



## THE EAST AFRICAN COMMUNITY

### THE EAST AFRICAN LEGISLATIVE ASSEMBLY

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

#### 3<sup>RD</sup> SITTING - FIRST ASSEMBLY: SECOND MEETING - FIRST SESSION

Tuesday, 22 January 2002.

*The East African Legislative Assembly met at 9.00 a.m. in Parliament House, Kampala*

#### PRAYERS

*(The Speaker, Mr. Abdulrahman Omar Kinana, in the Chair).*

*The Assembly was called to Order.*

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#### MOTION

**The Speaker:** This morning I have a list of speakers, who will be covering the whole morning session, and they will be speaking in the following order; the Counsel to the Community, hon. Kaahwa, will second the motion. He will be followed by hon. Ochieng-Mbeo, who will be followed by hon. Med Kagwa, who will be followed by hon. Isaac Sepetu and the morning session will end with hon. Prof. Kamar.

The afternoon session will begin with hon. Jared Kangwana, and I look forward to having five Members to speak. Please forward your names to me for the afternoon session. I now call on hon. Kaahwa to second the motion. Hon. Kaahwa.

**FOR A RESOLUTION OF THE ASSEMBLY TO URGE THE SUMMIT, THE COUNCIL OF MINISTERS, AND ALL ORGANS OF THE COMMUNITY TO SPARE NO EFFORT IN WORKING WITH AND MOBILISING THE EAST AFRICANS TOWARDS THE REALISATION OF THE TERMS, OBJECTIVES AND GOALS OF THE PROCESS OF CO-OPERATION, AS ENSHRINED IN THE TREATY.**

**The Counsel to the EAC (Mr. Wilbert Kaahwa):** Mr. Speaker, I am Counsel to the East African Community and *ipso facto* an ex-officio member of this august House. I also happen to have been a historical participant in the negotiations and drafting of the Treaty for the East African Community.

I observe that the integration process, in its development since 1986 to date, has reached a very crucial stage. This is a stage where the peoples of East Africa expect the implementation of the provisions of the Treaty for the integration process as it were, and for social and economic development as an ultimate end.

Mr. Speaker, if you make a comparative analysis of the Treaty which we have at the moment with the Treaty for Co-operation of 1967, you will see some salient differences. The Treaty for Co-operation of 1967 largely provided for the creation and management of a common market as supported by service corporations, corporation aggregates like the Postal and Telecommunications Corporation, Harbours Corporation etc.

The difference comes out when you look at the provisions of the current Treaty which is comprehensive in providing for co-operation in trade liberalization and development, industrial development, infrastructural development, development of agriculture and food security, management of the environment and natural resources, co-operation in the development of human resources, science and technology, health, education and cultural matters. It also provides for cooperation in legal and judicial affairs, and cooperation in political matters. The Treaty also has got a residual clause allowing the Partner States, as contracting parties, to explore and expand the areas of cooperation for purposes of integration and development.

The short point I am making is that the Treaty we have at the moment is very comprehensive and challenging to the

peoples of East Africa in both the public and private sectors of life. Fortunately, Mr. Speaker, the Treaty provides for ways of its implementation.

One aspect of this is with regard to the organs and institutions that are charged with implementing the provisions pertaining to the various areas of cooperation. If you allow me, I will borrow from the Montesquieu theory of government.

The Treaty provides for an executive arm of implementation wherein you have the Summit of Heads of States, the Council of Ministers, the Secretary General as Principal Executive Officer and his Secretariat, the Co-ordination Committee of Permanent Secretaries and the Sectoral Committees of technical officials. You also have a judicial centre in the East African Court of Justice, which is charged with interpreting and ensuring adherence to the provisions of the Treaty, and then you have a legislative center, which is this House. However, the peoples of East Africa in their wisdom have gone far beyond Montesquieu, and also provided for another centre, which are the peoples of East Africa consisting of the private sector and civil society.

Now, all these four centres are charged in various ways with implementation of the various provisions of the Treaty. Now that we have signed the Treaty, which has come into force, it is important that all these organs and institutions and the people of East Africa, in cohesion and on the basis of harmonization and rationalization of efforts, come together to implement the Treaty.

I would not say, Mr. Speaker, that the task is insurmountable. With all the efforts of these organs, all the efforts of the peoples of East Africa, and all the efforts of the institutions of the East African Community put together, the task should be accomplished. The most important thing is to do this in a timely, harmonized, effective and purposeful manner. With these few remarks, Mr. Speaker, I second the motion.

**Mr. Gilbert Ochieng-Mbeo (Kenya):**

Thank you, Mr. Speaker, for giving me this opportunity to also contribute to this important motion.

**The Speaker:** I will request hon. Mbeo to take his seat. I am told we have to read the motion again and I propose the motion as follows:

*That this august Assembly being appreciative of the immense efforts, work and resources so far utilized by East Africans of all standing, under the inspiration and forward-looking leadership of the presidents of the partner States, which has harnessed and guided their resilient spirit and desire to nurture an environment conducive to social, economic, political integration in the form of the East African Community (EAC); now, therefore, this House resolves to urge the Summit, the Council of Ministers and all organs of the Community, to spare no effort in working with and mobilising the East Africans towards the realisation of the terms, objectives and goals of the process of co-operation as enshrined in the Treaty.*

**Mr. Gilbert Ochieng-Mbeo (Kenya):**

Thank you once again, Mr. Speaker. First of all, I would like to congratulate

you on your election as Speaker of the East African Legislative Assembly. We have seen your able leadership, and truly speaking, the little time we have had together shows very clearly that we are in for a very good time. We will support you and we ask you to support us too.

I start off seriously on a different note here because we have a situation around us that we need to look at. That is the Goma situation. We as Members of the East African Legislative Assembly cannot sit back and watch when a situation has erupted around us. We must be heard and I believe this is our opportunity to join our fellow East Africans in consoling and urging our leaders within the region to join hands in whatever manner.

We have to go to Goma, send our troops, if that is what we need to do, Red Cross or anybody else that needs to go there and give any support, financial, physical, whatever we need to do to be able to protect our people in Goma.

Whatever is happening there is reflecting very negatively on the rest of the East African Community. We have lost lives and money. A whole town is gone, more than 100 people are dead and people are dying on a daily basis. We do not know the environmental impact it is going to have on Goma. So, I plead and urge our member states to take note and do whatever they can for Goma.

I also would urge - because we are soon forming our committees, today or tomorrow - that our Committee on Regional Affairs and Conflict Resolution should take charge immediately and let us be felt because that is why we are here.

I would like also to commend our three Heads of State. What has transpired up to now that has culminated into where we are today is a big effort. The East African Heads of State have proved beyond doubt that they are seeing beyond boundaries, they are seeing that we are now in globalisation. We must be part of it.

This regional grouping of the East African Community goes a long way to prove what our Heads of States really mean. They mean well. We now have political goodwill and the onus is on us. We do not have to repeat what they have been saying every now and again; it is known. The whole region knows that we are now ready to co-operate politically, economically, socially and otherwise. So, what has been transpiring, and what you saw yesterday by the Ugandan Head of State staying with us for almost half the day goes a long way to prove that our regional heads of state are actually prepared.

We are people-driven. The activities that are taking place show very clearly that we are people-driven. This House must show and help encourage what has been going on, what our Heads of State have been preaching all along, that we are together and we are moving as an entity, that boundaries do not mean anything.

The motion before the House is really an eye-opener. It is at the start of what will be happening in the next five years. I do not think there is anything left out of that motion. I am sure when each one of us stands up to speak, we will be revolving around what is going to happen to us, not only to the Members of the East African Legislative Assembly, but to the entire 80 million people of East Africa.

Yesterday you all heard very clearly that we are so low in GDP. So embarrassingly low that if we do not join hands together to work on these figures, we are going to be left completely behind. The Head of State said that the European Union has a GDP of US\$8 trillion and the United States has US\$11 trillion. Africa has a GDP of a half trillion dollars while East Africa has 20 billion dollars. This shows that we must join hands in all the meagre resources to be able to move ahead, and we need to move ahead.

In this regard, I urge this House and also our Heads of State to immediately consider including Rwanda and Burundi to be part of this system. It is very important for us to add the numbers to at least 100 million. Numbers are very important to us. We have immense natural resources. With that happening, we will also touch base with the Democratic Republic of Congo. That means we will be widening our region, which is very important for our growth.

So, I urge our Heads of State to start talking because we have also seen that they have expressed a willingness to join us. Let us leave nobody out of this from the onset. It is important to have our people on board on the onset. We must grow together; we must learn and strengthen each other as we move on.

I commend the Secretariat and the Secretary General for the hard work they have done. A lot of work has been done. It might not show but a lot of work has been done. It is obvious that sectoral committees have been going on, and as we have been told today, a lot of effort has been going on. Inter-ministerial committees have been going on and a lot

of work has been done in terms of production of Papers. I think the major one which I know of right now, which forms the true basis of our activity today in East Africa, is the East African Corporation Strategy Paper 1997-2000. Mr. Speaker that is a very, very, important document; I urge all Members to go back and read the history of what happened, how we transformed into the current strategy paper that we have.

On top of that, since we are in the 2001 to 2005 strategy, we have another document, the East African Community Development Strategy, which is 2001 to 2005. This particular paper really is the essence of the Treaty; it brings out everything else that is in the Treaty. Whatever you want to know about the Treaty, just read the strategy paper of 2001 to 2005, and it forms what we will be doing in this House, including the programs and the schedules. Some of them are already here, Mr. Speaker, but it is upon us now in this House to wake up to the reality that this is a true world. Let us get back to the strategy paper of 2001 to 2005, to ensure that they are implemented, if not to the letter but as close as possible to the letter.

That is a very important document that we all need to look at. That paper will form what I saw in the motion today. It looks like it was drawn from it, because everyone of us here will be speaking from that strategy paper. It talks about microeconomics, trade liberalization and development, and that is what the Minister was speaking about yesterday when he talked about a customs union. Mr. Speaker, this is what is going to lead us to the common market. I believe that is what we want and that is why we are here talking about those GDPs, and the

production sector. All this is there in the strategy paper.

There is everything in this Cooperation; we have development of human resource science and technology, and this is an important sector for us. Mr. Speaker, the Minister brought it out yesterday when he said that it collapsed and I hate to go back to it. We had opened up what has now become the European Union; we gave them the example of how to move ahead.

All the components of science and research that were mentioned yesterday were in existence even before the 60s in East Africa, and we let it go! Instead, Kenya started struggling to do its own, Uganda struggling to do its own research and technology, Tanzania doing the same, dividing our little resources which we did not even have!

This is our opportunity, Mr. Speaker. Kenya claims to have invented and done research, produced what we understand won an award in the world during those days of the anti-HIV/Aids virus. In East Africa, we did not care about it but research has gone on; East African scientists are about to do wonders for the world.

On anti-malaria, we allow the British scientists to come in and use our own scientists; we do not even make noise. Patents are created. East Africa is locked out yet we actually had our scientists who invented, shall I say, the anti-malarial medicines that are already there? Mr. Speaker, it is sad.

The *Neem* tree that is grown all over East Africa is being exploited, not because of our ignorance, but because

we are so divided that divide and rule is being used by scientists to come to East Africa, pick the tree up, go with it, make medicine and bring it back and sell to us; it is crazy! So, research, Mr. Speaker forms the very key point in legalizing East Africans, if not Africa, and we have the key to it. We have scientists, Mr. Speaker, and let us join them together.

I am glad now that we have now got the University Council, which I believe is going to be very effective in putting us together and bringing our science and research people together, including the technology bit.

The East African Community Development Strategy talks about cooperation in legal and judiciary affairs. We have social sectors; immigration and labour policies. The other day when we were coming as Kenyans - just to touch on the immigration situation - some of us stayed at the border for more than two hours just trying to cross to Uganda. The Immigration Department locked us out for two hours trying to check every little document, in fact checking nothing. At the end of the day, we learnt that they were trying to deny certain people opportunity to earn money because by keeping you longer at the border, you will be pressurized to use a shortcut and there are always middlemen there. Mr. Speaker, these are some of the things we must eliminate.

I am glad that the President of Uganda has already seen the reasons why the borders must be open 24 hours, and we call upon him to urge the rest of the heads of state to ensure that the borders are open 24 hours a day, not only for free movements of persons, Mr. Speaker, but for goods too. I know we are still

struggling with a customs union but we better realize that unless we expedite that, as the Minister said yesterday, we are heading nowhere. We are here to increase trade between us, Mr. Speaker, but unless we do it through the opening of those borders, through movement of persons, we are heading nowhere. It is our task to ensure that these things are done expeditiously.

Peace and security forms a major focus in our activities here. We are always looking at enhancing women's role in our development, but somehow, I find it lost, Mr. Speaker. I have not seen much of it. Maybe I will see it but I expect this House to come up very strongly to talk about affirmative action because really, we have gone over that, but to ensure that we include women as stipulated in the Treaty, it is all there, Mr. Speaker! We must ensure that we enhance the role of women in all aspects of our activities within this region. Let us act, let us show it by ensuring that women take a major role. I do not want to speculate on how we are going to do it because the Treaty is there. It is upon us to implement it, Mr. Speaker.

I would like to go back a little bit and talk about trade. We are headed for zero tariffs. If that is what we want to do in this region, we must remember that WTO, by the year 2004, expects us to join the rest of the world in real competitive trading by going to zero tariff or reducing it to as low as 15 percent. Let us try our best within this region to understand that reducing tariffs is for the benefit of East Africans in expectation of what is yet to come.

Yesterday the President of Uganda made a very simple analogy. He said that you

would rather have a small fish in a big pond than have a big fish in a small pond. Let us not look at each other as if we are denying each other something. Let us all be in the waters; jump right inside the water, be in there, swim wherever you want to go, be free, and be a small fish rather than a big fish in a pond that is going to suffocate us.

I therefore urge this House to think seriously in terms of changing some of those clauses of the Treaty very slightly to give this House more powers. It is important. I know it was written in good faith, but somehow those clauses will be getting in to give to this August House, teeth to bite with. We will go through it; we have our legal people in this House. We will need to go through those so that eventually we have more powers to transact certain businesses that need to be done. I am talking in terms of being answerable to ourselves at the end of the day.

I see that we have already created the three arms: the Secretariat, the Legislature and the Judiciary. I hope that we will be allowed, and we will make it obvious that at the end of the day, we will independently operate, like it has been created in the Treaty, and that at the end of the day, we will serve the three countries as required, plus those who are around us. With those few remarks, I beg to support the motion.

**The Speaker:** I am not agitating in anyway for the support of any Member of Parliament, but I expect the House to applaud their colleagues when they finish speaking. I now call upon hon. Med Kaggwa.

**Mr. Med Kaggwa (Uganda):** Thank you, Mr. Speaker. First and foremost, I wish to use this opportunity to congratulate all of you for having been elected by your respective Assemblies to this august House. There is no doubt that the exercise was a tough one, but we thank God that all of us made it.

I also want to use this opportunity to congratulate you, Mr. Speaker, for having been elected to the office of Speaker. *Hongera sana!*

I also wish to salute the presidents of Kenya, Uganda and Tanzania for their unwavering resolve to see to it that the East African Community is resurrected, although in a different form. There is no doubt that the journey has been long, but one cannot miss to note the steadfastness, the resolve and the determination which our presidents have had to go through to reach where we are now. I salute them very much. My prayer is that they should not relent, as the motto of one of our schools here says “*Gakyali mabaga*”, which may be translated that “it is just the beginning.”

The peoples of East Africa are expecting, and justifiably so, a lot from our Presidents and indeed from us. The Presidents are the captains of the ship, and I am speaking possibly for my colleagues, we the stewards are ready to do our part.

I want to comment on remarks made by the different Presidents on different occasions. When we were in Manyara, during our orientation seminar, President Mkapa congratulated us for having been, “*entrusted with the pioneering and delicate task of legislating for our born-again East African Community.*” He

further noted that the laws to be legislated by us are laws that will touch and affect all East Africans for the better or for worse. This is a very big challenge, and we must collectively live to the expectations and satisfaction of the electorate and the peoples of East Africa in general.

The President outlined the four basic objectives of the Community. These are the customs union, a common market, the monetary union, and eventually the political federation. These are ambitious objectives, but I am sure they are obtainable. There is no doubt that the new East African Community is based on the model of the European Union. This means, therefore, that there is some place we can look at - (*Interruption*) -

**Ms. Shellukindo:** Thank you, Mr. Speaker. This is just a point of order. Rule 37, caption 6 says, "*No Member shall read his or her speech...*" I think the Member is reading his speech, so I wanted to put that in place.

**The Speaker:** I am not sure if he was reading or referring to. Continue hon. Kaggwa.

**Mr. Kaggwa:** Thank you, Mr. Speaker. I know that the rules talk about referring to your notes, and that is what I thought I was exactly doing.

As I was saying, the Community is based on the model of the European Union, and therefore, in case of comparison, there is some place we can look at. But it is important that we do try to avoid the pitfalls that made the other Community collapse. We cannot ignore the other Community that collapsed.

When I look at Lake Victoria, it has a permanent bondage between the three countries. I see a bondage that must not be disrupted, a bondage that must be nurtured into the desires and wishes of the peoples of East Africa.

Our challenge therefore, is, as the diplomats would say, to continue strengthening the already existing commonalities to the peoples of East Africa. We should endeavour to translate the Treaty into tangible results. Our people are not interested in mere talk; they are interested in results. They want to see results and it is a challenge to us. It is our duty to see to it that we translate the Treaty into deeds. Records are there to show that. And indeed, President Mkapa told us when we were on Lake Manyara that they were here in Kampala and when they were told that the Community was coming to an end, they vehemently protested despite the frustrations that were coming before them.

To that end, I want to propose that as a way of making this Treaty more people-centred, it should be put to a referendum in the respective countries. In addition to that, any country wishing to join must also hold a referendum in its country so that this is really a people's Community. This should also apply when a Member wants to leave the Community, because as history would tell us, the collapse of the other Community was a disappointment to the peoples of East Africa.

I want to show the importance of the revived Community by using a quotation from an anonymous person. "*For every sixty seconds of anger, you lose one minute of happiness.*" I want to

substitute these words with these: *“For all the unpatriotic decisions taken by those who made the Community collapse, the peoples of East Africa lost glory and development”* (Applause).

As noted by President Mkapa when we were in Manyara, we may never be able to establish or quantify precisely the devastation the East African people suffered on account of the collapse of the Community. Note the human pay or grave loss endured in the long period of dispersal when conflicts took over where co-operation had existed among partner states and the region was plunged into prolonged depression and decline.

I have attempted to get a feel of the loss President Mkapa was talking about and I can venture to say that one can get the feel of the loss and damage suffered by the eager and enthusiastic peoples of East Africa who now want to see the Community function.

Yesterday, and I think when we were in Arusha during the inauguration, the President of Uganda talked about the important asset - and my colleague who spoke before me talked about it - of the population of East Africa, the 80 or so million people. He also went on to say that these are a potential production, revolutionary agents, and indeed, a market. I say, yes, this is good and well said but the Governments of East Africa have a duty to make policies that will translate this into reality. The Governments of East Africa must struggle to see to it that their people get purchasing power. There is no way the people will buy the goods produced when they are poor. Therefore, they must fight the rampant poverty in the three East African countries.

President Mkapa talked about the one voice. I cannot agree more with him. I, however, want to see that in case there is a problem like the one mentioned by hon. Ochieng-Mbeo, in Goma, let them deliberate about it even if it is on telephone and they come out with one voice. We all know that the enemies of the Third World thrive on dividing the poor. Therefore, it is important that they come out with one voice on a matter that affects East Africa.

It is at this juncture that I want to salute the free presence of Uganda for the recent exhibited closeness. They were in Dar-Es-Salaam for the independence anniversary of Tanzania, they were in Arusha for our inauguration, and they were in Kisumu for the celebrations marking 100 years of the railway. This is a good example to the people of East Africa. There will not be any reason why the people of East Africa cannot come closer when their leaders are very close. This was a very good gesture and it should continue.

During our inauguration, and indeed yesterday, President Museveni talked about stunting the Community and being in the right direction. It is the right direction for which we should endeavour to see to it that we make big and enormous strides. We should not look back because to do so would be near treason before the people of East Africa.

When President Moi was talking at the signing of the establishment of the Treaty, he observed that: *“Throughout history, the people of our region have interacted closely in all spheres of life”*. This is a very important observation. It therefore, means that nothing should be

done that will hinder this natural interaction.

The issue of the border was talked about yesterday by our colleagues from Kenya and indeed the President of Uganda talked about it. All must be done to see to it that there is free movement between the three countries.

President Moi talked about the challenges before us and said the Community needs to be nurtured. Indeed it needs to be nurtured; it needs facilitation if it is to function. I have always said that it is very, very important to keep facilitating these organisations, because if you do not, you will start blaming the people who are running them when actually it is the fault of the respective Governments.

I therefore, call upon the Governments of the East African Community to make sure that the facilitation is there so that the desires, the wishes and the objectives of the East African Community are achieved.

Mr. Speaker, trade is very crucial and it has been emphasized by everybody; but as noted by Mr. George Misende of Nairobi Financial Consultancy Loiter Assessment Management, taxes and duties have severely hampered the flow of trade between the three countries. Therefore, their harmonization should go a long way to increase the volume of traffic around the region. It is to that end that I call for expeditious finalization of the protocol on customs, and indeed the protocol of the free movement of goods and persons also to be looked at immediately, because I do not see how trade will thrive when people cannot move easily and freely.

Yesterday, the President told us that he was told by the Commissioner General of the Uganda Revenue Authority that it is one person checking the pedestrians, the trailers, the passenger vehicles and the delay is enormous. The person, the trader who pays revenue, who pays taxes would want to see an easy movement between the respective countries.

There is a very big ambition of having a political union eventually; and yesterday the President said he would not see any problem having it at the beginning rather than at the fourth position as it appears in the Treaty. Mr. Speaker, my humble view is that if we are to attain this, we must set a baseline in the way politics is going to run in the three respective countries. In my religion, they say that if those who came before us did not plant the trees that bear fruits today, we would not be able to harvest them. It is our duty to plant the trees from which our grand children will get fruits in the future.

Turning to the Assembly, Mr. Speaker, there is no doubt in everybody's mind that we have a big task and a big challenge. My humble submission is that we should endeavor to internalize the Treaty, the rules that govern us so that we are able to execute our duties. In the same vein, I would call upon the Summit, the Council of Ministers responsible basically for policy to produce the Bills, then on our part we shall do the legislation that is required of us.

It will be very unfortunate when people - like I used to sit in our Parliament here, the public would complain, "you parliamentarians have refused to bring this law; you parliamentarians have

delayed this law.” They do not know it is the Executive to bring the Bills. So, I would call upon the Council of Ministers and the Summit who are responsible, to make sure that they bring these Bills so that we do our part.

As a legislature, we have to build bridges with other institutions, particularly our respective National Assemblies. I would want to see a clearly spelt out relationship with our respective National Assemblies because I do not want our National Assemblies to feel that they are left out in Community matters. Mr. Speaker, I feel that this should also apply to other institutions that the Community will be relating to.

Talking about institutions, Mr. Speaker, I would want to propose that we do not go out to join so many institutions, particularly those where we have to subscribe and we are unable to do so. We would rather go to fewer institutions where we are able to meet the obligations there. It is embarrassing to go into a meeting and you are denied rights because you have not subscribed.

We must also endeavor to develop a mechanism that will enable us to relate to the private sector, to the people, to the civil society, and indeed to all those stakeholders with whom we have to relate. Mr. Speaker, we need to develop a work culture, a lifestyle that will make our people to say that, yes, it was worthwhile reviving the Community.

As I come to an end, Mr. Speaker, I want to point out one observation made by President Moi. He said the goal of a fully integrated and prospering East African Community still lies ahead, waiting to be realized. Indeed the

peoples of East Africa are waiting patiently to see the Treaty turned into reality. Let us plan not for the immediate foreseeable future, but for many generations to come. Let our leaders of all categories learn to heed good advice so that the Community can last. There is no doubt there are tremendous challenges ahead of us that are to be tackled and overcome; but as they say, where there is a will there is a way.

Mr. Speaker, let me conclude by echoing what President Moi said during the launching of the East African Community. *“While our friends have continued to help, the real task of developing our region is our own as East Africans”*. With those remarks, I support the motion. *Ahsanteni Sana*.

**The Speaker:** The Clerk of the Assembly was informing me of something, but I think that is not of great importance to you, because he was telling me that on the 29th minute of your participation, a bell will ring. On the 30th minute the microphone will go off. But I believe most of you will not cover the 30 minutes, so his information may not be relevant to you all.

**Mr. Isaac Sepetu (Tanzania):** Mr. Speaker, I would like, first of all, to sincerely thank you for giving me this opportunity to make my contribution on this very important motion, which I declare my interest of supporting fully.

I would like to start by congratulating you, Mr. Speaker, for your election to this position. I know the election was done unanimously by this House, and I think it is a good thing for us to start in that spirit. Equally, I would like to

congratulate all hon. Members present for having been elected to serve in this House.

Having said so, I would like to use this opportunity to register my sincere gratitude and appreciation to the National Assembly of the United Republic of Tanzania for having generously supported my election as a Member of this House. It is because of that act that I am standing here in front of you. I would like to say that I will, in collaboration with you all, do my utmost so that we can live up to the spirit and expectations of those who elected us in our three countries in the implementation of the objectives of the Treaty and requirements thereof.

I am indebted and thankful to the three leaders of the partner states of the Community, who have worked really tirelessly, night and day, since the Mediation Agreement, which took place in May 1984, after the collapse of the former Community. By 1993, the agreement was reached by the three leaders to work to this present situation of our Community. And it was formally launched in November 1999 through the Treaty, which established it.

The people in our region have great hopes and great expectations in this newly established Community, and we are sure that the three leaders in the Community from the three countries have left no stone unturned in ensuring that the past mistakes of the past Community are not repeated in the present times. And they have taken great care in formulating the objectives, fundamental principles, operational principles plus general undertaking as to the implementation of the Treaty of the

Community, through the respective Articles 5, 6, 7 and 8 of the Treaty.

As the previous speaker has just mentioned, we have in place the development strategy for the year 2001-2005. Now that we have all these organs and institutions are in place, I think we are better placed to ensure that the present Community can live up to its obligations. Why am I saying so? Because we have everything in place, as my colleague has said. What is needed now is really a strong political will from the member states or partner states to implement every provision of the Treaty. And by so doing, our Community will move forward.

We have set down a number of principles to be observed in the Treaty. Our objectives are very clear. I would like to highlight one principle, which says, "*people-centred and market-driven co-operation.*" I regard this principle to be of fundamental importance for the speedy implementation of the Treaty in our Community because 'market' means people. People have to transact. So, drastic steps have to be taken in order to ensure that these people are well served and are made happy.

In addition to that, we observed that the Community has set for itself some development strategies on how we will move from one stage to another. That is by first having the customs union, common market, monetary union and eventually the political federation or union. I think what is required here is the political goodwill.

Yesterday the President of this host country where we are meeting today and having our first session was kind enough

to spend almost the whole day with us. And he made very important points, which we could refer to and also work with.

In this case of implementing our goals through a stage-to-stage approach, he volunteered his ideas as to how this can be quickly achieved by saying that we could start with the political union. I think this is a very wise statement from him and also the right approach because with that political union, all the doors are open for closer co-operation and quicker integration.

I would like to see the brains in our Community - that is the highly educated people - circulate within our region rather than going abroad, so that they can make their contribution in the speedy development, especially in the economic development of our Community. This will also contribute significantly to the well-being of our people in the region.

I have spoken about some functions and principles in our Community, which have to be undertaken by everyone within the Community. We as Members of the East African Legislative Assembly, I think have some additional functions, which are of importance in ensuring that the implementation of the Treaty is completed. First of all, I think we are expected, as it has been aired in various fora, to sensitise the population about the Treaty of the East African Community. Our people have to know more about the Treaty and all about the objectives and the principles and the goals of the Treaty, and I think we have a big role to play there.

I equally feel that it is our duty to collect ideas and proposals from the public for improvements which are necessary in the implementation process. I think to that effect, we are going, during our stay here in the Republic of Uganda, to have a study tour that will involve going around the country, and be able to meet with the people and hear their views and opinions.

I think it is of importance that the business community in our countries be sensitised on their role in the Community. I know there are some problems to that effect because most of our indigenous people are not financially well off to start any business in these countries. So, it is important, therefore, to create enabling environment, which will not only sensitise but also encourage and push our people towards economic development by investing in industrialisation, not only in the individual member states, but also across the borders in the region.

I think, Mr. Speaker, we as Members of the House have to be enabled to perform and function well. And to that effect, it is imperative that our countries who are the partner States in the Community should take every action to ensure that we are in that condition of being able to perform without any problem.

Going back to the institutions in the Community, I can say we have started well. The institutions are performing well, but there is need to increase the speed so as to implement the Treaty fully and record the performance of our Community so that the people can say that we are doing our duty well and they are happy. And through that performance, we can attract other

neighbouring States to join our Community. That will take us towards the spirit of African Union, which was the idea of our forefathers, who put up the African Unity and now it is the African Union.

Mr. Speaker, I think we can be happy that we have everything in place to perform, but what we need is to be enabled to perform even better, by providing excellent arrangements for our deliberations, like the one that has prevailed here in the host country. I am sure that our deliberations at the end of the day will be marked with success.

I would like, therefore, to take this opportunity to thank the host country for its dynamic leadership and the staunch support of the people of Uganda for the Community. I should equally thank our colleagues from the host country who have been forthcoming in welcoming us and making our stay a success. And I think our deliberation will equally be successful.

Having said so, Mr. Speaker, I would like to request you to bear with me for any shortcomings or mishap or inconveniences. I support this motion and I thank you very much for listening to me. Thank you very much.

**Prof. Margaret Kamar (Kenya):** Thank you, Mr. Speaker. I would like to start by congratulating you, first on your election by the National Assembly of the Republic of Tanzania to be a Member of the East African Legislative Assembly, 2001, and subsequently your election by the hon. Members of this House to be their first Speaker.

Your election to the position of Speaker is not only an honour to you because of the broad experience that we all know you have, but also an indication of the confidence and trust that these Members have in you in the ability to perform as a Speaker. We have already seen a bit of that, and we look forward to having very lively and smooth debates under your guidance.

Secondly, I would like to pass my very warm congratulations to fellow Members of this Assembly for the election by their various National Assemblies to the East African Legislative Assembly. The process was not a very challenging one, but the final decision to elect you and me says a lot about the high trust and faith that the people of East Africa have in us.

The expectations of the people of East Africa are very high. When we met in Arusha, we saw it – the jubilation that came from those who came to grace the occasion was a clear indication that they have very, very high hopes in the revival of the East African Legislative Assembly.

The inauguration of the East African Legislative Assembly and East African Court of Justice on 30th November 2001 was a culmination of events that started in the year 1984. They reached a climax on 30th November 1993, when our Heads of State signed an agreement to establish the Permanent Tripartite Commission of East African Corporation. I wish to congratulate our Heads of State for reaching that far.

I congratulate our Excellency Daniel Arap Moi of Kenya; His Excellency Yoweri Kaguta Museveni of Uganda;

His Excellency Benjamin Mkapa of the United Republic of Tanzania for steering the return of the East African Community and bringing it to the level that we are today. This is a milestone in the development of the region. Their being forward looking, visionary and having a great determination which was truly planned with a lot of patience has resulted in their setting a very firm foundation which all of us must build on.

We know that the people of East Africa never stopped being East Africans. We heard a lot of examples given to us when we were in Lake Manyara. We were told and we know that the colonial boundaries were never respected by border families. We know that they have married and intermarried as usual. I do not know whether the children on the border of Kenya and Uganda are Ugandans or Kenyans. The same applies to the border of Tanzania and Kenya. History tells us that these are really East Africans. They are neither Kenyans nor Tanzanians. We all know that they have retained their identity as East Africans, but it also tells us that boundaries are artificial, and say nothing. We heard this echoed by the President of Uganda yesterday in his speech, that we were just talking of artificial things. But human beings are only natural, and we need to follow the natural.

We know that cross-border trade has continued very successfully in spite of the laws and regulations. We are told of the donkeys being used across the borders to avoid customs because they could not sign. To me, that is a lot, because borrowing of salt in the African culture does not tell you to look for your own brother; you must look for a neighbour and there is a boundary in

between you and them. I think we need to rethink what these boundaries really mean.

The revival of the East African Community is therefore only legitimising the wishes and the aspirations of the people, and we must thank our three Heads of State for recognising this, and bringing this as the main agenda during their terms of office.

With globalisation on the stage of world affairs today, regional co-operations are very important as building blocks. We know the respect that East Africa has in the whole of Africa. I think we need to come out very, very clearly that the pride of East Africa is not let down. When you go to West Africa, everybody has respect for East Africa - Central Africa looks up to East Africa. This building block, even for the sake of the African Union, is a very important one and the challenge is with this House. It is how we steer it and how we direct it that will dictate what we are as a building block for the rest of Africa.

Looking back from where we are today to the signing of the Tripartite Commission in 1993, this must have been eight years of very intense dialogue and consultations. It must have caused a lot of questions and mutual trust and understanding between the partner states. For this, I would like to recognise the great roles played by the various organs of the Community.

I would like to recognise the role played by the Council of Ministers who formed the Policy Organ of the Community, which is responsible for continuously monitoring the implementation of the programmes of the Community. I

believe it is because of the strong commitment to the revival of the East African Community that we have realised what we are today, not only smoothly, but also in a timely manner. When I read and see 30th November, I see people who had strategies and were on time in fulfilling them.

I recognise the role played by the Co-ordinating Committee, which consists of the Permanent Secretaries and their Secretarial Committees. This forms the experts, and they formed the expertise even during the development of the documents that we have. These persons of East Africa must have worked tirelessly and round the clock to ensure that we reach where we are. I believe that there was a lot of collecting of views – very diverse views and sympathising diverse views in order to come out with the documents that we have today. I commend them for their good work.

I would like to recognise the contributions of the Secretariat, which is the executive organ of the Community. They play the role of what we call the 'clearing house', and they have done us proud. That is why we have very clean documents. We commend them for the work they put in.

The Treaty we have today was a culmination of efforts to revive the East African Community. It is now the guiding document for co-operation, and it worked for two and half years according to the report we got from the past Secretary General, hon. Ndaura - two and a half years of lengthy negotiations between the partner states!

I would really like to again recognize the role that was played by the three arms of

Government: the Executive, the Legislature and the Judiciary. I would like in particular to recognize the role played by the Attorney Generals of these three great states. We never heard of these agreements as they came up with the wonderful Treaty that we have. It really called for a lot of patience and dedication, and today we have a very carefully prepared Treaty out of that.

I would like us to record our appreciation for that. We know that there will be further work to be done on the Treaty, and that is our job, but so far, we can say confidently that the very documents that were prepared by these people who had a dream about the union of East Africa suffice the functions for today.

The objectives of the East African Community are well articulated in the Treaty that we have. Among others, we know we are supposed to develop policies and programmes aimed at widening and deepening the co-operation among partner states in political, social, cultural, research and technology, defence, security, name it. We have them in the Treaty well articulated for us.

In pursuance of that, first, the Treaty provides for the establishment of a customs union, which in some documents has been stated as the entry point to the Community. We have a common market, monetary union and, as the document says, ultimately a political union.

Yesterday we were all delighted to hear from His Excellency the President of Uganda that this may not be the order. I think it was something for us to be

delighted about. Out of the working luncheon that we had with him yesterday, he said that this does not have to be the order of events. I am delighted personally because when you look at the areas of co-operation, they are many, they are broad, and they are complex. If we wait to finish doing that, we might not be able to do anything else.

I think the challenge really was to this House when he said that we could start with an East African federation first. We need to identify the obstacles; we need to identify what we would miss if we became a federation yesterday. What would we miss, if there were anything that we would miss? What would we gain? If the gains are better than the things that we would lose, then I think it is time that we took that challenge very seriously and actually moved on towards that.

The reason I support the proposal that we can start with the federation is the fact that the federation then will set the agenda, and we will not be going around looking at what we have to harmonize. The federal government will be able to set the agenda and set the direction for us. Not that some of us may be Members of the Legislative Assembly of the federal republic of East Africa, which we are in because we are within the five-year term, but I think it will only give us better guiding principles if we actually landed on a federation as His Excellency the President mentioned yesterday. We have taken a very long route as Africans and as East Africans.

Again, it came out of the speech yesterday that it looks like the wise have continued to use the unwise, and we have continued to make industries

outside our region prosper more than our own. I mentioned yesterday that we have the habit of wanting Italian ties, shoes from Spain, and dresses from Britain. How does our industry grow? If the federation is going to make us initiate things that will make industry grow in our region, then it is time that we move for that federation so that it dictates everything else and we set the direction.

When the Treaty is read alongside the East African Community Development Strategy 2001-2005, it is clear that the tasks that need to be accomplished within the five-year period are enormous. It calls for total commitment and dedication by all the organs of the Community.

As the legislative organ of the Community, our role is even more crucial because whatever was undertaken during the East African Community Development Strategy 1997-2000, and what will be undertaken in the year 2001-2005, the current strategy, anything that may require appropriate legislation, this House must sit, debate and legislate and not only do that, but do it within the time period. The people who initiated this strategy set time for themselves and they fulfilled it. We must ensure that that tradition continues so that we get things done and get them done within the required time.

It is therefore true, as an honourable Member mentioned, we are not under any illusion as Members of this House, but there is a real enormous task ahead of us. We shall soon be faced with legislation, whether we begin with legislation of the federation first or we begin with the legislation of the customs union, or the legislation of the monetary

union. These are tasks that are going to be done by this House. We have to be focused and organized to be able to fulfill those things properly and to fulfill them in time.

Of course, we will have the privilege of legislating for the federation, whether it comes at the beginning or at the end, which is the ultimate dream of the East Africans. And I think it is an honour for us as the first legislators to be able to reach there. The success of what we will do will depend a lot on the support and co-operation of all the organs of the Community, especially the Summit and the Council.

As I mentioned, with globalization moving very fast, and with its effects in the region and in Africa as a whole, time is not on our side. And for that, the Summit and the Council should spare nothing to ensure that we have an enabling environment to undertake our tasks, which include the operationalization of the Treaty, and ensure that we fulfill the objectives of the strategic plan for the period 2001-2005 on time.

We are a very young Assembly, and we shall draw a lot from the National Assemblies of our three partner states. There is need, therefore, to have a very close working relationship with the National Assemblies right from the onset. It is hoped that there is a mechanism that exists for operations between them and us, but if there is none, I think that is one of the first tasks that one of our sub-committees should sit and devise. We must work with them to ensure that we move together, because we are not going to work in isolation.

We should never forget the reasons for the collapse of the East African Community in the year 1977. The former Members and the Secretary-Generals talked to us at Lake Manyara. They were very sad, and I remember an old *Mzee - Mzee* Mutei. I remember *Mzee* Mutei almost weeping, not because of what happened in the past, but because he lived to see what is about to happen. Surely, they expect a lot from us! We should not forget the reasons why the first East African Community collapsed, lest we also fall victim of the same circumstances. We know that it was mainly due to lack of strong political will, lack of strong participation from the private sector and civil society and so forth. But it is good for us to bear that in mind so that we can safeguard the Treaty.

To this end therefore, it is our responsibility as the East African Legislative Assembly, to ensure that the Community that has been provided is here to stay. And I would dare say, Mr. Speaker that any legislation that can strengthen and protect the Treaty should be done by us. It is our responsibility and we must do it.

There is need also, Mr. Speaker, for all to stick to the fundamental principles of the Community as outlined in Article 6 of the Treaty, which among others emphasizes the principles of mutual trust, political will, sovereign equality and others.

These are the cornerstones of the development of this cooperation. If we lose any of that, we slip and unfortunately we might also slip into oblivion like the former Community. So, it is very, very, important that

everybody sticks to those fundamental principles of the Community.

The operational principles have been outlined also in Article 7 and they are key to the achievement of the objectives. It is very important that we do not only understand as a House but that the population of East Africa understands, that the stakeholders are educated on this so that they have a clear understanding of our operations, and that will propel the East African Cooperation to greater heights.

There is also a need to educate the people of East Africa. We are very, very, happy that we raised this when we were in Lake Manyara, and you are able to have a program for us when we are in Uganda. Most of us may be in Uganda for the first time, although we are neighbours. But we have really not known Uganda. So, I want to thank you very much for giving us an opportunity to do that.

I think it is very important that this House gets to know the different countries that we represent because as stated by President Mkapa during the session in Lake Manyara, we are the first East Africans. So, we have to know where we belong, and I think this is going to be a very, very, educative time for us.

There is the importance of having a people-driven market. Oriented cooperation cannot be over emphasized, but as mentioned earlier by a Member, do those people know what they are driving? I think we will be able to fulfill that out of the program that you have started.

We need to really mobilize our business community; the private sector in whichever form, whether it is through private sessions between the ministries of Trade or whatever, but we have to have means through which we can reach the business communities in these three countries to ensure that they drive it, because if we lose the steam, then we go back to the original East African Community which was basically based on services, and services alone as we have realized cannot drive a Community. So, the driving forces of the Community must be alive and well for us to be able to move.

So, now that we have really centered on a people-driven, private sector participation, civil society participation, we must ensure that those arms really remain the driving forces in the Community.

This Assembly is the second one because the first one collapsed alongside the East African Community. The reasons of the collapse were well articulated in Lake Manyara. So, I will not mention them, but the challenge to this House then is that we must ensure that the Legislative Assembly remains. Again, as I mentioned earlier, if there is any legislation that will protect that, it should be protected so that whatever grounded the first Assembly will not ground us.

In conclusion, I would like to say that I am personally very happy and proud to be associated with more exciting plans of the development of the East African Community. These final crowning stages of the East African Community, I think they are for each one of us to take

pride in, and I am happy to be part of this.

With those remarks, may I say: Long Live the East African Community and Long Live the East African Legislative Assembly! Thank you, Mr. Speaker - (*Applause*).

**Mr. Jared Benson Kangwana (Kenya):** Thank you, Mr. Speaker. Hon. Members, as you have heard from the Chair my name is Kangwana. I come from Kenya and I prefer to be referred to as an East African. Mr. Speaker, like the previous speakers, I would like to start my contribution in support of this motion by congratulating you on your election as a Speaker to this august House. We all have complete faith and trust in you and your abilities to lead and manage the affairs of this House. At the end of it, we will be seen to have contributed something substantial and useful for the East Africans.

I would also like to congratulate hon. Members on their election to this august House. I know, and indeed the previous speakers have indicated, that it was an arduous task for each one of us to come to the position that we now find ourselves in. And I would like to wish every one of you a successful career in politics in the next five years that we will be in this House - (*Applause*).

I would like to start my contribution slightly differently by saying that the East African people have always been East Africans. His Excellency the President of Uganda indicated that yesterday. The boundaries that we have in this region were not created by us, the East Africans. The East Africans were never consulted. We were even never

sought out for opinions. The decision to create the boundaries was made elsewhere for different reasons, which I will come to later.

I am one of the happiest people as I stand here today to say I am very proud that the East African Community has been revived. The East African Community has been revived for a purpose. That purpose, as the late great son of East Africa, the Late President of Tanzania Julius Nyerere used to say, of reviving the Community is for the people of East Africa. We must never ever lose sight of that. We are here for the purpose of ensuring that the East Africans benefit from this resurrection. The Summit, the Council of Ministers, the working parties have all strived hard to revive the East African Community.

When I talk of the people of East Africa, we are all aware of our enemies. The enemies of the people of East Africa, like the rest of the Africans have been repeated time and again or time and time again, and those are the diseases we want to combat, and look after the health of our people. The other one is, if that one can be done, eradication of poverty. And the third one is to get rid of illiteracy. Those are the enemies that we have fought as people in the East African countries from independence and before independence.

Mr. Speaker, I am aware that hon. Members are all conversant with these enemies, but I do wish to touch on an enemy that has not been talked about, that has not been highlighted well enough; an enemy that we need to deal with, an enemy that we need to look in the eye. Why do I say that? I have not

yet said what that enemy is; I am coming to it. Why do I say that?

We have been talking about the collapse of the East African Community, Mr. Speaker. I am not aware that it was brought down by illiteracy. It was not brought down by the poor health status of our people; I have not heard that. It was not brought down by poverty of the East Africans, no! Yet those are our three enemies that we have been told time and time again.

There is another enemy that I wish to dwell on, Mr. Speaker, this morning. The invisible enemies are political and economic interests of outsiders. The political and economic interests of outsiders are to my mind what has contributed to the poor state of the East Africans, and they contributed significantly to the collapse of the Community.

I go back to the 1920s, the then colonial Secretary in the UK, Lord Emery. He proposed a federation for the first time for East Africa. The man was described as a visionary; and you know why he was described as a visionary, Mr. Speaker? The reason was, this man had an idea about the federation for East Africa. He had an idea of a federation for central and southern Africa.

The federation of East Africa was to consist of Tanzania, Uganda and Kenya, and the federation of Central and Southern Africa was to consist of Malawi, Zambia and Zimbabwe. He did not have in mind the federation that we are talking about. What he had in mind, Mr. Speaker, was a federation, which was going to be part of the dominion of the British Empire, to serve the

economic and political interests of the imperial power in the UK then.

Mr. Speaker, it is good to take a look on what had taken place before that, if am to use the Western word, "Africa was discovered or explored". Our people in their full generosity are generous people, so when they came into contact with people from the west, they offered to show them where the goods are, because that is what they came here for. They did not come here to uplift the standards of Africans; nobody has an interest in us outside there - do not cheat any African like that. They came to uplift their own standards; they had their own economic and political problems to address. So, our people showed them the trade routes, they showed them where the goods were, and in many cases, our people carried the burden of the white man.

We carried them through the bushes; they were not walking all the time. Our people carried them and when they reached the destinations where the goods were, it is the Africans who gathered the goods for them and they carried those goods, whether it was ivory, whether it was gold or whatever. And I am talking of all Africa; from East Africa to West Africa; from North Africa to South Africa. It is our people who carried those goods for the white man all the way. In the case of East Africa, they carried the goods all the way to Zanzibar and those goods were for shipment to the western countries.

What did we get by way of appreciation? What we got by way of appreciation was the enslavement of our people. Our people were turned into goods; they were shipped together with ivory in terrible conditions; our people were sold

like gold and ivory in western capitals. This goes to show that our people have not only been mistreated but also brutalized and humiliated for generations. And I think it is rather late for us to think that we are going to get salvation from outsiders because outsiders have got only one thing in mind, it is their economic and political interests that matter.

Mr. Speaker, if I may go back to the then colonial Secretary in UK 1920, when the dual federation of East Africa came up, it was greeted with applause in the UK because the Assembly of the United Kingdom then saw an opportunity to exploit our raw materials, our resources and our people. Why didn't it go ahead? Why wasn't it formed? The reason it was not formed is partly Western and partly East African. Partly Western in that the status of Tanzania - then it was Tanganyika - had not been clearly defined because it was a protectorate under UN sanction. So, UK was not sure how to handle Tanganyika then.

In Kenya, the idea was shot down. It was not shot down by Africans, but it was shot down by white extremists who wanted to dominate our people and to exploit our resources. They were not willing to allow a development of that kind that could have led to the emancipation of our people.

In Uganda, the idea was shot down because of the system of Kingdoms, which the British then believed were well advanced. They were so well advanced that in fact in the case of the Baganda the British were willing to concede that they were about the only civilised people they ever met on the African continent.

So, the idea of an East African federation was shot down, but common services were established, which continued up to 1977. But between 1920 and 1963, during the long period of over 40 years, these common services that survived continued to thrive. However, this was also a very explosive period in the history of East Africa, because this is the period that we fought for and won our independence. The independence that Tanganyika got, the independence that Kenya got, the independence that Uganda got was fought for, and all of it was fought for by East Africans.

I will give you an example of Kenya. The first nationalist in Kenya, who fought alongside the likes of Harry Thuku, was a Ugandan, Ssentongo. He even started a nationalist paper there in Kiswahili, and it was printed here in Kampala. And there were many Ugandans involved, there were many Tanzanians involved in the liberation war. There were Kenyans involved in the liberation war of Tanzania, there were many Ugandans involved in the liberation war of Tanzania. There were Tanzanians and Kenyans involved in the liberation war of Uganda.

We have fought liberation wars together as East Africans to liberate ourselves, to emancipate our people from the three enemies, but we have never fought wars since independence to liberate our people from the fourth enemy. And I will deal with that in a moment.

What happened in 1963 is that there was so much unity at the top level. At the bottom level, there was no difference because people had fought liberation wars together, they had intermarried, and

these borders, as you know, had separated the same people.

In 1963, 62, it was the first time that we were having our own people at the helm of political leadership. As His Excellency the President of Uganda pointed out yesterday, the President of the Republic of Tanzania, the late Julius Nyerere was willing to delay the independence of Tanzania for the sake of the federation. They went further than that; they even signed a memorandum of understanding as leaders of East Africa to form a federation.

His Excellency the President of Uganda yesterday pointed out that the thing was torpedoed by Obote, which is true, but I would like to state that Obote was not alone in this. It was not for fear that he was going to lose power that he torpedoed the federation idea, it was the fear of the West that a region was going to emerge that would look after the interests of their own people.

It was an economic threat to the Western civilisation, and it presented a big challenge to them because it was going to demonstrate to the West that Africans also think that they can actually manage political institutions. Because, before that, they had never believed that Africans could manage their own affairs. And so, Obote was just a convenient instrument, and he was effectively used, and that is how we lost an opportunity. We lost that opportunity because of a fourth enemy.

Between 1963 and 1977, the East African Community was formed and it functioned very well. It rekindled in the minds of our people the hope for a federation. It kept the idea alive in the

minds of our people that we are about to have a federation born in this country. Excitement was deep, and it was felt everywhere in East Africa. I was then born myself, and I did not know anything other than East Africa. The Kenya that we know today did not appeal to me then as much as East Africa. The songs I used to listen to were about East Africa; they did not sing about Kenya. The people I met and interacted with were East Africans.

But, Mr. Speaker, as you know, the fourth enemy never went to sleep, because in the case of Uganda, the then President, Obote, had started a movement, the Common Man's Charter. And indeed in Tanzania, the politics had been radicalised so much that a different ideology, socialism, had been born there. And in Kenya, we had what we called African socialism, which was a synonym for capitalism.

Why do I say this? I say this because to my mind, this is the clearest demonstration of how the fourth enemy had influenced our thinking. Before 1963, we were East Africans, now between 1963 and 1977, we were saying, 'I am socialist'. Where was Socialism before? Others are saying we were 'a common man'. Where was the East African man before? Where had they gone? We were saying this one is a socialist, capitalist; where did these things come from?

These were the instruments of our fourth enemy, so that if it succeeded as it did, the fourth enemy could continue exploiting our resources, and our people for their benefit. So, because the Western civilization has always looked after itself very well, it does not matter

what it takes to have their way. If it means creating a coup, they will do it.

In the case of Uganda, the Common Man's Charter was a big threat to the Western interests in Uganda and so something had to be done. And as the President of Uganda pointed out yesterday, Mr. Speaker, Obote had not restructured the military, so they called up their good boy, Gen. Idi Amin Dada, to do spadework for them, and he did it.

What has happened? The goodwill that had been nurtured from 1963 had presumably disappeared, following the situation where the East African leaders could not talk to each other. And because they were the nerve centre of the Community, because they were the cornerstone of the Community, because they were the movers of the Community, the moment communication stopped, the Community started dying. It was only a matter of time before it completely collapsed and this was in 1977.

Most of us have all lived through that period. We should be thankful to God; we should also be thankful to our leaders; we should be thankful to our people that we have lived to see this day and we have lived to see the day when the hopes, aspirations and feelings of the East Africans have been lit afresh.

The period between 1993 and last year, our leaders at all levels and of all ranks, have struggled to ensure the revival and the resurrection of the Community, which is the reason for our sitting here today. We really need to thank them, because if they had not done it, none of us would be in this august House today. We wish to express our appreciation to

them for their efforts, for their vision and hard work.

Mr. Speaker, I know that in that the organs of the Community have been put in place. The objectives and principles of the Community have been put in place. The machinery for implementing or translating those principles into reality has been put in place. So we have been elected to legislate as part of that process, and we are willing to do so.

In fact I wish to add that we need to translate the goodwill existing at the Summit level into political will, because if we do not translate the goodwill into political will, to implement the creation and sustenance of the East African Community, we will be blamed because our fourth enemy is not asleep; make no mistake.

I would like to end by saying that we thank our leaders for the work they have done. We would like to see a great deal of political will to make this Community work and to ensure that we modernize our economies as the President of Uganda said yesterday. With those few remarks Mr. Speaker, I would like to support the motion. Thank you (*Applause*).

**The Speaker:** I have two speakers on my list for this morning, the hon. Lydia Wanyoto Mutende and hon. Maxwell Shamala. I now call upon hon. Lydia Wanyoto Mutende.

**Mrs. Lydia Wanyoto Mutende (Uganda):** Thank you, Mr. Speaker. I would like to join my other colleagues to congratulate you upon your overwhelming election, as our Speaker for the East African Legislative

Assembly. Mr. Speaker, personally as somebody who went through a very competitive election, I am very proud of you, because very many brains and respected people like us were able to elect you unopposed, and to me, it gave me a very, very strong sense of confidence and trust that many of us have in you to steer this new Assembly to the aspirations of the 90 million people we represent and speak for in East Africa.

I would like to proceed with my presentation mainly focusing on what I would like to see happening in our Assembly. Mr. Speaker, many of our countries, Uganda inclusive, have been signatory to many treaties, to many documents and instruments that are meant to deliver our people from poverty, from suffering and lead them towards quality life. But in many, many situations along the way, things have never worked out.

I stand here today to say that as a person, I would like us to make the East African Treaty a reality and a living document to improve the quality of life and move forward the people of East Africa. And I would like to begin by talking about things that I would like to see happen in our Assembly as we network and coordinate with other stakeholders, other institutions and other Arms of our Government, to ensure that we market and sell the objectives, the aspirations and the intention of why this institution has been revived.

In my own way of thinking, like it was said yesterday, I would like to see the borders of our countries open to the common man. Let the common man and woman move freely, do their trade as we

have been talking, have a system of operating without fear or intimidation. If they want to get married, we should leave them to get married; if we want them to attend funerals - because they are one and the same people, let us put in place legislation that really will favour this move. This is the only way we will be able to make the Treaty a reality to the people by seeing them move freely, trade freely and socially interact without any barriers, fear or intimidation.

As I speak today, even since November or earlier on when these documents were being put in place and the Community was being revived, all our borders - I can speak confidently about Uganda - are characterized by security personnel other than good neighbourliness and cordial living. This shows life of insecurity and life of suspicion from our neighbours. Can we, as an Assembly, change this feeling to the common man that our borders should be friendly and neighbourly, more than supporting the colonial systems that gave us this protective way of living?

Having said that, I would also like to talk about the issue that I think can easily make us sell the Community to the people we represent, so that they feel it and they live it. Education is something I have been thinking about. I know that in our private way of doing things as East Africans, we have been sending our children to institutions other than our own national institutions. Children from Kenya find their way to Ugandan education institutions, and children from Tanzania and Uganda find their way to institutions in our neighbouring countries.

What I would like to point out here is, if only we could work as a Community and harmonize the fees and the systems that make these people cross as they go to build capacity and build skills for the future of the region - I am talking about the school fees and I am also talking about visas. You will find that we still have student visas in our Community, and our school fees are different with all our neighbours in Kenya, Tanzania and Uganda. There are different rates for foreign students.

How are we going to sell the Community to our people? I think one way we can do this is to harmonize issues like school fees in institutions, their travel documents, including visas, so that as we legislate here and we network with other organs of the Community, the people that we serve have the feel of the benefit of the revival of the Community.

Another issue I would like to see happen is the issue of the curriculum in the schools in our region. I can give an example of Uganda, which I am conversant with. 47 percent of Uganda's population is the youth. This means that this big population was not born when the old Community was in operation. So, they may not know what we are talking about and what we are reviving.

I would like us to see this inculcated in our education system, so that the future generation own the way the people of East Africa should live. They should live as East Africans. This is an issue, to me, that we should network and have in place. And I imagine it should not take us a lot of time to have some of these things in place, so that the people feel that the Community is back on board.

Even those who were not born when the last Community was in place should see it coming back, own it, and live to foster on after some of us have left the scene.

I would also like to talk about the question of immigration and labour laws, even within our region. Many of our immigration and labour laws are very stringent and not friendly to the way we would like to see the Community work as one people. These are some of the things I would like to see our Assembly push for from whoever we are networking with. We should ensure that the people that we serve can work, can migrate within a stipulated set of legislation and rules, and also make us united, work as a people, and also build confidence and break the protectionism that we have been having, and the suspicious nature that we have been living in with our neighbouring countries.

Another issue that I wanted to talk about is the question of the private sector. Since the question of the Community being revived came up, and its main principle, apart from it being people-centred, we believe should be private sector driven, but also involving the civil society.

My interest in the private sector is to look at it as an aspect of affirmative action. Who is in the private sector? Many times we look at the private sector as the big investors and we forget our own people. I would like to say that over 60 percent of the East Africans are poor people, they are not only poor but they are also illiterate. And for us to push the private sector, we must think about affirmative action in that angle, so that we do not create more disparities for our

people, but bridge the gap of poverty from those that already have taken off.

I am saying this because I am thinking about the small business communities. Most of our people in East Africa trade along our roads and our highways, they trade in a small way on our borders, they are the ones that cross the 'no-man's land' to exchange a few monies. Those are the people that I am thinking about. Those are the people of East Africa. So, as we deliberate on the issues of the private sector, I have an interest to see that we put in place affirmative action on legislation to cover the small business sector, the vulnerable groups of our times.

I would like to talk about the children, I would like to talk about the women, and I would like to talk about the people with disability. How do they fit into the private sector systems as we support it to grow and to take charge of the business and the growth of our economies?

If we do not do this, then we will be doing a disservice to the larger population of the East Africans. As you all know, our people are still very poor, they cannot competitively compete in an open market, but they are also illiterate. We have a problem of language, for example, in Uganda. You only have to go to school to learn English. We do not have another unison language that can cover the whole country. These are the issues of affirmative action that I am talking about.

I would also like to talk about the question of selling our skills other than the cargo and other goods. How are we going to ensure that we build skills that can market our people beyond the

region? Yesterday, the President did mention the issue of AGOA. I have been reading about 'everything else but arms'. In our Assembly, what else can we sell?

I have an interest in us ensuring that we have institutions in place, and apart from marketing our goods that will give us problems, we look at also building capacity and skills development. As we globalize, this is another way in which we can sell our skills to be able to survive in this very competitive world, but also to the region.

I would like to also draw the attention of the House to the fact that our countries have been independent from the colonial masters for sometime now. I think for Uganda it is coming to forty years But for us to still be exhibiting very poor and undesirable demographic and economic indicators is something we need to think about. In Uganda for example, 506 women in every 100,000 die because of maternal health-related complications. This is a very serious development indicator that we are not managing. Life should not be lost just like that!

What are we going to do to improve our economic and development indicators? We need to remain alive if we are to manage and propel all these aspirations that we have in the Community. I gave you an example of maternal health in our own country because this is where life begins. If we do not begin saving life, then where else should be our starting point?

This leads me to delivery of services to our people. We need to look at our health sector. There is a lot to be done and as we liberalise some of these sectors, there is a big proportion of our

population that we leave behind. Therefore, I would like to draw our attention to some of these issues as we legislate: The Health sector, the Education sector and Agriculture sector, which the bulk of our population's life revolves around. Those are the points from the bottom of my heart.

As I conclude, I would like to say that where there is a will, there is a way. Forty years after our independence, it will be very unfortunate for us to serve in this Assembly for five years or even more, and those who come after us still wonder whether we really have independence in East Africa. Thank you, Mr. Speaker.

**The Speaker:** The last speaker for the morning session will be hon. Shamala.

**Mr. Maxwell Shamala (Kenya):** Mr. Speaker, I would like to indulge in a little history about the integration of East Africa. It is very well documented in history books that as long ago as 1884, the Europeans sat together and divided Africa amongst themselves. We found ourselves under the British Empire. We never participated in these matters. We were possibly hunting and gathering as these fellows were busy dividing us as they chose.

The main reason for them to divide Africa into small regions for their governance was to come and pick raw materials for their industries. They came, they did the mining – you have heard of the Kilembe Mines. They did mining in Kakamega in Kenya; they exported agricultural products like sisal and cotton for their industries. The indigenous East Africans were not part of the economic equation. Whether they

gained anything or not, was not a problem of the Europeans. Africans were generally left on their own.

The first attempts about integration of East Africa started in 1897 with the construction of the Uganda Railway, which reached Kisumu in 1901. The reason why the railway was put in place was to transport what they had mined in East Africa for export to UK. They were looking for cheap transport to get their goods overseas. We in East Africa provided a market for their finished products. We exported cotton worth maybe one pound then. It may have been worth two shillings. When they brought the finished products, maybe some American material, we bought it at twenty times the value of the raw materials.

This integration did not intend to benefit the people of East Africa. The integration was meant to benefit the colonialists and their mother countries. That is exactly what happened in the Congo, as well as in Belgium. If Africans gained anything out of these initial attempts at integration, those benefits were incidental. They were merely by-products like when there is a burning fire, what you end up with is soot. You never planned to have soot, but once you have a burning fire, you will inevitably end up with some carbon material that we call soot. So, if East Africans gained anything out of this initial integration, it was purely incidental. It was not planned for that the indigenous East Africans gain anything out of this integration.

As we sit now, we are having a goal at reviving the Community. But before I get to this, in 1905, there was the East

African Currency Board. In 1919 there was the Post and whatever Union. There were all sorts of arrangements trying to put East African countries together. But all these were serving the colonial masters.

Come 1961-62, we had a High Commission for East Africa, which was changed into East African Common Services Organisation. This organisation was responsible for the railways, airways, the harbours and so on. The Governments of Kenya, Uganda and Tanzania co-owned these organisations and services, and I think this was, in a way, what precipitated the frictions that arose. Co-ownership and management of those services was not a very smooth operation.

However, attempts were made to make it as workable as possible in the Community that was established in 1967 and lasted for ten years. This Community collapsed. There are many reasons, which have been advanced for its collapse. One of them is lack of political goodwill.

I want to add, like my previous speaker said, that the people who are benefiting from the initial attempts at integration of East Africa did not want the success of the East African Community of 1967 to 1977. I say that because these people ran away from Kenya, they went to Southern Rhodesia, Zimbabwe then they went to South Africa.

They left some of their brothers and sisters in the corridors of power in Kenya, in Uganda and in Tanzania, and I am sure those who were left behind must have been influencing a few individuals in the corridors of power that 'this thing

is not good for you, you can do it alone, you will make it; you do not need Tanzanians'; Kenyans must have been told. Ugandans must have been told, 'you do not need Kenyans, you do not need Tanzanians, you can do it on your own; you have coffee'. Obviously, wrong advice! We ended up with the collapse of the Community.

1977 was indeed a period of lamentation in the history of East Africa. Lamentation because the common man believed the Community was serving his or her interest in a way of provision of jobs. They believed in the Community, they wanted a federation. Indeed, like I said yesterday in the presence of His Excellency the President of Uganda, the musicians of the time sang in praise of East African Federation, but it never came to pass. Now, I have talked about this history. History is good because it tells you what happened and where you are. We now know exactly where we are today.

It takes a long time, Mr. Speaker, to have the eclipse of the sun. You must have the sun, the moon and the earth aligned in a certain way. It took 22 years from 1977 to 1999, for the leadership in East Africa to come up with the Treaty that we are discussing today. It is not easy to have three Heads of State being aligned, seeing things the same way, acting in concert like we have today. It is as difficult as having the eclipse of the sun. Here we have an opportunity, we have these Presidents in place, let us utilize them to encourage, to build and to affirm the East African Community (*Applause*).

Mr. Speaker, His Excellency President Yoweri Museveni yesterday said that

there is everything wrong in being a small based economy. If you have a small market, you stand to perish. Kenya is a small market, so is Uganda, so is Tanzania, so is Burundi, so is Rwanda. We are basically the same. We are the same family and we know each other. Before we link up with people in Angola, we people in East Africa must come together and unite and form a big market. When we join up with Angola and other countries outside this region, we will be much stronger than if we try to go individually. In any case, if we try to go to it individually, we shall not survive in this globalization; we shall all perish! We have no chance of surviving except by joining together. As East Africans we have a way forward.

History has taught us that co-ownership is good but Governments have never been known to be good managers of the economy. They provide the environment in which the private sector should perform. I want to think that the lessons we learnt from the previous Community, of friction in co-ownership and operationalisation of those organizations - it was difficult. Now we are saying that governments should provide the infrastructure; provide the environment for private sector to perform and our Governments are doing that.

When we were in Tanzania, we were told by one of the contributors that they had corridors put in across from Musoma to some portion of Turkana and so on; another corridor from Tanga all the way up to Lokichogio and so on. If we have this infrastructure in place, we shall be opening up trade in our region. When we were coming here, we passed through the Kenya/ Uganda border here

and we saw what transpired. We are senior officers, we have passports but we passed through a rigmarole that you cannot explain. We want our borders completely free to the common person to pass without hindrance (*Applause*).

Mr. Speaker, a Ugandan trader is carrying bananas. Bananas have a ripening period and he gets to the border and stands there for two days, or one day, yet his expectation was that the bananas must be in Nairobi – there is a market in Nairobi on Tuesday very early in the morning for people to buy the bananas. The delays at the border cause the bananas to get to Naivasha when they have ripened. When they get to Nairobi, they are no longer useful! The trader loses simply because there was a guy on the border who thinks he must stop people from moving across the borders.

There was a time President Museveni was in Kenya and was addressing the public and said the Immigration people think their job is *kuzuia*, to stop people from getting into Uganda or going to Kenya. That is not their job! They should facilitate the movement of people. Let us not tell Kenyans what they will get in Uganda; let us not tell Ugandans what they will get in Kenya or Tanzania. Let these people move freely. They will find out what to do. The market will have expanded within this region. Let us allow our people to trade freely.

There is another element that I must touch and this concerns research. Research is an expensive undertaking. But any country which does not invest in research is doomed. Small investments by Kenya in research and small

investments by Uganda separately in the same kind of thing are not good. Let us pull resources. If an institution in Uganda is specializing in some kind of aspect of research, let us support that institution to do that research on our behalf as East Africans.

Let us not duplicate this thing here in Kenya where maybe the research facilities are not available. Let us do that research in Tanzania if that is the best place to carry out that particular research. We must invest in research heavily in order to benefit. Probably five per cent of our GDP should go into research. If we do not invest in research, our technology will lag behind, and we cannot improve our competitiveness in the World Market.

The East African Community is here, I think as far as I am concerned, to stay. We must do everything possible as Members of Parliament and as one of the organs of the Community to ensure that the Community is sustained. Our job is to legislate. We must enact laws that will facilitate the operations of the Community, and those operations must be harmonious.

Another thing that I think is very important in the current Treaty that is different from co-ownership is harmonisation. Harmonisation to me implies that you are doing things but possibly in different ways, but you now want to do them in the same way for a desired result. If you pursue harmonisation in a given field, you must end up with a result that will please everybody. We must harmonise our policies, be it agricultural, be it in mining, infrastructure and so on. This

will help to develop the East African Community to the satisfaction of us all.

There is one thing that East Africans do not want to hear, Mr. Speaker - that is a second collapse of this Community. East Africans do not want to imagine that. We must make sure by whatever means to influence our Governments, to ensure that the Treaty is implemented. I have no doubts in my mind that this Summit is committed to this.

If you look at their functions, I think it is Article 11 paragraph 2, which says: "*The Summit shall consider the annual progress reports and such other reports submitted to it by the Council as provided for by this Treaty*". They have assumed the customs union is in place, the common market is in place, and the monetary union affairs are going on very well. So, what they are looking forward to seeing is that the federation is coming on well.

The Council of Ministers - the advisors, the Permanent Secretaries, the co-ordination committee - personally, I have my fears at that level of Permanent Secretaries. They do not work together everyday. They come together once in a while, they sit and they go away. We the Members of Parliament are going to sit together for a long time; we should lead the way. One Permanent Secretary can come and say do not do this, do not implement this particular tariff, this tariff must remain in place and that will be the beginning of our problems. Only one person can cause problems. We say one maggot causes a whole mushroom to rot. I hope we do not allow demagogues to cause problems at the Council by way of advice.

I am sure the Council of Ministers is capable of sieving the chaff from the grain, but I want to add that we must be very careful the way we handle the tariff situation. The Summit has said; the Customs Union should be in place by March/April this year. I think we will pass this acid test. If we have the Customs Union operationalised before June 30th, or it comes into operation on 1st July in 2002, we can say for sure that we are on the right track. But if we delay the operationisation of the Customs Union, that might cause problems in operationalisation of the Common Market, and hence the Monetary Union and the Federation.

Mr. Speaker, with these brief remarks, I wish to support the motion. Thank you, Mr. Speaker.

**The Speaker:** Before I adjourn this sitting, I would like to make the following announcements. We will have the following speakers in the afternoon; hon. George Nangale, hon. Rose Waruhiu, followed by hon. Mabere Marando, followed by hon. Sheila Kawamara, followed by hon. Mohammed Zubedi, and finally hon. Adbirahim Abdi. Immediately after the adjournment, the House Business Committee will resume its sitting in the same place.

I now wish to adjourn the House until 4.00 O'clock this afternoon.

*(The Assembly rose at 11:46 a.m. and adjourned to 4:00p.m in the afternoon)*

*(The Assembly resumed at 3.57pm, the Speaker, Mr. Abdulrahman Omar Kinana, in the Chair)*

**Mr. George Francis Nangale (Tanzania):** Mr. Speaker, fellow hon. Members of the Legislative Assembly, I have the honour to stand in front of you today. First of all, I would like to congratulate you, Mr. Speaker, for being elected unanimously, to chair our meetings for the next five years and we hope you will do the job as we expect. I would also like to congratulate fellow Members for being elected by their National Assemblies on behalf of the people of East Africa. I believe that they are the best choice their countries have come up with and the expectation of the people of East Africa is enormous.

After nine years of hard work and good planning, today we have a Treaty for the establishment of the new East African Community, and we have the organs, which have been put in place to see that the Treaty is implemented. I would like to take this opportunity to congratulate the Heads of State of the three countries: His Excellency Daniel Arap Moi, His Excellency President Benjamin Mkapa of Tanzania, and His Excellency President Yoweri Museveni of Uganda, for the hard work they have done to reach to this stage. Also, I would like to congratulate the former President of Tanzania, His Excellency Mzee Ali Hassan Mwinyi, who participated in the initial discussions of the revival of our Community. I would also like to congratulate the Secretariat, which has been in place for several years now: first Ambassador Muthaura and now with the Secretary General, hon. Mushega.

The Treaty provides us with a very clear vision and a very clear approach of where we want to go. The people centered approach means that the Community now involves the people of

East Africa themselves. You will recall that the defunct East African Community was basically a cooperation of the Governments, but this new East African Community is people centred; it means that it involves the people themselves. So, it is our role, Members of the Legislative Assembly, to ensure that we involve the people in the whole process of the integration.

But how could we do that? There are several ways of doing it. What I would suggest is that we take an active role in taking initiative of forging links between people and people. People from one corner of the region to the other corner with different interests or with common interests: the business community, the farmers, the students, and the professionals. All these should be involved in the whole process of integration.

The newly created East African market will stimulate intra- trade and will also promote exchange of knowledge and experiences. And this will help in raising the living standards of our people, which actually is the main objective of the Treaty.

Our Governments as part of the stakeholders of the Community have a very crucial role to play. They are supposed to create a conducive environment so that the cooperation can grow to achieve what we need - political and economic union. Unfortunately, Mr. Speaker, Governments are known for their bureaucratic tendencies, and our Governments are not different. So, we have a role to always remind the Governments that they should take a proactive role, and cut down the bureaucratic tendencies so that we

achieve what we intend to achieve in the East African Community.

His Excellency President Museveni yesterday started his Speech with a very important question: "*What is the rationale of our cooperation?*" He narrated that during the pre-industrial era, the rationale was security - the reason for cooperation was security and harnessing natural resources. I believe that this reason, despite the fact that we are in a new economic era, and in the times of globalization, this fundamental reason is still valid today. It may include other reasons such as, market and all that; but if you look into our region, by geographical coincidence, the East African people happen to share the largest water body resource in Africa - that is Lake Victoria.

Lake Victoria is a very important asset, and at the moment, our experts are telling us that it is increasingly becoming useless. Fish stocks are diminishing, the silt is building up, the pollution is increasing, which means in the next generations, the lake will not be important to us and as we know, 37 million people, who are about 40 per cent of the people in this region, depend on Lake Victoria.

This is a big number and almost all of them are poor, as we know. So, the importance of rescuing this important resource cannot be overemphasized. That is why the East African Community has established some autonomous bodies to look into the development of Lake Victoria.

I call upon this House to immediately consider establishing a Select Committee, which will oversee the

development of Lake Victoria and the Lake Victoria basin. The reason I am saying this is that, as a House, we should take a leading role to ensure that this very important resource which is shared by all of us is rescued, so that the future generations continue enjoying the benefits of the lake and its basin.

Having said that, Mr. Speaker, I support the motion. Thank you very much.

**Ms. Waruhiu Wairimu (Kenya):**

Thank you very much, Mr. Speaker. I take the Floor, and I would like to take this opportunity to join my colleagues in congratulating you upon your election to lead us in this very new but also challenging work of re-establishing an Assembly that is expected, in a very serious way, to lead us to entrenching the Treaty.

I would also like, this being my first opportunity on the Floor, to congratulate my colleagues. I have had the benefit at least of listening to many of them already this morning. All of them express, in addressing this motion, their own very clear commitment to the task ahead of us.

We could have started again by asking what East Africa is about, but we have heard the advantage, that we spent three days together in a seminar in Arusha, going into our history. And listening to the contributions so far, it is understandable that we do need to understand our history, because it is from that history that we can realize what challenge is ahead of us.

It is also that history that has produced a treaty, which is a caution in a way that, I think for politicians, we should take

note. If on one hand as many of us are saying we are very strategically positioned, we have a common history, and we have shared many institutions, arrangements and intentions in the past, why are we still being very cautious?

Yesterday, Mr. Speaker, we had an address from His Excellency, the President of the Republic of Uganda. He gave us very clear challenges and we are one of the last organs to be established in the Treaty. During the drafting of the Treaty and all the preparatory work that has been done, it was always envisaged that there would be an East African Legislative Assembly; there would be a Court. But we are one of the last ones to come on board. I therefore feel, Mr. Speaker that our first challenge is to get in the process and occupy our space.

There is no doubt, Mr. Speaker, anywhere where the rule of a Parliament or a Legislative Assembly should be, and in my very humble submission, I feel that taking our space means embracing and engaging in the political work that needs to be done to make the Treaty a reality, and to bring it to life. That is very much welcomed by the provisions of our legislative work.

I also feel that the Community is not looking to other politicians except Members of this Assembly to address those issues that will bring our political cohesion to reality. But let me go back, Mr. Speaker, on the opportunities that have been addressed so far, in particular the establishment of regional blocs all over the world, makes meaning to any region or any country that wants to develop; it makes sense.

The coming together and integrating of countries means that you have a bigger market. This is straightforward and very easy to understand. If you have a bigger market or you have a bigger population, you can benefit from economies of scale. You can therefore attract investors; you will create jobs; you will create employment. I think all my colleagues and our Heads of State have very well put these economic lessons.

Yesterday when His Excellency President Museveni spoke, he challenged us that forming the East African Community is not just another fashionable thing to do. Forming the East African Community means that we have sent a message to the population in East Africa, that the Treaty is something that will benefit them, not just through a market economy, but because it also brings other opportunities.

In our contribution, we may not be able to go into all the areas, but one of the few areas I wanted to start with is the question of barriers. When we talk about barriers, we have the very visible or clear barriers, which refer to trade barriers or ability to move across borders. I also want to talk about non-tariff barriers that have been addressed in the principles put in the Treaty, the basic and the founding principles of the Treaty for East African Community.

I would like to start at the heart of what makes people want to come together. It is not the Treaty, it is not getting together in a room like this, it is not just because they have to respond to the other wishes or aspirations of those who have elected us, but it is our own responsibility at the individual level, our own change of attitude. In other words,

we are not going to be able to preach the message of integration and transformation unless we ourselves have internalised this message.

If in fact we are to be part of the integration and transformation of our region, it means that we ourselves must have become converted. Once you are converted, it is a bit like joining a religion, which means that you have put your faith and all your energies in that commitment. So, I was calling this almost a list of new non-tariff barriers because the challenges that our countries face are not the normal ones.

In almost every situation, whether you look at the area of trade, or you look at our economies, you look back 20 years ago and we were able to achieve what we call growth measured in terms of revenue and incomes in the country, or growth in GDP. 20 years ago, we were achieving very high rates of growth, at least in some of our countries, but growth has not led to the development of our people.

I have been listening to my colleagues this morning, and we still have to address ourselves to this vicious circle of poverty so that you can actually have positive rates of growth. And I see that the targets in our strategic plan are very high, and also the rates of GDP growth that our countries should achieve. But my submission, Mr. Speaker, is that growth does not necessarily lead to development. Growth only leads to development if that development is reaching the people. And development is not measured in money, it is not measured in figures, development has to be measured in the improvement in the quality of life.

I share this very strongly because if you look at development only in the narrow sense of economic development, then we can say that we have not developed. But we have to look at development as a total in terms of alleviation of poverty, the improvement in the social status of our people, any difference that you see when you go home to the villages.

But you also have to look at the political development of our countries. We have been through very difficult times as a region in trying to establish the systems of governance that we feel proud of. A challenge for the development that we need falls on us, because by joining this august House, we bear the responsibility to provide leadership. And providing leadership means taking responsibility to help our people through the transformation, taking responsibility to deal with conflicts, taking responsibility to build tolerance, to bring dialogue and to open up discussion.

The East African Legislative Assembly is coming on board when many of the organs have been established. Therefore, in our motion, although we are calling on all other parties or other organs within the Community to spare no effort in making the Treaty a reality, we should address the views that are in that motion to ourselves first.

The challenge for anyone growing up in Africa - in the early days we were known as the dark continent; we improved a bit to become developing countries, and we improved and became new economies or third world. But the basis of this is, our continent has a wealth of resources. We have a wealth of very good land. Within our three countries, I was told, Mr. Speaker, that

even the rains come at different seasons, so that if there is no food in Kenya, maybe that is the time it is raining in Uganda or in Tanzania. Even nature is being great to us and generous that through our integration, we can deal with very basic issues such as food sufficiency, and we can move from there to link even food production with trade.

If you look at the health sector, the access to hospital care or to treatment within the region, access normally should mean what distance or how much effort you should have to make to reach a health clinic or to get treatment, and if you get to that clinic, what kind of services are available. These kinds of services are still very removed from the majority of our people.

If you look at education, some of my colleagues spoke on that this morning, so I do not need to spend my time on that; looking at what we call - I think they used the computer language - there is a hard side of politics and there is a soft side. A soft side is what many of us really need to reflect on. We have to spend more money on education, and we have to spend more money on health. You do not see the returns because the returns are directed to an individual. And I am saying that improving the quality of life of our people means that we must also invest in those sectors.

There have been commendable and wonderful statements made on our own economic history by my colleagues this morning. Others have spoken on our history since independence, but let me reflect briefly on the current challenges. Many of us have come out of one party rule in our own countries and have

found, as political leaders, that we are no longer the only centres of power.

In my own country, in Kenya, we now discuss how power is to be shared between politicians, the civil society and the people. In fact, I was very delighted that the Treaty has recognised that the only way forward is to make our work people-centred. And that is easier said than done, because we are talking about a people to whom we have a responsibility now to make sure that they know what we are doing, and at the same time, for us to be accountable to them.

You know, politics is very interesting because you attain your position, you sit in this Chamber, and then you say you are accountable to the people. After some time, those people have no idea about what you are doing for them on a day-to-day basis. So, it remains your responsibility to carry that as your duty. But if you go around saying, 'I represent the people', you have to have a framework or machinery in which you are engaged with the people and are very aware of what their own expectations are.

It is not easy to begin now to say that we came from a history, as many of my colleagues have said. It was colonial, and we had our own independent Governments set up systems, which are still very much structured on a philosophy where leaders think their work is to move ahead and the *wanainchi* or the population are to follow.

As we set up a new legislative Assembly now, and we accept this has to be done within a democratic framework, I am

saying that any time we say we are a people-centered organization, we should follow that all the time by ensuring that we maintain a system of reporting and accountability. Something I think many of us agreed on when we were down in Arusha is that we do have a duty to popularise the Treaty, to explain to our people what their opportunities are, and also to show to them what strategies make this a very viable Community.

As Parliament, we need to take what I am calling 'space'. What is our space? I think within our national Governments, this is usually easy to understand, because we have a tripartite arrangement for sharing power where the Parliament is very clear on what its role is, the Executive is very clear, and the Judiciary is clear. And part of the experience some of my colleagues from Kenya and I have is really to bring this back to balance. In the struggle for independence, many of our countries' politics became the least important organs so that when we established our Parliaments, they became institutions, which did not have the support that they needed.

It is very important that our Assembly gets the institutional support that Members need from the beginning. If you recall the kind of challenges that were given to us yesterday by His Excellency President Museveni, where are we to get the information? We need these things at our fingertips, and it is very important, therefore, that within the structuring of the Community, the functions of the Parliament and the kind of capacity we need is built in from the beginning.

I want to end by generally talking about what I call the inequalities. I was trying

to see how I could begin to deal with all the problems that one sees. I do not know why, when we want to discuss issues, you most of the time see problems, and if you do not see problems, then maybe you go around in a very unrealistic way. But in looking across what I have said, looking at our own attitudes, looking at our own capacity, looking at the different stages at which our countries are, looking at the issues of gender and even thinking about a woman in the middle village in Tanzania or Kenya or in Uganda, why is there so much inequality?

Inequality actually is a fact of life in the women's movement because we have fought so much for equality, and people misunderstand and they say women want to be equal with men. I have never even seen two men who are equal. So, we cannot be equal, whether it is two men or two women. And I want to say that there are no two countries which can be equal. So, if we are going to discuss what benefits we are going to get in trade, we will have to have the tolerance ourselves, to have the capacity to negotiate, to discuss responsibly on how to negotiate through these difficulties. In other words, there is never going to be a time where one community can wait so that you now equalize and start together. There is never going to be a day when the balance of trade between Kenya and Uganda or between Tanzania and Uganda is going to be the same.

So, how do we move on? We move on because we do a tally. We look at the overall picture. We assess what it is in total that we are gaining, and we assist each other, so that if one feels that they are not gaining in this area, we negotiate and we recognize that in some cases, you

do need to take measures to help the other country or you have to give concessions to help the other country.

I said that looking at it this way is only because we want to be realistic. We have a wonderful opportunity, we are very well positioned, and we have very great potential. Whether it is growing food, even God has been very kind to us. We have such contrasts in climate that I think every crop that grows in the world can grow within East Africa. We have no reason to fail to produce food. So, at the basic level, if we really put the interests of our people at heart, I feel we are in the right way.

What is the answer if you are faced with problems, if you are faced with difficulty? I have always felt that a very simple way to approach life is to play fair; to have a sense of equity, and to have a sense of justice. And one of the fundamental principles of the Community, as embedded in the Treaty, is how we need to build mutual trust. We are not going to get very far if we do not build mutual trust. But building trust means we have to build our confidence.

We are very privileged because we have had this sitting in this town. This town, Kampala, has a long history. My own country recognizes that we would never have developed if there were no kingdom in Uganda where the British wanted to get to. It was just incidental that they had to fight through Kenya to get to the Pearl of Africa. So, I think the fact that we have now started here is a good blessing.

I should also say, in my personal capacity, that this is a city I lived in as a student, so I feel particularly nostalgic,

so I can be forgiven. But I am also seeing it as a good omen. I am saying the challenge to us is - I am starting with a very simple one - to build our own mutual trust. In that way, we can project that confidence and trust to the rest of the East Africans. With those few words, Mr. Speaker, I beg to support - (*Applause*).

**The Speaker:** Hon. Rose Wairimu has made a lot of compliments to the city of Kampala, to Ugandans and their kingdoms. I was expecting a big applause from Ugandans but I did not see any - (*Laughter*).

**Mr. Nyaicho Mabere Marando (Tanzania):** Mr. Speaker, from the depth of my heart, may I congratulate my colleagues on their election to this august House. I equally congratulate you, Mr. Speaker, on your election to that Chair. I have known you as an orator. So being there, you must be feeling a bit envious that you cannot address the House. But even where you are, you have responsibilities. You are in guidance of our House. Being close to our leaders, you sometimes may have their ears. So you may sometimes achieve by a whisper what we may fail to achieve by talking from this Floor. So, I happily congratulate you for being where you are. We have confidence in you and rest assured that our support will not be wanting.

May I recognise the very great work so far done by our three Heads of State; President Daniel Arap Toroitich Moi, President Yoweri Kaguta Museveni and President Benjamin William Mkapa. They have rekindled our aspirations for the unity we thought we had lost.

Last but not least, may I congratulate the Council of Ministers, the Secretariat of the Community and other officials and officers including sweepers and messengers and those who make tea. They have all contributed in one way or another in getting us where we are.

History has a habit of providing a pigeonhole for every politician, more so, for leaders of our caliber. Here we are today as pioneers of a new and revived East African Community, a position of very great responsibilities. We have responsibilities of guiding East Africa towards unity and I am very proud to be here. I am very proud to participate in the building of a new East Africa, knowing that one day history will say, 'Mabere Marando did this, laid this and this brick towards this success'. I am sure all of us are proud. That is why some of us take, and will continuously take, this work very seriously.

In my first speech in this Assembly, I have decided to choose very few things to talk about, and my subject will hinge more on politics than economics today. This is because I feel there is a little problem somewhere, a little problem that should not be shied away from. With your permission, may I refer to Article 6 and 7 of the Treaty?

Article 6(a) says: "*The fundamental principle that shall govern the achievement of the objectives of the Community by the partner States shall include:*

(a) *mutual trust, political will and sovereign equality.*"

(b) refers to "*good governance including adherence to the principles of*

*democracy, rule of law, transparency, promotion and protection of human and people's rights in accordance to the provisions of the African Charter and human and people's rights."*

Article 7(2) refers to the same thing – petition of the principles that the partner states undertake to abide by the principles of good governance including adherence to the principle of democracy and the rule of law, social justice, fundamentals of universally accepted standards of human rights. Article 6(a) refers to the political will and (b) refers to democracy, promotion and protection of human rights.

Our leaders and the people of East Africa have showed the political will in general, but so was it since the time of independence. Our leaders and the people of East Africa wanted cooperation of our countries and they were aspiring towards unity of East Africa. So where does the political problem come from? As a Member of this Assembly, I will discuss this political problem in respect of East Africa and not in relation to the internal matters of any particular country.

As I said, Article 7(2) says, partner states undertake to abide by the principles of good governance. What does that mean? In my opinion, it means that the constitutional relationship between the governors of the governed should be based on a strong foundation and consequent transparency. By foundation I mean the manner in which constitutions are made.

May I take this opportunity to commend the people of Uganda under the leadership of President Yoweri

Museveni? In 1993, they established a Constitutional Commission which was selected from a broad spectrum of principles of opinions in the country. At the end of its work, the Commission came up with the recommendation of establishing a Constituent Assembly elected by national and secret direct ballot. The Constitution born out of the process, I presume, is regarded by the people of Uganda as their own. All the people of Uganda of different opinions and shades embrace the Constitution as their own, irrespective of their ideological or other political differences.

The question facing the future of East Africa is; how will the people in the other countries of East Africa regard their own Constitutions? Will it not be a problem, Mr. Speaker, if the people of any country in East Africa or any significant population therein feel that their Constitution does not belong to them? If we later decide to make a Constitution for East Africa, I submit we should do so in a manner that will inculcate its ownership by the people of East Africa at large, not just a few or section thereof. Such a fine foundation, Mr. Speaker, is necessary for a lasting political stability.

Mr. Speaker, we have the East African Community Development Strategy 2001-2005 - a great document. On page 51 of the document there is a reference to political matters. It is a fairly brief statement on page 52, paragraph 4.8. That paragraph is significant to me for its silence on the difference of political systems in East Africa. Among the factors now believed to have wrecked the former Community – not the only factor but the principal factor was the ideological differences prevalent at that

time. One of my colleagues here gave a speech on that in the morning. I just cannot remember who talked about the Arusha Declaration, Sessional Paper No.10, African Socialism and the Common Man's Charter.

These differences, Mr. Speaker, relate somehow to the collapse of the former Community. I was just wondering whether our present differences in political systems may not cause some problems in hindering the achievement of our aspirations. I was just wondering. In Kenya we have party pluralism. In Uganda we have a no-party system, but we have secret ballots in all countries. The question is; should we go on with these differences when we are aspiring for political union? Is it safe? If not, should we just keep quiet about it or shy away from the problems? This House has responsibilities.

**Mr. Kanyomozi:** Hear! Hear!

**Mr. Marando:** I am not saying Uganda should go Multi-Party, neither am I saying Tanzania and Kenya should become single-party or no-party, but it is a question for debate. If we keep quiet about it, we are hiding a disease. There is a saying that if you hide a disease it will expose you. *Harif jia*, you die, you stink.

So, Mr. Speaker, I am saying, maybe it may not be good. And that is why I am saying; in the strategy at page 51 the statement about political matters is too brief. Why is it too brief? Is it because the officials were scared of touching on very sensitive areas? Is it because our leaders were not keen to touch on these very sensitive points? But if we have the political will and determination, and we

resolve - let us not shy away from others. Let us touch every area, everything so that we go forward with a clean conscience that we are going to achieve what we shall achieve.

I humbly submit, Mr. Speaker, that if we fail to move on with different political systems we are likely to reach to a snag somewhere if we attempt to proceed this way. I submit it is not early to start. Let us discuss everything: economics, culture, politics, roads, and the waters of Lake Victoria, everything including political systems.

Mr. Speaker, politics is a total management of society. We are supposed to be managing society. That is why leaders of the economy are not necessarily leaders of countries. Some leaders may be very poor, but still they are politicians, they manage the country, they manage very rich millionaires in a political set-up. Therefore, we have higher responsibilities, not to gloss over issues but to tackle them from the root with hope that we are making the field clean for us to move on.

I am saying that we are likely to move faster and with greater certainty if we deliberately decide to synchronize or harmonise our political systems; deliberately despite our differences. Mr. 'A' may look at this this way; Kanyomozi may have a different view but let us sit down and see where we can get a common denominator to pull us through. That will lead us to a realisation of aspirations with the necessary political will that we already have.

We have just given an example - I am not saying we should imitate or emulate

Europe, but Europe has succeeded in forming a Union. They have a Parliament like ours here. Their Members of Parliament are there due to representation through their political parties. In the European Parliament, there are associations and parties within the Parliament. For example, the Christian Democrats of the whole of Europe have their own offices and sectors in the European Parliament, so do the Social Democrats and the Liberal etc. They have their very strong associations and leadership. Let us think whether we can do something to that effect. I know this area may be sensitive, but it is sensitive areas that make history. If properly touched and worked on, and the area is looked at, the better so that we can move ahead.

Yesterday I had the occasion to remark that I am a true East African. I remember when we were in Arusha; one Ugandan lady colleague heard me talking to my wife and told me “I can understand your language”. I was surprised! She could understand me talking to my wife in our vernacular! I said, “Can I chat with my dear friend there? We share a common language”. We also share common names with my dear friend, hon. Ogallo. I have Ogallo in my family; there is Ogallo here in Uganda. This shows how interacting East Africa is, why the advantages should overcome the disadvantages, and why we should look far, far ahead and find ways of jumping any huddles that may be placed before us. I think one of them was well drafted when we were drafting the Treaty.

But the strategy that has been laid in dealing with this focused much more on other areas than the political area, which I think, is not correct. We should give

them sufficient and equal focus: the economy, the social aspect and the political aspect. This is important because at the end of the day, East Africa will be led by politicians, they may be bright or not bright, they may be clever or otherwise, they may be visionary or absolutely non-visionary, but it will be led by politicians. So, we should give them a clear direction that when you are a politician in East Africa, you are aspiring for leadership, please be aware that when you get there, you will have to follow this road and this road and this road. If we do not map it now, we shall be too late. Somebody will get there without our direction and he will do whatever he likes with us. That is wrong, Mr. Speaker.

The unity we are aspiring to is not an end in itself. We want that unity so that we can get wealth – create room for our people and we are sure. So, we are not only looking for East African Unity, there has always been talk for African Unity, there is even an African Union. Now is the process to realise it.

Some of us were very glad when we read the Treaty. I was privileged to be in the Parliament of Tanzania when we were discussing it. One of the areas that pleased me was that there is an open possibility of other countries coming in: Ethiopia, Sudan, Eritrea, the Comoros, and Madagascar. There is a provision to make us realise the dreams of the forefathers of our independence. They are enshrined here but in order to make that successful, we should also tackle these problems and remove any thorns that may lie along the road. Thank you very much, Mr. Speaker.

**Ms. Sheila Kawamara Mishambi (Uganda):** Thank you Mr. Speaker and hon. Members of the East African Legislative Assembly. I will add my voice to the many congratulations we have received this morning and afternoon on being elected to this august Assembly. And, Mr. Speaker, I wish to congratulate you in particular for being given this enormous challenge before you, of steering this House and the whole of East Africa into the future.

We have heard so many speeches since morning. I think let us not go on record for making very impressive political speeches. Let us go on record for following through the things we are talking about because what we are addressing now are the real issues affecting our people.

We are talking about issues like poverty, which is real to the ordinary person. In most cases it is written in the textbooks and we read it and gloss over it. But it is real to the majority of our people. For instance, so many people have talked about HIV/AIDS and why we need a common strategy to combat it; this is a reality. Many families in Uganda have lost their relatives to AIDS. So, when we talk about having a common strategy to combat these diseases, let us feel that reality that these are issues facing our people.

I will also thank our visionary leaders that have brought about the revival of the East African Community. To many of us, even as they talked about the revival, we studied in our histories how the East African Community collapsed – we know it by heart. But now we have seen and witnessed the revival.

We have been promised so many things. Many of us have committed ourselves to serve in this Community so as to realise the desire for modernisation. We have been promised so many things in the Treaty, and we still think many of them are ideals. But I believe these ideals can be made a reality if the different organs of the East African Community live to the commitment of making these issues a reality. That is, the Summit, the Council of Ministers, our civil servants in the Coordinating Committee, the East African Assembly and the Court of Justice.

There are so many aspirations for modernising East Africa. We want to industrialise; we want to be able to compete effectively as His Excellency the President yesterday told us. Investors are coming in and they will be able to produce for various markets, like AGOA in the United States.

I think we Legislators should be cognisant of what may come along. What are we receiving in the package? Some people who have been referred to as radicals have already expressed their scepticism saying, “Is this not a new colonisation of Africa?” We may be now inviting colonisers to re-colonise us. We should be very careful; let us listen to those voices. Are we being re-colonised? As we invite in the investors, are we watching what they are doing? Their activities on our environment, are we really in charge of these investors? When they come here, are we watching what they are doing to the workers?

I know we have so many investors here but I do not think the researches that have been conducted so far really portray a very positive picture as to how workers are treated. I know within the

Treaty and within the strategy of the East African Community, there is a provision to harmonize the labour laws. But I think as we harmonize the Labour Laws, let us do detailed research. As we try to modernise our Labour systems here locally in East Africa, let us be cognisant of what we want of our brothers and sisters who are going to work in the new industries. How do we want them to be treated?

Referring again to the ordinary person, I am a woman activist and I think I should say something about women. Within the statistics of the East African Community, we are told that over 50 percent of the East African population is women, and these women provide between 60 to 70 percent of the labour force. But then again, from all the various studies and statistics we have about the gender desegregated data, we realise, Mr. Speaker, that these women are the most disadvantaged, the most poor, the least educated and the least cared for in terms of health.

If we think that these women are going to provide 60 percent to 70 percent of our labour, and yet they are still in that lesser category, I think we are not heading anywhere near modernisation. So, I would beg this august House that as we debate in the next five years, when we speak about women, let us not go into rhetoric. Let us really think about those women. When we say that affirmative action - I know in some countries, it is being challenged, but affirmative action is real and it should be provided for, because history, culture, our traditions and our laws have kept these women behind.

So, I would appeal to this august House if we are to realise the objectives of the East African Community, then we should pull along that 50 percent of our population. I feel maybe since I am educated, I have moved out a bit from the less disadvantaged ones, but I would not want the other 50 percent to really be a burden on a few of us. We should provide for them. So, Mr. Speaker, I would wish this House to really pay critical attention to the issue of enhancing the role of women in the East African Community.

I would also like to contribute to the effective implementation of the Treaty, Mr. Speaker, where I think that we should be very forceful as the Community, and also as this Assembly, to really push for various researches. Many of my colleagues have talked about this. We need research, we need data and we need gender desegregated data so as to plan effectively for the entire Community. I know this data is available in our respective countries, but we need it consolidated within the Community.

I also have a special appeal to make for the facilitation of the different organs of the East African Community. These organs need to be facilitated in the effort of doing their work. We are not going to say that we want a Community that is performing with all the different ideals we have without facilitating the different organs to be able to collaborate and cooperate to implement the Treaty.

So, my appeal to our Governments is to really support these organs. A mechanism should be found to support these organs, and when I am talking about facilitation, I know our

Governments are donor-funded and hence donor-driven. I would not want to be part of the history of really making this Community a donor-driven Community. I would therefore appeal to you, Mr. Speaker, and also to our presidents, to come out with a mechanism to support these organs.

When we were in Lake Manyara, one of the resource persons made a suggestion: why not think about taxation for each Member of the East African Community so that we have a Community which we ourselves fund and support? Mr. Speaker if we can achieve that, then I believe we shall be able to set our own agenda; we shall be able to go out and bargain. But as long as we are going to expect funding from the European Union, from the United States of America, we shall remain the beggars that we have always been.

I also would like to remind the Members that we are going to go through a painful transition. Some people will have to gain and some people will have to lose. I know there have been fears of opening the markets - many fears. Some business people have always said the Kenyans will flood the markets, and then there is that hidden fear. If we are really committed to the East African Community, I think it is painful, whether we like it or not. Yes, if we opened the borders, Kenya will flood the markets - fine. I think then we should think of issues of going into joint ownership. We should think of going into collaborations so that within the 20 years it may be painful, but as Members of this Community we should say maybe after those 20 years we shall stabilise and then we have a meaningful Community

which our children and grandchildren will be proud of.

I know the issue of political systems will come up again and again in our debates, but then, if we get the economics of the region right, if we can have effective ways of distributing wealth - because what is it in power? I think it is in money. A person who has the money has the power. I think as we debate the political systems, let us talk about money, let us talk about wealth, let us talk about distribution of that wealth and then we can meaningfully talk about political systems.

Mr. Speaker with those remarks, I would like to support whole-heartedly the motion on the floor, and I wish all of us fruitful deliberations. Thank you very much.

**Mr. Mohammed Zubedi (Kenya):** Mr. Speaker and my fellow colleagues of the East African Legislative Assembly, I am deeply grateful for having been given this chance to address you here today. First and foremost, I want to take this opportunity like all other colleagues to congratulate ourselves for being elected to this august House, and more so to congratulate our hon. Speaker for being elected the Speaker. We are very deeply honoured and we feel very proud, Mr. Speaker, and we feel confident that in your stewardship, we shall be able to achieve most of what we have come here to achieve.

The people of East Africa will be looking up to the Members of this august House for guidance and leadership in public and private life, to improve their lives and ease the pain and hardships that we have been feeling and

experiencing all these years. In that endeavor, Mr. Speaker, I would first and foremost, like to congratulate our three Heads of State, for having worked tirelessly to take us from where we were to where we are today as far as the East African Community and cooperation is concerned.

Having said that, Mr. Speaker, I would like to point out one point that we should all address ourselves to and be careful as we deliberate on our work. Apart from the Summit, we have other organs, Mr. Speaker, that form the East African Community. We have the Legislative Assembly, we have the Court of Appeal, and we have civil servants in partner states. Without the full commitment of all these organs, our work will not only be difficult, Mr. Speaker, but it might also be impossible to achieve. Therefore, one overriding factor that we must all remember and have in our minds is that we should not allow any other interests other than the indigenous interest to take precedence, if we are to survive, if we are to build a strong Community, and if we are to avoid the pitfalls that led to the collapse of the first East African Community in the past.

As our Treaty puts it down, we are here to build a strong Community, a customs union, a monetary union and political federation. This is for the development of our people, to remove them from the abject poverty that we are in now. Mr. Speaker, as we heard His Excellency the President of Uganda yesterday telling us, it is very clear and we must not minimize his words that we are not only poor but we are very backward. Why is it so? Why have we remained so backward?

His Excellency said, Mr. Speaker, even in countries where they have not experienced wars, why are those countries not better than those that have experienced continuous problems? It is surprising! But we are here to see that the past mistakes are not repeated, and we should build a foundation for the future that we will not repeat those mistakes and we should make sure that nobody else, even after us, would repeat these mistakes.

As we talk about these developments, I feel that we have ignored, if not forgotten completely, our children. In all our three countries in the East African Community, we have children in the streets of every town and city of our countries, children that we call 'street children' but these are our children. They did not fall from the sky, neither did they swim out of the Ocean. And these children, Mr. Speaker, have talents. They have many talents if they are given a chance, and they have a right like anyone of us to share in what we are trying to achieve and build.

I suggest that as we deliberate, we should take into consideration our children and build for them an infrastructure that can remove them from the streets. We should recognize their talents, we should build those talents, and we should give them education. We should give them the chance so that they can participate like the rest of us. They can be equal citizens and share what we are trying to build. Otherwise, Mr. Speaker, our exercise will be futile, if we have more and more of our children not participating and not sharing in that so-called 'national cake' or the 'East African Cake' in our case. We should

not build for our children; we should build with our children, Mr. Speaker.

Another very important issue that my colleagues have addressed, and I want to address is HIV/AIDS. HIV/AIDS is real and it is killing us. It is killing so many of us, and unfortunately it is destroying the most productive sector in our society. The sector that we need most in building the Community; in building the economies that we are thinking of; in building the infrastructure.

I think we must take this issue as a very serious one and see how we can educate our people and how we can solve the problem in the sense that, at least, the problem does not increase. We should stop it and we should try our level best to reverse it, so that we can achieve the goals that we are setting out to achieve, rather than sit and look in front of our eyes, Mr. Speaker, as we lose the most productive section of our society.

We are fighting and we are trying to form a union whereby we can trade freely, whereby our people can move freely, whereby we are one and we want to make sure that we are one. In so doing, Mr. Speaker, there is one danger that we should be aware of, and that is trading. When we talk of trading, trading can mean anything. We can trade in bananas, we can trade in oranges, we can trade in coffee, and we can trade in so many other things, but we should be very careful that we only trade in those commodities that are legal to trade in, Mr. Speaker, because even trading in drugs is trading. But do we need to trade in drugs? Do we need a Community where the trading of drugs is very free?

We have enough of those problems already in our Partner States. We have

had enough drugs pushed into our children and into the areas of our towns and cities; we have had enough of that. So, I think, Mr. Speaker that it is high time we all agree and say, "Enough is enough; 'no' to the drug barons, 'no' to the drug fate."

As much as we say no to drugs, we should also equally say no to terrorism in our region. We have had unfortunately the emergence of fundamental groups, extremist groups in our individual states and we all know about it. We have had terrorist acts in Kenya and in Tanzania; before they happened in the United States of America, we were the first victims. So, I think we know the effects of terrorism and what extremism can bring more than other people who claim to know better than us. I think we know better than them, and we should be in the forefront in fighting terrorism and we should not be told that we are fighting terrorism, so that we get aid, because we are not fighting terrorism to get aid! We are fighting terrorism because we are the first victims of terrorism. Terrorism is brought about by so many factors and apart from the terrorism that we are thinking of.

At the moment, we should also, Mr. Speaker, work towards a region that is peaceful. We should be peaceful and we should make sure that we maintain peace in the region and enhance peace with our neighbours and within ourselves, because insecurity in other countries, Mr. Speaker, will in the end lead to insecurity in our own region, and it is the same with terrorism.

If we allow that slowly to happen, Mr. Speaker, we shall not be getting any

investment; we shall not be able to develop our areas, we shall not be able to develop our countries simply because everybody will say, 'why should I put my money in areas where it is insecure, I am not sure of my investment even for one month or one year.' So, people will not come and invest with us, people will not trade with us simply because we shall be branded as insecure countries.

They will say, 'these people are fighting between themselves, let them sort out their own problems, even if those problems, Mr. Speaker, are brought about by the same people who tell us they do not want to invest. But it is our duty to clean our house and then we shall know the friends and the enemies of our region and of our people. But if we do not do that, we cannot start complaining that our enemies are from outside. It is very easy for them to come and tell us, 'No, we are not your enemies; you are the enemies of yourselves'; that is what we are being told everyday, Mr. Speaker.

I would now like to direct my address to the way forward for the Community. I am particularly interested in the field of trade and transport. Modern science has transformed transport. Transport in the good old days was a very difficult and tedious thing. People used to be transported on donkeys, camels, etc. But modern technology and science has gone so far that transport has been revolutionized to the fact that it has made our people feel much closer.

I will give you a very good example; I drove from Mombasa to Kampala. I think that was unthinkable in the good old days. It was unthinkable to come from Mombasa to Kampala or if you

came, then it would take you months, if not maybe a whole year. I drove from Mombasa to Kampala in two days because I decided to rest in Nairobi, but I was here fresh in the evening and I attended the first session yesterday. So, that is how transport has transformed itself.

But for transport to be developed we need a very strong infrastructure. Unfortunately, by and large our countries do not have the very strong infrastructure. That is what we are lacking very much, and if we are not lacking, we are in the primary stage as per now.

What I would like to suggest, Mr. Speaker, is that to invest in the infrastructure and in transportation systems, we need a lot of capital. It is a capital-intensive exercise and an individual country cannot do it alone. Even if we are going to be helped by outsiders, aid and whatever, but we cannot do that exercise alone because it is very big and it will take a sizeable percentage of the economy of a country just to do that.

We are very lucky that we are here to start the process of rebuilding a community. I would urge, Mr. Speaker, that in that cooperation, we include as a matter of urgency that we develop our infrastructure, especially in the transport sector, jointly rather than individually.

In South America, there is a fish called *piranha*. I think all of you have heard about that fish. That fish is so dangerous that when anything falls into the water, any flesh - human or otherwise, it devours that flesh in seconds, if not minutes. We think that that fish is very

dangerous, the *piranha*, but I think we have a more dangerous thing, more than that fish and that is the effects of lack of information. It is said that information is power and lack of it, I would say, is worse than the *piranha*. Our countries are blessed. We have beautiful countries, fertile land, natural resources, fantastic people, people who are not lazy, but are hardworking people. Although we languish in poverty, we are very hardworking people. But our biggest problem is lack of information. This region is not being sold outside; nobody knows about us, and those who do, they know us so negatively, and that is not worth knowing.

There are some people, Mr. Speaker, who still think that we live on trees and we eat fruits and roots. There are people in this world, I am sure my hon. colleagues will agree with me, who do not even know that we have cities, we have houses and we live in houses with electricity and we own something called a television!

In our efforts in building our region, in building our people, in building the human resource, this rich human resource that we have, I would urge our brothers and sisters in the mass media to help us very much in giving out that information to outsiders, to those people whom we need to co-operate with and to work with. I will not say, 'to those people whom we need to help us' because I do not like the notion of help, the notion that all our hands are out and we are begging. We may be doing it right now, but it is not a good thing. It is something that is evil. So, it is those people that we need to work together with to build our region, to do business

with, to trade with, to call upon to come and invest in our region.

And when I talk of investment, I am a very strong believer and proponent of foreign investment, yes, but with local participation - (*Applause*). I do not believe in foreign investment just for the sake of it. We have seen all along these investments coming to our countries. They come to reap here, to loot, to take everything, and to hoodwink us that they are employing our people, even if it is not on a permanent basis, but people are employed. They go to work every morning and come back home in the evening, and the capital, the profit and everything, even our own hard work and sweat, is repatriated outside. I do not call that investment!

As I said, we need our brothers and sisters in the media to help us propagate this message outside. Let the outside world know that we exist, and we are honourable, and we have respect, and we are human beings equal to any other.

As we know, in the Treaty we are working towards a customs union, a monetary union and federation. As we move towards the Custom Union, our first effort will be to remove all the internal tariffs so that we really come at zero tariffs internally, and a common tariff regime externally. That is our goal, and we needed to do it yesterday. But it is easier said than done.

Some of our individual countries will have a comparative advantage over others in that endeavour, but that should not be a limitation, that should not be a hurdle. We should take a lead and see how to do it in the best interest of the region, and sacrifice a little bit in the

losses that individual countries might incur in the short period, which is very common. It can happen, but that should not stop us from that goal. And in that endeavour, we should start with a reduction of tariffs. We go by a reduction of tariffs, to a point where we reach the zero-rate regime.

As we heard yesterday from His Excellency, President Yoweri Museveni, the colonial powers gave us independence not because they liked it. Once we achieved that independence, they then quickly formed unions to access bigger markets, because that was their aim for colonising. Their aim was markets and resources. Once they lost them, they did not end there. These are people who think 25 hours a day! They may only have 24 hours in a day, Mr. Speaker, but they think 25 hours a day. And we think maybe only 1 or 2 hours in a day, unfortunately. When they formed unions and they clustered themselves together, they survived. We should do the same, and this is exactly why we are here, to do that.

But having understood the importance of doing that, we should also remember that these same people that we forced out of our countries are not going to sit back there and look at us form unions, the East African Community, COMESA, etc., and benefit and reap the benefits. Do not think they will be just sitting there and clapping for us, and saying 'good luck to you!' They will not do that! They will work tirelessly to see that we do not achieve our goals in one way or the other. And we know very well how they do it, and what avenues they use to do that.

First of all, to safeguard ourselves, not only should we also form unions, customs unions, political federations, but we should also tackle one very big problem that we have, we should all agree to have a zero tolerance to corruption. Our main problem is corruption. For a very small price, we are ready to sell a whole generation, and that is very dangerous. That is why some of these people believe that every man has a price, and they know that ours is very low, unfortunately - *(Interruption)*.

**The Speaker:** Hon. Members, the hon. Mohammed Zubedi will have to appeal to those who do not fully utilise their minutes, so that he can take some of their minutes. And that can only be done if we change our rules. So, you could start the process of changing the rules where one can apply for the minutes. I now call upon hon. Abdirahim Abdi.

**Mr. Abdirahim Abdi (Kenya):** Thank you, Mr. Speaker. It is my profound honour and pleasure to join you today in what marks another time in our commitment to build a greater East African Community. May I first congratulate you, Mr. Speaker, on your election to the Chair, and myself and my fellow colleagues on their election to the East African Legislative Assembly!

I would also like to begin by extending my sincere appreciation to the East African Community Secretary General for having worked tirelessly to see through the first development strategy that formed the basis for the establishment of the East African Community. This, however, would not have been possible without the normal support from the individual heads of the partner states, the Governments and their

unique people. Their commitment was evident yesterday when His Excellency President Museveni spent part of the day with us. I think his political people were having a hard time yesterday trying to change his schedule so that they could at least make something out of it. For that I say, 'thank you very much'.

I would like to dwell more on trade. If we want to make a better East Africa for our people, we have to talk of money and trade. The emergence of East Africa today has come about when there is globalisation and liberalism. This carries with it a lot of risks and far-ranging opportunities. To benefit from globalisation in terms of economic growth and access to new world markets, the East African Community will have to convert to the new global trends governing market opportunities by high level technical preparedness and competence.

A prerequisite to integrate in global markets and to attract foreign investment and to generate competitive goods and services and easy access to information and prompt decision, is education. The East African Community will thus have to dig deep into a blessed pearl of brains to realise our development agenda. The development strategy will require the implementation of appropriate institutional frameworks, re-building our infrastructure and basic industries, removing trade barriers and investing in research for the unknown through micro-finance enterprises and above all, education.

The challenges we face in our contemporary society will be how to make the social, economic benefits, how to weigh the political price that will have to be paid. East Africa must not be

allowed to be the single net producer and exporter of ignorance, poverty, refugees, and illiteracy and under-development - (*Applause*). Big flows of external private and public investment in Africa will only materialise where projects are profitable, and it is easy to do business. This will also enhance efficiency and our domestic regional economy.

Most of the hon. Members have already talked about AIDS. If we have a regional assembly or regional union, the market is there but we do not have any people because they have all died of Aids, it is not going to help anything. So, we have to de-stigmatise AIDS, we have to educate the people. We all talked of AIDS but we never talked of malaria or Ebola, which we do not know where it came from and other waterborne diseases. The establishment of the East African Community opens different frontiers for our people to co-operate in prevention and cure. Only then can we say we have done any tangible progress.

Opening up of a customs union as a pillar towards a greater East African Community brings about the diverse range of forces affecting the global village today. The drastic results of conflicting forces in our Customs policies to East Africa is the likelihood for further decrease in foreign investment inflows in East Africa for the next four years.

Additionally, formulation, articulation and implementation of legislation to harmonise our trade practices will increase investment flows. This will serve as an assurance to investors while also eliminating uncertainties of our trade and commerce policies.

With this in mind, we have to look at the rising political changes in Somalia, in the Sudan, the Great Lakes Region, Ethiopia - conflict, cattle rustling within our borders. This will no doubt dampen growth, and it calls for collective action to safeguard peace, security in our surrounding environment. We may share in the determination to end conflicts in our environment. As President Museveni said, it is a game of numbers. Our potential ITAF trade partners do lie in these forests of conflict zones.

The Customs Union will harmonise an individual partner state's tariffs. This will mean it will be easier for our people to trade with each other, exploit the entire African regional trade, whereby products can reach the customer or the retailer or the end user at the earliest possible time from point of time and production. We can have someone from Kisumu open a kiosk in Arusha without any problems, by producing only his identity card where he is an East African and he will not be asked anything. Until that happens, we are not doing anything.

We should have free movement, like we have already talked about. We stayed for two hours at the border the other day when we were crossing over to Uganda. We said we are "*wasimoshi*." They asked, "*Wasimo ya nini?*" (*Laughter*) "*Toa vitu.*" So, if we had that problem, what about the common *wananchi*?

We should also strive to promote the East African passport so that we can travel globally. Right now I think, I do not know, Uganda was on strike to get it. I think it is out of stock. You will not get it and they tell us that people do not like it. I do not know whether there is something that we do not know, but we should look at that as well.

*Mwalimu Nyerere once said, "If development is to increase the people's freedom, it must be developed for the people. It must serve them and their interests. Every proposal must be judged by the criteria of whether it serves the purpose of development, and the purpose of development is the people" (Applause).*

It is my conviction that with harmonisation of our trade, tariff charges will also be attracting foreign investment into the region. This is in line with *Mwalimu's* vision of development for the people. The days of balancing our budget deficit with donor funding will soon be over. I have no doubt that proper legislation towards such a venture should be adequately debated and implemented at a regional Assembly level. Once again, I wish to repeat my call for an urgent, yet conservative approach, to a give-and-take ideal as we try to meet the ideals of *Mwalimu Nyerere* when he made this statement.

I am aware no great battle has been won on one day. By this I mean, in order to make meaningful progress for the mutual benefit of our people, conditions are going to have to change to the extent that our common customs union will stimulate our indigenous Africans to see the bigger, brighter and profitable business opportunities, take advantage of them, and demonstrate the exercise of management of the same.

People should become more productive to be able to produce and retain the investments and reinvest the proceeds and endeavours in the region. If the opportunities are attractive, foreign investment will filter in and will generate that same kind of positive result in East Africa.

I have a small comment, Mr. Speaker. I would like to thank the Ugandan Parliament for allowing us to use their facilities and their Chamber. I would also like to thank the Ugandan Members of the Legislative Assembly who hosted us very well, and I would like to say that when they come to Kenya, we will 'revenge'! Thank you.

**The Speaker:** On that note, we end the list for this afternoon, but before I adjourn this House, I have three announcements to make.

As you all recall, we have been invited to participate in what they call the 'groundbreaking ceremony' of the hydro power station in Jinja on Thursday. The House Business Committee deliberated on that invitation and decided that it would not be convenient for the whole House to attend that ceremony. They appointed a delegation of three Members of this House to attend that ceremony on our behalf, and that delegation includes Hon. Hamid Mahfoudha Alley, Hon. Baker Ddudu, and Hon. Calista Mwatel. The Committee also decided that hon. Calista Mwatel will be the leader of the delegation.

**Mr. Mwatela:** Mr. Speaker, with all due respect, I expected to get the notice before, but thank you very much.

**The Speaker:** But I do believe that if it is a surprise, then it should be a good surprise.

Secondly, I want to remind the House Business Committee Members that there will be a meeting tomorrow, immediately after we have adjourned the House Business in the evening, at the same place. Whatever time we will

adjourn, we will immediately meet for a reason that is known to the Members of that Committee.

Thirdly, the list for the sitting tomorrow morning will be as follows:

Hon. Calist Mwatela  
 Hon. Sarah Bagalaaliwo  
 Hon. Hamid Mahfoudha Alley  
 Hon. Baker Ddudu  
 Lt. Gen. Adan Abdullahi  
 Hon. Daniel Wandera Ogalo

That is for the morning sitting tomorrow. With that, I adjourn this House until tomorrow morning at 9 O'clock.

*(The Assembly rose at 5.58 p.m. and adjourned until Wednesday, 23 January 2002 at 9.00 a.m.)*