**Disclaimer:** *The electronic version of the Official Report of the proceedings of Parliament (Hansard) is for information purposes only. A certified version of this Report can be obtained from the Office of the Clerk to Parliament.*

****

**Thursday, 2 May 2019**

*Parliament met at 2.04 p.m. in Parliament House, Kampala.*

PRAYERS

*(The Speaker, Mr Jacob Oulanyah, in the Chair.)*

*The House was called to order.*

COMMUNICATION FROM THE CHAIR

**THE DEPUTY SPEAKER:** Honourable members, I welcome you to this sitting and I take this opportunity to inform you that your second last State of the Nation Address for the 10th Parliament will be held on the 6 June 2019 at 2.00 p.m. at Serena Hotel, Kampala.

That is when we will receive the statement from His Excellency, the President on the State of the Nation of Uganda. You know the rules demand that we should all be there. That means that the second last session of the 10th Parliament will commence on that day.

I received notification from hon. Nandala-Mafabi, who has now become the Chairperson of the Committee on Public Accounts that the reports that we adopted on the report of the Auditor-General 2016/2017 were only on 23 entities out of 159. He said that this shows that what was handled left out 136 agencies and he was inquiring on what they should do with this.

I was hoping that he would be here so that I can give my guidance on this matter. Since he is not here I will do it another day for him to listen on what can be done for these agencies that have not been acted upon. We shall work out how they can be handled or even whether they should be handled at all since we have already received the report for that financial year.

We have many Bills on the Order Paper, you can see that there two financial Bills - the Tax Procedures Code (Amendment) Bill, 2019 and the Income Tax (Amendment) Bill, 2019 have been put on business to follow because we will not be able to handle them today but next week. We should be able to finish both of them on Tuesday.

We had made some requests that the Minister of Finance, Planning and Economic Development provides some information in relation to the Tax Procedures Code (Amendment) Bill, 2019 that would enable us to finish.

On the Income Tax (Amendment) Bill, 2019, there are issues that we need to resolve because the time available to us that time was not sufficient for us to deal with those issues in detail and so, we will be dealing with them on Tuesday next week.

We have Bills that have been on the Order Paper as business to follow and today they are active. The National Graduate Scheme Bill by the honourable member for Bunya East should be ready now.

Let me put the committee on notice so that if they are not ready with this report next week, we shall proceed with this Bill without the report of the committee, just like we have done with the few Bills. This will help us make our numbers to add up and agree with what we had to do in this session of Parliament.

That also applies to the Cooperative Societies (Amendment) Bill, the Landlord and Tenant Bill. We shall proceed with these, with or without reports from the committees. We need these Bills concluded.

These other Bills – we have not had any update on the Law Revision Penalties in Criminal Matters, Miscellaneous (Amendment) Bill, 2015 by hon. Sseggona. We had sent it back for harmonisation because there were clauses that should have been removed but we have not seen any update on the amendments that are required so that we are able to handle it.

If by next week, this Bill is also not there, I will ask the Member to withdraw it and go back for redrafting. We do not want it to go into the next session of Parliament. If it is not ready, it should be formally withdrawn so that it can be brought back later.

The Administration of the Judiciary Bill is ready for handling. We will see if we can deal with it next week; members, you are put on notice.

The Kampala Capital City Authority (Amendment) Bill was sent back for discussions. We expected amendments from both Government and the side of the House that had some objections but to date, we have not received any amendments and it is now months.

If this Bill is not also ready for processing, it should not be clogging our Order Paper. They should withdraw it if they are not ready to proceed with it.

If they are, then they should bring those amendments so that we look at them and see how we can conclude it because it is slowing the operations of the authority, which should be doing work for the city.

That is for the Bills that are pending; we should be able to finish them. We do not want any of these Bills to move into the next session of Parliament. So, we have this remaining period to finish all of them as we wind up with the budget.

Honourable members, please, take note that is what is going to happen. I have seen the roads Bill on item 4 - I had an earlier engagement with the Minister of Works and Transport. He may want to say something.

2.13

**THE MINISTER OF STATE FOR WORKS AND TRANSPORT (WORKS) Gen. Katumba Wamala):** Thank you, very much, Mr Speaker. The minister requested for shelving this Bill today. She is unwell and yet, she specifically wanted to be present when the Bill is being read. She requested that we schedule it for next week.

**THE DEPUTY SPEAKER:** We can handle it on Tuesday. So, technically speaking, we do not have any Bill to handle today. We are hoping that if she is not well by Tuesday, she will have made arrangements for somebody else to take full charge of the handling of this Bill.

Let us proceed with business but I have Members who had some urgent matters to raise. I am going to use my prerogative to bring items 24 and 12 forward because they have impact on the budget.

One is motion for a resolution of Parliament urging Government to prioritise funding for the health sector. We will be discussing that motion now with the Committee on Budget listening in.

Also, there is the Motion for adoption of the report of the Committee on Government Assurances and implementation on the status of implementation of Government Assurances - we should be able to discuss and conclude those two reports today because they have implications on the budget. Thank you.

2.14

**MR APOLLO MASIKA (NRM, Bubulo County East, Namisindwa):** Thank you, Mr Speaker. I rise on a matter of national importance in my constituency. There is an area where landslides took place sometime back and many houses were destroyed. In addition, we have refugees who have been taking refuge in people’s houses and other areas.

We appealed to the Minister of Relief, Disaster Preparedness and Refugees who visited but up to now, nothing has been done. Recently, when it rained, water from the mountains swept all the bridges and now, the students who have been studying from across cannot cross the rivers. Whenever they see rain signs, they have to run back to their homes and the teachers cannot teach because of fear of being swept by water from the mountains.

Apart from that, farmers’ have to move a distance of five more miles to Lwakhakha border to sell their produce because the bridges have been swept. Therefore, whatever they produce, the price has been increased because of the distance. This has caused a big inconvenience to the people of my area.

I appeal to the Minister of Works and Transport and Relief, Disaster Preparedness and Refugees to come and help my people. Thank you.

**THE DEPUTY SPEAKER:** Works, bridges have been swept away.

**GEN. KATUMBA WAMALA:** Mr Speaker, I would like to thank the Member of Parliament. It is the first time this is coming to our notice. We will compose a team to go and make the assessment and then make the necessary interventions.

2.18

**MR ISAAC ETUKA (NRM, Upper Madi County, Arua):** Thank you, Mr Speaker. I rise on a matter of urgent public assistance relating to the closure of two roads in Upper Madi County. The first one is the Ulepi- Offaka- Anyiribu Road which is closed because of a broken bridge which was constructed in 1958.

Since then, the timber on that bridge has not been rehabilitated and has caused the road to be closed. I beg to lay on Table a copy of the technical report that was given by the district engineer of Arua to close the road.

The second road that cannot be accessed by vehicles now is a security road which runs from Alivu, Baribu, Canya and joins Pawor. In 1996, when the West Nile Bank Front rebels came in Lali in Onyomu Parish, the UPDF took a lot of time to eliminate these rebels because there was no access to this part.

The President made several pledges from 2001 to ensure that this road is rehabilitated because it is the only road which connects Upper Madi to Lower Madi and it has a lot of forested area in between. Since then, this road has not been rehabilitated.

Mr Speaker, I pray that the Ministry of Works and Transport comes up with a clear plan of when this road is going to be worked on and particularly, the construction of the bridge.

At the moment, even the National Medical Stores got stuck in the process of distributing medicine to Offaka and other health centres. I pray that UNRA and Ministry of Works and Transport takes over this construction.

I beg to lay at Table a letter of reminder to the President on the unfulfilled pledge to construct the Alibu- Baribu- Kyanya and Pawor road. I beg to lay.

**THE DEPUTY SPEAKER:** Honourable minister.

2.20

**THE MINISTER OF STATE FOR WORKS AND TRANSPORT (WORKS) (Gen. Katumba Wamala):** Thank you, Mr Speaker. I will take note of the roads and the bridge the honourable member has talked about. I request that he gives me the copies of those documents so that we can go and do the necessary interventions. I will come back with response on what plans we have for these roads and bridges.

**THE DEPUTY SPEAKER:** Clerk, please, arrange copies for the Minister of those documents that have been laid.

2.21

**MR PETER LOKII (NRM, Kotido Municipality, Kotido):** Thank you, Mr Speaker. I rise on a matter of national importance regarding a killing by the police yesterday in Kotido. There is a tradition in Karamoja that when rains delay to come, women congregate to make their traditional prayers.

I think the police got misinformation and acted in such a way then they used live bullets to disperse the women and in the process, one woman was shoot dead.

There is tension currently in Lokitoleb Town Council where the incident occurred and people are now raising concerns. Is the police there to keep order? Does the police have free will to kill as and when they wish and the people would like to get a response.

The bereaved family is also asking me - what are they going to do in order to continue to sustain a living in their family? Besides, 18 other women are under detention. I would like to ask this Parliament to help us to ask Government to prevail over the brutality of the police. Thank you, Mr Speaker.

2.23

**THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Mr Obiga Kania):** Mr Speaker, I have just been informed of this incident of the killing of a lady that happened yesterday and the 18 people arrested according to the honourable member. We extend our condolences to the family. We will get the details of this incident of the killing and report in the next sitting. Thank you.

2.24

**MR IBRAHIM SSEMUJJU (FDC, Kira Municipality, Wakiso):** Thank you, Mr Speaker. I rise on matter of national importance relating to deteriorating media freedom in Uganda. Uganda has now been ranked as no. 125 out of a list of 180 countries. We have been moving from 101, 117 and we are now at 125 belonging to category four as categorised by Reporters without Borders an international organisation ranking media freedom.

Part of the reason we are ranked that way is because of the many things that happened last year including a tax on usage of social media, arrests and beating of journalists covering either demonstrations or responses to disagreements and most recently, the switching off of transmitters of various radio stations that were hosting FDC leaders.

Mr Speaker, to make matters worse because tomorrow is going to be the World Press Freedom Day, which will be celebrated by the United Nations and this time, the function will be in Addis Ababa. It is a UNESCO- UN function.

To make matters worse, as we approach the World Press Freedom Day, the Director of Uganda Communications Commission (UCC) has issued a draconian order to 13 radio stations to suspend senior journalists because they were covering the arrest of hon. Robert Kyagulanyi, the Member of Parliament for Kyadondo East live. Therefore, for covering that event, he wants 13 media stations, including NBS, the *Daily Monitor* and others, to suspend senior journalists.

This Parliament knows that tourism is now our main foreign exchange earner and you can only do it by repeatedly marketing your country. I think we now earn more than Shs 1.3 trillion, which is more than the money we earn from coffee and remittances by Ugandans working abroad.

The moment you have this negative coverage every day - I have just read a story on BBC today talking about this suspension by UCC. Even if you market your country every day, people who want to visit the country will check all these international websites to see which country is safe. A country that is battering journalists and switching off transmitters when people are speaking can only attract fortune hunters but not people who want to go for vacation.

The prayers I am seeking are:

1. For Government to come here and brief Parliament on steps taken or not taken to improve our ranking as a country. I had expected Government to brief Parliament on this today. We are now near Congo and near DRC and Rwanda, while Kenya and Tanzania are doing very well.
2. For Government to prevail over these overzealous Government employees like the one employed in UCC. They should stop issuing these crazy directives that are going to taint the image of our country and to reverse this particular one asking senior journalists to be suspended.
3. For the ministers responsible for police and security to prevail over and put very serious sanctions against individual actors who are soiling the image of our country. Images on the international media about journalists being beaten are very bad.

Thank you very much, Mr Speaker.

**THE DEPUTY SPEAKER:** The closest I can see is Dr Chris Baryomunsi. Being a regular media person and not in any other capacity, would you like to say something on this matter?

2.28

**THE MINISTER OF STATE FOR LANDS, HOUSING AND URBAN DEVELOPMENT (HOUSING) (Dr Chris Baryomunsi):** Thank you, Mr Speaker. I thank hon. Ssemujju for raising these matters. He has not told us who is doing the ranking but yes, we have media freedoms and the Government is committed to ensuring that we observe and respect these freedoms.

We also have institutions such as UCC that are mandated to do their work. If they have given out directives and guidelines, the persons affected, who feel that they have infringed on his or her rights, are free to go to court to challenge those directives by UCC - if for instance, they are given outside the law.

However, we do respect the rights of media practitioners and we should allow Government institutions *–(Interruption)*

**MR MUWANGA KIVUMBI:** Mr Speaker, I have utmost respect for Dr Baryomunsi, the Minister of State for Lands, Housing and Urban Development. I would have expected him not attempt to answer matters that are not in his docket on this Floor.

As representatives of the people and Parliament, more often, there is a firewall when matters of this nature come up. Our cardinal role as representatives is to voice those concerns. When a Member of Parliament raises a matter of this nature and all you are doing is to say, “Go to the courts of law” –

When we got sworn in, our role was to defend, uphold and protect the Constitution. If the UCC is abusing the law, I think it is within the mandate of this Parliament to make it accountable. In our oversight role, we even give it money. Therefore, we can hold it accountable.

Honourable minister, do not answer to the accusation before this Parliament. If you are not in position, may you, in your own way, request a substantive minister in that docket to come and make a statement, other than a haphazard one from this honourable minister.

Mr Speaker, are we proceeding well with the Minister of State for Lands, Housing and Urban Development giving us a haphazard answer to a question, which does not fall in his docket and he is not fully conversant with the matters at hand?

**THE DEPUTY SPEAKER:** Honourable members, the Members of Parliament seated at the Frontbench belong to an entity called, the “Cabinet”. They take decisions concerning all subjects in there. That is why we rely on any of them. If they have information, they give it to us and if they do not, they will pass the message and make the undertaking to the rightful people to come and respond.

What Dr Baryomunsi was trying to do was to say what he knew was the right thing to say but also, if there are other things that he was not conversant with, he would be able to pass it on to the right person.

On the specific issue of whether this Parliament is charged with responsibilities to interrogate the performance of institutions on their mandated functions, I have my doubts. If there is a violation by an entity of its mandate or excessive behaviour, I do not think that would fall squarely within Parliament’s mandate to deal with it.

If somebody has violated the law, it cannot be Parliament to correct it. Another institution of this Government would have to deal with it; and that usually are the courts of the law. If you are saying somebody has gone beyond the Constitution or the law, then Parliament is hardly your place to seek recourse. It would be the courts of law. We should have these responsibilities separated and we should respect them. That is what I would say on that issue.

**DR BARYOMUNSI:** Thank you very much, Mr Speaker. I had not yet finished my response before I was interrupted by my brother. First of all *–(Interruption)*

**MR NSEREKO:** Thank you very much for your wise ruling, Mr Speaker. When hon. Ssemujju rose up, it was in the spirit of our nation. We are relying so much on tourism and as a country facing negative publicity, let us just realise that we need this more than ever.

I remember at one time, hon. Ruhunda from Fort Portal talked about tourism and the importance of attracting tourists into our country. Therefore, scenarios like seeing Opposition leaders such as Dr Kiiza Besigye being dragged out of a talk show in Jinja, people being sprayed with tear-gas as a result –*(Interjections)*– he is not holding any rally on a radio station and he does not need authority. These images are awash in the international media.

We also visit and we want people to come to our country and promote tourism. Therefore, in a bi-partisan way, we urge the UCC and other entities to take softer measures. Let us talk to these people. We can do better as a united country, rather than using a strong arm all the time that taints our country in a different dimension. We all need Uganda but we can work together to make it much better instead of using might as opposed to negotiations and reasoning. That is my point.

**MR SSEMUJJU:** Mr Speaker, I take the minister’s statement –

**THE DEPUTY SPEAKER:** On what matter do you rise?

**MR SSEMUJJU:** I rise on a matter of clarification. The minister said that on matters like these we can go to court. I would like him to help and direct me to the court where Ugandan’s ranking on the index of media freedoms can be handled. I am asking this because I do not know which court is going to give a directive that our ranking should move from 135 to maybe 100. *(Laughter)* That is why I made specific prayers in the general and broad terms; I was minding about this country.

**DR BARYOMUNSI:** You asked the question and I am trying to respond but you are too anxious to respond to yourself. Mr Speaker, I began by thanking hon. Ssemujju for bringing the matter to the Floor of this Parliament. The first point I made was – because I have seen one of the letters from the UCC, particularly to NBS, where it said that they have breached some of the minimum broadcasting standards.

I said one of the remedies available to such media houses could be challenging those directives in the courts of law. If, for instance, UCC has given a directive, which is not in conformity with the law passed by Parliament, NBS or any media institution can challenge UCC in court. Otherwise, I do not think one can challenge that statement *–(Interjections)–* just hold on. I will give you time. We should allow institutions like UCC, which we have created, to do their work.

There are radio stations, for instance, in my area, which do not allow me to appear on their shows as a Government minister. We could ask the minister responsible for information to come and respond to some of these issues to do with media freedoms and how we are using the media space in Uganda.

However, as Government, we respect media freedoms. You did not tell us who is doing the ranking but in as far as we are concerned *–(Interruption)*

**MR KASIBANTE:** Thank you very much, honourable minister, for giving way. The minister has made reference to a letter to NBS television, UCC ordering suspension of some of its staff. In that letter UCC refers to one of its functions as “arbiter” and said it has got complaints from some sections of people, which it does not name.

The way I understand an arbiter is that when there is a complaint, you do not resolve that complaint before you listen to the parties involved.

There is a section of people, which is not named, that is complaining against NBS TV but before NBS is given a chance to explain itself, the order is for NBS to suspend some of its staff.

Mr Speaker, this Parliament has mandate to prevail over entities that it has created. We are not saying Ugandans are not committing offences but in this case, it is UCC, our own entity that is committing a crime. An arbiter can only have the two parties: the party that is complaining and the party against whom the complaint has been lodged. The arbiter should sit with the two parties before a resolution is made. It is UCC committing the offence by not listening to the other party. Thank you very much.

**DR BARYOMUNSI:** Mr Speaker, I think it is wrong for someone to come to the House and say UCC is committing a crime when probably he does not have the details. UCC said they received complaints - and I think they have reviewed some of the footage - and said, they are investigating NBS and other media houses for breach of minimum broadcasting standards. They said that in the meantime, they are taking these measures as they investigate. Therefore, why do you come here as a Member of Parliament and say, “UCC has committed a crime” when we gave that responsibility to UCC to regulate issues of broadcasting?

**MR WADRI:** Thank you, Mr Speaker. I would like to thank the minister for accepting this point of clarification. Uganda Communication Commission is a creation of this institution and it does not work in isolation. It is not an Alpha-and-Omega institution. It is represented in this House by the Minister in charge of Information Communication Technology.

In civil service regulations and practices, where a body answerable to Parliament, through a line ministry, has made administrative errors, there are processes of correcting it without necessarily going to courts of law. We all know that it is not easy to get justice in our court system today, not because there is laxity on the part of the judicial officers but because of the process that one has to go through before finally reaching agreed position by the temple of justice.

Don’t you think that with the directive that UCC has made, which has offended the interests of many out there, that instead of us going to court, you have an opportunity, as the minister responsible for that sector, to call the person in charge of UCC and be able to address this matter administratively? Can’t you use that avenue to revoke a decision that has been made by the director of UCC instead of pushing us to courts of law where we know it will take us some time get a verdict?

Don’t you think you are in a better position, as the minister responsible for that docket, to access and make it easier for the affected people to get justice?

**DR BARYOMUNSI:** First of all, I am not saying Members of Parliament should go to court. The point I made was that if a Government agency makes a directive, which in your opinion, as an institution, is against the law, you can challenge it.

Secondly, I also said I will relay this information to the minister responsible for information to make a statement on this matter next week so that he can brief Parliament on these incidents.

However, I still think it is wrong for us to start condemning UCC when it is this very Parliament, which gave UCC the responsibility to regulate issues of the media. They are saying that some of the broadcasts, especially the live broadcasts made by some of the media houses, breached minimum broadcasting standards and UCC has powers to take action. You are the one saying they have made administrative errors but in as far as we are concerned UCC is doing its work.

However, I will give this information to the minister responsible for information, who directly supervises UCC, to come and give us a statement in Parliament next week on what UCC is doing.

I think the issue hon. Nsereko raising is the need for us to handle these in a politically amicable manner. I agree with you and we have various platforms, where these can be discussed. One of them is the IPOD, which is currently very active and where the various political parties represented in this House are having engagements. These issues can be discussed in many other political platforms.

All of us should co-exist and we should be able to find space for each other; both the government’s party, NRM and the opposition political party. I, therefore, agree with you that we should be able to engage and find solutions to this.

However, when we give an opportunity to create this environment, it is not a license for government’s party or the opposition parties to break the law. If there are any situations where the law is breached, the responsible institutions of Government will do their work like UCC.

**MR KIVUMBI MUWANGA:** Mr Speaker, what is worrying the country is the information we have. Forget about the written information. The information that is going forward is, no radio station in this country should host Dr Kizza Besigye, Bobi Wine and a discussion of their fate or treatment should not ensue on any talk show or television station.

As the minister comes forward, we want him to specifically answer whether it is true or false. Otherwise, the media houses we have interacted with - I speak with some degree of authenticity. I regularly appear on several media talk-shows in this country. Any discussion that concerns the treatment of Bobi Wine, Dr Besigye or hosting of any of the two is banned. Can the minister come forth to provide this Parliament with that specific information? I thank you.

**DR BARYOMUNSI:** Thank you very much, Mr Speaker. Sometimes when the Minister of Information, Communication Technology and National Guidance is not around, I act for him.

I would like to say that, that kind of directive has not been issued by Government, unless if you have issued it from your side as the opposition. Dr Kizza Besigye, hon. Kyagulanyi or any other opposition leader have not been banned from appearing in public media.

I personally own a radio in Kanungu and I have not received such a directive –

**MR MWIJUKYE:** Thank you very much, Mr Speaker. Yesterday, FDC leaders were in Hoima. They paid Shs 1 million, for a programme at the radio station. At 8, when the programme was beginning, hon. Amuriat, the party president had started introducing the programme but police came and asked him to get out of the studio.

It is actually no longer about Dr Besigye and hon. Kyagulanyi. There are orders we do not know that so and so, can speak on radio and the other ones cannot.

Mr Speaker, this is a party president of a political party and this is coming after Jinja FM, another radio station in Mubende, Soroti and Kable. All we are saying is: Where are these orders coming from? Is it the police doing it by itself or it is the RDCS that are doing it without any order from the minister or UCC? We want to know where this is coming from.

As the minister, is it normal that when you are in a radio station, police comes and tells you, “Please, move out” and yet the money is not even returned to you –

**THE DEPUTY SPEAKER:** Did you rise on a point of order?

**MR MWIJUKYE:** The point of order is: Is the minister in order to mislead Parliament that such an order does not exist, when yesterday, the police did not allow the party president of FDC to address the people of Hoima on Liberty FM?

**THE DEPUTY SPEAKER:** Between me and hon. Mwijukye, we know that it was not a point of order. *(Laughter)* You could see how difficult it was for him to wave it back to the point of order. Honourable minister, you might want to respond to those issues.

**DR BARYOMUNSI:** Like I said earlier, Government has not issued any order or directive to stop any political leaders from appearing on radio or television. Sometimes, these incidences could be as a result of the media owners. The Member of Parliament from Hoima is whispering to me that it is not true that they even reached the radio; they were in the hotel.

The assurance you are getting from me is that no order has been given. As long as the people to be hosted are not breaching the broadcasting and media guidelines, there is no problem.

Like I have said, I happen to own a media station and I have not received any directive – *(Interruption)*

**MR WAMANGA-WAMAI:** Thank you very much, Mr Speaker. I expected Dr Baryomunsi and others to know that Uganda is a member of the international community; United Nations. As a member of the UN, you have got to follow what UN comes up with.

Hon. Ssemujju was very clear. What is happening in the country now has a very big effect on Uganda. If you are reading what is happening on international media: Aljazeera, BBC, CNN –

**THE DEPUTY SPEAKER:** Procedure.

**MR WAMANGA-WAMAI:** The procedural issue I am raising is whether Dr Baryomunsi is procedurally right to keep dwelling on UCC when hon. Ssemujju was very clear that this is an international issue. The day will be celebrated tomorrow and Uganda is being condemned; tourists are not coming here because of what is happening. Are you therefore, procedurally right to keep dwelling on UCC, forgetting the issues that hon. Ssemujju raised that are affecting the county? We do not want you to close the eyes.

What is happening to Uganda is no good and the whole world is looking at Uganda. Unless you are not reading about what is happening. Are you proceeding properly?

**THE DEPUTY SPEAKER:** Sometimes you make it very difficult for the Speaker. Surely, how can the way someone takes or arrange his or her thought be a procedural matter? I think he was giving information as well. Can we stick to the rules? If you want to raise a point of clarification or information, it has not been accepted. Please, do not find another way. It is not only bad procedure but even bad manners to do that.

**MR FUNGAROO:** Mr Speaker, I have picked the point of the minister that Government has not given orders. I also picked the message from my Chief Whip, hon. Ssemujju, which comes to the radios that orders were given.

Mr Speaker, the difficulty we have is to prove whether the orders given to the radios were from you or from somewhere else. This is not going to be the last. The clarification I would like to seek is: From today, when we get out of this Parliament and the leaders of the opposition groups, Dr Besigye, hon. Kyagulanyi go to the radio station and then the same orders are given – a police officer comes to the radio and says “get out”. Should we first ask him to give us the order before we get out? That is very important.

Honourable minister, should we demand that the order from Dr Baryomunsi be given to us. If the order is not there, should we obey that person?

Lastly, if the Police come without orders from the Government and the people decide to catch them for masquerading as people who have come with orders – *(Laughter)* – that, “You have come without orders from the Government and are masqueraders,” are you going to treat the people as being wrong? Thank you. *(Laughter)*

**DR BARYOMUNSI:** Thank you very much, Mr Speaker. Article 212 of the Constitution of Uganda clearly outlines the roles and duties of Police. They include, among others:

1. To preserve law and order;
2. To prevent and detect crime.

If, in the opinion of Police, my appearance on a talk show can result into criminal activity or a breach of the law, the Police are empowered by the Constitution to take action. So, hon. Fungaroo – *(Interruption)*

**MR JONATHAN ODUR:** Thank you very much, Mr Speaker. I have listened and the complaints appear to be that the police officers are the ones going into the studios and we have the minister responsible for that sector here.

Wouldn’t it be procedurally right that we have the Minister of State for Internal Affairs explain to us what exactly they are enforcing in storming the studios, in a style that has not been known in this country before and ordering members who are simply speaking.

I recall here the opposition has been accused of acting. Now, they are just speaking on the radio stations; so what else have they done? Can the minister come and brief this House, as the minister who is in charge of the Police, other than sitting here and watching his colleague painfully labour to try to explain something that he cannot? *(Laughter)*

**THE DEPUTY SPEAKER:** Please wind up.

**DR BARYOMUNSI:** The point I was making, Mr Speaker, is that the Constitution, as well as the Police Act, empower Police to do the work that they are doing. So, hon. Fungaroo, I advise you that if you get an order from Police, obey it –*(Laughter)*– because the laws which we passed here like the Police Act, as well as the Constitution, already empower the Police.

The Police do not require a directive from me as a minister –*(Interruption)*

**MR NSEREKO:** Mr Speaker, our senior colleague and comrade has risen up to respond to hon. Kaps Fungaroo and quoted the Constitution. Dr Baryomunsi, whom I respect very much, has clearly said that when Police issues an order, simply obey even if they give you an order to kill someone.

In that case, is it in order for our honourable comrade to not say that, “If the Police issue a lawful order…”, and to just tell us that, “If a police officer issues any order, simply obey”? I am waiting for the day they will issue an order to him to vacate his home or kill someone and he obeys it.

Therefore, is it in order for him not to be specific - because he is communicating to the country - that the order must be lawful for an individual or any other person in Uganda to obey?

**THE DEPUTY SPEAKER:** Honourable minister, would you like to clarify? What order did you mean? *(Laughter)*

**DR BARYOMUNSI:** Definitely, the Police are not supposed to give unlawful orders; so I thank you for qualifying the statement. However, the point I was making is that it would be improper for you to start resisting Police. You can challenge the order by Police – like I said earlier on – by going to court or any other institution but it would be wrong for you to start physically resisting police officers who are doing a Government duty.

You asked whether if Police comes to block you and my advice is you should respect the uniformed police officers because they are doing – *(Hon. Fungaroo rose\_)*

**THE DEPUTY SPEAKER:** Can we have some order, please? It is important that we follow order.

**DR BARYOMUNSI:** I would really advise that as a Member of Parliament, also advise Ugandans that they should stop the habit of trying to fight Police when it is doing its duty. However, if you are offended by the action of Police, it can be challenged in the courts of law but not to confront and fight off Police – *(Interjection)* – If the Speaker allows whether we still have time –

**THE DEPUTY SPEAKER:** Honourable minister, I had asked you to finish and then we move to another item.

**DR BARYOMUNSI:** Mr Speaker has asked me to wind up so I will clarify to you bilaterally. My response to that is that all of us, irrespective of the positions we hold, should respect Police because they are doing state duty. However, if we are dissatisfied with their work, we can challenge it or the directives of Police.

To the honourable Member of Parliament for Mbale Municipality, it is not true that we are being condemned; unless you have evidence whether any country or institution has condemned Uganda. The United Nations does not run the Government of Uganda. We run the country as a Government and, therefore, it is the NRM Government which has increased the media space by liberalizing the airwaves - radio and television - but the use of the media has to be regulated.

As leaders of this country, let us try to use the media space but within the confines of the law. Thank you very much, Mr Speaker.

**THE DEPUTY SPEAKER:** Thank you very much, honourable members. The outstanding matters will be handled in an appropriate manner when they are brought up properly.

In the Public Gallery this afternoon, we have a delegation of Kangole Girls Secondary School, Napak District. They are represented by hon. Achia Terence and hon. Namoe Stella. They are here to observe the proceedings. Please join me in welcoming them. You are welcome. *(Applause)*

Can we now go back to the Order Paper?

RESPONSE TO THE QUESTION RAISED BY HON. AKELLO FRANCA ON THE SURVEY OF LAND AND PLANTING OF MARKSTONES BY STAFF FROM AMITA PRISON IN ABIM DISTRICT EXTENDING UP TO TWO KILOMETRES INTO AGAGO DISTRICT

3.02

**THE STATE MINISTER OF LANDS, HOUSING AND URBAN DEVELOPMENT (HOUSING) (Dr Chris Baryomunsi):** Thank you very much, Mr Speaker. When this question was raised by hon. Franca Akello, it was extended to the Minister of Internal Affairs. However, today it appeared under our ministry.

When I learnt of it, I got in touch with our Commissioner for Surveying to check whether they worked with the prisons authorities to do the surveying but he said they were not involved. So, it appears the prisons authorities hired private surveyors.

What I can undertake to do is to work with my colleague in the Ministry of Internal Affairs to contact prisons and establish who the surveyors who helped them are and then we come with an accurate and comprehensive report on Tuesday next week. Thank you.

**THE DEPUTY SPEAKER:** Thank you. We will have that matter comprehensively handled, honourable minister, because I remember it was referred to the Minister of Internal Affairs but today, it appears under lands because prisons falls under internal affairs. That was the understanding but the way it is now, let us see if we can have a good statement on Tuesday that can explain the whole situation. Thank you.

RESPONSE TO THE QUESTION RAISED BY HON. OCAN PATRICK, APAC MUNICIPALITY ON THE DEPLORABLE STATE OF APAC HOSPITAL

**THE DEPUTY SPEAKER:** Both the minister and the Member who raised the question are not in the House but I saw a statement from the Ministry of Health.

RESPONSES TO QUESTIONS RAISED BY HON. ZAAKE FRANCIS, MP MITYANA MUNICIPALITY, ON THE INADEQUATE POWER CONNECTIVITY IN MITYANA MUNICIPALITY AND THE MEASURES MINISTRY OF ENERGY AND MINERAL DEVELOPMENT HAS PUT IN PLACE TO EXTEND POWER TO MITYANA MUNICIPALITY

**THE DEPUTY SPEAKER:** Honourable members, when you ask questions, you are supposed to be present to receive the responses. If you are absent and you have not delegated any other Member to receive those responses for you, that question cannot be received by Parliament. Strictly following the rules, it cannot be received because the there is nobody to interrogate the matter further using supplementary questions. The minister is here, now what do we do?

**MR OKUPA:** Mr Speaker, the other thing is - because I have had a case where I came in here and my question was there but I had not been informed. Possibly I suggest that there is need for the Clerk to inform the Members that their question is on the Order Paper just like they inform the ministers that they are on the Order Paper for this matter and that they should be here.

That needs to be harmonised because that could be the challenge. Sometimes we put these questions and it takes three to four or five months before they are answered; some members even lose track. Therefore, that coordination needs to be perfected such that we do not lose out.

**THE DEPUTY SPEAKER:** No, these questions we are dealing with are under Rule 46; the urgent ones. Even those that are not urgent, our best way of notifying Members that you have a matter on the Floor that touches on you is through the Order Paper. Therefore, if a Member does not look at the Order Paper, how else can that member be informed that they are required to be in the House?

Therefore, to go by the rules, we will not receive your statement honourable minister because there will be nobody to interrogate the issue of Mityana and there is nobody who has been briefed so that there might be supplementary questions. It will be unfair to the Member for the question to be answered in his absence. He might want to ask more questions on this. We will stay it until when the Member is present.

MOTION FOR A RESOLUTION OF PARLIAMENT URGING GOVERNMENT TO PRIORITIZE FUNDING FOR THE HEALTH SECTOR

**THE DEPUTY SPEAKER:** Yes, chairperson - yes, point of procedure.

**MR SSEMUJJU:** Mr Speaker, appropriation is a function of this Parliament. In fact, right now, we are either in the middle or at the tail end of appropriation. Under the law, we are allowed to move money from one vote to another. We are now faced with a situation where we are creating an impression that we are powerless and have a motion to plead with Government to consider increasing funding to the health sector.

The procedural issue I am raising is whether a Parliament, in the middle of appropriation, with power to move money from one vote to another, can be the same Parliament debating a motion urging Government to help move money from here to there where that will not in itself be offending the Constitution, Rules of Parliament and Public Finance and Management Act?

**THE DEPUTY SPEAKER:** Honourable members, there is something called the “Principle of financial initiative”. Financial initiative means there is a particular person who initiates proposals for the budget and that initiative rests only with the head of state. It is only the President that can propose a budget and nobody else, under our Constitution.

When the Minister of Finance, Planning and Economic Development is reading the Budget, he/she will say, “I do this on behalf of the President.” It is called financial initiative. This moment, that is what we are doing.

We may say we want to do this and approve this and that but you also recall that when we were debating the report on the Committee on Health, on the issue the health sector, the chairperson made reference to this particular inquiry that there was a motion that had come; the decision on which would help in dealing with the issues that had come in the course of the debate on the ministerial policy statement.

This motion is from the Committee on Health as I understood it. That is why they said that it could be part of the debate that could help us understand more why certain things have got to be done in order to support a plea of Parliament that what goes to Budget Committee and everything else - these matters should be handled comprehensively.

However, I leave it to the House; if it is the feeling of the House that this motion should not be debated and it is our understanding that Budget Committee will - based on what the previous discussions and interactions from the health sector - do the necessary on what you have said that Parliament has powers to do, we would be obliged to follow that and not debate this motion.

**MR MUWANGA KIVUMBI:** Mr Speaker, this Parliament received a comprehensive status report on the health sector by the minister responsible. That report was sent to the Committee on Health and with a mandate to report back to Parliament before we complete the budget process.

Therefore, I do not know how we are phrasing it. However, this is the work that was assigned to this committee by this Parliament. The committee is mandated to report back. I do not know whether that should be through a motion or it is just an ordinary report on work that we sent to the committee.

Maybe the wording of the motion could be fairly misleading but what I know - and I do not know how you will guide this House - is that they are supposed to report in their ordinary sense of doing their duty of work that was assigned to them by this Parliament.

**THE DEPUTY SPEAKER:** Honourable members, you see, as a Parliament, if a matter is so important and you have not had opportunity to interrogate it very much, and all of a sudden an opportunity avails itself, we would be the wrong people to resist a temptation to use that opportunity to deal with the matter. I thought this was a golden opportunity for us to have a debate on the health sector issues as the Budget Committee is having its discussions. However, since Members are reluctant to have this debate - you are not reluctant now.

**MR SSEMUJJU:** Mr Speaker, I was only raising a procedural issue but for purposes of raising the profile and extent of the problem, we can receive the motion. Otherwise, I was only wondering after processing a report from the Committee on Health with the recommendations, where will this one fit and how will it be processed to the Budget Committee. However, we can gladly receive the motion with whatever content therein and raise the profile of this problem.

**THE DEPUTY SPEAKER:** That is what I would have read personally.

**DR BARYOMUNSI:** Mr Speaker, this matter came when we were debating the proposed Lubowa Hospital where the Minister of Health gave us a comprehensive report. The Speaker directed the committee to handle this issue and come up with a motion. Therefore, the motion is from the directive of the Speaker so that we can comprehensively *–(Interjection)–* yes, the Chair.

Therefore, we should not accuse the committee that instead of a report they are bringing a motion. The Chair guided that they look at the ministerial statement, tease out the issues and come up with the motion which can help Parliament to comprehensively debate issues of Health. So, we are proceeding very well.

**THE DEPUTY SPEAKER:** Honourable members, by now we would have received the motion, I would have proposed the question and we would be debating but now we have debated procedure for almost 30 minutes. I do not think that is very good use of parliamentary time so can we receive the motion? Please proceed.

3.14

**THE VICE-CHAIRPERSON, COMMITTEE ON HEALTH (Ms Spellanza Baguma):** Thank you very much, Mr Speaker. I rise to present a motion for a resolution of Parliament urging Government to prioritise funding for the health sector and this is presented under Rule 55 of the Rules of Procedure of Parliament of Uganda. It reads:

*“WHEREAS the Constitution of the Republic of Uganda under Article 90(1) establishes Committees of Parliament, mandated under Rule 156 (c) of the Rules of Procedure to assess and evaluate activities in their respective fields;*

*AND WHEREAS in accordance with Article 90 (1), Parliament under Rule 183 (2) (c) established the committee on health as a sectoral committee with the function of examining and commenting on policy matters affecting the ministry;*

*FURTHER WHEREAS on 12 March, 2019 Dr Jane Ruth Aceng, the Minister of Health, presented a ministerial statement to Parliament on the state of the health service delivery in Uganda, wherein she noted that the health sector is mandated to provide the highest possible level of health services to all people in Uganda through delivery of promotive, preventive, curative, palliative and rehabilitative health services at all levels;*

*AWARE OF the constitutional mandate required of the Committee on Health and directive by the Rt Hon. Speaker to extract areas from the ministerial statement that require urgent attention of Government, the committee has identified the following areas together with the required budgetary allocation for the urgent attention of Government:*

*1. Health infrastructure; the committee notes that there is a big health infrastructure gap as illustrated below:*

*(a) Thirty-nine (39) districts have no hospitals, 29 constituencies have no health centres IV, 331 sub counties have no health centres III and 132 sub counties have no health facility at all. A minimum of Shs 150 billion is required for the establishment and operationalisation of health centres.*

*(b) The thirteen regional referral and five national referral hospitals; Mulago National Referral Hospitals, Butabika National Mental Referral Hospital, Kiruddu, Kawempe, and Entebbe Specialised National Referral Hospitals are not fu11y functional due to inadequacy in funding.*

*Specialised human resources and equipment and Shs 105 billion should be allocated for the purchase of assorted diagnostic equipment for all regional referral hospitals across the country.*

*(c) There is a big funding gap for the specialised hospitals to be fully functional in providing the specialised services required. For example, Mulago Specialised hospital is undergoing rehabilitation work and requires Shs 36 billion for completion of the works, Shs 17.8 billion for wage and Shs 58.3 billion for recurrent non-wage;*

*(d) Uganda Heart Institute; requires support in infrastructure development totaling to Shs 331 billion for construction, expansion and staffing and Sh 10 billion for cardiac interventions and human resource training.*

*2. Human Resource; Ministry of Health has got a challenge of attracting and retaining health workers due to unattractive remuneration packages. The sector suffers from inadequacy of health personnel at all levels of health service delivery; the current national staffing level is at 73 per cent, an indication of low staffing which is accorded to low wage remuneration.*

*There is need to allocate Shs 14.37 billion for training specialists, 43.32 billion and Shs 5 billion for allowances for specialists, consultants and other critical health care staff working in the hard-to-reach areas.*

*3. Medicines and Health Supplies; there is great public outcry of stock-outs of medicine in the public health facilities despite the increment of an additional allocation of Shs 40 billion to the National Medical Stores. There is still a shortage of Shs l00 billion to National Medial Stores to improve the availability of drugs and health supplies across the country and an additional Shs 40 billion to cater for laboratory reagents.*

*One of the critical inadequate supplies affecting health care is blood. Blood Transfusion Services requires Shs 32 billion to screen 300,000 units of blood, the available budget is Shs 12.8 billion hence raising a shortfall of Shs 19.2 billion.*

*4. Underfunding for Immunisation and vaccines; immunisation coverage in Uganda has stagnated at about 85 per cent for most of the vaccines on the national immunisation schedule.*

*The cumulative numbers of unimmunised children over the years undermines the health immunity leading to frequent outbreaks of vaccine preventable diseases. This is the reflection of the protracted underfunding and the resultant budget deficit especially in this financial year, where the country will likely face vaccine stock outs in the last quarter.*

*The estimated need for the next financial year stands at Shs 2l billion against an allocation of Shs 14.4 billion, still leaving a gap of Shs 6.6 billion.*

*5. Emergency Medical Services (EMS); there is urgent need to speed up the strategic plan for addressing emergency medical services gaps and emergency medical services policy, in particular. Funds should be urgently provided to a tune of Shs 155.3 billion to finance the emergency medical services for the first two years for ambulance care in all the health sub districts in the country, Shs 125 billion and operationalisation, re-equipping of the existing 173 ambulances at Shs 30.3 billion to cover the 225 ambulance deficit and 5 type B boat ambulances for Island districts. Funds should be availed to cater for operation and maintenance of ambulances.*

*6. Health financing; the general funding structure for health is heavily supported by external funds, this makes the sector vulnerable in case of unforeseen pull out by the development partners. As such alternative modalities for health financing like insurance have to be delivered upon.*

*Thus, additional funds to primary healthcare of Shs 39.5 billion under the non-wage category and funds to a tune of Shs 191.4 billion be provided for the construction and equipping of 132 health centres III.*

*7. Inadequate counter-part funding for externally funded projects, which constrains timely execution and completion of projects. An example is the delay to complete Busolwe and Kawolo hospitals due to unavailability of additional Shs 6 billion as counterpart funding.*

*8. Universal health coverage; the National Health Insurance Bill, 2014 has been at Cabinet level for the past five years, even with a certificate of financial implication already provided by the Ministry of Finance, Planning and Economic Development, no progress has been made.*

*It is for this reason that the Committee on Health was granted leave of Parliament to table a Private Members Bill on the same issue. The committee notes that the Ministry of Health developed a road map and Parliament allocated Shs 3 billion to facilitate this process, which ought to be concluded by the end of this financial year.*

*9. There is need for rapid decline of both fertility and mortality in order to enable Uganda accelerate the demographic transition;*

*Whereas the National Development Plan II health impact indicator’s target is 30 for infant mortality rate by 2020/2021, it currently stands at 43 per 100,000 live births.*

*The shortfall from the NDP II target is 13. The maternal mortality ratio declined from 438 per 100,000 live births to 335. However, this still falls short of the NDP II Health Impact Indicators of 211 by 2020/2021;*

*NOTING THAT the health sector is pivotal in ensuring a healthy population that guarantees increased production and productivity and further that the challenges highlighted in this motion can be resolved if the requisite budgetary allocation is made towards the Health sector;*

*NOW, THEREFORE, be it resolved by this august House that Government is urged:*

*1. In Financial Year 20l9/2020, to increase the budget allocation to the health sector by Shs 1.373 trillion as indicated in the table attached to this motion highlighting the items and funding gap.*

*2. To urgently table the Bill on National Health Insurance Schemes and expedite the process of setting up national health insurance schemes by providing funds to the health sector to build institutional frameworks geared towards the implementation of the National Health Insurance Scheme.*

*3. To adhere to existing planning frameworks developed in the sector and investment direction as guided in the National Development Plan II (NDP II) and the Health Sector Strategic Investment Plan (HSSIP) as a guide to health investment decisions and strategies and schedule the other interventions in the medium-term to reduce the external financing burden.*

*4. To pay attention to preventive health interventions such as immunisation, reducing non-communicable diseases through lifestyle change, hygiene and sanitation and promoting health education rather than concentrate on curative measures and find a strategic financing mechanism that eliminates risks of outbreaks of diseases which are very expensive to manage.*

*5. To double efforts in implementation of interventions that mitigate maternal mortality by increasing the budget allocation towards reproductive health and family planning and establish an integrated health management information system including neo-natal and maternal health audits and statistics.*

*6. To streamline the Ministry of Health not to take on donor projects that require counterpart funding until when the funds are available for a particular project.*

*7. To avoid wastage and misuse of resources by the Ministry of Health and rather emphasise accountability, efficiency and innovation in the utilisation of resources so as to attain optimal output.*

*8. Based on the minister’s presentation, Government should provide additional funds to the sector to the tune of Shs 1.374 trillion taking into account the funding gaps highlighted by the minister in this critical service delivery areas.”*

Mr Speaker, I beg to move.

**THE DEPUTY SPEAKER:** Is the motion seconded? The motion is seconded by the Members for Fort Portal Municipality, Nakaseke South, Kira Municipality, Nyabushozi, Adjumani, Moroto, Soroti, and Buhweju.

*(Motion seconded.)*

**THE DEPUTY SPEAKER:** Would you like to speak to your motion before I propose the question for debate?

**MR KASIBANTE:** Thank you, Mr Speaker. The Government of Uganda has the biggest Cabinet both in the history of Uganda and the region. As we speak, we hardly have five ministers seated here. We are about to consider a very serious motion touching health and yet the Minister of Health is not here; touching finance but the minister is not here.

Mr Speaker, are we proceeding well when 99.9 per cent of the Cabinet ministers are not in the House including that of health and finance?

**THE DEPUTY SPEAKER:** Ninety nine point nine per cent? *(Laughter)* you see, when you decide to use statistics, you have to be fairly accurate. You have to demonstrate that you have –*(Laughter)*– you could have said “almost”; that would have been better than 99.9 per cent.

However, be it as it may, I think a valid point is raised here. The senior minister and both ministers of state in charge of this sector are not here, the finance ministers are not here. Should I pause it here and wait for the Member to justify the motion when these people are here? We just receive the motion as it is now.

Honourable, we have received the motion; you will justify it next week when the Government is here so that they understand some bit of the motion.

**MR SSEMUJJU:** Mr Speaker, - before you give a ruling because I cannot speak after your ruling - I think the ministers who are in the House, first of all, should tell Parliament whether the Government side is fully constituted by either having one of them acting as Leader of Government Business or if not, they should explain the whereabouts of their colleagues.

Since we started, one matter after the other is pushed away. Mr Speaker, before you give a ruling, I would like to persuade you to give chance to the Government ministers who are here to tell us whether one of them is acting Leader of Government Business and if not *–(Interjection)–* the MP for Hoima who likes giving false information, I am raising very serious matters; you do not come here to debate -

Mr Speaker, this is my prayer. For those who are representing Government to tell us if they are properly constituted –*(Interruption)*

**MR WAKABI:** Mr Speaker, I am a Member of Parliament for Bugahya County, Hoima District and he is not from Hoima. Is it in order for him to say that I always give false information yet I am not the one? *(Laughter)* I always speak the truth that is why the people of Bugahya voted me unopposed. Is he in order?

**THE DEPUTY SPEAKER:** Honourable member, is there the remotest possibility that they could have been talking about you? *(Laughter)*

You see in Acholi, there is this saying that when you see a group of dogs doing their thing and you throw a stone, the one that makes noise is the one that has been hit by the stone. *(Laughter)* I think the Member was not referring to you, except for some reason you thought you are the one.

Is there a Leader of Government Business in the House today? Is there a Government Chief Whip? Ordinarily, if somebody is holding that portfolio, he would be sitting here.

**MR ECWERU:** Honourable members, power will never allow a vacuum. Since my senior, the Leader of Government Business is committed elsewhere, I will step in his big shoes and attempt to drive Government business.

**THE DEPUTY SPEAKER:** No, we do not proceed on attempts. Okay, now that we have the Leader of Government Business, can we proceed? Who is the Government Chief Whip? Any volunteer?

Honourable members, I think the point that is being made is that this matter is quite substantial and involving. Therefore, for us to receive a proper debate and responses, we might need the full ministries of health and finance to be able to engage properly on this. That is why I had said earlier that we have received a motion but the justification will wait till next week and when it is justified, it will be explained in the motion for all the other Members to follow and then we can have a debate. Therefore, can we defer this matter to next week and then we proceed from there, honourable?

**MS BAGUMA:** Most obliged, Mr Speaker.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON GOVERNMENT ASSURANCES AND IMPLEMENTATION ON THE STATUS OF IMPLEMENTATION OF GOVERNMENT ASSURANCES IN SELECTED DISTRICTS

**THE DEPUTY SPEAKER:** Is it going to suffer the same fate? Can we receive the report at least?

3.36

**THE CHAIRPERSON, COMMITTEE ON GOVERNMENT ASSURANCES AND IMPLEMENTATION (Mr Hassan Fungaroo):** Thank you very much, Mr Speaker. I am Hassan Fungaroo, Member of Parliament representing Obongi Constituency and Chairperson of the parliamentary Committee on Government Assurances. I am here –

**THE DEPUTY SPEAKER:** Is that your maiden speech? Why are you introducing yourself? *(Laughter)*

**MR FUNGAROO:** As chairperson of the committee –

**THE DEPUTY SPEAKER:** Proceed, please.

**MR FUNGAROO:** Mr Speaker, the Committee on Government Assurances and Implementation is established by our Rules of Procedure, particularly rule 176. Its roles are:

i. To record, scrutinise Government assurances, promises and undertakings given by the President, the Vice President, the Prime Minister and ministers in the House, from time to time;

ii. To monitor and evaluate the fulfillment of Government assurances; and

iii. To exercise such other functions that are not covered by the rules as provided.

Rule 176(7) mandates members of Parliament to report to Parliament the assurances, promises and undertakings given in their constituencies by the officials referred to in the rules.

Rule 176(2) states that where the timeframe for implementation of Government assurances is not given by the minister, the committee shall determine the category within which it falls and accordingly determine the timeframe within which such assurances are to be considered.

Accordingly, the committee considered Government assurances in selected regions and districts in selected sectors. Here I am to present the report. The minutes of the proceedings of all these are here and I would like to lay them on the Table, Mr Speaker.

**THE DEPUTY SPEAKER:** Let the records capture that.

**MR FUNGAROO:** Thank you. In a similar way, I would like to lay on Table a complete copy of the report itself.

**THE DEPUTY SPEAKER:** Let the records capture the two texts of the report.

**MR FUNGAROO:** Mr Speaker, in the interest of time, I would like to draw the attention of the members of Parliament to the report. It is on the iPad but for purposes of presentation, we have some selected sites, where we want to refer you particularly so that you pay emphasis to them.

First and foremost, this committee is an oversight committee. Therefore, this report is an oversight report to fight against:

1. Corruption; although its main mandate lies elsewhere but corruption and abuse of office in the process of implementation of government assurances;
2. Monitoring and evaluation, particularly value-for-money audit to cure the problem of wastage of resources in the implementation of government assurances, whereby project implementation starts but gets abandoned before completion and the contractor disappears making the resources injected there to lie wasted.

There are detailed examples in here; in Gulu, there is a fish fry and aquaculture project under the ministry of agriculture, which was started but abandoned. In Buyende, an ice plant was started and a lot of money was injected but abandoned before completion. In Lira, the Akibua Stadium and in Dokolo, there is a technical institute.

Over and above all, this is an oversight report on political and moral accountability of political leaders to fight against political deception and political fraud in elective public offices. The ill this Committee tries to cure is lying and political deception by political leaders in and outside Parliament, as provided for in the rules.

Accordingly, the committee believes that:

1. A promise is a debt; a debt must be paid;
2. Lying is a sin and it is punishable by God;
3. Lying is a crime and it is punishable by law; and
4. Political deception is political fraud and it punishable politically.

Proper and timely fulfillment of promises, undertakings and assurances by leaders is rewarded by the people. Mr Speaker, this is very important because as we moved, we found some promises made were fulfilled and the people were happy and they were willing to reward the Government for the good work done. This is the context and you will find the details inside.

Scope

Due to the present significance of electricity in the economy of Uganda generally and the importance of electricity in the social lives of individuals, families and communities, the Committee on Government Assurances and Implementations chose to put emphasis on the Energy Sector as a special case.

However, whereas the main focus was on the Energy Sector, crosscutting issues lying outside the sector were also considered. The details are in the report.

The energy sector

In the Energy Sector, over time (from 1986 to date), the political leaders referred to under the rules, made promises in the following ways:

1. To generate electricity;
2. To extend electricity to targeted institutions such as health centres, sub county headquarters, schools, homesteads of important people (people who hold offices like cultural leaders); and
3. To distribute electricity to various areas covering trading centres and towns, sub counties, counties and districts across the country.

The committee followed up on 38 assurances in the energy sector, of which three were for power generation namely; Karuma Hydropower Dam in Kiryandongo District, Nyagak I Hydropower Dam in Zombo District in West Nile and Maziba George Power Station in Kabale District; compensation of Project Affected Persons (PAPs) in the case of Karuma Hydropower Dam project while 34 were for extension of electricity to various areas.

The details are provided in section 4.2.3 of the report. Members can check; maybe their areas are indicated.

Another scope, which is very important, is the issue of sequencing and balancing of the project implementation for the sake of electricity. We have put it as a very important matter because it runs from generation to transmission, distribution and connectivity. We also put emphasis on issues of utilisation of loans for implementation of these projects.

Parliament of Uganda approved requests by the Government for external borrowing from different funding agencies. The list is provided in the report.

We have discovered that in spite of the fact that Parliament approved the requests to borrow the funds, the performance of loans under the sector is a problem. Many loans have not been used appropriately in terms of absorption. Several years down the road, the disbursements of some loans are at one per cent and others are even at zero per cent, consequently attracting penalties from the lending institutions. We have been charged a lot of money and the details are in the report.

The methodology is provided there and I would like to cite a few things;

1. Emergency assurances

These are assurances, which must be fulfilled within six months. These include for instance, a situation where the current Leader of Government Business, hon. Musa Ecweru, can come with issues to do with disaster response.

2. Short term assurance

These are assurances which are supposed to be fulfilled within one year.

3. Medium term assurance

These take two-and-a-half years.

4. Long term assurances

These take five years.

According to our rules, if any promise is not fulfilled within the specified period of time, it is considered a lie unless they apply for renewal or extension of the time of fulfillment or if they withdraw the promise.

The regions we went to as well as the districts;

In Busoga sub-region, we went to Iganga, Kamuli, Buyende, Kaliro and Bugiri. In West Nile, we went to Nebbi, Pakwach, Arua, Maracha and Moyo. In Bunyoro sub-region, we went to Kiryandongo, Masindi, Buliisa, Kabale and Kakumiro.

In Buganda sub-region, we went to Mubende, Kassanda, Mityana and Nakaseke. In Bukedi sub-region, we went to Busia and Tororo. In Sebei sub-region, we went to Kapchorwa and Kween. In Acholi sub-region, we went to Kitgum and Gulu. In Ankole sub-region, we went to Bushenyi, Rubirizi, Sheema and Ntungamo.

In Lango sub-region, we went to Apac, Lira, Otuke, Dokolo, Oyam and Kole. In Teso sub-region we went to Kaberamaido, Soroti and Kumi. In Rwenzori sub-region we went to Kasese. In Kigezi sub-region, we went to Kanungu, Rukiga, Kabale and Kisoro.

Honourable members, please interest yourselves in the details of projects under these districts.

Through a letter Ref. AB 2288/12/01 dated 25 March 2019, the committee wrote to the Minister of Energy and Mineral Development seeking for information on the status of implementation of Government assurances under the ministry. Consequently, the committee received a response from the ministry through a letter Ref. ADM 140/350/01 dated 29 March 2019 and signed by hon. Engineer Irene Muloni. It is attached as an Annex 7.

The committee also carried out field visits in these areas. During the field visits, we carried out on-spot inspections or checks of selected projects to physically verify the level of implementation of the assurances. We also interacted directly with the intended beneficiaries in the districts visited to capture their views.

We determined the status of implementation of Government assurances as well as findings and conclusions based on the following as our criteria.

Completeness

Has the implementation started? If it has stared, has it been fully done? If it is done, is there value for money? Was it done within the set timeframe? Some projects got started and the work is going on very well but is beyond the time for delivery.

In our criteria, as I said earlier, any promise which falls outside the time limit is called a broken promise unless the promising agency comes back and asks for more time.

Observations

Mr Speaker, in the energy sector alone, for the sample of 38 assurances which we have taken, three were for power generation (Karuma in Kiryandongo, Nyagak 1 in Zombo and Maziba in Kabale District) and one was for compensation of project affected persons (Karuma). We discovered the following.

Only four assurances were satisfactorily fulfilled and the details are there. The four, therefore, constitute 10.5 per cent. Ten promises were partially fulfilled, representing 26.3 per cent and 24 promises were not fulfilled and we considered them broken promises and they constitute 63 per cent.

Under the power projects that are partially fulfilled, for example, you can see power lines from the point of origin to the point where power is going but reports given by the intended users are that there is no power *–(Interjection) -* the promise made was to bring power not wires. *(Laughter)*

**THE DEPUTY SPEAKER:** Can the power come without the wires? *(Laughter)*

**MR FUNGAROO:** Mr Speaker, the issue is completeness. The people were happy when the President promised to bring power. The wires came and people waited for the power but the time provided for the power to be there has passed.

Another problem we found was where power had been promised and taken to an area but the important institutions in that area, which are supposed to use that power were not connected. The power is irregular, for example, for the sake of Moyo. Every time the people of Moyo and West Nile met the President, they cried that they needed power.

The line from Jinja passing through Lira and Jinja reached Moyo but the power is not there – *(Interruption)*

**THE DEPUTY SPEAKER:** On what matter do you rise?

**MS ASAMO:** Mr Speaker, I am following what my counterpart is presenting but some of the words he is saying are not in the report. Therefore, would it be procedurally right that he reads the report so that we are together? Thank you.

**THE DEPUTY SPEAKER:** The text of the main report has been laid. He is just trying to give an executive summary. Otherwise, it is a big report and so, he cannot read the entire report. It might take us the whole afternoon.

**MR FUNGAROO:** Thank you, Mr Speaker for the wise ruling. My sister, these details are in the main report.

Regarding the observations, we have cases of power lines, which are constructed but the power is not there or is irregular. Therefore, the public trust coming from the promise that we shall give you power is not there.

The other example I raised earlier was on project implementation started but not completed. In Dokolo Technical Institute, a lot of money was injected to build workshops, machines were brought – if you go to Dokolo, you will find the machines there but they are rusting and they have not been installed. Actually, they are not working. In Gulu, it is the same story. The fish fryers in Laliya – there are modern machines but they are not installed; they are rusting and becoming obsolete. The same is with Buyende and all these projects are under the Ministry of Agriculture, Animal Industry and Fisheries.

Of the projects which were started and abandoned, majority of them were under the Ministry of Agriculture, Animal Industry and Fisheries. One case worth mentioning is under the Ministry of Education and Sports.

The Ministry of Works and Transport has works which were started but not finished. However, you can see that the contractors are there; they have not disappeared. It is work in progress. However, in other cases, the contractors have disappeared and you cannot find them.

In conclusion, the committee noted that there are still gaps in the fulfillment of promises, undertakings and assurances. Some promises are broken, others poorly implemented and no value for money. There is another problem of wastage of resources arising from abandoning projects and disappearance of contractors without completing the projects they started.

The most serious examples observed were in the sectors of agriculture, animal industry and fisheries. The examples I gave are the Ice Plant Project in Buyende District, the fish fryers in Gulu District, Gulu Market - which looks very nice from outside yet the place actually leaks; when it rains, the market vendors run away because the market floods. There is also Akii-Bua Stadium. I have also talked about Dokolo.

It is our considered view that the recommendations contained in this report will go a long way in addressing the concerns raised in the report in order to protect and respect public trust, which is the basis for the existence of democratic governance. The leaders go to the people and promise them and the people say, “Okay, have the office.” Once the office is given, we should uphold the public trust of the people who gave it to us.

Mr Speaker, democratic societies or governments are established and maintained when government officials make promises to the people and earn public trust. They need to fulfill the promises in order to sustain the trust. However, when such promises are not fulfilled, public trust is abused; people become disappointed and in such a situation may withdraw their trust from the Government. *(Laughter)*

If public trust is withdrawn, Government loses its legitimacy to continue exercising power and authority over the people because the trust is taken away so, why are you there? You better pack your bags and go home.

This is what the Committee on Government Assurances and Implementation is concerned about – the issue of public trust.

I, therefore, pray that the report of the Committee on Government Assurances and Implementation on the status of implementation of the assurances made in the various sectors in the districts of Iganga, Kamuli, Buyende, Kaliro and Bugiri, Nebbi, Pakwach, Arua, Maracha and Moyo, Kiryandongo, Masindi, Buliisa, Kibaale, and Kakumiro; Mubende, Kassanda, Mityana and Nakaseke; Busia, Tororo, Kapchorwa, Kween; Kitgum and Gulu; Bushenyi, Rubirizi, Sheema and Ntungamo; Apac, Lira, Otuke, Dokolo, Oyam and Kole; Kaberamaido, Soroti and Kumi; Kasese, Kanungu, Rukiga, Kabale and Kisoro be considered by this House and recommendations adopted therein.

Mr Speaker, I beg to move. Thank you.

**THE DEPUTY SPEAKER:** Thank you very much, honourable chairperson, for this report on government assurances. Honourable members, as agreed, we will not be able to start debate but I will propose the question and then we defer the debate.

Honourable members, the question that I propose for your debate is that the motion for the report of the Committee on Government Assurances and Implementation on the status of implementation of government assurances in selected districts be adopted. That is the motion for your debate and this debate will be deferred to next week. I think we will do it on Wednesday; we will put all of them on Tuesday and whichever is ready is the one we will debate.

Honourable members, at this moment, there being no other active businesses to discuss, this House stands adjourned to Tuesday at 2 o’clock.

*(The House rose at 4.00 p.m. and adjourned until Tuesday, 7 May 2019 at 2.00 p.m.)*