



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY

Official Report of the Proceedings of the East African Legislative Assembly 14TH SITTING – SECOND ASSEMBLY: FOURTH MEETING - FIRST SESSION:

Tuesday, 4 December 2007

The East African Legislative Assembly met at 2.30 p.m. at the Zanzibar House of Representatives, Zanzibar

(The Speaker, Hon. Abdirahin Haither Abdi, in the Chair)

PRAYER

(The Assembly was called to Order)

COMMUNICATION FROM THE CHAIR

The Speaker: Honourable Members, I rise to make the following communication. On behalf of the East African Legislative Assembly, I take this opportunity to extend our warmest appreciation to the Zanzibar House of Representatives and the Revolutionary Government of Zanzibar for accepting to host us here – *(Applause)*.

Special thanks go to the hon. Speaker, Pandu Ameir Kificho, for the excellent arrangements he has made to make our stay and work as memorable as possible. I am sure you will agree with me that we have been received and accorded very warm hospitality since our arrival here.

We are grateful, and once again, I say, *Asante sana – (Applause)*.

PROCEDURAL MOTION

The Chairperson, Committee on Legal, Rules and Privileges (Mr. Ali Hassan Abdalla Mwinyi (Tanzania): Mr. Speaker, sir, I beg to move a resolution of the Assembly to hold our sittings in the Zanzibar House of Representatives as follows:

WHEREAS Clause (1) of Article 55 of the Treaty provides that the Assembly shall be held at such times and places as the Assembly may appoint;

AND WHEREAS Rule 2 of the Rules of Procedure provides that the seat of the Assembly shall be

at Arusha in the United Republic of Tanzania;

AND WHEREAS sub-rule (5) of Rule 11 provides that the Assembly shall hold its sittings and its Committee meetings in the place fixed at its seat under the provisions of Rule 2;

AND WHEREAS sub-rule (7) of Rule 11 provides that the Assembly may, on resolution adopted by a majority of its Members, decide to hold one or more sittings elsewhere within the Partner States other than its seat;

NOW, THEREFORE, this Assembly do resolve as follows:

That pursuant to the provisions of sub-rule (7) of Rule 11 cited above, the Assembly shall hold sittings in the Chamber of the Zanzibar House of Representatives from Tuesday, 4 December 2007 to 14 December, 2007.

Ms Byamumakama: Seconded.

(Question on the Motion proposed)

Ms. Margaret Nantongo Zziwa (Uganda): Mr. Speaker, sir, I want to take this opportunity to second the Motion and to congratulate the Speaker of the East African Legislative Assembly and the House Business Committee for approaching the Speaker of the Zanzibar House of Representatives for the opportunity for us to come and deliberate in this beautiful chamber.

Mr. Speaker, sir, I want to add my voice to yours and to that of the other honourable Members to appreciate the warm welcome we received when we landed in this beautiful country. I know our sittings in this country will enhance the federation and integration process which we are all aspiring for the betterment of our people.

With those remarks, I beg to support the motion.

Ms. Dora Kanabahita Byamukama (Uganda): Mr. Speaker, sir, as the Secunder of this Motion, I would like to register our profound gratitude to the people of Zanzibar, and in particular the Zanzibar House of Representatives for the warm welcome we have received so far. We look forward to more things. As it is said, "seeing is believing", so for some of us who have come here for the first time, we have seen the beauty and we will definitely advertise this beauty and come back again.

Mr. Speaker, sir, when I hear the word "Zanzibar", two things come to my mind in particular: The first is the issue of slave trade, and I believe during this time we will be in a position to see this history and also to ponder on what is happening in the world today where we have modern day slavery, which is otherwise known as trafficking in human beings.

Mr. Speaker, sir, the other issue that comes to my mind is that of unity, and in particular, the unity of Tanganyika and Zanzibar, which has been very unique and long-lasting – *(Applause)*. I believe that as East Africa, we are building on this unity to build a bigger block, and I

am glad to be here as a Member of the Second Assembly who will also welcome Rwanda and Burundi in our midst.

Lastly, Mr. Speaker, sir, I would like to thank the Speaker of the Zanzibar House of Representatives for all that he has been to us, and in particular, for also being part of our Assembly when we were in Mombasa some time this year – *(Applause)*.

With those remarks, I beg to support the motion, and I implore my colleagues to do likewise.

(Question on the motion put and agreed to)

ADMINISTRATION OF OATH

The Speaker: Honourable Members, we have two new Members of this House. The hon. Ambassador Juma Volter Mwapachu and the hon. Dr. Wilfred Machage. They are both here and wish to take their seats. However, pursuant to the provisions of Rule 6(1) of the Rules of Procedure of this House, no Member may sit or vote in this House before taking the oath of affirmation or allegiance to the Treaty. I now, therefore, invite two Members who happen to know the new Members to present them before the Speaker for administration of oath.

The oath was administered to: -

Mr. Juma Volter Mwapachu

Dr. Wilfred Machage

PAPERS

The following Papers were laid on the Table: -

The Audited Financial Statement of the Lake Victoria Environment Management Programme (LVEMP) II for the year ended 30 June 2006

The Audited Financial Statement of the East African Community Customs Union Project IDF Grant No.053962 for the 16 months period ended 30 June 2006.

The Audited Financial Statement of the Mt. Elgon Regional Ecosystem Conservation Programme for the 17 months period ended 31 December, 2006.

[By the Minister for East African Community Affairs, Kenya, (Dr. Machage)]

The Report of the Committee on Legal, Rules and Privileges on the Proposed Amendments to the Rules of Procedure of the House

[By the Chairperson, Committee on Legal, Rules, and Privileges (Mr. Mwinyi)]

The Speaker: Honourable Members, before I call the Chairperson of the Committee, I would like to acknowledge the presence of the Speaker of the Zanzibar House of Representatives, the hon. Pandu Ameir Kificho, the Deputy Speaker, the hon. Kamal Bashar Pandu, the Chairperson of the House of

Representatives, the hon. Ali Mzee Ali, the Attorney-General, the hon. Idi Pandu Hassan, Ministers of the Revolutionary Government of Zanzibar, Chairpersons of the Standing Committees of the House, Regional Commissioner of the Urban West Region, Hon. Abdullah Mwinyi Khamis – I think he is represented by the hon. Mwinyi – *(Laughter)* - District Commissioner of the Urban District, the hon. Mahmud, the Registrar and Deputy Registrar of Political Parties, His Worship the Mayor of Zanzibar Municipality, and the Officers of the House of Representatives. *Karibuni sana - (Applause).*

MOTION

For Consideration and Adoption of the Report of the Committee on Legal, Rules and Privileges on the Procedures of the Assembly

Mr. Mwinyi (Tanzania): Mr. Speaker, I beg to move that this House, pursuant to provisions of Article 60 of the Treaty and Rule 83(3) and (4) of the Rules of Procedure of the Assembly, do adopt the report of the Standing Committee on Legal, Rules and Privileges on the procedure of the Assembly, and that the proposed amendments be adopted and incorporated to form part of the Rules of Procedure of the Assembly.

Mr. Akhaabi: Seconded.

Mr Mwinyi: Mr. Speaker, on behalf of the Standing Committee on Legal, Rules and Privileges, I wish to present to the House the Report and recommendations on the proposed amendments to the Rules of Procedure of the East African Legislative Assembly.

Mr. Speaker, sir, the power of the Assembly to make and amend its rules is enshrined in Article 49(2) and Article 60 of the Treaty for the Establishment of the East African Community, and the rationale and need for the proposed amendments to the Rules is borne out by, among other considerations, the need to enable the new members from the Republic of Rwanda and the Republic of Burundi to participate in the activities of the Assembly, including swearing in.

The proposed amendments contained in this report concern those provisions in the Rules of Procedure that provide for specific number of members. Therefore it would be difficult to admit new members without amending them.

Mr Speaker, sir, the Assembly had no opportunity to peruse the Rules, especially in relation to the experience it has had in its Sittings since inauguration. Each Assembly as it works meets challenges, and needs to adapt to those challenges accordingly. Therefore, any major proposed amendments will be done at a later date when the members from Rwanda and Burundi have joined.

Mr. Speaker, sir, the Committee considered in detail the provisions of Rules 9; 13; 58; and 78, which it thought needed amendment to enable new members from Rwanda and Burundi to be sworn in.

Rule 9(2) stipulates as follows:

“A Motion for a Resolution to remove the Speaker from Office shall be signed by at least twelve elected members, four from each Partner State and submitted to the Clerk.”

Mr Speaker, sir, since the membership of the Assembly is going to increase from twenty seven to forty five the formula of four members from each State Partner will not make a total of twelve; there will be twenty members. It is proposed that the required number should be four elected members from each Partner State.

Mr Speaker, sir, Rule 13 provides as follows:

“The Quorum of the House or of the Committee of the whole House shall be twelve elected members, provided that such quorum shall be composed of at least three of the elected members from each Partner State.”

The Committee proposes the quorum to be half of the sworn in members with a representation from each Partner State.

The rationale behind the proposal is that whereas we would like to see the business of the Assembly proceed without hindrance, we should also be cautious not to let a small group of members purporting to sit transact the business of the House. The Committee was of the view that twelve was a small number for the Assembly to proceed with its business.

The amendment of Rule 13(3) is consequential. We are further proposing that the number should be half of the Members.

Mr Speaker, sir, Rule 58 (2) provides as follows:

“Where after the Speaker or the Chairperson has announced the result of the voices vote that is under Rule 57(2), immediately not less than twelve members or more stand in their places signifying their disapproval of the outcome of the vote, the Speaker or the Chairperson shall order for a count.”

Since the Membership of the Assembly is going to be forty five, as it is proposed, the Committee was of the view that twelve is a small number to signify disapproval of the outcome of the vote. The idea is to involve as many members as possible in the decision making process. It should not be seen that a small group of members is either blocking or transacting the business of the House.

The Committee, therefore, proposes that the required number to order for a count should be one third of the members present.

Mr Speaker, sir, Rule 78(6) stipulates as follows:

“The Membership of each Committee other than the House Business Committee shall be nine, and the quorum shall be five.”

As stated earlier, the membership of the Assembly is going to be forty five. It is obvious that the membership of the committees is also going to increase in order to absorb the new members. The Committee, therefore, proposes that the membership of each committee should be fifteen, and the quorum to be at least eight members.

Mr Speaker, sir, the rule as it is now does not provide for representation on the question of quorum in the committees. The Committee noted that there has been a practice to take into consideration representation of Partner States to realise a quorum in the committees.

The Committee wishes to emphasise that it is not necessary to have representation in order to realise a quorum in the committees. The committees work on behalf of the House, and anything decided in the Committee must go to the House for debate and approval where representation from each Partner State will be in place. That is why we have emphasised the quorum of the House to have a representation from each Partner State.

Mr. Speaker, having considered and deliberated on the subject in detail, the Committee wishes to present its recommendations annexed to this report entitled “*Schedule of Proposed Amendments to the Rules of Procedure of the East African Legislative Assembly.*”

In conclusion, Mr Speaker, sir, I would like to put on record my own gratitude and that of the Committee to you and the House for availing time to enable the Committee to do its work, and to the office of the Clerk for facilitating the work of the Committee.

Mr. Speaker Sir, I beg to move.

Mr. Gervase Akhaabi (Kenya): Mr. Speaker, sir, I beg to second the Motion.

(Question proposed)

The Secretary-General (Mr. Juma Volter Mwapachu): Mr. Speaker, sir, I wish to support the proposed amendments to the rules, which will enable the participation of Rwanda and Burundi in the proceedings of this House as well as the consequential amendments related thereto.

Mr. Speaker, sir, allow me, following my taking the oath as an Ex-officio Member of this August House, to take this opportunity to say a few words. First of all, as this will be my maiden speech and first appearance in the Second Assembly, I wish to take this opportunity to congratulate you, honourable Speaker and Members, upon your elections. We all recall that the race for seats in the Second Assembly were very highly competitive, characterized by vigorous and intense campaigns. But, surely, the best choice was made! I believe that we have a House that is truly capable of rising to the high trust that the people of East Africa have bestowed on it.

In the same vein, it is my belief that the on-going process of ratification of amendments to the Treaty, regrettably delayed by circumstances which we are all aware of, would enable Rwanda and Burundi to elect representatives to this House that are of equal measure. I would like to assure this distinguished Assembly that the ratification process is in full gear, and, hopefully, by the time of the next ordinary Session, a full Assembly should be in place.

Mr. Speaker, sir, the East African Legislative Assembly is a young legislature; it has been in place barely six years now. However, we can all look back to these past six years with pride as we reflect on its performance and

achievements, and, indeed, contextualize such achievements within a perspective of the role of the Assembly in the period ahead. Suffice it to state that the establishment of the East African Legislative Assembly in 2001 was a defining moment in the evolution and consolidation of regional integration in East Africa, as well as of democratization.

The East African Legislative Assembly was charged with the important role of giving legal force to the activities and programmes of the Community. It was born out of a commitment that the East African Community had to proceed on the basis of laws and rules as well as the expressed will of the people of East Africa. Most importantly, the establishment of this Assembly was a deliberate and far reaching decision of the Partner States, since it touched on their ceding of some authority to the East African Community, one of the most sensitive issues in regional integration.

The decision was the clearest manifestation of the determination of the Partner States to forge unity and pursue a common social, economic and political destiny for East Africa. Other functions of the Assembly, equally stemming from the solemn commitments under the Treaty for the Establishment of the East African Community involve oversight and outreach roles of the Assembly to assure effective accountability of the activities and operations of the East African Community, and inclusive governance through the involvement and engagement of a broad-based multi-sector stakeholder, especially non-state actors, namely the people.

Mr. Speaker, sir, the extent and magnitude of the East African Legislative Assembly's legislative, oversight and outreach mandates can best be understood through a close appreciation of the powerful vision and mission of the East African Community.

The East African Community today represents perhaps one of the most comprehensive and far-reaching regional integration arrangements in the global South, especially in Africa. Few other regional organizations in Africa - or indeed other parts of the world - envision, as the East African Community does, the eventual full unification of the Partner States as a single political entity.

Moreover, the regional co-operation and integration arrangements envisaged in the Treaty cover virtually all areas and sectors of human endeavour. These range from co-operation in trade, investments and industrial development; monetary and fiscal policy; infrastructure and services; human resources, science and technology; agriculture and food security; environment and natural resources; Kiswahili as lingua franca, tourism and wildlife; health, social and cultural activities; and co-operation in political matters, including defence, security; foreign affairs; and legal and judicial affairs.

Within this huge and extensive agenda, the role of the East African Legislative Assembly is equally as large and onerous. The EAC Treaty accordingly vests the East African Legislative Assembly with unique powers and responsibilities, putting it at the very heart of the regional integration process.

Mr. Speaker, sir, as Members of the Second Assembly, we are at an advantageous position to build on the experience and performance of the predecessor Assembly even as we chart our own course, as it should be. The First EALA, as the pioneer Assembly, garnered significant useful lessons of experience of success, shortcomings and challenges. We should seriously take stock of this treasury of experience to fortify and break new paths.

Hon. Speaker, I believe that there are some critical lessons of experience which we would not be doing ourselves any service by turning a blind eye to, or sweeping under the carpet. They may appear negative, but they are nonetheless important as we continuously search for new ways and means to improve and strengthen the capacity and performance of the East African Legislative Assembly, and, indeed, the East African Community as a whole, to move our region to higher levels of achievement.

Hon Speaker, I refer in particular to issues relating to weaknesses of some of the provisions of the Treaty, especially as they relate to the mandate of the East African Legislative Assembly, vis-à-vis that of the Partner States in managing the regional integration process; issues relating to the mode of elections or selection of Members of the Assembly; the issue of the present size of the Legislature to represent the large constituency of over 120 million people of East Africa today; the magnitude and proliferation of business involved in the integration process and, on the whole, the issues and challenges of an objective nature normally associated with any new venture like the East African Legislative Assembly in establishing effective co-

ordination and aligning of the roles and functions of the organ with those of the other organs and players in the regional integration process.

Hon. Speaker, sir, I go on and on ruminating over some of the shortcomings and challenges that confronted the first East African Legislative Assembly, but it is perhaps more important to table some of the notable successes and achievements of the First Assembly.

Despite limited resources at its disposal, the First Assembly discharged its responsibilities extremely well and with dignity – (*Applause*). It was a great Assembly – valiant, gallant, selfless and highly resourceful - (*Applause*).

I say this, Hon. Speaker, not as a cursory praise, but with all seriousness. The First Assembly maintained a high level of debate in the House, focusing on key issues of the day that were of strategic importance to the Community. The passed a number of legislations ranging from a series of Appropriation Acts, the East African Community Customs Management Act, the East African Community Standardization, Quality Assurance, Metrology and Testing Act to the Competition Act. These legislations are of historic importance; they have guided and deepened our regional integration process.

Right from its first sitting, the First Assembly asserted that East Africa is one and should thus move swiftly to political federation – (*Applause*). In the same vein, hon. Speaker, and as a reinforcement of the clamour for deepening our integration on all fronts, it was the same Assembly that promoted

the idea of Partner States appointing Ministers dedicated solely to East African Community Affairs. Today, these Ministers are in place, and one of the honourable ministers is seated to my left – (*Applause*).

But above all, the First Assembly, and largely mobilizing its own resources, kept in constant and close touch with its constituencies in the Partner States; constituencies such as the National Assemblies as well as *Baraza la Wawakilishi*, and the ordinary East African people. This it did through its outreach programme, engaging the people in as far flung places as Gulu and Lira in Uganda, Moyale and Marsabit in Kenya and Mbeya and Singida in Tanzania, solidly establishing an inclusive East Africa – (*Applause*).

Indeed, the First Assembly reached out with innovative and practical measures to strengthen its functional relationships with the national assemblies of the Partner States. The series of inter-parliamentary relations seminars that the First Assembly initiated and held regularly, popularly known as the Nanyuki Series after the first one that was held in Nanyuki in 2004, stand out as a major legacy of the First Assembly – (*Applause*). I hope, honourable Speaker, sir, that the Nanyuki Series, which have proved to be a powerful platform for promoting an East African-wide social, economic and political conversation will be deepened by opening itself up to a broader and wider constituency so that multi-sector stakeholders, especially non-state actors, are enabled to participate. I have in mind particularly the involvement of women groups, the youth, trade union, employers' organizations and religious

leaders. This broader inclusive approach to the Nanyuki Series should help to bolster an East African social contract and compact.

As regards its oversight role, the First Assembly remained principled and uncompromising, debating serious issues, even those touching on the raw sensibilities of the sovereignty of the Partner States or of the impartiality and autonomy of the Secretariat and other organs and institutions of the Community. And when there were temptations to play to the gallery, the Assembly often conducted itself with decorum, devoid of fortuitous acrimony, or tendency to succumb to rank vindictiveness. The Assembly never shied away from its responsibility and never wavered in its commitment throughout its five year life. This is a tribute that I have to pay to the First Assembly; that it acquitted itself admirably – (*Applause*).

Hon. Speaker, the First Assembly also consistently championed - if only rather stridently at times - the cause for the East African Community to negotiate multilaterally and bilaterally as a bloc – (*Applause*) - always calling for the Partner States to abandon dual memberships of regional economic communities. Today, as we face the negotiating conditionality under the European Union Economic Partnership Agreements, and as the period for the European Union special dispensation for the ACP (African, Caribbean and Pacific) countries under the World Trade Organisation expires at the end of this month, the East African Community is seized of the urgency to timely resolve these important issues in the interest of consolidation of our unity and the

pursuit of more concrete measures that would yield benefits to our regional bloc.

The good progress so far made in securing an initial EAC-EU EPA Framework Agreement, which was achieved about ten days ago in Kampala is a momentous development for the East African Community – (*Applause*). It marks an important step and a building block towards our achieving a comprehensive Economic Partnership Agreement with the European Union. This House has a critical role to play in mobilizing and galvanizing a collective commitment of all the Partner States towards the realization of this comprehensive EPA.

Hon. Speaker, it is against this background that I urge this Assembly to gauge its future role in taking East Africa further to greater heights of achievement. I call upon this distinguished Assembly to readily embrace the challenge and strategic commitment to improve on the performance of the First Assembly and continually advance the cause of regional integration in East Africa.

Hon. Speaker, sir, the term of this Assembly will see some momentous developments within the East African Community. The Third East African Community Development Strategy (2006-2010), which was launched last November, sets out the strategic goals of the East African Community as well as specific time bound targets to be achieved during the period.

In the immediate period ahead, the East African Community programme will involve programmes and activities that

will demand heavy onerous responsibilities on the part of this Assembly. These will include considering and giving legal effect to the establishment of several institutions, notably the Lake Victoria Basin Commission, the East African Science and Technology Commission, the East African Health Research Commission, the East African Kiswahili Commission and the East African Community Civil Aviation Safety and Oversight Agency.

The East African Legislative Assembly will also be initially engaged in the negotiations leading towards the establishment of the EAC Common Market and subsequently giving the Common Market legal effect. The Assembly will also be called upon to provide inputs to the formulation of policy for combating piracy and counterfeiting, and later enacting the law thereof.

Other important roles will cover involvement in the technical aspects involving the creation of a monetary union, pursuant to the Summit decision taken in August this year that the East African Community should move towards a monetary union by the year 2012. They also include deepening sensitization among the East African general public on the tangible benefits that would accrue to them from the formation of a political federation; a process that has already begun.

Hon. Speaker, sir, clearly, in most of these areas that I have outlined, it will be crucial to build a strong foundation among the various stakeholders in the Partner States, and I see the East African Legislative Assembly taking an important lead in this direction. Thus,

the Second East African Legislative Assembly has its job cut out for it, and similarly the broader constituencies of the East African Community, namely: the political parties, civil society, business community, trade unions, employers' organizations, and above all, and - we tend to forget this - local government authorities.

All these agencies of the people will be required to give greater focus and attention on the East African Community regional agenda and collectively work to ensure that the Development Strategy (2006-2010) is effectively implemented on a timely basis. The tenure of this Assembly, Mr Speaker, will be crucially judged against the realization of these programmes.

Hon. Speaker, sir, it is encouraging that this Assembly is being launched into this new phase with two clear advantages: First, the Ministers solely responsible for the East African Community Affairs have now begun to better understand their roles and gain crucial experience in their responsibilities.

With a strong base and support in the national cabinets and the national assemblies, these ministers will add value to EALA's role and deliberations. Secondly is the emergence of a stronger and rejuvenated Secretariat now better geared to a more robust focus and action on the regional agenda. Already, one senses a new momentum emerging towards a committed work ethic. I also believe that we will experience wider and deeper collaboration and synergistic interfaces among the organs and institutions of the Community, as well as the broad spectrum of stakeholders of the Community.

In particular, I, as the Secretary General, have great confidence in forging a new and higher level collaborative relationship between the East African Legislative Assembly and the East African Community Secretariat - (*Applause*) - which has already started. If you recall, hon. Speaker, at the EALA Committee on Accounts meeting, I made a commitment to delegate greater authority to the East African Community and the East African Court of Justice on their internal financial and administrative matters and on communications with the East African public - (*Applause*). These decisions have already been implemented.

Similarly, I made a commitment to move expeditiously to have timely, formal presentations by the Chairperson of the Council of Ministers of comprehensive East African Community Annual Reports to this House for consideration and debate as required by the Treaty. The Annual Report for the fiscal year 2006/2007 is at an advanced stage of finalization and will go out for printing soon after its submission to the Council. It would have been submitted to the Council had it met two weeks ago, but as you know, we had to postpone both the Council as well as the Summit due to the on-going electoral process in Kenya.

Hon. Speaker, sir, I thank you for giving me this opportunity to feature in the *Hansard* immediately following my taking the oath of membership of this august House - (*Applause*).

Hon. Speaker, sir, in concluding, I would like to urge that this Second Assembly sets out to be at the forefront of the movement to place regional

integration at the heart of the business and concerns of the East African people, especially as we commence negotiations on the establishment of the Common Market. Today this Assembly occupies a proud place in the great movement of our time in East Africa in contributing to the creation of a better, stronger and more confident Community; a Community able to face the challenges of a globalizing world. I have every confidence in our commitment and preparedness for this historic task.

Once again, hon. Speaker, I congratulate you and all the honourable members, and I wish you happiness, good health and great success in your important mission.

Hon. Speaker, I beg to support the Motion - (*Applause*).

The Minister for East African Community Affairs, Kenya (Dr. Machage) (Ex-Officio): Thank you, Mr. Speaker, sir. I do not intend to make a very long statement like my colleague, the Secretary-General, however, I would want to support the report of the Committee on Legal, Rules and Privileges on the proposed amendments to the Rules of Procedure of the House, and more so, accepting that they would not have come at a better time than as we allow the inclusion of Rwanda and Burundi into this House.

Mr. Speaker, sir, on the amendment concerning the quorum required for the removal of the Speaker, I would have preferred for the quorum to be much higher than 50 per cent; maybe three quarters of the House would have been more prudent. The removal of a Speaker is of great significance to East Africans,

and no jokes should be laid on this procedure.

I fully support the other amendments: There has to be a metamorphosis of all rules and legislative acts that have been put into play by the House over the years because progress has always to be considered in the East African Community. Deliberations in the House should always be handled as a family, and no cards – and I repeat; no cards - should ever be hidden under the table by any member of the Community.

Mr. Speaker, sir, the relevance of the East African Legislative Assembly will depend on the seriousness with which the Members of this House take every matter touching on the East African Community. And noting from the speech of the Secretary General, the several Acts that you have legislated upon in this House, must each be considered and implemented at the relevant levels.

I think there is more need to expose all deliberations of this House - as reported by the *Hansard* - to the media of all the five Partner States of the East African Community, because more often than not, the other countries do not really know what goes on in this House. I, therefore, would like to suggest that the Speaker and his office should make it mandatory as a procedure to avail the *Hansard* of this Assembly to all the news media in East Africa on a daily basis – (*Applause*).

Mr. Speaker, sir, the challenge to the East African Legislative Assembly is enormous. Every Member will be judged on the outcome on the speed at which integration will be achieved. We will either be ridiculed or judged negatively

or praised for our achievements. There are certain goals that we have been told have been set for the life of this Parliament. I think they should be achieved and even more sought for the relevance of this House to be felt in the East African Community. The challenge is yours.

I thank you, Mr Speaker, sir – *(Applause)*.

Mr. Clarkson Otieno Karan (Kenya):

Thank you, Mr. Speaker, for giving me this opportunity to also make brief comments on the report of the Committee on Legal, Rules and Privileges, but first I would like to congratulate our two colleagues who have just taken their oath today. I hope they will enrich the debate in this House. I was amazed and terribly happy to hear the speech of the Secretary-General of the East African Community, and I believe that this Assembly will win the challenge it is currently facing basing on the commitment that has been given by the Secretary-General.

Mr. Speaker, I want to support this report of the Committee on Legal, Rules and Privileges because in essence it is opening windows for the two Partner States which are joining the Community. The decision that the Committee made to ensure that most of the amendments to these rules will be done after the other Partner States have joined us is quite a wise one because it is not quite often that we get the opportunity to amend our rules. So, it would not be right for us to sit and generally amend them when we are well aware that in a matter of time, the other two Partner States will be joining us. So, I can see that these amendments before us are generally

opening windows so that the other Partner States can be accommodated into the various Committees.

With those remarks, I beg to support.

The Speaker: Honourable Members, before we continue, I would like to acknowledge the presence of the hon. Ambassador Isaac Abraham Sepetu who is a former Member of EALA – *(Applause)*.

The Counsel to the Community (Mr. W.T.K. Kaahwa): Hon. Speaker, sir, let me, first of all, start by congratulating you and the whole Assembly for having this first sitting in this historical part of East Africa – *(Applause)*.

Let me also warmly congratulate the hon. Dr. Machage, the Minister for East African Community in the Republic of Kenya and a Member of the Council of Ministers, and the hon. Dr. Juma Volter Mwapachu, the Secretary-General, upon their being sworn in to take up their rightful places amongst us – *(Applause)*.

Mr. Speaker, on a light note, I must say that for the last six months I have been feeling a bit of discomfort. I was sworn in June while the Secretary-General, who is the Principal Executive Officer of the Community, was only nominally a Member of the Assembly, and I felt a bit of discomfort being referred to as “honourable” when my senior was not – *(Laughter)*.

Mr. Speaker, sir, it behoves us to appreciate that the expansion of the country membership of the East African Community obliges the Community as an international organization and the three traditional member states – the

Republic of Kenya, the Republic of Uganda, and the United Republic of Tanzania - and all the organs and institutions of the Community to live to the realities of multilateral arrangements, international co-operation and integration as stipulated under public international law. And that forms the basis for the report of this Committee in respect of which I must sincerely thank the Chairperson, the hon. Dr. Abdalla Mwinyi, and the members of the Committee, of which I am also a Member, by the way – (*Laughter*).

Mr. Speaker, sir, under international law, any membership at any level - whether by country level or by organizational level - carries with it obligations, responsibilities and benefits. At this point in time when we are talking about the expansion of the East African Community, we must be aware that Rwanda and Burundi, subject to being exposed to obligations and responsibilities, stand to benefit from the Community on the basis of their treaties of accession to the Treaty for the Establishment of the East African Community, which they have signed and ratified as Members.

According to the treaties of accession, the membership of Rwanda and Burundi, apart from subjecting them to obligations and responsibilities, puts them in good stead to enjoy benefits of participating in the institutional framework of the East African Community and all the projects and programmes.

Mr. Speaker, sir, Rwanda and Burundi as new states – and, indeed, any other new states which may, on the basis of Article 3 of the Treaty join the

Community - will only participate in trade liberalization and development, co-operation in investment and industrial development, co-operation in monetary and financial matters; the development of regional infrastructure and services, human resources, agriculture and natural resources and the attainment of those ideals created in the Treaty if they are enabled to participate in the organs and institutions of the Community. And this can only be done through a reflection and possible amendment and improvement of the relevant rules of procedure. On that basis, I must say that the Motion before the House fits the bill with the requirements associated with the expansion of membership of the East African Community.

Mr. Speaker, sir, I would like to assure the House, as their legal advisor, that the amendment of Rules 9, 13, 58 and 78 as indicated in the report of the Committee, are in tune, first of all, with the realities and dictates of public international law. Secondly, they are in consonance with the provisions of Article 49 of the Treaty, which stipulate the functions of the Assembly and Article 6 of the Treaty, which empowers this House to make its own rules of procedure, and, therefore, to amend the same whenever the need arises. Thirdly, on the basis of the report, let me point out that the amendments reflect the timely desire of the people of East Africa and the governments of the five Partner States to have a bigger and more vibrant legislative assembly for the purposes stipulated in Article 49 of the Treaty.

Lastly, Mr Speaker, let me point out to the House that the amendments to the rules as proposed by the Committee in this Motion are fully in conformity with

the requirements of Rule 83 of the Rules of Procedure of this august House.

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

Mr. Bernard Mulengani (Uganda):

Thank you, Mr. Speaker I would like to add my voice to that of the previous Members who have spoken to congratulate the hon. Dr. Machage and the hon. Amb. Mwapachu, the EAC Secretary-General. All I have to say is that you are welcome, especially the hon. Mwapachu. I want to say that we are sorry for the illness you went through, and that we have been missing you as a House – (*Applause*).

Mr. Speaker, sir, I wish to inform the hon. Mwapachu that in the time that he was away, the Second Assembly has so far passed various Bills, five of which have been assented to and seven pending approval by the Council. Among them is the Kiswahili Council Bill that Zanzibar as a country has applied to host. This is just for information to show you that the Second Assembly is on course and that during your absence, we have really moved steps.

As I speak, there are various Bills that are in the making that will actually require your support as the Secretary-General who usually sits in the Council of Ministers. I am not pre-empting information that is coming on the Floor, but please allow me, Mr Speaker, to say that among them are the Joint Negotiations Bill, the Budget Bill and, if need be, other Bills may be coming – (*Interruption*).

The Speaker: He is also the Secretary to the Summit as well

Mr Mulengani: Thank you Mr Speaker, I am much obliged. So, that was just for your information and to show that the Second East African Legislative Assembly is very serious; we have only been missing you. You are welcome to the House; you will see how serious we are.

Mr. Speaker, turning to the report of the Committee, I want to refer to page four of the report where the issue of Rule 78 is raised. I will specifically address myself to Rule 78(2), where we have seven Committees.

It is good practice – I am not saying the Report is bad, but it is good practice, whenever we open up a document, to go further to exhaust as many of the things as possible that may require amendment. Also, I wish to observe that at this point in time when the Community is enlarging to five countries, I think it would be an appropriate moment to create more Committees.

My first idea was to look at the General Purpose Committee and come up with two Committees out of it. The second idea was to look at the Trade, Communications and Investments Committee, which maybe seems to be having a bit of conflicting responsibilities. With the current growth and movement towards the Common Market, I believe the Trade Committee will be very busy with issues of the Common Market, leaving issues of investments and communications to suffer.

The other Committee that I would look at would be the Accounts Committee, and specifically with a view to splitting it into the East African Community

Public Accounts Committee, and the East African Community Economy Committee. I can give reasons to justify why I am saying this.

Mr Speaker, one of the reasons I propose this is because we have now decided to amend the rules, and to make new ones to accommodate two new Partner States, Rwanda and Burundi. But remember, Mr Speaker, these new entrants, based on the article in the Treaty on equity - which I can not quote right now - will also need to chair some committees. So, this would be the right time for us to provide for that one as well so that we do not just put them as Members. Possibly one of the committees would have been considered to create space for the in-coming Members. From reliable sources I have learnt that one of the countries has indicated that they need space. So, really, we need to create space as per the provisions of the Treaty on equity. It is for this reason that I ask the Committee, if it does not feel offended, to consider my opinion.

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

Dr. George Nangale (Tanzania): Thank you, *Mheshimiwa Spika*, I would also like to join my colleagues to thank the people of Zanzibar for their hospitality, and I would like to commend the Speaker of the Zanzibar House of Representatives and the Members for availing their facilities and time to the East African Legislative Assembly to conduct its business in this beautiful spice island. We are proud of you – (*Applause*).

Mr. Speaker, I also want to congratulate the hon. Dr. Mwapachu and the hon. Dr.

Machage for being sworn in today as Members of the East African Legislative Assembly. I am sure their contributions to the debates will enrich the deliberations of the Assembly.

Mr. Speaker, the proposed amendments to the Rules of Procedure of the East African Legislative Assembly are both timely and necessary, because they pave way for our colleagues from Rwanda and Burundi to join us so that the Assembly's business may continue normally. However, following the hitch last year that made the Assembly to delay its business for six months, I think there is a need to look into the entire Rules of Procedure with a view to amending them so that the business of the East African Legislative Assembly is not distracted again in future.

I support the view of my colleague the hon. Mulengani who has just been on the Floor that we need to look into the structure and the arrangement of the committees, now that we shall be 45 Members, including the ex-officio Members.

With those remarks, I support the Motion – (*Applause*).

Dr. Aman Kabourou (Tanzania): I thank you hon. Speaker for availing me this opportunity to say something about the Motion before the House. But before I say anything on it, let me begin by congratulating the hon. Mwapachu and the hon. Machage for having been sworn in as our new colleagues. Both of them have been very clear about what they consider should be the relationship between the East African Legislative Assembly and the other organs of the Community. This is very important, and

as we all know it was not easy for the First Assembly. We should congratulate the First Assembly for having achieved that much despite some of the loggerheads they had to go through. So, it is very important that we are getting this commitment right here in the House.

Hon. Speaker, I am a Member of the Standing Committee on Legal, Rules and Privileges. We worked very hard to see that we have a smooth House as we get new Members. I should praise the hon. Mwinyi, the Chairperson, for having made the parameters very clear such that we only looked at what might actually be of consequence to the in-coming Members and be democratic and allow them, when they come in, to sit with us and hear what they have to say about what kind of things, then, should be added to the amendments, rather than having to recommend everything ourselves. So, that was a very wise decision, and I think we accepted it readily, and that is why we have these few amendments before the House.

That certainly does not mean that the rules are perfect, and I am quite in agreement with both the hon. Mulengani and the hon. Nangale for suggesting that a thorough assessment of these rules should have been undertaken. It is just unfortunate because we have to operate according to the rules, and we know that, for example, if we create new committees at this point, and when the new Members come in and they take over the Committees, which is giving them space, it would mean that we would be operating on parallel roles, because we know, for example, that after two and half years, there are going to be changes made in the leadership of the committees. Now, we would have

Burundi and Rwanda changing their committee rules, after the other committees have done, and that would be chaotic. I think it is okay for us to wait for them. Yes; it is true we need to make those changes, but it is important for us to let them be part and parcel of the changes so that there is no opportunity for anybody to complain in the future.

Hon. Speaker, let me also say that I am reassured by the hon. Kaahwa for having taken us through the legal processes and for showing us that we are in compliance with all the Treaty requirements. So, I should urge my fellow Members of the East African Legislative Assembly to accept these amendments in good faith, knowing that in no time at all, whatever was not considered this time will be taken into account and that everything will proceed as well as we all expect.

I thank you hon. Speaker, and I beg to support the Motion.

Mr. Augustine Chemonges Lotodo (Kenya): Mr. Speaker, sir, I want, first of all, to say that I am a Member of the Standing Committee on Legal, Rules and Privileges. But before I say anything on the Motion on the Floor, I want to congratulate the two honourable Members who have been sworn in today, the hon. Dr. Machage and the hon. Dr. Mwapachu, so that they can join us in building this Community.

I was impressed by what both of them have said as a reaction to their appointment, and I feel that we really need to match our targets with the funding. Our mandate is quite huge, so we will need a lot of funds from our governments to support the programmes

that we have ahead – *(Applause)*. So, I am very happy that the new minister is here with us, and that he will take the report to the Summit that we need to fund more of our projects.

Hon. Mwapachu elaborated what has been done before and what our targets are. I am happy that he got the issues right, especially given the fact that he has not been with us for the past six months. I am happy that we are going to walk together in the next four or five years and maybe the suspicions that we had among ourselves will be a thing of the past.

One issue that I just wanted to talk about in the Report is that our mandate was restricted to discussing about the entry of Burundi and Rwanda. We were not allowed to venture out and maybe make other amendments as our colleagues are proposing. We wanted to do more but our mandate was restricted to just amending the rules to include Rwanda and Burundi.

I thank you, Mr Speaker – *(Applause)*.

Mr Reuben Onserio Oyondi (Kenya):

I thank you very much, Mr. Speaker, for the opportunity you have given me to add my voice to what other Members have said in connection with the amendments. First of all, I want to congratulate the Minister for East African Community from Kenya, the hon. Machage, first for being appointed a Minister for East Africa, and secondly for being sworn in this afternoon as a Member of this House. I would also like to congratulate Ambassador Mwapachu for being sworn in as a Member of this House.

Mr. Speaker, sir, as you know, in Kenya we are just about to have elections; the campaigns have started, so I want to wish the Minister a landslide win – *(Applause)*. I know the pitch is full of many players and funny enough, all are playing towards one goal. Unlike the other games where we have opposing teams playing in the opposite side, but in the game now, all are kicking their balls towards on goal. I want to urge him to kick the last ball which will make him win.

Mr. Speaker, sir, I do not want to say much; I support the amendments, but I just want to suggest that in future when our colleagues have joined us, we may need to make quite a number of changes to the rules and regulations governing the East African Legislative Assembly. When that time comes, I hope the Committee on Legal, Rules and Privileges will go ahead and propose other amendments as and when they will be put forward to them so that we can debate them.

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

Mr. Mike Sebalu (Uganda): Thank you very much, Mr. Speaker, I, too, would like to congratulate Dr. Machage, the Minister for East African Cooperation from Kenya and Amb. Mwapachu, our Secretary General, who have just being sworn in. I would also like to congratulate you, Mr. Speaker, because you now have a full House. It is a full House both in terms of numbers and responsibilities because a significant office had not been on board but now it is. So, congratulations, Mr Speaker – *(Applause)*.

We have been able to deliver, and I believe we are even going to extend that to a higher level because with the coming in of the Secretary-General, who is a legitimate Member of the House and who is also the Chief Executive, a synergy is built in terms of convergence and in terms of getting things done. Now we do not have to move to his office; we can just sit in this House, he brings ideas from the other side and we bring our ideas from the House and things get moving faster. So, it is a significant meeting that we have had here in Zanzibar, and that is going to bring change in the way we move.

Now, regarding the amendments, they are timely and desirable; the Heads of State during the Summit meeting already took a decision to have the two countries admitted into the Community. Our positioning today in terms of making the necessary adjustments in our rules of procedure to accommodate them is the best thing that we have done as a legislative assembly to show our readiness in terms of deepening and expanding integration, in terms of size of the Community and the numbers as reflected in the population, because we are now legislating for about 120 million people. So, we need to position ourselves in such a way that we are organized as a legislative assembly, and we create a good landing point for our colleagues to come and play their part.

In this respect, Mr Speaker, I would just like to thank you for your focused and wise leadership in this endeavour. You have not only facilitated and encouraged the Committee to make the necessary amendments, but you may recall that soon after the two countries had been admitted, you made arrangements for the

Committee on Regional Affairs and Conflict Resolution to visit these countries. The Committee while there did discuss a number of issues in terms of giving the basics of application in the Community. That was a very successful trip. Your interaction with the Speakers, the committee chairpersons and the different institutions within those two countries was good preparation for this endeavour. I believe that it has been very useful to them as they prepare to come and join us and take their rightful place in the Community. So, our coming up with these amendments goes further to show the commitment of the East African Legislative Assembly, and your office as Speaker, to ensure that those two countries are well received.

So, I would like to thank the Committee for a job well done, and I would like to thank you, Mr Speaker, for ensuring that it is done in a timely manner so they do not have any excuse to think that we are not ready for them. We are ready for the expansion and the ground has been levelled. Any other matters regarding their soft-landing will be handled subsequently.

I thank you very much, Mr Speaker – *(Applause)*.

Mr. Christopher Nakuleu (Kenya): I thank you very much, Mr. Speaker. First I wish to congratulate the Secretary-General, Dr. Mwapachu, for having been sworn in. I would also wish to congratulate the hon. Machage, the Minister in charge of East African Cooperation from Kenya. Also, on behalf of the Accounts Committee, I wish to thank the Secretary-General for the good work he did to give the East African legislative Assembly and the

East African Court of Justice sub-accounting powers, an issue which had been discussed for long – *(Applause)*. That is a show of commitment and readiness to work with this Second Assembly.

Mr. Speaker, regarding the expansion of the Committees of the Assembly, I wish to say that it is a necessary step, but it has to be done when it is due. For instance, if we find ourselves in a situation where we have divided the Trade, Investments and Communications Committee, the General Purpose Committee and even the Accounts Committee, what happens to those slots that we would have given to Rwanda and Burundi if they delay to come? It means they would not be attended to. So, I am of the view that let the idea be there – *(Interjection)* -

Mr Mulengani: On a point of information, Mr. Speaker, I want to inform the hon. Nakuleu that the reason that this House is sitting today is to make provisions to smoothen the process for the two countries that are coming to join the Community. It is for this reason that we are not only anticipating, but we are deliberating on issues in this regard. It is on that ground that I proposed for us to open the rules. And, Mr Speaker, at an appropriate moment, I will request the Committee to allow me to move amendments, and I will request the House to support my amendments to that effect. The information I want to give him is that we are in this House not to anticipate but to deliberate on things that are taking place in reality – *(Interruption)*.

The Speaker: That is enough, *Mheshimiwa* – *(Interjection)*

Mr Nakuleu: On a point of information, Mr Speaker, also, I would wish to – *(Laughter)* -

The Speaker: No, no. You cannot...please, it is your debate! *(Laughter)*

Mr. Nakuleu: Okay. Allow me to proceed, Mr Speaker. I would also wish to inform the honourable Member that a department of accounts is purely accounts. In his speech he said that the Accounts Committee could be subdivided into accounts and economic development – *(Interruption)*. To my knowledge – I am well versed with issues of accounts and economics because I am an economist myself. So, before any honourable Member brings any issues to the Floor of the House, thorough research should be done so that other Members of the House are not mislead – *(Interruption)*.

The Speaker: *Mheshimiwa*, please address yourself to the report.

Mr. Nakuleu: Mr. Speaker, sir, in a way I would concur with the hon. Nangale that we have to defer the issue of subdividing the Accounts Committee until when it is due.

Mr Speaker, I beg to support the motion – *(Applause)*.

Ms. Catherine Ngima Kimura (Kenya): Thank you, hon. Speaker. I want to join my colleagues in thanking the honourable Speaker of the Zanzibar House of Representatives for giving us this opportunity to meet in this lovely Chamber. I also want to take this opportunity to congratulate our two new

Members, the hon. Dr. Mwapachu and the hon. Dr. Machage. At the same time, I want to encourage Dr. Machage in his current endeavour and wish him well. I know that we shall see him here come January. So, continue with the good work. We know what you are doing, as Kenyans, and we are very appreciative and we wish you all the best, and of course God speed as you continue – (*Applause*).

Hon. Speaker, I want to thank the Committee for bringing this Motion to the House and for the work they have done. Indeed, we are not just anticipating the entry Burundi and Rwanda into the East African Community, but we know they will be here with us shortly, which is why we are meeting here as our Chamber is being enlarged to accommodate them.

Hon. Speaker, we cannot under-estimate the value that Burundi and Rwanda will bring into the Community: bringing an enlarged market for our goods, bringing us expertise – they have been in a different culture from what Kenya, Tanzania and Uganda have been in, and we believe that they will enrich our culture as well.

Hon. Speaker, the Assembly, through the Committee, has done the necessary preparation in bringing these amendments to the House for the entry of Burundi and Rwanda. In the same vein, I hope that the Secretary-General and his team are making the necessary arrangements for their entry, and in particular I have in mind the fact that they may have to look at our flag and emblem, which only suit Kenya, Uganda and Tanzania. We do hope that the emblem will incorporate Burundi and

Rwanda so that when they come, they do not feel left out but they look at that emblem and at the map and know that they are part and parcel of this Community.

I thank you, Mr Speaker, and I beg to support the Motion – (*Applause*).

Ms. Nusura Tiperu (Uganda): Thank you, Mr. Speaker, for giving me the opportunity. I would also like to thank you and the House Business Committee for having considered Zanzibar as our destination for this special Session.

Mr. Speaker, coming from Uganda, the last time the East African Legislative Assembly held their meeting in Uganda, the people of Uganda were very happy. They saw the Community coming nearer to them, and I hope that will also happen with the people of Zanzibar. I have always heard about Zanzibar from hon. Sebtuu, from brother Bilal and hon. Mwinyi, but today I am happy that I am speaking from the country itself. That, in a nutshell, will help us to deliberate from a position of information about what this country and the people actually are like, so that when we are talking we do not only look at Zanzibar as a country that suffered from the effects of slave trade, but as a country with much more than we thought before.

Mr. Speaker, I would like to join my colleagues in congratulating the two doctors for having been sworn in. It seems today was a day for doctors. Actually, I had been wondering when our Secretary-General would be sworn in. May be it was deliberate because he was waiting to be sworn-in from this island of peace loving people. And from the tone of his speech, I could see a man

who is a team builder; I could see a man who is results-oriented, and most importantly, I see somebody who is gender sensitive – *(Interruption)* – When I talk about gender sensitivity, I mean both the men and the women – *(Prolonged Laughter)*.

As women in this Assembly we are expecting to see the aspirations of the woman of East Africa being fulfilled during his tenure: The women entrepreneurs, women in the agricultural sector, those in tourism - I am expecting many conferences, particularly targeting East African women under the leadership of Dr. Mwapachu. So, honourable Doctors, we are ready, as Members of the East African Legislative Assembly, to work with you. I am also glad about the cordial relationship that exists between our Speaker and the Secretary-General so far. I think we are all going to follow suit – *(Applause)*.

Mr. Speaker, I would like to make a brief comment on hon. Mwinyi's report. I thank him and the Committee on Legal Rules and Privileges for a job well done. I was a bit worried when he said that we shall need half the House in order to realize quorum. When I tried to divide 45 divide by two, I got 22.5 and I was like...what happens? Do we round off people to say 23? And I wanted to oppose that bit; however, when you say one-third, then that again makes the number too small. So, on that note, I want to support hon. Mwinyi's Committee's proposals as is, and look forward to the Committee coming with more proposals on new Committees in the East African Legislative Assembly. I want to see an Assembly with Committees touching on HIV/AIDS specifically and other issues.

With those remarks, I beg to support the motion, and I hope to come back to Zanzibar and especially to speak Kiswahili properly – *(Applause)*.

Ms. Safina Kwekwe Tsungu (Kenya):

Thank you very much, Mr. Speaker, sir, for according me this opportunity. I start by first passing my gratitude to the people of Zanzibar, and in particular to the Speaker of the Zanzibar House of Representatives, for allowing us to experience Zanzibar and feel Zanzibari. I would also like to congratulate our two colleagues who have joined us today. Please do not feel fatigued by the congratulatory messages because you deserve them; so congratulations once again, and welcome to the House.

Mr. Speaker, sir, allow me to support the report that was tabled by hon. Mwinyi on behalf of the Committee on Legal, Rules and Privileges because these amendments were over-due, in my view. Today as we sit here in plenary, we were anticipating that we would be doing so with Rwanda and Burundi together with us and we were hoping that we would close the year knowing who is who from Rwanda and Burundi. But indeed because of the gap in our rules, that could not be. So, I would like to congratulate hon. Mwinyi and his team for enabling Rwanda and Burundi to come on board.

In African culture and in all civilized cultures, the coming of a new baby or a new daughter-in-law, or any new thing that is good, is celebrated – *(Applause)*. So we are celebrating the coming of Rwanda and Burundi by making sure that we have the right environment for them to come and sit and deliberate with us. Therefore, as a House we are very

proud of ourselves today because we are creating room for this House to celebrate legally, and come next year, God willing, we shall be able to sit as a full House with all the other Members having joined us.

Hon. Speaker, as the honourable Members who took the Floor before me have already said indeed there are many amendments that we need to make to our rules, and even the Treaty, but what we amend as many and what we amend as few, the former always holds more ground and credibility. Therefore, as for the other amendments that have been proposed, when we make them with Rwanda and Burundi on board, I am sure the amendments will be owned by all East Africans because we are a bigger family now than before.

Hon. Speaker, I thank you very much and I beg to support the motion – *(Applause)*.

Dr. Gharib Said Bilal (Tanzania): Thank you, Mr. Speaker, for giving me this opportunity to say a few words in this Assembly, which is historically sitting here in Zanzibar. First of all, let me add my voice in congratulating Dr. Machage for his appointment as Minister for East African Community Affairs, and I hope his tenure will not be just transient. I have chosen the transient because “transient” means very intense but short – *(Laughter)*. I hope we shall him back here come January, either in Arusha or elsewhere. I also wish to congratulate Ambassador Dr. Mwapachu for having - not by design but by fate – taken the oath here in Zanzibar.

Mr. Speaker, let me hasten to say that there is more to Zanzibar than the legacy

of slave trade. I think Zanzibar has been historically active and connected with trade itself. Just to give you the historical connectivity to social and trade issues, let me remind you of the famous phrase which says: “If the piper plays in Zanzibar, they dance in the lakes” – *(Interjection)*. So, we hope that Zanzibar will continue to have its role among the family of East Africans.

Mr. Speaker, let me just say that I am very pleased, and I want to congratulate the Legal, Rules and Privileges Committee for faithfully deliberating on the amendments that we have here, and I just want to say that I hope this will not be the last time we shall have amendments to the Rules because this House is still evolving and we hope that we shall have pertinent amendments in the future.

Mr Speaker, having said that, I beg to support the motion – *(Applause)*.

The Speaker: Honourable Members, I see no one else wanting to debate, so I will call upon the mover to reply.

The Chairperson, Committee on Legal, Rules and Privileges (Mr. Mwinyi) (Tanzania): Hon. Speaker, at the risk of sounding parrot-like, I would like to also lend my voice in congratulation to the two doctors Machage and Mwapachu for being sworn in.

Mr Speaker, there were a number of issues that were raised some of which have been dealt with by my colleagues, but I would like to comment on a few that have not.

On a lighter note, I would like to put it on record that I am not Dr. Mwinyi as the Counsel to the Community referred to me. It was important for me to say this on record in the *Hansard* just before somebody asked me where my PhD was - (*Laughter*).

The second point I would like to comment on is a comment that was made by Dr. Machage in relation to Rule 9(2) on the issue of removal of the Speaker. What we are amending is the Motion for a resolution to remove the Speaker, not the removal itself. In order for such a Motion to be placed in the House, we require four Members from each Partner State; that makes it 20. For the removal of the Speaker, and God forbid, what is required is a two-thirds majority.

In relation to Committees, I think my colleagues the hon. Dr. Kabourou and the hon. Lotodo responded adequately. The mandate that we had before us was to amend the rules to enable Rwanda and Burundi to participate in plenary and in Committees; no more, no less. We appreciate that there are very many issues that are subject to debate and deliberation, but that will come at the right time once Rwanda and Burundi are on board. So, hon. Mulengani and other like-minded honourable Members will have to be patient with us until the right time.

Those were the two main issues, hon. Speaker and I urge the honourable Members to support the Motion. I beg to move.

(*Question put and agreed to*)

ADJOURNMENT

The Speaker: Honourable Members, I think we have now come to the end of our business today. But before we adjourn, I would like to, once again, congratulate the hon. Minister and the Secretary-General for having been sworn in. I also want to congratulate the Minister for his appointment as Minister. I know the times are hectic, and most often Ministers do not have time to participate in the proceedings of this House. But at least you made it and I guess it is how you perceive this House. You decided to leave campaigning and come to Zanzibar for you to be sworn in. *Nasema asante sana* on behalf of the House, and I wish you all the luck. I know that we will see you here next year, *Insha Allah*. To the Secretary-General, I want to say *karibu sana*. I know you have not been feeling well, but I think you are much better now. They said you could only stand for half an hour and sit for half an hour, but I think you have been here for two and half hours – (*Applause*). So, *karibu sana*.

Finally, honourable Members, as you know the Speaker of the Zanzibar House of Representatives has invited us for a dinner this evening. We have to be there by 8.00 p.m. and so, hopefully by 7.45 p.m. we should be seated for dinner.

With those remarks, I now adjourn the House until tomorrow at 2.30 p.m.

(*The House rose at 4.20 p.m. and adjourned until 2.30 p.m. on Wednesday, 5 December 2007*)