



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

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

118TH SITTING - SECOND ASSEMBLY: FIFTH MEETING

Tuesday, 6 September 2011

The East African Legislative Assembly met at 11.00 a.m. in the Chamber of Deputies, Parliament of Rwanda, in Kigali.

(The Rwandese National Anthem was played)

PRAYER

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

The Assembly was called to order.

PROCEDURAL MOTION

THE CHAIRPERSON, COMMITTEE ON LEGAL, RULES, AND PRIVILEGES (Mr Frederic Ngenzebuhoro): Mr Speaker, I beg to move that this House pursuant to the provisions of Article 55(1) of the Treaty and Rule 11 of the Rules of Procedure do resolve to hold sittings in Kigali in the Republic of Rwanda.

I beg to move.

MR GERVASE AKHAABI: Seconded.

MR NGENZEBUHORO: Mr Speaker:

“WHEREAS sub clause (1) of Article 55 of the Treaty provides that the Meetings of 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 (7) of Rule 11 provides that the Assembly may, on a resolution adopted by a majority of its Members, decide to hold one or more sittings elsewhere within the partner states other than at its seat;

NOW, THEREFORE, THIS ASSEMBLY DO RESOLVE as follows:-

- 1. That pursuant to the provisions of sub rule (7) of Rule 11 cited above, the Assembly shall hold sittings in the Chamber of the Parliament of Rwanda from today Tuesday, 6 September 2011 up to Thursday, 15 September 2011.”*

Mr Speaker, I beg to move.

(Question proposed)

(Question put and agreed to)

(Applause)

PROCLAMATION BY THE SPEAKER

THE SPEAKER: Honourable members, amidst us today is H.E. Paul Kagame, President of the Republic of Rwanda. I have in accordance with the provisions of Article 54 of the Treaty invited him to address this Assembly.

I would now like to make the following proclamation to welcome his presence in the Assembly:

“WHEREAS sub clause (1) of Article 54 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 Speaker, the attendance and presence in the Assembly of the President of the Republic of Rwanda is desirable in accordance with the Business now before the Assembly;

NOW, THEREFORE, it is with great pleasure and honour, on your behalf honourable members to welcome His Excellency in this Assembly.”

WELCOMING REMARKS BY THE SPEAKER

THE SPEAKER: Your Excellency, Paul Kagame, the President of the Republic of Rwanda, H.E. President of the Rwanda Senate, Rt Hon. Speaker of the Rwanda Chamber of Deputies, the Chief Justice of Rwanda, the Prime Minister of Rwanda, Chairperson, EAC Council of Ministers, Hon. Ministers, the Secretary-General of the EAC, Hon. Members of the Rwanda Parliament and EALA, Your Excellencies Ambassadors and High Commissioners, distinguished guests, ladies and gentlemen.

Your Excellency, it is with great honour and humility that I warmly welcome you to yet another special sitting of the East African Legislative Assembly. This special session is held in your

honour. Your Excellency, we are deeply humbled by your continuous acceptance to always avail yourself, despite your busy schedule, to address us each time we come for our sessions here in Kigali, Rwanda. *(Applause)*

Your Excellency, you may recall that the 2nd East African Legislative Assembly was inaugurated on 5 June 2007 and will conclude its five-year tenure on 4 June 2012. Therefore, this is probably the last time you will be addressing Members of the 2nd Assembly - I said the Second Assembly not you personally. *(Laughter)*

Nonetheless, in all the occasions you have addressed us, we have been inspired by your words of wisdom and this has galvanised our resolve to work closely with you and Members of the Summit to spur the EAC integration agenda. For this, Your Excellency, we remain truly gratified and indebted.

May I use this opportunity to confirm to you that Kigali has always presented itself as one of the cities in the EAC region, which EALA MPs would like to frequent! *(Applause)* This is the 2nd Session we are holding within one year, the first being in March/April 2011. We have still found it conducive to come back after four months because we have fond memories of the place, with nice and very friendly people, a clean environment, and ever changing beautiful skyline. *(Applause)*

Your Excellency, it is, therefore, with some sadness that we are coming to the end of our term and this is the last session in Kigali. However, the strong point is that we have come to say goodbye to you in a formal EALA session. *(Applause)*

On behalf of the Members and my own behalf, please accept our gratitude. Your Excellency, I would like to inform you that Members have already indicated to me that they will continue to explore new opportunities here even after the Second Assembly.

Your Excellency, may I also extend our gratitude for the spirit of East Africanness you continue to exude, particularly in the following:-

1. Your sterling effort to steer the Republic of Rwanda to join the EAC fraternity. Your stewardship together with your other colleagues of the Summit was indeed brilliant and historic giving EAC a wider market, geographical coverage and a stronger negotiation ability.
2. Your continuous support in realising the pillars of integration namely: the Customs Union, the Common Market, Negotiations for the Monetary Union and the Political Federation. I request you and other Members of the Summit to continue offering wisdom in the process, particularly the last two that are yet to be concluded.
3. Your positive outlook towards women empowerment, which is reflected in all structures of your government and other institutions. It is of great interest that you reflected on the role of women in the EAC integration process and in leadership roles during the recent EAC Women's Conference in Kigali held in August, 2011. As an Assembly, we totally concur with you on the approaches you proposed namely; to invest in and equip our youth, women, PWDs to increase productivity and business acumens; and Government support to avail various interests with the necessary resources and tools of trade.

4. You introduced the Kigali spirit within our management ethos by urging all those with leadership positions in the EAC to work towards EAC's objectives as enshrined in the EAC Treaty. Since then, a number of developments have taken place such as the EAC Heads of Organ and Institution quarterly meetings, a streamlined calendar of activities, and a common approach to EAC-wide solutions. For all these, we thank you and continue to urge you and other Members of the Summit, to give us guidance on these matters. *(Applause)*

While I could go on and on, allow me to share with you what we intend to achieve during this EALA meeting:-

In the course of the next two weeks, the Assembly shall consider important business for the Community including:-

- The EAC Trans-boundary Ecosystem Bill
- The East African Parliamentary Institute Bill
- The Election of EALA Members Bill
- The EAC Control of Polythene Materials Bill
- The EAC Human Rights Bill
- Debate and adoption of various committee reports; as well as resolutions of the Assembly to further deepen and widen EAC's integration agenda.

Finally, Your Excellency, let me take this opportunity to extend special thanks to my brother H.E. Dr Vincent Biruta, the President of the Senate. I take cognisance of the fact that the term of H.E. Dr Vincent Biruta and Members of the Senate will end in October 2011. We will surely miss his very good and accomplished work as the President of the Rwanda Senate, and as a Member of the EAC Speaker's Forum. *(Applause)*

We sincerely wish him the very best in his future endeavours. The short of it is that since 2007, when we first visited Rwanda, we have worked well and closely, and, therefore, he is more than a friend. Hon Biruta and hon. Mukantabana have particularly established a memorable and good working relationship with EALA, and we have often felt at home in the Parliament of Rwanda.

May I also extend the same gratitude to the entire Government of Rwanda, including the Members and staff of the Parliament of Rwanda, for wholeheartedly supporting EALA sessions! *(Applause)*

Your Excellency, like I said, it is our last session in EALA and I think it would not be good to go without saying something about our Members of the EALA from Rwanda. I am not campaigning, I know there might be some people out there who want to contest for EALA positions, but I must say that the group you sent us was a remarkable group! We have worked well with them, they have pushed, I don't want to say the interests of Rwanda but, the interests of EAC every time anything that has been asked of them, they have been there. *(Applause)* I wish them well when they contest for the Second Assembly.

Your Excellency, it is now with great pleasure and honour that I execute my humble duty to welcome you to address this august House today Tuesday, 6 September 2011. *Karibu Mheshimiwa Rais. (Applause)*

ADDRESS BY THE PRESIDENT OF THE REPUBLIC OF RWANDA

THE PRESIDENT OF THE REPUBLIC OF RWANDA (Mr Paul Kagame): Hon. Abdirahin Abdi, Speaker of the East African Assembly; hon. Vincent Biruta, President of the Rwandan Senate; hon. Rose Mukantabana, Speaker of the Chamber of Deputies; Hon. Ministers of the East African Community, Hon. Members of the East African Legislative Assembly, Members of the Diplomatic Corps, distinguished ladies and gentlemen.

I am very pleased that the East African Legislative Assembly is hosting another session in Kigali, the capital of Rwanda and a city of East Africa. Therefore, I hope that all of you from brotherly and sister partner states will feel at home during this session. (*Applause*)

Meeting in partner states is a good idea because it gives the people of East Africa the opportunity to witness at close quarters and understand the workings of organs of the Community. More importantly, it should give them the opportunity to input into your deliberations.

Over the last ten years, the people of East Africa have made significant strides in the integration process of the region. The different organs of the East African Community, including EALA, have made important contributions to this process. We thank you! (*Applause*)

However, more still needs to be done, and this morning I wish to discuss how the various organs of our community can perform better, by delivering as one, and enhancing co-operation and collaboration with national institutions.

In the particular case of EALA, this could be achieved through greater collaboration and more linkages with national parliaments. For instance, it may be useful to hold special joint sessions to debate our Community's agenda, if you will. (*Applause*) This way, the Community will be brought closer to the people for whom it is intended. Equally important, through their elected representatives, they would have a direct contribution and claim ownership of the integration process.

The necessity for the different legislatures to work together and harmonise legislative processes becomes more urgent when we recognise that laws enacted by EALA have that kind of weight in relation to national laws of partner states.

Similarly, we should see greater co-operation between organs of the Community for more efficient implementation of protocols and programmes of the EAC. In the past ten years, we have passed and signed important protocols and partner states have made various commitments with regard to integration. However, in their implementation, we have not necessarily moved at the pace we all desire. I believe this Assembly has the right and duty to hold us more accountable in implementing these commitments - (*Applause*) - so that we deliver in a more meaningful way to our citizens.

In this respect, I urge this Assembly and the Council of Ministers to collaborate more on mechanisms to initiate laws to enforce the expeditious implementation of the Customs Union - (*Applause*) - and the Common Market Protocol so that East African citizens can reap benefits accruing from them.

Similarly, East African business people, investors and ordinary citizens still find non-tariff barriers and obstacles to free movement across the region an impediment to the operation of the two protocols. The short answer to this problem will be the establishment of a single customs authority. This Assembly should follow up on the expeditious set up of such an authority. *Applause)*

Mr Speaker, as you are all aware, our region continues to experience periodic droughts, floods, other natural disasters and food shortages, owing in part to effects of climate change and poor management of the environment. The argument for the sustainable management of our natural resources, many of them shared, could not be made more forcefully than by these periodic changes. Equally, the need to develop agricultural policies and practices, and land management systems that ensure food security in this region is most urgent.

We have a duty, therefore, to ensure that there are mechanisms of better environmental management so as to mitigate effects of climate change. As legislators, you have a critical role to play in this respect.

In conclusion, I return to the point that our region's process of integration should be citizen-centric, and foster their active participation. East African Community issues should not be confined to legislative chambers but must extend to the public through the media, public discussions and other fora of consultation. That way, ordinary East Africans will have a voice in matters that affect them and organs of the Community will gain their rightful relevance to them.

Mr Speaker, Sir, I thank you for your kind invitation and to you all Members of EALA, thank you for agreeing to be hosted here in Kigali. Once again, on behalf of the citizens of this country, Government and myself, we welcome you to have a happy stay here and fruitful deliberations. With these brief remarks, thank you for your kind attention. *(Applause)*

THE SPEAKER: Honourable members, I now call upon hon. Mike Sebalu to move a vote of thanks on our behalf.

MR MIKE SEBALU (Uganda): Thank you very much, Mr Speaker, for this opportunity.

Mr Speaker, judging by the dignitaries in our midst led by none other than His Excellency Paul Kagame and constituting a list of who is who in Rwanda, it is abundantly clear that we are in a country where our presence is desirable, our stay is welcome, our company is considered good company *-(Laughter)* – and our work is appreciated.

Indeed, in Rwanda, EALA programme is always standard and very predictable. There are places where we go and we are not sure of the programme. *(Laughter)* But in Rwanda we are always sure of the programme and one of the items that must always be fulfilled is the presidential address. *(Applause)* And for that Your Excellency, we want to thank you very much for considering us worthy all the time that you take off your useful time of managing state duties.

Your Excellency, your address to us this morning has been very timely because you have indeed addressed topical issues that need urgent attention. It has been well thought out because it has dwelt on the real issues that need attention. It has been very relevant and incidentally you share similar thoughts with us. So, great minds think alike! It has been insightful and motivational as well as inspirational.

You have handled very important issues of linkage: the issue of implementation of agreed decisions, the non-tariff barriers, drought and the role of citizens in the integration process. Your Excellency, these are issues that we do take seriously as a Parliament. Rwanda, as part of EAC, is indeed value addition. Your coming in to EAC was indeed value addition. *(Applause)*

And in terms of partnership, the Rwanda-EALA partnership is an excellent one as it is complete partnership and at this point, Your Excellency, allow me to distinguish between complete and finished to drive the point home. When you get married to the right partner, you are complete. When you get married to a wrong partner, you are finished. And when the right partner catches you with a wrong partner, you are completely finished. *(Laughter)*

That is how we see ourselves with Rwanda; we are not completely finished, we are completely complete. Rwanda is a good partner in all aspects and at all levels. Your presidency has been very co-operative with us. Your Cabinet and Prime minister have always been there for us. The Speaker, Chamber of Deputies and the President of the Senate have been there for us as well as the Chief Justice.

Mr President, special thanks go to the Speaker, for his able innovative leadership, which has taken EALA where it has never been before. In terms of visibility, he is functionally versatile and operationally flexible. *(Laughter)*

I want to thank the Clerk and the staff. They are technically very competent and co-operative and give us a lot of support as a parliament. *(Applause)*

I want to thank the media in Rwanda for it covers issues of integration with a lot of interest, enthusiasm and they promote the integration. We want to thank members of the media because they have always covered our sessions. *(Applause)*

Your Excellency, as I conclude, our tour of duty as a regional parliament of the EAC will be coming to an end in June. We will be glad to be back in Kigali sometime next year with renewed mandate. *(Laughter)*

Your Excellency, once again, I wish to thank you for your quality time you have shared with us. I want to thank all the distinguished invited guests that have made time to bless this special address with their physical presence.

Thank you very much, Your Excellency! *(Applause)*

THE SPEAKER: Honourable members, we have come to end of our business today. I would like to thank hon. Sebalu for the vote of thanks and I don't think I can add anything to that.

I would like to make the following announcements: We are supposed to have a group photograph right now but when His Excellency talked about drought, it started raining outside so we are going to take the photographs in the Chambers as soon as we adjourn. We also have a cocktail. I don't know how we will work it out since it is raining but it is under the tents.

With those few remarks, I now adjourn the House until tomorrow 2.30.

(The House rose at 11.35 and adjourned until Wednesday, 7 September 2011 at 2.30 p.m.)