



The East African



< END OF AN ERROR?
How Blaise Compaoré over-estimated his own cleverness
Pages 8-9

NOVEMBER 1-7, 2014
theeastafrican.co.ke

RISE UP, ALL YE POOR >
Inequality is undermining
democracy in Africa; the poor
must claim their rights Page 19

No. 1044

TANZANIA SH1700 KENYA SH100 RWANDA RWF900 UGANDA SH2700 BURUNDI BIF2000

HOUSE OF SQUABBLES

Paralysis at EALA as members bicker over removal of Speaker



EAC Secretary-General says he will give the Secretariat's position on the matter at the Heads of State Summit due this month

FULL REPORT, PAGE 11



EALA members risk premature exit as squabbles paralyse House

A JOINT REPORT
The EastAfrican

THE PROTRACTED fight to oust the Speaker has paralysed operations at the East African Legislative Assembly and stalled crucial legislation designed to take the region's integration agenda forward. The paralysis means the House cannot conduct its usual business. "This means the MPs will not be able to debate Bills or run the usual activities of the House," said an official at the East African Community's Secretariat.

The matter is so grave that EAC Secretary-General Dr Richard Sezibera has said he will give the Secretariat's position on the Assembly at the next Heads of State Summit due this month. He said the Assembly was in limbo and needed guidance from other EAC organs.

The last time EALA discussed serious EAC matters was in June when it passed the EAC 2014/2015 Budget Bill. However, this was a Council of Ministers' Bill that only required approval by the House.

Amid the growing tensions and bickering, observers are beginning to question the relevance of the regional legislature.

"At this point, only the Heads of State Summit can come in to issue guidance to the assembly and redirect it into normalcy," Dr Venuste Karambizi, a university lecturer and political analyst, observed. "Otherwise, East Africans will start asking questions."

With the recent EALA sittings in Rwanda fresh on their minds, observers see hosting 45 MPs without any business being transacted as a waste of resources.

Both the first and second sessions were adjourned due to the bickering. The first was put off after members raised issues over a Brussels trip and camps for and against Speaker Margaret Zziwa traded insults. The second was adjourned on the last day of business owing to a quorum hitch.

The Assembly members are the highest paid in the region and second only to Nigeria in Africa.

Since January, when four major Bills were brought to the House, there has been no serious debate. One of the Bills, the East African Community Supplementary Appropriation Bill (2014), was a Council's Bill. It was debated and passed in August. The rest — the East African Community Co-operative Societies Bill (2014); East African Community Cross-Border Legal Practice Bill (2014); and the East African Community Integration (Education) Bill (2014) — are private.

The Co-operatives Bill seeks a legal framework for co-operative societies in line with the Treaty to strengthen the role of the private sector as an effective force for developing economies within the partner states. It was expected to go through the second and third readings in Kigali but did not, owing to the adjournment of the



The EALA in session in Kigali on October 28. Photo: Cyril Ndegeya

House.

"The other two Bills are still in their initial stages and there has been no much progress on them," the EAC official revealed.

The Cross-Border Legal Practice Bill seeks to operationalise Article 76 of the Treaty, which provides for free movement of labour, goods, services, capital and the rights to establishment. It also takes cognisance of the mutual recognition of the academic and professional qualifications.

The Education Bill provides for people-centredness and a market-driven economy.

Thirty-four of the 45 MPs have signed a petition to impeach Ms Zziwa in a vote of no confidence that she will not allow on the floor of the House. They are now seeking the intervention of the Summit and the Secretariat to restrain Ms Zziwa from holding office.

"The bottom line is an obtaining paralysis in EALA," said Kenyan EALA representative Abubakar Ogle. "I do not envisage resumption of business for as long as Margaret Zziwa insists that she is the Speaker against the wishes of the majority of MPs."

"Our internal mechanisms required to resolve the issue have failed because the rules of the House give so much power to the Speaker, who is the accused and is presiding over the matter."

Fred Mbidde, a EALA MP from Uganda, said he will move to the East African Court of Justice seeking the dissolution of the House.

"I will move to the EAC Court of Justice and petition that the House has been paralysed and cannot perform the functions stipulated by



Now only the Heads of State can issue guidance to the assembly and redirect it into normalcy"

Dr Venuste Karambizi, university don

the EAC Treaty and, accordingly, the Council of Ministers should be urged to prepare appropriate proposals for the Summit on how to deal with the matter and by way of proclamation dissolve the Assembly," said Mr Mbidde.

Another MP expressed the expectation that Uganda's President Yoweri Museveni will request Ms Zziwa to step down.

Former EALA member Catherine Kimura from Kenya said the squabbles were a concern as they seem to be at the personal level rather than over differences on principle. She said: "The members should focus on debating regional matters in the House and resolve the other issues in the committees before they are brought to the floor of the House."

Discontent with the Speaker has prompted the resignation of five members of the EALA Commission and four chairpersons of Standing Committees of the House.

"The resignation of the Commission, the highest policy making organ of the Assembly, means the House cannot conduct its usual business," noted Mr Abubakar. "In its absence, no calendar and/or activities of the House can proceed."

"Such a decision will have to be approved by the whole House."

"The resignation of the chairs of the Standing Committees of the House also portends a virtual crisis in the operations of the committee works that should be feeding into the plenary business."

He, however, said a clear separation of powers between the executive, the legislature and the judiciary would ensure those accused of corruption, mismanagement and misconduct are held accountable.

But the Speaker insists she will only step down if due process is followed in asking her to do so.

Said Ms Zziwa: "We have rules governing the House and I will follow them since they are not my own. It's unfortunate that members want to debate a report that is not even there."

By Christabel Ligami and Edmund Kagire