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EAST AFRICAN LEGISLATIVE ASSEMBLY

EALA COMMISSION

FIFTH BI-ANNUAL REPORT OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY COMMISSION FOR THE PERIOD JULY-DECEMBER 2014

(PURSUANT TO SECTION 19 OF THE ADMINISTRATION OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY ACT 2012)

CLERK'S CHAMBERS, EAC HEADQUARTERS, EALA WING, 3RD FLOOR, **ARUSHA** UNITED REPUBLIC OF TANZANIA

FEBRUARY 2015

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1.0 INTRODUCTION

Section 3 of the Administration of the East African Legislative Act 2012, which came into force on 6th July 2012, establishes a Commission known as the East African Legislative Assembly Commission (The Commission). The same section further provides for the composition of the Commission as follows: "The Commission shall be composed of the Speaker, the Chairperson of the Council who shall be an ex-officio Member and two Members of the Assembly from each Partner State, elected by the Assembly". The Speaker is the Chairperson and the Clerk is the Secretary to the Commission.

Upon swearing in of the 3rd Assembly on 6th June 2012, the Act had not come into force. The functions of the Commission where thus performed by the House Business Committee (HBC) until a formal Resolution of the House adopted on 13th September 2012 elected/transformed the House Business Committee into the Commission.

In accordance with the provisions of Section 5(2) of the Administration of EALA Act, 2012, a Member of the Commission shall hold office for a period of 2½ years and shall be eligible for re-election. The election of the new Commission will be due in January 2015.

The Commission was comprised of:

Rt. Hon. Margaret Nantongo Zziwa
 Chairperson of EAC Council of Ministers
 Ex-officio Member

3. Hon. Patricia M. Hajabakiga
4. Hon. Christophe Bazivamo
Member
Member

5. Hon. Jeremie Ngendakumana - Member

6. Hon, Hafsa Mossi - Member

7. Hon. Nusura Tiperu - Member

8. Hon. Mike Kennedy Sebalu - Member

9. Hon. Adam O. Kimbisa - Member

10. Hon. Shy-Rose Bhanji
11. Hon. Mumbi Ng'aru
Member
Member

12. Hon. Abubakar Ogle - Member

2.0 BACKGROUND

Section 19 of the Act provides that the Commission shall submit to the Assembly bi-annual reports on activities and operations of the Commission, which shall include other information as the Assembly may request.

The functions of the Commission, the basis upon which this report is made, as stipulated in section 4 of the Act are as follows; The Commission shall:-

- (a) manage, organize the business and programmes of the Assembly;
- (b) nominate Members of Standing and other Committees;
- (c) make recommendations to the Council on terms and conditions of service of Members of the Assembly;
- (d) recommend to the Council the appointment of the Clerk and other officers of the Assembly;
- (e) make recommendations to the Council on salaries and other terms and conditions of service of the Clerk and other officers of the Assembly;
- (f) make recommendations to the Council on appointment, promotion and exercise of disciplinary control over officers and other staff of the Assembly;
- (g) cause to be prepared in each financial year estimates of revenue and expenditure for the Assembly for the next financial year;
- (h) recommend to the Council, Staff Rules and Regulations on the staff of the Assembly; and
- (i) perform such other functions as may be necessary for the wellbeing of the Members and staff of the Assembly so as to ensure the effective and efficient functioning of the Assembly.

The Commission has since its inauguration so far tabled five reports. The 1st bi-annual report covered the period June - December 2012 which was tabled in the House in Bujumbura, Burundi on 31st January 2013. The main highlights of this report were as follows:

- i. Adoption of annual workplan for the FY 2012/2013
- ii. Undertook Induction and Capacity building workshops for Members
- iii. Inauguration and relocation to the new EAC Headquarters
- iv. Participated in the retreat of the Summit of EAC Heads of State on infrastructure development in the region.
- v. Adoption of EALA priorities for the FY 2013/2014
- vi. Organization of the EAC Inter-Parliamentary games tournament in December 2012, Nairobi, Kenya.

The Second Bi-annual report of the Commission covered the period January – June 2013 which was tabled in the House in Bujumbura, Burundi on 31st October 2013. The main highlights of this report were as follows:

- i. Adoption of the annual revised Calendar of EALA activities for the FY 2012/2013
- ii. Organized three Plenary meetings in Partner States

- iii. Finalized the preparation of the EALA Strategic Plan which was launched on 22nd October 2013 by H.E. Pierre Nkurunziza, President of the Republic of Burundi.
- iv. Enacted four Bills namely:
 - (a) The EAC One Stop Border Post Bill
 - (b) The EAC Vehicle Load Control Bill
 - (c) The EAC Supplementary Appropriation Bill
 - (d) The EAC Community Appropriation Bill
- v. Organized the 7th Inter-Parliamentary Relations Seminar (Nanyuki VII)
- vi. Approval of the EAC Budget for FY 2013/2014, including an increment in days of Plenary and Committee meetings.

The Third Bi-annual report of the Commission covered the period July – December 2013 and was tabled in the House in Kampala, Uganda on 31st January 2014. The main highlights of this report were as follows:

- (i) Adoption of the annual Calendar of EALA activities for the FY 2013/2014
- (ii) Organized three Plenary meetings, one in Partner States and two in Arusha
- (iii) Enacted the EAC Holidays Bill, 2013

The Fourth Bi-annual report of the Commission covered the period January – June 2014 was tabled to the House in Dar-Es-Salaam, Tanzania on 4th September 2014. The main highlights of this report were as follows:

- (i) Mid-Term review of annual Calendar of EALA activities for the FY 2013/2014
- (ii) Organized three Plenary meetings, one in Partner States and two in Arusha
- (iii) Enacted three Bills namely:
 - (a) The East African Community Supplementary Appropriation Bill, 2014
 - (b) The East African Community Appropriation Bill, 2014
 - (c) The East African Community Supplementary Appropriation Bill (No 2), 2014

This is the Fifth Bi-annual report of the Commission and it covers the period July - December 2014.



3.0 ACTIVITIES AND OPERATIONS OF THE COMMISSION

3.1. Management and organization of Business and Programmes of the Assembly

3.1.1 Planning Meeting for EALA Calendar of activities convened

The Commission and Chairperson of Committees met from July 13th - 17th, 2014 in Arusha to plan for EALA activities for the FY 2014/2015.

Committee and Plenary activities

The Commission noted that not all the activities for Plenary were undertaken as planned due to protracted process of removal of the Speaker from office. All Committees had undertaken their activities and had prepared their reports for tabling to the House.

The Commission commended the respective Committees for their dedication and commitment to duty.

The Committee recommends that there is need to allocate more time and funds to Committees to enable them generate sufficient work for plenary.

A number of challenges were however noted in the process of implementation of the work plan and operations of the Commission as shown below:

- 1. The activities of the Commission were hampered by the leadership issues obtaining at that time. A lot of time and effort was spent on trying to resolve the leadership challenges at the expense of other important matters.
- 2. The atmosphere in the Commission was not cordial for most of the period under review.

With regard to plenary activities, the Commission would like to express their sincere gratitude to the Rt. Hon. Speakers and the Parliaments of Partner States for their unwavering support to the Assembly which enabled it to successfully hold sittings in the Chambers of their respective Parliaments.

The Commission's appreciation also goes to the Ministries of EAC Affairs for their continued support in the coordination of Committees and other meetings in Partner States.

(Matrix of implementation status for the period of July - December, 2014, attached as Annex I)

3.1.2 Annual Planning Workshop

The Commission and Committee Chairpersons met from 13th - 17th July 2014 in Arusha to allocate activities to Committees as per the EAC budget, AWEPA and TMEA funds; allocate specific dates to Committees within the period set aside for Committees; and to agree on certain principles regarding the use of the available resources. This culminated in the adoption of the annual calendar, on the basis of which the Assembly executed its mandate.

During this workshop the Commission noted the following challenges:

- Inadequate funds to finance all the priorities of the Assembly such as sensitization workshops, Kiswahili training and Live broadcasting of EALA Plenary meetings in Partner States.
- Inadequate time allocated for core activities of Committees.
- Dependence on donor funds for core committee activities such as public hearings on Bills and oversight activities.

The Commission recommends as follows:

- The Council of Ministers to allocate sufficient funds and time to the Assembly to be able to execute its mandate.
- The Council of Ministers to expedite the process of adoption of a new and more robust financing mechanism for the Community.
- All core activities of the Assembly should be financed by Partner States to safe guard the independence of the Assembly.
- Committees be allocated sufficient time and funds to execute their respective mandates
- All Committees should endeavor to conclude their reports of field visits within the time allocated for the visits. This will require the increase in time and budget allocated for these field visits.

(Annual Calendar for FY 2014/2015 attached as Annex II)

3.1.3 Team Building Workshop

The Commission organized a Team Building Workshop for Members of the EALA Commission which was held in Arusha, Tanzania from 13th - 14th July 2014.

3.1.4 Plenary Meetings

In the period under review, the Commission organized three Plenary Meetings as follows: 1st Meeting, 24th August - 5th September, 2014 in Dar-Es-Salaam, Tanzania; 2nd Meeting, 19th October - 2nd November in Kigali, Rwanda and 3rd Meeting from 16th Nov - 5th December 2014 in Nairobi, Kenya.

The main business transacted in the period was as follows;

(i) Reports adopted/Tabled

- (a) Report of the Committee on Accounts on the workshop on enhancement of Members' skills to appreciate audited Accounts
- (b) Report of the Committee on Agriculture, Tourism and Natural Resources on Regional Parliamentarian's Workshop on Climate Change.
- (c) Report of the Committee on General Purpose on the Capacity Building Workshop on the Legislative Process of Bills.
- (d) Report of the Committee on Regional Affairs and Conflict Resolutions and the African Leadership Centre Conference on East African Societies and Regional Security.
- (e) The EAC Annual Report for the period 2012/2013
- (f) Report of the Legal, Rules and Privileges Committee on the Capacity Building Workshop for the Legislative Process of Bills.
- (g) The 4th Bi-Annual Report of the EALA Commission

(ii) Resolutions adopted

- (a) Resolution congratulating Hon. Sam Kutesa on his election to preside over the United Nations General Assembly.
- (b) Resolution urging the United Nations System to include Disability issues in the post 2015 Millennium Development Goals (MDGs).

(iii) Questions asked

In the period under review, a total of 10 questions were asked on a number of wide ranging issues regarding the Community.

3.1.5 Attendance of the Meeting of the Summit of Heads of State

The Commission organized for the Assembly to attend the 16th Summit of EAC Head of States and 2nd Infrastructure Retreat which took place in Nairobi, Kenya from 29th - 30th November 2014.

4.0 OTHER ACTIVITIES OF THE COMMISSION

4.1 Outreach Programmes

The Commission organized outreach activities which were undertaken during the 1st Meeting of the 3rd Session in August 2014 in Dar-Es-Salaam, Tanzania. Members had an opportunity to interact with the officials of the IPP media and also had a study tour of Dar-Es-Salaam Port where they learnt on how the Port facilitates EAC trade and the implementation of a Single Customs Area. Members also had a study tour of an EAC Centre of Excellence in Bagamoyo, (Chuo Cha Sanaa).

4.2 Benchmarking visit to European Union

The Commission organized a five-day benchmarking visit to the European Union from October 7-12th, 2014. The delegation consisted of Members of the EALA Commission and the Chairpersons of the Committees. The objective of the benchmarking visit was for the EALA legislators to meet and exchange ideas with the Parliamentarians and key officials of the European Parliament and the European Commission respectively.

The European Parliament and EALA share some unique attributes in terms of similarities and differences. Only the EU Parliament and EALA have legislative powers that supersede national laws. However, the European Parliament has been in existence much longer and its MEPs are directly elected by universal suffrage.

Members had a useful learning experience on how the EP relates with the National legislatures in the area of legislation. They also had an insight on how the implementation of national laws vis-avis the European laws are done, a useful hint as the EAC prepares to become a Federation in future.

4.3 Inter-Parliamentary games tournament

The Commission organized the 2014 EAC Inter-Parliamentary Games which was the 4th event following the three events held in Kampala, Uganda in 2013, Nairobi, Kenya in 2012 and Bujumbura, Burundi in 2011. The 2014 tournament took place from 7th - 13th December 2014 in Arusha, Tanzania.

The 2014 EAC Inter-Parliamentary games were expanded beyond Netball and Football. They included Athletics and Tug-of-War and four National Assemblies/Parliaments of the EAC

Partner States (Burundi, Kenya, Uganda and Tanzania) participated. Uganda was the Winner in Football while in Netball, Tanzania took back the Trophy.

5.0 RESIGNATION OF COMMISSIONERS

During the period under review, (22nd October, 2014) five (5) Members of the Commission tendered in their resignations citing crisis of leadership that continued to impact negatively on the mandate of the Assembly and operations of the Commission; glaring flaws in the leadership and characters of the Chairperson; partisan and erratic rulings and undermining of the decisions of the Commission by the Chairperson.

The resignation of five Commissioners meant that the Commission could no longer exercise its functions due to lack of quorum.

6.0 CONCLUSION

The period under review marked the end of tenure of office of the Commission. The period was rather challenging due to the issues surrounding the leadership weaknesses attributed to the Speaker.

The Commission wished the new Commission success.





EALA ANNUAL WORK PLANS FOR PLENARY AND COMMITTEES FOR FINANCIAL YEAR 2014/2015

S/ N	MONTH	DATES	ACTIVITY	COMMITTEE	VENUE	REMARKS
1.	July	1 st	Independence Day, Burundi			Public Holiday
		4 th	Liberation Day, Rwanda			Public Holiday
		17 th - 25 th	Staff Performance contracting period		Arusha	
		13 th - 17 th	Planning Meeting	Commission/ Chairperson of Committees	Arusha	EALA/AWEPA
		29 th	Eid Al-Fitri			Public Holiday
2.	August	3 rd - 6 th	Organize training for Accounts Committee on Review of the Audit Commission Report on EAC Financial Statements	Accounts	Kigali	AWEPA
		6 th — 9 th	Workshop on the legislative process: from bill initiation to enactment and oversight on enacted law	General Purpose	TBC	AWEPA
		10 th 12 th	Conduct On spot Assessment between EALA/CASSOA/Private Sector and EAC Partner States on East African Civil Aviation	Communication, Trade and Investments	CASSOA Entebbe, Uganda	AWEPA
		13 th – 15 th	EAC Pre-Budget Conference	General Purpose	Arusha	EAC Secretariat
		17 th -20 th	Conduct a Workshop on "Waste Management and waste as a resource"	Agriculture, Tourism and Natural Resources	Nairobi	EAC Secretariat
		21 st – 23 rd	Capacity Bullding Workshop on water catchment and wetlands: existing policies in the EAC Partner States	Agriculture, Tourism and Natural Resources	Dar-es- Salaam	AWEPA

S/ N	MONTH	DATES	ACTIVITY	COMMITTEE	VENUE	REMARKS
		24 th	Plenary	All Members	Dar-es Salaam	1 st Meeting
		25 th - 29 th	29 th Council of Ministers	Key officers		
3.	September	5 th	Plenary	All Members	Dar-es Salaam	1 st Meeting
		7 th - 10 th	Organize training for Legal Rules and Privileges Committee	Legal, Rules and Privileges	TBC	AWEPA
		8 th - 14 th	Technical Exchange Learning visit of Partner States Inter- Parliamentary Forum on Sexual Reproductive Health and New Born Child Health Rights and SG's Forum	General Purpose	Kigali and Kampala	EAC Secretariat
		8 th -22 nd	Public Hearing on EAC Cooperative Societies' Bill	Agriculture, Tourism and Natural Resources	Partner States	EAFF
		22 nd - 27 th	Budget preparatory meetings	All Professional staff	Arusha	EAC Secretariat
		24 th -27 th	Review of the Peace Conference; Develop input on proposed AU Agenda 2063 & the UN post 2015 Agenda on peace & conflict resolution; engage with the DSG-PF Office on matters of mutual interest	Regional Affairs and Conflict Resolution	Arusha	AWEPA
		28 th	Conduct an oversight activity on the	Communication, Trade and	Partner States	EALA
4.	October	2 nd	Implementation of the single customs territory to improve business environment in the EAC region	Investments	(Central Corridor)	
		4 th	Eid Al-Adha			
		5 th – 17 th	Hold a meeting to consider EAC Audited Accounts for the year ended 30 th June 2013	Accounts	Arusha	EALA

S/ N	MONTH	DATES	ACTIVITY	COMMITTEE	VENUE	REMARKS
		6 th 8 th	MDG Activity	General Purpose	ТВС	AWEPA
		7 th - 11 th	Benchmarking tour to EU Parliament	Commission/ Committee Chairpersons	EU Parliament Brussels	WFD/AWEPA/ EALA
		6 th - 10 th	MTEF Preparations	Clerk/DC/Acct		EAC Secretariat
		9 th	Independence Day, Uganda			Public Holiday
		12 th - 16 th	131 st IPU		Geneva	
		13 th -18 th	Conduct a study tour on Fish and Fisheries sub- sector in the EAC Region	Agriculture, Tourism and Natural Resources	ТВС	TBC
		19 th - 30 th	Plenary	All Members	Kigali	2 nd Meeting
		31 st	Nanyuki VIII	All Members	Kigali	
5.	November	2 nd	Nanyuki VIII	All Members	Kigali	
		4 th - 8 th	Hold consultative meetings with Bar Associations to consider Bills	Legal, Rules and Privileges	Partner States	EALA
		5 th - 7 th	7 th Ordinary Meeting of the EAC Inter- Parliamentary Forum on Health, Population and Development (EA- IPF-HPD)	General Purpose	ТВС	Secretariat
		11 th - 15 th	Regional Workshop on Role of Parliaments in promoting Peace & Preventing Conflict, promoting equity, fair sharing of resources, benefits as well as addressing inequality	Regional Affairs and Conflict Resolution	Nairobi	EALA
		13 th – 16 th	Retreat of Commission and LRP Committee Members with EAC Ministers and Attorneys General	Commission	Nairobi	TBC
		16 th - 30 th	30 th Council of Ministers and 15 th Summit			

S/ N	MONTH	DATES	ACTIVITY	COMMITTEE	VENUE	REMARKS
		16 th	Plenary	All Members	Nairobi	3 rd Meeting
6.	December	5 th	Plenary	All Members	Nairobi	3 rd Meeting
		7 th -14 th	Inter-parliamentary Games	Team Players	Arusha	
	4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	12 th	Independence Day, Kenya		1	Public Holiday
		14 th — 16 th	Activity on Rules of Procedure	All Members	TBC	WFD (Discussions to be held with WFD about possibility of holding the activity earlier than December)
		16 th – 19 th	Capacity Building of EALA Women Forum on Climate Change	GP and ATNR Women Members	ТВС	COMESA/ USAID
7.	January	4 th	Christmas/End of year Break			
		5 th – 9 th	Conduct on-spot assessment to the LVWATSAN Project implementation	Agriculture, Tourism and Natural Resources	Partner States	EALA
		14 th – 17 th	Mid Term Review of the Legislative Calendar	Commission	Arusha	
		18 th -30 th	Plenary	All Members	Kampala	4 th Meeting
8.	February	3 rd -6 th	Undertake public hearings and field visits to assess how poaching is carried up in the EAC Region	Agriculture, Tourism and	TBC	ТВС
		8 th — 12 th	Benchmarking Tour to the Economic Community of West African States (ECOWAS) to establish working relationship with relevant committee (s) dealing with Peace and Security matters	Regional Affairs and Conflict Resolution	Abuja, Nigeria	EALA

,S/ N	MONTH	DATES	ACTIVITY	COMMITTEE	VENUE	REMARKS
		15 th — 19 th	Conduct an On-Spot Assessment of the Internal Audit Systems of the LVBC including Projects and Programmes affiliated thereto	Accounts	Kisumu	EALA
		22 nd – 26 th	Oversight activity on the implementation of Policy Framework and Policies on child rights in partner states	General Purpose	ТВС	EALA
		20 th - 28 th	Budget Process in Council	All Professional Staff		
9.		23 rd – 25 th	Meeting on Monitoring and Evaluation Framework for Committee Oversight	Commission (Sub - Committee)	ТВС	WFD/AWEPA
		25 th - 28 th	Sensitization Activity	All Members	TBC	EALA
10.	March	1 st - 5 th	Undertake a Public Hearing with stakeholders on the EAC Electronic transaction Bill, 2014	Communication, Trade and Investments	Partner States	EALA
		8 th — 15 th	Consideration of the EAC Annual Report 2012/2013 and two Bills: The EAC Creative Industries Bill, 2014 and the EAC PWDS Bill, 2014	General Purpose	Arusha	EALA
		15 th -27 th	Plenary	All Members	Bujumbur a	5 th Meeting
		28 th	132 nd IPU	Nominated	Vietnam	
11.	April	1 st		Members		
		$3^{rd} - 5^{th}$ $12^{th} - 16^{th}$	Easter Holidays Convene a Committee	Agriculturo		
			meeting to consider the Bill on Forestry Management and Conservation/Protection	Agriculture, Tourism and Natural Resources	Arusha	EALA
		19 th – 23 rd	Conduct an On-Spot Assessment of	Legal, Rules and	ТВС	EALA

,S/ N	MONTH	DATES	ACTIVITY	COMMITTEE	VENUE	REMARKS
			implementation of EAC laws in Partner States.	Privileges		
		13 th - 20 th	Summit, Council and Related Meetings			
		26 th	Union Day, Tanzania			Public Holiday
A Commission of the Commission		27 th – 30 th	Annual Consultative Meeting on the EAC Parliamentary Action on Trade Policy in the EAC	Communication, Trade and Investments	ТВС	TBC
12.	Мау	1 st	Labor Day			Public Holiday
		10 th - 21 st	Consideration of the EAC Budget Estimates on Expenditure and Revenue for the FY 2015/2016	General Purpose	Arusha	EALA
		21 st – 23 rd	End of Year Review and Annual Legislative Calendar 2015/2016	Commission	Arusha	EALA
		24 th	Plenary	All Members	Arusha	6 th Meeting
13.	June	5 th	Plenary	All Members	Arusha	6 th Meeting
		8 th - 12 th	Workshop arising from decisions of the Summit on matters related to Political Federation, Monetary Union, or any other related to the Strategic	All Members	ТВС	TBC
			related to the Strategic plan			

ACTIVITIES TO BE CONSIDERED AT MID-TERM REVIEW MEETING:

- A. Capacity building for the Commission and all New Chairpersons of Committees to be Undertaken by EALA,
- B. EAC Election Observer Missions/Delegation,
- C. Possible Joint meeting between Committees on CTI and LRP on the East African Joint Trade Negotiation Bill (TBC).