring a report here. You have guided correctly. For the time being, we will bracket this - *(Interruption)* -

**The Speaker:** The effect of my guidance is this: the wording as it is in the Report will refer to the fact that there is disruption of normal operations at the border post, which will be ascertained by the parliamentary committee, which will visit the border.

**Ms. Hajabakiga:** Thank you, hon. Speaker. We have taken note.

**Ms. Bucumi:** On a point of information.

**The Speaker:** The Speaker has already ruled upon the matter that the Report shall be changed to state that there is disruption. The one-stop-border-post aspects... The structure is not in place. We have not yet ascertained the effect of the operation of the one-stop-border-post concept. We have delegated two committees to go and do that. The reflection of the Report shall be on what I have just guided.

Honourable Member, proceed and do not proceed on that matter because I have ruled on it already.

**Ms. Hajabakiga:** Hon. Speaker, the other recommendation comes from hon. Taslima. I would like to read it for the benefit of the House:

“We urge the Council of Ministers to put in place media facilities to be operated at the EAC level and cause local media institutions in the Partner States to broadcast and disseminate information and activities of the Community for the East Africans to know, appreciate and even participate in the development and in the realization of the integration process.”

I think that is a friendly amendment. It is an addition to our recommendations. I ask my colleagues that we accept it.

Hon. Speaker, allow me to thank the hon. Members who contributed to the Report. I would like to thank the following: hon. Isabella, hon. Shai Rose, hon. Dr. Martin, hon. Odette, hon. Maryam, hon. Muhirwa,

hon. Gasinzigwa, hon. Yves, hon. Ngoga Martin, hon. Nakawuki, hon. Rwigema, hon. Pareno, hon. Mathuki, hon. Leonce, hon. Valerie, hon. Nancy, hon. Sebalu, hon. Mumbi, hon. Tiperu, hon. Dora and the Chairperson of the Council of Ministers.

Hon. Speaker, there have been very many good observations raised on the Floor by different Members. If I start responding to every contribution that was made here, we will spend more time here than time we have spent in the last two days. The contributions were made in good faith. They were made in terms of content and process in order to improve the sensitization programme and the Report itself.

On behalf of the sub-committee, I would like to promise that we will develop a template for the sensitization report. We will also develop action points on emerging issues based on what we have heard on the Floor. We will indicate those that need to be followed up and by which Committee. We will also identify those that need to go to the Council of Ministers or the Secretariat. We will submit that to the Commission for approval in order to guide the future sensitization programmes, which we will do next year and beyond.

I thank you, hon. Speaker and everybody else for supporting the Report.

**The Speaker:** Thank you so much, hon. Patricia Hajabakiga.

Honourable Members, I would like to give special appreciation to the sub-committee. Fully aware that the reports from the different working groups came in very late and that the sub-committee had to work alongside a plenary sitting and still managed to do what it has done, I would like to say thank you. *(Applause)*

Honourable Members, the Motion before the House is -

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

*(Question put and agreed to)*

Report as amended adopted.

## QUESTIONS FOR ORAL ANSWERS

### 1. QUESTION: EALA/PQ/OA/3/07/2016

**The Speaker:** Hon. Judith Pareno.

**Ms. Judith Pareno (Kenya):** Hon. Speaker, I rise to ask that the Council of Ministers do answer the following question:

To operationalize the One-Stop-Border Post policy, the East African Community did pass the One-Stop Border Post Bill.

Can the Council of Ministers:

- (a) Give an update as to the status of operations for each of the One-Stop-Border Posts in the Community.
- (b) Confirm the status of compensation to those whose land were compulsorily acquired for purposes of the construction of the said Posts.
- (c) Give an update as to what happened to the road that links the Tanzania and Kenya border towns at the Isibania border that had been blocked by the construction of the One-Stop-Border Post thereby hampering free movement of traders in the two border towns.

**The Deputy Minister for Foreign Affairs, East African, Regional and International Cooperation (Tanzania) (Dr. Suzan Kolimba) (Ex-officio):** Hon. Speaker, with regard to the status of the one-stop border posts in the Community, I would like to state as follows:

Of the 15 border points earmarked to operate as one-stop border posts, 12 have been completely constructed. Nine are operating using the bilateral arrangement namely Holili/Taveta between Tanzania and Kenya; Rusumo between Tanzania and Rwanda; Luha/Ruhwa between Burundi and Rwanda; Nemba/Jasemi between Rwanda and Burundi; Kagitumba/Mirama Hills between Rwanda and Uganda; Busia/Busia between Kenya and Uganda; Mutukula/Mutukula between Tanzania and Uganda; Malaba/Malaba between Kenya and Uganda; and Kabanga/Kobero between Tanzania and Burundi.

The three one-stop border posts, which will commence operations as soon as requirements such as connectivity of the facility are in place, are Horohoro/Lungalunga between Tanzania and Kenya; Sirare/Isebania between Tanzania and Kenya, Namanga/Namanga between Tanzania and Kenya.

The one-stop border post being constructed is Gatuna between Rwanda and Uganda. The two one-stop border posts, which are not yet funded are Mugina/Manyovu between Burundi and Tanzania; Kanyaru/Akanyaru between Burundi and Rwanda.

The details on the OSBPs and their status are available on the table below. I think I will not go through it.

Hon. Speaker, following the passage of the East Africa One-Stop Border Post Law, 2013

by this House, the 34<sup>th</sup> Meeting of the Council of Ministers decided that one-stop border stop at 2016 shall come into force from 5<sup>th</sup> October 2016 and notice to this effect has been gazetted. The EAC Secretariat has also embarked on the preparation of the regulations to support the implementation of the gazetting. The preparation of regulations was completed in September 2015, and it is undergoing review by the Sectoral Council on Legal and Judicial Affairs.

In addition to the regulations, the Secretariat will get support from the Japanese International Co-operation Agency. It prepared the draft of OSBP operational manual. The draft manual will be submitted to the Sectoral Council on Transport, Communication and Meteorology (TCM) for approval and onward transmission to the Council for adoption.

On the status of compensation to those whose land was compulsorily acquired for the purpose of construction of the said posts, I would like to confirm that before construction of one-stop border posts commences, the responsible Partner States are supposed to prepare resettlement action plans for the affected people and the compensation is effected according to their respective national laws and regulations.

I also wish to inform this Assembly that the Council has directed the Secretariat to undertake a study tour towards the harmonization of the compensation principle according to common borders and to advise them on the issue of compensation in the case of common cross-border infrastructure project. This will help reduce complaints related to the unequal compensation considerations on both sides of the border with regard to similar property acquired for regional projects.

On the updates to what happened to the road that links Tanzania and Kenya border towns at Isebania which had been blocked by the construction of the one-stop border post, my response is as follows:

The road is now open, as the construction of the border facility has been completed. The traders are now moving freely using the new one-stop border post infrastructure - *(Applause)*.

**Ms. Pareno:** Hon. Speaker, I have a supplementary question on the issue of the Council directing the Secretariat to undertake a study towards the harmonization of compensation. Has the study started? When do we expect to have a report on this study?

**The Deputy Minister for Foreign Affairs, East African, Regional and International Cooperation (Tanzania) (Dr. Suzan Kolimba) (Ex-officio):** The study has not yet taken off even though there is a directive to the Secretariat from the Council.

**Ms. Pareno:** Hon. Speaker, I seek further clarification. When was the directive given? This is so that we know that something is being done. Maybe it was given a year ago and there is inaction, or maybe it was given recently and we need to give them time to undertake the study and give a report.

**The Deputy Minister for Foreign Affairs, East African, Regional and International Cooperation (Tanzania) (Dr. Suzan Kolimba) (Ex-Officio):** I cannot tell you the date, but I know that it is this year.

## 2. QUESTION: EALA/PQ/OA/3/08/2016

**The Speaker:** Hon. Pareno.

**Ms. Judith Pareno (Kenya):** Hon. Speaker, I rise to ask the Council of Ministers to answer the following question:

At the Horohoro - Lunga Lunga Border Post, it was reported and observed that the contractors left the site without completing the following works, which were part of the contract:-

1. The renovations of the old buildings.
2. The new building was poorly constructed such that it is currently leaking and the roof is falling apart.
3. The packing yard was done halfway and it is therefore short of the contractual specifications.
4. The building that was meant for the scanner was not constructed to specifications, and it cannot, therefore, serve the purpose.
5. The access road to the loading area has not been done.
6. There is no construction of a ramp at the animal quarantine area.

Can the Council of Ministers explain to this August House whether they are aware of the situation at the said border post, and if so what steps have been taken to remedy the situation?

**The Deputy Minister for Foreign Affairs, East African, Regional and International Cooperation (Tanzania) (Dr. Suzan Kolimba) (Ex-Officio):** Hon. Speaker, on whether the Council is aware of the situation on the said border post, I wish to respond as follows:

The Council is aware of the situation at the Horohoro/Lungalunga Border Post. The Tanzania Revenue Authority is the lead agency for the Tanzania One-Stop-Border Posts. The status of this particular One-Stop-Border Post is as follows: The renovation of the old building was not part of the scope of works supposed to be done by the contractor.

The problem of leaking of the roof and uncompleted works was addressed during the

project implementation and before handing over of the project where the contractor was penalized for poor quality and delay in completion of the work by deducting of the money, which was supposed to be paid to him. The contractor disagreed with the deduction, refused to sign the certificate, and he intended to take this matter to arbitration proceedings. The Tanzania Revenue Authority, the lead agency for the project and the contractor are still negotiating the matter and if the two parties fail to agree they will proceed to arbitration as is stipulated in the contract.

The project was not formally handed over to enable the contractor to clear remaining works and defects during the defects liability period. Once the dispute is resolved, TRA will examine the building and renovate it. This august House will be informed the outcome as soon as the information becomes available.

**Ms. Pareno:** Hon. Speaker, the Question was on the Kenya/Tanzania border at the Lunga Lunga/Horohoro Border Post. The answer that has been given by the Chairperson of the Council of Ministers only refers to the Tanzanian side, yet my question was general on both sides.

Why did the Council of Ministers restrict itself to the Tanzanian side of the border and not the Kenyan side yet the mess I was referring to of breaking rules and so on was on the Kenyan side and not on the Tanzanian side?

Could the Council of Ministers provide a comprehensive answer that includes the Kenyan side? From this presentation, if the Tanzanian side was leaking the same way that the Kenyan side was leaking, the more reason I would want the Chairperson of the Council of Ministers to promise to provide a

comprehensive answer within a given time. I am not satisfied with the answer as given.

**The Deputy Minister for Foreign Affairs, East African, Regional and International Cooperation (Tanzania) (Dr. Suzan Kolimba) (Ex-Officio):** Hon. Speaker, I have taken note of the question by hon. Pareno. I emphasized on the Tanzania part because that is where I got the information. When I said that there was something to do with leaking, it is something that we got from the stakeholders. We will, however, follow up with the Ministry with regard to the Kenyan side.

**Ms. Pareno:** Hon. Speaker, could they provide this comprehensive answer within a given period? This is a serious problem. Every part of the building was leaking. The whole building was falling off when we visited the place, and that is why this Question had to be asked. She could give an undertaking as to when she will bring a comprehensive answer.

**The Deputy Minister for Foreign Affairs, East African, Regional and International Cooperation (Tanzania) (Dr. Suzan Kolimba) (Ex-Officio):** Hon. Speaker, I will respond to it when we meet in Kampala. You will get full information on that.

**The Speaker:** The Chairperson has undertaken to give a full answer on the same Question in the next sitting.

Honourable Members, you will remember that in my Communication earlier on I had stated that the Order Paper would be adjusted if the mover of the Motion which was on the Order Paper previously approaches the Speaker as advised before I begun the plenary. However, up to now, I do not have any clear situation. I cannot, therefore, move anyhow. I do not have anything to move on.

Hon. Tiperu, I would like to know categorically from you whether you have heeded the Speaker's advice. The Speaker is a bit disturbed that you were advised at the beginning of this sitting and up to now, you have not brought anything in time for the Speaker. How do you expect him to proceed?

**Ms. Nusura Tiperu (Uganda):** *Mheshimiwa Spika*, your advice was taken into consideration. We were delayed because the EALA Office was working on adjustments based on the technical advice. They now have the final version of the Motion, and I think we are ready to proceed at the appropriate time when the business is put on the Order Paper.

**The Speaker:** Hon. Tiperu, are you saying that you are ready to move your Motion? Please, respond on the *Hansard*.

**Ms. Tiperu:** We are ready, *Mheshimiwa Spika*.

**The Speaker:** Honourable Members, I had earlier on stated that I would adjust this Order Paper based on...You know the Rules of Procedure get my hands tied when a matter appears on the Order Paper. I have to carry it forward to the next sitting.

The earlier Motion as drafted was erroneous. It referred to meetings that have not yet taken place. I will receive the Motion, because I am going to ask her to move it and even substantiate it. If I find that the issues therein are not harmonized, then I will push the Motion to be concluded later.

Move the Motion, hon. Tiperu.

**Ms. Tiperu:** Hon. Speaker, I beg to move the following Motion:

THAT, a Motion for the resolution of the Assembly – (*Interjection*) -

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

**Ms. Odette Nyiramilimo (Rwanda):** Hon. Speaker, is it in order that the Hon. Member moves a Motion that we do not have on the Table? When we started the session, you mentioned that you had to adjust the Order Paper. We then received a new version of the Order Paper. The other Order Paper has been recalled. Therefore, Hon. Speaker, I am wondering if it is in order to proceed with a matter that is not on the Order Paper, and which we do not have.

**The Speaker:** On the issue of the Order Paper, I communicated to you earlier. Remember this matter was on the Order Paper on Thursday but I delayed it pending advice I had given to the mover that the Motion was drawn erroneously. This is because it had reference to meetings of the EAC that have not taken place. I advised them to go and correct the Motion.

Hon. Tiperu, copies of your Motion is not circulated. Honourable Members, I have just received a new version of the Motion. I am suspending the House for 15 minutes for the Speaker to go through the Motion and then I will recall the House. The House is suspended for 15 minutes.

*(The House was suspended for 15 minutes)*

*(On resumption\_)*

*(Hansard Recording was interrupted due to a technical hitch)*

*(The House rose at 6 p.m. and adjourned until Tuesday, 29 November at 2.30 p.m.)*