



EAST AFRICAN COMMUNITY

Official Report of the Proceedings of the East African Legislative Assembly

13TH SITTING – FIRST ASSEMBLY: FIFTH MEETING – FIRST SESSION

Friday, 29 November 2002.

The East African Legislative Assembly met at 10.40 a. m. in the Chamber of the Assembly in the Ngorongoro Wing of the AICC Complex in Arusha.

PRAYERS

(The Speaker, Hon. Abdulrahman Kinana, in the Chair)

The Assembly was called to Order.

COMMUNICATION FROM THE CHAIR

SPECIAL SITTING OF EALA TO BID FAREWELL TO H.E. THE HON. DANIEL ARAP MOI, PRESIDENT OF THE REPUBLIC OF KENYA, AND CHAIRMAN OF THE SUMMIT OF EAC

The Speaker: Honourable Members of the Assembly, I would like to make the following Communication regarding our sitting here today, Friday, 29 November 2002:

WHEREAS the Fifth Session of the Assembly was adjourned on Thursday, 6 June 2002 in Nairobi;

AND WHEREAS sub-rule (6) of Rule 11 states that the House shall sit on Tuesdays, Wednesdays and Thursdays;

AND WHEREAS sub-rule (1) of Rule 12 states that the Sittings shall, unless the Speaker otherwise directs,

ordinarily commence at 2:00 O'clock in the afternoon and conclude at 7:00 O'clock in the evening;

NOW THEREFORE, the Hon. Speaker, having taken cognisance of the foregoing, and yet having regard to the nature of the business to be transacted by the Assembly, has in the exercise of the Mandate vested in the honourable Speaker, pursuant to the provisions of sub-rule (8) of Rule 11, directed as follows:

That, the Assembly shall sit today Friday, 29 November 2002 and that the Sitting shall be from 11:00 O'clock today.

[His Excellency, President Daniel Toroitich arap Moi entered the Chamber]

The Speaker: Honourable Members, in welcoming the presence of the President of the Republic of Kenya,

H.E. Daniel Toroitich arap Moi, CGH, MP, in the Chamber, I would like to say the following:

WHEREAS *Clause (1) of Article 45 of the Treaty provides that the Speaker of the Assembly can invite any person to attend the Assembly, notwithstanding that he or she is not a Member of the Assembly, if in his or her opinion the Business of the Assembly renders his or her presence desirable;*

AND WHEREAS *in the opinion of the Hon. Speaker, the attendance in the Assembly of His Excellency the President of the Republic of Kenya and Chairman of the EAC Summit, is desirable in accordance with the business now before the Assembly;*

AND WHEREAS *His Excellency the President of the Republic of Kenya did kindly accept our invitation for him to address the Assembly, for which I would like, on your behalf, to express our gratitude to His Excellency the President,*

NOW THEREFORE, *it is with great pleasure and honour on your behalf, honourable Members of the Assembly, that I execute my humble duty to welcome you, Your Excellency the President of the Republic of Kenya and Chairman of the Summit of the East African Community, to the Assembly today Friday, 29 November 2002 - (Applause).*

The Speaker: Your Excellency Hon. Daniel Toroitich arap Moi, President of the Republic of Kenya and Chairman of the Summit of the East African Community; Hon. James Wapakhabulo, Chairman, Council of Ministers of the East African Community; Hon. Speakers of the National Assemblies of Tanzania,

Kenya and Uganda; Honourable Ministers; Hon. Secretary General of the East African Community; Hon. Attorneys General; Honourable Judges and the Registrar of the East African Court of Justice; Honourable Members of the East African Legislative Assembly; Honourable Members from Parliaments of the Partner States; Members of the Diplomatic Corps; Distinguished Guests, Ladies and Gentlemen;

Your Excellency, sir, today's sitting is a special one. We are assembled here to hear our elder statesman, President Daniel arap Moi of the Republic of Kenya, who, as we all know, is due to retire at the end of the landmark general elections scheduled for December 27th, this year. We are here to say *kwaheri* to Mzee Moi, a senior citizen of this region, a father-figure to all of us, and more importantly, the pioneer and current Chairman of the revived East African Community - (Applause).

This is also the first time that, this Chamber has the honour and privilege to host Your Excellency. I, therefore, wish to convey to you our gratitude and appreciation for honouring us by accepting our invitation, despite your tight schedule of work, to come and give a farewell address to the Assembly as we celebrate the first anniversary since its inauguration.

While we celebrate your distinguished service to this region, please allow me say a little about the political career of this great son of Africa.

Your Excellency has had an illustrious political career spanning 47 years, eight of them as a representative of the Rift Valley Province in the Legislative Council

during the colonial days, and the subsequent 39 years as the Member of Parliament for Baringo Central Constituency.

In post independence Kenya, Your Excellency served as a cabinet minister and Vice President for 12 years under the late President Mzee Jomo Kenyatta. Following the death of Mzee Kenyatta in 1978, you assumed the mantle of leadership and went on to win successive general elections to steer the country for an uninterrupted 24 years.

Your Excellency, sir, when I look around in this House, I note that none of us here today is anywhere closer to matching this record. In fact, most of us are as old as the number of years Your Excellency has served as a legislator. You are undoubtedly the longest serving Parliamentarian in this region, if not in Africa and beyond. Your 47 years of distinguished service as a Member of Parliament is a lesson in patriotism, resilience, commitment and selflessness. These are noble virtues, which we all need to emulate.

Your Excellency, sir, the driving force in your leadership has been your “*Nyayo*” philosophy of peace, love and unity, which you adopted upon succeeding Mzee Kenyatta. It is this philosophy that has underlined your vision and guided your engagements, both on the domestic and international fronts.

Your Excellency’s fervent desire to see mankind co-exist in harmony, in a society free of conflicts and bloodshed has been demonstrated practically in the leading roles you have played and continue to play in seeking amicable solutions to the myriad of conflicts that have torn many countries apart.

Being a firm believer in good neighbourliness, you have facilitated peace efforts between warring groups in Uganda, Congo, Mozambique, Rwanda, Burundi, Eritrea and Ethiopia, among others. You are currently spearheading efforts to find solutions to the conflicts in Sudan and Somalia.

On regional cooperation, I note with pride that Your Excellency has been the pillar of the process of economic and political integration of the East African region - (*Applause*).

The fact that we have the East African Community and its constituent organs and institutions, including the East African Legislative Assembly, attests to your commitment and tireless efforts, in concert with President Benjamin Mkapa of Tanzania and President Yoweri Museveni of Uganda, towards regional integration.

As the founding Chairman of the Community and its predecessor, the East African Cooperation, Your Excellency has ably steered the region towards faster integration as the means of accelerating development of the people of East Africa. On our part, we would like to reiterate our resolve and commitment to work closely with the Summit, the Council of Ministers and the EAC Secretariat for the faster realization of the objectives and goals of our regional body.

At 78, President Moi is still vibrant and energetic. Although he is now retiring, I believe this region will still need to benefit from his wise counsel, drawing from his vast experience in regional and international issues. We look forward to working with, Your

Excellency, even in your retirement - *(Applause)*.

With these few remarks, may I, on behalf of the honourable members, take this opportunity to invite Your Excellency to address the Assembly? Your Excellency, Mr. President.

His Excellency the President of the Republic of Kenya (Mr. Daniel T. arap Moi): Mr. Speaker, Members of the East African Legislative Assembly, Excellencies, Members of Parliament present, ladies and gentlemen.

It is a great honour for me to address this August Assembly. I wish to pay tribute to the Speaker, Hon. Abdulrahman Omar Kinana for the satisfactory manner he has conducted the Business of the House since its inauguration in November 2001 - *(Applause)*.

I am confident that with the support of Members of Parliament from the three Partner States, the Assembly will play its role in enhancing the effectiveness of the Community. Since the signing of the Tripartite Agreement in 1994, our three countries have enhanced the level of co-operation to a fully-fledged Community. I am particularly happy with the successful outcome of our efforts. It is, therefore, with a sense of satisfaction that I address this August House as I prepare to retire – not from active politics.

My particular tribute goes to my dear brothers, President Benjamin William Mkapa of Tanzania and Yoweri Kaguta Museveni of Uganda, for the tireless efforts and commitment they have made to the revival of the East African Community. The three of us have worked as a team in overcoming the many challenges we have had to face. I would like to thank both of

them for having given me every support I needed - *(Applause)*.

Honourable Members, the revival of the East African Community is built on a common vision that the co-operation between the three Partner States is vital to our economic development. Past and present leaders of our region have shared the vision of a united East Africa.

I am grateful for the honour and confidence bestowed on me by the citizens of Kenya and the entire East Africa to serve this region. During this period, I have had to appreciate the virtues of humility and patience. The history of Africa is chequered with civil strife and political instabilities that could have been avoided if leaders exercised tolerance and humility. The new generation of African leaders must, therefore, strive to promote African patriotism, nationhood and not fall victims to foreign ideologies. As the late Mwalimu Nyerere constantly reminded us, we should always have confidence in ourselves.

The history of Africa, and indeed that of our region, is full of diversity. A great deal of caution is, therefore, necessary in any generalisation about the continent. Political, economic and social conditions differ among countries and the record of post-independence performance has been influenced by differences in policy orientations and outcomes. But the truth of the matter is that at the time of independence, Africa lacked infrastructure and educational opportunities. Our focus should, therefore, be directed to building our physical infrastructure and promoting a rather conducive environment for trade and investment.

I am encouraged that since the revival of the East African Community, tremendous efforts have been directed towards addressing some of the challenges facing the region. The launching of the East African Community Development Strategy Plan 2001-2005 is a demonstration of our commitment towards addressing these challenges. It is my earnest hope that our development partners will supplement these efforts by devoting additional resources in support of identified projects and programmes for the region.

Honourable Members, the recent launching of the New Partnership for Africa's Development (NEPAD) represents the collective resolve of African leaders to accelerate economic growth and sustainable development. It is my sincere hope that East Africa will play a leading role in the implementation of this important initiative.

The leaders of our three countries must come forward with a strong position on our representation in both the steering and implementation Committees of NEPAD. But I would like to let you know that each group – West Africans have met and decided the way they should go. We in East Africa ought to plan our own, keeping in mind our own environment. Unless we plan properly, nobody will come and plan for us. I hope East Africa will play its role. The leaders of our three countries must come forward with a strong position on our representation in the Steering Committee that meets the Group of Seven to present Africa's problems.

Honourable Members, you will agree with me that peace is an indispensable prerequisite for development. The Community has an enormous task of

promoting peace and security in the region. It is a pity that last year's spending on arms in Sub-Saharan Africa increased by about 14 per cent while economic growth rose by less than 1 per cent in real terms. It is our responsibility, therefore, to end these conflicts, given that there are many who benefit from these conflicts and may have deep interest in prolonging the wars.

Our region has, over the last decade, made significant strides in building cohesive and democratic societies that cherish good governance, respect fundamental freedoms and human rights, and adhere to the rule of law.

Notwithstanding our shortcomings, let us not yearn for standards that even the most advanced democracies do not meet. More important, our governments must strive to accommodate different and divergent interests. I say this because many of our young people use different phraseologies such as transparency and good governance as if they had never heard of them. By telling people out there that we did not know the meaning of the words transparency or good governance we will achieve nothing!

There are many people in Africa who are like parrots – and there are quite a number of them around here! Whenever I wake up in the morning, I hear them singing. Parrots say exactly what other people have said. Why should we be like that and yet we have top economists and journalists in Africa? Why should they sing the tunes of others? Why should we let our people down? Why are we being told to introduce democracy in Africa along the lines of Westminster?

About 40 years ago, I was a Member of Parliament of the Kenya African Democratic Union (KADU) and I strongly believed that the Westminster model of democracy was the best, and I championed it! In Kenya we have practised democracy for the last 40 years because people have the right to vote the way they want, but today we are being told to adopt the Western style of democracy, and none of you talks about it!

It is a pity that today the Non-Governmental Organizations influence the enactment of laws in Parliament and they at the same time conduct seminars for people to oppose government policies! I have always advised them that they do not know what is at the back of a white man's mind.

You, the honourable members of this House are young enough, and unless you carry Africa confidently, it will not move because of divergent voices. We are experiencing a lot of these things in Kenya because we have had democracy for many years. People change parties on the spur of the moment whenever they are not accommodated in one party.

We belong to a political party because we believe that that political party produces the best policies for the people with regard to water, education, roads and infrastructure. So, you join a party with the understanding that your people are going to gain! But others do so for personal gain. Because of the forthcoming general elections in Kenya, some of those aspiring to positions of leadership are moving all over the world and when they meet white men, they are told: "Oh, you are a wonderful leader." That is flattery!

It is only the people you represent who can attest to the fact that you are a good leader. That is what kept me in Parliament for the last 47 years. It is only the people who know what sort of a leader you are, but not what you are being told by outsiders, based on their own ideas, which nobody knows. So, it is important that we work out systems that would promote the democratic ideals, which we cherish. We want our people to be free to think and play fair.

As I said, the destiny of this continent lies squarely in the hands of the people of the Continent and their leaders. Outsiders have no interest in our progress. To the contrary, they are always happy to see the Africans in a state of despair and despondency. Some of you cannot talk the language I am talking because you fear that these people may refuse you money. You should tell the truth and do not hide what you know to be right. Let us work hard to change this image and to make Africa the Continent of Hope and prosperity.

Honourable members, let us resolve to pursue with vigour the policies of greater sub-regional integration and co-operation. I have no doubt that this will ultimately contribute to the transformation of our economies and societies. As we move forward, I hope a genuine political federation will be established - (*Applause*).

It is up to this Assembly and Members of Parliament of our Partner States to mobilise public opinion so that we can move faster. To me, the strength of East Africa will depend on the people of East Africa investing in their own countries. We can build a strong economy in East Africa. America is one of the most powerful economies in the world because most of its resources are got from inside America. Why can

we not do it? This can only happen when the younger generation, who aspire to be leaders, are nationalists, patriots and Pan-Africanists.

Africans are only 700 million in a world of 6 billion people. *Hatuja fikia kiwango hicho! Kama si ugonjwa wa HIV/AIDS, ningesema watu wa zae kabisa*, so that we can develop. We can only develop if we are united. We should discard all the funny things that tend to pull us back.

It is better for us to invest in higher education because that is where we get our skilled human resources. I have encouraged young Kenyans to be educated and I am happy that there is a large number of them who will make their contribution to the growth of the East African Community, and to the Sub-Saharan region. But as long as we still think inwards, we will not be moving forward.

I gather that you are still quarrelling about external tariffs. Personally I would like to see a situation where we have one currency for the entire East Africa! *(Applause)*

If you want to attract money for investment from the European Union, you must present them with something that will protect them so that we can move faster. As I said, it is up to Tanzanians, Kenyans and Ugandans to build their own economies. Nobody will come and assist you. You will be wasting time by going to New York, London and Paris to ask for money. When you reach there, those white people will tell you: "come back again in three months time." If the money you used to fly to those European capitals had gone into the provision of water, then we would have improved the lives of the people in that particular area.

I would like to ask journalists not to be agents of foreigners. They should report fairly and objectively about their motherland. They should not let their motherland down by being subservient and supporters of outsiders. When it comes to the interests of white people, journalists report wisely but when it comes to Kenya's, Uganda's or Tanzania's interests, they exploit it! *Kama mama yako au babako anatembea bila nguo unaweza kutangazia kila mtu?* Therefore, it is my hope that you will live up to these challenges, which I have enumerated.

May God bless you and give you strength in order to strengthen the position of East Africa. Thank you - *(Applause)*.

The Speaker: Your Excellency, sir, President Daniel T. arap Moi, I would like to invite one Member of the Assembly to give a vote of thanks on behalf of the Assembly.

VOTE OF THANKS

Mrs Irene Ovonji-Odida (Uganda): Your Excellency, Sir, President Daniel T. arap Moi, President of the Republic of Kenya and the Chairman of the Summit of the East African Community, *tunasema Karibu sana!*

Mr Speaker, sir, hon. Chairman, Members of the Council of Ministers, Your Lordships the Judges of the East African Court of Justice, representatives from our governments, honourable Members of the Assembly, Members of the Diplomatic Corps, ladies and gentlemen. It is a great honour indeed for us to be addressed by His Excellency the President of the Republic of Kenya this morning. More particularly for me, it is indeed an honour to be given this opportunity by

the hon. Speaker, to move a vote of thanks.

Your Excellency, sir, as fellow East Africans, and on behalf of my colleagues, I would like to extend our condolences to yourself and to your country for the loss of lives in the terrorist incident at Mombasa. Yet again we see a situation where innocent Kenyan lives have been lost as a result of a conflict in which you really have no part. As East Africans, we share the grief of their families and that of your nation. As leaders, our minds are now turned to the task of rebuilding confidence again in East Africa with the goal of developing it as a common tourist destination - *(Applause)*.

Your Excellency sir, on behalf of the hon. Speaker and Members of the Assembly, I would like to sincerely thank you for the leadership you have demonstrated in the region. Listening to the hon. Speaker recount your political achievements, one can see that you truly had a vision of what this region should be. This vision has extended beyond the boundaries of Kenya to East Africa, and Africa as a whole. We thank you for that - *(Applause)*.

We all know that you have played a key role, particularly in mitigating and resolving conflicts and building peace in the region. I could say that I have been a beneficiary of this. As a refugee in Kenya in the 1980s, I had the opportunity to go to one of the best schools in your country, Ng'andu Girls, in Karatina, all because of the hospitality that your Government and yourself as the Head of State, extended to refugees affected by conflicts - *(Applause)*. I believe that this spirit is what contributed to the achievement of

the East African Community; and these achievements are many.

The resurrection of the East African Community is a testimony to that vision: We have seen the establishment of new institutions, including our own Assembly. Your Excellency, sir, you do agree that there is need to strengthen these institutions and ensure that each one of us who sits here sees his or her role in terms of service and positioning East Africa as a region to take advantage of its strengths, to exploit the opportunities and to deal with the threats that we face globally or locally. We therefore take your words to heart.

Your Excellency, sir, you have done all that in spite of the broad spectrum of challenges you faced. These challenges are still with us today, although some have been tackled. We now have to deal with issues of poverty, armed conflict, in some instances disunity, unfortunately more often among the elites, and social disparity between regions, men and women, and other groups that are disadvantaged.

Some of these challenges are coming from international pressures, both in trade and security. However, even as you draw to the end of your term, we do get inspiration from the precedent that you have set. This was first begun in Tanzania, and now it is being strengthened further by your example of enabling and ensuring peaceful transition of leadership, right at the head of Government - *(Applause)*.

Even as you retire – to use your words – from active politics, we do hope and believe that you will continue as an ambassador for the East African Community. Through your efforts, you will continue to mobilise support for it

from our communities, partners and contribute to the strengthening of institutions of the East African Community.

Finally, as East Africans, we feel that you have given an outstanding example to leaders by recognising the potential of the young generation and valuing their input into governance. You have mentioned principles such as humility. Indeed, as I was listening to the Hon. Speaker recount your career, I did feel that humility at my age is essential.

At my age I would be looked at as an old person. In fact, in some of our countries, I might have reached the life expectancy that we have. But your career is about seven years longer than my age. So, I really felt humbled listening to all these. May this, however, be an inspiration to the Members of the East African Legislative Assembly as we work together to build a strong East Africa.

Finally, I would like to wish you good health and many more years of service. Whenever a politician is invited to speak, even though I have not been in politics for long – the joke in Uganda is that politicians talk for a very long time and then say, “with these few words...” I acknowledge that these have not been few words, but I felt that your record merited what I have said.

On behalf of our Hon. Speaker and the Members of the Assembly, I sincerely thank you for gracing this House with your presence, and for the service you have committed to this region.

The Speaker: Honourable Members, it is now the pleasure of His Excellency the President of the Republic of Kenya to take his leave. I call upon the Chairman of the Council of Ministers and the Sergeant-at-Arms to escort His Excellency the President.

(The Presidential procession left the Chamber)

ADJOURNMENT

The Speaker: Honourable Members, before I adjourn the House, I wish to recognise the fact that this Assembly was formed through the efforts of the Speakers of the three National Assemblies of Kenya, Uganda and Tanzania - *(Applause)*.

While we celebrate our First Anniversary, I would like to take this privilege to introduce the three Hon. Speakers to the House separately. They are: Hon. Pius Msekwa, the Speaker of the National Assembly of Tanzania, Hon. Francis ole Kaparo, the Speaker of the Kenya National Assembly and Hon. Edward Ssekandi, the Speaker of the Parliament of Uganda. We thank them for giving their best to this Assembly, and also for the reception they normally give us whenever we visit their respective countries. *Ahsanteni sana.*

The House, therefore, stands adjourned until a later date.

(The House rose at 11.35 a.m. and adjourned sine die)