



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

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

42ND SITTING – FIRST MEETING – THIRD SESSION- FIFTH ASSEMBLY

Tuesday, 5 November 2024

The East African Legislative Assembly met at 4.15 p.m. at the Parliament of Uganda, Kampala

PRAYER

(The Speaker, Hon. Joseph Ntakirutimana, in the Chair)

(The Assembly was called to order)

COMMUNICATION FROM THE CHAIR

The Speaker: Good morning, honourable members. Allow me to welcome you back to the House after a long and busy weekend. Once again, I take this opportunity to salute His Excellency, the President of the Republic of Uganda and the First Lady for the kind invitation and warm reception when we visited their farm at Kisozi in Gomba District. *(Applause)*

Colleagues, you will agree with me that the tour was, indeed, very exciting and enriching. *(Applause)* We enjoyed the fatherly lecture from His Excellency, the President and we learnt a lot about wealth creation through commercial agriculture as we moved through various corridors on the farm. Let us remember this message the he gave us;

To follow suit and educate our people on wealth-creation initiatives and programs; and

To improve their livelihoods and better lives.

Colleagues, I urge us to walk the President's message as we interact with our people back home.

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Again, we have to thank our colleagues from the Uganda chapter for the efficient coordination of the outreach programmes. (Applause)

We congratulate our colleagues who visited Nakivubo Ham Stadium in Kampala they were not many but we have to recognise you. (Applause) Nakivubo Hams Stadium - the journey had been very long. Some of our colleagues from Kisozi had arrived after midnight but the next day they visited that stadium.

Those who visited Mandela National Stadium yesterday- (Applause)- is it Nambole or Namboole? Namboole Stadium is the main one and its seating capacity is about 45,000 seats.

Allow me once again, on your behalf, to extend sincere gratitude to the leadership of the Parliament of Uganda for the continued excellent facilitation and courtesies that are making our business run smoothly.

LAYING OF PAPERS
REPORT OF THE COMMITTEE ON GENERAL PURPOSE ON THE
RECONSIDERATION OF THE EAST AFRICAN COMMUNITY (EAC) FINANCIAL
SERVICES COMMISSION BILL, 2022

The Speaker: Chairperson, Committee on General Purpose, lay your report.

10.23

The Chairperson, Committee on General Purpose (Mr Kennedy Mukulia): Mr Speaker, I beg to lay the report of the Committee on General Purpose on the reconsideration of the East African Community (EAC) Financial Services Commission Bill, 2022. I beg to lay.

The Speaker: Chairperson, Committee on Regional Affairs and Conflict Resolution, lay your report.

10.23

The Chairperson, Committee On Regional Affairs And Conflict Resolution (Mr Gerald Siranda): Mr Speaker, I beg to lay the report of the Committee on Regional Affairs and Conflict Resolution on the report of the Committee on Regional Affairs and Conflict Resolution on the assessment of the performance and functioning of the Regional Police Centres of Excellences and security agencies corporation in tackling cross-border crime within the EAC Region. The activity was conducted from 16 to 21 September 2024 in the five partner States. I beg to lay.

The Speaker: Thank you.

REPORT OF THE COMMITTEE ON GENERAL PURPOSE ON THE
RECONSIDERATION OF THE EAST AFRICAN COMMUNITY (EAC) FINANCIAL
SERVICES COMMISSION BILL, 2022 BY WAY OF MOTION.

The Speaker: Mr Chairperson, move your motion.

10.26

The Chairperson, Committee on General Purpose (Mr Kennedy Mukulia): Mr Speaker, I beg to move a motion that the Report of the Committee on General Purpose on the Reconsideration of the East African Community (EAC) Financial Service Commission Bill, 2022 be adopted. I beg to move.

The Speaker: Do you have seconders? (*Members rose*) We have Hon. Ndangiza, Hon. Sankok, Hon. Clement and others. Please, proceed.

Mr Mukulia: Report of the Committee on General Purpose on the Reconsideration of the East African Community (EAC) Financial Service Commission Bill, 2022- (Interjections).

The Speaker: I think we can continue.

Mr Mukulia: The report is there; it was produced yesterday. Mr Speaker, on 1 March 2022, the Chairperson of the East African Community Council of Ministers tabled in the House, the East African Financial Services Commission Bill, 2022 for the first reading. Accordingly, the Speaker referred the Bill to the Committee on General Purpose for consideration. In accordance with the Treaty and the Rules of Procedure of the Assembly, the committee processed the Bill by, among others, conducting public hearings in partner States and holding consultative meetings with the ministers.

The Assembly passed the Bill on 15 December 2022 and on 31 January 2023, the Clerk of the Assembly transmitted to the Partner States advance copies of the Bill in preparation for assent by the EAC Heads of State.

In his letter dated 31 October 2023, Hon. Abdi Dubat, Principal Secretary of the Ministry of East African Community Affairs and Regional Development in the Republic of Kenya notified the Clerk of the Assembly that the Bill did not adequately address the concerns raised by the Republic of Kenya as shown in Annex 1. In the letter, the Principal Secretary highlighted the concerns and requested the Assembly to reconsider the same.

Relatedly, in his letter dated 5 March 2024, addressed to the Clerk of the Assembly, His Excellency Ambassador Gervais Abayeho, Minister of East African Community Affairs, Youth, Sports and Culture in the Republic of Burundi highlighted the comments of the Republic of Burundi that were not included in the Bill; see Annex 2.

At the sitting of the Assembly held on 12 March 2024 in Nairobi, Kenya, the Speaker referred the Bill back to the Committee on General Purpose for reconsideration. The committee convened in Nairobi, Kenya from 16 to 21 September 2024 to consider the Bill.

Background

Article 82(1) of the East African Community Treaty requires Partner States to cooperate in

monetary and financial matters and maintain the convertibility of their currencies, which is essential for establishing the East African Monetary Union (EAMU) as an integral part of the Community.

To operationalize these provisions, the EAC Partner States negotiated a Protocol for the establishment of the EAMU with the overall objective of the Monetary Union being to promote and maintain monetary and financial stability aimed at facilitating economic integration, thereby sustaining growth and development within the Community, as outlined in Article 3 of the East African Monetary Union Protocol.

For the effective functioning of EAMU, the Protocol stipulates the establishment of four institutions to support the Monetary Union, which include;

- a) The East African Monetary Institute (EAMI);
- b) The East African Statistics Bureau;
- c) The East African Surveillance, Compliance and Enforcement Commission; and
- d) The East African Financial Service Commission.

According to the roadmap annexed to the Protocol on the Monetary Union, the East African Financial Service Commission was expected to be established by 2018. The Commission's overarching objective is to supervise and regulate non-bank financial services, which include the insurance, pension, capital markets and microfinance sector.

It is important to note that the banking regulation and supervision will be the responsibility of the East African Central Bank once established. Specifically, the objectives of the Commission are to;

- a) Promote the integration of financial systems within the community;
- b) Encourage the harmonisation of supervisory and regulatory practices for the non-banking financial sector;
- c) Enhance confidence and protection for consumers, investors and other users of non-banking financial services;
- d) To promote the stability of the financial system.

The functions of the commission shall include;

- a) Coordinating and harmonising supervisory and regulatory practices for a non-bank financial sector;

- b) Harmonising and integrating payment and settlement systems, financial markets infrastructure and other related systems;
- c) Conducting effective risk management framework for the non-banking financial sector;
- d) Collaborating with national competent authorities and relevant institutions to develop and implement a crisis management and resolution for the financial sector;
- e) Developing and coordinating a framework for the protection of consumers, investors and other users of non-banking financial services in collaboration with national competent authorities;
- f) Monitoring and coordinating the implementation of recommendations from the Council and other relevant Organs of the Community concerning the non-banking financial sector;
- g) Promoting the development of the non-banking financial sector;
- h) Facilitating information sharing between National Competent Authorities;
- i) Enhancing cooperation among National Competent Authorities to establish conditions conducive to a stable and efficient financial system;
- j) Advising and making recommendations to the Council on matters related to the Commission; and
- k) Performing any other function necessary for the implementation of this Act.

Methodology

During the reconsideration of the Bill, the committee

- a) Interfaced with the Chairperson of the Council of Ministers and the delegates from the Republic of Burundi, the Republic of Kenya and the United Republic of Tanzania;
- b) Scrutinised and considered the letters of objection from the two Partner States; and
- c) Made reference to the Treaty, the Protocol on the Establishment of the East African Community Monetary Union, the East African Legislative Assembly (EALA) Rules of Procedure, and other relevant instruments of the Community.

4.0 Specific findings and observations.

4.1 Comments from the Republic of Burundi

The letter - you can forgive me for this name- from the Ambassador, Gervais Abehoyo,

The Speaker: Abayeho.

Mr Mukulia: Abayeho, yes. A member of the Council of Ministers from Burundi raised concerns regarding the non-inclusion of comments from the Republic of Burundi in the Bill. In the letter, the following comments were raised;

- i. *Addition of the words “of this Act” to the definition of the words “Board” and “Commission” in clause 2 of the Bill immediately after the reference to the sections of the Bill; and*
- ii. *Addition of the word “Community” in the short title of the Bill.*

The committee observed that the two comments relate to the drafting style of the Community and did not require reconsideration by the Assembly. Section 2 of the Laws of the East African Community Interpretation Act, 2004 specifies that “*section*” means a section of the Act in which the word occurs. As such, there is no need to add any reference to “of this Act” since this is clarified for all Acts of the community.

The committee noted that the title to the Bill was negotiated and agreed upon by all partner states during the development of the Bill and adopted by the Council with the concurrence of the Republic of Burundi. This is not the first Bill or Act where the word “Community” does not appear in the title.

Other Community Laws which do not have this term include among others the East African Monetary Institute Act, 2019; The Administration of the East African Legislative Assembly Act, 2012; and the East African Legislative Assembly (Powers and Privilege) Act, 2023.

During the meeting, the delegates from the Republic of Burundi noted that their comments were informed by francophone drafting style but were satisfied with the above explanation. In view of this, the committee noted that there is a need for the Secretariat to train focal officers in the ministries responsible for EAC Affairs in the drafting style of the Community.

4.2 Comments from the Republic of Kenya

The letter from the Principal Secretary, Ministry of East African Community, Regional Development and ASALs stated that the Republic of Kenya was not ready to assent to the Bill until the concerns of the stakeholders were addressed by the Assembly. The comments relate to the following provisions of the Bill:

- i. Clause 2: definition of non-banking financial services

According to the Republic of Kenya, the definition of “non-banking financial” is seen as contradictory as it refers to other financial services, which is a broad and evolving term. It should explicitly exclude institutions licensed and regulated by the respective Central Banks.

Furthermore, the definition fails to specify the regulator, which is essential for the governance of

non-banking services. For instance, with the Central Bank of Kenya recently regulating Digital Credit Providers in Kenya, exclusion in the Bill of the Banking Sub-sector alone is not sufficient to cover the institutions regulated by the Central Bank of Kenya.

The Committee noted that the definition of the “non-bank financial sector” is directly linked to Article 14(4)(b) up to (f) of the Protocol for the Establishment of the East African Monetary Union. The reference to “other financial services” does not appear in the Bill but rather is derived directly from Article 14(4)(f) of the Protocol.

The definition in the Bill does not specify any regulator or supervisor in respect of any of the services listed in Article 14(4) of the Protocol. The Bill does not specify the regulator or the supervisor for any of the non-bank financial sub-sectors listed in Article 14(4) (b) to (f) of the Protocol.

- ii. Another comment from the Republic of Kenya is that: Under Clause 6(1)(a), the functions of the Commission include the coordination and harmonisation of supervisory and regulatory practices for the non-bank financial sector. There is no provision for the Commission to develop and coordinate the implementation of a framework to guide this process.

According to the Republic of Kenya, there is a need to insert a provision under the functions of the Commission to develop and coordinate implementation of a framework for the coordination and harmonisation of supervisory and regulatory practices for the non-banking financial sector.

The Committee noted that the Bill already provides for the Commission to coordinate and harmonise the supervisory and regulatory practices for the non-bank financial sector. The law cannot presume at this stage how the Commission shall coordinate and harmonise these practices.

The specific instruments to be used to coordinate and harmonise the regulatory and supervisory practices will depend on the nature of the regulatory and supervisory practices to be coordinated or harmonised and shall as established by the Commission. These should therefore not be prescribed by the law at this stage.

- iii. The third comment from the Republic of Kenya is that: Under Clause 6(1)(b), there is a need to include a provision under the functions of the Commission to develop and coordinate the implementation of a framework for the harmonisation of financial markets infrastructure and other systems.

The Committee noted that the Bill already provides for the Commission to coordinate and harmonise the financial markets infrastructure and other services. The law cannot presume at this stage, how the Commission shall coordinate and harmonise the financial market infrastructure.

The framework or specific instruments to be used to coordinate and harmonise the systems shall be developed and established by the Commission. These should, therefore, not be prescribed by the law at this stage.

- iv. The fourth comment from the Republic of Kenya is that: Clause 6(b), which tasks the Commission with harmonising and integrating payment and settlement systems, duplicates the role assigned to the East African Monetary Institute, as outlined in Section 4(a) of the East African Monetary Institute Act, 2019.

The Committee noted that whereas section 4(a)(iii) of the East African Community Monetary Institute Act, 2019 provides that the Institute is responsible for coordinating the harmonisation of the payment and settlement systems, the work of the Monetary Institute (EAMI) is temporary since according to section 3 of that Act, EAMI is responsible for undertaking the preparatory work for the realisation of the Monetary Union.

In addition, the harmonisation and integration of the payment system are for all institutions in the financial system which include the Central Bank working together with all the regional and national institutions responsible for regulating and supervising the non-bank financial sectors as key participants in the payment system as defined by the Protocol.

What appears as a duplication is a deliberate provision to ensure that EAMI coordinates the harmonisation of the payment system during the preparatory work for the Monetary Union and the Commission also harmonises the payment systems relating to the non-bank financial sector together with EAMI and after the preparatory work done by EAMI.

- v. The fifth comment from the Republic of Kenya is that: Under clause 11, there was a grammatical error regarding the spelling of the the word "Chief" that needs correction.

The Committee noted that correction of typographical and misprint error does not require reconsideration by the Assembly. Section 6(2) of the Acts of the East African Community Act, 2004 and section 18(2)(a) of the Laws of the Community (Interpretation) Act, already empower the Clerk to cause to be made in the assent copies such corrections as relate to misprints, typographical errors and wrong references, if any, as are necessary during the preparation of assent copies.

- vi. The last comment from the Republic of Kenya: Clause 24, the provision does not include protection of staff from personal liability. This should be included in the Bill.

The Committee noted that issues relating to the protection of staff are already provided for by the Treaty and the East African Community Staff Rules and Regulations. Article 73 of the Treaty provides that persons in the service of the Community shall be immune from civil process with respect to omissions or acts performed by them in their official capacity.

This is reinforced by the Protocol on Immunities and Privileges and Regulation 15 of the Staff Rules and Regulations. There is, therefore, no need to include provisions on protection of staff in the Bill.

Further to the meeting that was held in Nairobi from 16 to 21 September 2024, the Committee

also held a consultative meeting with Mr James Lokwale representing the Minister responsible for EAC Affairs in the Republic of Kenya on 4 November 2024.

The officer informed the committee that upon consultation with the relevant offices, the Republic of Kenya was in agreement with the explanation given by the committee on all the issues raised by their government in the letter dated 31 October 2023 as Annex 1.

To this effect, the Republic of Kenya dropped her comments and requested for the reconsideration of the East African Financial Services Commission Bill, 2022. (*Applause*)

General observations

1. According to Article 63 of the Treaty and Commonwealth parliamentary practice, the Executive can return a Bill to Parliament for reconsideration. However, the provisions for reconsideration are only restricted to areas where Parliament made amendments to the original Bill during its enactment.

Parliament cannot reconsider a provision or clause of the Bill that was never amended during the Second Reading. It was noted that the comments and proposals from the Republic of Burundi and the Republic of Kenya relate to the original provisions of the Bill, which were never amended by the Assembly during the Second Reading in December 2022.

2. The East African Financial Services Commission Bill, 2022 is a Council Bill that was developed through a comprehensive consultative process involving all the sector state institutions in the Partner States.

The Bill was adopted by the Council of Ministers with the concurrence of both the Republic of Burundi and the Republic of Kenya. Their proposals for reconsideration by the Assembly as submitted by the Republic of Burundi and the Republic of Kenya present a fundamental policy shift that may compromise the negotiated position and agreement of the Partner States.

It would therefore require the concurrence of all the Partner States for such proposals to be accommodated, which procedurally, would require that the Council of Ministers reintroduce the Bill to the Assembly for the First Reading.

3. The committee recognises the sovereign right of the Partner States to assent or withhold assent to Bills passed by the Assembly as per the provisions of Article 63 of the Treaty. However, the same Article 63(2) of the Treaty enjoins a Partner State that may have reservations on a Bill to send their comments for reconsideration within three months after the Assembly has passed the same Bill.

Unfortunately, Partner States have continuously violated this Treaty requirement to the extent that they return Bills for reconsideration by the Assembly after a long time, some after so many years. This anomaly disrupts the legislative processes of the Community and the progress of integration.

Conclusion

The comments and proposals from the Republic of Burundi relate to the drafting style of the Community and, therefore, do not require reconsideration by the Assembly since Section 2 of the Laws of the East African Community (Interpretation) Act, 2004 gives adequate clarity on this.

On the other hand, the comments and proposals from the Republic of Kenya are substantially new proposals with significant policy implications on the overall objectives of the Community. Therefore, the Assembly is constrained to pass the above proposals, which are under the purview of the Council of Ministers.

In view of the above findings and observations, the committee recommends to the Assembly to:

1. Urge the Council of Ministers to implore the Partner States to familiarise themselves with the style of drafting employed in the Laws of the Community to ensure consistency and clarity in legislation.
2. Urge the Council of Ministers to ensure that the Partner States engage in comprehensive and timely consultations with their counterparts to address any outstanding issues related to the Council Bills before returning them to the Assembly for reconsideration, thereby avoiding delays in the legislative process.
3. Urge the Council of Ministers to direct the Partner States to always comply with the timelines for assent or withholding of assent to Bills as per the provisions of Article 63 of the Treaty.
4. Urge the Council of Ministers to ensure that any Partner State that may want to propose amendments to Bills with significant policy implications, such proposals will undergo review by the Council of Ministers to ensure alignment with the overall objective of the East African Community.
5. Adopt the report and not to proceed with the recommittal of the East African Financial Services Commission Bill, 2022 since the concerns of the Republic of Burundi and the Republic of Kenya has been comprehensively addressed in this report.
6. Finally, urge the Council of Ministers to forward the East African Financial Services Commission Bill, 2022 as passed by the Assembly in December 2022 to the EAC Summit of the Heads of State for assent at the earliest opportunity.

Mr Speaker, that is the end of the report and I thank you for listening.

The Speaker: Thank you. Honourable members, the motion on the Floor is that the report of the Committee on General Purpose on the reconsideration of the EAC Financial Services Commission Bill, 2022 be adopted. The debate is open.

It is clear - this Bill had been passed in December 2022. It is back and the countries that had proposed its reconsideration have agreed. I will give the Floor to three Members just to contribute because we have nothing to change, and then, we will proceed. Hon. Kakooza and Hon. Ndangiza. Thank you. Only two and then we shall proceed. Hon. Kakooza, you have the Floor.

10.48

Mr James Kakooza (Uganda): Thank you, Mr Speaker. I want to thank the committee for what they have reported to us. I think the gist of the matter in this report is that the Council of Ministers takes a lot of time. Technocrats go and sit in Arusha, negotiate, agree, and then they somersault. What does that mean? It means that time is wasted. And with integration itself and the legal framework, there is no way you can backtrack on negotiation and you think you can forge a way forward. For us when we are debating here, it is quite important - I am happy there is a Council of Ministers.

When you are dealing with these issues of a legal framework, you must consider that in the drafting of the Bills, you are the people who make the objective and the memorandum of the principle of the Bill. And once Parliament agrees to carry that principle in the Second Reading, the Third Reading must be in conformity with what you have agreed on. So, the practices that have been mentioned in the practices of Commonwealth Parliaments, it is really the Council of Ministers. When we debate here, you are always absent and when the Council of Ministers is not here to highlight, to know these mistakes, that is what comes next. Somebody, when you adopt a report, says, "No, I was not there, and what has been agreed is not."

Secondly, delegation in such committees on technical matters which concern all the Partner States; why do you delegate? You people do not take a decision in the committees. That is why you find that the person who was sent from Kenya said he agreed, but maybe the substantive minister who would have taken a position on behalf of that Government did not. So, please, Council of Ministers, help us. Do not make our work very difficult. And two, there is no way we can backtrack. You take a long time to return the Bills, and you think we are going to integrate properly.

I can imagine the best example we have, Mr Speaker, is that there are almost, according to the Audit Commission, there are almost 24 Bills that have not been assented to. Look at that time, from 2018 to now, in 2024. How do you expect the integration to be there without a legal framework? With those few remarks, I want to thank the committee for the comprehensive report. Thank you very much. *(Applause)*

The Speaker: The next is Hon. Ndangiza.

10.51

Amb Fatuma Ndangiza (Rwanda): Thank you, Mr Speaker. I want to start by thanking our able chairperson, Hon. Mukulia, and the entire Committee on GP for a very good report. However, I also want to remind ourselves that, as His Excellency, the President of the Republic of Uganda told us, integration of the East African Community is our survival. It is not something that we take for luxury. We need to have a sense of urgency.

Mr Speaker, the four Bills that create institutions that will support the operationalisation of the Monetary Union, including the EAC Financial Services Commission Bill, 2022, were passed by the fourth EALA. The anticipation was that by 2023, the Monetary Union would be operational. You can imagine from that time to now the lag we have had because of all the four Bills, it is only one Bill that was assented to, which is the Monetary Institute.

Unfortunately, initially, we thought that it was the Member Bills that were returned because of reasons beyond our control, but this time around these are Council Bills, agreed by the Council, debated, and when they came to us, as was clearly highlighted, we did not change much. Even those areas where the two Partner States raised issues were the original words and original content. So really, there should be a sense of urgency.

As we speak now, the Monetary Union's new time frame is 2031 and going by this pace, I am not sure that even by 2031 we shall make it. So really, I want to urge our Council Members to have a sense of urgency. Imagine whenever we reconsider a Bill, we spend almost \$100,000. Next time, when you do it, the Council should pay for that. It should not come from our money because we already have meagre resources. But even the time, because we are talking about integration for our people. When you talk to the business people, they tell you that having a single currency should have been done a long time ago. So, I do not want to take much of the time. This is a straightforward Bill.

The objective of this Bill is to allow this Commission to supervise and regulate non-financial services, including insurance, capital markets, pensions, microfinance, and subsectors. So, with those few remarks, I want to urge all our Members to adopt this report, but more importantly, for the Council to urge our Heads of State to assent to this Bill and three other Bills related to the Monetary Union. Thank you, Mr Speaker.

The Speaker: Thank you. I will take Hon. Rose Akol and we will stop there.

10.55

Ms Rose Akol (Uganda): Thank you, Mr Speaker. I have a few comments to urge the Council, Mr Speaker. Mine has to do with these Bills that have financial implications and originate from the Council. I think it is high time that this Assembly required the Council; whenever such a Bill, especially, establishing very important institutions, which are a prerequisite for the full implementation of a protocol - like now the monetary union - I think the Assembly should insist that the Council always presents such Bills with a memorandum or certificate, let me call it a Memorandum of Financial Implications. Because this is a Bill establishing an institution, it will require a structure and staff. Even the organogram of the staff that will be required by the institution, should be attached.

This is just for planning purposes so that in the future when we are implementing - like now the Monetary Institute has failed to take off because each time the Council meets - we get to know this - there are issues to do with the establishment of such an institution, and where to put it. And then some Member States offer premises where we can house this institution. That should not be

the way. There should be equity in the allocation of these institutions in all the EAC countries, not because I can afford to give a structure where this institution will be housed, then the institution should be taken there. I am saying this because that is the trend the Monetary Institute is taking.

Now, every Bill should come with these financial implications presented here, so that when we go into budgeting as an Assembly, when the budget is brought, perhaps even a time frame for the establishment should be attached so that we insist that these resources should be well budgeted for in a financial year where this institution is timed to be established.

Therefore, as we pass these Bills, I want to require the Council also to give us a time frame. We passed the Monterey Institute Bill. It was assented to, but up to now, it is not established. We are going to pass this one. I hope it will be assented to urgently, as we are behind schedule for the establishment of the Monetary Union. So, can we also have a framework giving timelines as to when these institutions will be operational, especially those that have been assented to by our Heads of State? Thank you, Mr Speaker.

The Speaker: Thank you, Hon. Rose Akol. (*Members rose*) I have closed the – Okay, one minute, please.

10.59

Mr Paul Musamali (Uganda): Thank you, Mr Speaker, for reconsidering your position and allowing me to submit on this matter. Mr Speaker, I was not going to say anything, but the submission that was made by the Hon. Akol, aroused my mind and my thinking. She was suggesting that they should provide a Certificate of Financial Implications to be sure that the Community is going to finance these institutions. As you are aware, Mr Speaker, we have a very big problem in terms of financing our Community.

Now, the proposal that I am making to the Council may be moving away from probably the position already established but my view is that since all these four institutions we are creating are all meant to facilitate the operationalisation of the Monetary Union. Why can't they go back and reconsider all of them and come up with only one institution and the rest are just departments of one of those institutions?

We are passing this law here, but you are going to have a problem financing these institutions and you have them struggling, just like those which already exist. They are struggling, Mr Speaker. This is just food for thought on the side of the Council. And even the House, you may also think about it and see how to help this struggling Community. Thank you, Mr Speaker. (*Mr Kakooza rose*)

The Speaker: Hon. Musamali, are you taking the information?

Mr Musamali: I had signed off, but in your wisdom, that information may help to the House and the Community.

The Speaker: Okay, please, be brief.

Mr Kakooza: I think since the Council of Ministers is here, this Parliament has been requesting to draft a Bill on the Public Finance Management Act, where Hon. Rose was saying that every Bill to bring it from the Council of Ministers must be with financial resources that the Council would support those institutions. Because it is almost a luxury, when you bring a Bill and you do not have a command, you do not do it. So they should be aware that this Parliament accorded me a law, which we are going to bring -

The Speaker: Hon Kakooza, I am sorry, but for all the information you are bringing, we have a minister who will be given the Floor. He will give us his considerations on everything. So, Hon. Musamali, proceed. If you have finished, I now give the Floor for clarification.

Dr Jeremiah Woda (Republic of South Sudan): Mr Speaker, just for clarification, I am in support of the report but because this is the House of Records when the honourable chairperson was reading on page 8, I think paragraph 2, it is Article 73. It was read 37, but the Article is 73 as it is written. Also on page 9, in conclusion and recommendation, the Act is 2004, not 2024. Just to set the records right.

Thank you, Mr Speaker. I am in support of the Bill.

The Speaker: Thank you. Now, I give the Floor to the honourable minister. Honourable minister, now you have the Floor. If you have some contributions, if any, we proceed.

11.04

The Minister of State for East African Community Affairs – (Mr James Ikuya Magode) (Uganda): Mr Speaker, sir, I am glad to be here to represent the Council of Ministers and will be conveying to the Council all the appropriate concerns, which the Members are raising herewith. For the moment, I only wish to react to the question of the report of the committee, which is on the agenda right now.

I want to concede that, given the fact that the ministers of Kenya and Burundi have been objecting to particular provisions of the earlier legislation proposed by this council of the Assembly, given the fact that they have withdrawn their objection, it ought to be put on record that the Council of Ministers shall henceforth not have any objection to this particular report. It will be processed in the normal manner and hopefully, we should get expeditious treatment from the various Organs which make the final decision on this so that the Council can become a legal provision for this body.

However, regarding the financial, any other issues that I am hearing, at least for my part, I am hearing them for the first time. You might wish to know that I have been a bit rare. My face is a bit rare here. I came, I think, when I was being sworn in. So, even part of the procedures, part of what, the things, which are in and outside, those I do not have much I can comment about. What I can say is that I will reflect and convey these particular areas, which you have mentioned to the Council and in the nearest possible future, I am even hearing on the grapevine that they may be meeting very soon. So, we might have some good news thereafter. Thank you - *(Applause)*

The Speaker: Thank you, honourable minister. Now I give the Floor to the mover, the chairperson.

11.08

The Chairperson of the Committee on General Purpose (Mr Kennedy Mukulia) (South Sudan): Thank you, Mr Speaker, and the minister representing the Council in this meeting. I would like to reply to the report. One, is a clarification that was sought by Hon. Woda, please, I admit the omissions and the errors I pronounce while reading. Therefore, they can be corrected.

The second item is when you look at page 9 of the report under conclusion, the last paragraph there, which says, “Therefore the Assembly is constrained to pass the above proposal, which are under the purview of the Council Minister.” Remember, the Republic of Kenya withdrew its objection to the Bill, therefore that sentence does not exist, so I beg that we remove it from the report to ensure that the letter that Kenya wrote in support of the Bill is sufficient enough for us to proceed other than a recommittal of the Bill. So, I think we should be able to remove that.

The next item is on page 10, 6. “Urge the Council of Ministers to forward” – Colleagues, you are aware that Article 11 of the Treaty establishing – Colleagues, you are aware that the Assembly cannot urge the Council of Ministers to forward a Bill to the Summit, but rather Article 62(3) of the Treaty expresses that upon passage of a Bill by the Assembly, the Speaker shall then submit the Bill to the Heads of State for assent. So, I think we cannot pass through minister. This also came up because the letters that object to the Bill did not come from the Heads of State, so, it is in violation of the provision of the Treaty. Assent to Bill as provided for under Article 11 as a function of the Summit is that.

5. says, “Subject to this Treaty, the Summit may delegate the exercise of any of its functions, subject to any condition which it may think fit to impose to a Member of the Summit, to the Council, or to the Secretary-General.” However, Article 11(9) provides that the “delegation of powers and functions referred to in paragraph 5 and 6 of this Article shall not:

- a) Be giving general directions and inputs;
- b) Appointment of judges to the East African Court of Justice;
- c) Admission of new Members and granting of observer status to foreign countries, and assent to Bills.” So, assent to Bills is a prerogative of the Summit, not a Council Member.

Therefore, ministers, this is something that should be also conveyed to the Council Members in terms of who should be writing to us. We may not in future proceed to consider Bills signed by any other person other than the Summit – (*Applause*) - because this has been happening and it is dragging the legislative processes behind. So, this is something we want to take seriously and that once it is returned by a Council Member or like this one was returned by Permanent Secretaries. It is just that I do not know what to say but that is how it is.

Honourable members, also allow me to thank the Members who contributed to the report. Hon. James Kakooza, Hon. Amb. Fatuma Ndangiza, Hon. Rose Akol, Hon. Paul Musamali, and then honourable members of the Committee on General Purpose, all of them, our able Clerks, and everybody, including the Members that listened. That is also a contribution that you have given

to this House. (*Applause*) I thank you so much, and I beg that we adopt this report once the question is put. I thank you, honourable members.

The Speaker: Thank you, chairperson. I now put the question that the report of the Committee on General Purpose on the reconsideration of the EAC Financial Services Commission Bill, 2022 be adopted as amended.

*(Question put and agreed to.)
Report adopted.*

REPORT OF THE COMMITTEE ON REGIONAL AFFAIRS AND CONFLICT
RESOLUTION ON THE ASSESSMENT OF THE PERFORMANCE AND FUNCTIONING
OF THE REGIONAL POLICE CENTRES OF EXCELLENCE AND SECURITY AGENCIES'
CORPORATION IN TACKLING CROSS-BORDER CRIME WITHIN EAC BY WAY OF
MOTION.

11.16

The Chairperson of the Committee On Regional Affairs and Conflict Resolution – Republic of Uganda (Dr Gerald Blacks Siranda): Mr Speaker, I beg to move that the report of the Committee on Regional Affairs and Conflict Resolution on the assessment of the performance and functioning of the regional police centres of excellence and security agencies corporation in tackling cross-border crime within the region be adopted.

The Speaker: Do you have seconders? (*Members rose*) Hon. James, Hon. Dr Itto, Hon. Musamali, Hon. Francoise and others. Now, proceed with the justifications. Honourable members - chairperson, I am sorry to interrupt you. Before you proceed, we have in the VIP Gallery, a delegation from Kajiado County Assembly in Kenya. They include their Deputy Speaker, who is Hon. Daniel Kokan, and Hon. Mbiriri Mwaura, and Hon. Bernard Moloma Hon Ann Ntatai, Hon. Carolyne Ndeti, and Mr Bernard Padio. – (*Applause*) - These names sound familiar. That is why our Hon. Sankok is -

Please, honourable members from Kajiado County, stand to be recognised (*Applause*) Thank you. Honourable chair, you can proceed.

Dr Siranda: Mr Speaker, I beg to present this report of the Committee on Regional Affairs and Conflict Resolution on the Assessment, Performance and Functioning of the Police Centres of Excellence and Security Agencies Corporation in tackling cross-border crime within the EAC region. This report was conducted on the 16-21 September 2024, in five partner states.

I beg to go straight to the introduction, which is on the page 6, because I know that colleagues will follow the other pages. In accordance with Article 124 of the Treaty for the Establishment of the East African Community, peace and security is identified as a prerequisite for the success of the EAC integration. It influences the implementation of the EAC – (*Interruption*)

The Speaker: Yes, Hon. Mary?

Ms Mugenyi: Mr Speaker, we do not have this document that the Chair of Regional Affairs and Conflict Resolution is reading. He is the only one with a copy.

The Speaker: Maybe, they can give you a copy. When they distribute them, maybe you will get a copy. Chair, please, proceed.

Dr Siranda: Mr Speaker, I hope my Member is catered for. Hon. Mary is a very strong member of this committee. I am on page 6 and I want to do paragraph 2.

Subsequently, Chapter 23 of the Treaty is explicit on the enabling policy interventions expected of the Foreign, Defense, Peace and Security sectors. Article 124 spells out wide-ranging approaches for implementation of the Treaty in order to have a stable and secure environment within the region. The importance of security is further emphasised in the EAC vision of “a prosperous, competitive, secure, stable and politically united East Africa”.

Given the reality that our region is confronted by security threats such as inter-state conflicts, terrorism, radicalisation and violent extremism, porous borders and border conflicts, piracy, human and drugs trafficking, money laundering and cybercrime, motor vehicle theft and proliferation of Small Arms and Light Weapons (SALW). To facilitate a structured response to the aforementioned threats, the Community has developed a number of instruments including the EAC Peace and Security Protocol; the Regional Strategy for Peace and Security; the Protocol on Combatting Illicit Drugs Trafficking; the Regional Small Arms and Light Weapons Policy; and a Conflict Management and Resolution Framework among others.

The EAC Police Centres of Excellence are part of the overall intervention to operationalise the above mentioned protocols, policy and a framework. The centres of excellence are anchored on the following directives of the Council of Ministers of the EAC:

The 4th Sectoral Council on Interstate Security (SCISS) held on the 6 August 2011, Arusha Tanzania;

- i. Directed Partner States to commence the processes of establishing specialised National Forensic Centres of Excellence and report progress to the 5th Meeting of the Sectoral Council on Interstate Security – the decision as highlighted below;
- ii. Directed the Sectoral Council to organise visits to the Partner States by experts drawn from the Partner States to assess their suitability to host a Regional Referral Forensic Centre inter alia for training, accreditation of laboratories and certification of forensic scientists and report back to the Chiefs of Police by 1 October 2011. The decision is as below;
- iii. The 5th Sectoral Council on Interstate Security 27 August 2022 in Kigali, Rwanda took note of the development from the Experts Assessment Mission Report and the recommendations of the Chiefs of Police, the decision as seen below;
- iv. Urged the Partner States in collaboration with the Regional Referral Centre to strengthen National Forensic Laboratories, the decision is as seen below;
- v. Adopted the proposal by the EAC Chiefs of Police on location and directed that the Regional Forensic Referral Centre be hosted by the Republic of Uganda – the decision is below; and

- vi. Directed the Secretariat to convene a meeting of the experts working group to commence the identification process for regional centre of excellence on capacity building, peace support operations, criminal investigation, culture and sports, and disaster management among others – the decision is there below.

The 6th Meeting of the Sectoral Council on Inter-States Security held on 28 March 2014, Mombasa, Kenya adopted the recommendations of the chiefs of Police for hosting the Centres of Excellence by Partner States:

- a) General criminal intelligence and investigation, counter terrorism and police aviation by Republic of Kenya;
- b) Disaster management and disarmament by Burundi;
- c) Traffic management, gender based violence, and child protection; police institution of higher learning (training on intermediate and senior command centres); peace support operations and logistics by Rwanda;
- d) Community policing and social media by Uganda; and
- e) Public order management, general junior command courses and maritime policing /piracy by United Republic of Tanzania.

Objectives

The objectives of the activity were:

- a) To establish the level of collaboration between the mandated institutions in police and security agencies fostering crime crackdown;
- b) To assess the legal regime and the institutional framework to enhance joint operations like hot pursuit, extradition of criminals and limitations therein the rules, if any –

I beg, honourable colleagues that we go through this because we have them. I would like to refer you to methodology on page eight. Under Table 1, you will see the centres of excellence in different Partner states;

Burundi – Disaster Management and Disarmament

Kenya – National Police Service Air wing, Anti-Terrorism Police Unit, National Criminal Investigation Academy

Rwanda – Traffic Management, Gender-Based Violence and Child Protection, Police Institutions of Higher Learning, Peace Support Operations and Logistics

United Republic of Tanzania – Junior Command Training in Moshi, Police Maritime Centre of Excellence

Uganda – The Regional Forensic Referral Centre of Excellence, Community Policing and Social Media.

The sub-committees gathered information through presentations from the relevant officers – I ask that I also skip that, MR Speaker. We can however do the key findings specifically from Rwanda.

Key Findings from the Republic Of Rwanda

In the Republic of Rwanda, the team paid a courtesy call on the Inspector General of Rwanda National Police and centres of excellence; they did the Ministry of Foreign Affairs and International Cooperation; they paid a courtesy call on the Inspector General of Police; Peace

Operations Training Centre; Traffic Management Systems; Gender-Based Violence and Child Abuse; and Police Senior Command and Staff Course at the National Police College.

Ministry of Foreign Affairs and International Cooperation of the Republic of Rwanda

The team met the Director General of Africa (DG), Ministry of Foreign Affairs and International Cooperation of the Republic of Rwanda. Below we can see the engagement that the team participated in.

- Facilitating bilateral and multilateral agreements;
 - Coordinating training opportunities/offers for security personnel; and
 - Raising public awareness about cross-border crimes and international cooperation.
- She commended EALA for dedicated efforts to enhance the capabilities of the Regional Police Centres of Excellence in the fight against cross-border crime and assured the Ministry's support to ensure EALA mandate is achieved.

4.2 Meeting with the Inspector General of Rwanda National Police

The IGP, provided an overview of the mandates of the centres of excellence to be visited. He highlighted that these centres are operational and the Government of Rwanda always invests in these centres to advance their capacities and capabilities.

The IGP pointed out that despite being designated as EAC Centres of Excellence, there is currently no regional coordination among these centres. He noted that arrangements for incorporating students from various EAC Partner States are sponsored by the host countries.

He recommended regular reassessments of these centres to ensure they remain sustainable and effective, as some may not be achieving the expected outcomes. He emphasised the need for the EALA assessment to be viewed objectively, cautioning that the composition of the team by only Rwandans might lead to perceptions of bias in the final report yet their appreciation meets what they found on the ground.

The Peace Operations Training Centre:

The sub-committee visited the Peace Operations Training Centre located at the Police Training School (PTS) in Gishari, Rwamagana District.

Objectives

The key objectives of the visit included:

- a. To evaluate the role of PTS Gishari in regional peace support operations.
- b. To assess the training programmes offered, focusing on peace support, public order management, and regional collaboration.
- c. To identify opportunities for expanding the centre's capacity to accommodate more training programmes.

The commandant of the Police Training School briefed the team on the following:

- a) Role of the Gishari Police Training School: The Gishari Police Training School is dedicated to promoting peace and security through training programmes specifically designed to meet regional and international law enforcement needs.
- b) Course Offerings at PTS Gishari: PTS Gishari provides a range of courses, including Basic Police Courses for civilians, Cadet Courses for serving police officers and civilians, specialised and career courses, driving courses, and training on methods to combat cross-border crimes such as smuggling, human trafficking, and drug trafficking.
- c) Peace Support Operation (PSO) Centre: Designated as a Regional Centre of Excellence by the Eastern Africa Standby Force in 2013, the PSO Centre is crucial in preparing officers for African Union (AU) and United Nations (UN) peacekeeping missions. It offers courses in counter-terrorism, public order management, and specialised peacekeeping training.

4.4 Traffic Management Systems

The team visited various Traffic Management Systems implemented by the Republic of Rwanda to enhance road safety. The sites included the testing and licensing centre, the automobile inspection centre, and the traffic and road safety control room.

Objectives

The primary objective of the visit was to assess the efficiency of the traffic management systems implemented by the Republic of Rwanda to ensure road safety.

Testing and Licensing Centre – I want to go straight to the mandate of the Testing and Licensing Centre (Busanza):

The centre is responsible for providing services related to driving tests and the issuance of driving licenses. Honourable colleagues, I would like to do one per area because there are several of these. I am on page 11.

The Automobile Inspection Centre (Remera)

The mandate of Automobile Inspection Centre: The centre is responsible for services related to testing gas emissions, shock absorbers, brakes (including handbrakes), axle play detection, wheel alignment, vehicle geometry, steering systems, headlights, and visual inspections of the vehicle's body condition, among others; capacity and capabilities; vehicle inspection; technological advancements; application and cost of the inspection certificate – Mr Speaker, I beg that we skip over these. Colleagues can read the rest of that.

The Traffic and Road Safety Control Room

The Acting Commissioner for Traffic and Road Safety briefed the sub-committee about the following:

- i. Mandate

The centre is responsible for monitoring traffic cameras installed across the country to respond to potential security threats, primarily focusing on real-time management of road accidents and ensuring the safety and security of roadways;
- ii. Achievement of Traffic and Road Safety Department:

Many accidents have been attributed to speeding, dangerous manoeuvres, riding on moving trucks on hilly roads, overloading, cyclists operating at night, driving under the influence, and violations of traffic signals and rules;

- iii. Since 2018, Rwanda has installed speed cameras on all major roads, implemented speed governors in passenger buses and ambulances, created pedestrian pathways, and launched local road safety campaigns known as "*Gerayo Mahoro*." This is Kinyarwanda.
- iv. Role of Traffic and Road Safety Control Room in fighting against crimes: This centre is vital for monitoring and identifying criminals and traffic offenders, enabling timely responses to accident victims. Additionally, the system stores data for up to three months, providing essential information that aids criminal investigations at both national and regional levels.

4.5 The Centre of Excellence on Gender-Based Violence and Child Abuse

i. The Centre's background:

The Regional Centre of Excellence on Gender-Based Violence (GBV) and Child Abuse was established as a key initiative of the Kigali International Conference Declaration launched in 2010. Officially inaugurated on 28 November 2016, the centre is dedicated to addressing capacity challenges within the gender sector not only in Rwanda but throughout Africa. It focuses on consolidating and synergising existing expertise and resources to achieve exceptional performance and impactful outcomes.

In 2017, the centre was recognised as a Regional Centre of Excellence by the East Africa Police Chiefs Cooperation Organisation (EAPCCO) during their Annual General Meeting in Naivasha, Kenya, as well as by AFRIPOL and various African states.

The Centre's Mandate

The centre's mandate is to enhance the capacity of security and law enforcement agencies, as well as civilians, in protecting women and children and combating violence. It conducts research, training, and capacity building programmes that promote best practices and facilitate information sharing across the region and Africa.

The centre is also called upon to represent gender-responsive policing at international forums and to integrate community perspectives into security strategies, fostering partnerships to prevent violence against women and girls.

The Centre has achieved a lot in capacity building and training of law enforcement personnel. It has conducted multidisciplinary training for service providers both national and international.

It conducted the training of trainers sessions for the EAPCCO region on gender and GBV management, developed SOPs for the establishment of one stop centres (OSC) for the victims of GBV and child abuse which are pending adoption by EAPCCO chiefs.

The Police Senior Command and Staff Course at the National Police College

a. Background of the College:

The National Police College is one of the three training centres of Rwanda National Police and one of the identified EAC's centres of excellence. This college has the mission of providing high-quality, innovative, and professional training to police officers of Rwanda and beyond.

b. Professional courses offered at the college:

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NPC runs three different courses including, the Police Senior Command and Staff Course; Police Junior Command and Staff Course, Police Tactical Command course, and Basic and Advanced Investigation Courses. All these courses attract participants from various Rwandan law enforcement agencies and officers from other African countries including EAC member states. These include; the Republic of Burundi, the Republic of Kenya, the Federal Republic of Somalia, the Republic of South Sudan, the United Republic of Tanzania, the Republic of Uganda and the Republic of Rwanda. Mr Speaker, I beg that I move to page 14.

5.0 Key Findings from the United Republic of Tanzania

In the United Republic of Tanzania, the team paid a courtesy call on the Regional Commissioner of Mwanza and also visited the Tanzania Police School in Moshi at a time when it was commemorating 60 years of existence. The team also undertook a field visit to the Marine Police College.

The Tanzania Police School Moshi

The committee visited the Tanzania Police School in Moshi on 17 September 2024. On the same day, the Tanzania Police Service commemorated the 60th anniversary since its establishment. The commemoration took place at the Tanzania Police School in Moshi and the Guest of Honour was the President of the United Republic of Tanzania. The committee was privileged to participate in that commemoration, but failed to interact with the school on matters relating to the oversight activity.

Visit to Mwanza

The sub-committee paid a courtesy call on the Regional Commissioner and also visited the Marine Police College. The Marine Police College is located in Mwanza – a city located on the shore of Lake Victoria

1. The Regional Commissioner

The committee interacted with the Regional Commissioner for Mwanza who made the following communication:

- i. Mwanza is the centre of all lake zone regions of Tanzania-making it a strategic city in the East African Community;
- ii. Mwanza is located within the Lake Victoria Basin;
- iii. The Government of Tanzania is building a centre for information on lake safety in Mwanza;
- iv. Mwanza is building a huge investigation centre, which is a strategic market for the EAC;
- v. The Government of Tanzania is building a big ship that will be facilitating transport between Mwanza, Jinja and Kisumu. The ship is also expected to carry about 50 vehicles; and
- vi. The Government of Tanzania is constructing the Magufuli Bridge, which is important in connecting East African Community Partner States. The construction is at about 94 per cent.

The committee thanked -

Visit to the Marine Police College

The subcommittee visited the Marine Police College. This is one of the five training institutions of the Tanzania Police Force. It was inaugurated in 2011 by the powers vested in the Inspector General of Police (IGP) under section 7 of the Police Force and Auxiliary Services Act (Cap.

322) and as directed by Police General Orders (PGO 13) to provide specialised maritime training for police officers.

The establishment of the college was occasioned by rising security threats and increasing prevalence of transnational organised crime in the maritime domain. The threats included terrorism, piracy, smuggling, human trafficking, illicit drug trafficking and illegal fishing. The college is responsible for training qualified maritime law enforcement officers.

The Marine Police College was designated by the East African Community as a centre of excellence for maritime training in 2012. The Council of Ministers directed the East African Police Chiefs Cooperation Organisation to assess the capacity of the college, especially on the following:

- i.Registration, vision and objectives;
- ii.Infrastructure and resources (instructors' expertise and experience);
- iii.Capacity to award certificates;
- iv.Leadership of the college;
- v.Autonomy and capacity to make and implement its own decisions;
- vi.The student body and all those.

The college provides training to police officers, government institutions and private organisations. It also reaches out to the communities living around the water bodies for training on safety and rescue during emergencies.

The training of police officers focuses on equipping them with the ability, skills and courage to combat crime and criminal threats that may occur in maritime environments, including the sea, lakes and rivers or on land.

The mission is highlighted there. I request that we move from the mission and core values.

- i.Specialised training for capacity building: to provide comprehensive training in maritime and security, law enforcement and rescue operations, enhancing the skills of marine police personnel across the region;
- ii.Promoting regional cooperation: to foster collaboration between East African member states in tackling cross-border maritime crime such as terrorism, smuggling, piracy and human trafficking, promoting coordinated regional security;
- iii.Research and innovation in maritime security: to conduct research on emerging maritime security threats and develop innovative strategies and technologies to address the challenges in the region;
- iv.Standardisation of marine law enforcement practices: to establish and promote common protocols, standards and best practices for marine policing and ensuring consistent law enforcement across the East African Community.

Mr Speaker, the strategic location of the Marine Police College is addressed here. On the administrative, registration and training, I beg that I move over those.

I am on page 17, which is on training.

Police officers attended the training successfully. I also request that we move over this, Mr Speaker and then we look at table 2; participants of the long-term programme - technician certificate and all those.

During the Academic Year 2022/2023, there were eight students that graduated. In Academic Year 2023/2024, there were 31 students that graduated, bringing the total to 39. Participants of short-term courses are listed here and you will see that the total is 933. You will see from all the other years. That is on table 3, on the short term courses.

On page 18, you will see the resources, in terms of human resources. The Marine Police College has a reasonable number of academic and support staff. Currently, the college has 61 personnel, including 8 officers, 10 inspectors, 42 rank and file, and others. So, we can also see the table there, which is table 4 on human resources.

On land, Mr Speaker, I also request that we also move over those, given that Members have the report. If there is an issue there, we will give a response on it.

I beg to go to page 20 on the key findings from Kenya, so that we also pick some items from there. The team also undertook field visits to the following police centres in Kenya:

- i. The National Police Service Airwing;
- ii. The Anti-Terrorism Police Unit; and
- iii. The National Criminal Investigation Academy.

These are the centres hosted in Kenya.

The National Police Service Airwing is based at Wilson Airport in Nairobi. It is a dedicated division within the Kenya Police Service that focuses on aerial operations and support. Its main function encompasses surveillance, transportation, search and rescue operations, and aiding law enforcement activities. This unit significantly boosts the police's ability to swiftly react to emergencies, oversee large areas and also offers logistical assistance to ground officers.

Mr Speaker, the Kenya Police Service Airwing has been instrumental in improving law enforcement and public safety in Kenya. They have participated in a variety of operations such as counterterrorism activities, drug seizures, and search and rescue missions.

The Airwing also aids in disaster management and humanitarian assistance. It has quickened the response to disaster-stricken areas to deliver supplies, conduct evacuations and coordinate rescue missions. Their success is structured, depending on factors like funding, trainings and operational assistance.

The Airwing has been merged with the National Air Force and is now part of the large aviation department known as the National Air Support Department. The department was officially launched by President Uhuru Kenyatta on 17 December, 2020. It has a joint unit controlled by the Ministry of Defence and is responsible for managing Kenya national air rescue and support operations.

The NASD has a fleet of 36 aircrafts, including those formerly under the National Police Air Wing, Kenya Wildlife Services, the Kenya Electricity Transmission Company and Kenya Forest Services, among others.

Anti-Terrorism Police Unit

The team was briefed about the Anti-Terrorism Police Unit, an investigative unit under the Directorate of Criminal Investigation (DCI) that was established in 2003 to mitigate terrorism activities in Kenya. The vision, mission and values are there. The mandate of the Anti-Terrorism Police Unit includes:

- i. To be the lead agency in all matters of terrorism investigation;
- ii. Prevent, detect, disrupt and interdict the imminent terrorism activities within the country;
- iii. Exhaustively investigate all terrorism and terrorism-related cases;
- iv. Take control and secure evidence at all scenes of terrorism incidents; and
- v. Conduct public awareness and own prevention of terrorism.

There is mitigation of terrorism which is done through:

- i. Legislative approach;
- ii. Enhanced investigative and intelligence collection capacity.

The rest are all listed there, Mr Speaker.

The National Criminal Investigation Academy

The National Criminal Investigation Academy was established in 1957 to train National Police Service personnel to the highest possible standards of competence and integrity. It moved to South C in 1974 and has continued to be the premier college offering technical and professional training on intelligence and investigations.

On page 20, the Government investigative agency –

The Speaker: Honourable chairperson, we had agreed to use executive summaries. We have other business today. Please try to be brief, so that we can allow others to present.

Dr Siranda: Much obliged, Mr Speaker. I am on page 27. We have seen the mandate and functions, which includes technical and professional training on criminal intelligence and investigation. There are courses offered which include counter-terrorism and several courses listed there.

The consumers of the National Criminal Investigation Academy are:

- i. The Regional Police Services/Force;
- ii. The National Police Service and all the others.

On page 23, we have the key findings, Mr Speaker, which we ask to go through. On transnational crime, I request that I move over those.

Mr Speaker, let us move to the legal and institutional framework for police joint operations against transnational crimes, which is on page 23. The legal frameworks are listed there under the same.

Transnational crimes prevalent within the region

According to the existing data in Burundi - which is on page 26 – prevalent crimes within East Africa include smuggling of goods, mainly prohibited alcoholic beverages, drugs, expired medical products and others. The rest can be seen in the report.

On gender-based violence, Mr Speaker, it is also listed within.

Performance of the Regional Centre of Excellence on Disarmament

The establishment and mandate of this is also seen within the report.

Achievements are on page 28.

- i. The need for the Regional Centre on Small Arms. Mr Speaker, there is a need. There are all the other centres but there is no centre specifically dealing with small arms, which are very many within the region. I think we also need to fund and establish the centre within that;
- ii. The Government of Burundi to relocate the headquarters of the CNAP to a better place and building of the required quality standards. The Government of Burundi has offered to do that.

When we go to page 29, we will see the performance of the Regional Centre of Excellence on Disaster Management. What they have done is within this and it is composed of:

- i. The Directorate of Planning and Studies;
- ii. The Directorate of Prevention, Humanitarian Action and Relief Operations;
- iii. The Logistics Directorate and;
- iv. The National School of Civil Protection, among others.

Mr Speaker, on page 30, you will see the achievements of what this centre in Burundi has been positioned to do. I can pick out one.

- i. Preparation of Standing Operating Procedures on emergency responses and fire safety for the East African Community, which have already been adopted at the East African Community level of experts.

On the operationalisation of the Regional Centre of Excellence On Disarmament, there is operationalisation which has been set, under page 30.

Key findings from the Republic of Uganda

The Republic of Uganda hosts two centres; the Centre of Forensics and the Centre of Community Policing.

The East African Community Regional Forensic and Referral Centre of Excellence

The centre is hosted in Uganda at the Uganda Police Force Forensic Service Laboratory, established under the Uganda Police Act, 1994 and designated as a regional forensic centre of

excellence. The centre is located at Naguru in the Republic of Uganda. However, it might be relocated to any other place, as and when the need may arise.

There are several areas that this centre is engaging in, which are:

- a. Chemical analysis;
- b. Forensic pathology;
- c. Cyber and IT forensics, and all those that are listed.

I want to confirm, Mr Speaker, that this centre is doing very impressive work. You may think it is not within the region.

The departments under forensic service include:

- a. Criminal identification;
- b. Questioned documents;
- c. Ballistics and tool marks;
- d. Cybercrimes, as listed there.

The role of this is to:

- i. Harmonise forensic service delivery standards within all East African Community Partner States' forensic facilities;
- ii. Facilitate certification of forensic scientists and accreditation of laboratories and equipment.

Those are some of the roles they do.

Under page 33, the key activities at the centre which include:

- a. Process and document crime scenes. There are areas that they do;
- b. Dealing with identification of disaster victims using DNA and other scientific techniques in situations of disaster;
- c. Analysing digital equipment and electronic tools, and equipment used in commissioning of cybercrimes.

Mr Speaker, colleagues can follow the rest.

Key achievements

- i. Construction of a modern facility for the Regional Forensic Referral Centre is underway, following a directive from His Excellency, the President of Uganda;
- ii. The EU-funded Maritime Peace and Security Projects procured ballistics equipment worth 1.7 million euros for the Ballistic Department in 2017;
- iii. The East African Secretariat has funded –

The Speaker: Honourable chairperson, you have used more than one hour.

Dr Siranda: Mr Speaker, I am dealing with five Partner States.

The Speaker: Yes, please. We have the report and I see that we still have three items to follow. You can maybe go to the last recommendations.

Dr Siranda: You know that we are dealing with five Partner States.

The Speaker: I know.

Dr Siranda: It is okay, Mr Speaker; much obliged. Let me go to the recommendations. Let us move; colleagues will do a follow up on that.

Recommendations

Mr Speaker, we recommend to the Secretariat to:

- i. Advocate for various partners for the expansion of the Peace Support Operation Centre's capacity, enabling it to offer a broad range of courses;
- ii. Ensure regular reassessments of the centres to ensure that they remain sustainable and effective, as some may not be achieving the expected goal to also remain EAC centres. As we speak, they are manned like Partner State-centres, even when they are for EAC. The facilities and how they are being funded are more manned like centres of the Partner States;
- iii. Conduct capacity building for all the regional centres of excellence to fast-track their effective operationalisation, as well as to police and other security agencies to keep up with technology advancement, including handling cyber security threats; and
- iv. Conduct a study to identify root causes of insecurity within the communities and propose appropriate lasting solutions.

Mr Speaker, the recommendations to the Council are to:

- i. Urge it to urgently resolve the issue of the closed borders between the Republics of Burundi and Rwanda. Otherwise, it should be escalated;
- ii. Develop a regional strategy to address smuggling of arms and put an end to negative forces across the Community;
- iii. Enhance the EAC Peace Cooperation Framework to include harmonisation of relevant laws and procedures, exchange of fugitives, mutual assistance in conducting criminal investigation, sharing the limited existing technical resources such as the forensic centres, and conclusion of extraordinary trade;
- iv. Urge the Council of Ministers to fast-track the operationalisation of the Regional Cooperation Agreement in Framework Services between the Partner States, as approved at the 8th Sectoral Council of Interstate Security;
- v. Urge the Council of Ministers to urge the EAC Secretariat to support the Centres of Excellence of Community Policy through funding the full operationalisation of the centres of excellence; and
- vi. Urge the Council to urge the EAC Secretariat to harmonise the training of Partner States, in terms of the training on community policing. Each centre is doing its own. We urge that there should be harmonisation and standardisation of the training.

In conclusion, Mr Speaker, the region needs to address the pivotal role of technology in combating the emerging security threats and shaping the future of border management. By harnessing digital technology, we can streamline border controls, enhance our surveillance. Detection and response capacities. The transformation will not only enhance security, but also

facilitate the smooth flow of goods and people, and thus promote our desired economic growth as a region.

The Committee on Regional Affairs and Conflict Resolution wishes to thank the IGPs in the respective Partner States for the courtesy extended to the committee and for their cooperation in providing relevant information to the teams; the Rt Hon. Speaker the Office of the Clerk for facilitating and carrying out its oversight function.

The committee hopes that the findings and recommendations contained in this report will greatly improve the challenges faced in the regional police centres of excellence in the Partner States.

Mr Speaker, I beg to move. *(Applause)*

The Speaker: Thank you. Honourable members, in the public gallery this morning, we have 66 students and 9 teachers from Potters House Academy, which is in Eldoret in Kenya. They have come to observe proceedings. Please stand up, so that we can recognise you. *(Applause)* Eldoret is far. Thank you, you can sit.

We also have, in the same public gallery, 22 teachers of Nakaloki Islamic School, which is in Mbale district, in the eastern part of Uganda. Please, stand and be recognised.

Hon. Kachwamba, thank you.

Honourable members, the motion on the floor is that the report of the Committee on Regional Affairs and Conflict Resolution on the assessment of the performance and function of the regional police centres of excellence and security agencies cooperation in tackling cross border crime within the EAC region be adopted. Debate is open.

Honourable members, we should limit the Members who want to contribute because of time but as I see we only have five, we can start from hon. Gideon, hon. Shaban, hon. Sankok, hon. Mary, hon. Mathias and hon. Oda and Amb. Fatuma. Please try to be brief in your contribution to allow others to - Thank you.

12.17

Mr Gideon Gatpan Thoar (Republic of South Sudan): Thank you, Rt hon. Speaker, for the opportunity. I would like to acknowledge that I am a member of this committee and I want to add one thing. During our oversight activity in the Republic of Burundi, this would apply –

The Speaker: Are you a member of the committee? No, give the floor to others. We go to the next. I did not know. Hon. Shahbal – We will consider you later.

12.18

Mr David Ole Sankok (Republic of Kenya): Thank you, honourable Speaker. From the onset, I will support this report of the Committee of Regional Affairs and Conflict Resolution on the

assessment of the performance and function of the regional police centres of excellence and security agencies cooperation in tackling cross border crime within the EAC region.

From the onset, when we met His Excellency General Yoweri Museveni, he stressed the need of security. Being a father figure, we also have security within our region.

Mr Speaker, I would like to amend some sections: one is section 4 page 12, 4.5. - the centres of excellence on gender based violence.

For a long time, we have forgotten persons with disabilities as another marginalised category of people that need affirmative action. You have seen abuse of persons with disabilities on our streets as they are being used as begging tools under the sun and in the rain. People are pushing them on wheel chairs, some of them are sick, and they are using them as begging tools. We should also include, in our fight against cross border crimes, importing persons with disabilities to other countries to be used as begging tools.

Mr Speaker, the Police who are being trained in these centres of excellence should be trained on the need to name criminals and not the communities they come from or the states where they come from so that we treat criminals as per their names and not the communities or countries that they come from so that we do not end up having cross border conflict from how we treat specific criminals.

Lastly, we also want the police to be trained that in cross border crime, we have to take care of our coastline and fresh water lakes and rivers that are potential sources of conduits of criminals. Disaster management should also include disaster management in reference to climate change like floods, landslides and even – Some people are dying because of lack of food. Can we include all these cross border crimes in disaster management in reference to climate change? I beg to support, Mr Speaker, with those amendments.

The Speaker: Thank you, hon. Sankok.

Amb. Harebamungu: Thank you, Rt hon. Speaker. I intervene to raise a point of clarification on the report from our brothers and sisters from the Republic of Burundi. On pages 38 and 39, we can see that there are some serious unfounded allegations against Rwanda and I have to underline this because I have discussed this with the Chair Chapter, hon. Siranda and even the chair of the sub-committee, Hon. Gideon and the Clerk.

Rt Hon. Speaker, no single border, be it air or land, within Rwanda with our bordering states is closed. We have never closed any single border. That is one.

Secondly, on Monday 9 July 2024, EAC ministers gathered in Zanzibar for their retreat and their commitment was to tackle this issue and so far, we have no report from them so I find no reason to push them on further exercises while we do not have their already concluded decision.

Mr Speaker, when we look at the issue of refugees that are claimed to be supposed –
(*Interruption*)

Mr Mukulia: Rt hon. Speaker, with due respect, I wonder whether the committee member is amending their own report.

The Speaker: Are you a member? I did not know.

Mr Mukulia: I just want that –

The Speaker: I did not know that you are a member of the committee because -

Mr Mukulia: He would have brought a minority report to be able to counter the allegation.

The Speaker: Thank you. If you have your minority report, you can bring it.

Amb. Harebamungu: Rt hon. Speaker, it is ongoing and they will deposit it when we finish the report. Thank you, sir.

The Speaker: Honourable member, I am now considering the members who signed the report and I am finding your name. You are number 11, hon. Amb. Dr Harebamungu Mathias. If you did not raise this issue before signing, it is unfair to bring it now. Let us proceed to the next.

12.25

Dr Jeremiah Woda (South Sudan): Thank you very much, Rt hon. Speaker, for giving me the opportunity to add my voice on this report of the Committee on Regional Affairs and Conflict Resolution on the assessment of the performance and functioning of the regional police centres of excellence and security agencies.

Mr Speaker, I will be very brief and I just want to concentrate on the centre of excellence on GBV in Rwanda which was established on 28 November 2016 for protecting women children and vulnerable –

The Speaker: Hon. Zipporah, please.

Dr Woda: And vulnerable groups. Mr Speaker, this centre seems to do very well and for my surprise, I have been here – I think this is my seventh year in EAC and it is my first time to hear about it. I was just thinking how this centre, if it is well funded and promoted, can help my country.

I know that in South Sudan, there is gender based violence but the government is committed and we have a law for protecting women and children but sometimes when there is insecurity in some places and there are some challenges, these kinds of challenges can be found in these areas.

I was just wondering from the report - I did not see how this centre can help the other Partner States which are really in need of promotion of the fight against gender based violence and violence against children.

When I was reading through the report on page 42, the second paragraph, it is written that boda boda, which I do not think is an English word – I think they have to put it in brackets motorcycle riders because if somebody who is not in the region reads about the boda boda - I think that is a point of clarification which I really want to know. When we write this report, some people who are not within the region can also read it. Otherwise, I am really – (*Interruption*)

Mr Kachwamba: Thank you, hon. Speaker. Under normal circumstances, no one has the right to translate a name. Thank you.

Dr Woda: Rt hon. Speaker, I am just giving my opinion because if I am not from this region and I read about a boda boda rider, I think some explanation should be put within the brackets if it is not put in the acronyms.

Rt Hon. Speaker, I support the report but I just want to know from the Chair – (*Interruption*)

The Speaker: Please let us be brief. You can clarify but please be brief.

Mr Musamali: Thank you, Mr Speaker. I am rising so that you do not make our *Hansard* look awkward. One, I want to bring it to the attention of the Member of the House that if you go to the Oxford English dictionary, the word “boda boda” has now been included in the uses of English.

However, for purposes of clarity, I would like to bring it to your attention that we ought to educate this House that the word boda boda started from Malaba Uganda and Malaba Kenya, a one stop post border. At that time, people were moving with bicycles from one side of the border in Uganda to the other side in Kenya and they would move back from Kenya to Uganda. That is how it started; with bicycles and now it is motorcycles and it is common usage. That is how that word stated. Thank you, Mr Speaker.

Dr Woda: Mr Speaker, as I am still on the floor –

The Speaker: Honourable members, you are losing time with information and yet we do not have enough time.

Dr Woda: Rt hon. Speaker, I would like to conclude –

The Speaker: Dr Woda, thank you for concluding.

Dr Woda: I just want to conclude that as the honourable minister of the Council of Ministers is around, we want to promote such centres so that they really reach the Partner States which want to be supported in this aspect. Thank you, Mary, I am not taking the information. Thank you very much.

The Speaker: Thank you.

12.31

Amb. Fatuma Ndangiza (Rwanda): Thank you, Mr Speaker. I would like to thank the team of the regional affairs committee for the detailed report, especially on the centres of excellence and I want to commend all the Partner States for having centres of excellence. I urge them to continue the benchmarking because it is important in the promotion of peace and security in our region.

However, I have an issue on some pages already highlighted by Amb. Mathias: page 24 of the report, page 38, and page 41 on the recommendations. Serious allegations on Rwanda have been made that Rwanda is hosting fugitives from the Republic of Burundi and that Rwanda is training these fugitives to go and destabilise the country.

As a concerned Rwandan and someone who is close to the politics of Rwanda and who understands where we come from as a country that went through a genocide and will never ever create instability to other Partner States especially his sister neighbouring country, we denounce these serious allegations. I would even urge them to be expunged from the report because they are baseless, unless Rwanda has an opportunity to reply.

This is my wish because I want to be categorical that we are bilateral and where Rwanda and Burundi have been meeting, the issue has mainly been refugees resulting from the 2015 problems in Burundi. Rwanda, just like any other country, has a right to receive any person running to its country for asylum received and there have been forums bilaterally to discuss this between the two countries.

The issue has been that of the extradition treaty because these refugees are under the mandate of United Nations High Commission and the International Conference on the Great Lakes Region and therefore cannot just be sent away without informing UNHCR and ICGLR and this has been the contentious issue. I believe Rwanda, even today, is open to this negotiation.

The closure of the borders did not come from Rwanda. Burundi, as a sovereign nation, has a right to close its borders but ours are still open. Burundi citizens are coming to Rwanda because we respect the issue of free movement of people and goods because these are citizens of East Africa.

I do not want to take more time on this but I really want to urge the committee that the moment you bring a report here, look through it and see what is helpful for us as an Assembly and whatever you bring, bring it with evidence. We do not mind, this is a house of debate, we can debate but we cannot debate rumours and here say about countries.

Rt hon. Speaker, this is my plea otherwise, it will not be right for Rwanda. This is a serious allegation and Rwanda should defend itself. This is my plea otherwise, we might have reports that rather than urging our ministers to implement them, you raise other issues and I do not –

With those remarks, I want to thank you, Rt hon. Speaker. [Member: “*Information, Rt hon. Speaker*”]

The Speaker: This House will start to make it somewhat difficult to handle. Can you all, please, sit? Now you have said procedure, another one is saying procedure, another one is saying information. We will get chaos and I will not allow it again. I will not.

As you raised procedure, you have one minute and I will proceed. I hope it is –

Ms Amongin: Thank you so much, Rt hon. Speaker. I am rising on a procedural matter. In our Rules of Procedure, if you look at the people who signed this report, all countries are represented to have read critically page by page of this report so that when we get to the House, we are at par.

Also, our rules give you a chance to bring a minority report in case you disagree with the majority report.

Rt hon. Speaker, the procedural issue I am raising is two members from the Republic of Rwanda have raised a pertinent issue that they would like to disagree with in this report. I would like to ask, wouldn't it be procedurally right for us as a Parliament - because we are trying to build unity in the Community and other issues can bilaterally be adhered or attended to by the Council of Ministers or by the heads of states.

For purposes of peace and harmony in this House, wouldn't it be nice that we harmonise and expunge those issues where a particular country is being – without evidence because this is a Parliament and a Parliament must be evidence-based so that we are able to proceed with this report in peace and harmony as a community. Rt hon. Speaker, over to you.

The Speaker: Honourable members, will you allow me now to rule and avoid – because look, we are losing time. Honourable members, this is my opinion. I have not been elected to divide this Community in this House. This House will never debate political matters. Burundi members should also raise issues as Rwanda raised issues and as we did before when we have been avoiding DRC and Rwanda issues in the House. Remember that.

All of these issues, which are now handled by our ministers and governments should not come here and divide us. We will remain united, we will remain one and that is why I invite the chair of the committee to consider his contributions and maybe bring a report, which will be reconsidered so that we can save our House. We are one and we remain one. Hon. Mukulia, you have the Floor then I will put the question. He is the last one.

Ms Akol: Procedure, Mr Speaker. Thank you, Rt hon. Speaker. Arising from the other procedural matters that have been raised here and also your communication, I have also read this report and there are other areas that actually do not rhyme with the key objectives that the committee set out to do.

Rt hon. Speaker, wouldn't it be procedurally right that the report be withdrawn and the committee goes back to refine the report and restrict itself to the key objectives for which they did the oversight?

Ms Mugenyi: Mr Speaker, I am a member of the committee and I have something important to say. Mr Speaker, I am actually surprised that this particular issue is in the report. I do not remember us discussing that. It was not there. So, how did it come there? Honestly, Mr Speaker, we need to just get it out because even those of us who are members of the committee do not recall seeing it there. I am sorry but I do not recall this matter being discussed when we were going through a final version of the report. Other members can say what they remember but I do not remember it.

The Speaker: Sit down, I will give the Floor to hon. Shahbal.

12.42

Mr Shahbal Suleiman (Kenya): Mr Speaker sir, I am a member of this committee and I want to make one thing very clear. It has never been the intention of this committee to create any friction or to raise any political tension between us. The committee recognises that there are three critical levels of insecurity: political, terrorism and criminal and I am sure I am speaking for the rest of the members of my committee that there was absolutely no intention to write anything in this report that would have created any political misunderstanding and tension. I am sure that my chairperson will also agree that the appropriate thing for us to do now would be to go back and reconsider this report and come back with a sober report.

I want to emphasise again that I have been in these deliberations from day one and I do not recall any single member of our committee setting out to create misunderstanding. Thank you, sir.

The Speaker: - Why don't you sit down? Sit down. Let us yield the Floor to Burundi and then I will - Please, let us give the floor to a Burundian Member then I will rule.

12.44

Ms Mo-Mamo Karerwa (Burundi): Thank you, Rt hon. Speaker, for giving me the Floor. I am a member of the regional affairs committee and I did not miss any meeting discussing this report. I was surprised to see the content of this report. So, what I need is to know who did this. *(Laughter)* I was in Burundi during the oversight and followed everything.

Mr Speaker, we have to be serious on this issue. The one who did this wants to divide us we do not want that. Thank you. *(Applause)*

The Speaker: Honourable members, I now make a ruling. I do not even need to put this report on questions and everything. It has to go back. *(Applause)* - Honourable chairperson, I did not give you the Floor. You sit down.

I have ruled on this report. If it is about something else, that is okay but if it is about this - Do you want to insult me? Honourable chairperson, if you want to fight, tell me. Do you want to fight? What I can do on this matter- because I have considered all of these opinions, I have to tell

you that even here, I do not have this report. I had not read it before but if you want us to save time, since we have two items behind this, we can proceed, but if you think you can contribute briefly-

You sit down and I give the Floor to the chairperson of the committee because he is one of the concerned but I have ruled. It will be brief and you will contribute.

12.46

The Chairperson, Committee on Regional Affairs and Conflict Resolution – (Mr Gerald Siranda) (Uganda): Mr Speaker, I appreciate you for the opportunity granted to me and our team. We know that this is a very good report but there are also a few areas that our colleagues are contesting. For the good of us to move as a team and remain united- because this is a committee on conflict resolution.

The Speaker: Yes.

Mr Siranda: If we cannot resolve our conflicts, then there will be a problem. I believe that we have time to go back as a team to rework these areas. *(Applause)*

The Speaker: Yes, this is good.

Mr Siranda: Mr Speaker, apart from these few areas, I will ask that we work through; we will go back to our original text and all Members that signed the report, as you can see, it means there was no problem. I ask that the House gives us an opportunity- *(Interjection)* We ask that we get back to the committee and we will get back with these few areas expunged from the report. Therefore, as a committee, having been given this opportunity, I move a motion that we withdraw this report and get back to the committee for reconsideration. *(Applause)*

The Speaker: Do you have seconders? *(Members rose_)* Thank you, honourable members. I put the question to this motion.

*(Question put and agreed to.)
(Report withdrawn.)*

MOTION FOR A RESOLUTION OF THE ASSEMBLY RECOGNISING THE EAST
AFRICAN PARLIAMENTARY NETWORK AGAINST CORRUPTION AS A FORUM FOR
MEMBERS OF THE ASSEMBLY TO FOSTER TRANSPARENCY AND
ACCOUNTABILITY WITHIN THE COMMUNITY.

The Speaker: Hon. Clement Musangabatwale- I am sorry but before you get to the Floor, in the VIP gallery this afternoon, we have visitors from the Democratic Party of Uganda. We have Hon. Owekitiibwa Christine Mugerwa, Hon. Kasule, Deputy Secretary-General, Imam Makumbi, the Vice President of Western Uganda Region, Hon. Hellen Sayuni, Vice President of Uganda Youth Democrats and Hon. Angela Namatovu, Deputy Administrator. Please, stand up for recognition.

(Applause) Thank you.

Hon. Clement, you can proceed.

12.51

Mr Clement Musangabatware (Republic of Rwanda): Mr Speaker, I beg to move a motion for a resolution of the Assembly recognizing the East African Parliamentary Network Against Corruption as a forum for Members of the Assembly to foster transparency and accountability within the Community. I beg to move.

The Speaker: Please move. Do you have seconders? (*Members rose*). It is seconded by Hon. Falhada, Hon. Mathias and others.

Mr Musangabatware: Mr Speaker, “*WHEREAS the Partner States committed in Article 6(d) and 7(2) of the Treaty for the Establishment of the East African Community to abide by good governance including adherence to the principles of accountability and transparency as part of the fundamental and operational principles of the community;*

AWARE that corruption undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life and allows organised crime, terrorism, and other threat to humanity, and security to flourish;

ACKNOWLEDGING the commitment of Partner States to prevent and combat corruption domestically and through regional and international initiatives and instruments in particular through the adoption of ratification of the United Nations Convention against Corruption and the African Union Convention on Prevention and Combating Corruption which contain a comprehensive set of standards, measures and rules that all countries can apply in order to strengthen their legal and regulatory regimes to fight corruption;

CONSIDERING that corruption poses significant threats to countries around the world as it weakens institutions of governance, erodes public trust, undermines fair competition and discourages investment in trade thus inhibiting prosperity and hampering sustainable development;

NOTING that despite the efforts to prevent and combat corruption, most of the partner states still record a high level of corruption according to the Transparency International Corruption Index;

MINDFUL of the critical role of Parliaments in passing the restrictive reforms, making the necessary budget allocations and exercising oversight over the executive branch and as a platform for discussing political integrity and democratic governance;

RECOGNISING that the members of the African Parliaments, assembled in Kampala, Uganda in February 1999 during the regional seminar on Parliament and good governance in Africa resolved to establish the African Parliamentarians Network against Corruption (APNAC) with national chapters as its membership and regional fora as its building blocks including the central,

eastern, southern, and western APNAC regions, with the aim of developing, maintaining and promoting a network of Parliaments and parliamentarians in Africa to fight against and effectively address corruption in order to ensure high standards of integrity in their respective countries and on the continent;

CONSCIOUS that African Parliamentarians' Network Against Corruption chapters have been established in the Democratic Republic of Congo, Kenya, Rwanda, Tanzania and Uganda to share peer experience and to promote an exchange of solutions to the common corruption challenges with other APNAC members and participate in other global anti-corruption initiatives;

FURTHER RECOGNISING that members of the Assembly have also established the East African Parliamentary Network Against Corruption, which has adopted a constitution that clearly sets out the objectives, membership and the organs that constitute the leadership of the network, and has elected an executive committee to steer the network;

CONVINCED that it is necessary for the assembly to organise the East African Parliamentary Network Against Corruption as a forum for promoting a culture of transparency, accountability and integrity among members of the assembly and promoting the strengthening of good governance with the East African Community (EAC) organs and institutional- (Interruption)-

The Speaker: Yes, chairperson-

12.56

Mr Khalfan Ngole Mashaka (Republic of Tanzania): Mr Speaker I am rising under Rule 11 of the Rules of Procedure. According to my watch, we have only three minutes before our time provided by Rule 11 ends. Therefore, I move a motion for this Assembly to resolve that we extend the time so that we give Hon. Musangabatware time to proceed and wind up. I beg to move.

The Speaker: Do you have seconders? (*Members rose*). Honourable members, I put a question to his motion.

(Question put and agreed to.)

The Speaker: Hon. Clement, proceed.

Musangabatware: Thank you, Mr Speaker, for granting me this time move this motion.

NOW, THEREFORE, be it resolved by the Assembly as follows;

That in accordance with the Article 6(d), 7(2), 49(2)(d) and 59(1) of the Treaty, the Assembly recognises the East African Parliamentary Network Against Corruption as a forum and a platform for members of the Assembly to promote accountability and integrity in the fight against corruption in the East African Community."

This motion is moved by myself, Hon. Clement Musangabatware and seconded by Hon. Ole Sankok. I submit. (Applause)

The Speaker: Honourable members - Have you justified your motion?

12.58

Mr Clement Musangabatware (Rwanda): I want to justify it. Mr Speaker, thank you once again for giving me this opportunity to justify a motion to recognize the East African Parliamentary Network Against Corruption as a forum to foster transparency and accountability within our Community. I beg honourable members to support me for different reasons.

The East African Community is founded on principles of good governance, adherence to the rule of law and accountability to its people. Recognizing the East African Parliamentary Network Against Corruption as a legitimate forum for members of the East African Legislative Assembly to address corruption is vital to strengthening the community's governance framework.

EAPNAC can play an instrumental role in advancing transparency and accountability goals as set down in the EAC Treaty, mainly under Articles 6(d) and 7(2) which emphasise good governance, democracy and the rule of law as fundamental principles.

The motion to recognise EAPNAC as a forum for EALA members is a progressive step in line with international anti-corruption standards, promotes EALA mandates, builds public trust, fosters collaboration and supports socioeconomic development within the EAC.

Recognising EAPNAC provides a tangible platform for EALA members to carry out anti-corruption initiatives directly contributing to a stronger, more integrated and more accountable East African Community.

Corruption is abuse of entrusted power for private gain. It contributes directly to Africa's struggles with poverty, inadequate infrastructure and weakened social services. The African Development Bank continues to push for enhanced anti-corruption policies and financial accountability to mitigate the impact of corruption and support sustainable development across the region.

Mr Speaker, I take this opportunity to share with you and the honourable members some quotes on the impact of corruption within the community. African Development Bank estimates that Africa is losing around \$50 billion annually to illicit financial flow with these losses largely originating from corruption, tax evasion and trade mis-invoicing.

These flows drain the African economies, reducing resources available for critical areas such as health, education and infrastructure as well. These budgets can be used to build schools, hospitals and roads among others.

According to Global Financial Integrity Africa loses more than \$88 billion annually to corruption and illicit flows. This figure represents 3.7 per cent of Africa's GDP and significantly hampers investment and job creation on the continent.

Corruption and illicit financial flows deprive African nations of an estimate between \$20 and \$50 billion in tax revenue annually. This loss of tax revenue undermines the public service provision and is a major barrier to strengthening governance institutions across the continent.

Mr Speaker, Transparency International, the global movement, working in over 100 countries to end the injustice of corruption by promoting transparency, accountability and integrity; “without strong institutions and effective governance, corruption is inevitable.”

This stresses the necessity of sound governance and robust institutions to combat and prevent corruption on all levels. In the fight against corruption, His Excellency, the President of the Republic of Uganda, Yoweri Kaguta Museveni said, “The struggle against corruption is a continuous process. We must keep on fighting it at all levels.”

HE Yoweri Kaguta Museveni emphasises that combating corruption is an ongoing effort that requires persistent action.

His Excellency, the President of Rwanda, Paul Kagame, said, “Fighting corruption is a battle that must be fought by everyone. We cannot have some who are fighting and others who are promoting it.” This quote underscores the need for collective responsibility in eradicating corruption.

HE Paul Kagame said, “For us, integrity is the foundation and no one, no matter their position, is above the law when it comes to corruption.” He reiterates that corruption is unacceptable at all levels and everyone regardless of status must be held accountable.

In conclusion, the motion to recognize EAPNAC as a forum for EALA members is a progressive step that certifies the Assembly's dedication to transparency and accountability within the EAC. It aligns EALA with International Anti-Corruption Standards, promotes the EALA mandate, builds public trust, fosters collaboration and supports socioeconomic development within the EAE.

Recognising EAPNAC provides a tangible platform for EALA members to commit to anti-corruption initiatives directly contributing to a stronger, more integrated and more accountable East African Community.

Mr Speaker, with this communication, I justify the motion and rely on the support of the honourable members. I beg to submit. *(Applause)*

The Speaker: Thank you, Hon.

Clément. You have always been brief and - Honourable members, the motion on the Floor is that this Assembly resolve to recognise the East African Parliamentary Network Against Corruption as a forum for Members of the Assembly to foster transparency and accountability within the Community. The debate is open and we start with Hon. Sankok, who is the seconder.

1.05

Mr David Ole Sankok (Kenya): Thank you, Mr Speaker, for giving me this opportunity to second this very important motion. Mr Speaker, let me first of all join you in thanking the Uganda Chapter for making our life very memorable here in Uganda – *(Applause)*

I thank Hon. George Odongo for arranging the Siatini seating, Hon. Dr Gerald Blacks for organising our visit to the Mandela National Stadium and also Hon. Mary Mugenyi for organizing for us to visit her farm, Hon. Jackline Amongin for organising the Anti-FGM conference, and the Rt Hon. Speaker of this House, in advance for the dinner. My appetite is ready. Of course, many thanks to His Excellency, Gen. Yoweri Museveni for allowing us to visit his farm. You know Mr Speaker, pastoralists will always be pastoralists, the love for the cows is a social attachment, so we felt really at home on His Excellency, Yoweri Museveni's farm.

Mr Speaker, I will not underscore the need for us to fight corruption. Corruption, all of us agree, is a cancer but there have been segmented ways in which to fight corruption.

Mr Speaker, where does corruption occur? Corruption occurs in one Arm of the Government called the Executive. Judiciary, most of the time, corruption may be there, but because a lot of funds are allocated to the Executive Arm of the Government, they are the ones that implement the budget that Parliaments pass. The Legislative Arm of Government is Parliament, whose role is representation, oversight, and budgeting. Parliaments pass budgets, but the budgets are implemented by the Executive. Corruption happens there.

Therefore, we have to agree as a House that the Executive Arm cannot fight corruption. For a long time, we have left the fighters of corruption to be civil societies. Most of the civil societies in East Africa and Africa in general are sponsored by foreign masters who have their own interests, Mr Speaker. We end up not having civil societies, but evil societies that are answerable to the paymaster who comes with strings attached.

Mr Speaker, it is high time that Parliaments started fighting corruption because our role is oversight. Our role is budgeting. We are the ones who know how much has gone to this institution, and how much we have allocated to that other institution, and we represent the people because our role is also representation. So, Mr Speaker, this is the background in which we are urging this House to assist us in forming the East African Parliamentary Network Against Corruption.

Mr Speaker, I am the Vice Chairman of the Kenyan Parliamentary Network Against Corruption and there are a lot of things that we have done in Kenya in fighting corruption as a House that budgets and a House that represents the people. It is the House that meets the people on the ground

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and knows the pinch the people are feeling due to corruption. Mr Speaker, the Parliaments are the ones that interact with the whole budget, knowing how much has been borrowed and how much can be used.

Mr Speaker, in Africa we elect leaders, but these leaders are corrupted by our political, socio-economic neo-colonisers. They corrupt them and channel their brain into thinking of capital-intensive investment ending up borrowing from the IMF and borrowing from China. When they give you a loan, China for instance will give you a loan, give you a contractor, give you the bank, give you the materials, and you end up having almost nothing as a country.

Therefore, the East African Legislative Assembly should come up with this Parliamentary Network Against Corruption to point out some of these issues that civil societies would be afraid to point out because they cannot bite the hand that feeds them. They are fed by foreign masters, Mr Speaker. We must step into those shoes, Mr Speaker.

Mr Speaker, how we borrow our loans, I can give you an example, as I conclude. In Kenya, in 2013, we borrowed around \$10 billion from the World Bank and the exchange rate at that time was 95 shillings to the dollar. That translates to 950 billion Kenyan shillings. Mr Speaker, in 2022, when the loan was maturing, the dollar exchange rate went to 130 Kenyan Shillings. So, the loan itself is now 1.3 trillion Kenyan Shillings, an addition of 450 billion without interest. That is how the political, social, economic neo-colonisers are colonising us and being the agents of corruption.

The only people who are able to fight them are the parliamentarians. You are the representative of the people. So, I urge this House to support Hon. Clément, the King of Transparency in bringing transparency in East Africa by supporting this motion and forming this East African Parliamentary Network or Caucus Against Corruption Network, whatever you may call it, it is very important. With those very many remarks, Mr Speaker, I support 100 per cent.

The Speaker: Thank you Hon. Sankok. Give me the names. You did not give me the names of those who want to contribute. You did not get the names. Honourable members, we start - Hon. Falhada, you have not spoken for a while. We start with you. Then Dr Itto. Then that side, Hon. Amb. Dr Mathias and Hon. Aisha. Two there, Hon. Blacks and Honourable - Our chair, there. Yes - No, I will go back to you. I do this and this. My God, no *—(Laughter)* - Now I go back to this side, it will be you and Hon. Amongin. Then the last one. But please, please, one minute. This motion is good. Everyone is supporting because corruption is a cancer. It is a cancer that is killing everyone, so honourable members, just one minute. Make sure that you have one minute.

1.14

Ms Iman Falhada Dekow (Kenya): Thank you, Mr Speaker, for giving me the opportunity. First of all, I want to congratulate Hon. Clement on this motion. As you know, Mr Speaker, Hon. Sankok named us, he has kings and queens in this House, and he named Hon. Clement, the King of Transparency. It is not a coincidence that he came up with a motion about transparency.

I support this motion, Mr Speaker because in Kenya we have APNAC. APNAC is the African Parliamentarian's Network Against Corruption. Having this organisation in East Africa, Mr Speaker, APNAC will actually promote good governance in the East Africa region. This organisation which aims to coordinate involves strengthening capacity building, East African Parliamentary - No, I have not even started yet.

The Speaker: One minute.

Ms Dekow: Mr Speaker, as region MPs and representatives of the region, we play an essential leadership role in combating corruption throughout the legislative process, and in oversight activities. I stand here to support the motion, Mr Speaker, because some of our African Heads of State – I am going to quote my President William Ruto. He said, “We must build institutions that can investigate corruption, theft of public resources, state capture, and conflict of interest from any state officials.” There are countries that take their Presidents to Court because of corruption and we must – Please, allow me to finish, please. The country to the level.

I am going to the last quote by His Excellency, Paul Kagame on corruption. He also said, “Corruption is not about stealing public funds. It is about people, integrity and commitment to the public good. If Africa is to move forward, it requires ethical leadership.” I support, Mr Speaker.

The Speaker: Thank you. Hon. Dr Itto. One minute.

1.16

Dr Anne Itto (South Sudan): Mr Speaker, please allow me to thank you for giving me this opportunity to make my contribution to a motion raised by Hon. Clement. Mr Speaker, all that Hon. Sankok and Hon. Clement have said is true. Unfortunately, corruption and corrupt practices are endemic and they are everywhere. They are not just limited to the Executive. This is one thing we must accept.

Secondly, I do agree with the contribution it makes to slowing down our development, creating poverty, and actually taking us much further away from realising prosperity for all. The thing - One, if you are corrupt, you are treated as smart, as successful, and as a trusted person. That is a new nature that we should understand. It is supported and it has a lot of followers.

The second is that corrupt people are very powerful, and they intimidate those people who are honest and they can even fight and kill them. That is a new approach or the nature that has come up with corruption. Therefore, Mr Speaker, corruption will not go away by itself. It all depends on what EALA has chosen as a role for itself. If you choose to sit down and watch it - Honourable, I have to finish what I have to say. Otherwise, do not allow people to get up.

I am supporting this motion because of the understanding that it is going to take us away from prosperity. Thank you very much.

The Speaker: Thank you, Hon. Dr Itto. The next is Hon. Amb. Dr Mathias.

1.20

Amb. Dr Mathias Harebamungu (Rwanda): Thank you, Mr Speaker –

The Speaker: Hon. Mathias, try to be brief. Do not close the microphone because they may say that those who are refusing you to speak about corruption are the corrupt ones because they do not want you to – *(Laughter)* - okay, you have the Floor.

Amb. Dr Harebamungu: One, Mr Speaker, I stand to support this motion. Corruption is a dormant but very destructive virus. It is embedded in and at all levels of the spheres of our society. As parliamentarians, mainly EALA, we cannot keep silent on this. We cannot preach integrity and accountability to our people when we skip to be accountable ourselves.

Therefore, if we want to fight it, firstly, I think that all of us, Members of the East African Legislative Assembly should support this motion. Thank you, Mr Speaker, and I beg to submit, Sir. Motion.

1.21

Mr Kennedy Mukulia (Kenya): Mr Speaker, I rise under Rule 36; Limitation of Debate. Mr Speaker, under Rule 36, the House may, on any motion made by any Member order or impose a limit to the motion or the contribution made by Members on that particular motion. Looking at

that, many of us support this motion and it is something that we want. Mr Speaker, I beg that we limit the debate for at least now and then we close the debate and you put the question. I thank you. Two members only. Thank you.

The Speaker: Do you have seconders? The whole House. Honourable members, I put the question in support of Hon. Mukulia's motion.

(Question put and agreed to.)

The Speaker: Now, we have two members to contribute. After Hon. Mathias, the next was – Oh! We had Hon. Aisha and Hon. Dr Blacks Siranda. That is the list I have. So the two - No, we have two. Hon. Aisha, you have the Floor.

1.23

Ms Aisha Nyiramana (Rwanda): Thank you, Mr Speaker, for giving me this opportunity. I would like to leave the place for my sister, Hon. Zipporah as others have been supporting the motion. So, over to you.

The Speaker: The next is Hon. Blacks - Sorry? The rules are there; we have the motion to –

Ms Nyiramana: This is a donation.

The Speaker: No, it does not exist. We have the Floor; we give Hon. Blacks because I have the names in the way they are following.

1.23

Dr Gerald Blacks Siranda (Uganda): Mr Speaker, on set I want to support the motion by my brother, the Hon. Clement Musangabatware. Mr Speaker, I always say, when the contents of your stomach have a problem, what you do is not close to where the content will come from. What you do is to seek for medication. What Hon. Musangabatware is doing is designing medication medication on how as a Regional Parliament we can join the other Partner States and the other bodies in coordinating. Our role is supreme.

Mr Speaker, a motion like this one will enable us to fit into the other Partner States as we do the oversight and also to do coordination in supporting issues of corruption that have killed our planet and have also killed the growth within the integration.

Some of the issues are beyond. In line with how we do contribution for the EAC. I beg to submit.
(*Interjections*) (*Hon. Amongin rose_*)

The Speaker: To who? He has finished. Now let us go to the minister. Honourable minister, if you have any contribution, you have the Floor.

1.25

The Minister of State for East African Community Affairs (Mr James Ikuya Magode): Thank you, Mr Speaker. Mine will be short and crisp. I came here to represent the Council of Ministers in support of this motion and to convey information that the matter has been well considered. Thank you.

The Speaker: Thank you. Hon. Musangabatware.

1.25

Mr Clement Musangabatware (Republic of Rwanda): Thank you, Mr Speaker, for once again giving me this opportunity. I thank you, honourable members for your support. Corruption is a cancer. Corruption kills. We know this very well.

I want to thank you all. Hon. Falhada, Hon. Anne Itto, Hon. Amb. Mathia, Hon. Siranda, and the seconder Hon. David Sankok. I am sure that honourable members who did not get the opportunity to speak also support the motion.

Mr Ngole Mashaka: Mr Speaker, I also supported the motion.

The Speaker: There was a list of Members who wanted to support the motion. We had Hon. Falhada, Dr Itto, Amb. Mathia, Hon. Aisha, Hon. Blacks Siranda, Hon. Machano, Hon. Zipporah and Hon. Amongin.

Mr Musangabatware: Thank you, Mr Speaker and honourable members for your support.

The Speaker: Thank you, honourable chair. I now put the question that this House recognises the East African Parliamentary Network Against Corruption as a forum for Members of the Assembly to foster transparency and accountability within the Community.

(Question put and agreed to.)

1.27

Ms Iman Falhada (Republic of Kenya): Mr Speaker, I have a motion without notice for a resolution of the Assembly requesting the Council to address the gender imbalance in the East Africa Legislative Assembly moved under Article 53(e), 6(d), 49(2)(d), 59(1), and 121(a) of the Treaty and Rule 30 of the Rules of Procedure of the Assembly.

WHEREAS Chapter 20(1) of the Treaty recognises the vital role of women in socio-economic transformation –

The Speaker: Do you have seconders?

Ms Falhada: Yes, I have seconders. I am moving under Rule 30 of the Rules of Procedure. *(Interruptions)*

The Speaker: Can you all sit first so that I can crosscheck the rules and the articles? With Rule 30, I have a,b,c,d,e,f to k. You have to be clear. Hon. Amongin also wants to raise a point of procedure.

Dr Kibeya: Thank you, Mir Speaker. This House extended the time to the completion of the motion presented by Hon. Musangabatware. I submit, Mr Speaker.

The Speaker: Honourable members, can you please sit? Now you have moved to come and support your sister. Please sit down. We had a motion before about time. Time is there. When I was about to adjourn, you are now raising another motion. Can we please consider this later and allow us to go and continue with the afternoon businesses?

If it is so, I have two communications to pass on to you.

The first one is that this afternoon at 6.00 o'clock, they will come to pick you from where you are because we have a dinner that has been granted by Rt Hon. Anita Among, the Speaker of this National Parliament. Please, get ready. It will be at the Sheraton. It will start at 7.00 p.m. but you will be picked up at 6.00 p.m.

This is about CTI and the Committee on GP, they will have to meet this afternoon. Thank you.

The other communication is that I adjourn this House to tomorrow at 10.00 a.m.

(The Assembly rose at 1.31 p.m. and adjourned until Wednesday, 6 November 2024 at 10.00 a.m.)