



## **EAST AFRICAN COMMUNITY**

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

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

#### **7<sup>TH</sup> SITTING - FOURTH ASSEMBLY: SECOND MEETING – FIRST SESSION**

Thursday, 8<sup>th</sup> February 2018

*The East African Legislative Assembly met at 9:30 a.m. at the Parliament of Uganda Chambers  
– Parliamentary Avenue, Kampala, Uganda*

#### **PRAYER**

*(The Speaker, Mr. Martin Ngoga, in the Chair)  
(The Assembly was called to order at 9.30 a.m.)*

---

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

**The Speaker:** Good morning honourable Members. Yesterday, Members of the Commission and I had a very good meeting with the Ugandan Parliament Committee on EAC Affairs. This was on their invitation. We discussed a range of issues on how best we can enhance our strategic partnerships between our regional assembly and the Parliament of Uganda and in general with national parliaments.

Honourable Members, you know that one area where we have not been doing well is on how closely we should work with national parliaments. It is a fact that what we do at the regional level is not known enough at the

national level not only among the citizens but also among the national parliaments. The national parliaments are our main constituencies.

We discussed issues with the Committee on EAC Affairs of the Parliament of Uganda on the need to enhance our partnerships and to bring our activities closer to national parliaments. The Parliament of Uganda will work with us towards that direction. We thank them for their invitation and I thank Members of the Commission who joined me for that fruitful meeting. That kind of engagement will continue not only with the Parliament of Uganda but also with all national parliaments of our respective Partner States. Thank you.

**BILL**

*First Reading*

*(Ms Nkuhi Fancy, Mr Nooru Adan  
Mohamed, Mr Aden Omar Abdikadir  
and Mr Namara Dennis)*

**THE EAST AFRICA COMMUNITY  
OATHS BILL, 2017**

**The Minister of State for East African  
Community Affairs, Uganda (Mr Julius  
Wandera Maganda) (Ex-Officio):** Mr.  
Speaker, I beg to move:-

THAT, the East African Community  
Oath Bill, 2017, be read for the first time. I  
beg to move.

**The Speaker:** Seconders.

*(D. Anthony Kafumbe, Dr Ann Leonardo Itto  
and  
M. Rwigema Pierre Celestin seconded the  
Motion)*

*(The Bill was read – read for the first time –  
and committed to the  
Committee on Legal, Rules and Privileges)*

**MOTION**

SEEKING SPECIAL LEAVE OF THE  
HOUSE TO USE RECORDS OF THE  
HOUSE FOR COURT PURPOSES  
IN THE EACJ (CASE REF NO.02  
OF 2018)

**Mr Fred Mukasa Mbidde** (Uganda): Mr.  
Speaker, Sir, I beg to move a Motion  
seeking special leave of the House to use  
records of the House for court purposes in  
the East African Court of Justice (EACJ),  
Case Reference No.02 of 2018.

**The Speaker:** Seconders:

**Mr Mbidde:** Mr. Speaker Sir, I will proceed  
with my justification. This Motion is moved  
under Section 20 of the Assembly's Powers  
and Privileges Act and Rule 23.

It is a Motion seeking leave to use records of  
the House for court purposes in the East  
African Court of Justice, Case Ref. No.2 of  
2018.

*WHEREAS the Fourth Assembly was duly  
convened for the first Meeting of the First  
Session of the Fourth Assembly, vide the  
letter of the Clerk dated 1<sup>st</sup> December 2017;*

*WHEREAS the Assembly duly met from 15<sup>th</sup>  
to 23<sup>rd</sup> December 2017 to perform its  
inaugural activities in line with the  
provisions of the Rules of the Assembly  
specifically Rule 4,5 and 6;*

*AND WHEREAS it has come to the  
knowledge of hon. Mbidde Mukasa Fred that  
the aforesaid processes that were undertaken  
by the Assembly in line with its mandate  
under its Rules are now a subject of court  
proceedings in the East African Court of  
Justice under Ref.No.2 of 2018, filed by the  
Attorney General of the Republic of Burundi  
versus the Secretary General of the  
Community. The subject matter of the case  
being that the Attorney General of the  
Republic of Burundi is challenging the  
election of the Speaker;*

*CONVINCED THAT the matters raised in the  
reference touch on the sanctity of the  
Assembly within its jurisdiction and therefore  
should be well represented in court, the  
absence of which may lead to a  
misrepresentation of the Assembly. It is  
therefore, of utmost importance to enjoin*

*Hon. Mbidde as an interested party to the case Reference No.02 of 2018.*

*GUIDED HOWEVER, by Section 20(1) of the Assembly Powers and Privileges Act, 2003; thus, Notwithstanding the provisions of any other law, no member or officer of the Assembly and no person employed to take minutes or record evidence before the Assembly or any Committee shall, except as provided in this Act, give evidence else –where in respect of such minutes or evidence or of the contents of any document laid before the Assembly or such a Committee, as the case may be, or in respect of any proceedings or examinations held before the Assembly or such a Committee, as the case may be without the special leave of the Assembly first had obtained in writing.”*

*FURTHER GUIDED BY Rule 23 of the Rules of Procedure, which stipulates the manner, and processes in which journals and records of the House including all papers and accounts presented to or belonging to the House are kept, processed or transmitted under the express leave of the House, or order of the Speaker. The documents/records of the House in respect of the court being which the Member intends to use being:-*

- 1. The letter of the Clerk of the East African Legislative Assembly convening the First Sitting of the Fourth Assembly in December, 2017 for the purposes of subjecting the Members to Oath of Affirmation of Allegiance.*
- 2. The proceedings of the first Meeting of the First Session of the Fourth Assembly chaired by the Clerk. (The Hansard of December, 2017)*
- 3. All the documents related to the travel itinerary of the Members and related expenses facilitating members to attend the swearing in function in December 2017.*

- 4. The list of Members of the Fourth Assembly as tabled by the Clerk during the inauguration sitting.*
- 5. Nomination papers of all candidates who were nominated for Speakership and the Members who nominated/seconded them in December 2017.*
- 6. The proceedings and the results thereof the Election of Speaker in December 2017.*
- 7. Any other document/materials related to the First Meeting of the First Session of the Fourth Assembly and the constitution of Committees.*

*NOW THEREFORE, THIS HOUSE DO:-*

- 1. Grant leave to hon. Fred Mukasa Mbidde to appear as an interested party in the case reference No.02 of 2018 in the East African Court of Justice.*
- 2. Grant leave to hon. Fred Mukasa Mbidde to use the records of the House in Case Reference No.02 of 2018.*

*I beg to move.*

*Thank you very much Rt. hon. Speaker. The beauty about this integration process is that one, it is anchored on the provisions of the Treaty and two, and we almost have the best Treaty in the whole World. The Treaty provides for obligations that must be fulfilled by organs stipulated by the same Treaty under Article 9. It provides for an avenue for consensus. It also provides for an avenue for appellate jurisdiction in the event that the organs find themselves in a phantasmagoria of disagreement. That organ is called the East African Court of Justice (EACJ). It is provided so that any discontent arising from operationalisation of the organs can find its way there for determination as to the justifiability of the disagreement.*

*Therefore, Rt. hon. Speaker and hon. Members, this Assembly, as the Motion provides, was convened in Limine. It was*

convened by way of elected Members and not by way of the Assembly as contemplated under Article 56 and presided over either by the Speaker or by a Member of the House elected in the absence of the Speaker by the Members. Therefore, elected Members performed their duties.

Rt. hon. Speaker, I left my copy of the Rules of Procedure where I was seated. However, when you look at the record of the Rules of Procedure of the House; we have 97 rules and 9 annexes. All of them apply in equal force. There are rules that provide for quorum and there are rules that provided for the dismissal of any of the rules. They all apply with equal force. They are all rules of this august House. This House has the duty, privilege and enjoys applying these rules with equal force.

Rt. hon. Speaker and hon. Members, we elected, as elected Members, the Speaker of this Assembly. The provisions of the Treaty are completely clear. The elections took place following the provisions of the Treaty on rotational basis. However, the Republic of Burundi, through the Attorney General, thereof, has taken this Assembly to court vide reference No.02 of 2018. In citation of the case is the Attorney General of the Republic of Burundi as the applicant versus the Secretary General of the East African Community.

The East African Community can be sued just like any other Partner State. In terms of the Partner States, a petition of this nature has the Attorney General as the nominal respondent in the event that we are the ones who had referenced against Burundi. The same way a reference against the Assembly, the nominal respondent is the Secretary General. That is the provision of the Treaty. He is only before that court as far as his nominal role to represent the Community is

concerned. Now, this is going to be one of the unfair debates against a Partner State.

Africa has several language families generally, two major language families. The Sudan Saharan and Congo-Niger. In one of them, the Luo say ... (Mr Mbidde spoke in Luo)... Hon. Speaker, the meaning is that *a pawpaw falls on the head of the person who has hooked it*. Therefore, all debates that will obtain as far as all this is concerned will definitely be a pawpaw falling on the head of the person who has hooked it.

It is the rights of this Assembly that are being challenged by the Attorney General of the Republic of Burundi. It is, therefore, the rights that we are going to assert. Our debates are going to be to the effect that we will defeat him. Clearly, we will be within the precincts of the law and that is the indent of this Motion where we will need all records of what transpired during the processes of the election. We shall need the records. The rules of the EACJ are to the extent that the best preferred evidence is majorly affidavit evidence, which carries annexures. *Hansards* and particularly all that has been enumerated on page 2 of the Motion from No.1 to 7 shall be required for purposes that this matter shall be defended.

The nominal respondent is there. We have Counsel to the Community. He will be in court. The two will be in court in defence of the actions that took place in this august House that culminated eventually into the election of the Speaker. The question is; why Mbidde? What do you want? I am not going there as an *amicus curie*. I am not going there as a friend of the court. No! I am lodging an application for intervention as an interested party and proper party to defend this matter in addition to the job that will be done both by the Secretary General and by the Counsel to the Community. This august House will

bear with me that when you talk about the Community you are talking about people, lawyers and judges. The meaning is that you are talking about people with opinion, aspirations and people who are enjoying performing tasks. However, people may fail because of exigencies of human nature. Therefore, we will need to adduce some *Hansards*. We shall need to intervene in this matter because we will be seeking to possess our own decisions and opinions in the House. The opinions of all Members of the House are known.

Therefore, in defence of what took place in my opinion, I seek that this House grants leave so that the records of the House are adduced in evidence in the application that will be lodged before court. That means that such leave will be granted even to the other parties that may want to access the documents including the Attorney General of the Republic of Burundi. I have looked at the reference which does not really have annexures that would materialise for the purposes of the justifiability of this matter. Maybe, they will equally seek to have the same details and the leave will suffice in the circumstances. Therefore, as an organ that promotes justice, I seek to be given authority by way of leave or order of this House that the records of what transpired that day can be adduced at the EACJ in defence of the activities of this august House.

I beg to move.

**The Speaker:** Thank you hon. Mbidde. Hon. Members, let me first request you to look at Rule 42. Based on the provisions of Rule 42, I will allow minimum guided debate on this Motion such that we do not infringe on the prohibitions that are provided in this rule. We will have a minimum guided debate.

*(Question on the Motion proposed)*

**The Minister of State for East African Community Affairs, Uganda** (Mr Julius Wandera Maganda) (Ex-Officio): Rt. hon. Speaker, I want to thank the Mover of the Motion, hon. Mukasa Mbidde.

I would like to seek the indulgence of the House that the question be put on this Motion so that we have the whole story of the Mover's interest cut short and we allow him leave of the House.

**The Speaker:** Let me be guided by the Clerk. I think the Chair Counsel has essentially moved that a question be put directly without debate. Could we have a seconder to that Motion? Yes, hon. CTC.

**The Counsel to the Community** (Dr Anthony Kafumbe) (Ex-Officio): Seconded.

**The Speaker:** Chair, Council of Ministers, could you move it properly?

**The Minister of State for East African Community Affairs, Uganda** (Mr Julius Wandera Maganda) (Ex-Officio): Rt. hon. Speaker, I beg to move:-

THAT, based on the Motion read before the House by hon. Mukasa Mbidde, and based on Section 42 of the Rules of Procedure, that a question be put without debate on the Motion, and that the House resolves to allow hon. Mbidde to get leave of the House.

**The Counsel to the Community** (Dr Anthony Kafumbe) (Ex-Officio): Seconded.

**The Speaker:** Chairperson, Council of Ministers, justify your Motion.

**The Minister of State for East African Community Affairs, Uganda** (Mr Julius Wandera Maganda) (Ex-Officio): Rt. hon.

Speaker, I have moved this Motion on the guidance of the Rules of Procedure especially Rule 42 and on the fact that this issue is before court. Based on the experience that we undertook and the witnesses we observed when we were in Arusha during the election, I have a feeling that Members who will rise to make contributions towards this Motion may come up with expositions that may jeopardise the issues that hon. Mukasa Mbidde will put before his defence to the case that is already before court.

I move with the interest that when we allow this Motion to proceed without debate, this will allow hon. Mbidde to move without any other party within the Assembly creating the impression that the discussion that has come before the House has in any other way jeopardised the whole process that is ongoing.

I beg to move.

**The Speaker:** The Motion before the House that we have to dispose of first is that a question be put without debate based on the provisions of Rule 42. Debate is open on this Motion by the Chair, Council.

**Mr Abdikadir Omar Aden (Kenya):** Thank you hon. Speaker for the opportunity. I am contributing to the Motion that has been moved because I have a substantive agenda to move in the substantive Motion. I just want to say that I do not agree with the Council Chairperson's, intention to gag this House with regard to deliberating on this issue. We have been asked a very important issue, to grant leave to this House and yet you want to gag Members not to talk and debate about it.

The Members who are seated here are very responsible people who understand that the issue at hand is a matter that is before court. For that reason, we will not go into the

substantive debate of how or what the case should be. Ours is to address ourselves as to whether we should grant leave of this House for hon. Mbidde to use the records of this House before the courts. That is it. Why do you want to gag Members? I do not agree with the Motion. I thank you.

**Mr Adan Mohammed Nooru (Kenya):** Mr. Speaker, I stand to oppose the Motion by the Chair of the Council. It is the prerogative of this House to debate and dispose of any matter that is before this House. The Motion that we should not debate this matter is something that the Chair, Council should declare his interests. What has been put before us is an issue that touches this House. It is the integrity of this House that is in court. It is the repetition of this House that is in court. We have the right to deliberate and dispose of the Motion in the right manner. Therefore, I categorically oppose the Motion moved by the Chair, Council of Ministers.

**Ms Susan Nakawuki Nsambu (Uganda):** Rt. hon. Speaker, I stand to oppose vividly the Motion moved by the Chair, Council. Hon. Council, I share your pain because it is such an embarrassment that an intruder, a foreigner can come and take the Assembly to court. This is despicable and I share the pain that you have. That is why you want it to be rolled under the carpet. However, truth has to be told. I understand the reason that hon. Mbidde has moved the Motion is not for us to debate the merits and demerits of that case. However, he is seeking leave of this Assembly to use the records of this House as evidence before court. That is expressed under the Assembly's Powers and Privileges Act, 2003. There is no shortcut about this. You are aware that this Assembly has powers to either grant this leave or not. For us to debate whether we want to debate hon. Mbidde leave or not may jeopardise his

getting the leave. I find it very prudent for us to discuss the matter of granting the leave and from there, hon. Mbidde will know what document to use before the court and what not to use. It is my humble prayer that we allow this debate to go on without fear or favour.

I oppose the Motion and request my colleagues to oppose it because it is intended to shut the Assembly up and this is not right.

**Ms Wanjiku Muhia** (Kenya): Thank you hon. Speaker for giving me the opportunity. Let me say that the statement by the Chair Council could easily go into World Record. Why do I say so? This is a House of debate. These Members came here to debate and to dispose of any matter on the Table. I have not heard of Members saying that we should move a Motion and dispose of it without debate. It is your prerogative when on that Chair, Mr. Speaker, to see whether Members are willing to debate or not. I am sure that you have the capacity to conclude when Members do not show interest to debate. In this case, Members, like myself are interested in debating. This is a House of debate.

**The Speaker:** Hon. Members, in the interest of time, let us dispose of this Motion.

*(Question, put and negatived)*

I have already opened debate on hon. Mbidde. Hon. Abdikadir, the Floor is yours.

*(Motion seeking special leave of the House to use Records of the House for Court purposes in the EACJ (Case Ref.No.02 of 2018 was suspended)*

**Mr Abdikadir Omar Aden** (Kenya): Thank you hon. Speaker for granting me the

opportunity to contribute to the debate. On the onset, I support the Motion moved by hon. Mbidde - *(interruption)*

**The Speaker:** Sorry for the interruption. As we debate, be alert and mindful of Rule 42 that I cited to you. I will also be alert to anyone who will step out of the parameters of this rule. I will not hesitate to intervene.

**Mr Aden:** Thank you for your guidance hon. Speaker. On the onset, I would like to support the Motion by hon. Mbidde but with amendments. I, therefore, take this opportunity, to notify you that I am moving an amendment to this debate. I would like the Motion to be debated, if the Members agree with my amendment. The amendment I want to move is; on the resolution, where it says;

NOW THEREFORE THIS HOUSE DO:-

1. Grant leave to Hon. Fred Mukasa Mbidde to appear as an interested party in the case Ref.No.2 of the East African Court of Justice.
2. Grant leave to Hon. Fred Mukasa Mbidde to use the records of the House in Case Ref. No.02 of 2018.

I intend to add a third a resolution that says, this House resolves to appoint lawyers on its behalf to represent the EALA in the case at the EACJ.

I just want to take a moment, through you, Sir, to explain the intentions of my intended amendment.

Mr Speaker, what has happened is that somebody has gone to court to challenge a decision that has been made by this House. Naturally, under the laws of natural justice, if somebody goes to court to complain on a decision, which I have made, it is natural that I be granted the opportunity to defend myself and to represent lawyers to defend myself. This is the genesis of my intended amendment on this Motion. It is a very good

Motion. We will grant it because the records speak for themselves. We do not need to debate here today because I know that once we grant hon. Mbidde leave and if the House agrees with me, on the lawyers we will send there, will have the full records of what we spoke back in December in Arusha while we were debating this Motion.

Mr Speaker, I want to put a safety net to these procedures and proceedings.

I sincerely wish to thank hon. Fred for volunteering himself to stand on the docks on our behalf. This is really good. We must commend you, hon Mbidde, for this particular gesture, indeed. However, that is not enough. We are supposed to be represented by our CTC. I am sorry to say that we must call a spade a spade and a spoon a spoon. Our CTC was against the decision of this House during the day we were making that decision. Do you want him to go and represent us there? No! I cannot accept that, Mr. Speaker.

What is the safety net for us then? What we need to do is to appoint – I want to stop here to move a Motion of an amendment so that it becomes subject of debate. However, hon. Members, I agree with hon. Mbidde on this particular issue. However, I propose an amendment to this Motion, which is -

On the two resolutions, we should add a third one,

THAT, this House resolves to appoint lawyers on its behalf to represent the EALA in case No.2 of 2018 at the EACJ in Arusha.

I thank you.

**The Speaker:** Honourable, you will have to forward your written amendment to the Clerk in compliance with the Rules.

**Mr Dennis Namara** (Uganda): Thank you Mr. Speaker. I am here to support the Motion moved by hon. Mukasa Mbidde. My justification is very simple. When you look at the case reference, you will see that we have the Attorney General of the Republic of Burundi who is the respondent versus the Secretary General as the nominal respondent. As they have said, we need to call a spade a spade. We have a Speaker of the Assembly whom we validly elected, according to me. We have the record of the House where the Secretary General was not in support of the election. This was clearly reflected in the submission of the CTC, no question about it. We shall not mince words about that.

When we allow the Attorney General, as the applicant against the Secretary General as the nominal respondent, we stand a very dangerous path. The Secretary General can decide to concede and say, I concede, on the first hearing. Once he concedes, what will that mean? That will mean that the case will have collapsed and we will have been defeated, hence, the Speaker will be removed. That is why it is imperative that this House, indeed, supports the Motion by hon. Mukasa Mbidde to be enjoined as the respondent in this case and of course, use the records of the first sitting when we appointed the Speaker because that tells a lot in as far as the defence of this case is concerned. Therefore, I beg to submit and support the Motion by Fred Mukasa Mbidde.

**Ms Nakawuki:** Thank you very much Rt. hon. Speaker. I rise to support the Motion moved by hon. Fred Mukasa Mbidde.

Hon. Speaker, I will seek your indulgence in my submission because I am a Member of the Third and we had a similar experience. This is not the first time that a Member has come to seek leave of the Assembly to use the records of the Assembly for court purposes.

The first time we had such a scenario, the Member was denied the right to use the records of the Assembly for court purposes. The reason she was denied was that Members did not understand why she wanted to use the records. Since Members did not understand, they denied her the right, which I felt, was an infringement of her right as enshrined under Article 6 of the Treaty.

This time round, we have learned our lessons the hard way. Therefore, we want every Member to understand why hon. Mbidde is seeking this leave. That is why I am requesting for your indulgence, Rt. hon. Speaker. When I look at the pleadings in Ref. No2 of 2018, it is very direct that it is EALA that has been dragged to court. To set the record clear, it is not the Speaker who has been dragged to court. It is this Assembly. That means that the EALA Members from Uganda, where I come from, have been taken to court. The EALA Members from Kenya have been dragged to court. The EALA Members from Burundi have been taken to court, the EALA from Tanzania have been dragged to court and the EALA Members from South Sudan have been dragged to court. That is why we feel it is important that we defend ourselves. I want to agree with what my colleagues have said, hon. Aden and hon. Namara. In this reference, they have sued the Secretary General of the EAC, Ambassador Liberet Mfumukeko who also happens to be from the Republic of Burundi. The applicant is the Attorney General of Burundi. I guess you can see where I am coming from. What if he got orders from above?

Secondly, the Counsel who is supposed to defend the Community, my brother and friend, stood with the Assembly because we made him see why the Assembly transacted the way it did and he agreed. However, his hands were tied on that day. He was speaking

for some organ of the Community even though he was supportive of the Assembly but because that day, he spoke for some organ, we cannot be sure that he would represent our interests very well. Of course I am not saying that he cannot but I just want to be sure.

Today, the reason I am trying to explain more is the fact that we have been attacked as an Assembly. When the Chair Summit was here addressing the Assembly, I thought he had resolved this issue. From that day, I saw all of us moving in unison. We have not had anyone walking out of the Assembly. Everyone recognises the Speaker. However, when I read the references among the prayers, they are saying that the court should not recognise the Speaker when all of us, Members, are recognising the Speaker. It is because of this background that I cannot allow my colleagues from Burundi to be dragged in that manner. We want to go as a team of EALA to defend our position and our sovereignty. I would want us to set a precedence. Intruders cannot come from anywhere and interfere with the operations of the Assembly. This is conduct unbecoming. In fact, if I were a Member of the Council, I would act very quickly because this will have a serious cost implication on one Partner State.

Hon. Mbidde whispered to me that his lawyers would act for a good amount for the damages. I know that one Partner State has been struggling even with their contributions, their remittances. Now, we are dragging them into extra costs. The taxpayers will suffer. I am requesting Council to act quickly and avert this miscoming. Otherwise, it will be bad for us to see Partner States spending money, which they ought not to spend, or which they ought to have just remitted to the EAC. Therefore, please, we seek your indulgence on that matter. In fact, it is my

plea to the Summit to intervene on this matter and to handle the people who are misleading the Attorney General of Burundi. We are all interested parties. I want to propose an amendment to the Motion on top of the one moved by hon. Aden that I support.

I would like to amend resolution No.1 that says;

Grant leave to hon. Fred Mukasa Mbidde so that we add, and other willing Members who want to be enjoined in the matter. This will give a chance to other Members who want to be joined as interveners to be part of the matter.

This is not about you, Mr. Speaker. It is not about hon. Mbidde. I cannot sit in my house and watch this go down in the annals of history. I want to be joined as an interested party.

Rt. hon. Speaker, since I heard about this reference, I have been trying to do a bit of reading. In fact, at first, I was confused because I thought it was hon. Leontine who had gone to court. I wanted to go to her because I voted for her for Speakership. I gave her my vote as a woman. I voted for her. I wanted to run to her and tell her that she was betraying my trust. She campaigned, I gave her my vote and now she was dragging me to court. However, I was shocked when she did not seem to know anything about this court. She was not even aware that somebody had gone to court. For that reason, I feel that all of us should be joined in this application even our colleagues who want to be exonerated. They should be joined in this application so that we go and defend the sovereignty and sanctity of this Assembly. I am sure and very positive that we will win this matter when it is heard.

Council, I repeat my plea. Please, do not allow this Partner State to spend the meagre

resources of the taxpayers. I reemphasise my amendment. Apart from hon. Mbidde, all of us, willing Members, should be added as interested parties in this suit. All of us will give instructions to our lawyers to handle the matter.

I beg to support.

**The Speaker:** Hon. Susan, remember to forward your written amendment to the Clerk.

**Ms Fancy Haji Nkuhi** (Tanzania): Rt. hon. Speaker, my contribution will be very short. I want to remind this august House where we have come from. We were supposed to be sworn-in in June 2017. However, owing to some issues, we were sworn- in in December 2017. The Secretary General was there and the Council of Ministers. In fact, we consulted them. We begged them to help us solve our problems. However, they told us that the law is the law and rules are rules. They said that those were our rules and we are the ones who had made the rules. They said that we were supposed to abide by them. The victims of this issue will be the Members of the EALA. We will go back home and wait until we can have another Speaker to conduct our business. If at all, this House made a mistake, let this House correct that mistake. We should not allow anyone from outside to come and tell us that we made a mistake. That will be insulting. As a lawyer, this is an insult. The applicant is an Attorney General from a Member State. He is the one coming to tell us the mistakes we made. That is an insult that we should not accept. Now, more than ever, we should not – (*interruption*) -

**Ms Nakawuki:** On a point of information. Thank you hon. Fancy for allowing me to give the information. The information is that according to the EALA Elections Act, elections are dealt with using the Partner

States' laws regarding elections. For that reason, if anyone were aggrieved with the election of our Speaker, the only people with *locus standi* to go to court would be either the candidates or the voters who are the Members and not any other intruder.

**The Speaker:** Hon. Fancy, try not to go into the merit of the case itself.

**Ms Nkuhi:** Of course. I want to remind this august House that this is our case. It is our own internal matter. If at one point we were at a disagreement, it would be us to stand and say that this issue was not done in the right way and so we have to correct it. More than ever, we have to come together as Members of the EALA not looking at our countries and member states. We have to correct our mistakes together and stand for this House so that it continues with its business.

**Ms Rose Akol Okullu (Uganda):** Thank you Rt. hon. Speaker. First, I am in support of this Motion. However, I want to seek a few clarifications. I have heard a few submissions from my colleagues especially from hon. Namara and hon. Aden. The issue here is that it is the Attorney General of the Republic of Burundi versus the Secretary General of the Community. However, as the submissions have already been done, when we were conducting this activity at our Parliament in Arusha, it was clear that the person of the Secretary General of this Community was not for the actions that were taken by the Assembly during the election of our Speaker and yet this is the key respondent to this suit.

I am seeing conflict of interest. I am seeing conflict of interest with the Secretary General and the person of the CTC. Would it be right for us to let the Secretary General of the Community be the key respondent or is there any way we can object to this and have the Assembly, as it has been requested in the

third resolution; that we hire our own lawyers as the Assembly and disregard the key respondent to this case as representatives of the Community on this matter? That is the issue I want us to resolve here so that as we move on with this case, we are very clear that we have people who are for this Assembly representing us. I submit.

**Mr Paul Mwasu Musamali (Uganda):** Thank you hon Speaker. For purposes of record, my name is Paul Musamali.

Rt. hon. Speaker, I am at pain to debate this matter. However, it is because of the pain that I will debate it. I support this Motion because what is taking place so far touches our own existence. It touches our own existence because if we allow these kind of things to happen, then the reason for the establishment of Community will be defeated. I want to use the counsel of the Chair of the Summit. The Chair Summit said that our major objective here should be to promote the prosperity of the people of East Africa but not to fight for positions. Now, the Attorney General who has taken the Assembly to court, what is he fighting? I do not know whether it is a man or a woman. However, what is that Attorney General fighting? We have the Speaker today and this Community is not ending today with the current Speaker. Therefore, for someone to drag us into court for purposes of nullifying what we have already done trying to obtain that position, I find that not tenable, disturbing and unacceptable, if we are to promote this integration.

Mr Speaker, I support this Motion because if this issue is pursued in court, then we should defend ourselves. We should be enjoined to defend ourselves. There is hon. Mukasa Mbidde and hon. Susan Nakawuki. We should allow others to take part. I will also volunteer to be in that team.

Lastly, for purposes of the spirit of integration, some of these issues have been overtaken by events. We have already elected a Speaker. That is there. The President of Uganda, who is the Chair of the Summit, advised us not to fight for positions. That means that it is not necessary for us to fight for positions. We should agree on issues through consensus. Therefore, I want to request you, Mr. Speaker, to take necessary action, as the matter goes on in court because it will continue anyway, to consult with other stakeholders including the President of the Republic of Burundi and even the Attorney General himself so that this matter is withdrawn.

I thank you.

**Mr Kennedy Kalonzo Musyoka (Kenya):** Thank you hon. Speaker. My submissions will be very brief. I would like to support this Motion together with the amendments proposed by hon. Aden and hon. Susan for two simple reasons. The first is that there is an adage that says; *let justice be served though the heavens may fall*. Equally important is the adage that says; *the process must be seen to be free and fair not just in action but also in perception*. For that reason and given the challenges that hon. Namara talked about, I beg like to support the Motion with the said amendments.

**Mr Gideon Gatpan Thoar (South Sudan):** Thank you Rt. hon. Speaker. I am Gideon Gatpan from South Sudan. I would like to support the Motion moved by hon. Mbidde and the amendments by hon. Susan and hon. Abdikadir for one reason. In the Treaty, Article 37(2) we know clearly that the function of the CTC is to defend the Community whenever a case arises. However, it is silent on a situation where the CTC has shown interest in one particular side

of business being transacted in the Assembly. This applies to the Secretary General as well.

In this matter, the Assembly feels insecure. I, therefore, support this Motion and the two amendments made by hon. Susan and Abdikadir so that the Assembly can go ahead to defend itself.

I support the Motion.

**Mr Mohamed Adan Nooru (Kenya):** On a point of procedure. Mr. Speaker, Sir, I want to seek your guidance. There are two Motions here. One is the main Motion by hon. Mbidde and the other are amendments made by hon. Abdikadir and hon. Susan. Could we dispose of the amendments so that we assimilate them in the Motion and move on with one Motion? I am just seeking your guidance. Could it be better for us to dispose of the amendments?

**The Speaker:** Thank you honourable. I will also seek the guidance of the Clerk-at-the-Table. I thought that the resolution of the proposed amendment would come by way of reply by the Mover. Am I correct?

**The Clerk:-at-the-Table (Mr Mugume):** Yes.

**Mr Gabriel Alaak Garang (South Sudan):** Thank you hon. Speaker. I rise to support the Motion moved by hon. Mukasa Mbidde. Hon. Members, I think the Attorney General of the Republic of Burundi is putting to task this Assembly. At the level of the Council and other levels, issues are solved through consensus. However, I think they are trying to test the resolve of this Assembly and we cannot accept that. I support the Motion with the amendments as proposed by hon. Susan or to make it a separate number as proposed by hon. Adan. I support the Motion that we should not accept the challenge being put to

us by testing our resolve because we decided on this issue when we were in Arusha.

**Mr Victor Burikukiye** (Burundi): Thank you Rt. hon. Speaker. Hon. Members, my name is Victor Burikukiye. I take this opportunity to inform Members here present that Burundi took this matter to court. However, it is their democratic right. I do not see any harm nor breach to anybody regarding this. This is an alarm or warning about eventual transgression of the law today or tomorrow. I still believe that the law allows any aggrieved person to take matters to court.

Hon. Members, let us not take the case as an attack to this august House. This is a way to protect and preserve the Treaty and all instruments governing the Community. The Republic of Burundi took this matter to court because it needs a clarification of what happened on 19<sup>th</sup> January this year – (*Interruption*).

**Mr Aden:** On a point of order, Mr. Speaker. I stand on Standing Order No.42, which you read to us. From the look of things, my colleague is going into the merits and demerits of whether Burundi has a right to be court or not. I do not think that is the subject of debate. The subject of debate is whether this House should grant leave for the use of documents and records of this House to be used in the case out there. We all know that Burundi has a right to be in court and that is not the subject of discussion. The subject of debate is whether this House should grant leave for the use of records and documents of this House to be used in the case out there. We all know that Burundi has a right to be in court and that is not the subject of discussion. I am guided by your earlier direction and Rule No.42.

**The Speaker:** Hon. Abdikadir, since there have been Members who have said that it was not right for Burundi to go to court, I think the Member is in order to defend the decision to go to court. My assessment of the situation is that so far, we have not digressed in Rule 42.

**Mr Burikukiye:** Let me finish my contribution. Burundi needs a clarification on what happened on 19<sup>th</sup> January this year when this House elected a Speaker in the absence of two Member countries. I think the court is an independent body. Let it do its job.

**Ms Mugenyi Mary** (Uganda): Thank you Mr. Speaker. I am overwhelmed by what we are doing. The fact that we want to be in existence and the fact that we want to protect this institution of EALA and the EAC in general, we will be compelled to support the Motion.

I therefore want to suggest that you put the question for a decision. There is no way that this Parliament will make a decision that goes against it. If this court is challenging our existence, which is the smooth running of EALA as an organ--- I am surprised. A court of law should also be aware of the need to have peace and tranquillity in the Community. You cannot be bringing issues that will bring absurdity. I think we need to move on. We need to support this Motion so that we protect our existence, the institution and the Community that we all support and love. We need to support this Motion.

**The Speaker:** Hon. Mbidde, could you respond to the debate?

**Mr Mbidde:** Thank you Rt. hon. Speaker. I moved a Motion and pursuant to the debate, amendments have been made. I have subjected my mind to the amendments that have been proposed and I will accordingly

admit and deny some of them. Once the Motion is passed, it will take into account the amendments if any.

Rt. hon. Speaker, today, this House has performed yet another noble duty. What hon. Members need to know is that we are all here sitting as Members of the Assembly and not Partner States' delegates. The Partner States have their own Ministers who are in charge of EAC Affairs who are also here as ex officio Members. Therefore, you should not feel as if the debate that is being administered before this august House should cause you some degree of guilt that you need to entertain at the sub conscious level of your brain. Feel free as Members of the Assembly.

Rt. hon. Speaker, I thought I would guide our membership on this. Again, as lawyers, it is our duty to inform our colleagues where we think they are going astray on matters to do with *sub judice*. If you want to understand the degree of *sub judice* espoused by the laws governing this Assembly, first, look at Rule 23, Rule 42 and the provisions in Rule 20(1) of the Powers and Privileges Act. The provisions in Section 20 contemplated the existence of cases. Motions before this august House governed by the Rules of Procedure are Motions available for debate. Therefore, the Speaker has guided properly. You need to know that no amount of debate, except if we have statutory *sub judice* provided guiding the Assembly, that is when it would be offensive debating a matter for which we are seeking to be allowed to adduce evidence before the EACJ. Therefore, hon. Members, I have looked at all jurisprudence in terms of *sub judice* and parliamentary conventions and I know that we are well within the laws governing this august House. We have debated properly, hon. Members.

Before I go into thanking the Members who have contributed, I have only heard one

antagonistic submission, which was okay. I welcome it. All the other submissions have been for the purposes of amending or beefing up provisions that are enshrined within the substantive Motion. Others were seeking amendments and I will address my mind to them in just one minute. We need to know that the Assembly was put in a state that is extremely unfair, sued by a person who never stood, never lost an election and who has never voted a loser. We need to know that this is an Assembly that has adopted the principle of autonomy just as urgently as yesterday. If the sensibilities are being hurt, of course, there is no bar against you withdrawing the reference that you put against the actions of this Assembly at the EACJ. The withdrawal is provided for. We also know that the rules of that court provide for judgement on admission. Once the parties that are sued admit all the facts alleged, judgment could be given there and then by that honourable court. Once we know the parties that are being sued – the Secretary General – and he admits all the allegations, what will happen? This Assembly will only be notified of when and whether we can sit to do any acts. Therefore, this Assembly needs to defend itself. This is about claiming and taking our space as the Assembly.

I have looked at the authority of *Ex parte Bread Manufacturers Limited Re Truth and Sportsman Limited 1937*. This is a very clear case that gives clear guidelines that the Assembly, under parliamentary conventions, can debate, and from the precincts of *sub judice* 2, determine, as long as one shows that the documents required are actually effectual in giving defences before the EACJ as long as there is no injury that can be orchestrated against what is going on in court.

Therefore, a Partner State that continues to act in a manner that is extremely verve and irritant needs to be addressed as such. This is

the only way that this Assembly will actually be the Assembly that was contemplated by the voter. Why did they vote the best brains if they did not want us to say anything? They should have produced the brains that we see elsewhere. However, Members of the Assembly went through a sieving process. We spoke everywhere. We were the best. We were the best brains available. They voted professionals and those that know what to do. They voted for farmers, they are waiting for results, and yet we are here suffering. These activities are spasmodically repeated by a Partner State in such a way that we are becoming a gladiatorial circus of some sort. We must act and make sure that we move together as an Assembly.

I think the Republic of Burundi needs to withdraw that reference for debate not to ensue in this august House.

The amendments have been accepted as long as they are geared towards: One, assisting in the appointment of lawyers. Two, inclusion of all Members that are willing to be interveners in this august House. We will flash and flourish in that court. Those who think that we will cover and genuflect ourselves against public scrutiny should know that we will be in court. We will always be there in full capacity because you sued all of us. Therefore, those who do not want that activity to take place should withdraw the reference as quickly as possible. Therefore, I accept the amendments in that regard and I beg to move that this august House grant leave that we go to the EACJ and defend the actions of this Assembly. I beg to move.

The Speaker: Honourable Members, the Motion on the floor is

“THAT this House do resolve to grant special leave to use records of the House for court purposes in the East African Court of Justice (case reference No. 02 of 2018).”

I now put the question on the Motion.

*(Question put and agreed to)*  
*(The Motion was passed with amendments)*

**Ms Nakawuki:** On a point of Motion, I would like to move a Motion That the House adjourns to allow Members to go and prepare themselves for court and to find lawyers who will represent them in the matter pending before court.

I beg to move.

**The Speaker:** The Assembly is not yet served. Therefore, it is not yet time to prepare.

## MOTION

ADDRESS BY THE HIS EXCELLENCY  
PRESIDENT OF  
THE REPUBLIC OF UGANDA and  
CHAIRPERSON OF  
THE EAC SUMMIT OF HEADS OF  
STATE

**The Minister of State in the Ministry of Foreign Affairs, Cooperation and East African Community (Rwanda)** (Mr Olivier Nduhungirehe) (Ex-Officio): Mr Speaker, Sir, I beg to move:-

THAT, this House commends the President of the Republic of Uganda and Chairperson of the Summit of the EAC Heads of State for the concise and clear exposition of the EAC Policy contained in his address to the Assembly on Tuesday, 23 February 2018.

**The Speaker:** Seconders?

*(M. Isabelle Ndahayo, Ms Rose Akol, and Mr Paul Musamali seconded)*

**Mr Nduhungerehe:** Hon. Speaker and Members of the Assembly, I would like to read the resolutions of the Assembly commending His Excellency, Yoweri Kaguta Museveni, President of the Republic of Uganda and Chairperson of the Summit of the EAC Heads of State for the concise position of the EAC Policy contained in his address to this Assembly on 23 January 2018.

I beg to move –

*THAT, THIS ASSEMBLY, guided by the Treaty for the Establishment of the East African Community and the Rules of Procedure of this Assembly;*

*FURTHER GUIDED by the state of the EAC address presented to this august House on 23 January 2018 in Kampala by His Excellency, Yoweri Kaguta Museveni, Chairperson of the Summit of the EAC Heads of State and the President of the Republic of Uganda;*

*CONSIDERING THAT, the Address by His Excellency Yoweri Kaguta Museveni provided a concise exposition of the EAC Policy contained in his address to this Assembly, touching mainly on all the pillars of our integration process;*

*CONVINCED THAT the Address focussed on very important and yet very specific areas aimed at driving forward our integration agenda, among them being:*

- *Cordial relationships between the EAC Heads of State, the Summit, and Members of EALA,*
- *The ever-growing need and desire to build and further strengthen the EAC organs and institutions devoid of office politics;*
- *The continued effort aimed at improving regional trade through fast tracking mechanism for promoting free movement of goods, elimination of non-tariff barriers*

*(NTBs), the need to establish a single customs territory, as well as the desire to continue to make the EAC a formidable trade and economic bloc;*

- *The continuous efforts aimed at improving regional infrastructure through reduction of costs, which also permeate into reduced costs of doing business in our region;*
- *The need to double efforts to enhance the implementation of the EAC Common Market objectives, especially through the introduction of the requisite regional laws;*
- *Efforts in maintaining regional peace and security, democracy, good governance, human rights, rule of law and free and fair elections, which in themselves are a critical tenets of the EAC; and*
- *The need to for EALA to continuously take centre stage in the integration process by fully carrying the voice and aspirations of the citizens of East Africa, and the EAC judiciary to carry out its mandate and to open its doors to East Africans to access justice. All these are aimed at enhancing ownership at the EAC;*

*FULLY AWARE THAT all the aspirations espoused by the Chairperson of the Summit will give greater impetus and direction to all EAC organs and institutions to further deepen and widen our integration process;*

*NOW THEREFORE, This August House do resolve to commend the Chairperson of the Summit of the EAC Heads of State for a concise and clear exposition of the EAC Policy contained in the State of the EAC Address to the Assembly on Tuesday, 23 January 2018.*

I beg to move – (Applause).

**The Speaker:** Thank you hon. Minister Oliver, standing in for Chair, Council of Ministers. Could you give a brief justification?

**Mr Nduhugirehe:** Thank you Rt. hon Speaker and honourable Members. I am happy to stand here in this august House to support this resolution because we all believe, and it was said during the beginning of this session, that we all believe in integration. We believe in integration in all its components.

First, the Chairperson talked about the need to strengthen peace and security in our Community. Security is important because it is a prerequisite of any other business in our Community. We have failed in our Community in terms of conflict and crisis. We believe that our institution, the EAC and particularly this august body, EALA, will double its efforts in supporting peace in our region. More important is to prevent conflict in our Community.

In the EAC and in Africa in general, we have noticed that we deal with resolution of conflict. However, we should use the tools that we have to prevent conflict. We have the African Peace and Security Architecture (APSA) and the Early Warning Mechanism at the continental level and at the EAC level. We believe that it is important for these tools to be supported by all Partner States and all EAC institutions. Not only should we have peace and security but also unity of all the institutions of our organisation. We believe that for the EAC to move forward in terms of integration, we need to support all our institutions and the integration agenda. We believe in the independence of all our institutions that have a clear mandate for the support of our agenda and we call for unity. We have our national interests as Partner States but what brings us together here is integration. We need to put that before everything else.

Rwanda and the Council of Ministers will continue to support all institutions and foster unity of all of us. After we have achieved unity, peace and security, it is important to implement, in good faith, our protocols that are important for integration. These are the Common Market Protocol and other protocols like the Monetary Union and Political Confederation. It is important for all us to continue with this process and understand that what is important is integration and the prosperity of the people of EAC.

We believe that in our complementarity between the Council, the Summit and the Assembly, we should move forward with infrastructure projects, promotion of intra-EAC trade and African trade. The development projects will bring long lasting prosperity of our people.

I submit.

**The Speaker:** Thank you Minister. The Chairperson, Council of Ministers had indicated to me that he had a reason to step out briefly. He will be joining us later. Thank you for standing in for him. That is quite appropriate.

I know propose the question on the Motion.

*(Question proposed)*

**The Speaker:** Honourable Members, debate is open.

**Ms Fatuma Ndongiza (Rwanda):** Thank you Rt. hon. Speaker. Thank you hon. Minister of State in the Ministry of Foreign Affairs, Cooperation and East African Community from the Republic of Rwanda standing in for the Chairperson, Council of Ministers.

I stand to add my voice in appreciating the Speech that was made by His Excellency, President Museveni at the opening of this EALA session in Kampala. I was particularly touched by his constant reminder about the vision of this Community, which is moving towards being a united prosperous region. He also reminded us that EAC is about people and, therefore, we, EALA Members are representing our people. It is a market driven Community and whatever we do, we must take into account that we are representing the voices of our people, that we are representing our people and that we have to strive for the welfare of our people, unity of purpose, and of course remember that we must promote the fraternity among the people of EAC.

I want to add my voice in appreciating and to saying that this is the Summit direction and will guide our working in EALA.

**Ms Mary Mugenyi** (Uganda): Thank you Mr. Speaker for the opportunity to contribute to this debate. I would like to thank the President of the Republic of Uganda for taking time to come and speak to us and for sharing his views, values and commitment to the African people, to give us policy guidelines regarding the direction we should be taking and his expectations as the legislators of the Community.

I want to thank the Minister for presenting the Motion, which I support. If I can recall, that morning, the President identified about four areas, which the Community is supposed to be focussing on. One, he talked about the prosperity for our people, common security, our common identity and lastly our common resources. I have no doubt, from the fact that I have listened to him over the years talking about integration of Africa and not just the EAC, that the EAC is a building bloc towards the ultimate unity of the African people.

Quite often, he stresses the fact that our markets are very small. Using figures and statistics makes it clear that if we pulled our markets together, we would gain as a people. Let us open our borders, have access and utilise our markets before we think about other markets abroad which are definitely difficult to access. I support him to that with all my heart.

He talked about common security for our region. Many times, leaders speak about issues as ideal. However, they hardly walk the talk. I want to bear witness that President Museveni and other Presidents of the EAC have really walked the talk. They have meant well in securing and defending the people of the region by showing it in action.

We have seen our armies from our different Partner States going to defend the people of South Africa, the people of South Sudan, people of Rwanda at one time, the people of Somalia at present and many others that come by. I know that he was not saying it with the intention of fulfilling the obligation of coming to talk to us but he meant it. He has committed his time, the highest cost, to defend the African people. I thank him for walking the talk. Quite often, he gives us lectures about our common identity that we need to reunite ourselves. We all know that the borders that were created for us; very rudely and crudely, through colonisation, do not make sense to us.

Many of us, as we grew up, oral history was about the different people of the region. For example, I heard a lot about the region called Karagwe. When I grew up, I learned that this was part of Tanzania. I wanted to know what my grandmother always used to talk about regarding the Kingdom of Karagwe and many other regions. What we have in common is more than what we have in

difference; the more reason that I appreciate the tranquillity of this Community so that our people are once again together and are not limited by these senseless borders that have limited us. We are happy when we are here together as East Africans because we find that we are warmer. We share more and we can do much more if the borders were not limiting our performance and our possibilities.

There is the issue of harnessing our common resources; the management of our rivers and lakes, which flow over and do not know boundaries. That gives us an opportunity. Recently, in the past two weeks, he was addressing the media and he said something like; “of the mainly things you are concerned about, I never hear you concerned about the integration of the EAC and the African people.” That means, ideologically, you have never taken is as important. However, for me, from a strategic point of view, that is where the emphasis should be. The leadership should be talking about that.

I want to take this opportunity to thank him for his commitment, persistence and there is no doubt, as he said, even if you woke him up in the middle of the night and asked him about integration, he would say the same thing based on the fact that I have listened to him over time and noted the consistency. Thank you Mr. Speaker.

**Dr Oburu Oginga (Kenya):** Thank you Mr. Speaker for giving me this opportunity to address the Assembly on a very important matter which is to thank the President of Uganda and the Chairman of the EAC Summit for exposition of the policy and giving us a historical background of our Community.

I was quite surprised when the President started speaking and he said that he was not

briefed on the state of the Community and that he would speak about the issues he knew best and he spoke from the bottom of his heart about the Community. Unfortunately, I felt a bit embarrassed on why he had not been given the state of the Community so that he could address the issues we have done so far and what we plan to do in future. This was somehow embarrassing and he should have been given the state of the Community.

However, what he spoke, from the bottom of his heart gave us direction. As a Chairman, he was very clear on all the issues affecting the Community. He told us about the protocols that have been signed, the Customs Union, the Common Market and the ones that are still under negotiations like the Monetary Union and the eventual Political Federation.

What was very important in the Speech was the necessity of East Africans to behave as a Community and as one. We have difficulties, particularly with people living in the borders. For instance, I live at the border of Kenya and Uganda. The lake, which is our common user facility, is something we have been using harmoniously with all our neighbouring states including Tanzania. However, of late, some little conflict has come about. When the conflict comes about, people should not term it as a Kenya-Uganda affair or a Kenyan-Tanzanian affair. It should be an East African issue and all East Africans should be concerned and take it upon themselves to see that there is no problem particularly one which can escalate into serious conflict. I have in mind the Migingo Island; a very small stony thing which should not bring about conflict.

As my sister has mentioned, most of these borders were created artificially by our colonial masters and they need not divide our people. These were not our borders. Our borders were natural. You will find that the

Maasai, as the President mentioned, are equally in Tanzania as much as they are in Kenya and they are the same people. There is no difference. However, you will find that at times, when you go to the other side, you are regarded as a foreigner and yet that is your brother and sister. The Luo with their brothers in Tanzania are one people, the same clan and everything. The intermarriages have been such that there is no difference between people living on one side and the other side. However, when you cross the border, you must produce some documents to show that you are a foreigner in that particular land.

The President mentioned a good number of them. I hope that we will move in one direction of uniting people. One of the principles of the Community is to be people-driven or people centred. When we are people centred, that means that we have to do as much as possible to unite our people to be one. I do not want to say much but I hope that problems like the one we are having at the lake will be resolved as soon as possible. At times we have our people arrested, their wares confiscated and they are taken to court and fined very heavily. These are poor artisans, fishermen, and we have to carry out what we call in Kenya *harambee*, to free people from those kinds of situations. The Government then gets involved in negotiations and so on.

I hope we will move forward. The President was very clear on issues of Monetary Union. Eventually, we want to have Political Federation. My own view is that the Political Federation should have been yesterday. Politics is the resolver of many problems. When you have a common army, common external policies and common policies on issues of governance, it is difficult for people to go astray and start internal conflict, which can resort to violence. It is easier to resolve them as a federation.

With those many words, I would like to end by supporting the Address by His Excellency the President of the Uganda. I hope that everybody who speaks will do so.

**Mr Abdikadir Omar Aden (Kenya):** Thank you hon. Speaker for the opportunity to speak to the Address of His Excellency, Presidency Yoweri Museveni and Chairperson of the EAC Summit. Indeed, his Speech was one that was very encouraging if I may sum up the totality of words that I would like to use to express his intends. Talking from his heart, indeed, the energy within him showed clearly that he is a very committed man to the course of East Africa. He gave us quite a bit of useful history of the struggle in this region and I think that is what our region needs more than ever before.

I always ask myself; where are the great intentions of men like Mwalimu Julius Nyerere in East Africa and Kwame Nkrumah in West Africa. Listening to him gave me hope that, indeed, those brains are not lost and a lot of articles that he shared with us, for our own knowledge and reading showed us great commitment in the direction of not only seeing a united East Africa but indeed, asking and challenging us to see the possibility of a united Africa. It was very good and I support that Speech. He spoke about things, by and large and said that it was for the good of our citizenry. That is what he said and I agree with him very much on all the issues that have been mentioned by hon. Oburu and all the other issues. The border issues and other issues about the suffering of the people of East Africa can be resolved if we have one East African nation.

In his second point, he talked about brotherhood. If you go to Europe, you will realise that you can drive from Brussels to Amsterdam and from Amsterdam into

Germany and wherever you want. You may not even realise when you have crossed the border. Nobody stops you. The best you may see is a sign saying; welcome to Netherlands if you are driving from Belgium or from any other European direction. The same should be the case for the EAC. I like this decision as I said earlier on record, that our country Kenya has led the way in opening its borders. Could be imperfection as hon. Gabriel mentioned that maybe some of these policies have not been implemented in a few places. However, certainly, an executive direction was given that there is free movement of East Africans from whichever direction they are coming from. I think that is the mood I read from the Speech of His Excellency Chair of the Summit.

He spoke about strategic security. This is very important for all of us because if there is no security then there can be no development. I know that various parts of our region often suffer different types of insecurity. It is only when we come together that we can secure ourselves and those around us. I am very encouraged to see the action of the EAC forces. I know we have Ugandans, Kenyans, Burundians, if I am not mistaken, Rwandese in Somalia. It is in our own interest to safeguard and ensure that there is peace there. If there is no peace there, there will be no peace here. Those people will come for us here. It is very encouraging to see the strategic direction or thought of the Chair of the Summit that focussing on strategic security is for the common good of our region.

Better rational use of our natural resources is something that he mentioned. As we speak now, parts of East Africa, including my country Kenya, are experiencing serious drought. For the little time I have been here in Uganda, I have seen plenty of food, indeed, in excess. I am told by my good friend, the

farmer, hon. Kasamba, that Uganda has in excess of 4 million tonnes of grain. Some of our EAC countries, like my own, are suffering a deficit of over 2 million tonnes of grain. This simply means that Uganda can feed the insufficiencies in Kenya and even in South Sudan. This is the area of focus we should tap from; that united and strong, if we are, we can certainly solve many problems. I am looking forward to see Burundi and Rwanda, the areas I have not been before. From what I know, the resources that are there, though the land size may be small; it can be big enough if tapped to solve the hunger problems in eastern part, which is Kenya, and in South Sudan.

I do not want to say much but to reiterate my support for the Speech of his Excellency and say that his spirit and tone of words is very encouraging. I support.

**Mr Pierre Celestin Rwigema (Rwanda):** Thank you Rt. hon. Speaker for giving me the Floor. As we end our plenary session here, I want to thank the Government of Uganda and mostly the Uganda Chapter for the hospitality they have given from the beginning up to now. Thank you very much.

I want to thank you too, Rt. hon Speaker, because this Plenary session was very useful and enjoyable. Thank you. Coming back to the EAC State Address given by His Excellency, President Yoweri Museveni, I would like to thank the Minister for presenting it. I would like to thank him for giving a very clear justification.

Rt. hon Speaker, I support the state Address. I support His Excellency, President Museveni. The Address is about integration and the people. He mentioned many points but the first one was about how our people can make wealth, produce and be free to sell what they want. The Community, to him, is

about people. People sell what they produce to become prosperous.

Rt. hon. Speaker, the President went further to talk about the fraternity of the people of East Africa. To him, this is a key area of fast tracking integration. The population of the EAC are linked by language or history. In fact, when you go through the borders, which are artificial, you will find people who have the same history and use the same language. This is very important and it the reason that the President talked about economic development as a key to the integration process.

The President also focused on strategic security as a key to integration. We have seen how our military groups are progressing. Africa needs to solve its own problems. The President asked a question. Why can we not make Africa strong? Why can we not solve our problems? President Museveni called on the continent to speak with one voice. This is very important. In fact, when you see how the President addressed us, you will see that he is a Pan-Africanist. He went beyond the East Africa and said that the whole of Africa should be united.

Rt. hon. Speaker, he focussed on the use of common natural resources for its own prosperity. He wanted the region to apply better use of existing common natural resources for its own prosperity and gave an example of Lake Victoria. He told us how we could use this kind of natural resource. The President went further to focus on the unity of the East African region. He went further to invoke the vision that our founding fathers, during the time of Independence, had. They had a strong vision for the Community. When the Community failed, this became a source of problems and challenges that we are facing until today. He mentioned the challenge that

Rwanda had and the challenge that Uganda faced with Idi Amin.

Rt. hon Speaker, I will not take long. I would like to conclude by saying that the President said that EALA must be at the forefront because we represent people and we have been elected by people. If we have to be stronger, EALA must be at the forefront and talk using the same language.

Rt. hon Speaker, I thank you. I do not intend to take too much time since I have to let my colleagues contribute.

**Mr Jean Claude Barimuyabo** (Rwanda): Thank you Rt. hon. Speaker. Thank you honourable colleagues. I stand to support this Motion. However, at the beginning, I was wondering why this Motion has be tabled in the House. Probably this has been done in formerly because immediately after President Museveni concluded his Speech, we all, Members of EALA thanked him. Many of us wanted to shake hands with him.

I will not quote his Speech because normally it is not good to summarise it. Every part of the Speech is equally important. He mainly spoke about integration, infrastructure, peace, security, protection of environment and many other things as enshrined in the Treaty especially in Article 5 to 8.

He said many things. However, I want to say that this is also, what we, Members of EALA, are supposed to do. We are here to support integration. Maybe he spoke his mind and did not quote the resolution made by the Summit. He said that what he spoke about what his wish and he shared the same wish with all Heads of States of our Community. That is why even though he did not quote the resolution of the Summit; he said that he would support integration. He may have said

his own things but all that was in line with integration.

While I am still on the microphone, I beg all of you Members to support this Motion to thank His Excellency President Yoweri Kaguta Museveni, the Chair of Summit for his commitment and the inspiring Speech that he made.

Rt. hon. Speaker, I thank you for giving me this opportunity.

**Ms Josephine Sebastian Lemoyan** (Tanzania): Thank you Rt. hon Speaker and honourable Members. Let me also make reflections on the Speech that His Excellency President of Uganda Yoweri Kaguta Museveni and Head of the Summit made when we came for the sitting here. To me, he is a capacity builder. He created and strengthened our capacities within Parliament when we were listening to him and when the media quoted him and people heard him across East Africa.

President Museveni gave us a historical background of the East Africa Community. This made me think that people without a history are like a tree without roots. This made me go back to read this book which talks about silence in African history. He put words in the history of East Africa. Apart from him speaking about the protocols and the milestones towards the EAC integration, he spoke about the four whys we must have the integration issue. I will not repeat the details of the four whys, namely, people's prosperity, the second one on optimal and wise use of resources and strategic security.

I looked at him as a teacher. He spoke about the EAC in a language that even a layperson out there would understand. I was wondering whether his Speech – thank you very much for getting us the Speech – could be

popularised and be used for awareness creation. Indeed, I will make good use of it. I will popularise it. I will use it when I engage with people out there because the language was so simple but very touching that people like me who did not have the details internalised what he was talking about.

I want to recognise his generosity. He gave us past editions of newspapers dated 1963. I would like to thank him very much for that input. Not only that, he gave us many other publications like his own books as well as invited us for all his safaris. This was not only an awareness event for us but also a learning process for us as Members of Parliament.

Let me end by saying yes, indeed, we should applaud the Speech. We will make very good use of his Speech.

**Mr Paul Musamali Mwasa** (Uganda): Thank you Rt. hon. Speaker and my colleagues. I also rise up to support the Motion and to thank the President of the Republic of Uganda who is also the Chair of the Summit for a concise and clear Speech even if it has not been prepared for him as he informed us. However, it was clear, concise and straight to the point.

Rt. hon Speaker and colleagues, the President talked about four things. Just like the previous speakers have said, I will only augment a few of them. I was excited by the point of prosperity for our people. He said that when we come together as a Community, six countries now, we will expand the market. However, the question here is; we are expanding our markets from our small numbers to 170 million people in the EAC.

So, what is he talking about? Is he talking about Owino in Kampala? Is he talking about Gikomba in Nairobi, Kariokoo or Konyokonyo? He is not talking about those

ones. He is talking about consumption. We are now a big number and we can consume as much as we can produce. He is also talking about production. The challenge here is; are we capable of producing to feed the 170 million people? Are the 170 million people capable of consuming?

I have a short story that I want to share with you. This is the story of rats and cats. You are aware that cats keep on eating rats everywhere. Rats, at one time, decided that they had a problem. The cats kept on eating them. They decided to buy a bell and give one of them. They said that they would tie the bell around the neck of the cat so that when the cat came, they would hear the noise, be alerted and run away. The big question came. Which rat would tie the bell around the neck of the cat? So, we are here, uniting but we should not be like rats. We should have capacity to produce for ourselves and consume.

Hon. Abdikadir has just said that we have food here in Uganda. However, the food is rotting. So, what is the problem and yet people are dying of hunger like in some parts of Kenya? Our brothers and sisters from South Sudan – as you are aware it is the youngest nation and is still struggling – they need food. They need a number of commodities and yet we cannot supply them. What is the challenge? He challenged us, Members of EALA, to work towards promoting prosperity of our people. Therefore, I want to urge Members, as it was augmented yesterday by hon. Augustine Mahiga, our Minister for Foreign Affairs and EAC Cooperation, Tanzania, that we as EALA, must act without fear or favour. Therefore, let us make laws that will enable our countries integrate without slowing in terms of speed.

Two, is about rational use of resources. What are these resources? Of course, you all know. This is water, which you all know. Lakes, rivers, mountains and land among others.

Dr Oburu mentioned something. We have been having a problem, for example. I do not know how big it is because he mentioned it in passing. However, Uganda and Kenya have been having a problem over a very small Island called Migingo. It is found in Lake Victoria. They have been struggling saying that it belongs to Kenya and others saying it belongs to Uganda. However, the people who are there have nothing to do with Kenya and Uganda. All they care about is their survival. We need to work on the enabling laws to ensure that we integrate freely and share the resources.

Recently, cows crossed from Kenya to Tanzania. Cows do not need visas and when they are crossing, they do not realise that they are crossing a border. They crossed to Tanzania because of the drought in Kenya. We have been having the same case between Kenya and Uganda via Mount Elgon depending on where the grass is. However, when these cows crossed to Tanzania they were auctioned by the Government of Tanzania. The President was spot-on. We are talking about sharing of resources. The President said that we are sharing resources. However, when the cows crossed, they said that the cows had crossed illegally. Do cows need visas? Does fish need visas to cross to the other side of Lake Victoria? And by the way, they go for production. They may be going from Mwanza downwards for production. Now, do you want to issue them with visas before they cross?

Rt. hon Speaker, the President was spot on. What we are working on is to integrate and to share resources and live in harmony and prosper. These cows were sold. However, do

you know what happened? The community in Tanzania where these cows had crossed mobilised money and paid the people of Kenya whose cows were sold.

Rt hon. Speaker, in brief, just like I promised you as you were looking for a vote, I said that I would support you as long as you would also support me in terms of making laws that would help us integrate freely and fast. This is our work.

I also want to add that some of these things that are happening, like the auctioning of cows in Tanzania, could be an act of sabotage, not necessarily by the Government of Tanzania, Uganda or Kenya like the ones who are charging visa fees but an action of the bureaucrats. Remember that some of the bureaucrats are not happy. When we abolish visa fees that means that they are losing jobs or opportunities like the ones who are involved in getting bribes at the airports and borders. They are not happy. They would do their best to ensure that they frustrate these efforts. Therefore, our work is to ensure that we stop these people who are frustrating our efforts.

I will add that the President showed us an extract of a newspaper of 1963. He said that he was very happy with what was happening at that time. He showed us a newspaper called *Uganda Argus*, which was the daily in Uganda by then. The headline read; Federation this Year. That was in 1963. The main point is that the federation did not take place. Now that the federation did not take place that year, we missed a very big opportunity. We missed integrating at that time and prospering at a faster rate. However, among others, he said this led to genocide in Rwanda because if we were together, we would have combined efforts. He also reminded us that Amin ended up coming to power here and caused a lot of havoc in

Uganda. At that time, Mzee Nyerere was at the helm at the time as well as Mzee Obote in Uganda as well as Mzee Kenyatta in Kenya.

Rt. hon. Speaker, honourable Members and colleagues, I want to put a question. Who is Nyerere now? We do not have Nyerere. The question is; who is Nyerere now? Who is Kenyatta now? You are Nyerere. You are Kenyatta. You are Obote now. We are the ones who are in charge now. We should not lament any more. We should not lament that they missed out the opportunity in 1963. It is our turn to either make ourselves or destroy ourselves. We should work, as Members of this Assembly without fear or favour to make laws that will enable this Community to integrate. We should shun, as much as possible, anybody who will bring issues to take us back.

Lastly, the President talked about fraternity. It is true that all of us were the same people; brotherhood. I happen to come from the border district in the eastern part of the country. The district borders Kenya. For your information, our ethnic group consists of 3 million people in Uganda. However, in Kenya, they are 6 million. That means in total, we could make up a whole country. The headquarters of the cultural institutions is in Uganda. Therefore, every time we circumcise, our brothers come from Kenya to pay homage in Uganda.

When you talk about brotherhood, we are the same people. However, I want to challenge this House. Brotherhood alone will not be enough unless we do something that makes us unique. It is not about being brothers and sisters. We must do something unique that makes us unique and live together. Let me give you an example. Let us talk about those who are in Kenya and Uganda. If you go to the border where hon Rose Akol is married in the district of Nebbi, it is in North West of

Uganda. This also applies to Arua. For those who went to Arua, the area borders Congo. There are more people from this ethnic group than in Uganda. That means that when you talk about federation or fraternity and brotherhood, these people would be comfortable being in Congo than in Uganda. That means that we need to do something unique to make the EAC more attractive such that even those who are in Congo are eager to join the EAC other than choosing to go somewhere else.

At the beginning of the Assembly, after we were sworn-in, I appointed myself a bishop for those who are not yet married, for purposes of integration. I appointed myself a bishop to marry them.

Thank you Rt. hon. Speaker.

**The Speaker:** Thank you hon. Musamali.

*(Mr Dennis Namara stood at his place)*

**The Speaker:** What is it?

**Mr Denis Namara (Uganda):** Rt. hon. Speaker, Sir, I would like to move a Motion under Rule 30(c). This is regarding a Motion, which may be moved without notice, Motion for adjournment of Debate.

**The Speaker:** Let us have an idea of the Motion you want to move.

**Mr Namara:** Mr. Speaker, I beg to move a Motion under Rule 14(5) of our Rules of Procedure that considering the importance of this Motion, which is the centre of integration objectives, and considering the limited time that we have, the debate be adjourned to allow effective disposal of the matter.

I beg to move.

**The Speaker:** Seconders.

*(Dr Maghembe seconded the Motion)*

**Ms Muhia Wanjiku (Kenya):** Mr. Speaker, I want to object – *(Interruption)* -

**The Speaker:** He has to justify his Motion first, procedurally.

**Mr Namara:** Mr. Speaker, as you are aware, what we are discussing is very important as far as the integration process is concerned. This is extremely detailed, very detailed. Every Member would certainly want to take part in the discussion as far as this issue is concerned, including myself. However, the time we have may not be enough for us to debate and to into a detailed discussion of this very important Motion. Therefore, it is upon that background that I beg that we adjourn it so that at a future date, we may discuss it in detail and give it proper diagnosis and treatment as far as the issues are concerned.

**The Speaker:** Hon Members, let me try to recapture my understanding of what hon Namara intends to achieve. We do not have enough time for everyone to debate this Motion. We also do not want to cut it short because this is a Presidential Speech. We also have another matter, which we have to transact before we adjourn. His idea is that we adjourn and we resume the debate in our next Plenary so that everyone has an opportunity and enough time to speak about it. That is what he intends to achieve. I will put the question.

*(Question put and agreed to)*

*(Motion to discuss the Address by His Excellency President of the Republic of Uganda and Chairperson of the EAC Summit of Heads of States)*

*was adjourned to a future date)*

**The Speaker:** Hon. Members, I want to invoke the powers of the Speaker under Rule 16(6) to make some alterations on the Order Paper and to allow the Chairperson, Council of Ministers to make a statement under Rule 91.

### STATEMENT UNDER RULE 91

#### PRESS STATEMENT OF THE 19<sup>TH</sup> EAC HEADS OF STATE SUMMIT AND RETREAT ON INFRASTRUCTURE AND HEALTH FINANCING

**The Minister of State for East African Community Affairs, Uganda** (Mr. Julius Wandera Maganda) (Ex-Officio): Thank you very much Mr. Speaker. I want to make a statement under Rule 91.

First of all, I want to thank you for allowing me to step out to attend to other obligations and to appreciate my colleague, the Minister who stepped in at the time I was required to move a Motion. I want to thank the Members.

This statement concerns the 19<sup>th</sup> EAC Heads of State Summit and retreat on infrastructure and health financing. I believe that the Clerk has already circulated the document to you.

Uganda as the current Chair of the EAC Heads of State Summit and the EAC Council Ministers will host the 19<sup>th</sup> Ordinary EAC Heads of State Summit on 23<sup>rd</sup> February at Speke Resort Munyonyo in Kampala under the theme: *Enhancing Socio-Economic Development for Deeper Integration of the Community.*

The 19<sup>th</sup> Summit is being convened in accordance with the provisions of the Treaty

establishing the EAC, which in Article 12 states that, “the Summit shall meet at least once every year.” The main objective and purpose of the Summit is to provide the political support and impetus to the EAC Regional Integration process and agenda, including taking stock of the implementation of the directive made at the previous summits.

All the six EAC Heads of State will attend the Summit and this will among other things deliberate on the Council of Ministers report in relation to:

1. Sustainable financing mechanism for the EAC;
2. Progress on political federation;
3. The roadmap for the accelerated integration of the Republic of South Sudan;
4. Progress of the verification exercise for the admission of the Republic of South Sudan;
5. Progress of the verification exercise for the admission of the Republic of Somalia into the EAC;
6. Modalities for promotion of motor vehicle assembly plant in the Community;
7. Review of the textile and leather sectors;
8. One network area framework;
9. Report of the Chair of the EAC Summit on the EU-EAC Economic Partnership Agreement.

In addition to the Summit, we are convening two other important meetings.

1. The 4<sup>th</sup> EAC Heads of State Joint Retreat on Infrastructure Development and Financing; and,
2. The first EAC Heads of States Summit on Investment in Health  
The Theme for the retreat is” *“Deepening and Widening Regional Infrastructure and Health Sector Development in the EAC Partner States.”*

The retreat will incorporate separate development partners' roundtable and exhibitions from 21<sup>st</sup> to 22<sup>nd</sup> February 2018.

Recognising infrastructure as the prime mover of socio-economic development in the region, the retreat will focus on the progress of implementation of previously prioritised projects. Through this retreat, a number of projects were identified most of which are under implementation in the energy sector, transport, maritime, and ports development.

With regard to the health sector, the first Heads of State retreat will seek to build consensus on regional health sector investment priorities for the attainment of Universal Health Coverage and Sustainable Development Goals. The retreat will also:

1. Showcase the major health sector investments and opportunities in the Partner States;
2. Mobilise investments for the identified health sector priorities; and,
3. Revitalise regional partnerships and linkages for improved health outcomes in the EAC Partner States.

The retreat, which is by invitation, will be graced by Ministers, technocrats, researchers, the private sector, civil society, the academia and youth within and outside the EAC region. Other invited guests include dignitaries from regional economic groupings like the African Union (AU), United Nations Economic Commission for Africa (UNECA), Southern African Development Cooperation (SADC), Economic Cooperation of West African States (ECOWAS), Inter Governmental Authority for Development (IGAD), multilateral and bilateral partners, financial institutions, local and international investors, civil society and the private sector.

The exhibition is expected to attract manufacturer's, service providers,

practitioners, businessmen and women to showcase the different products, services and equipment in both the health and infrastructure sector and facilitate mutual partnerships networking and business development.

At the end of the two-day retreat including the round table discussions, the EAC region is expected to come up with a framework with concrete measures that will accelerate and support the attainment of the objectives of the EAC Development Strategy. The Agenda 2063 and the Sustainable Development Goals in the infrastructure and health sectors.

I beg to move.

**The Speaker:** Thank you very much Chair, Council of Ministers. Hon. Members, may I remind you that the statement by the Chair, Council of Ministers has been made under Rule 91 and subject to Rule 91(2), no debate can ensue following a statement made under this rule. However, if there are questions in seeking clarification, I will allow.

**Mr Adan Mohamed Nooru (Kenya):** My first clarification is from an observation. Any document that is tabled during any parliamentary proceedings; ownership is very important. The copy of the statement I have from the Chair, Council of Ministers is not signed. How do we take it as a statement from the Council? That is the first observation. The second clarification is that, the next workshop has many regional stakeholders and institutions involved the one that will deal with health and infrastructure. Is this a Summit meeting that is supposed to be attended by Heads of State with the huge numbers of people and stakeholders? Will the issue come up with conclusive tangible results? We need a technical team to be formed to share ideas and then come up with

a work plan or the Heads of State to endorse. Those are the two clarifications.

**The Speaker:** Thank you. Hon Chair, Council of Minister, I think you will handle the second part.

On the first part, the document circulated is for convenience. The statement was made orally in the House and the records in the *Hansard* are very clear that it is the Chair, Council who made the statement. You can now proceed to give clarification on the second part of the question.

**Ms Mugenyi:** Mine is very short, Mr. Speaker. I just want to know whether this information is for us to note or we are invited. I followed and did not see anywhere where we are invited.

**Ms Fatuma Ndangiza (Rwanda):** Thank you Rt. hon. Speaker. I want to thank the Chair, Council of Ministers for this briefing. This shows that there is need for communication because at the end of the day the EAC Heads of State provide guidelines and direction to the work of the EAC. However, I was surprised when I looked at the upcoming retreat, there are a number of stakeholders and the subject that will be discussed is very important to our integration. However, among the stakeholders, I did not see EALA. I think it is important that EALA be represented. I know that the Speaker might be there but that has to be indicated. EALA has to be part of these stakeholders retreat. At the end of the day, the recommendations that come out of this discussion will guide our integration.

The other key stakeholder is the women of this region, because this is a people centred community. Women are key stakeholders. That is an issue and maybe Mr. Minister, you may need to clarify. However, this is a good

thing and I hope you will keep on engaging EALA in the work of the Summit.

**Mr Mathias Kasamba (Uganda):** Thank you Rt. hon. Speaker. I want to thank the Minister for giving us a brief about the upcoming Summit and the issues he has mentioned that the Summit will deliberate. When we were being inducted, we had many Bills which had not been assented to. My sister has mentioned that EALA has not been considered.

Could the Minister assure us that among the pending business, assenting to the many Bills that were passed by our predecessors, EALA three, will be part of the agenda to make sure that we fast track some Bills like the Cooperative Bill which is very essential in empowering the cooperatives? There are many Bills that are waiting assent by the Summit of the Heads of State. Is it going to be part of the agenda for this coming Summit?

**Ms Nakawuki:** One more clarification to add on the clarification raised by hon. Fatuma regarding Members of EALA. I also want to ask about the Members of Parliament. The items on the agenda of the Summit include progress on the verification exercise for the admission for the Republic of Somalia into the EAC. I do not think that this is an issue that is pertinent. Different Members of Parliament have been asking us about it and yet we are not involved. People feel that we will import insecurity into the region. In fact, I would like to inquire from the Minister on whether he can give us a brief on this. I know that among the requirements, before any partner state is admitted into the Community is security in that given country. We are all aware that the level of insecurity in Somalia is very high.

I would like to request, through Chair, Council of Ministers that Members of EALA

and Members of Parliament from Partner States are invited to attend so that they get answers. The citizens of the EAC need answers to this.

**The Speaker:** Hon. Council Chair, could you proceed and respond to the questions?

**The Minister of State for East African Community Affairs (Uganda)** (Mr Julius Wandera Maganda) (Ex-Officio): Thank you very much Mr. Speaker. The first Member wanted a clarification on the involvement of stakeholders in the resolutions that will guide the Summit on the decisions that they should take. This Summit is being prepared by a team of technical officers from various Ministries being chaired by the Sectoral Council of Ministers responsible for some departments.

For instance, if the issue is about financing health issues, you will find that the Ministers of Health from the region will be chairing the meeting under the guidance of the Permanent Secretaries and the technical people from the Partner States. There is very good guidance that has escalated into the Motions that the Summit will discuss. There is full involvement of the technical team from our various states and the decisions that are being taken by the Summit have already been discussed and appreciated by the technical people. So, the Summit will definitely be taking the political decision that will escalate on us taking the implementation perspective.

On the area of invitation, the Summit will be attended through invitation. EALA is invited through the Speaker. The Speaker is invited and he is mandated to select among the members who to attend the Summit. As a Member of the Council, I cannot decide on who among you will accompany the Speaker to attend the Summit. The Speaker is invited.

The Secretary General and the Secretariat are invited. The Secretary General will definitely be there because most of the issues that are presented there come through the Secretariat. I believe on the part of EALA, we should not worry because the Speaker will represent us there.

On the involvement of women, there has been a very high involvement of women and mobilising women within the region. There will be people who will showcase and try to help women get into enterprise management and improve going into industrial production. The involvement of women is there but will be done through the private sector foundation of Partner States. The East Africa Business Council has been spearheading this perspective on the part of mobilisation of women. We anticipate that the level of the participation of women will be realised there.

On the assent of Bills, in the previous Summit, five Bills were presented. However, the attendance of the Heads of State was not full. Those who were there assented to the Bills but the signing of the Bills was not complete. There was a decision that was reached that the Bills to be assented to will always be brought to the Summit. This time, there are about five Bills which will be presented again for conclusion of assent and new ones which will be submitted.

The admission of Somalia has been an issue. There has been an interest on Partner States to see how we can bring peace and security in Somalia and whether it can join the regional bloc. We realised that the biggest impact on the insecurity within the region is the EAC which has been suffering, especially Uganda and Kenya. The admission of Somalia is one way of bringing Somalia to appreciate that for it to be part of the region, then they must manifest within the agenda, the issue of peace

and security. I have a feeling that their admission will be accepted by the Summit. These are some of the areas that they have to convince the region that they will realign them so that they can be admitted to the region. So, there should be no fear. In fact, we will be moving the right way if we admit Somalia to the regional bloc. That is the only way that they will appreciate that we are the same people with the same destiny. Let us embrace the idea with a positive mind and see how we can mitigate on issues that will create so that they can be part of the region.

However, it is in the best interests that Somalia is admitted in the region so that issues of insecurity are catered for.

Thank you Mr. Speaker.

**The Speaker:** Thank you very much, Chairperson Council of Ministers. Hon. Members, you know that you have to vacate this Chamber for the Uganda Parliament to proceed with their business. That brings us to the end of our Plenary, but before I proceed with my closing remarks, I want to announce the presence of very important visitors in the gallery. These students of different nationalities are on a school tour to learn about Uganda's development. We are happy that they found us here, Members of Parliament from across the region. We appreciate your visit in Uganda and we believe that you are learning a lot about this country and the region. Enjoy your stay.

Hon. Members, you have been given your records of the *Hansard* for correction. Please, before you leave the Chamber, make the correction. It is very important that you leave behind a corrected copy. This has a direct relation with hon. Mbidde's Motion. Therefore, if you do not leave a corrected copy, you will not have served justice to the Motion that we voted this morning.

Hon. Members, I want to congratulate you for a very successful conclusion of the sitting in Kampala – (*Applause*) We have had a very successful Plenary.

We had a very successful induction and I want to congratulate you for your participation, resilience and commitment to the entire process from the first day to the end.

I want to congratulate, on your behalf, first of all, the President of this great Republic, His Excellency, President Yoweri Museveni. First of all for his leadership that has made this country a place for all of us to be and to feel proud and for setting time to come and speak to us. The Address he delivered to this Assembly was very important and reminded us not only about our duties as the regional Members of Parliament but about the objectives of the Community. Why do we have this Community, why do we need it and what are we supposed to do as Members of the regional Parliament to advance the objectives of the Community. Therefore, we thank His Excellency the President for his commitment to regional integration and for his commitment to support regional Parliament.

We also thank the people of Uganda for their warm hospitality; those that we interacted with directly, where we stayed and the hotels where we live. We were given the best treatment. We did not expect less because that is who the people of Uganda are. We thank our colleagues from Uganda Chapter. The bar has been set very high. We thank you very much for the warm reception, the comfort you gave us, the time you set aside for us; you invited us to your homes and you socialised with us. Thank you very much. We thank our staff. I like reminding honourable Members that whatever we do and the

comfort we enjoy in the course of our duty is because we have people around us who work longer than we do to make that possible. Our staff thank you very much.

We will now embark on our next activity, which is very demanding. It calls for resilience and commitment. However, I am optimistic that we will make it as successful as this Plenary has been. We have appointed team leaders; hon. Kasamba Mathias and hon. Wanjiku Muhia who will give you a comprehensive briefing from the points of departure, which are Zanzibar and Mombasa. I think you have already received your tickets.

**Hon Members:** No!

**The Speaker:** Have you all checked your emails? Have you? The tickets have been sent and if you have not received, I am sure that you will receive your tickets today. Try to be there in time and to participate in the entire activity. If there is any reason that will make it impossible for you to participate, you have a team leader. There must be proper communication. You could also reach out to me. However, let us all commit to participate in this activity fully. I am emphasising this because as I said, it is a very highly demanding activity. There can be the temptation to drop out midway. We should not allow that to happen.

Hon. Members, some issues were raised yesterday in the meeting of the Commission regarding some aspects of your welfare. Be sure that we are taking that very seriously and handling the issues. For some delays that happened in certain aspects, we apologise but we are working on the issues and they will be resolved.

## ADJOURNMENT

On that note, I wish you journey mercies. I wish you a successful and enjoyable tour. The tour will be enjoyable because you will be driving across the region and talking to them. It is demanding but also enjoyable to participate in it. I wish you all safe travels as you go back home. On this note, I adjourn the House.

The House stands adjourned *sine die*.

*The House rose at 12.30 p.m. sine die*