



# BUNGE LA AFRIKA MASHARIKI



THE OFFICIAL MAGAZINE OF THE EALA

ISSUE 04

AUGUST 2012



**3<sup>rd</sup> Assembly sworn-in on June 5, 2012**  
**2<sup>nd</sup> Assembly winds its mandate with successes**

#### REPRESENTATIVE

Second Assembly  
winds its Sessions

#### KNOW YOUR MP

Inauguration of 3<sup>rd</sup>  
EALA

#### TOPICAL ISSUES

EAC must be the force  
of example to the rest  
of the World

#### INSTITUTIONAL LINKAGES

Strengthening the Linkage  
between EALA, National  
Parliaments and Citizens



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# DESK OF THE HON. SPEAKER

June 5<sup>th</sup>, 2012 marked a new birth in the history of the Assembly. On the day, the 3<sup>rd</sup> Assembly was sworn-in culminating in the beginning of another phase in the journey towards strengthening the integration process.

I wish to congratulate the Members who were elected to the 3<sup>rd</sup> Assembly and to wish them all the best of success in delivering on the election pledges to the citizens of the region.

Before I continue, let me pause and congratulate the 2<sup>nd</sup> Assembly for the achievements realized under the stewardship of Speaker *Emeritus* Rt. Hon Abdirahin Abdi. The past five years saw tremendous progress with the legislators performing above and beyond their call of duty. I want to state that their legacy shall forever be imprinted in the history of the integration. It is now upon we - the 3<sup>rd</sup> Assembly, to consolidate on the gains realized, assess the avalanche of expectations we are mandated to fulfil and explore new avenues and the path to take to address the existing challenges.

EALA is lauded as one of the most successful Regional Assemblies in the continent and one whose model is worth replicating. EALA has continued to chart its place in the integration map – a fact that has been heightened by the hardwork, determination and collaboration of the EALA Members. We take pride in such achievements.

EALA however recognizes that any celebrations of its achievements must be tempered by the fact that the EAC is at a defining moment in its quest to fulfil the integration process – and this calls for defining actions.

As citizens of the region, we have much to delight about in the trajectory of progress at the EAC. Given the fact that the region is deepening and widening its integration aspects, the role of EALA remains fundamental and is crucially hinged on provision of efficient and effective legislative services. Like I said during my campaigns, I shall captain the ship while offering consultative leadership and teamwork.



**RT. HON. ZZIWA MARGARET**

My priorities during the period include enhancing awareness among the citizens of the region by taking the Assembly closer to the people. It is my intention to work closely with the Civil Society, Private Sector, youth and all other groups as we carry on with this important mandate.

I shall also ensure EALA goes the extra mile to enact legislation relevant to the realization of the Monetary Union and the Political Federation. In addition, legislation that is key to strengthening the existing pillars –the Customs Union and Common Market shall be key.

All said and done, every East African wants to live better, feed better and earn a better and more decent wage. In all our plans and strategies, we must ensure that economic development which spans on trade and commerce trickles, spirals and is felt across the divide of the wananchi. That way, we can be sure that integration shall continue to be felt in the pockets of ordinary East Africans.

Despite the challenges, EALA is up to the task and ably so. We have the commitment from the Partner States and the leadership right from the top – the Summit all the way down to various stakeholders. It is our solemn promise to work glove in glove with all partners.

*I wish you all happy reading.*



**MR. KENNETH NAMBOGA MADETE**

Let me start by congratulating the 2<sup>nd</sup> EALA for a job well done! I wish to sincerely thank all Members of the 2<sup>nd</sup> Assembly led by Speaker Emeritus, Rt. Hon. Abdirahin H. Abdi for their outstanding contribution and effort during their term of office. Allow me in the same breath to give a warm welcome to the newly elected team led by Speaker, Rt. Hon. Margaret Zziwa and to wish them all the success over the next five years.

EALA has a noble role of ensuring a prosperous, competitive, secure, stable and politically united East Africa. It is inspiring that the 3<sup>rd</sup> Assembly has pledged to take the legislative Organ to the next level, taking over from where its predecessors left. We must keep the fire burning, create opportunities, keep hope alive and strive to meet the aspirations of the East African people during the years 2012-2017.

Immediately after the swearing-in of the 3<sup>rd</sup> Assembly, an induction process was rolled out to give ammunition to the Members as they start to embark on their work. The annual workplan was also completed and adopted. None other than the person of the Speaker herself has promised leadership based on teamwork and consultation. The staff of the Assembly are determined to give their best, use their talents,

## OFFICE OF THE CLERK

professionalism and imagination to offer EALA all they require to ensure success. We shall emphasize a spirit of unity and teamwork among the entire fraternity of the Assembly.

EALA takes pride in its mandate which encapsulate enacting legislation, liaising with the National Assemblies of the Partner States on matters pertaining to the Community, overseeing the operations within the Community itself as well as that of passing the Community's budget and considering reports of the Audit Commission.

While backing what the Rt. Hon Speaker has already alluded to, the next five years shall witness the consolidation of the Common Market and establishment of the Monetary Union. The Political Federation which is the ultimate prize is also not too far off in the scheme of things.

As the legislative arm, it is incumbent on EALA to leverage its role as it garners to strengthen the integration process. The Assembly must undertake its mandate with vigour and rise above and beyond the legislative, representation and oversight role to that of bringing the integration closer to the people. EALA has a further onerous task of steering the citizens to own the integration process. Our history as East Africans is linked and so is our destiny. One of the ways we can realize this is by embarking on an aggressive sensitisation and awareness creation campaign to the citizens of East Africa about the benefits of integration.

I wish the new legislators the very best in their endeavours. My staff and I assure you of our unequivocal support.

# RT. HON ZZIWA ELECTED SPEAKER OF THIRD EALA

The third East African Legislative Assembly (EALA) on June 5<sup>th</sup>, 2012 elected Margaret Nantongo Zziwa its first female Speaker. Rt. Hon Zziwa defeated Hon Dora Byamukama during the elections of the Speakership held at the EALA Chambers in Arusha, Tanzania.

Rt Hon Margaret Zziwa thus takes over from the Speaker *Emeritus*, Rt. Hon Abdirahin Abdi as the third Speaker of the Assembly.

Prior to the polls, each candidate was given a 5 minute interlude to espouse their policies on the floor of the House. During voting, Members of EALA cast their votes following an alphabetical order.

Present to witness the occasion was the Speaker of the Parliament of Uganda, Rt. Hon Rebecca Kadaga, ODM Chief Whip, Hon Jakoyo Midiwo and a number of Members of Parliament from the Partner States. Also in attendance was the former first lady of the United Republic of Tanzania, Mama Maria Nyerere.

All Members were also sworn in the busy day of activities. A Ph.D. candidate (Professional Route) of University of Stirling (UK), Rt. Hon Zziwa has an Msc in Policy (Applied Social Research) from the University of Stirling in Scotland, a Masters degree in Gender and Women Studies from Makerere University and holds a Bachelor degree in Economics from Makerere University. She also holds a post graduate Diploma in Education and a Diploma in legislative drafting, among other academic accolades.

A day after swearing in as Speaker of EALA, Rt. Hon Margaret Zziwa took over office. She was handed over the tools of the office by the former EALA Speaker (*Emeritus*), Rt. Hon Abdirahin Abdi in a brief ceremony at the Speaker's Chambers.

Rt Hon Zziwa lauded the outgoing Speaker for his stewardship of the 2<sup>nd</sup> Assembly and for delivering the reins to the 3<sup>rd</sup> Assembly.



Rt. Hon Margaret Nantongo Zziwa is sworn in by the Clerk of the Assembly, Kenneth Madete at the EALA Chambers in Arusha

*'I appreciate Rt. Hon Abdi for the guidance and for taking the 2<sup>nd</sup> Assembly a notch higher. I note that under Rt. Hon Abdi, the Assembly realised tremendous progress and achievements. In the same vein, I laud the Clerk of EALA and staff for a job well done',* Rt. Hon Zziwa remarked.

The new Speaker indicated her desire to see a more unified region and remarked that her tenure would be guided by team work and consultation. She further hailed members of the media for supporting the integration process and reiterated the need for enhanced publicity of the Community.

On his part, Rt. Hon Abdi congratulated Rt. Hon Zziwa for assuming office noting that the 2<sup>nd</sup> Assembly had left a strong foundation for the 3<sup>rd</sup> EALA to build on.

*'I wish you Madam Speaker all the best and I am sure you are up to the task',* Rt. Hon Abdi said.

Rt. Hon Abdi later presented the in-coming Speaker with the mace and a series of publications which he termed vital instruments for the Speakership. The publications included the Treaty for the EAC, the Rules of Procedure of the Assembly and a special Handbook of the Life and times of the 2<sup>nd</sup> Assembly.

Bunge la Afrika Mashariki's Editorial Team later interviewed the new Speaker on her vision for the Assembly. See excerpts on pg. 7

# JUST WHO IS THE RT HON ZZIWA?



Over to you: Rt. Hon Margaret Zziwa receives the mace from Speaker Emeritus, Rt. Hon Abdirahin Abdi

The Rt Hon Margaret Nantongo Zziwa is expected to be a key player in the regional integration process. In her new role at the Assembly, the Rt. Hon Zziwa will closely consult with the EAC Summit and steer EALA in delivering the EAC integration agenda. It is during her tenure that the EAC is expected to consolidate on the integration process, (Customs Union, Common Market) and make strides towards realising the Monetary Union and ultimately, the Political Federation.

An East African of Ugandan origin, Rt. Hon Zziwa was first elected as a Member of EALA in 2007 and served the 2<sup>nd</sup> Assembly in the Committees of Communication, Trade and Investment, the General Purpose and the Regional Affairs and Conflict Resolution respectively.

A Ph.D. candidate at the University of Stirling (UK), Rt. Hon Zziwa has an Msc in Policy (Applied Social Research) from the University of Stirling in Scotland and another Masters of Arts degree in Gender and Women Studies from the Makerere University. She also holds a Bachelor's degree in Economics from Makerere University as well as other academic accolades.

Rt. Hon Zziwa profiles herself as a "proficient, focused, resilient, committed and patriotic individual who believes in efficiency and effectiveness in all areas of policy implementation and service delivery"

Her vision for the EAC is five-fold:

1. She believes in the conviction that Integration is a reality and is beneficial to the 130 Million East Africans.
2. The expanded market and the establishment of a Tariff free zone under a Customs Union and the elimination of Non-Tariff Barriers (NTBs) will improve and motivate production and improve incomes among East Africans, especially women.
3. The implementation of the four pillars of

integration needs a strong legal framework. EALA under her Speakership will enact the pre-requisite laws to facilitate the integration of EAC.

4. The goodwill of the EAC requires strong EAC Organs and EALA under her stewardship will drive the EAC Integration forward.
5. The next stage of integration is the Monetary Union and it needs strong negotiation skills including adherence to the principle of asymmetry.

Rt. Hon Speaker is a firm believer in the ethos *Umoja Wetu ni Nguzo Yetu* (Unity is our Pillar).

The EALA Speaker joined politics in 1987. She served for two terms as a Member of Parliament representing Kampala District in Uganda's Sixth and Seventh Parliaments between 1996 and 2006. In her capacity as MP, Rt. Hon Zziwa served as the Chairperson of the Committee of Presidential and Foreign Affairs steering three important Bills namely: the Access to Information Bill, The Uganda Broadcasting Corporation (UBC) Bill and the Refugee Bill. She was voted the best woman MP during the 7<sup>th</sup> Parliament. Rt. Hon Zziwa also served on the Parliamentary Commission and spearheaded the MPs' Medical Health Scheme, Members Pension Scheme and the Parliamentary Human Resource Policy.

Rt. Hon Zziwa is a strong Member of the NRM Party (Promoter No. III). She chaired the Issues Committee that assessed the SWOT Analysis of the Party.

She is a woman leader in Uganda having established many women groups like KADICOPA. The Speaker is also credited with the establishment of women empowerment strategies in savings and credit (NIGIINA). Before joining politics, Rt. Hon Zziwa worked as a banker with the Uganda Commercial Bank (UCB). She also taught Economics and Geography at Kololo Senior Secondary School and was a part time lecturer, Women and Gender Studies, at the Makerere University. Globally, the Speaker currently serves as the President of the Global Parliamentarian on Habitat (GPH) Africa which envisages realising 'Shelter for all by 2015'. Beyond her distinctions and qualities as a leader, Rt. Hon Zziwa is engaged in a number of social and corporate activities.

Rt. Hon Zziwa is married to the former Minister for Housing and current Vice Chairperson, NRM in charge of Kampala, Hon Captain Edward Francis Babu and is a mother of four.



## MY LEADERSHIP SHALL BE CONSULTATIVE AND TEAM-BASED - ZZIWA



**BO: Congratulations Madam Speaker following your election as Speaker a few minutes ago. How does it feel?**

**MNZ:** Much thanks for the compliments. It is exciting on the one side but on the other, it inculcates a feeling of great responsibility to contend with. The Election brings to fore the need to deliver on the pledges that we made and to positively assess the avalanche of expectations we as the 3<sup>rd</sup> Assembly must go the extra mile to fulfil. We have to roll up our sleeves immediately and embark on the work ahead. On another note, EALA has written history in electing me as the first woman Speaker. I thank all Members for bestowing in me their full confidence.

**BO: What are your priorities for the 3<sup>rd</sup> Assembly?**

**MNZ:** Let me first state that the 2<sup>nd</sup> Assembly realized a number of successes. We owe much credit to the 2<sup>nd</sup> Assembly led by my predecessor and Speaker Emeritus Rt. Hon Abdirahin Abdi. We as the 3<sup>rd</sup> Assembly can now consolidate on the gains realized while exploring new avenues and the path to take to address existing challenges. My priorities during the period include enhancing awareness among the citizens of the region by taking and making the Assembly closer to the people. It is our intention to work closely with the civil society, private sector, youth and all other groups as we carry on with this important mandate. I shall also ensure that EALA goes the extra mile to enact legislation relevant to the realization of the Monetary Union and the Political Federation. In addition, legislation that is key to strengthening the existing pillars – Customs Union and Common Market shall be key. Thirdly, as advocates for the EAC and

EALA has recently elected Rt. Hon Margaret Nantongo Zziwa (MNZ) as its third Speaker. Bunge La Afrika Mashariki's Lead Editor, Bobi Odiko (BO) sought some answers from her within the EALA corridors shortly after her election. Below are the excerpts:

representatives of the constituents, we must fully own and comprehensively drive the process. It is our responsibility to observe, protect and promote the EAC. Under my leadership, we shall ensure that our mandate of legislation, oversight and the representative functions circumscribe to the aspirations of East Africans. EALA's contribution to the integration dispensation must be steadfast and it must connote the desires and wishes of the region's inhabitants.

**BO: How shall you get all these done ?**

**MNZ:** Well, we have a modus operandi as an Assembly. We intend to stick to the existing procedures and processes. But beyond that, I must affirm my leadership shall be vide a consultative process encompassing team-work with all the Members and other various stakeholders.

**BO: What challenges do you foresee?**

**MNZ:** Well, the EAC integration cannot be achieved in one day. Integration is not and can never be smooth sailing – it is a process and for that matter, can be slow and sometimes arduous. Lack of awareness further hampers the process. The people centred approach as envisaged by the framers of the Treaty must be fully understood and owned by the people. Such are the challenges among others we must look for solutions to.

**BO: Any last word?**

**MNZ:** The past lays the foundation for the future. We can no longer just look back - but must forge forward. The EAC is indeed at a turning point in its development. We must stand up and be counted as those who made a significant contribution towards strengthening the bloc. We must make our forefathers proud. I want to end with by affirming to all *wananchi* my ethos which is *Umoja Wetu ni Nguzo Yetu!*

**BO: Thank you very much Mheshimiwa Spika!**

**MNZ:** Asante sana Bobi.

# PRESIDENT MUSEVENI RECEIVES EALA SPEAKER IN RWAKITURA

President Yoweri Museveni on July 3<sup>rd</sup>, 2012 held a meeting with the EALA Speaker Rt. Hon Margaret Nantongo Zziwa. During the meeting that took place at the President's up-country home in Rwakitura, Kiruhura District, west of the capital, President Museveni and Rt. Hon Zziwa delved on issues related to the integration process.

The meeting was cordial with the Head of State congratulating the Speaker following her recent ascension into the high office after the EALA elections – which he termed duly democratic. The President reiterated the need for strengthening of the integration process, saying it was the only way for the EAC to fully realize economic development.

'Integration is about increasing opportunities since producers need to grow and expand markets', President Museveni remarked, adding that, the region had long cultural and historical ties that were binding.

He noted that for business to flow there was need to rid the region of Non-Tariff Barriers (NTBs) and the full implementation of the Common Market Protocol.

In her remarks, Rt. Hon Zziwa lauded President Museveni for supporting the legislative Assembly and the EAC and added that political will was fundamental in the entire process. Rt. Hon Zziwa also called on the President to continue with his advocacy to the Summit of Heads of State on the importance of creating awareness of the EAC amongst the citizens of respective Partner States.

'The EAC anthem is sang at every function while the Community's flag flies in almost every public office in Kampala. This should be scaled-up to all towns and townships here. I wish to appeal that the practice should ideally be replicated in all the Partner States', Rt. Hon Zziwa noted.

The Speaker re-affirmed EALA's desire to see to it that EAC was unified and progressive. 'During my tenure, I shall strive to ensure that the Assembly remains strong and true to the ideals of the region's citizens. Your support - Your Excellency shall be



H.E. President Yoweri Museveni shakes hands with the EALA Speaker, Rt. Hon Margaret N. Zziwa. Looking on are EALA staff, Bobi Odiko, Senior Public Relations Officer and Winnie Kaliba, Senior Administrative Assistant

fundamental in this quest', the Speaker stated. Rt. Hon Zziwa noted that the Assembly shall under her watch continue to work closely with the Council of Ministers.

She however challenged the Council who sit on the Assembly as *Ex-Officio* Members to rise up to the occasion and bring more Bills to the House. 'We expect to see them (Council) give us sufficient

work for debate on the floor of the House. The Lake Victoria Basin Commission (LVBC) for example is operational yet the corresponding Bill which was withdrawn by the Council sometime back has never been re-introduced' the Speaker noted.

The meeting further noted that more action was necessary – including that of translating plans into tangible benefits to enable citizens of the region to relate more with the integration process.

The Speaker also pleaded with the Head of State to see to it that the EAC Speakers' and Chief Justices' Fora were institutionalized in order to strengthen the linkages.

Present at the meeting were EALA staff, Senior Public Relations Officer, Bobi Odiko and Senior Administrative Assistant, Winnie Kaliba.

The courtesy call was a first in the series of meetings planned with the Heads of State as the new Speaker lays down her strategy for the Assembly.





By Bobi Odiko

# TIT BITS, FACTS AND FIGURES ABOUT MEMBERS OF THE THIRD ASSEMBLY

***The third Assembly was sworn-in on June, 5<sup>th</sup> 2012. Bunge La Afrika Mashariki Editorial Leader, Bobi Odiko looked through the files and can today reveal some dossier including secrets. Read through....***

## **The Speaker – Right and Honourable always**

Rt. Hon Margaret Nantongo Zziwa turns 50 years in August 2012. The number 50 is unique in the calendar of integration this year. The Republics of Burundi and Rwanda celebrated their 50th Anniversary of independence in July while Uganda shall celebrate the same in October this year. Rt. Hon Zziwa is the first woman holder of the high Office. Both predecessors (Rt. Hon Abdulrahman Kinana and Rt. Hon Abdirahin Abdi were relatively taller in height. My own estimates place the Speaker (Emeritus) Rt. Hon Abdirahin Abdi at anything between 6’7 to 7’1. His suits and Kanzus were specifically made to fit! Rt. Hon Abdi’s birthday also falls in August. While Rt. Hon Abdi was referred to as the ‘smiling assassin’ in the EAC/EALA corridors, Rt. Hon Zziwa is known as the ‘Mother Queen’.

## **What about the Members - Who is the youngest of them all?**

According to records availed to EALA, Hon Susan Matovu Nakawuki is the youngest legislator at 28 years. A first timer, the youthful legislator from Uganda is also the only independent candidate elected to the Regional Assembly. On the other side of the coin, at age 70, Hon Leonce Ndarubagiye takes the trophy as the oldest legislator. But then there are a bunch of other youthful legislators including Hon Peter Mathuki, Hon Straton Ndikuryayo, Hon Angela Charles Kizigha, Hon Nengo Emmanuel and Hon Maryam Ussi Yahya. Of the 45 elected Members in the House, 25 are new while the rest are returning legislators having each won a second term. Rwanda voted in 8 of the 9 legislators from the 2<sup>nd</sup> Assembly while the United Republic of Tanzania and the Republic of Kenya re-elected only one each – Hon Abdullah Mwinyi and Hon Sara Bonaya respectively. On their part, Burundi and Uganda returned four and six legislators respectively. In the Kenyan style, all Kenya MPs are expected to hold homecoming parties. As at time of Press – Hon Judith Pareno had already slaughtered bulls at her fete.



Hon Susan Nakawuki (r) shares a light moment with Hon Maryam Yahya Ussi.



Hon Augustine Lotodo (left) – did not seek re-election. Hon Dr. James Ndahiro was re-elected

Upon their swearing in, however all Members assume the tag of regional legislators and must at all times debate and carry out their mandate as East African parliamentarians.

### What about the gender perspective?

The third Assembly has 26 men and 19 women legislators. The Assembly also has a new and a youthful EAC Minister from Burundi. Hon Leontine Nzeyimana



A section of the Members of staff at a meeting



The POINT IS: Hon Bernard Mulengani (centre) discusses with EALA staff from left: Emiliana Tuhoye, Joyce Uloy and Villanova Mosha

### What about the EALA staff ?

Just like the legislators, the staff component is made up of nationals of all the Partner States who serve the Community. Wilson Martin Masila is one of the oldest serving Members of staff of the Community. He previously served as the official driver of the Executive Secretary of the EAC, Amb Francis Muthaura. The total staff component is 37 with a few expected to join the ranks in the coming year. The Clerk of EALA is Mr. Kenneth Madete. He is deputized by Mr. Alex Obatre Lumumba. 6 departments make up EALA. These are the Office of the Clerk, Hansard, the Serjeant at Arms, the Research and Library Services, the ICT and the Public Relations departments. At the moment, EALA has four Committee Clerks servicing six Committees. The staff names are as interesting as they come: two Elizabeths, Emily and Emiliana, Kikwai (almost sounds like Kick-Why), Bolyao (Ball yao!), Adam and Honest. Joyce Uloy and Bobi Odiko all have nine characters making up for their names while Jovitus Nkeramigambi has double the characters (18 Characters) – we shall one fine day ask his folks why!) EALA also has an internship programme that builds the capacity of upcoming professionals.

replaces Hon Hafsa Mossi who resigned from the post to contest for EALA. She joins Hon Monique Mukaruliza, Minister for EAC, Rwanda as the women Ministers in-charge of regional integration. The Counsel to the Community, Hon Wilbert Kaahwa remains the oldest serving Ex-officio Member of the House. At the moment, only Kenya and the United Republic of Tanzania have alternate Ministers for the EAC. They are Hon Peter Munya and Hon Dr. Abdullah Saadala Abdullah respectively.

### Their professions

Records reveal a typical mix in the menu of the professionals represented in the august House. Other than serving as legislators, EALA has a good number of doctors, advocates, journalists, PR practitioners, business persons, economists, diplomats, politicians - you name it.....

### EDITOR'S NOTE:

*Finally, please laud all the achievements and the good things to the relevant Members or staff of EALA. Please blame the editors and the writer for revealing some of the hidden secrets especially that around the ages. But for good measure, here is the caveat: that young is anything between 9-99 years! ...Enjoy your reading!*



# HOW THE PARTNER STATES FAIRED IN THE EALA ELECTIONS – IT’S A MENU OF OLD AND NEW FACES



Old and New faces: from left Hon Christophe Bazivamo, Hon Leonce Ndarubagiye and Hon Chris Opoka-Okumu. Hon Bazivamo and Hon Ndarubagiye were Members of the 2<sup>nd</sup> Assembly

are Hon Charles Makongoro Nyerere, Hon Adam Kimbisa, Hon Dr. Perpetue Kessy and Hon Bernard Murunya. Others are Hon Maryam Ussi Yahya, Hon Angela Charles Kizigha, Hon Twaha Issa Taslima and Hon Shy-Rose Bhanji. At the Kenya National Assembly, eight new Members went through the polls with only one Member, Hon Sarah Talaso Bonaya re-elected. The new Members from Kenya are Hon Joseph Kiangoi Ombasa, Hon Nancy Abisai, Hon Abubakr Ogle, Hon Peter Mathuki, Hon Judith Pareno and Hon. Abubakar Zein. Others are Hon Sanae Ole Nkanae and

Fierce Competition and perhaps positive contestation define what the recent EALA elections were. Partner States all held their elections between the months of April and May 2012 submitting the results to EALA in good time for the inauguration of the 3<sup>rd</sup> Assembly.

Burundi was the first Partner State to hold its elections. Four Members from the previous legislative Assembly were re-elected for a further period of five years. The Members, Hon Leonce Ndarubagiye, Hon Emerence Bucumi, Hon Frederic Ngenzebuhoro and Hon Yves Nsabimana were returned to the regional *august* House. Five new faces won the polls to complete the list. The five are Hon Dr. Martin Nduwimana, Hon Isabelle Ndahayo, Hon Jeremie Ngendakumana, Hon Emmanuel Nengo and Hon Hafsa Mossi. The latter however is not new to EALA having recently resigned as Minister for EAC Affairs in the Republic of Burundi. As Minister, Hon Mossi was an *ex-officio* Member of the House.

In the United Republic of Tanzania, only one Member, Hon Abdullah Mwinyi was re-elected in the elections held in Dodoma on April 17, 2012. The eight new Members who thus grace the benches of EALA

Hon Mumbi A. Ngaru.

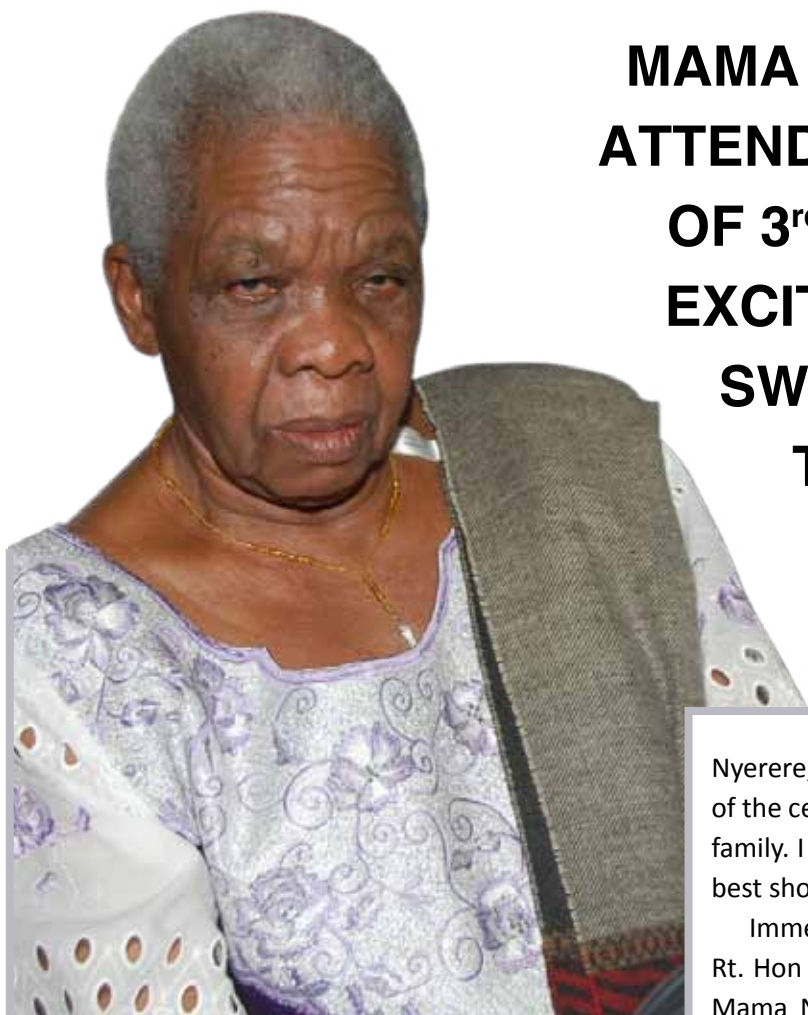
In Rwanda, a record eight Members from the 2<sup>nd</sup> Assembly were re-elected for a further term of five years. Hon Patricia Hajabakiga, Hon Abdulkarim Harelimana, Hon Jacqueline Muhongayire and Hon Straton Ndikuryayo were returned after winning their polls. Other Members who sailed through include Hon Dr. James Ndahiro, Hon Dr. Odette Nyiramilimo, Hon Valerie Nyirahabineza and Hon. Christophe Bazivamo. The only new face is Hon Pierre Celestin Rwigema.

Six of the former Members from Uganda also returned to EALA. The six are Hon Dora Byamukama, Hon Margaret Nantongo Zziwa, Hon Nusura Tiperu, Hon Benard Mulengani, Hon Dan Kidega and Hon Nusura Tiperu. The three new faces are Hon Fred Mukasa Mbidde, Hon Sarah Nakawuki and Hon Chris Opoka-Okumu.

Six Members who had served for ten years retired from the Assembly. They include Rt. Hon Abdirahin Abdi from Kenya, Hon Kate Kamba and Hon Dr. George Francis Nangale (United Republic of Tanzania), Hon Dan Wandera Ogalo, Hon Mugisha Muntu and Hon Lydia Wanyoto from Republic of Uganda.



## MAMA MARIA NYERERE ATTENDS INAUGURATION OF 3<sup>rd</sup> ASSEMBLY AS EXCITEMENT MARKS SWEARING IN OF THE HOUSE



Mama Maria Nyerere, widow of the founding father, Mwalimu Julius Kambarage Nyerere

Mama Maria Nyerere's presence at the inauguration of the 3<sup>rd</sup> Assembly was both remarkable and humbling. The founding mother of the nation travelled all the way from Butiama, in the Northern tip of the United Republic of Tanzania to join hundreds of families, friends and well-wishers who witnessed the installation and swearing in of Members for a five year tenure.

She received loud ovation from all in attendance. Clad resplendently in a white floral dress, the former first lady was strong and jovial. Mama Nyerere sat at the Speakers gallery – reserved for invited guests of the Speaker. She was accompanied by her daughter and three grandchildren.

On this day, her son, 53 year old Hon Charles Makongoro Nyerere was among the new Members of the Assembly who took oath to a rousing reception. Hon

Nyerere, a first timer to EALA was elated at the end of the ceremony. "This is a happy day for me and my family. I shall give the five years in the Assembly my best shot", he remarked.

Immediately upon her swearing in, the Speaker, Rt. Hon Margaret Zziwa recognized the presence of Mama Nyerere as well as the other distinguished guests in attendance.

Mama Nyerere is the widow of Tanzania's founding father Mwalimu Julius Kambarage Nyerere. Mwalimu, an orator and Pan Africanist *par excellence* played a fundamental role in the formation of the first EAC.



Hon Makongoro Nyerere has a word with Hon Shy-Rose Bhanji immediately after their swearing –in

# SECOND ASSEMBLY WINDS ITS SESSIONS

## ...Adopts seven reports and passes 5 Resolutions

The second EALA wound up its 5<sup>th</sup> Meeting of the 5<sup>th</sup> Session on May 31<sup>st</sup>, 2012 and with that, ended its tour of duty. EALA thus set basis for handing over to the incoming Assembly on June 5<sup>th</sup>, 2012 given that its last statutory day was Monday, June 4<sup>th</sup>, 2012.

At its last Plenary, the *august* House adopted seven hand-over Reports of the Standing Committees of EALA for the five year period.

The Reports cover the period July 2007–June 2012 and comprehensively inform the Assembly of the activities, programmes and projects carried out. The documentation also includes areas of follow-up by the in-coming (third) Assembly. The Committees that tabled the Reports were: the House Business Committee, the Committee on Accounts, The Committee on Legal, Rules and Privileges, the Committee on Communication, Trade and Investment, the Committee on Regional Affairs and Conflict Resolution, the Committee on General Purpose and the Committee on Agriculture, Tourism and Natural Resources.

The House also passed four Resolutions and a Motion on the last day of its Sitting.

A Resolution brought to the House by Hon Straton Ndikuryayo supporting the promotion of culture as a

lever to raise an EAC identity and as an asset to EAC social and economic integration, was adopted.

Hon Ndikuryayo said the promotion of culture and arts remained key for the region to promote an East African identity as per Article 119 of the EAC Treaty.

The legislator noted that culture and language were a key uniting factor. During debate, Hon Lotodo urged the region to be proud of the African (East African) culture and to promote tourism and Kiswahili as the *lingua franca*.

Hon Margaret Zziwa noted that music played a central role in uniting East Africans and urged the region to promote integration through music.

A Resolution on Aid Effectiveness and Partnership for Effective Development Co-operation moved by Hon. Dr Odette Nyiramilimo received overwhelming support in the House. The Resolution takes note of the fact that a number of global meetings have previously been held involving various stakeholders with the aim of alleviating poverty. It notes that binding Resolutions include the Paris Declaration, Accra Agenda for Action and the Busan Partnership for Effective Development Co-operation. The Assembly thus resolved that the incoming Speaker of EALA and the 3rd Assembly do sustain EALA's momentum



The Members of the 2<sup>nd</sup> Assembly. The Assembly made tremendous progress





**JOB WELL DONE: EAC Secretary General, Amb Dr. Richard Sezibera congratulates Speaker (Emeritus) Rt. Hon Abdirahin Abdi**

through effective participation in the global conferences and high level fora in order to follow up on recommendations.

During debate, Hon Gervase Akhaabi reiterated that it was necessary for EALA to remain active in the international fora saying effectiveness of aid could not be measured without effective oversight role.

The Assembly further resolved to urge the EAC Secretary General and the Council of Ministers to enhance access of Persons with Disabilities (PWDs) to the new EAC Headquarters. Moving the motion, Dr. James Ndahiro noted that the new EAC headquarters which is soon to be completed had a glaring omission touching on accessibility to various points of the building for PWDs. The legislator gave an example of the new EALA Chamber which he noted, had no sloping panel to aid those in wheelchairs or those with visual impairment. The mover thus implored the Assembly to urge the Secretary General to make the desired alterations.

Hon Jacqueline Muhongayire noted that the citizens of EAC needed to access the building noting that over 10 million citizens were currently PWDs. *'It is a shame that these group of persons shall not be able to access services at the EAC in the current setup and we call upon the Secretary General to take up the matter very seriously'*, Hon Muhongayire noted. On his part, Hon Dan Ogalo noted that it was necessary for the Secretariat to objectively allocate the requisite office space.

The Secretary General, Amb Dr. Richard Sezibera paid tribute to his predecessors for the vision that led to the EAC 'putting up its own home'. He however

noted that no allocations had taken place since no official hand-over had been made by the construction team. The Secretary General noted that the Secretariat was in the interim period trying to address some of the weaknesses discovered in due course of duty. Such include partitions in a number of offices which he said, would be worked on and ramps in certain areas erected to accommodate PWDs.

On matters concerning conflicts, Hon Clarkson Otieno Karan moved a Resolution urging the Summit of EAC Heads of States to intervene and resolve the conflict between South Sudan and Sudan and other related matters. The Resolution noted that the volatile relations between the South-Sudan and Sudan had led to economic blockades and disputes trickling down to the EAC and causing misery to its citizens.

Through the Resolution, the Assembly urged the EAC Summit to ensure the two countries conform to the requirements of the Comprehensive Peace Agreement (CPA). It further urges the EAC to fast-track the admission of South Sudan into the Community in accordance with the requirements of the Treaty.

At debate, Hon Leonce Ndarubagiye noted that South Sudan had fought for far too long to liberate itself and that it was important for the CPA to be respected. Hon Safina Kwekwe remarked that both countries depended largely on oil revenue, a finite resource to fund their economies. She thus stated such a precarious situation called upon the countries to work together to diversify their economies.

Hon Eriya Kategaya however noted the fundamental differences in the systems of law partly hampered the process. He noted that Khartoum's desire to see to it that *Sharia* law prevailed and the secular law on the part of South Sudan, meant the two nations were at cross-purposes. He urged the region to support South Sudan to ensure its identity as a country was maintained.

The Assembly also paid tribute to outgoing Speaker, Rt. Hon Abdirahin Abdi for the excellent, focused dedicated and determined leadership exhibited during his tenure as Speaker. The Motion moved by Hon Patricia Hajabakiga wished the outgoing Speaker good health and a fruitful political career ahead and it received overwhelming support as tributes flowed freely. (see separate story)



# SPEAKER – YOU WERE A GREAT CAPTAIN AND FIERCELY LOYAL TO US – MEMBERS & STAFF TELL ABDI AS HE VACATES OFFICE

At its last sitting, the 2<sup>nd</sup> Assembly also paid tribute to Rt. Hon Abdirahin Abdi for the excellent, focused dedicated and determined leadership exhibited during his tenure as Speaker.

The motion moved by Hon Patricia Hjabakiga wished the outgoing Speaker good health and a fruitful political career ahead.



**YES, I RECALL:** Speaker Emeritus, Rt. Hon Abdirahin Abdi shares a word with the Clerk Mr. Kenneth Madete during one of the Sittings. EALA Members and Staff hailed Rt. Hon Abdi for being fiercely loyal to them and the institution

During debate, Hon Mwinyi lauded the Speaker for overseeing both the strategic issues and the day-to-day activities of the Assembly. He termed the Hon Speaker as a fiercely loyal person to the institution, Members and staff. He noted that the Assembly had realised a number of achievements through the exuberant leadership of the Speaker. Hon Mwinyi noted that relations with the Summit, Council of Ministers and other stakeholders had been enhanced.

Hon Mugisha Muntu supported the Motion appreciating the Speaker for his dedicated leadership and for creating space to enable the second Assembly to operate.

The Counsel to the Community, Hon Wilbert Kaahwa appreciated the Speaker for leading the Assembly with tenacious drive. He noted that the Assembly had under Rt. Hon Abdi set the pace on legislation and it was an embodiment of real integration. Hon Margaret Zziwa on her part noted that under Rt. Hon Abdi, the

Assembly had made tremendous achievements and was a leading light in the pursuit of the integration process. Rt. Hon Abdi was later feted at a party in his honour. During the party, speaker after speaker praised Rt. Hon Abdi for his dedication. A speech made on behalf of the Staff by Winnie Kaliba, aptly captured the mood and the moment.

*‘EALA staff shall always recall how he touched the lives of many, a fact which may be immeasurable. Rt. Hon Abdi was easy going. Babu Almasi (Speaker’s Aide-de-camp) time and again told us that in you, he found a confidant with whom he was completely free with and that your home was his home’ Ms. Kaliba said.*

*‘He was a man who believed in getting things done when they must be done. Some of us were rather privileged to have worked directly under him. Rt. Hon Abdi kept us on our toes but rightly so. As a politician, he saw ahead of many perhaps due to his height – but at all times remained a democrat – yet true to his word and extremely law abiding’*

she remarked.

Under Rt Hon Abdi’s reign, EALA grew from strength to strength and the staff outlay increased.

‘We were proud to have a boss who would literally pay you a visit in your Office and take a seat. That way, many of us felt relaxed’ Ms. Kaliba stated.

*‘Away from his desk and duty, he enjoyed the rich man’s game –Golf. He was in many ways rich, socially and perhaps all other ways. But he also enjoyed soccer– which I am reliably informed is a game played by gentlemen and watched by hooligans – though he was not one’ Ms. Kaliba told the guests to their amusement.*

‘Rt Hon Speaker, I and other staff are indeed privileged to have worked with you. We thank you for your words of advice, wisdom and mastery of the Speakership. That was admirable. We wish you and all other Members retiring the best in your future endeavour, she concluded.



By Hon Mike K. Sebalu

# THE END OF ONE ERA MARKS THE BEGINNING OF ANOTHER

The 3<sup>rd</sup> EALA is finally here. Indeed the Assembly is nothing else but ourselves in terms of you and I elected by our respective national Parliaments to represent East African citizens.

We are an extremely lucky lot to have been elected as the 45 legislators out of a total population of 140 million East Africans constituting the 3<sup>rd</sup> EALA. My distinguished and honorable colleagues, you deserve a pat on your back for this historic and memorable achievement. However, we must appreciate that the trust bestowed on us by our respective Partner States comes with high responsibilities and obligations. I am confident that given our profiles, experience and expertise, the 3<sup>rd</sup> Assembly will deliver on the citizens' expectations.

The Assembly must as of necessity build on the achievements of the 1<sup>st</sup> and 2<sup>nd</sup> Assembly and take the integration process to another level. This is in fulfillment of the fact that every generation of leaders has a historic mission to achieve in order to justify its existence.

In that respect, the 1<sup>st</sup> Assembly pioneered and laid the foundation that kick-started the legislative role of integration, for which it must be saluted and appreciated.

The 2<sup>nd</sup> Assembly undoubtedly distinguished itself, consolidating EALA as an Organ of the Community by defining its character increased visibility and legislative output.

The 3<sup>rd</sup> Assembly has the enviable task of stabilizing and leading it to a level of auto pilot where the gains of the two previous Assemblies cannot be reversed.

The Performance of the previous Assemblies can also be looked at from another perspective associated with the different stages of integration, so far undertaken by the EAC. In that respect, the 1<sup>st</sup> Assembly is credited with the firm foundation upon which the Customs Union was built, governed by the East African Customs Management Act, it passed.

During the tenure of the 2<sup>nd</sup> Assembly, the Common Market Protocol was concluded, signed and ratified. However, it is faced with some challenges that have affected its implementation pace. EALA engaged in these challenges and strongly spoke in favor of a full implementation of the Common Market so that the majority of East Africans can reap the benefits.

In this regard, the 3<sup>rd</sup> Assembly is duty bound to ensure that the Common Market is fully implemented in the best interest of the East African people. It has an important role to play in not only ensuring full implementation of the Common Market but guiding

the process and that of the Monetary Union from a legislative perspective. Indeed, this is a very popular stage of the integration which the people of East Africa consider long overdue.

East Africans want the operation of the common currency and the Monetary

**“East Africans want the operation of the common currency and the Monetary Union sooner than later.”**

Union sooner than later. This is therefore a serious obligation on the part of the 3<sup>rd</sup> Assembly, to turn the wishes of the people into reality. In so doing, the Assembly will not only be fulfilling its legislative mandate but also its representative role as well.

Furthermore, the 3<sup>rd</sup> Assembly will have something to do with the final stage of the EAC integration, namely the Political Integration. For that matter, the 3<sup>rd</sup> Assembly needs to be steadfast in terms of offering leadership in a focused and objective manner.

For that matter, Members of the 3<sup>rd</sup> Assembly need to know and appreciate that they are going to be part of the process that is going to deal with the most politically sensitive aspects of integration. To cede national sovereignty over matters of monetary control and political power, will provide the real test of the commitment of our political leaders.

I have no doubt whatsoever that the 3<sup>rd</sup> Assembly will be able to meet the expectations of East Africans given the caliber, personalities and integrity of the Members.



By Hon Shy-Rose Bhanji

# A NEW DAWN FOR AFRICA

...CONTINENT SET TO BENEFIT FROM RISE OF WOMEN IN LEADERSHIP POSITIONS

The 3<sup>rd</sup> East African Legislative Assembly (EALA) was inaugurated on June 5<sup>th</sup> 2012 in Arusha, the headquarters of the East African Community.

At this session, Rt Hon. Margaret Nantongo Zziwa was elected as the Speaker. This is a major symbolic win for women empowerment because this is the first time a woman has been chosen Speaker of this august body.

*'We Salute and congratulate Hon. Madam Speaker for achieving this highly esteemed position. Given her strong background in past leadership positions, we are in no doubt whatsoever, that the post is in good and competent hands.'*

In due course, East Africans will harvest immense benefits from this very able Speaker.

For once, behind 'every successful woman there is a woman' and indeed, 19 women out of 45 Members have been elected from the region as EALA Members. This is a historical and sizeable number of women Members. Given the numbers of women in the region, we have a duty to represent their interests and challenges in such a way that women empowerment is realized.

We women leaders pledge to make a difference during the coming five years of our term in the office.

While we handle our role, we are inspired by the existence and support that we expect from our fellow women leaders across Africa. For example, we have the first woman Speaker, Rt.Hon. Anna Makinda serving in the Parliament of Tanzania after 50 years of independence. She has a long history in the Tanzanian political scene and as such, is a doyen. We stand to profit a lot from her experience and wisdom.

In the past five years we have witnessed the sterling contribution of Dr. Asha-Rose Migiro as the Deputy



A section of EALA MPs pose for a photo with the EALA Speaker

Secretary General of the United Nations. She is the first African let alone Tanzanian, to occupy such a high level post at the world body. We are proud of her as a lady and as a Tanzanian. She is our hero and Star.

Earlier on, Africa had already tested the leadership of President Ellen Johnson Sirleaf of Liberia and President Joyce Banda of Malawi. In both cases, the women set records as the first female Presidents not

only for the two countries but across the whole of Africa.

Therefore, the list of heroines is endless.... and is expected to grow at that....

At the helm of the African Union Commission, Madam Nkosazana Dlamini-Zuma from South Africa was recently elected as the first woman

to Chair the Pan-African Body. With her historical background as a freedom fighter country and a very able politician as a Foreign and Interior Minister in South Africa, the AUC is bound to benefit a whole lot. From the above we can see the lists of women leaders at the top are bound to increase. However this will only become a reality if we no longer feel marginalized and come out to contest in various positions regardless of difficult situations.

**We women leaders pledge to make a difference during the coming five years of our term in the office.**





# INAUGURATION OF THE 3<sup>RD</sup> EAST A



Hon. BUCUMI Emerence



Hon. NDARUBAGIYE Leonce



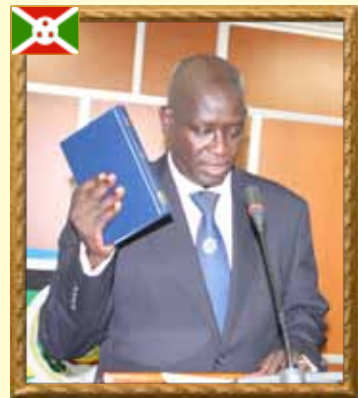
Hon. NENGO Emmanuel



Hon. Dr NDUWIMANA Martin



Hon. NGENZEBUHHORO Frederic



Hon. NSABIMANA Yves



Hon. NDAHAYO Isabelle



Hon. MOSSI, Hafsa



Hon. NGENDAKUMANA Jeremie



Hon. PARENO Judith Nayiai R.



Hon. OMBASA Joseph Kiangoi



Hon. BONAYA Talaso Sarah



Hon. NGARU A. Mumbi



Hon. MATHUKI Peter Mutuku



Hon. NKANAE Saoli Ole



Hon. OGLE AbuBakr



Hon. ABISAI Nancy Kabeyeka  
Lung'ahi



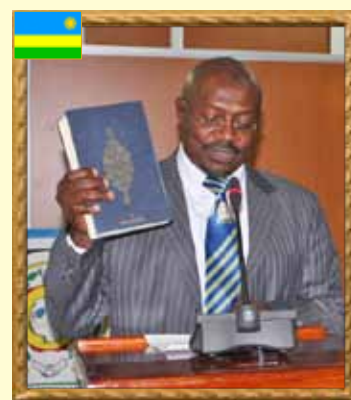
Hon. ABUBAKAR Zein Abubakar



Hon. NDIKURYAYO Straton



Hon. MUHONGAYIRE Jacqueline



Hon. HARELIMANA Abdul Karim



Hon. NYIRAHABINEZA Valerie



Hon. Dr. NYIRAMILIMO Odette



Hon. BAZIVAMO Christophe





# INAUGURATION OF THE 3<sup>RD</sup> EAST AFRICAN



Hon. Dr. NDAHIRO James



Hon. RWIGEMA Pierre Celestin



Hon. HAJABAKIGA Mugorenejo Patricia



Hon. MWINYI Abdullah Ally Hassan



Hon. NYERERE Charles Makongoro



Hon. TASLIMA Twaha Issa



Hon. BHANJI Shy-Rose Sadrudin



Hon. KIZIGHA Angela Charles



Hon. MURUNYA Bernard Musomi



Hon. YAHYA Maryam Ussi



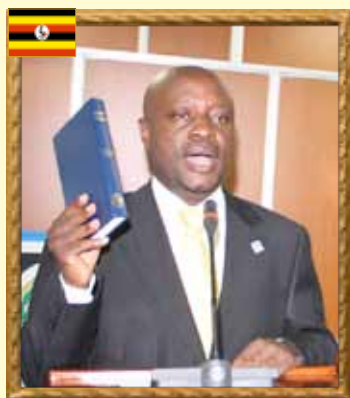
Hon. Dr. NDERAKINDO Perpetua Kessy



Hon. KIMBISA Adam Omar



Hon. BYAMUKAMA Dora

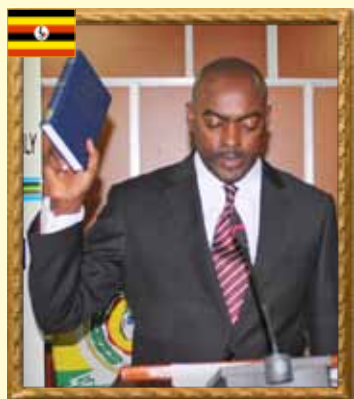


Hon. SEBALU Mike Kennedy



Hon. TIPERU Nusura





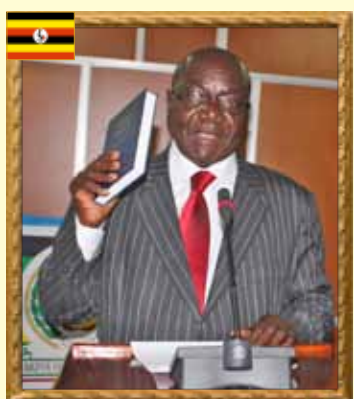
Hon. MUKASA Mbidde Fred



Hon. NAKAWUKI Susan



Hon. KIDEGA Daniel Fred



Hon. OPOKA-OKUMU Chris



Hon. MULENGANI Bernard



Hon. ZZIWA Margaret Nantongo (SPEAKER)

## EX-OFFICIO MEMBERS



Hon. SIRMA, Musa. EAC MINISTER, (KE)  
Current Chair, EAC Council of Ministers



Rt. Hon. KATEGAYA, Eriya, 1<sup>st</sup> Deputy  
Prime-Minister & EAC MINISTER, UGANDA



Hon. SITTA, Samuel  
EAC MINISTER, TANZANIA



Hon. Dr SAADALLA, Abdulla  
EAC ASS. MINISTER, TANZANIA



Hon. Léontine Nzeyimana, Minister  
for EAC Affairs, BURUNDI



Hon. Amb. Dr. SEZIBERA, Richard  
EAC SECRETARY GENERAL

Hon. Monique Mukaruliza,  
Hon. Peter Munya and  
Hon. Wilbert Kaahwa  
shall be sworn-in at the  
next Sitting



By Hon. Dora C. Kanabahita Byamukama

# THE EAC TREATY HAS THE FORCE OF LAW IN UGANDA

During the course of serving in the East African Legislative Assembly, one particular question keeps on popping up during various interactions – whether laws enacted by the East African Community are applicable to people living in the EAC Partner States?

Do Parliaments have to domesticate the Community laws like they do for other international legal instruments such as the African Charter on Human and Peoples' Rights? In a nutshell, the people we represent want to know whether the Community's operations have a practical impact on their lives.

Research on this subject matter has revealed several interesting findings. First, the Treaty for the Establishment of the East African Community (Treaty) provides for general undertaking as to implementation, in particular Article 8(4) provides that - *Community Organs, institutions and laws shall take precedence over similar national ones on matters pertaining to the implementation of this Treaty.*

This in essence means that if there is a Community law on Customs Management like The East African Community Customs Management Act, 2004 this law automatically takes precedence over similar national laws on matters pertaining to the Treaty. The phrase "matters pertaining to the implementation of the Treaty" implies that the most central point is to ensure that the objectives of establishing the Community are realized, which is "*to develop policies and programmes aimed at widening and deepening co-operation among Partner States in political, economic,*



*social and cultural fields, research and technology, defense, security and legal and judicial affairs, for mutual benefit".* In essence, the laws enacted by the Community must widen and deepen co-operation in

these areas for the mutual benefit of all Partner States and thus all East African citizens.

Further research on the relevance of Community laws point to the fact that under Article 8(2) of the Treaty, each Partner State has a mandate, within 12 months from the

date of signing the Treaty to secure the enactment and the effective implementation of such legislation as is necessary to give effect to the Treaty. In a nutshell, each Partner State has a duty to ensure that it commits to implementation of the Treaty by enacting a specific law. In the case of Uganda, this law is The East African Community Act of 2002 (EAC Act). This law gives the

**In a nutshell, each Partner State has a duty to ensure that it commits to implementation of Treaty by enacting a specific law.**



force of law in Uganda to the Treaty and provides for other connected or incidental matters.

The EAC Act recognizes that the Treaty was signed on 30th November 1999 and that the Parliament of Uganda ratified the Treaty on 27<sup>th</sup> April 2000 in accordance with Article 123 of the Constitution, Section 3 (b) (ii) of the Ratification of Treaties Act, 1998 and Article 152 of the Treaty. Enactment of the EAC Act gave the force of law to the Treaty in Uganda. This means that the citizens of Uganda can utilize the Treaty provisions to protect their rights since the Treaty provisions are also part of the law of the land. For instance, the EAC Act under Section 3 provides: that

1. Section 3(1) –The Treaty as set out in the Schedule to this Act shall have the force of law in Uganda.
2. Section 3(2) of the same Act further provides that –Without prejudice to the general effect of subsection (1) of this section, all rights, powers, liabilities, obligations and restrictions from time to time created or arising by or under the Treaty and all remedies and procedures from time to time provided for by or under the Treaty, shall be recognized and available in the law and be enforced and allowed in Uganda.

In essence, all Ugandan institutions and in particular the Parliament of Uganda and the Judiciary need as a matter of legal procedure, to take keen interest in the laws enacted at the EAC level and amendment made to the Treaty. Amendments to the Treaty can also take the



**Hon Dora Byamukama shakes hands with the Chairperson of the Summit of EAC Heads of State H.E. Mwai Kibaki**

form of Protocols since the Treaty defines Protocols as any agreement that supplements, amends or qualifies the Treaty.

Since enactment of laws are underpinned by policies, there is also need for harmonization of policies on all Treaty matters, which cover a very wide range of affairs; for example, Section 3 of the East African Community Customs Management Act provides that –

“The Directorate of Customs as established by the Council under the Treaty shall be responsible for the initiation of policies, customs and related trade matters in the Community and co-ordination of such policies in the Partner States.” This law captures the essence of the objectives of the Community, which as noted hitherto, is to develop policies and programs aimed at widening and deepening co-operation for mutual benefit.

What therefore needs to be worked on are joint meetings of all the Parliaments in the EAC for example, in order to clearly articulate what mutual benefit includes. The obvious mutual benefit would be for example, to ensure that the EAC reduces poverty levels, unemployment and ensures security, quality education and health care, and infrastructure. In a nutshell, what happens at the EAC level impacts on your well being; as such, it is worthwhile for all of us to take keen integration and harness opportunities integration offers.



**Trucks waiting to be cleared at the Customs point**





By Hon. Peter Mathuki

# STRENGTHENING THE LINKAGE BETWEEN EALA, NATIONAL PARLIAMENTS AND CITIZENS



Hon Dan Kidega (right) makes a point as Hon AbuBakr Ogle (centre) and Hon Peter Mathuki listen. EALA should strengthen linkages with citizens

During the 3<sup>rd</sup> East African Legislative Assembly (EALA) investiture ceremony held on 5<sup>th</sup> June 2012, in Arusha, Tanzania, Madam Speaker, Rt. Hon Margaret Nantongo Zziwa challenged Members to spur with vigor, the awareness campaign amongst the East African citizens on EAC regional integration and more so, on the role of EALA.

The Rt Hon. Speaker cited a case in the streets of Arusha, where a vendor asked her: **EALA NI NINI? Literally meaning, what is EALA?** This statement sounded demoralizing but indeed explains the level of public awareness on regional issues. However, to me it was inspiring and genuinely motivating hence it in fact defined my job description for the next five years!

Since the Arusha ceremony, I have traversed four counties in Kenya using rallies and other platforms to talk about EALA and EAC regional integration with immense appreciation from the *Wananchi*. The message coming from the *Wananchi* was to involve



A typical market day. A vendor recently asked the Speaker – **EALA ni Nini?**

them more in our regional legislative business directly or through their National Assembly. How often do we as an Assembly engage *Wananchi* directly or through Parliaments? How strong are our linkages?

Although our continental and regional Parliaments and Assemblies are intended to assume legislative and democratic oversight functions of regional integration organisations in the long run, they somehow still remain detached from common citizens at the

grassroots, hence far from exercising the roles that fully-fledged Parliaments play in democratic set-ups.

This is a hard fact. However, in the course of renewed efforts to complement economic integration with broader political dimension of regional integration, our regional Assembly should receive increased attention towards making them people-centered.

During recent years, our Assembly and the Partner States' National Parliaments have increased direct cooperation but more is still expected. We need to develop

a dynamic approach based on the complementary nature of the responsibilities of the EALA and the National Parliaments, the objective being to develop overlapping networks in order to promote more parliamentary accountability and transparency to efficiently ensure links with National Parliaments.

As EALA seeks to keep National Parliaments fully informed of its activities, they in turn should take the information more seriously and interweave with national policies to trickle down to wananchi.

Moreover, it may be necessary considering the number of Committees of EALA to regularly invite national MPs to their meetings to share their knowledge and expertise when discussing policy proposals. Indeed, Joint Parliamentary Meetings and Joint Committee Meetings should become pillars or regular forms of co-operation between National Parliaments and the EALA.

Joint Parliamentary Meetings (JPMs) should be developed on broad political topics, which are organised and chaired jointly by the Parliament of the country holding the EAC Chairpersonship and the EALA.

Joint Committee Meetings (JCMs) should be organised and chaired jointly by the relevant Sectoral Committee or Committees of the Parliament of the Partner State holding the EAC Chairpersonship and the relevant committee of the EALA.

Apart from this, Members of National Parliaments should regularly visit different Committees of their interest in the EALA. EALA's Rules of Procedure should be amended to incorporate new details on how its Members and those from the National Parliaments will co-operate from now on, taking into account the Treaty's provisions on National Parliaments.

It is the noble duty of our *august* House being the political Organ of the EAC and all its Organs to spur a truly people - centred integration approach and indeed make

the region visible to all within and out the East African Community.

Long Live EALA, Long Live EAC, Long Live the Citizens of East Africa!

## “How often do we as an Assembly engage *Wananchi* directly or through Parliaments? How strong are our linkages?”



The 1st DPM and Minister for EAC, Uganda Rt. Hon Eriya Kategaya talks with the Speaker, Rt. Hon. Margaret Nantongo Zziwa



A section of EALA Members with Members of the Kenya National Assembly during a visit to South Sudan. EALA and the National Assemblies need to work more closely





By Rt. Hon Margaret Nantongo Zziwa

# CONGRATULATIONS AS RWANDA AND BURUNDI CELEBRATE THEIR GOLDEN JUBILIEE OF INDEPENDENCE

July 1<sup>st</sup> 2012 marked 50 years since the Republics of Rwanda and Burundi gained their independence from their colonial masters, the Belgians. On the same day, Rwanda celebrated 18 years of true liberation from bad rule which was characterized by genocide and abuse of human rights.

50 years in human life marks a period of maturity. In African setting one becomes a member of the Council of the wise and elders. For the state, we envisage the full benefits of democracy and good governance. At this point, it is assumed that we must have overcome the ills of human dignity namely poverty, ignorance, disease and lack of self esteem.

Our two sister states have walked journeys of endurance and resilience. For Rwanda, experiences of

mutation and sub-divisions have been witnessed. With determination and resilience, Rwanda has managed to reverse the acts of killing, genocide, plundering of homes and resources and of false deportation of Rwandans under the guise of search for employment.

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Today, we salute the leadership of Rwanda under President Paul Kagame and the people of Rwanda for the fundamental transformations introduced in Rwanda’s governance characterized by home grown solutions. Some of the notable approaches

in the area of democracy include the direct and indirect

participation of “mudugudu”, the national dialogue in the monthly press conference of “omushikirano”, the introduction of the Executive Secretaries in every sector - the gitifu, the famous umuganda- the



A section of the Members of the 2<sup>nd</sup> Assembly in discussions with the president of Rwanda, H.E. Paul Kagame





Source of credit: Joe Kiggundu

**A section of the members of the Fourth Estate. Media need to positively report on matters of integration**

communal working together, the effective women participation and representation pegged today at 56%.

Other areas include the performance competition of emihingo, the renaissance of Rwandans through the educational programmes like universal primary education and universal secondary education, the better shelter programmes of bye - bye “nyakatsi”. Similarly the sustainable environmental management and the judicial court system of “gacaca” are some of the progressive programmes which are home grown to provide answers to the country’s challenges.

Next door in Burundi, the celebrations were very much the same with hype and excitement.

The celebrations were marked with visiting royalty, marching bands and fireworks.

The Head of State, President Pierre Nkurunziza termed the celebrations a time for Burundians to come together and celebrate to reinforce national reconciliation in a country that has lived through decades of massacres and civil war. The celebrations were punctuated by colourful ceremonies that lasted two days, and were honoured by the presence of 5 African Heads of States, as well as the Crown Prince of the Kingdom of Belgium. The celebrations lasted throughout July, with the inauguration of schools, sports centres and clinics. This occasion further provided an opportunity to reflect on the past and develop a vision for the future which is optimistic given Burundi’s entry into the EAC. The next 50 years should clearly be better than the previous 50.

As many East African and indeed African states celebrate the post Golden independence period, there

are fundamental principles which all governments and leaders must uphold to attain true independence for the African people.

Key Principles to adopt include:

- sense of common good,
- reconciliation,
- Develop high aspirations and self-esteem as Africans.

In addition; let governments strengthen:

1. The innovative democratic strategies, the



**President Pierre Nkurunziza with a section of EALA and Members from the National Assembly. Burundi recently celebrated its 50<sup>th</sup> Anniversary of independence**

professionalization of the electoral management systems and bodies and adopt more pre-emptive conflict management and peace building efforts for Africa.

2. Countries must strive to live within their means by adhering to the important philosophy of “Trade not Aid”. This must be upheld since it helps to balance the ever difficult budgets and improve the balance of payments. The economic solutions by the Bretton Woods institutions should be taken with a pinch of salt since in most cases, the solutions are foreign grown.
3. Let us re-think on the role in infrastructural development, balancing governmental role and the Private Sector participation including that of strategic infrastructure like the railway network and airways.
4. Let the Media - the fourth estate take further educative role through media reporting other than sensational media. More investigative journalism should be encouraged.

EALA congratulates our Rwandan and Burundian brothers and sisters and wishes them good 50 year celebrations.



By Hon. Dr Odette Nyiramilimo

# HOW CULTURAL CONTEXT AND EDUCATIONAL VALUES CAN IMPACT THE DEMOCRATIC PROCESS

The simplest definition given to democracy by the classics is “the government of the people by the people” but many scholars tried to define democracy as they understood it according to their social, political and possibly, economical environment.

In ancient Greece, democracy meant initially an independent political unit, sovereign, not being under a tyrant regime, of equal opportunities or social equality.

J.A Schumpeter, in his book entitled *Capitalism, Socialism and Democracy*, published in 1942, wrote: “The democratic method is the institutional system, which leads to political decisions whereby people are entitled to take decisions at the end of an electoral process” and P. Huntington, declared that “the essence of democracy lies in the choice of the leaders through fair elections, where everybody can participate in competitive elections, held regularly where the majority of people take part”. Political scientists subdivide the

concept of democracy into three major categories: political democracy, socio-economic democracy and cultural democracy. The etymological meaning of the word “demos” talks of all the citizens in general without any distinction about competence, family, origin or wealth. Political democracy here means then that citizens have the power in their hands and the concept of good governance implies all the three types of democracy.

This brief introduction through which we explored different definitions that were given to the concept of democracy, shows how it integrates all aspects of a given society thus implying that the path to achieve it differs from one society to another.

## Application of democratic principles in different contexts

In every day’s life and through our modern education, one understands that the right to elect and to be



A cultural troupe. Culture can have an impact on the democratic impact





A political rally function

elected, the freedom to think and express their opinions, the freedom of press, the right to meet and create organizations, among others constitute political democracy.

In order to exercise these rights, one must be culturally trained to embrace such ideology. Human, intellectual capacities must be developed through education and other organized ways of capacity building. In that context, can we expect democracy in a country where more than 50% of citizens are illiterate, where the majority does not even know what their rights are to be applied the same way as in a country where literacy is close to 100%?

Does democracy have the same meaning for a society that has been developing and following its principles since the 18<sup>th</sup> century to one that has heard of it for the first time in the last century?

Democratic principles remain the same, but application will be completely different. Many African countries, in the contrary to western countries, have parallel systems, where there is, at the same time, a President of Republic and one or more kings reigning over the same people. For example, in countries

such as Liberia, the judiciary system is still struggling to combine constitutional and traditional laws, since rural chiefs still hold most of the power in the eyes of the population. In Uganda, the king of Buganda has his own government, enjoys many state privileges and can give directives that he thinks are of benefit to his people (subjects) without prior consultation with the elected government. If the government is not happy with the directives given, it will delegate an official to go negotiate with the king until both sides reach an agreement. The citizens then, who at the same time

trust their King and their government will express opinions on the matter through local leaders and/or community gatherings while waiting for supreme authorities to take last decisions.

#### Cultural resistance

In Africa, from age one, every child is taught in what manner he/she should talk to older citizens. The first value a child learns is “respect” to anyone who is older be they from the closest family to the visitor to whom the child will cede his bed without any question. This system of social hierarchy defines also behaviors that

**Human, intellectual capacities must be developed through education and other organized ways of capacity building.**





**Dr. Odette Nyiramilimo and former EALA Member Dr. Said Bilal present a tray of eggs to a self-help group in Kigali. Democratic societies enable people to enjoy their full rights**

some might define as self-censorship, when they do not take time to analyze the historical, political, cultural and/or educational context.

In Rwanda there are sayings such as *“umwera uturutse i bukuru bucyu wakwiriye hose”* which means *“whatever comes from the highest leadership will expand all over (even if it is bad)”*; *“Irivuze umwami ntirikuka”*, literally, *“what is said by the king can’t be contradicted”* which can be understood that nobody should publicly oppose the leader. But these beliefs change with time and our children and coming generations, which are exposed to other cultures through technology and world networks, cannot adopt that way of thinking.

Another cultural related example is that one cannot call the leader or a person highly respected by his/her name, only by title or in case you know him personally, by the name of his/her first born. When I had to move a vote of thanks to His Excellency Pierre Nkurunziza, the President of Burundi at an EALA Session in November 2011, when I started, I asked myself if I had to speak as the other Members of EALA do by mentioning both names when addressing the President, but opted to only call him *“His Excellency the President of Burundi”* as I would have done if it were the President of Rwanda. Politeness in our culture and in Burundi’s as well, dictates that one cannot pronounce the name of

a highly respected person, which is not the same in other countries, especially in Western countries. This does not deprive anyone from the right of speech; it is just a way of expressing respect. It is in the same context that in many African countries, the rate of electoral participation, despite extremely difficult conditions, is much higher than European countries. This is because Africans, even for the illiterate or the elderly who might not fully understand the reason of going through the process, still participate out of *“respect”* for their leaders. In this case we cannot talk of exercising democratic rights as defined when general population is not enlightened on the consequences of their choices, but on the other hand, one cannot jump to conclusions such as *“the population have been forced to vote”* without doing in-depth research which takes account of the cultural context.

*Margaret H. Marshall, a retired Chief Justice of the Massachusetts Supreme Judicial Court, in an interview, questioned whether all societies should follow the First Amendment model of unlimited free speech. That is an “anti-historical” belief, she says. In the United States, it has proven wise to protect even the most offensive views. But hateful speech has led to mass murder in other countries, from Nazi Germany to the killing fields of Cambodia to Rwandan radio broadcasts denouncing Tutsis. In her view, nations seeking to move beyond*

*genocide might be justified in restricting not only hate speech, but also some political expression, such as calls to overthrow the government and restore majority rule — which, in Rwanda's case, would mean a possible return of extremist Hutu power.*

*"To say that all speech in all circumstances is always acceptable is inconsistent with human experience," Marshall said in an interview. "You cannot say that the American version of free speech is correct for every society. We have much to learn from the experiences of other societies — not that I would change freedom of speech in the United States, but I would temper the view that all societies should always follow the American model."*

In Rwanda, after many decades of lack of democracy, where citizens did not exercise same rights which led to the most abject crime against humanity that is genocide, democracy cannot be applied the same way it is in America where democratic principles are implemented for centuries. In some old democracies, it is said that the major concern of *power conservation* replaces that of *power exercise* where "*competition between the concurrent forces is open*", and *the fight against the opposition is more important than the achievement of the government mission.*"

Rwanda is far from such political configurations. After the RPF- Inkotanyi won the war and stopped genocide in 1994, it would have been easy to put its members in all governing bodies ignoring the other political parties existing in country. They, instead, chose to apply the Arusha Peace Accord that gave almost the same number of seats in Government and Parliament to all parties during the period of transition. Only the parties which participated actively in the perpetration of the genocide were ejected.

After the transition period ended, the Constitution voted in 2003 by Referendum by close to 100% enshrined the element of power sharing so that no group of people or political party can take all the powers. A Party that wins the Presidency cannot

contest for the Speakership of Parliament and the cabinet cannot be composed by more than 50% of the winning party members.

Therefore, it is obvious that opposition parties, being represented in cabinet, in Parliament and even in the local governments tend to search for consensus and to have common understanding of policies as the ruling party itself. When all leaders focus towards a common goal in all sectors and avoid confusing the population with opposing and non-justified contradictions in a vulnerable society such as Rwanda's.

## Conclusions

Democracy is not an end in itself, but a path taken towards achieving good governance, assuring rule of law, respecting people's rights and giving them a



An electoral official assists a voter cast her vote: civic education plays a significant role in electoral process

favorable environment for development and wellbeing. That path cannot be same when it has to pass through different environments. When countries are culturally, educationally and economically different, the concept of democracy has to be applied according to their particular context at a given time and space.

Members of Parliament, as elected representatives of the people have to ensure that Leaders of their respective countries, in priority, fight against poverty while keeping in mind human rights, common nature and dignity and applying at the same time universal democratic principles in a manner that enroots the culture of their electorates as a foundation for lasting development.





By Hon. Ogle AbuBakr

# EAC MUST BE A FORCE OF EXAMPLE TO THE REST OF THE WORLD



The Forefathers of the EAC from left: Julius Nyerere, Milton Obote and Jomo Kenyatta



THE LONG ROAD AHEAD: the road to integration calls for commitment by all stakeholders

In Sessional Paper 10 of 1965, Kenya spelt out a readiness to participate vigorously in all regional activities. This pre-figured a country guided by a realistic policy of a harmonious partnership in the Eastern Africa region. Did it?

That journey was not easy. Mwalimu's Arusha Declaration and Obote's Common Man's Charter and now Kenya's Sessional Paper No 10, pulled in different directions. But as the ideological entanglements of the leaders killed the spirit of EAC in 1977, the advantages

of the socio-cultural net that survived the political death of the co-operation and held East Africans together as leaders went separate ways, outweighed any other shortcomings.

By the turn of the century, the political leadership stood on the same enduring friendship of the Eastern Africa people as they began to reconstruct the EAC. Both politicians and the people were now wiser and willing to learn the lessons of the past experience.

East Africans have since moved on with life after the one party misrule of the yesteryears. There is now in place, all across the five Partner States of East Africa, some very noisy civil society groups and a gritty population determined to check against executive excesses. As this concretizes into law and other forms of deterrence, East Africans have moved on and are busy pursuing amongst others, single currency, synchronized budgets among others.

It is now upon all the various institutions of the EAC, including EALA to contribute to this reality. It is incumbent upon us to actualize the dream of a functional internal mechanism of the EAC while promoting regional assertiveness. The aspirations of

the people to seek better life must shape the laws governing relationships across the national borders.

These guarantees provided for in the legal framework will in turn incubate optimism which will oil the wheels of change towards democratic societies based on justice and the rule of law. East Africa will have to recapture its rightful place in human struggle for development.

But as we celebrate these gains, we cannot be oblivious to the challenges ahead – corruption,



The EAC Heads of State at the signing of the Common Market Protocol

unemployment and socio-political, infrastructural and institutional wreckage. Yet in the midst of all these, new constitutions are being drawn in some while it is being implemented in other Partner States.

There are many historical and current factors precipitating and sustaining bad governance and impunity that the East African Community will hopefully iron out. It must take cognizance of the realities at

**“It is incumbent upon us to actualize the dream of functional internal mechanism of the EAC while promoting regional assertiveness.”**

the grassroots’ levels where *Ujamaa*, *Harambee* and Common Man’s Charter aimed to bring change. People yearn to make meaningful contribution to decisions affecting their life. They yearn for participation. We cannot ignore the many conscientious voices demanding for change!

Against the backdrop of a long and bitter history of experimenting with many exotic ideas, East Africans are impressively waking up to the reality that solutions lie within. The realization, if combined with East Africa’s

greatest resource – mental resilience of the people – will turn the region into a truly enviable region we can proudly call the True Cradle of Mankind.

It is this optimism – abundant but not infinite – that we need to harness for faster integration and development of this region.

In 1967, Dr Njoroge Mungai, Kenya’s Foreign Minister then, stated that Kenya will “through sweat and force of example,” make positive contribution towards the wellbeing and prosperity of the world community.”

Today, that force of example is seen in the people of East Africa whose friendship politicians responded to by establishing the East African Community. This harmonious co-existence and mutual support is the basis upon which many initiatives will be built to put this region at the front of commercial, industrial, institutional, infrastructural development this Millennium!

East Africa needs astute leadership and management of human resources, financial innovation and harnessing of information and technology as well as higher productivity and quality.

I am happy to be a believer of those ideals. I am even happier to be part of EALA whose guiding principles are the rights and needs of the people of East Africa whom we must assist to seize this chance to place their destiny in their own hands.





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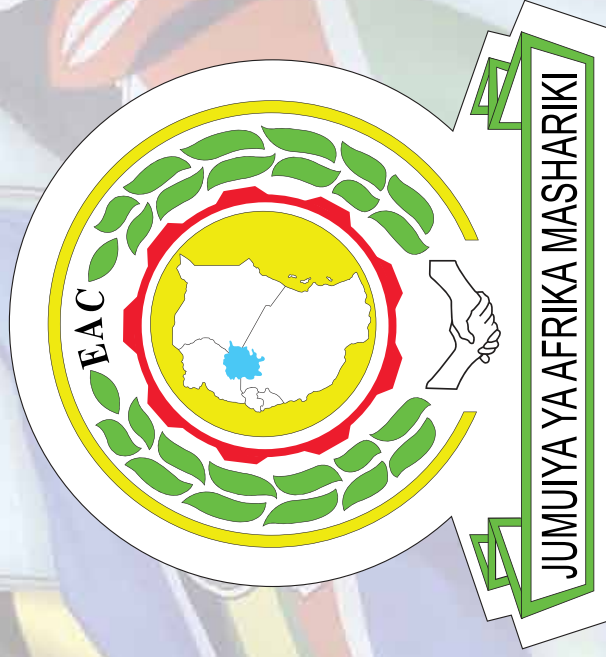


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ONE PEOPLE, ONE DESTINY