**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.*

****

**Wednesday, 21 August 2019**

*Parliament met at 2.59 p.m. in Parliament House, Kampala.*

PRAYERS

*(The Speaker, Ms Rebecca Kadaga, in the Chair.)*

*The House was called to order.*

COMMUNICATION FROM THE CHAIR

**THE SPEAKER:** Honourable members, I welcome you to this afternoon’s sitting. Join me in welcoming Ambassador Zaake Kibedi, our Ambassador to the United Arab Emirates (UAE). He is here with one of the Ugandans, Ms Nabirye Zam, who represents the Ugandans in the United Arab Emirates. You are welcome. *(Applause)*

Secondly, honourable members, yesterday, hon. Alioni Odria raised an issue concerning hon. Anite. I have established contact with her and I am going to invite her so that she can explain to me what is happening to her. I would like to assure the House that I have taken an interest in this issue and I am going to meet her to try and understand what is really happening.

Honourable members, you know we have this item “matters of national concern”. However, progressively, I have noticed that Members raise local issues, which are not policy based and usually they do not affect the country. As a result, I am going to be very strict in permitting those issues. Even in today’s proposals, I will only allow hon. Ssentongo, hon. Noah Mutebi, hon. Koluo and hon. Magyezi. The others are local issues.

I also would like to encourage Members to ask questions to the ministers. Equally, I encourage the ministers to answer those questions. One of the reasons this practice is going on is because Members ask questions but there are no answers given because the ministers disappear. Therefore, let us do it that way so that we can get our work going.

Thirdly, honourable members, I gave instructions to the Committee on Human Rights this week to prepare to go and visit the safe houses. In preparation for that, there are people who have been in those safe houses and are coming forward to give evidence that gives direction to what is happening. Unfortunately, one of them, who was in prison for 28 years for a crime he did not commit and was released, was being followed and they rearrested him. Right now, even when he came here today, he was followed. This man is called Bright Africa Gabula.

I would like to appeal to the Government that we should observe human rights. If there is nothing to hide, no one should be followed because he knows something about the safe houses. We say we are a democratic country and that we believe in human rights and the rule of law. Therefore, let the rule of law reign in this country without people being harassed.

I also would like to appeal to the Government to give security to the Members who are following up this issue because they might also be intimidated so that they do not reach the safe houses.

As I indicated, I will allow hon. Koluo to raise the issue on hailstorms.

3.04

**MR JOSEPH KOLUO (NRM, Toroma County, Katakwi):** Thank you, Madam Speaker. Last week, on Wednesday, a terrible hailstorm hit one of the parishes in my constituency called Asuret and six villages were affected. In these villages, crops like simsim, groundnuts, potatoes, cassava, green beans, pawpaw and many others were totally destroyed. On top of that, because of the heavy storm, many houses were blown off including the houses of the Chairman LCIII.

My prayer is that the Government, especially the Minister of Relief, Disaster Preparedness and Refugees, should come and assist people with relief items like posho, beans and rice. On top of that, since there is no grass to thatch the houses, the Government should take for these people tents and in the long run, give them iron sheets so that they are able to roof their houses. I submit. Thank you.

**THE SPEAKER:** Honourable members, the Minister of Relief, Disaster Preparedness and Refugees should address the hailstorms and the effects in Asuret Parish, Amusia Subcounty, Toroma County and ensure that the people are able to get their livelihood back. He should report to this House by Thursday next week.

3.05

**MR RAPHAEL MAGYEZI (NRM, Igara County West, Bushenyi):** Thank you, Madam Speaker. I beg to raise a matter of urgent national importance in regards to brutality of our soldiers against our residents in Bitooma and Kyamuhunga in the areas surrounding the national forest.

On the 8th and 9th of August 2019, the Uganda Peoples Defence Forces (UPDF) soldiers attached to the National Forestry Authority (NFA) attacked residents in various places in my constituency. Some of the soldiers were armed with guns and others had sticks which they used to beat people. Some were in army uniform and others were in civilian clothes. The people narrated to me the horrific stories of brutality, torture and inhuman treatment by the soldiers. They beat men, women and children without any explanation.

Allow me to give you an example from Murambi Village. The soldiers arrived at 6.30 p.m. on a double cabin pick-up car belonging to the NFA and immediately they disembarked, they started beating whoever they met. They kicked the doors open, destroyed the people’s merchandise and took their money. The minute the LCI Chairman of Murambi, *Mzee* Buhamizo, asked them, “What is wrong; why are you beating my people?”, they descended on him. They shattered his hand, permanently disabling it. They kicked him in the back and the ribs. He was admitted at Bitooma Health Centre for three days. He spent Shs 327,000 on treatment.

*Mzee* Sebastiano Rwenshugi aged 66 years who was shopping in town was beaten and slapped several times in the face. They broke his fingers and kicked him in the back several times. Up to now, he cannot sit up. Mrs Rovina Kekimuri who was just frying meat for sale was beaten on the head and chased into the bush while bleeding. She lost all her merchandise.

The stories are many. The last one I will give is of Nathan Katushabe who was picked simply because he was carrying firewood. He was badly beaten and trampled on. They broke his foot and he was only released after his friend paid Shs 600,000 to the soldiers.

Madam Speaker, in this area, people have started selling away their goats and cows because of the fear of being beaten or losing their livestock if they are found near the forest. Some women reported cases of sexual harassment whenever they were found crossing to the neighbouring villages through the NFA land. I will table a copy of the medical report for one of these ladies who was examined and reported a case of attempted rape to police simply because she was walking through the NFA land.

Article 24 of our Constitution is clear: *“No person shall be subjected to any form of torture or cruel, inhuman or degrading treatment or punishment.”* If there is a suspect who has gone into the forest, that suspect is supposed to be prosecuted and not brutalised.

I, therefore, would like to ask a serious question to the minister in charge of our environment. In light of the increased brutality of soldiers attached to NFA against the communities, what steps are you going to take to ensure good relations between the community, NFA and your soldiers to ensure sustainable protection and development of our natural resources?

Madam Speaker, I beg that those who were brutalised, those whose properties were destroyed and those whose money was taken should be compensated by the Government, and harassment and torture of our people should stop henceforth. I beg to submit.

**THE SPEAKER:** I hope the Minister for Water and Environment will be able to address us on that issue. Are you ready, honourable minister?

Honourable members, as the minister comes up, join me in welcoming pupils and teachers of Madarasat UmarKasenyi Primary School in Mbarara. Please stand up. *(Applause)* There they are. You are welcome. They are represented by hon. Michael Tusiime and hon. Rossette Mutambi. Both the girls and boys look very smart. Thank you.

3.11

**THE MINISTER OF STATE FOR WATER AND ENVIRONMENT (ENVIRONMENT) (Ms Mary Kitutu):** Madam Speaker, on this matter which appears to be very serious, I request that you give us some time to consult with my colleague, the Minister of Defence and Veteran Affairs, because I do not have any UPDF attached to NFA but I have the Environmental Protection Force. I need to first consult before I come with a report. Thank you.

**THE SPEAKER:** The minister will report on Thursday next week.

3.12

**MR NOAH MUTEBI (NRM, Nakasongola County, Nakasongola)**: Thank you very much, Madam Speaker. The people of Nakasongola constituency have been affected by UPDF operations on Lake Kyoga in attempting to stop illegal fishing. Some people of Nakasongola have been killed and buried. Their boats have been destroyed and the nets that are legal have also been destroyed by burning. Our people have suffered as I have stated.

Lake Kyoga comprises of 12 districts but these operations are being done for two years now in Nakasongola, Amolatar, Kayunga and Lira excluding other districts. However, we are wondering why the beatings and killings are in Nakasongola. Yes, they killed a boy who was a brother to Mr Musajja and he was buried at Kiswerwa LC I near my village. Let me be on record.

Madam Speaker, we met with the Lake Kyoga Integrated Management Organisation (LAKIMO), which manages Lake Kyoga, and agreed to have a fishing holiday for two months. That was in May. However, the UPDF went ahead to prolong it and these people have nothing to do. They have left the landing sites and resorted to robbery and theft. Theft is now rampant.

Madam Speaker, my humble prayer is that the UPDF should stop using excessive force immediately. The Minister of Defence and Veteran Affairs and the Chief of Defence Forces (CDF) should prepare to come to Nakasongola and explain to our people why they are going through this.

My second prayer is that the Ministry of Agriculture, Animal Industry and Fisheries should plan to finance the Savings and Credit Cooperative Organisations (SACCOs) of these people. They should also plan to support their SACCOs in order to see how they can survive. Those are my humble prayers. I beg to submit. I thank you.

**THE SPEAKER:** Honourable members, the Minister of Defence and Veteran Affairs should come and address this House on the situation in Nakasongola and all the other landing sites. You know, we have had that debate and these people do not take it seriously. Anyway, the minister should come on Wednesday next week to answer the complaints of hon. Noah Mutebi and explain to us how they are going to manage the fishing industry especially when they have excluded the Ugandans.

**MR PATRICK NSAMBA:** Madam Speaker, it is very unfortunate that as we are discussing, matters of national importance are coming up concerning our army, the UPDF. The truth is that the UPDF has taken over exploitation of all our natural resources including the gold in Mubende and everywhere. On the lakes, the UPDF is there. When we talk about the forests, UPDF is there. It is UPDF everywhere!

I think it is high time that we have a substantive discussion in this House about this army and its role as laid down in the Constitution of this country.

**THE SPEAKER:** Honourable members, yesterday hon. Niwagaba raised the issue of the state of the economy especially regarding the welfare of the people. We told him to draft a formal motion and it will be on the Order Paper tomorrow. We are going to discuss it tomorrow.

3.16

**MS ROBINAH SSENTONGO (DP, Woman Representative, Kyotera):** Thank you, Madam Speaker. I rise on a matter of national importance concerning the plight, the protection and safety of our young people.

You are all aware that more than 50 per cent of the Ugandan population is young people aged 15 years and below. You are also aware that the rate of teenage pregnancies is on the increase. In 2011, it was at 24 per cent but as we speak, it is more than 25 per cent. Many young girls get pregnant at an early age. They get into sexual encounters at the age of 15 years, according to the statistics.

Young people need to grow into useful, productive and healthy members of the population. For this to happen, we need them to be informed. We need them to get the best education, to be protected and nurtured.

We all appreciate that the family is ideally responsible for protecting these young people. However, as we speak, this family institution is degenerating and losing meaning from time to time because of the kind of work that we do and what is happening in the nation. Young people need to be protected by the state through proactive policies.

Madam Speaker, in April 2018, Members of the Health Committee of Parliament were consulted by a team from the Ministry of Health led by hon. Moriku. This was about the contents of the national policy for sexual reproductive health and rights. We and the young people who heard about it hoped that it would be completed shortly and thereafter be rolled out.

Madam Speaker, my prayer, on behalf of the young people and the entire nation, is that the Ministry of Health should give official communication or a statement on the status and the road map for completion and rollout of the national policy for sexual reproductive health and rights. Thank you.

**THE SPEAKER:** The Minister of Health should come and brief us on the outcome of the discussions of 2018 in relation to the sexual and reproductive health and rights situation. She should come in next Thursday. Thank you.

The rest of the Members will ask formal questions.

MINISTERIAL STATEMENT ON UGANDA’S PREPAREDNESS TO PARTICIPATE AT THE 2020 WORLD EXPO

3.20

**The Minister of Trade, Industry and Cooperatives (Ms Amelia Kyambadde):** Madam Speaker and honourable colleagues, I hope that this statement has been uploaded on your tablets.

Uganda will be participating in the Expo 2020 Dubai that will be taking place in Dubai, United Arab Emirates (UAE), from 20 October 2020 to 10 April 2021. Uganda is a subscribed member of the Bureau International des Expositions (BIE), the organisers, hence qualifies to participate.

History of World Expositions

World Expos, also known as International Registered Exhibitions, have been held every five years since the 1850s in London. They are a gathering of nations dedicated to finding solutions to pressing challenges of our time, including the issues of trade and development. The last World Expo was held in 2015 in Milan, Italy.

Expo 2020 Dubai will be the first international exposition to be held in the Middle East Region. One hundred and ninety countries are expected to participate in this exposition. The theme of the Expo will be “*Connecting Minds, Creating the Future*”. It has got three subthemes: opportunity, mobility, and sustainability.

Madam Speaker, the main objectives for Uganda's participation are:

1. Promotion of strategic exports to the United Arab Emirates, Middle East and other participating countries.

2. To attract Foreign Direct Investments (FDIs) from the UAE, Middle East and other participating countries.

3. To position Uganda as an attractive tourism destination.

4. Exposure and linking the Uganda business community to the international business community.

Priority Products and Services to Showcase at the Expo

In 2018, the Middle East Region accounted for 19 per cent of the country’s formal merchandise exports ($599 million), with 90 per cent of this revenue coming from the UAE alone. Uganda’s top five export products to the UAE were gold, fish, fruits and vegetables, oil seeds and coffee.

Uganda will focus on the following during this Expo: coffee, tea, fruits and vegetables. Honourable members, these were selected based on the following parameters:

1. Market potential in UAE and the Middle East as shown in the table.
2. Capacity of Uganda to produce and supply those products.

When you look at the exports like coffee, for example, we are already exporting coffee worth $436.36 million to UAE, which has a market size of $0.103 billion. We are already exporting tea worth $88.88 million; fruits and vegetables worth $40.62 million per annum; as well as oil seeds worth $48 million.

Current Status of Uganda’s Participation

Under the “one country, one pavilion” arrangement, Uganda will have a standalone country pavilion in the Opportunity Thematic District. Uganda was among the other Africans at these expositions before but this time we are looking at the sovereign state.

Uganda has received support from the Expo organisers –*(Interruption)*

**Mr Niwagaba:** Thank you, Madam Speaker. This is a very important statement as it deals with a sector that is important to all of us. Unfortunately, I have tried to look for it on my iPad and it did not seem to be uploaded *–(Interruption)-* Is it there? We seem to have a problem then with the Information and Communications Technology (ICT) Department. These particular iPads seem not to be working properly.

**THE SPEAKER:** Do other Members have it? Hon. Angura has it. Some Members have it. Maybe this is a communication problem because some Members have it.

**Ms kyambadde:** Madam Speaker, there are issues with the tablets. I also had the same problem with mine. Otherwise, it was uploaded.

Madam Speaker, Uganda has received support from the Expo organisers, the UAE, in form of pavilion (shell structure) construction. The construction is completed and the structure shall be handed over for the second phase of branding, decoration and beautification in October 2019.

The following have already been done:

i) Country participation, registration and pre-Expo administrative process, as prescribed by the rules and regulations of the UAE Government, Dubai Municipality and Expo 2020 Dubai Team, are complete.

ii) Pavilion structure construction is complete.

iii) The pavilion design proposal and artistic impression has been completed and approved.

The following are on-going:

i) Pavilion branding, decoration and beautification shall commence in October 2019.

ii) The national coordination team is now working out the details of the planned special events. This coordination team comprises of members of the private sector, the civil society and officials of Government.

Special Events to be Held During the Expo

Uganda will participate in special events that will take place during the six-month Expo period. These will include the following:

1. Uganda National Day. This will also include a trade and investment forum on 22 October 2019.
2. Business to Business (B2B) Forum, business matchmaking events which will be held at different periods during the Expo.
3. Tourism road shows, culinary experience days (for food testing festivals) to showcase Uganda’s food.
4. Dance and Cultural Festival; amongst others.

Benefits and Opportunities

i) Increased exports of coffee, tea, fruits and vegetables to the Middle East but also the other 190 countries;

ii) Increased tourist arrivals from the Middle East as a result of the exposure and promotion of Uganda’s tourism;

iii) Increased FDIs from the UAE, Middle East and the 190 participating countries; and

iv) Creation of linkages between the private sector in Uganda and the participating countries.

Modalities that we intend to use to have a successful forum:

i) A task force comprising of the public and private sector has been formed and is coordinating the preparatory activities;

ii) Media engagements in Uganda and UAE to create awareness; and

iii) Engaging promotion and advertising agencies to enhance Uganda’s visibility in the UAE.

Participation Costs (Budget)

The estimated budgetary requirement for Uganda's participation is Shs 5 billion for two financial years: financial year 2019/2020 and financial year 2020/2021. This will cover pavilion setup, branding, beautification and maintenance; promotional and advertising materials, both visual and print; publicity; and special events such as the Uganda National Day and Trade and Investment Forums. I will forward details about that budget later.

Conclusion

Expo 2020 Dubai is a platform for Uganda to showcase its trade, investment and tourism potential to the UAE and Middle East market as a whole. Through this opportunity, Uganda will enhance its trade relations with the region, grow its share of these strategic commodity and tourism market, and encourage more investment into Uganda.

It will also be an opportunity for you, honourable members, to also do your businesses and network with other businesses there. Thank you, Madam Speaker and colleagues. I beg to lay this statement on the Table for information. Thank you.

**THE SPEAKER:** Honourable minister, thank you for the information. However, our concern has not been addressed. This money was neither budgeted for nor appropriated. This is August and the Expo commences in October, hardly a month away. Our concern is: Where is the money? Why wasn’t it planned for? Why wasn’t it budgeted for? Why was it not appropriated? Where is the money?

3.32

**MR JACK WAMANGA-WAMAI (FDC, Mbale Municipality, Mbale):** Thank you very much, Madam Speaker. The minister did not tell us why our pavilion is not branded. Other countries have already set up their pavilions and the minister has told us to wait until October. Why are we waiting until October when others have already set up their pavilions and branded them? What is the reason for us to wait until October?

3.32

**THE CHIEF OPPOSITION WHIP (Mr Ibrahim Ssemujju):** Thank you very much, Madam Speaker. The minister, in her statement, concentrates more on UAE and the Middle East, yet this is going to be a world expo. Even her conclusion is that they are going to showcase our tourism and investment potential to the UAE and the Middle East. We probably need to change our mind-set because this is not just about the UAE.

Madam Speaker, you told Parliament that while the other countries are branding their stalls, ours is still empty. We had trouble sometime back in Berlin during the tourism expo. While Rwanda had properly branded its store, Uganda’s only had a flag during the whole duration of the expo because that is all that was available at the embassy.

The minister needs to convince this Parliament that this artistic impression, which she said is being built, is for this expo. I fear the expo may start when they are still designing and building the artistic impression and then, you will make our country look ridiculous like you did in Berlin. Thank you, Madam Speaker.

3.34

**MR FELIX OKOT OGONG (NRM, Dokolo South County, Dokolo):** Madam Speaker, this brings my thoughts to the African Growth and Opportunity Act (AGOA). Uganda actively participated in negotiating for AGOA, for Africa and Uganda to export to America. However, remember what happened; other countries in Africa such as Kenya and Rwanda benefited from this while Uganda did not, after spending a lot of money and time negotiating for AGOA.

This time, we are also talking about the World Expo. We are going to spend Shs 5 billion this year and the next and at the end of it all, Uganda will not participate effectively. May I know now from the minister whether she has a strategic action plan for us to benefit in the world market? We do not want you to just speak and lay papers on the Table. Bring us Uganda’s strategic action plan and it should be measurable. We do not want you to just talk while we get nothing from it. Thank you very much, Madam Speaker.

3.35

**MR PATRICK NSAMBA (NRM, Kassanda County North, Kassanda):** Madam Speaker, if I heard the minister very well, she spoke about an event that will take place in October 2020 –

**THE SPEAKER:** No, it is 2019.

**MS KYAMBADDE:** He is right, Madam Speaker. The preparations are starting in October 2019 but the event is from October 2020 up to July 2021.

**THE SPEAKER:** So, where is the money for starting those preparations? That is what we want to know.

**MR NSAMBA:** Madam Speaker, that is exactly why I stood up. The minister should have taken us through the cost implication of our participation in the 2020 World Expo. My assumption is that she was coming to Parliament to request for money. If that is not true, my assumption is that she is informing us because she has some money she needs for the 2020 expo.

Madam Speaker, I feel it is important – as she has deliberated on the benefits – for us to know the cost implications and how much we are putting in so that we get to compare the cost benefit situation. Thank you.

3.37

**MS JANEPHER MBABAZI (NRM, Woman Representative, Kagadi):** Thank you very much, Madam Speaker. I would like to request the minister to clarify to the business community out there how Government is going to help those who want to participate. That is what people and the business community are expecting to hear. Is there something going to be done or streamlined to help the people you have talked about, for example the companies that deal in fruits?

We have people in the community, especially the young generation that the President talks about all the time, who need help from the Government. They need to be guided; if there is something small that they can be helped with, probably it needs to be made clear so that the society or the community understands it. Thank you.

3.38

**MR MICHAEL TUSIIME (NRM, Mbarara Municipality, Mbarara):** Thank you, Madam Speaker. I would just like the minister to reconcile her figures. In the statement she gave, she seemed to underscore our performance in exports. She gave US$ 599 million as our merchandise export value in the Middle East. However, when you add up the figures in the table she provided, you get US$ 614 million. So, it seems she needs to reconcile these figures so that we know our export performance as a justification for the provision of these funds. Thank you.

3.39

**THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (PLANNING) (Mr David Bahati):** Thank you very much, Madam Speaker. It was important that the Minister of Trade, Industry and Cooperatives briefs the House on our preparations for this expo beyond the financial implications.

It is true that this item was never budgeted or appropriated for by Parliament. However, given the importance of this item, we have agreed that we are going to internally support this activity and the rest of the money will be budgeted for in the next financial year. We are ready for this and as the Minister of Trade, Industry and Cooperatives has said, I will be participating in this expo.

**MS CECILIA OGWAL:** Madam Speaker, I expected the Minister of State for Finance, Planning and Economic Development to clarify on the issue of financial preparedness. I have a brief from the Chairperson of the Committee on Tourism and Trade, specifically talking about preparations for Expo 2020. The budget that was presented was Shs 3.46 billion. Out of that, Shs 2 billion was agreed upon, and I am sure it came out in the Appropriation Bill.

I am surprised that the minister is saying that there was no budget and that there was no financial preparedness yet I have information to confirm that actually, that was there.

**MS KYAMBADDE:** Madam Speaker, I would like to thank you very much for that contribution. I would like to comment on the issues raised here.

On the issue of the budget, we have been liaising with the Ministry of Finance, Planning and Economic Development. This money, as alluded to by my sister, was not budgeted for as the Minister of Finance, Planning and Economic Development has stated.

On the issue of countries, it is not only UAE; I kept mentioning 190 countries –*(Interruption)*

**MR PATRICK NSAMBA:** Madam Speaker, it is Parliament that does appropriation. Hon. Cecilia Ogwal is a member of the Committee on Budget. She has given the House information to the effect that there is a budget line. The Minister of Finance, Planning and Economic Development is saying there is no budget line and the Minister of Trade, Industry and Cooperatives is almost saying the same thing.

It is very unfortunate for me to raise a point of order against her. However, having received information from one of the Members of this Parliament, is she in order to dispute what hon. Ogwal has put forward?

**THE SPEAKER:** I have not read what hon. Ogwal has read; I cannot rule on that.

**MS KYAMBADDE:** As a ministry, we had budgeted Shs 2 million as she said. However, as Ministry of Finance, Planning and Economic Development, they did not factor it in and so it was one of those unfunded priorities but we are now negotiating with them.

**MR BAHATI:** Madam Speaker, it is important that the House is not drawn into many details. The point is that there was no appropriation for this activity. As we speak, for this financial year this activity has no resources. However, we are going to organise internally and raise resources for the preparations for this year and the resources for next year will be appropriated next financial year. Therefore, what hon. Ogwal is trying to say adds up to no money. My position is what is correct. Thank you.

**THE SPEAKER:** Whoever is correct does not matter; the issue is that you failed to provide money for this important activity. We do not know why you did not consider it as important. You have known about it and we even voted for this city. We are always stumbling.

3.45

**MS BEATRICE ANYWAR (Independent, Kitgum Municipality, Kitgum):** Thank you, Madam Speaker. As a country, finding markets where we can showcase is a good thing. The concern, however, is: how prepared are we as a country and what strategies do we use to achieve the set objectives?

As country, we have devised a cultural background. The honourable minister has stated that we would want to show different foods stuffs, for example. How has the minister chosen what would showcase the face of our country? Will it be *embooli*, *kwon,* *matooke* and the likes?

Secondly, I would like to seek for clarification from the minister on how far she has involved the cultural institutions on this matter, so that the face we are showing is for the whole of Uganda not only fished from one area. We want that assurance. Otherwise, as a country, we need to venture out there and showcase. We do not need to go there and get embarrassed. Thank you.

3.47

**MR HENRY KIBALYA (NRM, Bugabula County South, Kamuli):** Thank you, Madam Speaker. At times, we get embarrassed and wonder whether people are in the right places. This is an event that the ministry planned for and sent a request to the Committee on Budget. The Committee on Budget has information that it planned for that money. The Ministry of Finance, Planning and Economic Development knew very well that this was an event that was going to happen and it would require money.

The Ministry of Trade, Industry and Cooperatives had presented their plan and request. Now, the Ministry of Finance, Planning and Economic Development fails to appropriate that money but the minister responsible comes to the Floor and says that they are going to rearrange internally. He knew very well that this was an event for which the minister had presented a request and it was going to happen.

We have just got to know about a scenario where a colleague told us about what happened in Berlin, where only a flag appeared. We are lucky that with this particular event, it is on the Order Paper, to show Uganda’s preparedness. If it had not been here, we would get the same shame when that time came and we had not checked.

I think it is high time some people are held responsible for some of these failures, which are open. How can the Ministry of Finance, Planning and Economic Development come here and tell us that we are going to look internally yet he received the request –*(Interruption)*

**MR BAHATI:** Madam Speaker, it is unusual that I raise a point of order against people, but in this particular case we all know the budgeting process in this country and how we finally appropriate resources. We know that we have so many things that we do but we do not have enough resources to do them. Therefore, when it comes to appropriation, some of the things are financed and others are not. There are so many priorities which are left out.

Is it in order for the honourable member to put blame on the finance ministry when all of us, including Parliament, had this request before us but we said that we could not raise the money at that particular time? Is he in order to blame Ministry of Finance, Planning and Economic Planning when all of us are responsible for this issue?

**THE SPEAKER:** Honourable members, I do not know whether everybody appreciated the importance of this meeting. Maybe people did not appreciate it. This should have been a priority.

3.50

**MR HENRY MUSASIZI (NRM, Rubanda County East, Rubanda):** Thank you, Madam Speaker. I would like to note that this meeting is very important for the country. I would like to note that had it been put before Parliament that this meeting was very important, we would have provided the money at that stage. I do not want to play the blame game in this House.

However, I would like to suggest that as a way forward, when such scenarios happen, where the unavoidable comes before us after the budget process has ended, there is a window we use to deal with it. I would like to implore the minister to think about that idea. Internally, you may not – the laws provide differently. The window we have is through supplementary spending and budgeting.

If the minister can think about strategies on how they can work together with the finance ministry to come up with a way forward, the better. Instead of coming here to start blaming each other on who was supposed to do what and who never acted in accordance with what, we ought to have done this that time. Thank you, Madam Speaker. *(Applause)*

**THE SPEAKER:** I think the people of Uganda are saying that on this matter, time is of the essence. We need you to get moving now on this issue. We cannot afford to have an empty stall up to next year. Any closing remarks, minister?

**MS KYAMBADDE:** Madam Speaker and honourable colleagues, I would like to allay your fears. October 2019 is for preparations -that is when we start to prepare. The Expo is going to take place in 2020. We are not very far off. We are working closely together with the Ministry of Finance, Planning and Economic Development and we will sort it out.

On the issue of the target countries, it is not only the UAE; I mentioned in my presentation that there are also 190 countries that we are targeting that are also participating in addition to the UAE.

On whether we have a strategy that we are applying in promoting exports, I would like to say that we have a national export development strategy which we are applying in organising our exports to other countries.

This is an information paper and I must state that the reason I am presenting now is not only budgetary but also information. It is at this premature stage where I seek your guidance on how you want us to implement this. I have noted some issues from the honourable member like involving cultural groups for food. Thank you very much for your advice. I have also taken note of the issues raised by other Members.

How does Government support us? I cannot say that Government can actually support you. Government has availed you with the market and an opportunity to be able to do business but the resource envelope is too narrow to support individuals and individual groups. Therefore, I cannot stand here and say that Government is going to support individuals.

I would like to state that this Expo, like all of you have alluded to, is very important for our country and I seek your further support in this. I thank you for the advice you have given me. I wish to submit.

**THE SPEAKER:** Thank you. Honourable members, I hope that the minister will keep us updated on progress as we close the year.

Join me in welcoming a delegation of councillors and technical staff from Kabale, represented by hon. David Bahati, hon. Niwagaba, hon. Baryayanga and hon. Catherine Ndamira – Okay, the Greater Kabale. *(Laughter)* You are welcome *(Applause)*

MINISTERIAL STATEMENT ON GOVERNMENT INTERVENTION TO ENSURE CONSTANT WATER SUPPLY IN WATER FACILITIES

3.50

**THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (PLANNING) (Mr David Bahati):** Madam Speaker, I got information that on items 3(b) and 3(c), the ministers are not available now. They would like to request that these statements are presented tomorrow.

**MS NYAKECHO:** Thank you, Madam Speaker, for the opportunity. I was wondering why, with due respect, hon. Bahati referred to item 3(c) yet the clerk at Table had not yet called it. Is it procedurally correct for him to mention that the ministers are not there, even before you call the next item? Is it procedurally correct for him to hijack the process?

**THE SPEAKER:** Tell us why you did it, honourable minister? *(Laughter)* Why did you go ahead of the queue?

**MR BAHATI:** Madam Speaker, as acting Government Chief Whip, I thought I should save your time instead of – *(Laughter)* Thank you.

**THE SPEAKER:** Items 3(b) and 3(c) are deferred to tomorrow’s Order Paper.

MINISTERIAL STATEMENT ON THE ALLEGED PLANNED CONSTRUCTION OF A HYDRO ELECTRIC DAM AT MURCHISON FALLS

3.58

**THE MINISTER OF STATE FOR WATER AND ENVIRONMENT (ENVIRONMENT) (Ms Mary Kitutu):** Madam Speaker, I rise to inform the House on the notice of intended application for a generation and sale licence of electricity from the proposed 360MW Uhuru Hydropower Project along River Nile in Kiryandongo and Nwoya districts.

Madam Speaker, the Ministry of Water and Environment, through the National Environment Management Authority (NEMA), on 12 June 2019, received a letter from the Electricity Regulatory Authority (ERA) in relation to the application they had received from M/s Bonang Power and Energy Limited on their intention to carry out a feasibility study for hydropower at Uhuru Falls. A joint meeting involving NEMA, Electricity Regulatory Authority, Uganda Wildlife Authority (UWA) and Uganda Tourism Board (UTB) was held to brainstorm on the subject shortly after, to fully understand the rationale by the Ministry of Energy and Mineral Development on the subject.

Madam Speaker, the following preliminary observations have so far been made:

1. There is inconsistency in the area applied for and the coordinates provided. The application sought to build the dam at Uhuru Falls, but our checks showed that the Geographical Information System (GIS) locates coordinates at Murchison Falls. This raises concerns on the intent of the company overall.

2. Environmental management is done using different globally accepted approaches such as offsetting. Offsetting is a system used predominantly by planning authorities and developers to fully compensate for impact associated with economic development to ensure no net loss of environment value alongside development. This approach was applied during the development of Bujagali Hydropower Dam, where Kalagala Falls were set aside as an offset. If this approach were to be applied, it leaves no matching offset in the downstream in character and feature for Murchison Falls that drops by 40 metres of sheer magnificence and grandeur.

3. Murchison Falls National Park is regularly listed among the world’s best tourist destinations because of the falls. Animals in this park are similar to those in the protected areas of Kidepo and Queen Elizabeth national parks. Therefore, flooding Murchison Falls will rob this park of its unique iconic feature.

4. Many developments for oil and gas activities have already been approved by the National Environment Management Authority and other Government institutions in the same area with manageable environmental conditions. More development approval in the said area will greatly impact the ecological and subsequently the tourism capacity of Murchison Falls National Park, which is a top income earner for Uganda.

Madam Speaker, these are the recommendations from the ministry:

1. Based on experience from previous development requests with high public interests, such as the conversion of Mabira Forest into a sugar plantation or Pian Upe Wildlife Reserve into a cotton plantation, our first-call advice to ERA was to stay any further consideration of this request. Detailed feasibility and environmental impact assessments were more likely to yield negative results.
2. The Bonang Power and Energy Limited reviews the energy masterplan and identifies another area, which is available for the generation of 360MW of power, without need to waste resources on a feasibility study for an area that falls short of meeting the principle of sustainable development.
3. Finally, as an advanced notice, NEMA is more unlikely to approve such an investment and an alternative site should be sought. *(Applause)*

I beg to submit.

Madam Speaker, this is what we have replied as the Ministry of Water and Environment to the proposal that came from our sister institution, Electricity Regulatory Authority. I am just informing Parliament about what is on our side. Thank you.

**THE SPEAKER:** Minister, when we raised that question last week, we were told that Cabinet was going to sit and come up with a common position but from your answer, it seems that the Ministry of Energy and Mineral Development and ERA will continue making their applications – NEMA will think about it and it is unlikely to –*(Laughter)*

What we want to hear is that the Government has said “no”. We want to hear that the Government has understood that this is a major tourist attraction to this country and it should not be disturbed. We want a clear answer. Are you going to build a dam at Murchison Falls or not? We want to hear from both of you, the ministers of environment as well as energy.

4.04

**THE MINISTER OF STATE FOR ENERGY AND MINERAL DEVELOPMENT (MINERALS) (Mr Peter Lokeris):** Madam Speaker, when we construct these dams, it is a must that the environment impact assessment report is given. When they say “no”, it is a no. Even the memorandum to the Cabinet, which has not been discussed, is also saying that it is not a suitable place to generate electricity because of the existence of biodiversity in that area which brings money. Even there, it is said we are stopping development around that place. Thank you very much.

**THE SPEAKER:** When are you going to pronounce this officially? We want you to say it officially.

**MR LOKERIS:** Madam Speaker, we are saying we are not developing anything there, in line with what NEMA has said.

4.06

**MR TONNY AYOO (NRM, Kwania County, Kwania):** Madam Speaker, I think it would be better for the minister to lay that report of NEMA on the Table here so that we can see it. This is because sometimes somebody speaks like this and tomorrow, you hear another thing. To allay our fears, we want the NEMA report here in which he is saying they have rejected the construction of that project at Murchison Falls.

4.06

**MS LILLY ADONG (Independent, Woman Representative, Nwoya):** Thank you, Madam Speaker. It is painful if Government, which is supposed to take charge and keep our heritage, is mooting a plan in the corridors, dillydallying and not telling us the right thing - that they must not do it in the interest of Ugandans.

For your information, the environmental impact assessment is done by the investors themselves. If I want to do something, will I say that it will create any bad impact? They will just cover it up. If they destroy that waterfall, are they going to create another waterfall? They should not do it and Ugandans do not want it.

4.07

**MR BENARD ATIKU (Independent, Ayivu County, Arua):** Thank you, Madam Speaker, for being consistent on this matter. It is a matter of national importance. We all know that this place is a world heritage site for which we take pride in as Ugandans and it is a world destination.

I have three proposals here, which the two ministers must fulfil because we know commitments have been made here verbally and the contrary has happened. We need a copy of the application that was lodged. I am sure it was either sent to the Ministry of Energy and Mineral Development or NEMA. We need that copy to be laid on the Table here because it is from that, that all these other communications are coming up.

Secondly, we also want the Environmental Impact Assessment (EIA) report that the minister has talked about because it is not yet there. We want it laid on the Table for record purposes.

Thirdly, the Minister of Energy and Mineral Development,who has made commitments that have been withdrawn, should go and write that communication so that in future, should anything happen to the contrary, we hold the minister accountable. Otherwise, as Parliament, we are going to follow all these commitments to the letter, until we secure the future of Murchison Falls. Thank you.

**THE SPEAKER:** Honourable members, hon. Ruth Nankabirwa said they are going to take it to Cabinet and come up with a Government position. Now the ministries are coming separately. We want Government’s position equivocally saying, “No”.

**MS KITUTU:** Madam Speaker, may I request to lay the report on the Table. The report is the reply we gave to the Ministry of Energy and Mineral Development. Our stand is final and we have now agreed that no development will go on at Murchison Falls. I beg to lay.

4.10

**MR FELIX OKOT OGONG (NRM, Dokolo South County, Dokolo):** Madam Speaker, I have had the opportunity of being a member of Cabinet. What is happening right now does not reflect the position of Cabinet, which is always the position of collective responsibility. This is communication from the Minister of Water and Environment to the regulatory authority, not actually to Government or any institution. Therefore, a matter raised by a minister to a regulatory authority does not reflect the opinion of Cabinet.

Madam Speaker, the President has executive authority over members of his Cabinet. If the President has a different opinion, it can alter the opinion of what the minister is saying here, and the minister will not even disagree. She will just say, “Mr President, I think you are right; I accept your guidance.” *(Laughter)* Therefore, it is the responsibility of this Parliament, considering the importance - *(Interruption)*

**MR KIBALYA:** Madam Speaker, with due respect to my senior Member who has been in the Cabinet, the two ministers concerned have been here and they have told us their position. They have also seen our mood.

Madam Speaker, this institution takes decisions that affect this country. Every decision taken must come from here. Therefore, all decisions taken outside from what we have agreed upon is not bound and does not belong to us. I am, therefore, wondering whether the Member is in order to tell us that there will be another decision taken outside from what the ministers are telling us, and that we should prepare for another decision coming contrary to what we have heard from them.

**THE SPEAKER:** Let me find out from the – Are you still the Prime Minister? *(Laughter)*

4.13

**THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (PLANNING)** **(Mr David Bahati):** Madam Speaker, I am in charge. Given the importance of this matter and the fact that Parliament and the Executive need to move together on it, I would like to request that we reaffirm our position on this matter on Tuesday afternoon as Government.

**THE SPEAKER:** Okay, on Tuesday next week, we expect a statement from the Prime Minister on this issue.

**MR OKOT OGONG:** Madam Speaker, I was interrupted but I would like to say that, that was my position. I was going to propose that the Prime Minister, after meeting with Cabinet, should not come with his own opinion but with the position of the Cabinet.

**MR MWIRU:** Thank you, Madam Speaker. I appreciate the fact that the centre no longer holds but this is Parliament of Uganda. I am wondering whether it is not procedurally right for us to say that this should be the last time two Cabinet ministers treat us to this situation where they are giving different positions on the Floor, as if this is a secondary school. They actually know very well how Government operates.

It is very shaming. The future readers of the *Hansard* may think that all of us in this House do not know how Government runs yet we know how Government is operated. We cannot have two ministers giving different positions on the same matter. Even when the centre no longer holds, the Prime Minister would have been handy to address this matter. Madam Speaker, I seek your indulgence.

**THE SPEAKER:** We have now directed the Prime Minister of the Republic of Uganda to come on Tuesday and give us a position on the issue of the construction of the power dam at Murchison Falls. I hope that will be the final position.

PERSONAL EXPLANATION

4.15

**MR SAM BITANGARO (NRM, Bufumbira County South, Kisoro):** Thank you very much, Madam Speaker. This statement is brought under rule 54 of the Rules of Procedure of Parliament.

My attention was drawn to an article that appeared in the *New Vision* newspaper of August 19th on page 7, entitled *“Nakalema probes MP over Shs 1.6 billion land sale.*” The same article appeared in an online newspaper called the *Chimp Reports*. I wish to correct the factual and legal errors that appeared in both articles, clarify the distortions and put the record right.

In 2013, I was a registered proprietor of land comprising Block 308, Plot 122 situated at Bukoba in Mubende District. I was keeping cattle on the said land. In 2014, I was approached by a group of people representing Kiboga Twegatte Cooperative Society Limited who offered to purchase 780 acres of my land. I made an offer to them, which they accepted and we proceeded to transact over the purchase of the land on a willing seller-willing buyer basis. A copy of the certificate of title is attached to this statement.

The buyer, which is Kiboga Twegatte Cooperative Society Limited, carried out due diligence through their retained lawyers and made a search in the Register of Titles. They found that the land belonged to me and there were no incumbrancers whatsoever. A search report is attached to this statement as well.

They proceeded on the ground using their surveyor, opened boundaries, asked the civic leaders and neighbours about the land and they were satisfied that the land belonged to me. We entered into an agreement of sale, which is also attached. After conducting satisfactory due diligence, the purchaser, using their nominated surveyor, proceeded to divide the land and the certificate was mutated and the purchaser was registered as the proprietor of 780 acres of land. The certificate is also attached.

In the month of July 2014, the purchaser moved equipment on the ground, constructed roads, dug boreholes, demarcated land and allocated plots to project affected persons. The project affected persons have been in occupation of the said land since 2014 and there are 400 households residing on this land.

The certificate of title has never been challenged in a competent court of law and has never been cancelled. Hon. Simeo Nsubuga, MP Kassanda South, can testify and confirm this. I was therefore shocked to hear that I sold “air” to Government.

In the first place, I have never been paid by Government of Uganda for any land because I never had a transaction with Government. The buyer I sold land to was Kiboga Twegatte Cooperative Society Limited. I did not ask the buyer where they got the money to pay me from.

It was not my responsibility to settle the evictees of Luwunga Central Forest Reserve neither was I under an obligation to know whether they were all settled. That was and still is the responsibility of Kiboga Twegatte Cooperative Society Limited.

I, therefore, would like to make it categorically clear that I sold the land to Kiboga Twegatte Cooperative Society Limited and it is transferred to them; they are genuine beneficiaries of the land and they got value for money. In my long career as a lawyer and experience as a legal practitioner, I have never seen or heard of a person arrested for selling their land or property.

On the 19th of August, I went to see Lt Edith Nakalema over this allegation. We had a frank, open and candid discussion. We have furnished documents to her office and they will verify our story. I would like to compliment Lt Edith Nakalema for the courtesy accorded to me.

I am not under arrest or on a wanted list as sensualised by the media. Notwithstanding my privilege as a Member of this august House, I am a free and even more so outside the precincts of Parliament. I wish to allay the fears of my constituents and friends who were alarmed by this bad press that was intended to malign my name and damage my reputation as a Member of Parliament.

In the same article, my attention also was drawn to the fact that I sold some piece of land to Mr Abid Alam. Yes, it is true; I sold some 640 acres to Mr Abid Alam and transferred the land to him. However, this land is nowhere near the land that I sold to Kiboga Twegatte Cooperative Society Limited. Mr Abid is in occupation of the land and I have never claimed it. On the contrary, I have always given evidence in his favour on this particular land in his long drawn-out conflicts with the local people.

Madam Speaker, I wish to thank you for giving me this opportunity to make this clarification.

**THE SPEAKER:** Thank you very much, honourable members. Under rule 54 (1) there is no debate on this issue.

PRESENTATION OF A PETITION ON THE ILLEGAL, FRAUDULENT SALE AND TRANSFER OF LAND COMPRISED IN RANCH 22, BLOCK 8, FORMER NORTH BUNYORO RANCHING SCHEME

4.23

**MS HELEN KAHUNDE (NRM, Woman Representative, Kiryandongo):** Thank you very much, Madam Speaker. The petition is moved under rule 30 of the Rules of Procedure of Parliament.

*The humble petition of the residents of Kikungulu, Nyamuntende and Ndoyo villages all in Kiryandongo District seeking Parliament’s intervention in the illegal fraudulent sale and transfer of land comprised on Ranch 22 Block 8, former North Bunyoro Ranching Scheme.*

*Your humble petitioners, numbering about 3,000, are residents of Kikungulu, Nyamuntende and Ndoyo villages all in Kiryandongo District whose proprietary rights to land comprised on Ranch 22, Block 8 former North Bunyoro Ranching Scheme have been violated through the illegal acquisition, sale and transfer of the land by certain individuals.*

*Your humble petitioners state that they jointly agreed to have their land registered under leasehold and chose representatives, namely -*

**THE SPEAKER:** Honourable member, do not go into the details; just go to the prayers because it will have to go to the committee.

**MS KAHUNDE:** Madam Speaker, the prayers of the petitioners are:

*(i) Parliament investigates the entire process of acquisition of leasehold title for Ranch 22, Block 8, former North Bunyoro Ranching Scheme, to establish whether all the proper and legal procedures under the laws of Uganda were followed.*

*(ii) Parliament should urge the Government of Uganda to place a moratorium on all land sales and transactions on Ranch 22, Block 8, former North Bunyoro Ranching Scheme, pending conclusion of the investigation.*

*(iii) Call upon the minister responsible for lands to provide full disclosure of all land transactions, secure and clearly demarcate the land, process and grant certificates of title to lawful occupants of Ranch 22, Block 8, former North Bunyoro Ranching Scheme.*

*Your petitioners as in duty bound will ever pray and therefore append their signatures as attached.*

Madam Speaker, I beg to lay a copy of the petition on the Table.

**THE SPEAKER:** Thank you, honourable member. It is sent to the Committee on Physical Infrastructure to handle and report back.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON EQUAL OPPORTUNITIES ON THE 4TH ANNUAL REPORT ON THE STATE OF EQUAL OPPORTUNITIES IN UGANDA FOR THE FINANCIAL YEAR 2016/2017

**MR KIBALYA:** Madam Speaker, I rise on a point of procedure. We are now going to receive the report but the office of the Government Chief Whip and the office of the Leader of Government Business is empty-

**THE SPEAKER:** Now I do not know who to ask because – Can someone go and bring back the acting Government Chief Whip? *(Laughter)*

4.28

**THE CHAIRPERSON, COMMITTEE ON EQUAL OPPORTUNITIES (Ms Hellen Asamo):** Thank you, Madam Speaker. I have the full report and I beg to lay it on the Table later, after I have read the executive summary and minutes. So, I will be using the executive summary, not the report that was uploaded on the iPads.

In accordance with section 24 (2) and (3) of the Equal Opportunities Act, 2007, the Equal Opportunities Commission developed the 4th Annual Report on the State of Equal Opportunities in Uganda for the Financial Year 2016/2017, with the theme, “*Enhancing national development through equity and inclusion*”. It was laid on the Table on 13 March 2018.

The 4th Annual Report of the Equal Opportunities Commission was presented to the House and referred to the Committee on Equal Opportunities for further scrutiny, in accordance with rule 180 of the Rules of Procedure of Parliament. The report highlights emerging issues on the state of equal opportunities on:

1. Compliance to gender and equity requirements in planning and budgeting;
2. Equitable access to health service delivery for marginalised and vulnerable groups;
3. Implementation of social development programmes targeting older persons, youth, women and people with disabilities; and
4. The status of physical accessibility to built-up environments.

It also presents key recommendations to address the gaps towards equitable service delivery for all persons.

The report highlights the progress made by both public and private institutions in ensuring equal opportunities for all persons; affirmative action for marginalised and vulnerable groups; identifies policy gaps and lessons learnt; and makes recommendations towards promoting equal opportunities.

Madam Speaker, allow me to highlight key committee observations and recommendations of the Equal Opportunities Commission contained in this report.

Ministry of Health

State of Physical Accessibility of the Built Environment

The committee noted that access and utilisation of health services is inhibited by lack of appropriate physical facilities such as ramps, adjustable beds especially in labour wards, wheelchairs, and disability-friendly environments and sanitation facilities in hospitals.

It is also observed that many hospitals and health centres have challenges of physical accessibility to built-up environments, hence the aged, sick and Persons with Disabilities (PWDs) find it difficult to access services in such places.

The committee, therefore, recommends that disability-friendly facilities such as ramps, adjustable beds, wheelchairs and sanitation should be provided and frequently renovated in all existing and future health facilities. Ramps, which are steep or without handrails, as cited in Budaka Health Centre IV, should be avoided.

Madam Speaker, I would like to give an explanation. The role of buying wheelchairs lies with Government but in Uganda, we do not have any institution which buys wheelchairs and yet they are not only for disabled people. Women who are pregnant need to be wheeled in. People who are very sick need wheelchairs. However, you can go to a health centre and find nothing there.

Training and Use of Sign Language

The committee noted that most of the health workers have limited understanding of the use of sign language, which makes it quite difficult for them to attend to some of the persons with disabilities, especially those patients with hearing and speech impairments.

It was equally noted that it would be futile to subject all health personnel to training in sign language yet there are sign language professionals in the country. Somebody does not need to learn sign language to work within the profession; we already have people who are trained in sign language. The best thing is to use them because you cannot be a doctor who is also using sign language at the same time when you are administering. Therefore, we recommend that there is already a pool of sign language professionals who should be used.

The committee further observed that since most health workers could not communicate effectively with persons with hearing and speech impairments, chances are high of cases that may result into maltreatment and discrimination of persons with disabilities.

The committee recommends that the Ministry of Health should include in its structure, starting with financial year 2020/2021, at least one sign language interpreter at each health facility, to assist in communication with PWDs. Sign language interpreters should also be deployed during information dissemination and outreach programmes.

Madam Speaker, you will agree that when they are talking about immunisation, these people with hearing impairment do not get that information because there is no sign language interpreter during that kind of discussion.

Lack of Ambulances

The committee observed that most health centres lack appropriate means of transport for purposes of handling emergency cases, and that most ambulances are grounded due to poor maintenance. In some cases, the health facilities could not afford fuel for the vehicle and the fuel bills and drivers’ allowances are expected to be borne by the patients. Besides, some of the so-called “ambulances” are just pick-up trucks with little or no appropriate facilities to handle emergency cases.

It is grossly inappropriate for the Ministry of Health to surrender this crucial life-saving function to private players such as is currently being done by Members of Parliament in most constituencies visited by the committee across the country. This private arrangement raises issues of sustainability.

The committee recommends that appropriate ambulance services should be provided to all health facilities at level IV and above, for purposes of handling emergency cases. The committee further recommends that a national coordinated and well facilitated ambulance service system be established by the Ministry of Health.

The Minister of Health should lay before Parliament a comprehensive plan to operationalise the National Ambulance Services System across the country in the coming financial year and the Committee on Health should ensure that this is prioritised in financial year 2020/2021.

Lack of a “No Queue Policy” for Older Persons

Madam Speaker, the committee observed the lack of special consideration for older persons at health facilities. Often times, older persons have to wait in long queues to access health services, despite their frail conditions. The committee recommends that a “no queue policy” should be established to ease access to health care services by older persons and PWDs. There is need for affirmative action in this regard.

Lack of Specialised Services and Essential Drugs

It is important to note that a majority of the health facilities across the country lack access to specialised treatment, personnel and/or services for marginalised and vulnerable groups such as older persons, children, youth and albinos.

It should also be noted that some drugs and services are not considered essential, yet they are essential to a certain marginalised group. Sunscreen lotions for albinos, for example, are essential for their survival, yet our healthcare system does not categorise them as such.

The committee recommends that the health facilities should be fully equipped with appropriate drugs and personnel to provide specialised services for the marginalised and vulnerable groups such as geriatricians for the older persons, psycho-social support services for youth, nutrition services for older persons and children, and sunscreen lotions for the albinos.

It is also recommended that the Ministry of Health should reclassify essential services and drugs to include those essential for the survival of marginalised groups such as the elderly, PWDs, children and albinos, including injectables for expectant mothers and anaesthetics.

Low Proportion of National Budget Appropriated for Health

The committee observed that there was limited financing for healthcare, which negatively impacts on the quality of health services. Many health facilities, particularly in the rural areas, lack essential medicines, necessary core staff and are not offering care in line with clinical guidelines.

In addition, the percentage of the budget appropriated for health dwindles especially when massive infrastructural projects come to completion. It would be prudent that such relieved funds should be deployed under the sector to augment service delivery in the hitherto strained areas. The committee noted, however, that this has not always been the case.

The committee observed that if Government was to implement thoroughly all various declarations signed and adopted by Government of Uganda, the total percentages would exceed 100 per cent. The committee, therefore, recommends that Government should progressively increase the health financing by 100 basis points each year, in the medium term, so as to ensure steady progress towards the 15 per cent of the national budget in line with Uganda's commitment to the Abuja Declaration.

In addition, the Ministry of Health should ensure that the available resources are effectively utilised to improve the quality of healthcare across the country.

The Ministry of Gender, Labour and Social Development

The committee observed that the criteria for selecting beneficiaries of the senior citizen grants is age, based on the oldest 100 persons per subcounty. Hence, it does not take into consideration the varying levels of vulnerability among the older persons, especially the chronically poor, gender, disability and those with terminal illnesses, among others.

Madam Speaker, when we talk about the older persons, sometimes you find that it is our parents who can afford sugar that are the ones benefitting but those very poor old people who do not get information are not registered in this programme. The Equal Opportunities Commission reported that the Social Assistance Grants for Empowerment (SAGE) programme rollout plan showed coverage of older persons in only 55 districts in financial year 2019/2020 without any clear framework to reach out to older persons in all other districts in the country. However, information received from Ministry of Gender, Labour and Social Development indicates that the programme has since been planned for a nationwide rollout, albeit with the age for the beneficiaries increased from 65 to 85 years.

It was also reported that there will be a reduction in enrolment age by five years per financial year, so that by the fourth year of nationwide rollout, all senior citizens aged 65 would be fully covered under the programme.

The committee further noted that whereas the new enrolment age was increased, those who are already enrolled in the programme would not be affected. There is, therefore, a likelihood of resentment on the part of those senior citizens aged between 65 and 80 from those districts to be newly enrolled onto the programme. This policy shift will not augur well with all the senior citizens who have eagerly awaited the nationwide rollout.

It was noted as well that there would be inability to put into consideration vulnerability, coupled with the fact that there is a high chance that many subcounties or constituencies will be technically knocked out of the programme for lack of persons aged 80 years plus. Besides, one wonders what the motivation behind the policy shift is in a country where life expectancy is at 60.2 years for males and 64.8 years for females, according to the latest World Health Organisation (WHO) data published in 2018.

The committee recommends that the vulnerability level of older persons should be considered during the identification and enrolment of SAGE beneficiaries so that priority is accorded to the most impoverished or vulnerable older persons in the community such as the physically disabled, terminally ill, widows, widowers and the chronically poor.

It is also recommended that the Minister of Gender, Labour and Social Development should demonstrate unwavering commitment that the SAGE programme will be rolled out in a cascading manner, to allow age of access to be lowered by five years in each of the subsequent financial years, so as to attain age 65 in the financial year 2023/2024.

The committee recommends that the nationwide coverage should be undertaken for the 100 oldest persons per sub-county, putting into account vulnerability. This will help avoid the current situation where some pensioners double as SAGE beneficiaries and also bring about equity.

The committee noted that reliance on the national identification data to select beneficiaries discriminates some older persons, particularly those that have not yet been registered for the national identity cards as well as those that registered but have errors in their national identity cards. Worse still, these older persons have limited knowledge and awareness on how they could go about the process to rectify the anomalies.

Madam Speaker, we had an old woman in Omoro District; in the national identity card, she is registered as a 36-year-old woman. She cannot now get the SAGE benefits because they tell her she is still young. However, her face is old. A mistake was made by the National Identification and Registration Authority (NIRA), which has denied her the right to get SAGE yet she is a poor lady.

It was further observed that there are a number of people whose biometrics were not captured during the national registration exercise due to lack of limbs, or those whose fingerprints could not be captured by the registration system. People with leprosy, for example, were not captured and are being denied this kind of service. This category of persons has since been forgotten and ignored and yet they are the most vulnerable and in dire need of programmes like SAGE, which they cannot access without valid national identity cards.

It is recommended that NIRA should organise an alternative verification and registration exercise for national identity cards on affirmative action for older persons, persons without limbs and all those whose biometrics could not be captured for one reason or the other. This should be done using behavioural biometrics and measurements such as voice recognition, veins pattern, the eye iris and retina, and the shape of one’s face. These days, even our phones can recognise our faces. Therefore, something should be done to change the technology.

This should be in addition to evaluation of data particularly for those who reported wrong information as well as those that failed to register during the process of the national identity card registration. Those who would wish to correct some errors and other distortions created at first registration for the national identity cards should also be allowed to do so at no cost.

Madam Speaker, when a mistake is made by NIRA on your national identity card, you are expected to pay Shs 50,000. Most of our old persons cannot pay because they do not have that money. So, we really deny these people services because of certain things we proposed in Government.

The committee observed as well that the Youth Livelihood Programme (YLP) guidelines provide thus:

a) All the beneficiaries – these are the guidelines we got from the document – will receive training in entrepreneurship, business management skills, life skills, personal finance, group dynamics and leadership skills. Regular follow-up visits to offer technical support and advisory services will be made by subject matters specialists;

b) All the beneficiaries will receive training in their respective project specific skills such as animal health management, apiary management and value addition; and

c) All beneficiaries of the vocational skills development component will receive basic start-up tools to enable them apply the skills acquired.

The above guidelines have, however, never been followed at all. The committee noted with concern that during implementation, only the chairperson, treasurer and the secretary of the youth interest groups were being trained for half a day. The programme has no training manual and module. This greatly compromises implementation and realisation of program objectives 1, 2 and 4 which I will read.

The specific objects of the YLP are:

1. To provide youth with marketable vocational skills and toolkits for self-employment and job creation;

2. To provide financial support to enable the youth to establish income generating activities.

3. To provide the youth with entrepreneurship and life skills as an integral part of their livelihoods.

4. To provide youth with relevant knowledge and information for attitudinal change - positive mind-set.

It should be noted that the programme concentrated only on objective No. 2 above, ignoring 75 per cent of the objectives. In fact, there is no way objective No.2 could have yielded any tangible results in isolation.

Madam Speaker, they trained only three people, including the chairperson and the treasurer. When they disappear, the other youth do not know anything. When you ask them, they say “I was given my Shs 100,000 and I do not know where the person has gone”. The chairperson could have gone back to Kampala. This is affecting the operations of the Youth Livelihood Programme. The people do not follow the laid down guidelines.

The committee recommends that a value-for-money audit be carried out on the programme, with an intention of ascertaining whether the respective programme components have been adequately funded so as to realise programme objectives or otherwise, and thus the need for realignment.

The committee further recommends that YLP training and sensitization programmes should be broadened to include all the beneficiaries in the respective youth interest groups, and a training module on entrepreneurship/business skills be developed and incorporated in the programme implementation modalities.

It is also recommended that a skills development monitoring component be developed and included in the overall programme evaluation mechanisms.

Furthermore, some youth beneficiaries, especially those in the rural areas, had challenges in forming village community level groups with the required number of 10-15 members who share a common interest. The committee recommends that YLP implementers should revisit criteria of group size to a smaller number of 5-8 members, and also be flexible on membership to the group to extend beyond village to at least parish level. This will boost the chances of coming up with an interest group for a specific youth project and thus group cohesion and more youth involvement and participation.

Madam Speaker, having met with the ministry, this is already being taken up in the new guidelines. They have reduced the size and also moved it to the parish. Therefore, we shall appreciate that, but I hope they will come and explain whether the new guidelines cover the trainee. However, my committee will go ahead to study the new guidelines and see whether it is equitable.

It should be noted that the guidelines for the Youth Livelihood Programme provide for the involvement of youth with disabilities when constituting groups. However, it is not binding and the only provided threshold takes care of females only at 30 per cent. Girls are supposed to be 30 per cent when they are forming the group. I would like to explain this. Since the money takes long to come, most of the girls get married along the way. Therefore, when the money comes, the boys benefit because the girls are married and are now women and they cannot be part of the group.

These are the facts which are on the ground. The young men are benefitting more than the girls and they say that the girls got married and automatically left the group because they had to leave their village or parish to be married in another area.

It was observed that very few groups have PWD members and the majority of the non-disabled youth do not easily associate with PWDs; they only use them to fulfil the condition in the guidelines and end up side lining them in most cases. Besides, PWDs were reported to be more comfortable associating with fellow PWDs, yet it is difficult to form a youth interest group of 10 to 15 members of only PWDs who are bona fide residents of a village.

The committee recommends that the YLP guidelines should be reviewed to provide for a specific quota for youth with disabilities. Because of attitudes, when you are disabled people look at you and already judge you like you are unable. Therefore, by the time you join the group, they imagine that you will not be helpful and hence they do not feel that you should be a member. However, they find somewhere where your name can be put in and you do not get the services. Therefore, at the end of the day, youth with disabilities are side-lined. That is why we are saying that maybe they could get a quota to support them.

It is also recommended that YLP guidelines should be amended to allow for smaller youth groups - I have already talked about it.

In addition, the committee observed that there are complex processes involved in opening bank accounts with high minimum bank opening balances, which slows down the pace at which women can open their accounts under the Uganda Women Entrepreneurship Programme (UWEP). Hence, women groups in some districts find it difficult to open bank accounts.

Equally, the committee noted the fact that the UWEP programme statistics do not clearly disaggregate the involvement of the different categories of women. These include the unemployed women, vulnerable groups such as single young mothers, widows and gender-based violence survivors, women with disabilities, women living with HIV/AIDS, women heading households, women slum dwellers, and women living in hard-to-reach areas as envisaged in the policy.

The committee recommends that the ministry should intervene by holding partnership meetings with the banks to enable the UWEP beneficiaries have cheque books, even with savings accounts, and to open for women groups bank accounts with ease and no minimum balance.

The committee recommended that data on the UWEP beneficiaries should be clearly disaggregated by the Ministry of Gender, Labour and Social Development so as to show how the targeted categories of women were benefiting from the interventions. For avoidance of doubt, it is recommended that Ministry of Gender, Labour and Social Development should indicate the different groups of women beneficiaries by vulnerability. The committee recommended that Government should, as a matter of urgency, put in place specific programmes targeting them.

The committee noted as well that the demand for the UWEP programme is very high and the money that has been released is not adequate to fund all targeted women groups. It was reported that there was a shortfall of Shs 19.7 billion, that is, 42.8 per cent of the total programme releases vis-à-vis the allocations for the two financial years of 2015/2016 and 2016/2017.

The committee recommends that Government should fulfil the commitment of making 100 per cent release of funds to Ministry of Gender, Labour and Social Development for the UWEP activities so that more women can be enrolled to participate and benefit from the intervention. Funds for UWEP and other equalisation programmes should be ring-fenced to avoid double jeopardy to the vulnerable members.

Madam Speaker, the committee observed that child headed households are often neglected in affirmative action programmes yet they are among the vulnerable groups in Uganda. They are faced with numerous challenges such as lack of access to proper nutrition, healthcare, education, proper shelter, security, protection and lack of psychosocial spiritual support, among others.

Madam Speaker, I am referring to girls who are less than 18 years old and have got pregnant; they do not have husbands and do not have where to belong. The Youth Livelihood Programme will say “you are no longer youth; you are mothers”, yet when they go to UWEP, they also say, “you are not yet 18 years old”, and they are very many. It is again in Omoro District where we saw very many and they came with their children. It was a pity that they were not benefiting from any Government programme, yet they had dropped out of school. They do not have any jobs but they are there and are the majority in some districts.

The committee recommends that Government should, as a matter of urgency, put in place specific programmes targeting child headed households. It is also recommended that Government reintroduces the vulnerability grant whose scrapping was not backed by data.

Ministry of Finance, Planning and Economic Empowerment:

The committee observed that the role of the Equal Opportunities Commission as provided for in the Public Finance Management Act, 2015 is not highlighted in the budgeting cycle.

On average, the commission needs at least two weeks to assess the submissions. It was reported that at times, the assessment results were being demanded prior to submission of ministerial policy statements to the Equal Opportunities Commission.

Equally noted was the issue of staffing levels at Equal Opportunities Commission, which has remained outstanding due to budget constraints. This has rendered the entity into a desk commission with limited regional outreach.

The committee recommends that the assessment of budget framework papers and ministerial policy statements for gender and equity compliance should be included as part of the budget cycle.

Sectors and votes should submit their budget framework papers and ministerial policy statements at least two weeks before the stipulated time for presentation before Parliament to enable the commission complete the assessments in time and to also support those with gender and equity technical challenges.

It is also recommended that accounting officers who fail to submit their votes, budget framework papers and ministerial policy statements to Equal Opportunities Commission in time at all should be relieved of their accounting duties in line with Public Finance Management Act, 2015.

It is recommended that the budget of the commission be augmented in the effort to facilitate the commission have a national outreach by opening regional offices.

Madam Speaker, you saw what happened in this financial year. We would receive ministerial policy statements; they are withdrawn and then they are brought back. This makes the commission’s work very hard to manage that kind of statements.

For some of the ministries that go below the belt, our Parliament sometimes still passes it. I think Parliament needs to become firm and not pass those policies and budgets.

Ministry of Lands, Housing and Urban Development:

It is important to note that women in Uganda face discrimination on land rights. Only 27 per cent of registered land is owned by women (Government of Uganda, 2015).

Spouses are guaranteed occupancy rights and spousal consent is required prior to entering into a land transaction. However, there is no legal presumption that spouses have ownership rights over the land of the family’s principal place of aboard.

Similarly, the committee observed that unlawful evictions in different parts of the country pose a great risk to the livelihood and wellbeing of vulnerable and marginalised groups in Uganda. We talk about land eviction in this Parliament every week.

The committee recommends that Government should strengthen the legal protections on women’s rights to own and inherit land. Constant sensitisation should be given to people on land ownership and rights.

The committee further recommends that Government should ensure procedural safeguards and alternative accommodation for affected persons prior to carrying out land evictions legally or otherwise.

The Ministry of Education and Sports

The committee noted that despite significant improvements in enrolments, only three out of 10 children complete primary school. The percentage of enrolled pupils that complete the last grade of primary school is 33. Approximately, nine per cent of children aged seven to 14 years, 700.588 children, are out of school and most of the affected children are reported in rural areas.

Madam Speaker, this number is very big. If you give it a calculation of 15 years, these are Ugandans who are wasted out there. We do not know the future of this country.

Available reports further indicate that there are also regional disparities regarding competence of primary grade three to seven pupils in English, Literacy and Numeracy. For example, 41 per cent of students in central region are competent in English, Literacy and Numeracy. These are followed by 39 per cent of students in western region while northern and eastern region have the least percentage shares of 25 and 21 respectively. (ISER, 2017)

The committee recommends that the Ministry of Education and Sports should present before Parliament a concrete plan, setting realistic targets for improving the quality of Universal Primary Education, particularly in rural areas and reducing the high dropout rates in primary schools to handle regional disparities in education.

In conclusion, the elimination of all forms of discrimination and inequalities is critical to addressing the different development concerns of the marginalised and vulnerable groups and or persons including: women, youth, older persons and persons with disabilities; ethnic minorities, rural and urban poor, among others.

More needs to be done by both Government and other non-state actors to address the emerging issues and challenges to equal access to opportunities highlighted in this report to contribute to enhancing national development through equity and inclusion since we are expected to leave no one behind.

It is important to note that the commission findings on the status of physical accessibility to the built-up environment in most public places indicate non-compliance with section 46 of the Building Control Act, 2013 on the National Building Code and Accessibility Standards.

Affected institutions include but not limited to Parliament of the Republic of Uganda – it was caught in this especially when we go to the Conference Hall, which has steep steps. There is no ramp and where they are, we do not have rails.

The High Court of Uganda is not accessible as a public institution. Kampala Capital City Authority, Kiruddu General Referral Hospital, some primary schools and taxi parks have no walkways as well as shopping places and churches.

We urge Government to enforce the above legal provision to ease access to built-up areas by persons with disabilities and the terminally ill and the elderly.

Madam Speaker, it is our considered view that the recommendations contained in the main report will go a long way in addressing some of the pertinent equalisation concerns affecting the people of Uganda.

The recommendations therein should be integrated into the policies, plans and programmes in the implementation of various interventions by the respective institutions.

In the same vein, we would like to take cognizant of efforts put in place by Government in the social development sector including but not limited to Youth Livelihood Plan (YLP), Uganda Women Entrepreneurship Programme (UWEP), Social Assistance Grants for Empowerment(SAGE) and other equalisation programmes in an effort to address challenges of limited economic empowerment opportunities and entrepreneurship development skills for women, youths and other vulnerable groups though not yet comprehensive.

Allow me to appreciate the contribution of members of the Committee on Equal Opportunities and the technical staff in the production of this report. I pray that the report of the Committee on Equal Opportunities on the 4th Annual report of the Equal Opportunities Commission be considered by this House and recommendations therein adopted. I beg to report.

**The Speaker:** Thank you, hon. Asamo, Chairperson of the Committee on Equal Opportunities together with all your members for evaluating the 4th Annual Report of the Equal Opportunities Commission. I encourage other committees to look at the annual reports from their sectors.

Honourable members, the report has been signed by the necessary minimum membership. You can make some comments if you have.

**Ms asamo:** Madam Speaker, allow me to lay the report of the Committee on Equal Opportunities on the 4th Annual Report on the state of equal opportunities in Uganda for the Financial Year 2016/2017. I beg to lay.

I would like to also lay the minutes of the internal meetings of the Committee on Equal Opportunities, which we held as we discussed this report. I beg to lay. Thank you.

**The Speaker:** Thank you. The minutes and the report are available for our perusal. Do you have any comments, honourable members? Let us start from the Opposition side. Use two minutes each then I come this other side.

5.07

**MS FRANCA AKELLO (FDC, Woman Representative, Agago):** Thank you, Madam Speaker. I would like to thank the chairperson of the committee and the members for the very good work done because they have comprehensively highlighted the issues in most of the subsectors within their mandate.

I would like to make a comment on the SAGE programme. I remember the original intention of this programme, which was ably debated in this House, was to target older persons aging from 65 years and above.

However, what is happening now is that the target group has changed in most of the districts that are benefiting from this, leave alone those districts where the programme has not been rolled out. For instance, they say that since the number of elderly persons is very high, they will begin with older persons aged 80 and above. Hence, they are targeting older persons of 80 years and above. Those at 65 years up to 80 years are left out. This is unfortunate when money is appropriated in this House targeting a certain category of people and this target is changed when it comes to implementation.

Finally, on the matter, which was highlighted by the chairperson *–(Member timed out.)*

**THE SPEAKER:** Where are the ministries of Finance, Planning and Economic Development and Gender, Labour and Social Development? They should be here.

5.09

**MR JACK WAMANGA-WAMAI (FDC, Mbale Municipality, Mbale):** Thank you very much, Madam Speaker. I also would like to thank the chairperson for the good report, whihc I urge the House to adopt.

However, before we do that, I would like to speak about one or two issues. In many countries around the world, there is what we call public transport. Many years ago, we had a Uganda national transport company in this country. Since the transport we have belongs to private people, the public transport does not even cater for the people with disabilities.

When you travel with public transport in buses and taxis, you will notice how people with disabilities struggle to enter a taxis or bus. Therefore, what Government should do is to restore the bus service in the public transport in this country to assist these people. If it was Government transport, then, these people would have been catered for. Therefore, what Government should do is to think about people with disabilities and take care of them.

In the report, they talked about places like the High Court, where these people are not catered for. Therefore, we must pass a law in this Parliament that before the plans for all public buildings are accepted, they must cater for people with disabilities because they are part of the society and are citizens of the country. They must be looked after so that they access all these places without *– (Member timed out.)*

5.11

**MR GILBERT OLANYA (FDC, Kilak South County, Amuru):** Thank you, Madam Speaker. I would like to appreciate the chairperson for the wonderful report and the recommendations presented.

I remember the Ninth Parliament directed that all buildings within the country should have a ramp to help the persons with disabilities. In that instance, Madam Speaker, you directed that the old buildings that did not have ramps to help the disabled persons ensure the ramps are put in place.

We are surprised that as a country, we are very poor in the implementation process. It seems Government does not take seriously whatever is being discussed in Parliament. Otherwise, by now, we would have corrected those mistakes.

If you look at the buildings that are currently being constructed, you will notice that people are putting up very high storeyed buildings, which do not have lifts. I think the chairperson made a serious recommendation to that effect.

There are very many elderly persons being denied national identity cards, especially in Amuru District. It seems if you use the hand hoes for long, the veins in the fingers vanish. Our parents used to dig very much and that is why during registration, very many of them were denied on claims that the computers could not capture *–(Member timed out.)*

5.13

**MR WAIRA MAJEGERE (Independent, Bunya County East, Mayuge):** Thank you, Madam Speaker. I would like to thank my colleague, hon. Asamo, for highlighting those issues.

When I hear equal opportunities, I see equal economic opportunities. As Parliament, the committee and Commission, we should go beyond and look at the economic opportunities. How do we balance the economy in the country? Why would one region be wealthier than the others? That is what we should look at. For instance, if you are coming from a certain region to Kampala, you buy food but there is nothing to buy when coming from another region.

If you seat on Masaka Road and take tea, you will only see cool cars to and fro. However, when you seat on some other side of this country, you will see one VTX and then 10 taxis.

I have been doing consultation on this national graduate scheme deal. When you go to the western region, you will speak English throughout and the audience will understand you. When you move to around Masaka and speak to the people, you have to mix English and the local language. As you move to some other regions in this country, you will have to speak purely vernacular.

Madam Speaker, as Parliament *–(Member timed out.)*

5.15

**MS ROSEMARY NAUWAT (Independent, Woman Representative, Amudat):** Thank you, Madam Speaker. I thank the committee for presenting a good report.

I would like to address the social sector, especially the SAGE programme, which is very good. However, there are a lot of challenges associated with it. These long waiting hours at the pay points stress the elderly persons because the distances between the pay points are very far apart. For example, in the case of Amudat, we do not have taxis and so, the elders use the same money, Shs 25,000 to hire *boda boda*. Hence, much of the money goes to the *boda boda*. We also have marble trucks but the elders cannot climb those lorries because they are very high.

Therefore, Madam Speaker, I agree with the recommendation of the committee that the pay points should be taken closer to the beneficiaries at parish level.

This is a good programme. I pray that Government rolls it out to the remaining districts because the beneficiaries are already appreciating it. They are able to do something for themselves and the elderly persons with grandchildren are able to take care of them. I thank you.

5.17

**MR JACOB OPOLOT (Independent, Pallisa County, Pallisa):** Thank you very much, Madam Speaker. I would like to join my colleagues in thanking the honourable chairperson for the report well done. I will start with the proposal on the no queue policy. Whereas the committee is talking of a policy in health facilities, I suggest that it should be a policy cutting across all service centres in the country. The older persons and persons with disabilities should be given the benefit to access service points without queueing at whatever service point. We know that they have challenges and maybe to also sensitise our population about the need to respect that even when there is no deliberate policy put in place, people should know that it is valuable to honour the elderly and persons with disabilities by giving them a choice to access the service.

I would like the Ministry of Gender, Labour and Social DevelopmentandGovernment, to popularise this policy. On the issue of SAGE from the field visits I have attended so far, you may talk of elderly persons and persons with disabilities but the exclusion is worse when it comes to the females. When they say we want this number per community, there has been more focus on the men and they leave out the women even when the age is *–(Member timed out.)*

3.19

**MS FLORENCE NAMAYANJA** **(DP, Bukoto County East, Masaka):** Thank you very much, Madam Speaker. I also thank the committee for the comprehensive report. However, on page 52, the committee observed that there are complex processes, which the beneficiaries of Uganda Women Entrepreneurship Programme (UWEP) go through to open accounts and some are very tedious.

I would like to request the committee to clarify. When you talk about the beneficiaries going to banks and you are saying there should be no minimum balance - as we encourage beneficiaries to save, and you talk about no minimum balance, can you, please, clarify what you mean. When you are dealing with banks, you are talking about money and encouraging the beneficiaries to have some saving so that at the end of the day, they will be looking at the benefits they are getting with something in the pocket. How can you have a bank account without anything? How can you open an account without money and you are dealing with a bank? That is what I would like you to clarify.

**THE SPEAKER:** Honourable members, it is Shs 25,000 and I do not know how much you can leave there.

5.21

**MR JOHN BAPTIST NAMBESHE** **(NRM, Manjiya County, Bududa):** Thank you, Madam Speaker. I would like to salute the committee for the good report. The committee has categorised the vulnerable women including those that hail from hard-to-reach areas. Indeed, the level of vulnerability of such women is very high. The same report is very shy about covering other minorities because the Universal Declaration of Human Rights includes these ethnic minorities as vulnerable groups. However, during the equalisation of these programmes, these ethnic minorities are considered as a minority that deserves to be given special attention.

Secondly, about fingerprints by National Identification and Registration Authority (NIRA), I think NIRA should rise to the occasion. We are living in the 21st Century and technology is advancing every day. They should not only confine themselves to capturing biometric data of fingerprints but they should be capturing DNA, the retainer and voice patterns. However, they are only restricting themselves where they even exclude those with leprosy. I think they should rise to the occasion and include everybody including those that have issues with their fingerprints. Thank you.

5.23

**MR ABBAS AGABA (NRM, Kitagwenda County, Kitagwenda):** Thank you very much, Madam Speaker. I also wish to join other colleagues in thanking the committee, for coming up with an impressive report. There are two things, I noticed.

First, is about the no queue policy. I think it is good and as it has been elaborated; it is a good way to show respect to our elderly persons and persons with disabilities. However, I have a reservation. I have no problem with our elderly people having way and persons with disabilities but what about our pregnant women and mothers? They seem to be more deserving, especially under the circumstances in which we want to make way for the elderly. Should we add them on the list of those we can make way for or we cater for them differently? When our mothers, sisters and wives are pregnant, they are many times when they cannot stand in long queues for example, lining up in banks and hospitals. As you think about the elderly, can you include our expectant mothers?

The second is about the SAGE programme. We would like to fight for our elderly people to get their benefits. I am happy that the programme that was rolled out has been some lessons to learn. Before, we deal with the issues and challenges arising from where we have done piloting, especially the amount of money given and what they go through to get it, I would like to suggest that we first rollout the programme to the rest of the country. *(Member timed out.)*

**THE SPEAKER:** You have 30 seconds to finish.

**MR AGABA:** Thank you, Madam Speaker. I would like to mention that for those of us who come from districts where the programme has not yet started, we are really sitting on fire. In every meeting we hold with our constituents, the question is, “Where are our benefits? If you have forgotten about us, we wish you well because where we are, is where you are coming.” It is better we roll out to the rest of the country before we even rectify the current challenges. Thank you, Madam Speaker.

**THE SPEAKER:** Honourable members, this House is already on board with that issue. It is just our friend who is not doing the needful.

5.26

**MS MILLY MUGENI** **(NRM, Woman Representative, Butaleja):** Thank you very much, Madam Speaker. I also thank the committee for the report, which calls for inclusiveness of everybody. I have been very observant when you look at this programme for skilling girls, especially for Kampala and Wakiso districts. This programme is working very well, yet when you look at the economy, at least, these girls who come from the two districts mentioned, are not really doing badly like the ones in Butaleja District.

I would like to suggest that girls who are left out of YLP and UWEP should also be given a special consideration for Skilling Uganda for the rural districts. I would implore the committee to put that into consideration.

Secondly, the rolling out of SAGE, like you have said, was agreed upon in this Parliament. I would like to suggest that the Speaker calls upon the gender minister to bring an explanation to this Parliament to tell us how far she has gone with this matter. We are seated on a time bomb. We do not have an explanation to the elderly people and the life expectancy has gone down. Some people may not even go beyond 80 years. For how long will the elders wait for this money? They are begging on their knees. Let Government bring a comprehensive report on this matter and we understand how we can handle it. Thank you, Madam Speaker.

5.28

**MS STELLA NAMOE (NRM, Woman Representative, Napak):** Thank you, Madam Speaker. I would like to thank the chairperson for the report. I would like to comment mainly on the YLP that is going on under the Ministry of Gender, Labour and Social Development. This programme had good intentions of empowering the youth to be able to manage their projects and make something out of it.

What is happening now is that in this programme, there is also funding for training and this funding is not well utilised to empower the youth. Money is scattered and nobody is bothering whether it is going to cause impact or not, as long as the groups have got the money. At the end of the day, you do not achieve what the programme is intended to achieve.

I, therefore, call upon the gender ministry to revise this programme. We have lost billions of money, unaccounted for. When you go to monitor, some of these youth groups – some of them do not have skills to start projects so when they get the money; they use it for drinking, marrying and the like. That is not what the programme was for.

I call upon the ministry to intensify in training these youths. Avail them with skills to start something meaningful that would enable them achieve more in their lives.

Also, to coordinate this programme with the vocational institutions that we have, we have at least a vocational institution in every region. These vocational institutions provide skills to the youths. We could start from there; we give money to those who graduate to start some project. Some of the youth who graduate from vocational schools do not have the chance of getting this fund.

I, therefore, call upon Government to prioritise this category of students who go through –*(Member timed out.)*

5.30

**MS JUDITH NABAKOOBA (NRM, Woman Representative, Mityana):** Thank you, Madam Speaker. I thank the committee chairperson for the work well done. I would like to comment on the accessibility to sign language services. These services are not provided for in most of the rural areas. When the deaf go to police stations, health centres and other service centres, they find problems in accessing the services.

I would like to request Government that in future, they should try to regionalise the sign language services but also put in place a policy to help the persons with disabilities on issues of HIV/AIDS and health. In most cases, people think that most PWDs are not sexually active, which is wrong. They need to access such information.

We have also seen cases where juveniles are put in adult police cells. They are detained with adults. As a policy, children need to have their own separate cells. When they are detained with adults, it becomes a complicated issue as far as managing them and handling their cases is concerned.

I would also request –*(Member timed out.)*

5.32

**MR CHRISTOPHER KALEMBA (NRM, Kabuto County, Kyotera):** Thank you, Madam Speaker. I would like to thank the chairperson and the committee for the report.

On page 25, they are talking about where recovery of money has failed. This has happened in some of the groups that have received money that has been shared with the technical staff that are in charge of the money. For example, a group that has Shs 7 million approved is asked for Shs 2 million by the technical staff. When you interact with these groups, they complain.

Another issue is that some of these groups do not exist. Some of these technical people have not been fair because some of the groups belong to them. They declare that the groups have disappeared but in actual sense, they have shared the money amongst themselves.

Government should come out to implement this and penalise the technical staff involved in this fraud.

5.33

**MS JUSTINE KHAINZA (NRM, Woman Representative, Bududa):** Thank you, Madam Speaker. I would like to thank the committee very much. I will start with the theme of the 2016/2017 Financial Year, which was: “Enhancing National Development through Equity and Inclusion”. This is in line with Sustainable Development Goal (SDG) 10, which is also about reducing income inequalities within and among countries.

Research shows that one per cent of the world’s population control 40 per cent of the global assets. It is, therefore, on this basis that countries came up to focus, that by 2030, countries need to empower and promote social, economic and political inclusion at all levels.

In Uganda today, we see poverty rates varying in different regions. Karamoja, for instance, stands at 60.8 per cent, Busoga at 40.9 per cent, Ankole at 19.5 per cent and Wakiso at 7.5 per cent. This shows the need to have affirmative action in some of these areas as far as economic programmes are concerned.

About the third development goal on health, I support the committee recommendation to integrate youth friendly services in facilities across the country because young people constitute 78 per cent of our population and we are seeing challenges like adolescent pregnancies, which stands at 25 per cent.

In Uganda, we have 28 per cent unmet needs of family planning and the maternal mortality rate ratio is high at 336 deaths per 100,000 live births. Most of the deaths occur among the young people. We need to focus on the young people.

Many adolescents lack access to basic sexual and reproductive health services, emergency obstetric care services and yet, they stand a high risk of developing complications during child birth. *(Member timed out.)*

5.35

**MR MICHAEL TIMUZIGU (NRM, Kajara County, Ntungamo):** Thank you, Madam Speaker. I would like to thank the committee for a well-researched report. When you look at how they have brought out their observations and recommendations, it shows that they went down and got the real information they needed.

My concern goes to the funding of the commission. All that they brought out shows that the commission needs more funding. The commission needs to sensitise people about equal opportunities. It also needs funds to be visible in all parts of this country because they mentioned the settlement of complaints. Tribunals have to be everywhere so that beneficiaries get satisfied with the work of the commission.

That is why I am asking Government to look at the funding of this commission. As they look for funding, the commission needs to liaise with local governments at district and sub-county levels because those people cannot know what the commission does if they do not work with people at those levels of local governments, especially the sub-county chiefs and district chief administrative officers.

5.37

**COL (RTD) FRED MWESIGYE (NRM, Nyabushozi County, Kiruhura):** Thank you, Madam Speaker. I join my colleagues in appreciating the committee’s work. First of all, I would like to commend Parliament for having pioneered the procurement of special vehicles for people living with disability. I read this in the newspapers and I appreciate that you are the vanguard in this matter and it should be an example to all.

Madam Speaker, all these recommendations are fine and pro-people. I would like to propose that Parliament coordinates with the Ministry of Information, Communication Technology and National Guidance to popularise some of these recommendations like the treatment of people living with disability and the elderly. If these programmes could be popularised on radio and televisions, maybe people would take the example and follow so that we start practising it.

On the national identity cards (IDs) there is a big problem. The exercise was halted, people do not have identity cards and even those who registered for the IDs have failed to collect them. Everybody is worried that if elections come and they use the condition of having to present an ID in order to vote, most people may not vote.

I propose that Government takes up this matter and rectifies or clarifies on the future of national IDs. For example, why should the process stop? I propose that this ID process should be continuous at all sub-counties instead of saying “we are doing it now,” “we are halting it now.” Thank you.

**THE SPEAKER:** I do not hear about this ministry of national guidance - the ICT part is alive but the national guidance is dead. We have talked about it here many times but there is nothing.

5.40

**MR RAPHAEL MAGYEZI (NRM, Igara County West, Bushenyi):** Thank you, Madam Speaker. Parliament has been put on the spot with respect to lack of ramps in the Conference Hall. I request that the Parliamentary Commission addresses this matter so that we continue to be a good example to the others.

Secondly, the school drop-out rate of a third of all the children is shocking. Can the Minister of Education and Sports give us an explanation on the causes of this big drop-out rate and give us the plan to reverse the trend?

Finally, on the budget framework paper compliance for gender, equity and disability, we need to advise the Ministry of Finance, Planning and Economic Development to revise budgeting such that they include equalisation parameters for poverty, gender and disability and I am sure this will address hon. Majegere’s concerns so that at the end of the day, those regions that are poorer get more funding in the national budget. Thank you, Madam Speaker.

5.41

**MR ANTHONY OKELLO (NRM, Kioga County, Amolatar):** Thank you, Madam Speaker. Equal healthcare for all is inevitable and the fact that in the 21st century we still have disparities in healthcare is a bit unfortunate. This may require some healthcare reforms because the reforms will provide unique opportunities to address these disparities.

Just to know from the chairperson of the committee, could it also be that the disparities are a consequence of socio-economic circumstance that exists among our communities? Could it also be that they are probably a consequence of less education because we have very many uneducated people in our constituencies? Could it also be because of the absence of adequate health care insurance?

Madam Speaker, I am raising these because I know these reflect bias and stereotyping, which are very inherent in our healthcare system.

Secondly, in my constituency, discrimination against elderly persons, as stated by hon. Judith Akello, is being blamed on Parliament by some personalities, yet, this is not so. Every elderly person, irrespective of whether they are 60, 70 or 80 is old and I would think payment of SAGE should *– (Member timed out.)*

5.43

**MR ISMAEL OROT (NRM, Kanyum County, Kumi):** Madam Speaker, I see that this matter of equal opportunities should begin from here in Parliament. For example, can we have elderly national female and male Members of Parliament here in Parliament? *(Laughter)* I have raised this issue because my colleague from Bunya East also raised it. This could reduce or it would come up with economic solutions to these issues. For example, in district councils, we now have the female elderly and male elderly councillors. It should move up to Parliament.

Madam Speaker, if you visit Madera School for the blind in Teso, you will realise that these machines used by the blind in communicating are very few. During examinations time, other blind people do examinations while the others are waiting. These are the areas that the Government should implore and ensure that there are really equal opportunities in this country.

On this matter raised by my colleague, hon. Okello – retirement age in Uganda is 60 years. As long as you have gone beyond 60 years, you are an elderly person. We should find ways to ensure that maybe, those who are 60 years old and above benefit from SAGE.

**THE SPEAKER:** As hon. Lamwaka comes, honourable members, I think I reported to you that earlier this year, I was invited by the elders in Tooro and one of their issues was that they are the only interest group not in Parliament. Now, the minister has brought here the proposal. I think there is an opportunity for you to correct it; rise to the occasion.

5.45

**MS CATHERINE LAMWAKA (NRM, Woman Representative, Omoro):** Madam Speaker, I would like to thank the chairperson of the committee for the very wonderful report. On the issue of SAGE, the gaps being blamed on Parliament should be blamed on the ministry.

This fund targets increased vulnerability to poverty due to reduced ability to engage in productive activity. It is very unfortunate that in this area, the ministry has focused more on the people who are 65 years old and above. It is becoming very difficult to get these people because in the sub-counties when you call for 100 elderly people in this age bracket, you end up with thousands of them. It, therefore, becomes very hard to select them. Madam Speaker, that is where the ministry needs to look at the second alternative, which has to be clearly put in the guideline; the aspect of vulnerability.

We are looking at those who are not able to engage in productive activities. That should be clearly stipulated in the guidelines of the ministry so that we are able to sort out the mess in the SAGE programme.

Madam Speaker, allow me to also commend on this affirmative action programmes that we have. I would like to appreciate very much the report and the recommendation the committee came up with on having specific programme for child-headed households. Most of the people we have in our communities are young people who have dropped out of school. *(Member timed out.)*

5.47

**MS SYDA BBUMBA (NRM, Nakaseke County North, Nakaseke):** Thank you very much, Madam Speaker. I would like to add my voice to colleagues who had spoken earlier to thank the chairperson and the committee for a very good report.

Because of population growth and other factors, the number of juvenile offenders has increased in the country and yet, the remand homes have not increased at all. To make matters worse, remand homes are sparsely populated yet, these juvenile offenders wherever they are taken from, they have to be taken back to be tried at the scene of the offence. Most of often, because there is no transport, these juvenile offenders are kept in remand homes without getting justice for a very long time.

Madam Speaker, we know that justice delayed is justice denied. Can we have something done to these juvenile offenders? Some of them may be innocent but stay in the remand homes for a very long time.

On the issue of the SAGE programme, I was in the Ministry of Gender, Labour and Social Development when this programme was started. We pegged the amount being given out today on the dollar terms. At that time, the dollar rate was about Shs 1,100 and it was equivalent of $15. However, what is being given out today does not take into consideration the inflation of the Uganda Shilling over the 10 year period.

My prayer is that the value of this assistance grant be adjusted to take into account inflation so that – *(Member timed out.)*

5.49

**MS LOWILA OKETAYOT (NRM, Woman representative, Pader):** Thank you, Madam Speaker for the opportunity. I join colleagues to thank the committee for the elaborate report and the issues raised in the report.

Indeed, the report points out realities on the ground. Arising from this report, I have a general concern that we have designed very good policies and programmes but the implementation always leaves a lot to be desired. I, therefore, think that Parliament needs to institute a remedy for this. Otherwise, it is a general concern. We have very good policies and programmes but there are always issues with implementation.

On the operations and presence of Equal Opportunities Commission within the central region, I would like to thank the committee for what they have recommended. The mandate of the Commission is to eliminate discrimination and inequalities. If they are operating within the centre, leaving out the core countryside, how can they acquit themselves with the many issues out there? Therefore, Parliament needs to support the Commission. If it is the issue of resources that is making it difficult for them to have offices at regional levels *–(Member timed out.)*

5.51

**MR TONNY AYOO (NRM, Kwania County, Apac):** Thank you, Madam Speaker. I would like to thank the committee and the chairperson for a job well done. I have two concerns.

One is that the committee recommended for review of the implementation of previous recommendations. I think this is where Parliament should put its feet on the ground strongly to see how Government is implementing the previous recommendations from Equal Opportunities Commission. This can only be done through the budget and ministerial policy statements.

When they want certificate of financial implications, it should include review of implementation so that we know how much Government is committed. Otherwise, we shall have this yet the commitment in terms of budgeting may not be there to handle issues of inequality in reduction of poverty and providing equal infrastructure in the country. I, therefore, think that this review is a very serious matter that we should look into.

Two, the committee has recommended for consideration of the elderly persons. I think we need a law to enforce this. We are getting into the dot.com era; the *WhatsApp* groups, where the elderly people are not considered as important any more.

Madam Speaker, I went to Botswana and found that the elderly persons are given priority when queuing for meals or queuing in the banks. We should, therefore, come up with a law that will include the pregnant mothers, person with disabilities and these elders so that whenever people are queuing, they take first priority. Otherwise, when you get older, the body pains throughout the night and you are not strong to stand. Yet, you get into a society where you are not bothered about where you made a contribution to what people are enjoying.

Madam Speaker, if the Ministry of Gender, Labour and Social Development cannot do it, we will need a private members’ Bill to bring this law. Otherwise, in Botswana, this is in their law and I think we can adopt it to. *(Member timed out.)*

**THE SPEAKER:** Thank you. Honourable members, on the issue of priority for the elders, the Electoral Commission has given them priority during elections when we are voting but it ends there. I think we can improve our own culture and start inculcating this into our children.

In the United Kingdom, if you enter a train, it is marked elderly and you cannot touch it even if it is empty. That is discipline.

5.54

**MR DAVID ABALA (NRM, Ngora County, Ngora):** Thank you very much, Madam Speaker. Allow me to begin by reading what the *Bible* says. Deuteronomy 10:17 says “*For the Lord your God is God of gods and Lord of lords, the great God, mighty and awesome, who shows no partiality and accepts no bribes.”*

Madam Speaker, the reason I am reading this is because when you look at SAGE, there are 50 plus districts out of 130 which benefit from the programme. This shows that there is a lot of discrimination despite Parliament’s decision on this matter. That is the reason I decided to read this verse because God does not show impartiality. What I have read teaches the country to be able to be inclusive; everyone must be taken on board so that they benefit and come out from some of these problems.

Madam Speaker, in Ngora, we do not have SAGE and when you attend a burial, the first thing they ask is: “When are we going to benefit from that SAGE”. That is why I read this verse. Otherwise, the country seems to be encouraging discrimination against other people and I will not apologise for saying this.

Secondly, if we are talking about equality, we must make sure that there is equality in education, land ownership, health, SAGE, development –*(Member timed out.)*

5.56

**MS BETTY BAMUKWATSA (FDC, Woman Representative, Rukungiri):** Thank you, Madam Speaker. Allow me join my colleagues to appreciate the work done by this committee with their smart recommendations.

However, about the school dropouts, the picture is worrying and much as we have advocated for the girl child, we need the boys also. When boys drop-out there is no one who follows them up. They become juveniles and are taken to remand homes.

This is the reason the country has continued experiencing domestic violence because we have catered for one side leaving the other side behind, knowing that they were created as men, they still say that “we are men and cannot show our problems.” I would like that to be taken care of by this committee.

On the improvement to get quality education, they have talked about primary education and yet, we have the Universal Secondary Education for secondary school students.

When they reach there, they are also not followed and most of the seed schools countrywide always complain that they do not have enough staff.

The school infrastructure is also worrying. Every Sunday, in our region, there is a thanksgiving for a school to raise money for more classroom construction, cementing the existing classrooms, we need to take *–(Member timed out.)*

**THE SPEAKER:** Honourable members, 24 Members have contributed and I would like to close the debate here. Fortunately, this is a very important debate and that is why I declined to disrupt it though someone tried.

We still think that the Prime Minister and the Minister of Gender, Labour and Social Development should come and respond to the issues raised because there were very serious policy issues raised in this report. We shall not conclude it today - that man should tell us - what does he do? The Minister of National Guidance should be here.

We shall conclude it tomorrow, the Prime Minister, Minister of National Guidance, Minister of Gender, Labour and Social Development should be here to respond and I know their staff are here. Let them give them the questions raised so that tomorrow, we get an answer and get a way forward.

Thank you, honourable chairperson and your members.

6.03

**THE CHAIRPERSON, COMMITTEE ON EQUAL OPPORTUNITIES (Ms Hellen Asamo):** Madam Speaker, I would like to thank the honourable members and members of my committee for the responses but on regional balancing, you will have to agree. My committee moves to all the regions but there are regions where people have decided not to work.

Just last week, we were in Luuka, Kaliro and Namutumba. In the recruitment of police, getting a person who was qualified with credits and passes in our region at S.4 level was very hard.

Some of us felt bad because if we cannot even raise a senior four with passes, where is that region going and yet, the police had given *-(Interjections)-* equity in terms of recruitment.

However, when it came to qualifications, there were regions, which were not having people and they were in eastern, northern and eastern Uganda. They tried to reduce but they were still not there and the Resident District Commissioner (RDC) wondered what to do. The children had dropped out and some of them were got with fake documents.

On the issue of regional balance, we need a critical affirmative action to some of the regions in order to raise equity because even if we come with a programme, which is equalised for the whole country, there are regions, which will not come to that level.

Madam Speaker, I propose critical affirmative action for the different ministries to look at these regions and give specific areas. I know that I am coming with the report of Bukwo - Sebei and you will see that things are not good. Thank you, Madam Speaker.

**THE SPEAKER:** Honourable members, I remember hon. Burundo raised that issue of inequity in education and I do not know how it was handled. If you have a sub-county where there is no secondary school, where will you get senior four after primary seven? People will just go to hang around.

In Mayuge, there are seven sub-counties with no secondary school. I have talked about this very many times but each year I go to Mayuge, come back here and complain. It is not only Mayuge. There are others but I know about the seven sub counties because I have ever been there.

The issue of equity is really important; we should not trash it. The Ministry of Education and Sports should come and first answer hon. Burundo’s question on inequity in education and poor performance. Thank you.

Yesterday, we had required the Minister for Trade, Industry and Cooperatives to lay the Continental Free Trade Area Treaty on the Floor of this House. I invite the Minister of Trade, Industry and Cooperatives to lay the treaty.

6.00

**THE MINISTER OF TRADE, INDUSTRY AND COOPERATIVES (Ms Amelia Kyambadde):** Madam Speaker, reference is made to your directive yesterday to lay on Table a copy of the agreement establishing the African Continental Free Trade Area. I hereby lay on Table a copy of agreement for ease of reference.

**THE SPEAKER:** Thank you very much, honourable minister. The treaty is now available for members to study and follow-up.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE ON AN INQUIRY INTO ALLEGATIONS AGAINST GEN. ELLY TUMWINE, MEMBER OF PARLIAMENT FOR THE UGANDA PEOPLE’S DEFENCE FORCES (UPDF) AND MINISTER OF SECURITY

6.03

**THE CHAIRPERSON, COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE** (**Mr Clement Ongalo-Obote)**: Thank you very much, Madam Speaker. I stand to present the report of the Committee on Rules, Privileges and Discipline on an inquiry into allegations against Gen. Elly Tumwine Member of Parliament representing Uganda People’s Defence Forces and Minister for Security.

Before I present the report, allow me to lay on Table a copy of the report, the terms of reference to the report, the minutes of committee meetings and submitted documents by witnesses and also a copy of the minority report to the main report.

On 23 July 2019, hon. Atkins Katusabe made a statement to Parliament about a "shoot-to-kill" deployment of police and military personnel resulting into the shutdown of Babughirana Abattoir in Bukonjo County West.

He alleged that when he told the Minister for Security, Gen. ElIy Tumwine, that he would raise the matter on the Floor of Parliament on 23rd July 2019, the General violated Chapter six, Article 79 (I), (2) and (3) of the Constitution of the Republic of Uganda when he made the following utterances:

“Who is the Speaker? Who is she? What is Parliament? The Speaker rules over Parliament. She does not rule over Uganda. This country was liberated by the military but not her Parliament. Do not tell me about your Speaker and about your Parliament. The army cannot be directed by civilians.”

Further, on the same date of 23 July 2019, hon. Elijah Okupa raised concern on a point of privilege about an alleged attempt by hon. Gen. Elly Tumwine to assault hon. Cecilia Atim Ogwal in the lobbies of Parliament.

The House referred the allegations to the Committee on Rules, Privileges and Discipline for investigation. The mandate of the committee is stipulated in Rule 172 of our Rules of Procedure and they are cited therein. The committee, therefore, proceeded to conduct an inquiry in the two allegations, pursuant to Rule 172 and now presents its report to the House for consideration.

Terms of reference

The terms of reference for this inquiry were as follows:

1. To examine whether the Minister for Security, hon. Gen. Elly Tumwine, made utterances demeaning the Office of the Speaker and the institution of Parliament, as alleged by hon. Atkins Katusabe, during the parliamentary sitting on 23 July 2019
2. To examine whether there was an attempt by hon. Gen. Elly Tumwine to assault hon. Cecilia Atim Ogwal in the Parliament lobby, as raised by hon. Elijah Okupa during the parliamentary sitting of Tuesday, 23 July 2019
3. To make recommendations and report back to Parliament within two weeks.

The inquiry into the utterances attributed to hon. Gen. Elly Tumwine by hon. Atkins Katusabe

Methodology

The committee:

1. Reviewed hon. Katusabe’s testimony, as contained in the *Hansard* of 23 July 2Ol9
2. Received testimony from hon. Katusabe on what transpired during the meeting where hon. Gen. Tumwine is alleged to have made the utterances
3. Received testimony from hon. Gen. Tumwine in response to the allegations
4. Arising from the testimony of hon. Gen. Tumwine that hon. Sarah Opendi was present throughout his interaction with hon. Katusabe on 22 July 2019, the committee received a testimony from hon. Sarah Opendi.

Testimonies from the witnesses

Testimony from hon. Atkins Katusabe

Hon. Katusabe testified that on 22 July 2019, while in the office of hon. Gen. Elly Tumwine, they had a conversation that lasted about three hours. He stated that prior to entering hon. Gen. Tumwine’s office, his telephones were withdrawn from him by the security personnel.

Among the issues discussed with hon. Gen. Tumwine was the closure of Babughirana and Alisam abattoirs and the attendant “shoot-to-kill” instruction for individuals who defied the order. The said abattoirs fall in Bukonjo County West and he notified hon. Gen. Tumwine that he had booked a slot on the next day's business with the Speaker and that he would raise the matter on the Floor of the House on 23 July 2019.

It is at this point that hon. Gen. Tumwine is said to have said the following:

“Who is the Speaker? Who is she? What is Parliament? The Speaker rules over Parliament. She does not rule over Uganda. This country was liberated by the military but not her Parliament. Do not tell me about your Speaker and about your Parliament. The army cannot be directed by civilians.”

Responses by hon. Katusabe to issues raised by the committee

1. On whether anyone could hear the interaction between himself and hon. Gen. Tumwine, he said the door to hon. Gen. Tumwine’s office was open and there were people waiting to see him;
2. In regard to the mood during the interaction, the committee was informed that the mood was jovial in the beginning but at the point when hon. Gen. Tumwine made the utterances about the Speaker and Parliament, the mood was no longer jovial;
3. On the question on what prompted hon. Gen. Tumwine to make the utterances, the committee was informed that it was a request from hon. Katusabe that the soldiers be withdrawn from the abattoirs; and
4. On the choice of reporting the matter to the Minister of Security instead of the Minister of Internal Affairs, hon. Katusabe informed the committee that the meeting was on the request of the Minister for Security.

Hon. Katusabe assured the committee that there was nothing personal between himself and hon. Gen. Tumwine.

Testimony by hon. Gen. Elly Tumwine

Preliminaries to hon. Gen. Tumwine’s testimony

At the commencement of the committee’s interaction with hon. Gen. Tumwine, he raised a number of objections and made submissions as follows:

1. That his right to a fair trial and to principles of natural justice should be upheld and protected by the committee
2. That he be afforded the opportunity to examine the evidence adduced against him by other witnesses
3. That he should be accorded and treated as a Member of Parliament and not as a mere witness appearing before the committee
4. That all proceedings of the committee should be recorded
5. That the committee avails him the terms of reference of the inquiry and the witness statements.

The committee took into consideration the matters raised by hon. Gen. Tumwine and acted as follows:

1. The committee adjourned the meetings on two occasions, in order to give hon. Gen. Tumwine ample time to prepare his submission; and
2. The committee provided hon. Gen. Tumwine with the terms of reference and witness statements signed by the witnesses.

Hon. Gen. Tumwine testified before the committee that on Monday 22 July 2019 after a Cabinet meeting, his ministerial colleague, hon. Opendi approached him for the third time to request him to meet her friend, hon. Katusabe of Bukonjo, Kasese District. They went to his office and waited for over an hour before hon. Katusabe arrived.

When hon. Katusabe arrived, they had a jovial interaction on non-official matters before he introduced the matter of the conflict between Babughirana and Alisam abattoirs in Kasese District. Hon. Katusabe expressed his displeasure about how security was handling the matter and specifically wanted to lobby hon. Tumwine to support one of the conflicting groups.

Gen. Tumwine informed hon. Katusabe that the matter was already being handled by the District Security Committee and that it did not have be brought to Parliament. They disagreed on how to handle it and hon. Katusabe insisted that he would present the matter to Parliament.

Hon. Gen. Tumwine informed the committee that he had cited the following “falsehoods” in hon. Katusabe’s allegations:

1. Hon. Katusabe did not meet him alone. Hon. Opendi was present all through the interaction.
2. Part of the three hours was spent on personal friendly conversation and in a free frank conversation among parliamentary colleagues, in the presence of a ministerial colleague.

iii. His office door was not open during the discussion.

iv. The meeting was not at his request.

v. He could not have asked who the Speaker is because he knows who she is.

vi. He knows the roles of Parliament and has utmost respect for the Constitution of the Republic of Uganda, the Speaker of Parliament and for the Parliament of Uganda.

Gen. Tumwine further stated that hon. Katusabe, having admitted that this was a private conversation, was not in order to bring the same matter to Parliament.

Testimony by Hon. Sarah Opendi, District Woman Representative, Tororo

Hon. Opendi testified as follows:

It was true that she had arranged the meeting between hon. Atkins Katusabe and Gen. Elly Tumwine because she had been following the events in Kasese District. She had also been approached by people who asked for help on the same matter. She talked to Gen. Tumwine, among others about what was happening in Kasese District and he suggested that he could meet the area Member of Parliament.

It was upon this suggestion that on a later date, after a Cabinet meeting, she reminded Gen. Tumwine about the problems in Kasese District because by then, the shootings had taken place. Gen. Tumwine undertook to meet hon. Katusabe, the area Member of Parliament, on that date if Cabinet ended early, which it did. Hon. Opendi travelled back to Kampala from Entebbe with Gen. Tumwine and they went to his office to wait for hon. Katusabe who later joined them.

Hon. Katusabe raised the matter of the "shoot-to-kill" order in his constituency and notified Gen. Tumwine that he was scheduled to table the same in Parliament the next day, 23 July 2019. It is at this point that the exact words as quoted in the *Hansard* were uttered by Gen. Tumwine.

Hon. Opendi said that she informed Gen. Tumwine that a Member of Parliament had no other place to raise matters affecting their constituencies other than the Floor of the House. The meeting with Gen. Tumwine ended after three hours but no way forward was arrived at.

Responses by Hon. Opendi to issues raised by the committee

1. The committee asked if it was correct to divulge information about what had transpired in a private meeting with Gen. Tumwine, Hon. Katusabe and herself. Hon. Opendi responded that it was not a private meeting because he is the Minister, Office of the President (Security) and security forces were involved in the matter discussed. She said she reached out to him in his official capacity.

She noted that she did not expect Gen. Tumwine who says he is a Born Again Christian to deny what had transpired at that meeting.

2. Asked if hon. Opendi would divulge to Cabinet the contents of a private conversation with another minister regarding the other minister's attitude towards one of the Government leaders, she replied that she would divulge the information if the situation in Cabinet called for it.

3. Asked what she thought about freedom of thought by a Member of Parliament and whether divulging conversations held in private would not hinder members of Parliament from expressing themselves freely, her response was that the problem with the interaction between Gen. Tumwine and hon. Katusabe was that Hon. Gen. Tumwine's voice was raised and she too felt uneasy.

4. Asked if she saw indiscipline in the conduct of Gen. Tumwine, she said he is a bully.

5. Asked why hon. Katusabe did not mention her presence at the meeting to the committee, she said hon. Katusabe was in the best position to provide an answer to that question.

She concluded that public officers hold offices in public trust. They, therefore, should behave in a manner that is expected of them.

Committee’s observations and recommendations on the alleged utterances attributed to Gen. Tumwine by hon. Atkins Katushabe

Observations

The committee observed that:

1. From the evidence, Gen. Tumwine uttered the statement as reported by hon. Katusabe and corroborated in the testimony of hon. Opendi. Gen. Tumwine also testified that he considered his conversation with colleagues to be informal in nature, protected by constitutional rights under Article 29 and Article 27 of the Constitution and was also taken out of context. To the committee, that was confirmation that the statements were made.
2. The statements made by Gen. Tumwine in the presence of two Members of Parliament were, in fact, disparaging to the institution of Parliament, in that they challenged the constitutional authority and functions of Parliament and the Speaker of Parliament as detailed in Chapter Six of the Constitution.
3. Gen. Tumwine freely expressed his view in an informal meeting and never intended the contents of the discussion to be publicised or conveyed to third parties.

The committee’s conclusion arising from its observations 1, 2 and 3 are that the observations 1 and 2 above would suggest that Gen. Tumwine exuded contempt of Parliament, which in accordance with Rule 221 of the Rules of Procedure of Parliament is defined as follows:

*An act or omission which obstructs or impedes Parliament in the performance of its functions or which obstructs or impedes a Member or officer of Parliament in the discharge of his duties or affronts the dignity of Parliament or which tends either directly or indirectly to produce such a result shall be contempt of Parliament.*

David McGee's *Parliamentary Practice in New Zealand (3rd Edition)* lists three elements to be established when it is alleged that a Member is in contempt by reason of a statement that he or she has made, namely:

1. *The statement must, in fact, have been contemptuous;*
2. *It must be established that the Member making the statement knew (or ought to have known) at the time that the statement was made that it affronts the dignity of Parliament; and*
3. *In making the statement, the Member must have intended to deliberately affront the dignity of Parliament.*

Committee observation no. 3 exonerates Gen. Tumwine from the charge of contempt of Parliament basing on Articles 27(2) and 29 of the Constitution of the Republic of Uganda as follows:

Article 27(2) states, “*No person shall be subjected to interference with the privacy of that person's home, correspondence, communication or other property*.”

Article 29 protects the freedom of conscience, expression, movement, religion, assembly and association.

Therefore, the committee concludes that extending the application of contempt of Parliament to a private discussion among three parties in an informal meeting would have far reaching implication on the rights to freedom of expression and even Members' privileges and immunities.

1. The interaction was among three people, contrary to hon. Katusabe's testimony. It was arranged by hon. Opendi on behalf of hon. Katusabe and she was present throughout the meeting.
2. The meeting was long, many statements were made and topics discussed. There were both high and low moments.

6. The committee concurred with hon. Opendi’s observation that hon. Gen. Tumwine is indeed a bully.

Recommendations

The committee recommends that;

1. Matters that arise out of informal or private discussions and engagements should be resolved in informal ways. Where colleagues seek to engage either the Executive arm of Government or Parliament on matters regarding their constituencies or the country at large, they should explore formal mechanisms that call for accountability and action in case of failure by the responsible officers.
2. Gen. Tumwine should be conscious of the fact that given his seniority in terms of military rank, long service in Parliament and age, his statements are taken seriously. Therefore, his language and conduct should be exemplary.

Inquiry into the alleged attack on hon. Cecilia Atim Ogwal by hon. Gen. Tumwine

Methodology

The committee while conducting the inquiry into the alleged attack on hon. Ogwal by Gen. Tumwine:

1. Reviewed the testimony from the victim and witnesses of the alleged attack as contained in the *Hansard* of 23 July 2Ol9.
2. Reviewed the footage from the Close Circuit Television (CCTV) covering the Chamber and lobbies of Parliament in the afternoon of 23 July 2019.
3. Received a testimony from hon. Ogwal on the events of the attack as they happened.
4. Received testimonies from other witnesses namely;
5. Hon. Lilly Adong
6. Hon. Lucy Akello
7. Received testimony from the hon. Gen. Tumwine in response to the allegations.

Testimony from witnesses

Testimony by Hon. Cecilia Ogwal;

Hon. Ogwal informed the committee that she had been in Parliament continuously since the Constituent Assembly and therefore, had worked with hon. Gen. Tumwine for a long time. She said that on 23 July 2019, during the debate on the matter raised by hon. Katusabe, she did not have special interest in contributing to the debate.

She, however, felt compelled to re-direct the debate after listening to the Attorney-General and not seeing the expected reaction from hon. Gen. Tumwine whom she saw as continuing to be arrogant and insensitive to the mood in the House. She thought that by quoting God’s Word to Hon. Gen. Tumwine, his tone of debate would change, hence her contribution on the matter. She quoted the Book of Isaiah 33: 22 that says, *“For the Lord is our judge, the Lord is our lawgiver, the Lord is our king*.”

Later she reminded the hon. Gen. Tumwine that he, while in the Seventh Parliament attacked her when they were discussing the use of DDT for indoor spraying. Hon. Gen. Tumwine was promoting the use of DDT while she and other Members of Parliament from Lango sub-region and Bundibugyo District were strongly opposed to it because of the negative impact that DDT would have on the prices of organic cotton and cocoa, which were being promoted in both regions.

She drew the attention of the committee to the *Hansard* paragraph 5.50, quoting a section of hon. Gen. Tumwine’s words verbatim as follows: **“***In my language, we have four words - honourable members, the four words are in front of you. They mean; the one who was found here, the one who was first here, the one who is an elder here, the one who has been here longest.*

*I am part of the people who originated the NRA code of conduct, which is very strict. I am a disciplinarian; you would not have had the UPDF if we were not as strict on discipline as we are and as it is. I have been part of this Parliament in making its rules.”*

She later went out of the Chamber and sat on the bench next to the left hand side of the pigeon hole lobby. That is the side that leads to the Opposition side of the House. Hon. Gen. Tumwine came out from the right lobby walking vigorously, crossed the isle, passing by the main entrance and came to where she was sitting together with other women Members of Parliament. He started directly attacking her in a loud voice pointing at her eyes. He spoke with a lot of anger and bitterness saying he never pulled a gun at her and he was pointing at her as if aiming to poke her eyes. At that point, she had to lean backwards and did not say anything. Even the ladies sitting next to her were gripped with shock and did not say anything.

In addition, hon. Ogwal had the following to say:

1. The behaviour of hon. Gen. Tumwine confirmed that it was his character to follow up a Member of Parliament because of his or her contribution on the Floor of the House. That is an obvious sign of intolerance.
2. A member of Parliament speaking on the Floor of the House on any matter has immunity.

Responses by hon. Ogwal to issues raised by the committee

1. On what Gen. Tumwine said to make her feel threatened, she responded that he said: “You are lying; I did not pull a gun at you. You are a liar.”

She also informed the committee that his body language obviously displayed fury and agitation, which scared her and the people around her. They anticipated a physical attack. She further said that if anything happened to her or any of the members of her family, she would know that hon. Gen. Tumwine was involved.

She wondered why he would attack her twice with no provocation. She informed the committee that she felt her life was threatened by the assault of a top military leader, aware of the fact that in the recent past, many prominent Ugandans have been killed in unclear circumstances in this country.

Her health was also affected as indicated by her blood pressure, which continued to rise and could only be controlled by medication since the incident of 23 July 2019.

1. On whether there was another person in the Speaker’s dining when Gen. Tumwine pulled a gun, hon. Ogwal said hon. Alisemera the then District Woman Representative for Bundibugyo and hon. Angiro Gutumoi from Erute North were present. She then said she reported the matter to the Sergeant-At-Arms but did not pursue it.
2. Asked if she could forgive hon. Gen. Tumwine, she said the incident of 23 July 2019 meant that Gen. Tumwine can say one thing and mean another. This is displayed in the fact that Gen. Tumwine asked for forgiveness in the House but came out to attack her.

Hon. Ogwal noted that she as a person could not forgive Gen. Tumwine for the manner in which he attacked her on 23 July 2O19 because it confirmed that he neither respects Parliament, the Speaker nor other members of Parliament.

Testimony by hon. Lilly Adong

Hon. Lilly Adong testified as follows: She had moved out of the Chamber to discuss an urgent matter concerning Acholi Parliamentary Caucus. They sat in the lobby with some other female Members of the caucus. She was surprised when Gen. Tumwine all of a sudden walked towards them making angry gestures.

He was saying;

“*Did I ever point a gun at you? I was not even in support of DDT. Come and see my painting against DDT. You are a liar. You are a liar.”* Gen. Tumwine was pointing at hon. Ogwal and leaning over her. He was almost poking her eye.

Hon. Adong said she was very scared, more so with the fact that she grew up during the wars in Northern Uganda.

Response by hon. Lilly Adong to questions from the committee

Responding to a question about hon. Ogwal’s reaction to the hon. Gen. Tumwine’s attack, hon. Adong said she was calm but she later said, “You did it. Why are you threatening me?”

Testimony by hon. Lucy Akello

Hon. Lucy Akello said she was not in the House during the debate on the matter raised by hon. Atkins Katusabe. She came to the lobby and sat briefly with hon. Lilly Adong and hon. Margaret Lamwaka. Hon. Ogwal was seated next to them.

She saw Gen. Tumwine coming straight to hon. Ogwal without any sign of aggression. He then began saying, “I did not point a gun at you. You are a liar.” Hon. Ogwal was at first silent and subdued but later, she responded that, “by doing this you are pointing a gun at me. Do you remember DDT?”

Then Gen. Tumwine said, “You are a liar. I will show you.” Then he went ahead to say, “Come to my car and I show you my painting against DDT.” At this point, hon. Lucy Akello recalled saying, “The good thing is that the camera is recording all this.”

Members of Parliament then started gathering around to find out what was happening. When hon. Elijah Okupa joined them and was told what had happened, he decided to report it to the House.

Responses by hon. Lucy Akello to questions from the committee

When asked how long the incident took, she responded that it took approximately five to 10 Minutes.

On hon. Ogwal’s state during the incidence, hon. LuchAkello said she saw a different hon. Ogwal because hon. Ogwal is a person who talks a lot but during the incident, she was quiet.

Testimony by hon. Gen. Elly Tumwine

Hon. Gen. Tumwine said:

1. The alleged threat arose from his assurances to hon. Ogwal that she was lying when she stated that he pulled a gun at her in the Seventh Parliament.
2. She lied to Parliament that he threatened her life due to her strong position on DDT.
3. That he said he would show her his painting in the lobby of Parliament, which proved he did not support the use of DDT.
4. She lied that he was holding a gun as he talked to her.
5. He does not access Parliament with a gun.
6. The allegation that he was threatening to poke her eye was a lie and the CCTV evidence supports him.
7. It was a ridiculous and dramatic lie for hon. Ogwal to say that if she died or if any member of her family died, then Gen. Tumwine would be responsible.

Committee Observations and Recommendations

Observations

The committee observed that;

1. From the CCTV footage, some details of the interaction between hon. Gen. Tumwine and hon. Ogwal were not visible from certain angles. The CCTV footage was, therefore, not conclusive on what had actually transpired especially with regard to the allegation that hon. Gen. Tumwine was almost poking hon. Ogwal’s eye.
2. The footage showed hon. Gen. Tumwine striding towards the exit of the lobbies. When he sighted hon. Ogwal, he walked straight towards her in a visibly furious manner. His gestures and movement were observed, as well as the demeanour of other members seen in the footage.
3. The committee also relied on testimonies from the witnesses and hon. Gen. Tumwine’s confirmation that indeed, the person he was talking to in the footage was hon. Ogwal.
4. Whereas it is common practice for members to continue discussions of the contents of one another’s debates in the House beyond the Chamber, the committee observed that hon. Gen. Tumwine’s gestures and proximity to hon. Ogwal were indeed unconventional, dishonourable and an affront to the Member’s immunity and privilege.
5. The testimonies of the two witnesses corroborate the allegation of the dishonourable and unconventional conduct of hon. Gen. Tumwine against hon. Ogwal.
6. Hon. Gen. Tumwine’s attack on hon. Ogwal was a breach of privilege as a member of Parliament has a right to debate on any matter on the Floor of Parliament without fear of retaliation. The attack potentially has the effect of intimidating members from freely expressing themselves in debates on certain subjects.
7. From the conduct of Gen. Tumwine, the committee finds that he actually assaulted hon. Ogwal. This observation is buttressed in Black’s Law Dictionary that defines assault as:

“*The threat or use of force on another that causes that person to have a reasonable apprehension of imminent harmful or offensive contact*.”

Assault does not have to involve contact, as long as it causes apprehension of immediate harmful or offensive contact. The committee considered the Common Law doctrine of the eggshell skull or thin skull rule, whereby it is not a valid defence to say that the reaction of the victim was unexpected or disproportional to the action.

Each person must take the victim as they find him or her. In this case, it was the testimony of hon. Ogwal that she felt threatened by hon. Gen. Tumwine’s words and actions. Hon. Adong and hon. Lucy Akello also testified that they too felt intimidated.

1. The general character and attitude of hon. Gen. Tumwine, when he appeared before the committee was disrespectful. He exhibited poor regard for Parliament and for civilian authority. His character and attitude was at variance with the fact that at the beginning of the 10th Parliament, he advocated for inclusion in the Rules of Procedure of Parliament, the position of Father of the House, well knowing that he had no competition for the position as the longest serving Member of Parliament with an unbroken record of 33 years. His behaviour contradicted his seniority and status in the country.

Recommendations

In accordance with Rule 172(1)(a), the committee recommends that Rule 8 be invoked to order hon. Gen. Elly Tumwine to be reprimanded for breach of privilege of a member of Parliament and for being disrespectful to Parliament.

Although this sanction is not provided for under the Rules of Procedure of Parliament of Uganda, it is a Commonwealth Parliamentary practice in countries such as Zambia, India, Australia and the United Kingdom. Attached herewith as Annex 1 is the procedure for a reprimand.

The committee also recommends that the CCTV cameras in the precincts of Parliament should be located in such a manner that they fully cover all the public places.

Madam Speaker, I beg to move that this report be adopted by this House. Thank you.

**The Speaker:** Thank you, Mr Chairperson. I do not know whether the other report was attached to yours. They are supposed to come together.

**Mr ongalo-obote:** Yes, Madam Speaker. The honourable colleague attached the minority report to the main report.

6.45

**Mr gaster mugoya (NRM, Bukooli County North, Bugiri):** Thank you, Madam Speaker. I generated a minority report under Rule 202 of the Rules of Procedure of the Parliament of Uganda. I was very specific with the reasons why I respectfully rescinded from the majority report.

In conformity with the provisions of Rule 202 (1), (2) and (3) of our Rules of Procedure, I respectfully disagree with the findings of the committee in regard to the first term of reference;

To examine whether Gen. Elly Tumwine made utterances demeaning the office of the Speaker and the institution of Parliament as alleged by hon. Atkins Katusabe during the parliamentary sitting on the 23 July, 2019.

On this issue, the committee believes that Gen. Tumwine uttered the following words:

“a) Who is the Speaker?

b) What is Parliament?”

The committee further concluded on this issue, which is very important, that the Gen. Tumwine uttered those words in a private conversation and he did not intend to make them public and that as such, did not amount to contempt of Parliament. In short, the committee exonerated Gen. Tumwine in regard to the two aspects of demeaning the institution of Parliament as well as the presiding officer.

However, what is so interesting and funny with this same committee is that it additionally stated that Gen. Tumwine is indeed a bully, as stated by hon. Sarah Opendi.

After exonerating Gen. Tumwine in regard to the first complaint, they go ahead to believe the testimony of hon. Sarah Opendi. It, therefore, follows that the committee relied on the evidence adduced by hon. Opendi to corroborate the testimony of her colleague hon. Atkins Katusabe.

It should be recalled that hon. Opendi was called as a witness after the defence had closed its case for submissions and this is very important. This was an irregularity in law for a committee to open up a prosecution case, when the defence had closed its submissions. It would have been fair and just if Gen. Tumwine had been called to rebut what hon. Opendi avowed in the committee.

The special powers vested in any parliamentary committee under Rule 205 of our Rules of Procedure are subject to the principles of natural justice. Madam Speaker, I have quoted for this House what we call, the “*locus classicus”* in regard to this matter. These are the best known authorities on the subject of natural justice:

Justice Kibuuka Musoke in Miscellaneous Application No. 433 of 2008 (Arising from Miscellaneous Cause No. 171 of 2008" Kauma Kagere Rose vs Namutumba District Local Government Council, in quashing the decision to interdict the applicant by the respondent, cited with approval the decisions in Re-Application by Bukoba Gymkhana Club (1963) East Africa at page 473 and Haji Mohammed Basweri Kezaala vs The IGG and 2 others Miscellaneous Application No. 28 of 2009 (un reported), had this to say:

*"The concept of fairness in the adjudication as well as in administrative decision making where the body or public officer making the decision has a duty to act judicially or in a Quasi-judicial manner is well entrenched in our law. The principle of natural justice contains two necessary and obligatory rules or human conduct promulgated by nature through human reason.”*

As known to Ugandan law, the rules of natural justice stand out as two prominent rules which are known and observed throughout the civilized world. They are:

i) *Nemo Judex in Causa Sua* (No person shall be a judge in his or her own case)

ii) *Audi alteram partem* (hear the other party)

These two rules or principles of natural justice, according to the court of Appeal of Uganda, in Makko Matovu and 2 others vs Sseviri and Anor Civil Appeal No. 07/1978, must be observed by both judicial and administrative bodies. They must be observed by all bodies and public officers who have a duty to act judicially or quasi-judicially.

This committee was acting quasi-judicially. I also cited for this august House the famous case of ABBOT vs Sullivan (1952) Volume 1 All .E.R 226).

The modern view is that the duty to act fairly applied to almost all public decision making process. Article 42 of the Constitution of the Republic of Uganda leaves almost no doubt about that proposition. I went an extra mile and also cited Halsbury Laws of England 4th Ed. Par.84.

In this instant matter, before this august House, the committee relied on the testimony of hon. Opendi as corroborative piece of evidence and concluded that Gen. Tumwine was indeed a bully, without offering the latter the opportunity to vitiate what hon. Opendi had told the committee.

Indeed, on 12 August 2019, when Gen. Tumwine wrote to the committee requesting for an opportunity to respond to hon. Opendi's allegations, the committee vehemently rejected the General's request hence denying him a right to fair hearing.

In my honest legal view and opinion, the committee committed a grave mistake, which is incurable under the law, as it nullifies the entire report, if subjected to judicial scrutiny.

Be that as it may, allow me to address my mind to the assault complaint raised by hon. Cecilia Ogwal under term of reference 2, which requires the committee to examine whether there was an attempt by Gen. Tumwine to assault hon. Ogwal in the Parliament lobby as raised by hon. Okupa during the parliamentary sitting of Tuesday 23 July, 2019.

It is the conclusion of the committee that, indeed, there was an attempt by Gen. Tumwine to assault hon. Ogwal given his behaviour as observed in the footage. That it was an attack on the privileges and freedom of expression of a member of Parliament.

The committee did not properly evaluate the evidence in totality. Indeed, if it had been done so, then the committee would not have arrived at such misleading but also erroneous conclusion.

Hon. Ogwal, while in the committee, averred that Gen. Tumwine attacked her while seated in the parliamentary lobby in the presence of some members of Parliament. She further contended that Gen. Tumwine pointed a finger at her and said “You are a liar. I have never pointed a gun at you”. That Gen. Tumwine left and shortly came back and repeated the same words; that Gen. Tumwine, being a General of the UPDF, she feared for the safety of her life and the entire family.

On the contrary, the two witnesses called upon by the prosecution; namely hon. Adong and hon. Lucy Akello contradicted the testimony of hon. Ogwal in some material. I would like to point out the particular material areas that were contradicted:

1. Looking at the demeanour and composure of the two witnesses, they unshakenly averred that much as the General told the complainant that she was a liar and left, hon. Ogwal continued provoking the General that he pointed a gun at her. That continued utterances by hon. Ogwal forced the General to come back to where the trio were seated and even invited hon. Ogwal to move with him to where he had parked his car to prove that the General was against the usage of DDT in this country; that his car had paintings against the use of DDT.

When the committee asked the two witnesses to explain whether the General had a gun at that material time when they were engaged in an argument, the duo said, it was hon. Ogwal who merely said that simply because the General pointed a finger at her, she will in turn, term that act as pulling a gun at her.

In my honest opinion, these two witnesses were truthful and adduced reliable pieces of evidence, which in my view ought to have been properly evaluated by the committee.

The bodily movements and gestures in the video by the General, clearly prove what the witnesses for the prosecution said of the conduct of hon. Ogwal. If Gen. Tumwine intended to assault hon. Ogwal, he would not have invited her to move to the parking yard, to look at the paintings on his car against the usage of DDT in Uganda. That clearly shows, that hon. Ogwal blew this matter out of proportion, as this was merely an ordinary social interface coined with verbal friction that did not give rise to an act of assault or even a mere attempt of it. Any finding to the contrary, as it was found out by the committee, would be to lower the standard required to prove assault as both a civil and criminal wrong. That is why she failed to adduce medical evidence to prove that she apprehended fear, which gave rise to her blood pressure.

Black’s Law Dictionary Third Edition, defines criminal and tortious assault as “*the threat or use of force on another that causes that person to have reasonable apprehension of imminent harmful or offensive contact; the act of putting another person in a reasonable fear or apprehension of an immediate battery by means of an act.”*

As I said before and for all purposes and intents, the conduct exhibited by Gen. Tumwine does not in any way relate to the legal definition of assault. As I stated before, there was no direct or circumstantial evidence to prove that an act of assault or an attempt of the same was committed by the General.

Save for the enlargement of the CCTV camera coverage in all places of parliamentary buildings, I do respectfully disagree with the committee on its recommendations, as I find no illegal act or omission that may warrant such recommendations in the eyes of the law.

By and large, for the reasons given herein above, I find the complaints raised by hon. Cecilia Ogwal and hon. Atkins Katusabe devoid of any merit.

Accordingly, I do dissent from the opinion of the majority of the committee and I so submit this report for your considerations. *(Applause)*

Madam Speaker, those are the reasons that compelled me to dissent from the majority of the committee report. I would like to thank you for your attention.

I would like to lay on Table this report that I have presented before this House. I beg to lay.

7.04

**THE CHAIRPERSON, COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE (Mr Clement Ongalo-Obote):** Madam Speaker, I would like to make the following clarifications:

1. While I respect the learned honourable member, I wish this House to know that on page 12 of the committee report, the General is exonerated not because he did not say those words but because in making the statements, he had a reasonable expectation of privacy.
2. I wish to move that this House disregard the minority report in its entirety because it is based on a false premise. Hon. Sarah Opendi was not a witness for the prosecution. She was actually invited to the committee at the request of the defence. Gen. Tumwine asked the committee to invite hon. Opendi as his witness not the witness for the prosecution. Therefore, in inviting hon. Opendi to appear before the committee, the committee was only respecting the wishes of the General. No prosecution was opened by the appearance of hon. Opendi before the committee.
3. Gen. Tumwine walked to the committee requesting to make another appearance before the committee fully in possession with the terms of reference before the committee. He was aware that the committee had only two weeks to resolve this matter. He requested for the terms of reference and he had them and knew that the committee had limited time to handle this matter. The letter from the General requesting to appear before the committee reached my desk on 13 August afternoon, long after the committee had gone on a retreat, written the report and actually signed it. I would wish the honourable learned Member, who has quoted Latin to me, to also be cognisant of the following saying in Latin. *Interest Republicae Ut Sit Finis Litium,* which means litigation shall be automatically stifled after a fixed length of time, irrespective of the particular merits of the particular case.

The time for the General to resubmit before the committee had expired and he knew it. He had the terms of reference, which were given to the committee with him.

Therefore, to want to reopen this case, after the Members had signed the report, was an attempt to only delay justice.

Finally, the honourable member who has submitted this minority report is a member of the committee. The committee had nine sittings and the Member only attended two. The Member did not attend the retreat during which the report was written. The Member informed me that he was going to write a minority report before the committee even wrote the majority report.

Therefore, I find no basis to this minority report other than an attempt to defend the indefensible. Thank you. *(Applause)*

**THE SPEAKER:** Honourable members, let us have a debate.

7.04

**MR KASSIANO WADRI** **(Independent, Arua Municipality, Arua):** Thank you very much, Madam Speaker. I wish to thank the authors of the two reports. Before I go further, in African culture, they say if you are living a polygamous life and your husband picks a stick and beats your co-wife, when he throws it nearby, you should ensure that you throw it far away because tomorrow, the same stick will be used to beat you.

This is a situation where we need to be honest with ourselves. We have stayed in this Parliament and it should give us the aura to express ourselves freely without any fear. The moment we begin to have the kinds of feelings where Members say that so and so is a bully or that the manner in which so and so came made us afraid, then that type of spirit will run through out.

I can vividly recall that the issues that were bought here were majorly two. The first was that hon. Katusabe had a discussion with Gen. Tumwine. We need to appreciate that this was not a discussion that was done in a parking yard or at a drinking joint. It was in an office where a person went to lodge an official complaint for intervention. I am, therefore, at a loss when I am told that this was an informal discussion. At what level do we have official discussions and informal ones?

When we talk of parliamentary privileges, to the best of my understanding, parliamentary privileges only apply when you speak on the Floor of the House during a session. If you go and talk outside, in your office, in the parking yard and elsewhere, you do not enjoy the parliamentary privileges. Technicalities should not derail us.

There are a lot of things, which have happened. I have been here since the Seventh Parliament. We verily recall what happened to Rt Hon. Jacob Oulanyah in the lobby. We know it. We must not keep quiet even if we have forgiven one another.

We must have respect for one another and where we have gone wrong, it is always good to say*, “mea culpa, mea culpa, mea maxima culpa”* You atone for your sins and your wrong doings. That would be the end of the thing. But for us to go legalistic on something that could have been resolved by saying “I am sorry”, and you apologise on the Floor of the House. Now, it has driven us into this type of debate because you are all defensive; I think it is not right.

We need to be ourselves. There are two people involved in this matter; hon. Ogwal and Gen. Tumwine. These are people who openly say that they are believers and they are *savedees*. What does it mean to be saved? To tell lies? To begin to deny what one has said? I think the two should be very exemplary. Where you have gone wrong, atone for your actions and we leave it there.

My brother, the honourable colleague who has written the minority report: yes, those were the days when you were a chief magistrate, that is what you used to do *(Laughter)* – but you do not extend it here. You are now a Member of Parliament. You should not be so legalistic on obvious issues. *(Interruption)*

**MR RUKUTANA:** Madam Speaker, the hon. Gaster Mugoya was exercising his rights enshrined in the law and in our Rules of Procedure by making a decision that departs from the decision of the committee. He is properly and lawfully provided for to engage in that.

Is it in order for hon. Wadri to say that he should not have that authority because it ceased when he was a chief magistrate? The regimes are different. The status is different. He is no longer a chief magistrate; he is a member of Parliament and he exercised his right as a member of Parliament. Is it in order for hon. Wadri to attempt to mislead this House?

**THE SPEAKER:** Honourable members, minority reports are part of our Rules of Procedure. Please, conclude.

**MR WADRI:** Thank you, Madam Speaker, for your ruling. My appeal at this stage is that there are many of us who have stayed in this House for a number of years. By now, we should have heavily bonded in terms of relationship. We should have courtesy and respect for one another and the institution.

I would like to make this passionate appeal to Gen. Tumwine: Gen. Tumwine, you are the seniorest person here. Ever since you people came back from the bush, you landed in this Parliament and you are still here. *(Laughter)* Offer leadership, offer maturity by showing the way to these young men and women who have just come in. Where you have gone wrong, as a believer, atone for your wrong actions here and we will leave it at that.

In which case, therefore, if that good gesture came from Gen. Tumwine, we would probably, as we debate, make changes in the type of recommendations that have been made. We would probably say that instead of you going through the whole long process, we take your apology.

If you are able to do that –*(interjections)*– no, at a later time, General. I am giving all this because I know as human beings, we could have erred and indeed, we erred. Although my brother, in his minority report –*(Member timed out.)*

7.11

**MR PAUL MWIRU (FDC, Jinja Municipality East, Jinja):** Thank you very much, Madam Speaker. I rise to defend the majority report. When you talk about the sanctity of Parliament, it means that the august House is a very important House in this country. It is one of the branches of Government.

Just before we went to this matter, when the Chairperson of Committee on Equal Opportunities presented a report, we were talking about things that are about mannerisms.

Where I grew up, if an elder walks into a place when I am seated on a chair, I will surrender it to him because he is an elder. If a pregnant woman entered into a place or I was in a bank, I would cede space because she is a mother of this nation. That is how we were brought up. Today, we were even debating whether we should legislate on that. I was a bit shocked.

This Parliament is our work place. Whereas there is the new normal where elders behave like children, I do not want to fall prey to such.

When the chair of the committee presented a report, it so happened that my good friend Gen. Tumwine brought himself under such circumstances. Why should Parliament investigate such a matter where two senior colleagues of this House are involved in such a matter? That shows that even senior people seem to be adopting the new normal where mature people behave like young people. It might end up becoming like a culture in this House that we even abandon the normal way of exchanging views and engaging.

Why there are these lobbies is that if there are issues, you step out and engage as colleagues but once you are in this House, you are expected to debate.

We are leaders. What has happened is very embarrassing, not only to Gen. Tumwine but even to us as members of Parliament. We should desist from this.

I was driving; the traffic lights were red but the traffic officer told me to go. When I drove, my son told me, “Daddy, you are a bad driver. Respect traffic rules.” Right now, even the traffic officers do not respect the rules. We have reached a level as Parliament where we must agree that we have rules and we must conduct ourselves as leaders.

In that regard, we need to adopt the facts as they are. I appreciate the right to be heard is not absolute. It is qualified because if a Member – I was watching the television and I saw how my senior colleague was reacting in the committee. It was very appalling and worrying. For instance, as he was showing how he fought – if you fought and poured blood, you go and get it from Nakasero Blood Bank.

I am, therefore, calling upon the conduct of colleagues here, today it is about these two but tomorrow, how do we relate? It is important that we pass on a message to other leaders out there.

Finally, Madam Speaker, I have been watching district councils and I do not know whether you like what is taking place in the country. I was watching the council meeting of Nakawa where the Mayor was seated on the chair and in a few minutes, they were almost going for him - fisting. What is taking place in this country?

I would like to end by supporting the majority report. We must exercise magnanimity depending on how the General will decide to react to our debate. Thank you.

7.15

**MR JACK WAMANGA-WAMAI (FDC, Mbale Municipality, Mbale):** Thank you very much, Madam Speaker. Before I joined Parliament, I had a lot of admiration for the members of Parliament and the House. However, it is very unfortunate that members of Parliament do not even respect themselves. If you do not respect yourself as a member of Parliament, how do you expect people from outside there to respect us?

Surely, if this happened like we have heard from the report, what was difficult for somebody to go and say “sorry, I have offended you”? The word “sorry” could have even made the Speaker not to ask the committee to look into this matter. It should have ended there. However, because some people feel they are very important, they go ahead and cause problems.

Madam Speaker, I was almost a victim simply because I was supporting a Bill which was being brought here about the degazettement of forests in towns. Somebody was attacking me here in the precincts of Parliament. I could not even believe that somebody would walk towards me, wanting to fight me because I supported hon. Mudimi here. What type of members of Parliament are we? Respected and sent by people to pass laws for the whole country – when we go to the extent of fighting?

Golola was here yesterday; if you want to fight, get out of Parliament and try the Gololas. If you cannot reason on the Floor of Parliament, you get out of this House. We are not here to fight. We are here to reason and make laws. I feel bad that a senior Member *–(Member timed out.)*

7.18

**MR GILBERT OLANYA (FDC, Kilak County South, Amuru):** Madam Speaker, I would like to thank the committee for the good work done. The committee clearly made mention that hon. Gen. Tumwine was discussing casually in his office with hon. Katusabe.

It does not mean that if you are only two in the office or parking yard, you should continue talking ill about the Speaker or your colleagues. This calls for maximum respect among members of Parliament. It does not mean that if you are only two, you can talk ill about someone. We need to respect each other.

If you are two and you discuss someone, it indicates the intention you have against that particular person. This is the lesson to all of us. This matter is very simple and it made news for almost the whole month for no good reason. Why should we go in the eyes of the public telling the public that we behave like children? It was a very simple matter that was brought on the Floor of Parliament and it made news worldwide.

We should stop behaving like children. I call upon Gen. Tumwine to really save this country. (*Member timed out.)*

7.20

**MR JACOB OPOLOT (Independent, Pallisa County, Pallisa):** Thank you very much, Madam Speaker. I will begin by declaring that I am a member of the committee but now that there is a minority report, I beg that I make a contribution.

This is more of a moral than a legal issue. It is where you explore our morality as opposed to going legalistic. I want to start with the first case of hon. Katusabe that we hold opinions and positions about different people and about each other. It is also immoral for us to keep carrying gossips and rumours from one place to another and escalating them to the public domain.

There is nobody here who has never said anything negative about another person. Therefore, if we are members of Parliament and we are going to carry rumours, we are going to confuse this Parliament and the country.

Secondly, going back to the issue of the minority report, ordinarily, my colleague hon. Mugoya – as a member of the committee – I would have expected him to be very resourceful right from the meetings to the point of writing a report. For you to keep away and emerge with a minority report, I do not know how helpful you are as a member of that committee.

During the report writing, there was a lot of debate that took place in the committee and many things were dropped. Hon. Katuntu was there and he guided the committee. Hon. Kiyingi was also there. Why wouldn’t my colleague bring that useful information to guide the report writing even if he was busy researching for that minority report? *(Laughter)* He should have come to build up the performance and contribution of the committee in writing the main report.

Madam Speaker, you need to guide this House. This kind of behaviour creates a lot of discomfort and suspicion, which should be avoided. I thank you.

7.23

**MR JOHN NAMBESHE (NRM, Manjiya County, Bududa):** Thank you, Madam Speaker. Let me join colleagues in thanking Members who signed the majority report. The report states very clearly that the general character and attitude of Gen. Tumwine when he appeared before the committee was very disrespectful. It is crystal clear as night follows day.

Madam Speaker, the General was here before he asked for forgiveness. In his submission, he exhibited a lot of arrogance and the general ought to know that he had won the admiration of people like me much earlier, especially when he was very popular having been the first to have shot that bullet and, secondly, for being a confessed born-again Christian.

For you to ask for forgiveness here and in a second – like a pig – you are again swallowing the very vomit that you had vomited. That was why even in the committee it is crystal clear that he is disrespectful. (*Interruption)*

**GEN.TUMWINE:** Madam Speaker, morals and laws make peace but language abuse, incitement and enragement remove peace. Is the honourable member, on this Floor of Parliament, where pigs have been brought in order to say that someone is like a pig vomiting and eating its vomit? Is the Member in order to use such language to refer to an honourable colleague?

**THE SPEAKER:** It is a common adage when speaking. I do not think it was about you.

**MR NAMBESHE:** Thank you, Madam Speaker, for the wise ruling. I was using an analogue but he is at liberty to misunderstand it.

In this very House, we witnessed with our eyes – it does not even require us to watch CCTV footage. A General brought to bear his expertise in military martial training by turning a fist into a killer blow on the member for Mityana Municipality. That General went scot-free and there we are. Another General almost poked the eyes of a colleague.

I know the report has made recommendations that there will be a reprimand. Madam Speaker, I do not know what constitutes that reprimand but it may only be a rebuke. In my considered view, it could have gone further than that. Otherwise, the way things are moving, these Generals may degenerate into real bullies and that could be a motive why they are here representing the UPDF to bully Members and getting away with it.

Madam Speaker, the truth of the matter is that that minority report could have come as a hired hand to water down whatever the majority had constructed.

7.29

**MR SOLOMON SILWANY (NRM, Bukooli County Central, Bugiri):** Thank you, Madam Speaker. It is unfortunate that Parliament is debating this. I will not be taking sides on the report; be it the majority or the minority report because I believe in reconciliation.

If we are to move forward, reconciliation starts from ourselves and our hearts. We are leaders of this country and therefore, let us make peace. Otherwise, no one will make peace for the Members who have a conflict. Why would Parliament sit here and debate a conflict, when we have many important issues that we can handle. We are being watched on all television stations of the country and all Ugandans are looking at us.

As a way forward, I would like to propose that – it is even written in the Bible. When they were stoning the adulterous woman – I am not a pastor and so, I do not know the verse but I know what was written. When they were stoning the woman, Jesus said he who has never done it should be the first to pick a stone and throw it at her.

Madam Speaker, it should be the two people to talk. Actually, the two Members are senior elders. They have been here longer than most of us. They should talk to each other and reconcile so that we can move forward and we borrow a leaf from them –*(Member timed out.)*

7.31

**MR DAVID ABALA (NRM, Ngora County, Ngora):** Thank you, Madam Speaker. First of all, I would like to thank the authors of the two reports. Otherwise, if this report was not there, we would have nothing to discuss here.

Madam Speaker, I would like to say that it takes two to tangle. In this case, it is Gen. Tumwine and our senior mother, who was Miss Uganda sometime back. *(Laughter)*

Over 40 million Ugandans are being represented by the 459 Members in this country and all the people in Uganda look at members of Parliament as the source of solutions to their problems. When matters like this come up, we must get the medicine; we should be able to get a way forward on this matter other than escalating it. I am sure and confident that if we do not sort out this matter, it will cause more problems.

Mathew 16:14-17 talks about forgiveness. It says, forgive men their sins when they sin against you. If you do not forgive men their sins when they sin against you, your Father in heaven will not forgive you. That is what the Bible says. My opinion in this case - *(Member timed out.)*

**THE SPEAKER:** You have made the point. You have only 20 seconds

**MR ABALA:** Thank you very much, Madam Speaker. I would like to appeal to my two senior Members to sit down and sort out this matter.

The second issue is that we should learn to run away from *“Lugambo*” – a way of running with information here and there because it causes more problem and shame to the House. Thank you very much, Madam Speaker.

7.33

**MR MAURICE KIBALYA (NRM, Bugabula County South, Kamuli):** Thank you very much, Madam Speaker. I would like to thank the committee for the work they undertook to do. I know it has been tough for them. Before they began the engagement, everyone was wondering who was going to address Gen. Tumwine.

My message is simple. As a young generation, we appreciate what the Generals did for this nation and we have seen. However, it is getting worse and disappointing every second and moment that scandals of indiscipline, scare and disrespect; somewhere somehow if you trace, you will find it moving toward a General or somebody of a high rank in the army.

I wonder how my sisters and brothers that represent the army in this Parliament feel, the moment every hour, every day, every second, we get up and discuss issues involving UPDF, soldiers and Generals. It is very disappointing.

You have the army council and other organs. They were professionalising the army and showing us - but I do not know where we are going. I am worried; we have the people *-(Member timed out.)*

**THE SPEAKER:** Half a minute.

**MR KIBALYA:** Thank you, Madam Speaker. Before we came to Parliament, we respected all the Generals but our appeal to all the Generals now, Gen. Wamala. Gen. Tumwine - Change what is happening and show a new picture to this nation so that the generation that is coming –Yesterday, I was telling someone that like it or not, the Generals will go and we the new Generals whether we went to the bush or not, will take over power one day.

7.36

**MS AGNES TAAKA (NRM, Woman Representative, Bugiri):** Thank you, Madam Speaker, I wish to thank the committee for the challenge they went through -

**THE SPEAKER:** You have started bringing radios to this House? Honourable members, this has been going on for the last two days. Now, Members sit here and listen to their radios in the House. I will confiscate that radio one of these days.

**MS NAMBOOZE:** Madam Speaker, I am very sorry.

**MS TAAKA:** for the time and the hectic period they went through while conducting this inquiry. However, the two Members involved are very senior colleagues. I do not want to comment on the report but I would like to comment on the issues as they are.

When I look at the two, they are representative of our country, Uganda. I conclude that we have the nostalgia of the past and we are filled with fear sometimes. However, as Members, I would like to implore all of us to be tolerant. This is coming out vividly from the General but even us ordinary members of Parliament who are not Generals, it sometimes happens to us. We need to be tolerant to each other in our submissions.

One time, I came to you, Madam Speaker, when a colleague found me out and asked me what I had said in the House and promised me what I do not know but we left it at that level. As people who are living together, the spirit of forgiveness –*(Member timed out.)*

7.39

**MR ANTHONY OKELLO (NRM, Kioga County, Amolatar):** Thank you, Madam Speaker. Allow me to associate myself with the majority report because I find it very objective and balanced. Sometimes, I get taken aback when I hear someday questioning the institution of Parliament.

What is the Speaker for in this modern age and day if it is not to safeguard the sanctity of the institution of Parliament? Such utterances are unfortunate and could have probably been avoided and if it happened like the committee confirmed, then it could be a crisis on democracy for lack of a better word. Behaving in such a way is a bit extra-ordinary and bad temper.

To all of us, integrity is a very important aspect of the code of conduct of Members. We need to walk, talk and dress with integrity. All our behaviour should be governed by some levels of integrity.

I would like to seek clarification from the presenter of the minority report. Acting judiciously or quasi-judiciously and you said that “the committee acted quasi-judiciously” but by the fact that you presented a minority report does not exonerate you from being a member of the committee.

Unfortunately, out of nine meetings, you attended only two. Where were you, not to guide the committee so that the committee would act in a judicious manner and not quasi-judiciously? I would like you to help me with that kind of clarification. Thank you.

7.42

**COL (RTD) FRED MWESIGYE (NRM, Nyabushozi County, Kiruhura):** Thank you, Madam Speaker. Without going through the report and legal technicalities, my humble observation is that we have all erred against this House and this is the time we need to reconsider our errors. What is happening now should not have happened and it was blown out of proportion from the beginning.

When I appeared before this committee, I made a humble recommendation, which was not captured. I would like to repeat it here, although I went there as an ordinary Member.

My humble appeal to you is that we should find time to retreat and discuss what we have erred in this House and reflect on how we should conduct ourselves without exposing our indiscipline and misbehaviour on cameras that are seen by the whole world. It embarrasses us as a House as has been observed by some Members.

I appeal that you should find time for us to sit and take stock of what we have gone through and see how we can move forward as honourable members of the august House. Thank you, Madam Speaker.

7.44

**MR PAUL AMORU (NRM, Dokolo County North, Dokolo):** Thank you, Madam Speaker. I would like to thank the committee for handling this matter and coming up with a conclusion that has resulted into this discussion. There are two issues of concern that were the focus of this inquiry:

Firstly, that either privately or publicly, any Member of this House should think of questioning the power of the Speaker. Secondly, that Members will start to look over their shoulders, either at individual level or within the peers; a colleague will follow me to the canteen and then, we have an unfriendly discussion over what I say on the Floor.

This is regrettable. I remember during the hearing, I was in the sitting room with my family and one of the statements that shocked my young son was when the General reminded us of what he did. Such statements are always misunderstood and it makes it hard for us in the party to sometimes continue speaking about the good things that the NRM is doing –*(Interjections)*– Yes, because it is known.

We know and we are very grateful and I think we want many Ugandans to continue to refer to the good works that the UPDF has done. The UPDF has a good name and so, when there is a hearing, which is not related to the UPDF and then you want to drag the name of that institution, which we respect very much - I think it is diversionary.

I am saying this in good faith because we all interface with the public and we do not want to be – *(Member timed out.)*

**THE SPEAKER:** Twenty seconds.

**MR AMORU:** Madam Speaker, I would like to refer to the *Ubuntu* philosophy that “I am because you are”. That being said, there should be an opportunity for reconciliation. For Members who are speaking, let us not widen the conflict but look for a solution so that we continue to live in this House in harmony. Thank you, Madam Speaker.

7.47

**MS HELLEN ASAMO (NRM, PWDs Representative, Eastern):** Thank you, Madam Speaker. I stand up with pain because all the people in the House who are affected are members of Parliament. One thing we need in life is respect. Whether you joined Parliament the other day and the other one came tomorrow, situations change. We need to respect that environment and know that there are situations that could have made others come later than the others.

However, we must be mindful as leaders - whether we are in or outside this Parliament - of what comes out of our mouths. If there are issues between leaders, what is the statement you bring out? It will be very bad if I am talking with visitors in my sitting room and I tell them about the Speaker and say she is A, B, C and D. This person then meets the Speaker and says, “Your Member of Parliament talked about this”. I think it does not augur well.

If you talk about me somewhere, I will not be happy because I will look at you and say, “This is a bad situation”. Anybody can even say, “Hon. Tumwine is a proud man”. When he was talking, I put my bullet and other people were saying he is very arrogant. Some of us have known Gen. Tumwine. I used to sit with him here and I thought he is a generous man.

He was on the Committee on Appointments but I do not know what is happening. I think that as a brother in Christ, please, ask for forgiveness and reconcile. As a senior Member and hon. Cecilia Ogwal wanting to fight, what do you expect of the young generation? It means that when I talk here, somebody will follow me and want to poke me. I think that will not help us to grow.

I would like to pray that after this report –*(Member timed out.)*

**THE SPEAKER:** One minute.

**MS ASAMO:** Madam Speaker, first of all, I read the majority and minority reports. I looked at what hon. Mugoya – with all due respect – presented. I wondered where he was not to have given all this information to that committee. That is what I first asked myself. I asked why it is a sole report. It is not even a minority report; it is a sole report. It is only one person who wrote it.

With all due respect to him, instead of fuelling division, let us bring in harmony. I am happy with the majority report because it is balanced. I would like to pray that hon. Gen. Tumwine does not make many statements here so that we can resolve this issue. Gen. Tumwine, the Speaker and hon. Ogwal should find some place and talk as elders. Thank you.

7.50

**MR MUYANJA MBABAALI (NRM, Bukoto County South, Lwengo):** Thank you, Madam Speaker. I stand here in an atmosphere where I recall the incident of June last year, where this House lost dignity but it has now surfaced again. I have heard all the reports, which have been presented here. I would like to remind Members that this is a House of Members of honour and high dignity.

I would like to state the following:

First, you should organise a programme for an induction course to refresh Members after the June incident –*(Interjections)*– and -

**THE SPEAKER:** That is his opinion, please. Allow him to speak. - Order. Let hon. Mbabaali speak.

Secondly, I would like the two senior Members of Parliament to stand before us here, hug each other and bury their differences. There is no winner or loser. I would like the two to stand before you and the House, hug each other and bury their differences.

Finally, such a matter of personal confrontation should not be entertained in this House again.

Those are the three prayers, Madam Speaker.

**LT COL (RTD) RWAMIRAMA:** Thank you, Madam Speaker. I rise on a matter of procedure. This case involves very unusual things. First of all, the alleged utterances are about somebody questioning the status and power of the Speaker. The alleged utterances are abnormal.

Second is on the manner in which they were conveyed. You had a discussion with somebody – whether official or private – and the manner in which it came here. I also listened, with a lot of interest, where a wife of the person who is making allegations is a principal witness but also, at the time of discussing the report, the two are conspicuously absent.

This House is one of the top organs of the state. We must condemn indiscipline. We must –*(Interjections)*– Hon. Ssekikubo - We must respect this august House. In whatever we do, this august House should be respected.

With that background, I think and request that, using your power as a Speaker, you handle this case in your Chamber so that at the end of the day, we can be told the outcome. I thank you, Madam Speaker.

7.54

**THE DEPUTY ATTORNEY-GENERAL (Mr Mwesigwa Rukutana):** Thank you, Madam Speaker. I would like to thank the committee for their efforts. However, I would like to begin my submission by emphasising that we are members of Parliament. We are respectable; we respect each other and we have values. That does not mean we cease to be human beings.

On very many things, we do not agree. In some instances, tempers flare and we exchange words. Indeed, like in courts of law, we who are lawyers know that these debates are sometimes heated. We know that when the human element comes in, sometimes, people talk unconventionally.

Having said that and having listened to the whole evidence and seen the video footage, my regret is that such simple things were blown out of proportion. They were simple and they should have been treated and ended in an ordinary manner. Allegations are being made. Some of the allegations, according to the report I have listened to, were never proved.

This majority report, which I oppose in support of the minority report, is faulty both in procedure and in substance. The committee attempted to do a good job but it is evident that the committee did not get good legal guidance.

I have heard people talk of not restricting ourselves to legality and procedures; we must. Society can only be orderly if we comply with the set rules and procedures and we must adhere to them.

The committee, when handling such investigations, is performing a quasi-judicial function. This function obliges the committee to follow the rule of natural justice as stated in the minority report.

Madam Speaker, to give you an example of the breach of the rule of natural justice and procedure, it is clear in the minority report and it has not been controverted that after the defence had his testimony, a witness came. The witness made some allegations that tilted the case of justice against the accused person.

I have heard that the witness was called by Gen. Tumwine. It does not matter. Even if she had been called by Gen. Tumwine, if she turned out to be a hostile witness, stating things in favour of the person who accused the defendant, the defendant still has a right to cross-examine the witness who has turned hostile. This did not happen.

In these matters, we are dealing with scale of justice. There is something called scale of justice and that is why people testify and others respond. At the beginning, prosecution makes its case. When it makes its case, it tilts the scale of justice in favour of the prosecution. It is then the duty of the defendant to make its defence so that it can turn back the scale of justice to balance.

However, if you allow the prosecution to make its case and tilt the case in its favour and you do not allow the defence to *–(Interruption)*

**MR SSEKIKUBO:** Thank you, Madam Speaker. We have the majority and the minority reports. The minority report is presenting a position and we have the majority report -

I have listened to hon. Mwesigwa Rukutana. I hope he was not submitting as the Attorney-General but as a Member of Parliament representing Rushenyi County for whatever reasons.

Is he procedurally right when he attempts to support the minority report, which is his right to do so but basing on that one, to try to bring down the majority report without weighing the statement and the basis upon which the majority report was written? They had an opportunity to interact and interface with Gen. Elly Tumwine and the witnesses. Indeed, this is a true record unless the honourable member is trying to impeach the majority report by raising technicalities.

Is the honourable member, not the Attorney-General, procedurally right to try to bring contempt of the majority report by imputing that it did not accord natural justice to the person being accused, yet, the record is clear and it is on that basis that this committee proceeded to debate and to properly adopt the recommendations?

**MR WADRI:** Thank you, Madam Speaker. Hon. Rukutana has exhibited professionalism, as a lawyer, in the way he is trying to argue his case. If he is tactical, I also would like him to advise me as to whether professionally, it is right for a judicial officer to write a judgement when he or she has not fully heard the case? Is it proper?

According to the evidence on record, the author of the minority report only attended two sessions out of nine and then, he made a judgment. Is he professionally right since we are now talking about technicalities?

**THE SPEAKER:** Is there any information from the – we have heard two positions. What happened, hon. Bichetero?

**MS BICHETERO:** Thank you, Madam Speaker. I have been listening and I did not want to comment. However, I have been provoked by the comment on the principle of natural justice. When you listened to the majority report, which the chairperson of the committee read and when you listen to the sole report, there is no evidence that the principle of natural justice has been ignored or taken.

If anything, the committee really based and worked on the principle of natural justice. It is rather the sole writer of the minority report with all his legal gymnastics who has confused the whole situation. Thank you, Madam Speaker.

**THE SPEAKER:** Are you still on the Floor?

**MR RUKUTANA:** Madam Speaker -

**THE SPEAKER:** Honourable minister, I think it is wrong to disparage the majority report. Just state your position and we move.

**MR RUKUTANA:** I will demonstrate briefly how the principle of natural justice was contravened. It is on record that Gen. Tumwine, after hon. Opendi had testified, sought to respond and the committee refused. As a result, the report clearly quotes hon. Opendi saying Gen. Tumwine is a bully. The word, “bully” was picked from the testimony of hon. Opendi to which the General could not respond –*(Interruption)*

**MR ONGALO OBOTE:** Madam Speaker, let me clarify on two issues. One is on the issue of the appearance of hon. Opendi before the committee. As I said earlier and I have this in my possession now, I would like to lay them on Table.

I received a letter from the General requesting for an opportunity to respond to new issues, which were raised by hon. Opendi who appeared after he had submitted.

Secondly, the General also wished to add to his earlier response to allegations raised by hon. Ogwal. This is my response to the General. I wrote back to the General and said; I write to decline the request on the following grounds;

“1. Hon. Sarah Opendi was invited to the committee following your own testimony.

2. Hon. Sarah Opendi’s testimony did not introduce any new facts that would warrant your appearance before the committee.

3. There were no new allegations regarding to the allegations raised by hon. Cecilia Ogwal.

1. Your testimony on the 6 August 2019 provided all the relevant information that the committee required and
2. The committee was given a limited timeframe within which to carry out the investigations.”

Regarding the matter introduced by hon. Opendi, as a chairperson of the committee, I did not need the General to reappear before the committee and refute whether he is a bully or not. I witnessed it as a chairperson. He bulled me on very many occasions.

It only speaks to my firmness as chairperson that I was even able to maintain my calmness for all these seven meetings. Therefore, I did not need anybody to tell me that the General is a bully. I saw and witnessed it. I did not need any collaboration on that. I beg to lay.

**THE SPEAKER:** Honourable members, we need to end this matter.

**MR RUKUTANA:** Madam Speaker, because of time, I would like to summarise by submission. The conclusion of the committee in the majority report found that Gen. Tumwine assaulted hon. Ogwal and that was the basis of the judgement. When you make a finding of an assault, you must be clear of what assault is.

I would like to guide this House on the proper meaning and import of assault. I am basing it on Black’s Law Dictionary. What is assault? It states “*an assault is an unlawful attempt or offer on the part of one man with force or violence to inflict a bodily hurt upon another*.”

I watched that video, I have listened to the testimony and I do not see any attempt or use of force on hon. Ogwal. Mere usage of strong words does not amount to assault. The General could have used strong words and they could have had a heated argument that in law is not an assault.

The video was very clear; it is unfortunate that it was silent but the motion of Gen. Tumwine, which I saw did not in any way indicate an assault or an attempt to assault. Mere strong or heated words do not amount to an assault.

Therefore, that is why I said that the majority report is faulty both in procedure and substance. If I had time, I would demonstrate even more. However, for the sake of time, I beg that we disallow the majority report and adopt the minority report.

8.08

**MS BETTY NAMBOOZE (DP, Mukono Municipality, Mukono):** Thank you, Madam Speaker. This is a very important matter to this House. I have heard that in the main report, the only reason the General is exonerated of the first offence was because he committed it in what he said was in a private conversation.

However, I would like to know whether hon. Katusabe went to see Gen. Tumwine or the Minister of Security; whether public offices have now turned into private residences for those who occupy them. That is where the abuse arises from when people sit in public offices and behave as if they are in their own sitting rooms at home.

Madam Speaker, in Luganda, we have a proverb “*anakujja ennimi ageya nyoko ng’owulila*”; meaning that he who wants to find fault with you will always backbite your mother when you are listening. Suppose you had said that you shall kill so and so, would we expect hon. Katusabe to keep quiet just because it was a private conversation in a public office?

When you are in a public office and a member of Parliament comes to you in your capacity as a minister, that ceases to be a private affair. It becomes a public affair because that person has come to you as a minister *–(Interruption)*

**GEN. TUMWINE:** Madam Speaker, I have heard the proverb that hon. Nambooze has used here of when somebody abuses you when you are hearing. On the 23 July 2019, in Parliament, hon. Nambooze stood in this House and she was seen on camera saying that I was touching my left hip as if I was going to search for a gun. When the footage of the CCTV camera, visible and clear showed I was holding a notebook in that arm and I was using my right arm to point to the painting -

She was here saying it when we were seeing. Is she in order to use that proverb, when she was using it and lying?

**THE SPEAKER:** Honourable members, I speak Luganda but I do not think I understood what she was talking about. Please, conclude.

**MS NAMBOOZE:** Madam Speaker, what I was saying was, that if any person wants to find fault with you, he will always backbite your mother when you are listening. Any august House member who wants to find fault with this Parliament will start abusing the Speaker of Parliament and Parliament, as an institution when an august House member of Parliament is listening. Therefore, he or she will definitely find fault with us.

We are going to set the august House in very bad precedents if we allow people who sit in Government offices to use bad language and at the end of the day, hide into a technicality that that was a private conversation. Private conservations are not held in public offices.

About the issue of hon. Ogwal, the report was very clear. It said that some of the scenes of that incident were not properly captured. Yesterday, Gen. Tumwine went with me to that particular place so that I could demonstrate to him how I met him accosting *Mama* Cecilia Ogwal. It seems he is not done. He is pursuing this matter beyond boundaries.

I would like to request that if our colleague is going to be exempted on technicalities, let him admit that it was not good behaviour. When we talk about reconciliation, it should always follow the truth; that is why they call it truth and reconciliation committee.

If we are to reconcile over this, let our colleague admit that he did not behave well when hon. Katusabe visited his office. That is not your private home; it is our public office and whatever you do in there is a public matter. Thank you.

**The Speaker:** Honourable members, we have had a debate on the reports. Gen. Tumwine, please, use three minutes.

8.14

**the minister of security (Gen. Elly Tumwine):** Thank you, Madam Speaker. I am glad this matter is about Gen. Tumwine. Article 28 of the Constitution of Uganda provides for how a fair hearing takes place. If you give me time, I will quote three sections but if not, I will leave the Parliament to refer to it.

What caused outrage for this Parliament unjustifiably were the lies told by hon. Katusabe who with a pre-motivated plan with his wife, Sarah Opendi, came to my office for general discussion. He came here and raised Article 79, which is about the functions of this Parliament.

I would like to thank the committee that they have cleared the issue of contempt of Parliament, which is my Parliament - as hon. Kassiano Wadri was pointing at me.

That outrage from the House was provoked by the wrong statements he and his wife alleged but did not prove even to the committee that I said the words.

Secondly, when hon. Opendi came to the committee after hon. Katusabe had told the committee lies that we were the two of us and yet, we were three; that was lie number one. That the door was open and people outside were listening was lie number two and that I am the one who asked him for the meeting when it was his wife who had called me – he told very many lies.

When you come to the table of justice, you come with clean hands. The lies of hon. Katusabe started all this matter. It led to the lie by hon. Ogwal that I pointed a gun at her in the Sixth Parliament. It went to the third lie.

You reap what you sow. If you sow lies, you harvest lies. The truth will set this Parliament free.

The truth is that all these are lies. I respect this Parliament as long as it says the truth.

Madam Speaker, I request for the freedom for counter accusation.

**The Speaker:** What?

**Gen. Tumwine:** I request you to allow me to make counter accusation as a right provided by the Constitution.

**The Speaker:** No, no.

**Gen. Tumwine:** Otherwise, I request for a judicial justice in the matter.

**Mr olanya:** Thank you, Madam Speaker –

**The Speaker:** He has gone.

**Mr olanya:** I thought I was granted a point of order –

**The Speaker:** There is nobody on the Floor. Honourable members, we have heard the reports and the debates. I now put the question that a question be put.

*(Question put and agreed to.)*

**The Speaker:** I now put the question that the minority report be adopted.

*(Question put and negatived.)*

**The Speaker:** There are two reports. If one collapses, the other stays. Therefore, the majority report is adopted. Regarding other issues, I will do what hon. Rwamirama suggested. We shall go and have some meetings.

Honourable members, House adjourned to 2.00 p.m. tomorrow.

*(House rose at 8.19 p.m. and adjourned until Thursday, 22 August 2019 at 2 p.m.)*