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**Thursday, 6 February 2020**

*Parliament met at 2.35 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. I will amend the Order Paper to allow hon. Maranga to apply for an extension to his Bill and it will be called at an appropriate time.

Secondly, we have a lot of work today. Therefore, I appeal to all those who have presentations to have executive summaries. When you present the entire report, it takes about an hour, yet we also need to have responses. Let us try and make things short.

There are two items of national concern.

2.37

**MR ROLAND MUGUME (FDC, Rukungiri Municipality, Rukungiri):** Thank you, Madam Speaker. The matter of national importance I am raising is about Ugandans under detention in foreign countries.

As a matter of practice in other countries, when their citizens are arrested, the countries are always updated. Ugandans have been arrested over various cases in different countries. However, we do not know the status or statistics of our citizens who are under detention or undergoing trial in other countries.

Madam Speaker, it is a pity that a total of 91 Ugandans were among the 7,841 foreign nationals who were arrested in Johannesburg, South Africa, between 2016 and 2019 over different cases. It is not only in South Africa where our nationals are in detention. In the Democratic Republic of Congo (DRC), we have our people, including Sam Mugumya and others. In Kenya, we have some of our people in prison. We also have Ugandans detained in China.

Madam Speaker, we would like the Government and the Ministry of Foreign Affairs to give us the statistics and names of Ugandans who are in detention outside this country. This information will help us assist those in need, just like other countries are doing.

Thank you, Madam Speaker, for allowing me to raise this very touchy issue.

**THE SPEAKER:** Honourable member, I do not know what your intention is but I think I will need to check what other countries are doing, whether they are actually keeping statistics about their citizens in foreign jails. That would mean every week you must check what is in Australia, Tasmania, Mongolia and others. I will make a ruling after I have established what other countries are doing.

2.41

**MS ZAITUN DRIWARU (Independent, Woman Representative, Yumbe):** Thank you, Madam Speaker. I rise on a matter of national importance.

We have central forest reserves in Yumbe District; I do not know whether the National Forestry Authority (NFA) does its supervisory role. People were allowed to settle in the forest reserves for a very long time but having settled there, NFA is now coming up to evict people without prior notice. There are also other Government facilities established in the forest reserves where people have settled.

In Kerwa, for example, we have a primary school and pupils have already reported for this term. It is not only families from the forest reserve that send their children to that school but even people in the neighbouring areas. This school is Government-aided. What are we going to do with those children who have already started school? What are we going to do with those people who established themselves there?

According to the NFA Act, the minister is supposed to involve the communities, the councils and all stakeholders in declaring a national forest reserve. I feel that they should also involve stakeholders when handling the problem. Madam Speaker, as I speak, we are not involved as leaders. My prayer is that Kilaji Primary School should be allowed to continue operating since there are many children studying there. In future, the area around the school should be de-gazetted so that children can continue to learn in that school. Government property should not be destroyed.

Secondly, since people have been settled there for a long time, they should be given enough time to relocate and they should be allocated land somewhere where they can resettle. Some of them were born in that forest reserve even before I was born. Where are these people going to go? They must be given time to plan where to go and re-establish themselves.

My other prayer is, when such an issue arises in an area, the leaders should be involved and called to talk to their people. As a leader from that area, you will know how to talk to and approach your people, so that we can have teamwork and achieve our goal.

Thank you very much for giving me this opportunity, Madam Speaker.

**THE SPEAKER:** Honourable members, I do not know under what circumstances these people went to a forest reserve. It is a forest reserve. Nevertheless, since they are living there, I think we will ask the minister to explain. Leader of Government Business.

2.45

**THE MINISTER OF STATE FOR ENERGY AND MINERAL DEVELOPMENT (MINERALS) (Ms Sarah Opendi):** Thank you, Madam Speaker. This is quite interesting. I heard the Member saying that even a school was built there by Government. We do not only have this case being talked about but we also have unresolved issues that we are aware about in Mayuge and other areas.

I will ask the Minister of Water and Environment to come to this House and give us a detailed report. This not only covers that one but I remember hon. Majegere also raising a similar issue in Mayuge. Thank you, Madam Speaker.

**THE SPEAKER:** There is nobody on the Floor, honourable members. To whom are you raising a point of order? There is nobody on the Floor. Who are you raising a point of order against and under what rule? *(Laughter)*

PRESENTATION OF A PETITION OF CATTLE KEEPERS, MIXED FARMERS, CULTIVATORS, TRADERS IN THE CATTLE CORRIDOR AND RESIDENTS OF LWEMIYAGA COUNTY, SSEMBABULE DISTRICT AGAINST THE UNLAWFUL AND ARBITRARY BLOCKADING OF LWEMIYAGA CATTLE MARKET AND THE CONFISCATION OF CATTLE BY GEN. ELLY TUMWINE AND THE POLICE

2.47

**MR THEODORE SSEKIKUBO (NRM, Lwemiyaga County, Ssembabule):** Thank you very much, Madam Speaker. I beg to present a petition under rule 30 of the Rules of Procedure of the Parliament of the Republic of Uganda.

*The humble petition of cattle keepers, mixed farmers, cultivators, traders in the cattle corridor and the residents of Lwemiyaga County, Ssembabule District, against the unlawful and arbitrary blockading of Lwemiyaga Cattle Market and the confiscation of cattle by Gen. Elly Tumwine and the police, is presented by myself and states thus:*

*1. That the subject matter of the petition regards the arbitrary and unlawful orders issued by Gen. Elly Tumwine, Minister of Security, to Uganda Police Force to close and blockade the cattle market at Lwemiyaga, to disperse people from the market and the continued confiscation of traders’ cows without due process of the law.*

*2. Your petitioners aver that on 20 August 2019, the Commissioner, Animal Health, Dr Anna Ademun, imposed quarantine on the sale, purchase and slaughter of farm animals in Mitima Subcounty and consequently, closed Kyemamba, Lugusulu and Rumegyere market. The declaration of quarantine in Mitima Subcounty was necessitated by the outbreak of Foot and Mouth Disease (FMD) in Mitima Subcounty, Ssembabule District, and the risk it poses to the neighbouring districts.*

*3. The cattle keepers, mixed farmers* –

**THE SPEAKER:** Are you reading the petition?

**MR SSEKIKUBO:** Yes.

**THE SPEAKER:** You are supposed to read the title and the prayers.

**MR SSEKIKUBO:** Madam Speaker, now, therefore, by this petition, the petitioners pray:

*1. That Parliament takes keen interest in the arbitrary confiscation and detention of traders’ cattle, the closure of Lwemiyaga Cattle Market on the orders of Gen. Elly Tumwine, and the enforcement of a false quarantine of the Foot and Mouth Disease-affected areas.*

*2. The relevant committee of Parliament investigates the conduct of Gen. Elly Tumwine in the confiscation and detention, seizing of traders’ cattle and the continued closure and blockade of Lwemiyaga Cattle Market and makes recommendations to the House.*

*3. Government takes keen interest in the livestock and dairy sector by taking measures to streamline the sector*.

Madam Speaker, the body of the petition is herewith laid on the Table. It involves the grounds, circumstances and what has so far been done. I beg to lay the petition on the Table.

Also, I beg to lay on the Table an instrument from the Commissioner, Animal Health - the acting Commissioner then - Dr Kiconco, detailing the areas of quarantine. I beg to lay.

I also beg to lay an instrument of the closure of Kyemamba, Lugusulu and Rumegyere markets due to the outbreak of Foot and Mouth Disease in Mitima Subcounty, Ssembabule District, by the Commissioner herself, Dr Anna Ademun. I beg to lay.

Madam Speaker, I also beg to lay the withdrawal form by the Director of Public Prosecutions, Mike Chibita, withdrawing charges against Kayanja Sulait and Karamuzi Enoch on the fictitious charges against them by the DPP to the effect that these were false charges. I beg to lay.

I also beg to lay on the Table an order by court in the Chief Magistrate’s Court of Rakai, ordering the release of the seized animals, which order was ignored on the order of the minister –

**THE SPEAKER:** You are now speaking to the petition.

**MR SSEKIKUBO:** I am simply laying documents on the Table. Lastly, I lay a certificate of herd health, which shows that all the herds were in good health, together with the cattle movement permit. They were all duly authorised and the necessary letters from the LCs were all available but these were ignored –

**THE SPEAKER:** Honourable Ssekikubo, as a witness, you can go and present these to the committee. That is your evidence.

**MR SSEKIKUBO:** I beg to lay, Madam Speaker. Thank you.

**THE SPEAKER:** Honourable members, the petition is sent to the Committee on Agriculture, Animal Industry and Fisheries to handle expeditiously. However, overall, we would really like to know the issues surrounding quarantine in this country because there are areas which are constantly under quarantine. I think it is not good for our country. We would like to know.

**MR KIBALYA:** Madam Speaker, related to the same petition, I am seeking your guidance as to whether it is procedurally right to take advantage of hon. Ssekikubo’s petition to help other areas that are equally suffering the same, like the area where we come from. Thank you.

**THE SPEAKER:** I have just told the committee to take an interest in the overall quarantine around the country. So Members who have issues can go there and also present them.

MOTION SEEKING LEAVE OF PARLIAMENT TO INTRODUCE A PRIVATE MEMBER’S BILL ENTITLED “THE CONSTITUTION AMENDMENT BILL, 2020”

2.54

**MR JACK ODUR:** Madam Speaker, I wish to introduce a motion, seeking leave of Parliament to introduce a private Member’s Bill entitled “The Constitution (Amendment) Bill”, 2020” moved under rules 120 and 121 of the Rules of Procedure of the Parliament of Uganda.

*“WHEREAS Parliament is mandated under Articles 259 and 262 of the Constitution to amend the provisions of the Constitution by way of addition, variation or repeal;*

*AND WHEREAS Article 94(4)(b) of the Constitution and Rules 120 and l2l of the Rules of Procedure of Parliament permit a Member of Parliament to move a private Member’s Bill;*

*AWARE THAT Article 10(a) of the Constitution recognises as a citizen every person born in Uganda, one of whose parents or grandparents is or was a member of any of the indigenous communities existing and residing within the borders of Uganda as at the first day of February 1926 and set out in the Third Schedule to the Constitution;*

*NOTING WITH CONCERN THAT the Maragoli people, who have been existent in Uganda, were never included in the Third Schedule of the Constitution as one of Uganda's indigenous communities as at 1 February 1926 and yet their history in Uganda dates as far back as the 1900s;*

*FURTHER NOTING WITH CONCERN THAT the Maragoli people have, since the 1990s, fought for inclusion in the Third Schedule of the Constitution by making petitions through their Members of Parliament and to different Government ministries and departments and the President;*

*COGNISANT OF THE FACT THAT the Maragoli people were advised by the former Minister of Internal Affairs, the late Aronda Nyakairima, to be naturalised, however the Maragoli people retaliated that they did not need naturalisation since they were in existence in Uganda even before 1926 and were recognised as an indigenous tribe;*

*CONVINCED THAT including the Maragoli people in the Constitution will strengthen their sense of belonging and identity as citizens of Uganda;*

*NOW, THEREFORE, be it resolved that:*

*This House grants me leave to introduce a private Member’s Bill for an Act entitled, “The Constitution (Amendment) Bill, 2020”, a draft of which is attached hereto; and do order the publication of the said Bill in preparation for its First Reading.”*

I beg to move, Madam Speaker.

**THE SPEAKER:** Is the motion seconded?

*(Motion seconded.)*

**THE SPEAKER:** It is seconded. What is the justification for the motion?

**MR JACK ODUR:** Madam Speaker, the justification for this motion is that we have a population of over 30,000 Maragoli people in Kiryandongo District alone and yet they cover other parts of Uganda, including Masindi. These Ugandans have suffered for a long time without getting social services and national identity cards.

For a Ugandan to access service delivery in hospitals, open bank accounts or go to school, he or she needs a national identity card. However, the national identity card is tagged to the ethnicity that is in the Third Schedule of the Constitution, on the ethnicity or tribes of Uganda. That is how you would be eligible to get a national identity card.

Our people have suffered. They cannot process passports or national identity cards. They cannot access social services or transact business. They cannot acquire land. As a result, they have suffered a big deal.

It is for the above reasons, Madam Speaker, that I seek your support so that we save our Ugandans who have been marginalised for a long time. The Maragoli people came here in 1926 from Kenya during the building of the Uganda Railway, which started in 1903. Then, they got a special invitation by the Omukama of Bunyoro and that is where they settled. Since then, they have never been recognised. Because they speak a Bantu dialect, that is how they were able to settle among the people of Bunyoro. However, they have never been recognised as citizens of this country.

It is for those reasons that our people have been marginalised and we seek that they be considered as one of the ethnicities of our country.

With that, I have the seconder of this motion. I pray I am given leave so that I can process the Bill for the amendment of the Constitution. I beg to move. Thank you.

**THE SPEAKER:** I do not see the seconder of the motion. Does anyone wish to make a comment?

3.01

**MS ELIZABETH KARUNGI (NRM, Woman Representative, Kanungu):** Thank you very much, Madam Speaker. I stand to second the motion, which I believe is one hundred per cent correct and it is long overdue. It is not possible for people who come to an area and stay for more than 90 years to be recognised from where they originated. Even the children they have produced so far have now intermarried among our people.

The time they have spent here is long enough for them to be called Ugandans. Much as Kenya is big, they cannot go back there and still find their trails. So, it is high time this House embraced them as Ugandans and we let them get recognised so that they can also enjoy the benefits of being citizens of this country like any other tribe. Thank you.

**THE SPEAKER:** Honourable members, this motion is just to ask for permission to produce a Bill. When the honourable member brings it, we can then discuss its merits.

Honourable members, I think it is time this country discussed this issue. These people have come to me several times and I have tried to help them. The Indians too are complaining. So, let us discuss this issue and take a decision.

Therefore, honourable members, I put the question that leave be granted –

**MR JONATHAN ODUR:** Thank you very much, Madam Speaker. I am rising on a matter of procedure. The issue at hand touches the Constitution, which is a very important document. I think that issue of adding to the Third Schedule another tribe is as well very important.

However, looking at the history of this country, we need to proceed with caution. I think under rule 24 of the Rules of Procedure and Article 88 of the Constitution, this Parliament is not properly constituted to deal with a constitutional matter. This is a very huge moment and I wanted to bring to the attention of the House that since we do not meet that constitutional requirement and yet we want to amend the Constitution, we should start on a good note.

**THE SPEAKER:** Honourable member, there is no Bill here to amend the Constitution. What is here is a request for a leave to produce a Bill. When the Bill comes for First Reading, we can then decide on how to move. This is just a motion seeking leave.

**MR JONATHAN ODUR:** Madam Speaker, my understanding of Article 88 of the Constitution and rule 24 of the Rules of Procedure is that whenever this House wants to take a decision on any matter, it must be properly constituted. Therefore, I beg for your guidance on that matter.

**THE SPEAKER:** Honourable members, leave is granted to the honourable member to produce a Bill and bring it for first reading. *(Applause)*

3.05

**MS BETTY BAMUKWATSA (FDC, Woman Representative, Rukungiri):** Thank you, Madam Speaker, for this opportunity. On 21 January 2020, I raised a matter of national importance on Kahengye Gravity Water Scheme in Rukungiri District, which was supposed to be completed in 2017. However, up to now, the scheme is not yet completed. The contractor is not there and the Government is quiet yet the scheme was supposed to serve the two districts of Ntungamo and Rukungiri.

The Government has spent over Shs 40 billion on that scheme and the people of Rukungiri are asking where the money went, where the contractor is and why the Government, which started the scheme, is quiet when people are suffering. On that day, I even said that issues related to water normally affect women and children. The women and children of Rukungiri and Ntungamo are suffering because of lack of safe water to use in their homes.

On that day, you directed that the Minister of Water and Environment comes and briefs this House on 30 January but up to today, I have never seen that minister nor any report. Thank you very much.

**THE SPEAKER:** Honourable members, it is true that the minister was supposed to come on 30 January. He is now directed to come on Tuesday next week with an answer about Kahengye.

3.07

**MS JOSEPHINE BEBONA (NRM, Woman Representative, Bundibugyo):** Thank you, Madam Speaker. I rise on a matter of national importance concerning the people of Bundibugyo District who were hit by floods and landslides on 7 December 2019.

Madam Speaker, on that fateful day, we worked round the clock with the Prime Minister’s office and they were of great support in terms of food relief and settling these people who were affected in two camps. However, as time went on, they were asked to vacate the camps. One camp was at Semiliki High School. Of course, the school term was beginning so they had to vacate. We asked them to share housing with their relatives because so many of them were homeless as the floods and landslides had washed away their houses.

My humble request is that the Ministry of Relief and Disaster Preparedness should again consider visiting the area or coming up with a plan of giving these people iron sheets and tarpaulins so that they can construct houses for themselves, either near their relatives or on the remaining small pieces of land, which they had.

3.09

**THE MINISTER OF JUSTICE AND CONSTITUTIONAL AFFAIRS (Mr Ephraim Kamuntu):** Thank you very much, Madam Speaker. I would like to inform the House that this matter was discussed in Cabinet this week and the issue of those who had been displaced by the floods going back to their homes was also discussed. I can therefore confirm to the House that what the Member has asked is already arranged and it will be done. This information will also be communicated to the minister in charge of rehabilitation. Thank you very much, Madam Speaker.

**THE SPEAKER:** That is now a Government assurance, hon. Kamuntu. You are giving a Government assurance on the Floor of this House.

**MR KAMUNTU:** Madam Speaker, I am communicating a decision of Cabinet under the principle of collective responsibility. Thank you.

**THE SPEAKER:** I wish, after your Cabinet meetings, you would actually inform the Members concerned. If she had been informed, maybe she would not have raised it.

**MR SSEKIKUBO:** Thank you, Madam Speaker. Members raise matters of very urgent public importance and we do not share the Cabinet meetings. However, ordinarily, once a matter is on the Floor, it should be reported back to the House because this is the Front Bench. However, the trend we are seeing is that where they are kind enough, Cabinet ministers have now chosen to go to the Media Centre. You find a matter on the Floor of Parliament, where a directive has been made to Government and the Executive to come and answer issues, but they prefer to address them in their meetings or at the Uganda Media Centre without coming to the House.

Therefore, how do Members get to know and be able to report back to the people who expect a Member to have information? May I therefore request that if indeed there is a Cabinet meeting and a decision is reached, this House be informed appropriately so that we can have a decision to be taken up by Members of Parliament? However, for a minister to come and drop an answer, that because of collective responsibility, therefore he is dropping information here on the Floor of Parliament, I find that unacceptable.

We proceed by way of statements on positions taken by Cabinet to inform Parliament and the entire country. I thought that it would be better and more systematic if this House is informed formally rather than a member of Cabinet being dragged here and dropping a statement or answer without concrete discussion on the matter. Is there a proper way that we can have formal receipt of such decisions and then we know how to proceed from there? I thank you.

**THE SPEAKER:** Honourable member, that is why I told the minister that what he has said is not casual but amounts to a Government assurance. As a matter of courtesy, the minister should come and inform the country from here and not at the Media Centre. This is where representatives of the people are and they are the ones who asked the questions. Therefore, we expect the minister to come here and report to us on that issue. When can we get the feedback? When will the Minister of Relief and Disaster Preparedness be in Bundibugyo?

**MR KAMUNTU:** Madam Speaker, I thought it was with full knowledge that I have shared with Members of Parliament. I can confirm that the minister will come on Tuesday and give full information to the House. Thank you.

3.13

**MR JOHN BAPTIST NAMBESHE (NRM, Manjiya County, Bududa):** Thank you, Madam Speaker. The matter I am raising is similar to the one that has been raised by my colleague from Bundibugyo.

Schools opened this week and the IDPs and landslide survivors in Bududa who had sought refuge in schools and places of worship, particularly those who had sought refuge in schools that are in the neighbourhood, are now stranded are now stranded because they cannot access those classrooms anymore. They are stuck and can hardly go anywhere.

As the minister has put it vividly, in their discussions in Cabinet they have asked those who were affected by floods in Bundibugyo to go back. Maybe they have their places of abode but the case of Bududa is different; their homes were completely buried under the rubble of those landslides. Amongst them are those in high risk places that have numerous cracks. Going back would be a recipe for disaster.

The funeral expenses, which were pledged by the minister, have never been delivered. The predicament of the people in Bududa is deplorable.

To make matters worse, even the heavy downpour, which had subsided, has resumed. It is more aggressive than before. We anticipate more aggressive catastrophic landslides to occur anytime.

The prayer I am making is that as a stopgap measure to mitigate this challenge, some tents and food should be delivered to Bududa urgently. Remember the funds, which we appropriated here – the supplementary budget request, which was made by the minister in charge of disaster preparedness; I do not know whether the funds were released by the Ministry of Finance, Planning and Economic Development. The truth of the matter is that up to now, even after the President himself made a directive that the victims be compensated because it is faster and quicker, nothing is happening.

I seek your indulgence to reach out to His Excellency the President to make a proclamation declaring Bududa a state of emergency because it exists. That may attract assistance and attention from the outside world. It seems that they have failed to release even funds for funeral expenses, which are a paltry Shs 500,000.

People were promised food and non-food items like tents but they have never been delivered. People are helpless. You already know that they are homeless and now they have completely lost hope in Government.

**The Speaker:** Honourable members, the matter about Bududa is very serious. I will communicate to the head of state about the requests and desperation of the people of Bududa.

3.17

**Mr Michael mawanda (Independent, Igara County East, Bushenyi):** Thank you, Madam Speaker. In August, I was granted leave to process and table a private Member’s Bill to amend the Bank of Uganda Act. Since then, we have been working on the Bill and we are in the final stages.

Aware that this Bill touches a strategic sector of the economy, which is the Central Bank, we are mindful of whatever we are processing. Much as we might have delayed a little bit, the process is going on. We would like to update the House that very soon we shall be tabling the Bill. Thank you.

**The Speaker:** How much time are you asking for?

**Mr mawanda:** Within two months, we should be ready. As earlier said, it is a strategic Bill. We are looking at various laws in various jurisdictions so that at the end of the day when we take a decision, it should be the right one.

**The Speaker:** Is it going to be longer than the stipulated time in the Rules of Procedure?

**Mr mawanda:** The earlier the better. Thank you.

**The Speaker:** I think you requested for leave to amend the Constitution in relation to the Bank of Uganda Act; what benchmarking do you want for that?

**Mr mawanda:** It is not benchmarking but research into various laws in respect to managing the sector.

**Mr Ssebagala:** Madam Speaker, given the busy schedule ahead of us, including primaries and other activities, I believe that hon. Mawanda was given enough time and to me, it is like saying that maybe he is going to shelve it until the next Parliament. The schedule that we have is very tight. Is he saying that he is going to bring it in the next Parliament, if God brings him back? *(Laughter)*

**Mr mawanda:** Madam Speaker, it is now a property of Parliament. As earlier said, we are considering various laws, which have strengthened the governance of central banks. This is not something that we are trying to look at and bring as quickly as possible. We are doing whatever it takes to ensure that we can be able to report in the shortest possible time.

**The Speaker:** We grant an extension of a month.

3.21

**Mr abbas agaba (NRM, Kitagwenda County, Kitagwenda):** Thank you, Madam Speaker. I rise under rule 140 (2) of the Rules of Procedure of Parliament of Uganda to also request the House to grant the Committee on Legal and Parliamentary Affairs more time to consider the following Bills – succession related Bills -

1. The Administration of Estates (Small Estates) (Special Provisions) (Amendment) Bill, 2019;
2. The Administrator General’s (Amendment) Bill, 2019;
3. The Estates of Missing Persons (Management) (Amendment) Bill, 2019;
4. The Probate Resealing (Amendment) Bill, 2019; and
5. The Succession (Amendment) Bill, 2019.

These Bills were referred to the committee on 14 August 2019. At that time, the committee was very busy handling another set of Bills - the five electoral reform Bills of 2019.

As you may be aware, the electoral reforms were quite urgent, considering that they have a direct bearing on the upcoming general elections. The good news is that the five electoral reform Bills are ready. We are requesting for extension of time by 60 days for us to be able to deal with the succession related Bills that I have read.

Secondly, on 19 December 2019, the House again referred to the Committee on Legal and Parliamentary Affairs the Constitution (Amendment) Bill, 2019. I would like to report that we have already started considering this Bill. Given the nature of the task, it involves wider consultation with many stakeholders. While we started on it, the same stakeholders we are consulting are asking for more time to consult more people, especially those who elect them.

As a committee, we are also going to consult citizens from different parts of the country. Madam Speaker, this may not be done within the 45 days prescribed by our rules. It is, therefore, the prayer of the committee that you grant us some additional 90 days for this Constitution (Amendment) Bill so that we are able to bring on the Floor a good report.

Finally, we also have the Sexual Offences Bill, 2019 before our committee. It was read for the first time and referred to the Committee on Legal and Parliamentary Affairs on 16 November 2019. The committee also requests for additional time of 90 days to be able to dispose of this Bill.

Madam Speaker, we do not want to be misunderstood to have relaxed on our responsibility as a committee, but you will understand that we are dealing with the Presidential Elections (Amendment) Bill, which is now ready. We have also been dealing with the Parliamentary Elections (Amendment) Bill, 2019, which is also ready.

We have also been dealing with the Electoral Commission (Amendment) Bill, 2019; the Political Parties and Organisations (Amendment) Bill, 2019; and also the Local Governments (Amendment) Bill, 2019. With these ones, at least the Bills are ready but for the others, we would like to request for an extension of time such that we are able to process them. Thank you, Madam Speaker.

**THE SPEAKER:** Are there any comments?

**MR KIBALYA:** Thank you, Madam Speaker. The chairperson talked about 90 days two times and 60 days once. That is eight months from now. Is it what you meant?

**THE SPEAKER:** They will be running concurrently.

**MR OKIN:** Madam Speaker, he also mentioned the Bills that are ready. I wonder why we still need more time for the Bills that are ready. If they are ready, why don’t you present them? That is the clarification I would like to seek.

**DR BARYOMUNSI:** I would like to thank the committee for the good work they are doing. I think they have very many Bills before them. However, I am worried as I look ahead to the period remaining because soon, we shall be tabling ministerial policy statements and then we will go into the budget process for much of March, April and May. Nominations for parliamentary candidates will be in August and you know what happens after that. Therefore, my request to the committee is that you could devise other ways of fast-tracking the work so that you scale down the time.

Sometimes in committees, we can divide work and have subcommittees. Could you find a way of handling all the Bills? Maybe you should divide the committee into different subcommittees and handle this so that you reduce the time from 90 to 30 days or 40 days. I would request that you reconsider where you are asking for say 90 days and maybe bring it down to 45 days and where you are asking for 30 days you could still bring it down, so that you expedite the work, if we are to do it in this term. Otherwise, at that rate, if we give you those many days, I am worried we may never consider those reports, given the time. That is the plea I would like to make to the chairperson of the committee.

**MR AGABA:** Madam Speaker, thank you very much. I think you have answered the first clarification sought by hon. Kibalya. The extension of time is not cumulative but it is concurrent. When we requested for 60 days for the succession related Bills, they would still move. You can take the longest as 90 days. If we are given 90 days, these Bills will have been processed. The time is not cumulative but it moves concurrently.

I just read the ready Bills for emphasis. The other day, we were on the Order Paper and were ready to make our presentation but it appears the mover of the motion was not available; hence, it was difficult to proceed. However, with these five, we are ready. Anytime we will be on the Order Paper, we will be able to present them, Madam Speaker. It is for that reason that we are requesting for the extension of time.

We have been burning the midnight candle that hon. Baryomunsi is talking about to have these ready. Yes, we will put in some extra effort to make sure the others are also processed in time, not forgetting that the Committee on Legal and Parliamentary Affairs is also processing the budget framework papers for some other ministries, departments and agencies. It is just that the work is within but we are sure that within this time, we can be able to bring on the Floor of the House some tidy work as a report that the committee will have done. Thank you.

**THE SPEAKER:** What is it? Is it ultimately 90 days?

**MR AGABA:** Madam Speaker, ultimately, it would come to 90 days. Let me also be fair, like the hon. Baryomunsi has advised. For the succession related Bills, we had requested for 60 days; you could give us 45 days. Within those 45 days, we can be ready with them.

For the Constitution (Amendment) Bill, we have requested for 90 days. That is on the higher side but the reality is that the proposals being made on the amendment of the Constitution are wide reaching. Given the nature of the work, we are trying to reach out to as many citizens as possible. To be realistic, we need some good time to deal with this.

Madam Speaker, for the Sexual Offences Bill, yes, we can request for 60 days from the House instead of 90. This, I think, we can fit within schedule.

Finally, it comes to a block of about 90 days from now within which we shall progressively be coming to Parliament to bring reports. The last one to be brought will not go beyond the 90 days. Thank you, Madam Speaker.

**MR SSEKIKUBO:** Thank you very much, Madam Speaker. I can foresee some difficulties the committee is likely to encounter. They have said that they have already processed the five Bills – the presidential, parliamentary, Electoral Commission, local governments and other Bills. I do not want to suppose but certainly, the Constitution (Amendment) Bill has implications on these ones already.

We are talking about those that are ready. Isn’t the chairperson jumping the gun –

**THE SPEAKER:** What came first in terms of time? Honourable members, the four Bills are ready and have been ready for the past one month. The Government was not. They now have a new minister. He says he will be ready next week. We must deal with the others and get them out of the way.

Honourable members, we grant the Committee on Legal and Parliamentary Affairs extra time, cumulatively up to 90 days. We urge them to work expeditiously and bring the other Bills in a shorter time.

**MR AGABA**: Madam Speaker, most obliged.

**THE SPEAKER:** Thank you. Honourable members, yesterday we had prepared the Minister of Internal Affairs to give his statement on some matter and he is ready.

MINISTERIAL STATEMENT ABOUT THE PROGRESS ON THE CASE OF ALLEGED AGGRAVATED ROBBERY, ILLEGAL RALLY AND ATTEMPTED ASSASSINATION OF HON. ATKINS KATUSABE

3.33

**THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Mr Obiga Kania):** Madam Speaker, since you have correctly said, yesterday I made a verbal statement about the case involving our colleague, hon. Atkins Katusabe. Under your guidance, I undertook to reduce my statement of yesterday into writing.

The time I have requested for is basically to table that statement and that is what I wish to do. It is the statement about the progress on the case of alleged aggravated robbery, illegal rally and attempted assassination involving our colleague, hon. Atkins Katusabe, on 13 January 2020 in his constituency. I had earlier on, in my statement yesterday, said the police had opened three files at the CID Headquarters - 021/2020, 01/2020 and 066/2020.

I had also said that hon. Atkins Katusabe was invited to make a statement on the files at the CID Headquarters in Kibuli, which he did. Based on that, a team of CID officers proceeded to Kasese on 29 January 2020 to conduct investigations and consolidate all the files under file No. 066/2020. This team has now returned and is preparing its report for submission to the Director of Public Prosecutions (DPP) for further guidance on the management of the case because these are allegations involving crime.

I am optimistic that by either tomorrow or early next week, the files will now be going to the DPP for the necessary prosecution. I beg to lay on the Table the statement in writing. Thank you.

**THE SPEAKER:** Thank you very much.

3.36

**MS IDAH NANTABA (Independent, Woman Representative, Kayunga):** Thank you, Madam Speaker. We heard from hon. Atkins Katusabe when he presented his petition here over the alleged assassination. We do recall that he mentioned some police officers who are implicated in this matter. He requested that the Minister of Internal Affairs takes it upon himself to see to it that the officers who are implicated are arrested or removed from Kasese where the scene of crime was.

Madam Speaker, I have not heard the minister reporting to the House that that has been done. You are leaving these officers who are suspected to have committed crimes, including crimes of aggravated robbery, attempted assassination, in the very same area where they are suspected to have committed these crimes. How much more can they do to hon. Katusabe just to make sure that the witnesses and evidence is compromised? I wanted to hear that from the minister.

Madam Speaker, you heard the President at one time informing the country that the police have been infiltrated by *kawukumi*. I do not underestimate that statement because you even know that some officers are in custody over trafficking, killing so many Ugandans. We still have to ask - We are labouring to ask the minister to make sure he arrests his officers but we are asking a monkey to decide the fate of a forest. *(Laughter)* Why isn’t he arresting these people?

Madam Speaker, the Constitution in Article 211(3) provides that a police officer should be disciplined, patriotic, nationalistic, professional, competent and productive. However, we have these undisciplined officers continuing in office without being interdicted or suspended and they are producing the files at the DPP’s. Remember, the Constitution only provides that the DPP will ask the police to investigate. The same officers in the police are going to be investigated by the police.

Madam Speaker, I think it is high time we considered coming up with a different body that investigates crimes where the police are involved. Now we are asking the police to investigate itself and that is what the law provides-

**THE SPEAKER:** Honourable members, I do not know how much you can say about this matter really. What we want are answers. What have you done about the people because hon. Atkins Katusabe reported a case against those officers?

**MR OGUZU:** Madam Speaker, my colleague has allowed me to provide information and this information relates to the professionalism in the police.

Just about two weeks, I returned from my constituency where a young boy who was reported by local authorities to the police got strangled in a police cell. We have been asking for answers but to date, we cannot get answers.

Therefore, I wanted to inform you that the quality of work the police are going to do deserves to be questioned, and the people who can question that best are those who have been charged with the responsibility. In this case, honourable minister, you are squarely responsible. Thank you.

**MS NANTABA:** Madam Speaker, it is our role as Parliament to regulate the police according to Article 214(c) of our Constitution. I pray that is high time we considered amending the Constitution to provide for another investigative arm because police is now involved in crime.

We have police officers with so many cases that we cannot lay here in this short time. However, I pray we consider amending the Constitution to provide for another investigative arm rather than the police because there are many criminals in the police and many of them are in custody.

3.41

**THE MINISTER OF STATE FOR FOR ENERGY AND MINERAL DEVELOPMENT (MINERALS) (Ms Sarah Opendi):** Thank you, Madam Speaker. I would like to appreciate the CID boss and her team from the headquarters for actually taking up this matter.

Madam Speaker, recall that the minister, my colleague, had initially said the report they had received was that there was nothing that happened to the honourable Member of Parliament. Therefore, I would like to appreciate the Deputy Inspector General of Police (DIGP) Akullo for taking up this matter.

The honourable member, Atkins Katusabe, is still in the USA. Madam Speaker, recall he was supposed to have travelled with that money which got lost *–(Interjection)–* Yes!

Madam Speaker, allow me to also state that the honourable Member of Parliament cannot now go to Kasese with these officials still in the district. This is why I had already shared with my colleague that it is better that these officials are moved away from that area, otherwise it remains a challenge. You cannot be subjected to that by people who are actually holding guns and then you think you can go back to that community and you are safe.

Madam Speaker, I would like to appreciate what has been done so far. However, I also hope that the police leadership will actually take further action against those officers.

3.43

**THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Mr Obiga Kania):** Madam Speaker, I said this matter is under investigation. Fortunately or unfortunately, as some colleagues colleagues have expressed doubt so far. The organ provided by the law to do these investigations is the police. If there is any other organ, which can do the investigations, I have no problem.

What I said is that we sent a team from the CID headquarters who went and investigated. The details of the investigations in the matter are not what I was reporting here – and I would not report it here because the details of those investigations and the findings are what have been submitted to the DPP. What the DPP does when he receives a file is to peruse it to see whether the charges, which have been put against the suspect can withstand the law or they need further investigations.

These people, whether they are police men or members of Parliament or priests, in the eyes of the law, they remain suspects. There is a way suspects have to be treated.

**MS NANTABA:** Madam Speaker, we have different cases and different crimes but we are talking about attempted assassination and aggravated robbery. You see how the minister is dillydallying, talking about the way they should deal with such cases.

A member of Parliament narrated to this Parliament how they put him on gun point and robbed him and undressed him. We are still saying these people should be in their offices and the files taken to the DPP’s office and then the DPP directs police to investigate.

Is it in order for the honourable minister to treat a matter of that nature – one involving taking the life of an honourable member –casually like that? Is it in order?

**THE SPEAKER:** Honourable minister, where are those officers who were complained about? Where are they today?

**MR OBIGA:** Madam Speaker,when I was put on order, that is exactly the point I was going to say. *(Interjections)* When I say something, they say it is political. What do I say?

**THE SPEAKER:** Honourable members, we asked questions. Allow the minister to explain.

**MR OBIGA:** I should be allowed to speak for myself and for the institution that I speak for. You are free to make the judgment after I have spoken. I will proceed, just like you proceeded in Ssembabule and you are here. *(Laughter)*

Madam Speaker, these men who are suspects are on police bond and they are not on duty. By law, they are entitled to 48 hours in spite of what you think about it. They are entitled to being called suspects until you try them in whatever courts of law, until they are found to be guilty. This is the status and I cannot go and try these people and say that they must be rearrested beyond the 48 hours. Thank you.

**MR GAFABUSA:** Madam Speaker, I need to seek clarification from the minister. The way he is explaining, it is as if we are talking about ordinary citizens that go through that process after allegedly committing crimes.

It is true they are suspects but in the forces, like the Uganda Police Force, because they are the ones supposed to do that investigation, we have other measures to bring them to book. That is why we have the Police Tribunal and we have the Professional Standards Unit in the Uganda Police Force.

The minister should tell us what these bodies are doing in a case where the police officers are the ones alleged to have committed those offences. What are they doing? If you send them to DPP, then you seem to think that they are ordinary people like the ones you find there.

The fears of the honourable member are genuine. What are these bodies within the police force doing?

**MR SSEKIKUBO:** Madam Speaker, I sat and listened to the minister but the way he is handling this matter casually, a matter involving aggravated robbery and now, you say they extended police bond to those who are suspected of aggravated robbery – it is unheard of. It is one of the capital offences under our Penal Code.

Can we, therefore, request and demand that the minister lays on Table copies of those police bonds so that we can decipher the charges that are being preferred against these suspects? Short of that, this House remains suspicious of the cover up. For instance, have they been identified? Before you give bond, these suspects must have been mentioned and at this stage, the minister cannot claim subjudice because the matters are not yet before court.

It is still within his ambit to put the record straight and tell the country and we see how to proceed from there. Short of that, we remain deeply suspicious and if the minister continues in this manner, I am afraid he is provoking this House and he is taking us for granted. We cannot allow to be taken for a ride anymore. Thank you.

**THE SPEAKER:** Honourable minister, you know, over the last three weeks, on the Floor of this House, Government has consistently said that if any member of the forces misbehaves, they will take action. It had been said here many times. So, we are asking, what action have you taken?

The Member of Parliament is not a chicken thief. He is number 19 in the national order of hierarchy I think. A person of that hierarchy is put on the floor, undressed and life goes on?

**MR OBIGA:** Madam Speaker, let me talk about what the police has done. As soon as the CID team from the headquarters reached Kasese, these people became suspects and they were removed from duty. They were the people who were investigated. They were asked to make statements in relation to the statement which hon. Katusabe had filed in Kibuli. They were, therefore, removed from duty.

Having been removed, they are out on police bond. They are not the ones investigating. Here, you should look at the individuals who are investigating, individuals who have committed the crime and the institution of the police.

The mere fact that there is an individual in the police who has committed a crime does not mean that the police, as an institution, loses its authority to investigate. This specification between an individual and the institution applies everywhere including even within Parliament here. It is, therefore, not right to say that because these people committed an offence, the police should not investigate the case.

Secondly, the Police Professional Standards Unit comes in when it is a disciplinary matter. At this stage, the matter is being treated as criminal. Attempted murder is not a disciplinary matter but a criminal one. Therefore, the Police Professional Standards Unit cannot come at this stage. Once the criminal process has been completed, these men and women will then go for the disciplinary process.

The disciplinary process cannot be at this stage. Otherwise, that would be double jeopardy and we would be trying them twice. The Police Professional Standards Unit is a lower disciplinary court compared to where we are heading with the DPP. I ask Members to allow the judiciary process to take its course. The complainant can go and look at those files and see whether the investigations are adequate or not. They are free. I cannot say that they are adequate or not. That is for the DPP or the complainant and his lawyer. Thank you.

**THE SPEAKER:** You had indicated that you will update us on Tuesday about the DPP’s work. Next item.

DESIGNATION OF A MEMBER TO A STANDING COMMITTEE IN ACCORDANCE WITH RULE 157(2) OF THE RULES OF PROCEDURE

**THE SPEAKER:** He is not here.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON EDUCATION AND SPORTS ON THE INVESTIGATION OF ALLEGATIONS OF SEXUAL ABUSE ON STUDENTS BY MEN AND WOMEN IN UNIFORM; AND THE MISMANAGEMENT AND ABDICATION OF DUTY BY THE UNIVERSITY MANAGEMENT

3.56

**THE VICE-CHAIRPERSON, COMMITTEE ON EDUCATION AND SPORTS (Mr John Twesigye):** Madam Speaker, you recall that on 11 December 2019, the committee presented this report to the House. The House resolved and directed that the committee further investigates allegations of sexual abuse by men and women in uniform. We considered the resolution of the House as per the directive and on 12 December 2019, we sat as a committee and worked on the details on how the further investigations could be carried out.

We resolved that:

1. We form subcommittees; one to handle the female students and the other to handle the male students.
2. We write, inviting them to come and face us in camera.

Madam Speaker, by the time we broke off for Christmas, we had not got any of those students to come and interface with the subcommittees. Immediately after that, we were involved in the National Budget Framework Paper. At the moment, we have communicated with the Guild President and hon. Mwiru, who was supposed to give us more information but we have not got any feedback.

On behalf of the committee, I am requesting for two weeks so that on the 20th of this month, we present a final report to this House. I beg to request.

**THE SPEAKER:** The report was brought and we debated it but there was that aspect on the issue of rape that was missing.

3.59

**MR THEODORE SSEKIKUBO (NRM, Lwemiyaga County, Ssembabule):** Madam Speaker, I recall vividly that during a heated debate in this House, we allowed the committee further time to go and look at that aspect, where they could get the female students and those who suffered harassment to give their testimonies to the committee.

Apparently, the committee defied this House. They were supposed to have interfaced with the students at the time the matter was still fresh but they opted to do other things. The committee is now coming back to request us for two more weeks. It is not a ceremony that for every request, we have to grant. You must first tell us; why did you defy this Parliament?

It was at the climax of the debate that we wanted you to capture that piece so that we have the committee’s report adopted by this House. You chose to do different things.

Madam Speaker, shouldn’t we also look at our committees that do not adhere to the specific directions of the House and they end up misdirecting themselves? That was the moment when the emotions and testimonies would have been captured. Now, you want to go back to open up wounds, which have healed by this time. You are telling people to go back to their tears and bad memories.

Madam Speaker, I find it very strange. Unless informed otherwise, the committee took its own direction apart from the one given by this House. We are likely to come up with a wrong conclusion because the people who would have volunteered information at that time when it was still paining, you cannot call them back to reflect and recall what they went through. A lot of water has since passed under the bridge and you are making that report deliberately stale. It may not capture the moment and I pray that this House declines that two weeks being requested for by the committee. Thank you.

4.01

**MR HENRY KIBALYA (NRM, Bugabula County South, Kamuli):** Madam Speaker, I recall very well that colleagues in the House had agitated for a select committee and we later resolved that we did not need a select committee because we were not looking for a fresh report. We said we wanted that report to be fine-tuned in the areas that were lacking, areas where we discovered that there was some information left out.

Even the minister and some few people here commented, saying the audience could not possibly have been conducive. You cannot expect a student to come openly before 40 people with cameras. We agreed that you pick some few people and where you need to, sit in a room and have information revealed and you submit it to the House accordingly.

It was not a fresh report and it was not a very big assignment that required that you divide the team. The university is now opening; we are asking for two weeks, the report will come, the minister will not be there that day. The next day, the committee chairperson will have gone somewhere and at the end of the day, we shall close without having the report.

Madam Speaker, could you ask the committee to produce the report? If they fail to bring what we sent them to do, let them bring it back and we map a way forward.

4.03

**MS ROSEMARY NAUWAT (Independent, Woman Representative, Amudat):** Thank you, Madam Speaker. That day when the Committee on Education and Sports presented their report, I was in the House. The concern of the Members was basically to do with the students who were harassed but they had not captured that bit. We told them to go back and interact with those students and get information from them.

Madam Speaker, Makerere is just a stone’s throw away from here. I do not know what has delayed them; just going to Makerere to interact with them or inviting them to Parliament. I think the committee is not helping us. They should simply present what they have and we forge a way forward. Thank you.

4.04

**MR ABBAS AGABA (NRM, Kitagwenda County, Kamwenge):** Madam Speaker, thank you very much. I tend to be persuaded by the argument of colleagues that it appears the committee may not be able to add anything new on what they presented at that time.

Capturing the moment at that time on one hand and understanding the depth or impact on the other hand - The committee is saying they attempted to call these students to appear before the committee but they were not willing to come.

Through jurisprudence, we have orthodox methods of gathering and recording information, especially in rape cases. I believe the committee has the capacity to do this but in the event that the victims or witnesses are not willing to appear before the committee, what hope should we have that the committee is likely to gather new information, especially in the line in which they were asked to supplement on the investigation? Thank you.

**THE SPEAKER:** Honourable members, what I can confirm is that the committee asked me to write to the Guild President, to hon. Mwiru and all those who made allegations. I wrote that we require them to come to Parliament. I do not know whether they came but I did my work and wrote. Do you think you are going to make progress or should we close the matter?

**MR JOHN TWESIGYE:** Madam Speaker, thank you very much for allowing me to speak again. I would like to inform members that we never defied Parliament. We did our part, as per the directives of the House and the following day on 12th, we –*(Interjections)*– Madam Speaker, I seek your protection from hon. Ssekikubo.

We did our part and we never defied Parliament. Indeed, as you have said, we communicated to the Guild President of Makerere University and hon. Mwiru. We made a follow up; I made telephone calls to the Guild President before and after Christmas. There were no select committees created by Parliament. Rather, it was an internal arrangement of the committee to reach out to the affected students. We failed to get the culprits on our side. I even made an attempt today. I was discussing with hon. Mwiru and the information and feedback we are getting is that they are not ready to show up.

However, we are saying that as a committee, can we have an extra week to devise other means to get these culprits and see how we can talk to them so that in another week, we finalise the report and present on the Floor of Parliament on the 20th. That is what we are requesting and we are not seeking for a further extension beyond that. I beg to request.

**THE SPEAKER:** Let us give you the one week. Maybe, you can go to Makerere and try and meet them at the canteen. I do not know. It is only one week. That is the end.

**MR JOHN TWESIGYE:** Much obliged, Madam Speaker.

MOTION FOR A RESOLUTION OF PARLIAMENT SEEKING APPROVAL OF AMENDMENT OF THE SECOND SCHEDULE TO THE ANTI-MONEY LAUNDERING ACT, 2013

**THE SPEAKER:** Ministry of Finance, Planning and Economic Development?Where is the senior minister? *(Laughter)* Is he not here? Item 9.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON GENDER, LABOUR AND SOCIAL DEVELOPMENT ON THE INQUIRY OF UGANDA ASSOCIATION OF EXTERNAL RECRUITMENT AGENCIES (UAERA) MONITORING FUND

4.09

**THE VICE-CHAIRPERSON, COMMITTEE ON GENDER, LABOUR AND SOCIAL DEVELOPMENT (Ms Agnes Kunihira):** Thank you, Madam Speaker. This is the report of the Committee on Gender, Labour and Social Development on a motion by hon. Mwine Mpaka to institute an inquiry into the status of the UAERA Monitoring Fund.

Before I present, I would like to inform honourable colleagues that the House gave us seven days to investigate and report back. Our report was ready in seven days but we were not able to present. There are some statements in our report that anticipated that we would be done within seven days. As I read through, Members should take note, in case we have statements that we made at that time, anticipating that we would report within seven days. Thank you.

Introduction

On Tuesday, 10 December 2019, at the 14th Sitting of the 2nd Meeting of the 4th Session of the 10th Parliament, the House referred the motion by hon. Mwine Mpaka, for a resolution of Parliament to institute an inquiry into the status of the Uganda Association of External Recruitment Agencies Monitoring Fund to the Committee on Gender, Labour and Social Development for consideration. The committee was tasked to report back to the House on Tuesday, 17 December 20l9. I have already informed you about that.

The motion mentions a one Yassin Abdul Aziz Musoke, who was employed on 1 May 2O18 by Ambassador Ahmed Ssenyomo as a Labour Liaison Officer/Consular Assistant at the Embassy of the Republic of Uganda to Saudi Arabia. A copy of the appointment letter was laid on Table to corroborate the motion.

The motion further notes that the external recruitment companies, on behalf of domestic workers, remit $ 70 per Ugandan to the account of the Uganda Association of External Recruitment Agencies held in Stanbic Bank, which money is then transferred by cheque to Mr Musoke’s personal account held in Stanbic Bank, Metro Branch.

However, the Ministry of Gender, Labour and Social Development, in a report presented to the Committee on Gender, Labour and Social Development and this Parliament, stated that the monitoring fund was established as a condition for lifting the ban on domestic workers in 2017 but the fund is operating and existing under no legal framework and its expenditure is unaccounted for.

Hon. Mpaka hence sought the following to be resolved by Parliament:

1. Parliament suspends any further payment of this monitoring fund until the Committee on Gender, Labour and Social Development investigates and submits recommendations for proper management of this fund
2. The Labour Liaison/Consular Assistant at the Embassy of the Republic of Uganda at Saudi Arabia be suspended
3. The Ministry of Gender, Labour and Social Development should answer for its failure to supervise this monitoring fund leading to its mismanagement and yet, it continues to force companies to pay the said amount of $70 per domestic worker exported or terminate their job orders
4. The Ambassador of Uganda to Saudi Arabia should answer for his involvement in Mr Musoke's appointment;
5. In light of the above, the Ministry of Gender, Labour and Social Development should show cause as to why Parliament, by this resolution, should not suspend labour export of domestic workers since their safety can no longer be guaranteed.

Following a brief debate on the matter, the Speaker directed the committee as follows:

“The committee will then come back after seven days and brief us on the specifics of this particular issue raised in the motion; then, we can take a decision on the motion...”

I will not go through the methodology. I can only mention the three stakeholders we interviewed, who included:

1. Hon. Mwine Mpaka, the mover of the motion
2. The Ministry of Gender, Labour and Social Development
3. Uganda Association of the Recruitment Agencies.

I will also not read the legal framework. I will, however, read section 4.1, which is the Employment (Recruitment of Uganda Migrant Workers Abroad) Regulation, 2005.

Fundamental to the above efforts was the passing of the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005 by the Ministry of Gender, Labour and Social Development. The regulations, having been developed in 2005, however, were not dynamic enough to envision the rapid developments in the labour externalisation industry. For example, the regulations did not envision licensed companies coming together under an umbrella body through which all their matters are regulated and monitored.

In the absence of such robust regulations, the licensed companies turned to the Companies Act, 2012 under which they formed an umbrella association, the UAERA as a company limited by guarantee. The association is a private company through which all licensed companies liaise with the Government on different matters pertaining to the private side of labour externalisation, in accordance with the association's constitution.

It is, however, important to note that the companies are licensed by the Ministry of Gender, Labour and Social Development under the regulations enacted in accordance with the Employment Act. The registration of the umbrella agency, as a private company, is not catered for in the regulations.

The committee noted that there is an apparent contradiction between The Companies Act, 2012.

The committee noted that the ministry, as the supervisor of the labour sector, is expected by law to play a direct role in the labour externalisation process and relatedly, in the regulation of any payments by migrant workers for the purpose of monitoring and ensuring the safety of migrant workers.

The Ministry of Gender, Labour and Social Development noted in the meeting with the committee that the $70 paid to UAERA is a private matter and therefore, outside the ordinary purview of the ministry and hence, not at all accountable for the funds.

The committee, consequently, reached the conclusion that failure by the Ministry of Gender, Labour and Social Development to accept responsibility for the monies paid by domestic workers to UAERA is tantamount to failure to execute its responsibilities as reflected in the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005 and Uganda's labour laws.

The Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005 give exclusive powers to the "administration", the Ministry of Gender, Labour and Social Development, to grant, refuse to grant, renew, to revoke licenses and to inspect labour exporting agencies, subject to certain conditions.

The power to grant, refuse to grant, to renew, to revoke the licenses and to inspect labour externalising Agencies places the duty of monitoring the said companies squarely on the shoulders of the Ministry of Gender, Labour and Social Development.

The ministry, however, citing The Companies Act, 2012 further noted that it has no powers under the law to inquire into the activities of UAERA, as the Regulations only mention externalisation agencies and not an umbrella body uniting them and duly registered under the law. Paradoxically, it is on record that the ministry advised the recruiting agencies to form an umbrella body.

The ministry further noted that the funds of UAERA are not public funds. While the ministry has the powers to monitor the agency's compliance, such compliance does not grant the ministry the right to audit the association.

Therefore, according to the ministry, the $70 does not fall under the direct supervision of the ministry since it is a private entity.

The ministry further informed the committee that the appointment of Mr Musoke as a Labour Liaison Officer in Saudi Arabia was to enable him better execute his monitoring duties under a contract of service he has with UAERA. For that purpose, diplomatic immunity would be the best option for the above-mentioned purpose and it was granted to him accordingly through a job at the embassy.

Ambassador Ahmed Ssenyomo

As the appointing authority to Mr Musoke, Ambassador Ssenyomo is a key witness in the investigations into the monitoring fund under question. The committee received a letter laid on Table by hon. Mwine, wherein Ambassador Ssenyomo, in his position as Ambassador of Uganda to Saudi Arabia, appointed Mr Musoke as a Labour Liaison Officer.

The letter dated 18 May 2018 makes Ambassador Ssenyomo a key player in any inquiry involving the UAERA monitoring fund.

The committee noted from its interaction with the Ministry of Gender, Labour and Social Development that Amb. Ssenyomo was aware that Mr Musoke had a running contract of service with UAERA for the purpose of monitoring domestic workers in Saudi Arabia.

The committee, therefore, concluded that Amb. Ssenyomo may have flouted the Public Service Standing Orders, when he appointed Mr Musoke as a public Liaison Officer at the Uganda Embassy in Saudi Arabia, fully aware that Mr Musoke was equally acting for and in the interests of UAERA as a private contractor.

However, the committee was unable to interact with Amb. Ssenyomo, as he is currently stationed in Saudi Arabia. The committee is cognisant of the rules of natural justice as enshrined in the laws of Uganda, and as such, cannot reach any conclusions as to the role of Amb. Ssenyomo without holding interactions with him.

Mr Yassin Abdul Aziz Musoke

As Labour Liaison/Consular Assistant at the Embassy of the Republic of Uganda to Saudi Arabia, and as contracted by UAERA to monitor domestic workers abroad at a fee of $50 part of the $70 per domestic workers; Mr Musoke is a key witness. Further, the committee observed from the bank statements that Mr Musoke withdraws money from Stanbic Bank Metro Branch in Kampala.

The committee was unable to interact with Mr Musoke, on the grounds that he is currently stationed in Saudi Arabia. The committee is cognisant of the fact that the rules of natural justice demand a fair hearing for Mr Musoke. In the absence of any meeting with Mr Musoke, the inquiry into the said funds shall be half-baked and lacking.

The committee shall also have to interact with the Ministry of Public Service to confirm whether Mr Musoke is a Public Servant and whether the Ambassador had the right to appoint him, if he is a Ugandan and not a Saudi Arabia local citizen.

Uganda Association of External Recruitment Agency (UAERA)

The UAERA is the umbrella body that unites all licensed Labour-recruiting agencies. The UAERA, in the meeting with the committee, noted that it was a creature of The Companies Act, 2012 as a company limited by guarantee. As such, UAERA is regulated by the company constitution, its memorandum and articles of association and the companies Act, 2020.

On the other hand, hon. Mwine Mpaka noted that UAERA is simply a conduit through which more than Shs 30 billion and in calculation; it is 70 x 5000 domestic workers a month times 12 months, which go to Shs 30 billion per annum is channelled to Mr Musoke, with no legal framework or justification in place.

Observations and Recommendations

The committee based its observations and recommendations on the prayers in the motion by hon. Mwine Mpaka on prayer no.1 and 3.

The Ministry of Gender, Labour and Social Development, while meeting the committee, informed the committee that recruitment companies collect the $70 for each domestic worker as is within their right under the law. The ministry added that this right arises by virtue of Sub-regulation 69(2) of the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005, which mandates recruitment companies to ensure that their foreign principals faithfully comply with domestic workers’ obligations under the employment contract and how recruitment companies do it, therefore, remains a private matter.

Hon. Mwine, in his submission to the committee, offered a contrary view, noting that the $70 monitoring fund is paid for by the domestic workers and not the recruitment companies, thereby making it a matter of national importance to inquire into how the said monitoring fund are utilised. Hon. Mwine noted that while the companies pay the money, it is deducted from the domestic workers.

Hon. Mwine further added that the ministry should have inquired into the utilisation of the monitoring fund, since such funds are collected for the sole purpose of ensuring the safety of migrant workers, a duty that cannot be divorced from Government or delegated to private individuals or companies.

The UAERA, the umbrella body through which the said funds are collected and disbursed to Mr Musoke, asserted in the meeting with the committee that there was an outstanding contractual relationship between the association and Mr Musoke. And that the funds are being collected from the recruitment agencies, which derive the said funds from their foreign principals. They, therefore, concluded that the Companies Act, 2012, which empowers the implementation of contracts, is the legal basis for the monitoring fund.

The committee noted that Ministry of Gender, Labour and Social Development, declined to be held accountable for this fund, claiming that it is a private fund. The ministry also declined to be held accountable for monitoring the safety of the migrant workers.

The committee, therefore, recommends that it be accorded more time to conclude the investigations into the operations and management of the monitoring fund within one month. The committee will, within this period, generate recommendations for better management of this fund in a manner that holds the Executive accountable for the fund and welfare of Ugandan migrant domestic workers abroad; this is prayer no. 2 and 4 in the motion.

The committee observed in its interaction with hon. Mwine, the Ministry of Gender, Labour and Social Development and UAERA that Mr Musoke was appointed by Amb. Ssenyomo as a Labour Liaison Officer at the Embassy of the Republic of Uganda on 1 May 2018. The terms of his appointment were subject to the embassy rules and procedures, as such making him a public servant.

The committee further observed that prior to his appointment; Mr Musoke was contracted by UAERA to undertake monitoring and supervision work of migrant domestic workers in Saudi Arabia, on behalf of recruitment agencies in Uganda. The committee further noted that Mr Musoke and Amb. Ssenyomo, being residents of Saudi Arabia, were not offered a hearing by the committee, in light of time constraints. The committee, therefore, noted that the final decision on Mr Musoke and Amb. Ssenyomo should be made after engaging the two and getting their responses to the issues raised.

The committee was unable to make any pronouncements on Mr Musoke and Amb. Ahmed Ssenyomo. If found that indeed, Mr Musoke is both a public servant and a contracted party by UAERA, would amount to conflict of interest under Standing Order F(5) 4.6, which is to the effect that “in the execution of official Government business, a public officer shall not put himself or herself in a position where his or her personal interest conflicts with his or her duties and responsibilities as a public officer.”

Mr Musoke would then be required to resign from his position as a public Liaison Officer, or forfeit his contract with UAERA. However, this is subject to a fair hearing under the rules of natural justice and as such, contingent on a meeting with Mr Musoke.

On prayer 5, the committee observed that the Ministry of Gender, Labour and Social Development has not done enough to create stable and transparent labour exporting industry.

The committee further observed that the gaps in the legal and policy structures are glaring and encourage exploitation of domestic workers externalised abroad. For example, the Employment (Recruitment of Ugandan Migrant Workers Abroad) Regulations, 2005 do not envision any relationship between the Government and an association such as UAERA, which represents all licensed companies.

More importantly, the Government, as per Regulation 69, delegated the safety of migrant workers to the recruitment companies that take them. This leaves a lacuna, as the said companies neither have diplomatic nor legal means to implement monitoring of the safety of migrant workers.

In light of the above, the committee observed that by suspending labour externalisation without putting in place clear mechanisms and systems to address the gaps identified, may give rise to several adverse and unintended consequences such as human trafficking and uncertainty over the safety of migrant workers already externalised under the current system.

The fate of the fund itself will also remain uncertain, including the funds already collected from the migrant workers.

The committee reiterates its commitment to generating these recommendations for streamlining the labour externalisation industry within one month, as earlier indicated.

Conclusion

In conclusion, it is the view of the committee that the Executive has failed to monitor the safety of migrant workers and surrendered its obligations to private entities without putting in place mechanisms to supervise the recruitment companies and adequately monitor the said fund.

Thank you, Madam Speaker. I beg to lay on the Table the original report and the minutes in relation to the investigation of this matter.

I would like to also mention that earlier, we were asked to investigate and make a report about mistreatment of the migrant workers. This report was specifically looking at the monitoring fund but we also did work on the mistreatment. I would like to beg, if allowed that I lay on Table this report and at an appropriate time, we shall be able to debate it.

I beg to lay the report of the Committee on Gender, Labour and Social Development on the externalisation of labour phenomena.

I also beg to lay on Table a number of documents as received from all the stakeholders. These include a document from stakeholders entitled, “Performance Report on Counter Trafficking in Persons in Uganda, 2018.” We also received a presentation from UAERA. I beg to lay minutes of the transactions in that matter. I beg to lay on Table the Ministerial Policy Statement by hon. Peace Mutuuzo, the Minister of State for Gender and Cultural Affairs presented to Parliament on Externalisation of Labour on 18 July 2019.

I beg to lay on Table the statement of Parliament on externalisation of labour presented on 11 August 2016.

I beg to lay the Memorandum of Understanding between the Government of the Republic of Uganda and the Government of the United Arab Emirates on the manpower supply and domestic workers’ protocol. In that document, they mentioned that the Government of Uganda has a responsibility to ensure that the workers are monitored for their safety and other details.

This is an agreement between Government and the Kingdom of Jordan.

I beg to lay the list of all licensed private recruitment companies as presented to the committee by the Ministry of Gender, Labour and Social Development. Thank you, Madam Speaker.

**The Speaker:** Thank you, honourable chairperson. You are presenting us with some difficulty because you say that you need more time to complete your report. I believe that if we comment now on your preliminary findings, they are going to affect the final results. Shouldn’t we give it a month? We should give you time to do it comprehensively.

**Mr baseke:** Thank you, Madam Speaker. I have listened to the chairperson reading the report and she has mentioned two key witnesses who were not able to be brought aboard. In light of that, is it procedurally right to continue debating the report when –

**The Speaker:** I have just made that ruling. It was my proposal that we give them time to complete. Anything we say will affect the outcome. Honourable members, we give the committee a month to complete the report and come back for the debate.

Honourable chairperson, your other report is not properly before this House; there is a signature missing. You have six signatures on the other report, which you have laid. You should correct it before we debate it.

**Ms karungi:** Thank you, Madam Speaker. I am happy about this report but I would like the committee to also get interested in the workers who are suffering and want to return. They should look into that issue as well. We should not go with this only because we have a number of them who have attempted to return but they are stopped at the embassy.

**The Speaker:** Honourable members, we are dealing with a motion, which had particular prayers and that is what they are examining. Bring your separate motion on that issue.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON TOURISM, TRADE AND INDUSTRY ON THE INQUIRY INTO THE MANAGEMENT OF PRE-EXPORT VERIFICATION OF CONFORMITY (PVoC) TO STANDARDS PROGRAMME FOR INSPECTION OF USED MOTOR VEHICLES

**The Speaker:** Where is the Chairperson of the Committee on Ministry of Tourism, Trade and Industry? He is not here. Next item.

4.43

**MR ROBERT KASULE (NRM, Nansana Municipality, Wakiso):** Madam Speaker, the report is ready and my clerk is running down the steps so that I present it. She is coming. Just give us some two minutes.

**THE SPEAKER:** Next item. Let us first go to item 11.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON PHYSICAL INFRASTRUCTURE ON THE INQUIRY INTO MANDATORY INSPECTION OF MOTOR VEHICLES IN UGANDA

**THE SPEAKER:** Where is the chairperson or vice chairperson?

**MR OTHIENO:** Madam Speaker, that report is ready. It was debated and the position was taken. It is the Attorney-General who requested for time to come back and brief the House on how best to handle the situation. However, they have never reported since then and so, the issue is actually with the Attorney-General. *(Interjections)* He is not here. He is not the one.

**THE SPEAKER:** We would have wanted the chairperson to just give a small brief before we take a decision. Does anyone know where he is?

**MR JONATHAN ODUR:** Madam Speaker, the chairperson of the committee and members are in Simba handling a matter that was referred to the committee. I think that is the reason he is not here to report.

**THE SPEAKER:** Okay. Let us go to item 12.

RESPONSE BY THE RT HON. PRIME MINISTER ON THE PLANS BY GOVERNMENT TO AMELIORATE THE SITUATION IN SIRONKO AND RELOCATE THE AT-RISK POPULATION TO SAFER PLACES

**THE SPEAKER:** Is anybody sitting in for the Prime Minister? Go to the next item.

RESPONSE BY THE ATTORNEY-GENERAL TO THE QUESTION RAISED BY HON. JACKSON KAFUUZI ON THE CONTINUOUS ENFORCEMENT OF THE LAW ON IDLE AND DISORDERLY DESPITE THE PRESIDENTIAL DIRECTIVE TO THE POLICE AND KAMPALA CAPITAL CITY AUTHORITY FOR ITS SUSPENSION

**THE SPEAKER:** There is no Attorney-General. Let us go to the next item.

RESPONSE BY THE MINISTER OF FOREIGN AFFAIRS TO THE QUESTION RAISED BY HON. THOMAS TAYEBWA ON THE BUREAUCRATIC PROCEDURES AND PROCESSES THAT APPLICANTS FOR ENTRY VISAS TO EGYPT ARE SUBJECTED TO WHILE AT THE EGYPTIAN EMBASSY IN KAMPALA AND THE ATTENDANT DISTRESS CAUSED

**THE SPEAKER:** Where is the Minister of Foreign Affairs?

**MS JOY ATIM:** Thank you very much, Madam Speaker. We spend time and this is an injury time that we are supposed to even be in our constituencies. I know for sure that sometimes, the Order paper is sent in the evening or early morning and even posted to our iPads.

It is embarrassing, if at every step, you are calling the ministers and they are not here. The chairpersons of the committees are also not here. How long are we going to go this way?

I know, at an appropriate time, the House will remain without anybody. This is the right time for us to do much of this work. Is it procedural right for us to continue this way, when the ministers know their roles and responsibilities and they are not present in the House, Madam Speaker?

**THE SPEAKER:** Honourable members, I do not know. Maybe, we should take some more serious measures against plenary absenteeism because Members raise issues and they want answers.

**MR RUKUTANA:** Madam Speaker, I really appreciate the importance of ministers and people on the Front Bench attending this House, as and when they are required. I do not condone any absenteeism.

However, for today, there is a very important and historical activity in Luweero, *Tarehe Sita*, when the NRM war was commenced. I have seen on the television that most of the members of the Front Bench are in Luweero attending these celebrations.

Madam Speaker, I only regret that they did not formally inform this House or the Speaker of their absence. I beg to inform.

**MR KIBALYA:** Thank you, Madam Speaker. This Government is run by three arms and this institution is headed by the Rt Hon. Speaker. If there is anything that is supposed to disrupt the running of Parliament, the information should run from the authority concerned to the head of this institution.

Madam Speaker would have known that the ministers will not be attending today, Thursday 6 February 2020, because they have *Tarehe Sita* celebrations.

I wish to know whether the honourable minister, who is the former Attorney-General, is in order to come here, before Parliament, where he is a member, and say that there is an important function that is more important than Parliament running the other side. That is why the ministers could not find it fit to be in this House, since they have a more important function.

Is the former Attorney-General, who is the minister, who is also here and not the other side, in order, Madam Speaker?

**MR MAWANDA:** Madam Speaker, further order.

**THE SPEAKER:** Against who?

**MR MAWANDA:** Against the honourable member who presented the matter on behalf of Government. He said that he only saw members of the Front Bench on the television, which also means that he might also not have been aware that today was *Tarehe Sita*.

Are we going to be informed after somebody watching people on television that there is another activity taking place; as earlier alluded to by the honourable member, who said that this is another arm of Government that deserves to be respected?

If there is an official activity taking place, they ought to write to the head of this institution so that we can also prepare ourselves. We would have loved to attend that function, Madam Speaker, but we knew that there was a sitting today.

Surely, the Government owes us an explanation as to why we cannot run our business because they are not in the House. Thank you, Madam Speaker.

**THE SPEAKER:** Honourable members, it is highly discourteous of the Executive to just disappear. We were here yesterday and they could have told me not to call the House because they were going away. I would have released the Members to go and do other work. We ask for an apology from the Leader of Government Business about this issue.

4.53

**THE LEADER OF THE OPPOSITION (Ms Betty Aol):** Madam Speaker, this is not the first time. Therefore, this *Tarehe Sita* business should not even be an excuse at all.

Besides, if our Order Paper had just come all of a sudden, then that would have been an issue. However, you find that some things have been on the Order Paper for two weeks and the ministers are not here, sincerely are we doing a service to the people who sent us here?

We must all know that we are servants here and the people we have to serve expect a lot better than what we are doing now. The ministers have to help us. At least we have not failed anything because shadow members of cabinet are not here at least we have always been able to do our best. It is the ministers who have always let us down.

Therefore, do not even complain about the shadow ministers. It is you people who have been letting us down. It is not about *Tarehe Sita,* it has always been like that. Why are you here if this *Tarahe Sita* was a prioritized celebration? Why didn’t you inform us yesterday? We would be doing some other things today. We are very disappointed with the ministers.

Many times, we have stood here on the floor expressing our disappointment with the ministers. You need to style up otherwise we will take you to the court of the public.

**THE SPEAKER:** Okay. May I know if the Minister for Housing is in position at least to answer item 12(i)?

RESPONSE BY THE MINISTER TO AN ISSUE RAISED ON THE SUSPECTED FRAUDULENT TITLING OF THE ENTIRE LOLWE ISLANDS THAT IS HOST TO A POPULATION OF 30,000 PEOPLE

4.55

**THE MINISTER OF STATE FOR LANDS, HOUSING AND URBAN DEVELOPMENT (HOUSING) (Dr Chris Baryomunsi):** Thank you, Madam Speaker. This matter was raised by hon. George Ouma and I was in this House towards the end of last year.

I have been religiously coming with an answer but unfortunately, we have not been reaching that item on the Order Paper. I am now ready to give a response; I do not know whether the honourable member is around.

Hon. Ouma George, raised a matter of national importance where he reported that the entire island of Lolwe had been fraudulently titled, in favour of an unknown private individual and he sought an explanation from the Minister of Lands, Housing and Urban Development on the particulars of the title for Plot 1 Block 12, Bukooli Islands.

Madam Speaker, the response is as follows:

On the 4 October 2016, the Permanent Secretary in the Ministry of Tourism Wildlife and Antiquities wrote to the Secretary Uganda Land Commission, informing the commission that Lolwe Rock Art Sites were discovered in 1950s and have been regarded as a national monument and the ministry was planning to preserve this rock as a cultural heritage.

The Department of Museums, if I can quote part of the letter, “*The Department of Museum and Monuments has proposed the site to be nominated of World Heritage Listing. However, there is need for a certificate of title as proof of Government ownership”.* Because of this, the Permanent Secretary of Ministry of Tourism wrote to Uganda Land Commission to process a title for this rock which is in Namayingo District Bukooli County and not the entire islands.

Earlier on, the District Staff Surveyor of Bugiri had also issued surveying instructions to have that rock surveyed.

On 19 September 2018, the Secretary of the Uganda Land Commission instructed the Permanent Secretary, Ministry of Lands Housing and Urban Development to prepare a freehold certificate of title for the same rock which is in Namayingo.

Upon these correspondences, now the ministry prepared a certificate of title for these rocks as per the request of the Permanent Secretary of the Ministry of Tourism, Wildlife and Antiquities.

Therefore, this piece of land is not titled in favour of a private individual but this rock was part of public land and what Government did was to prepare a title in the names of Uganda Land Commission, but the user being the Minister of Tourism, Wildlife and Antiquities.

It measures 2229.3 hectares and the title was prepared on 20 June 2019 under instrument number JJA00018581. Therefore, the response is that it is not true that this rock in the islands was titled in favour of a private individual. It is Government land and a freehold title has been prepared in the names of Uganda Land Commission with the Ministry of Tourism, Wildlife and Antiquities as the user ministry.

I would like to lay on Table the documents that I have quoted:

1. A letter by the Permanent Secretary, Ministry of Tourism, Wildlife and Antiquities written to the Secretary Uganda Land Commission asking the commission to prepare a title of Lolwe Rock Art Site to be prepared as a national monument dated 4 October 2016.
2. I also want to lay on Table survey instructions which had been prepared by the District Staff Surveyor of Bugiri for the same piece of land, which was done 13 August 2014.
3. I also want to lay instructions written by the Secretary of Uganda Land Commission to the Permanent Secretary Ministry of Lands, Housing and Urban Development requesting the ministry to prepare a freehold certificate of title in favour of Uganda Land Commission with Ministry of Tourism, dated 19 September 2028.
4. I also want to lay on Table the minutes of the meetings, Uganda Land Commission held on 14 to 15 December 2016 in the Commission boardroom where it was noted that this request by the Ministry of Tourism be respected and a title be prepared.
5. I also want to lay a copy of the title of the said land Plot 1 Block 12 at the Lolwe showing the ownership to be Uganda Land Commission/ Ministry of Tourism, Wildlife and Antiquities of P.O Box 5178, Kampala prepared on the 20 June 2019. And map of the rock is also put here.

Therefore, we want to clarify that the titling which was done was not done for private individuals but it is land which belongs to Government and it is not the entire island but part of the island. There are no occupants on this part of the island that belongs to Government. I beg to report, Madam Speaker.

**MR OLANYA:** Thank you, Madam Speaker. I would like to seek clarification from the honourable minister. The major concern of the honourable member is that some people are being affected because of the activity that you are talking about. He mentioned clearly that over 30,000 people are affected. From your presentation, you are saying the land is for Government and there are no occupants on that land.

We are getting quite confused with the minister’s presentation. If the area Member of Parliament is saying some people are being affected and you are saying that there are no occupants on that land, which is which? Let us try to be clear. Thank you.

**THE SPEAKER:** Honourable members, what I remember is that the member had heard that the entire island had been titled but the minister is saying that it is only a part. What is remaining of the island?

**MR TINKASIIMIRE:** Thank you, Madam Speaker. When you hear the facts he has submitted and you calculate in terms of square miles, the size of the title is around eight square miles. Imagine standing here and you calculate eight square miles for the title. Do you think there is any land remaining on that island?

Without facts from a committee of the House to find out whether what the minister is telling us is true or what the Member of Parliament is telling us is true, we will not know. When he says, 30,000 people and you consider eight square miles in Uganda today which the minister is claiming is unoccupied, I would like to distance – unless it is a national park or a gazetted national forest -

I am confused on how we should proceed, particularly on this matter.

**THE SPEAKER:** Honourable minister, you should tell us, if you take away those 2000 square hectares, what remains of Lolwe Island?

**MS JOY ATIM:** Thank you, Madam Speaker. The honourable member talked of 30,000 people affected and the Minister of Lands is talking of these square kilometres that have been titled. It was in 2016 when you acquired the land as Ministry of Lands. On many occasions, we have lost land. Maruzi Ranch was lost in the hands of Uganda Land Commission. Is that land safe?

Are you telling us the truth that there were no people existing in that land from way back up to 2016 so that you could title it in the names of Uganda Land Commission?

**THE SPEAKER:** Honourable minister, does the monument require eight square miles, really?

**DR BARYOMUNSI:** Thank you, Madam Speaker. To answer her, the process begun in 2016 but the titling was done in June 2019. I prepared a response to the question, which was raised, to clarify on the ownership of Plot 1, Block 12, Bukooli Islands.

I have not physically been to the islands, Madam Speaker. The task, which was given to us, as a ministry, was to inform Parliament who owns Plot 1, Block 12. We have a Land Information System where we check in the computerised system but I also called for the file and got this information. I was assured by the technical officers that this is a rock, which is not inhabited.

However, if you are not satisfied, we can crosscheck and I come back to the House*.* For instance, I do not know how much of the island is remaining because it was not part of the question raised to me but I can crosscheck and on Tuesday, I will give you additional information.

Otherwise, I have given you documents, which you must believe because they are from the records of Government. The title is there, which you can crosscheck. That is why I took trouble to lay them on the Table so that they become part of the records of Parliament. On Tuesday, I can answer those additional questions on how much of the island is remaining.

**THE SPEAKER:** And whether the monument requires eight square miles. Thank you, minister.

**MR OYET:** Thank you, Madam Speaker, for giving me this opportunity to raise a procedural matter.

I wanted to seek clarification from my very good friend, hon. Chris Baryomunsi, who is one of those very honest people that I knew about 15 years ago. He was quick to say that what he is presenting here is what he was given to present on behalf of the ministry.

The procedural matter I would like to raise is, you are preparing to bring a report. Would it not be procedurally right for you to go on the ground to ascertain whether there are people or not before you bring the report?

You said that you are coming with more information and you have said on the record that you have never been there and you are the one representing the ministry. Wouldn’t it be procedurally right for you to go on the ground, ascertain the situation there as it is and then you come and inform the House when you are fully informed? We do not want you to come again with a written report, with instructions to go and present, the way you were instructed to come and present. That is why at one point, some of us did not believe that it was you speaking. However, you were quick enough to say that you were representing somebody.

The procedural matter I am raising, Madam Speaker, is, isn’t it procedurally right for him to go on the ground, ascertain the situation and then come with detailed facts on the Floor? Thank you.

**THE SPEAKER:** Honourable minister, in view of the uncertainties surrounding whether the island is inhabited and whether Ministry of Tourism requires eight square miles, it is important that you visit the site, in addition to whatever information you are going to get.

**DR BARYOMUNSI:** Much obliged, Madam Speaker. However, I do not want an impression to be created that I doubt what I have presented. *(Interjections)* I do not. However, I will bring you the information.

RESPONSE BY THE MINISTER TO AN ISSUE RAISED ON THE SAFETY OF UGANDANS WORKING AS GUARDS IN IRAQ AND THE NEED FOR AN UPDATE ON THEIR NUMBER, CONDITION AND PLANS TO EVACUATE THOSE IN DANGER

5.12

**THE MINISTER OF STATE FOR GENDER, LABOUR AND SOCIAL DEVELOPMENT (EMPLOYMENT AND INDUSTRIAL RELATIONS) (Mr Mwesigwa Rukutana):** Madam Speaker, I would like to thank you very much for giving us this opportunity to address this august House on the safety of the Ugandan migrant workers who are currently employed in Iraq. This matter was raised as a matter of urgent public importance by hon. Kaginda.

Madam Speaker, as hon. Kaginda indeed observed, the recent security development in Iraq is a matter of public concern and the Government is indeed concerned. The concern arises from the fact that to-date, 700 Ugandans are employed in Iraq in various sectors since 2005.

Permit me, Madam Speaker, to state that whereas heightened political security threats have been reported in Baghdad, there is a likelihood that this could spill over to other parts of Iraq and other countries where there are United States’ security operations. As a response to the threats, since the beginning of this year, the ministry has closely monitored the security situation in Iraq, Afghanistan and Somalia.

The ministry has taken the following measures:

1. On 7January, we requested all recruitment companies to provide an update on the safety of workers they placed in Iraq, Afghanistan and Somalia. To date, the response is that no Ugandan worker has been affected by the insecurity that is taking place in those areas.
2. On 7 January 2020, the ministry wrote to the Ministry of Foreign Affairs requesting for an opinion as to whether the security situation in the Middle East warrants re-examination of externalisation of workers to Iraq, Afghanistan and Somalia. The Ministry of Foreign Affairs has not given us any advisory or statement that there is such insecurity that warrants Ugandans to not travel to or work in those countries. On 5 January 2020, we issued a statement to that regard.

Madam Speaker, allow me to point out *–(Interruption)*

**THE SPEAKER:** Honourable members, that is an answer to a question. It is not a ministerial statement. It is a response to hon. Kaginda’s question. He is not required to give it to all of you.

**MR MWESIGWA RUKUTANA:** Madam Speaker, I wish to address you on the status of our migrant workers in Iraq.

1. There are 700 Ugandans deployed in Iraq as security guards with a company called SOC-USA. SOC-USA is an integrated security solution US company. It is currently contracted by the US Government as the security contractor in Iraq. It has been in existence since 2005 and very many Ugandan workers have benefitted from employment by this company and I hasten to add that so far they have worked professionally.
2. I would like to assure this House that none of the Ugandan guards in Iraq has been involved in any combat operations. Combat operation is not one of their roles when they are in Iraq. Their role in Iraq is to guard. The armed forces take over that mandate.
3. No injury or fatalities whatsoever have been registered, arising out of the recent insecurity developments including the protests that took place in the US Embassy in Baghdad between the 30th and 31 December 2019 nor the Iranian missiles strikes on al-Asad Airbase on 8 January 2020. Definitely, Madam Speaker, with our vigilant social media, if there was any injury or fatality, we would have known.

The ministry remains in close contact with the Ugandan recruitment companies and SOC-USA. The ministry has also not received any information warranting re-examination, including withdrawal of the migrant workers from Iraq. However, my ministry will continue to monitor the security situation closely and will accordingly keep this august House posted on any new development. We are working together with the Ministry of Foreign Affairs and our embassies in the said countries.

I wish to conclude that, as of today, there is no cause for alarm and we are prepared and are on standby to address the situation should any need arise. I beg to submit.

**MR SSEKIKUBO:** Procedure!

**THE SPEAKER:** Under what rule?

**MR SSEKIKUBO:** Under rule 7.

**THE SPEAKER:** Rule 7 is about the general authority of the Speaker. Let us go to the motion.

MOTION FOR A RESOLUTION OF PARLIAMENT URGING GOVERNMENT TO INCREASE FUNDING FOR THE IMPLEMENTATION OF THE PROHIBITION OF THE FEMALE GENITAL MUTILATION ACT, 2010

**THE SPEAKER:** Honourable members, there is a small motion which hon. Asamo is bringing and thereafter we shall go back to the honourable chairperson’s report.

5.22

**MS HELLEN ASAMO (NRM, PWDs Representative, Eastern):** Thank you, Madam Speaker. This is a motion for a resolution of Parliament urging Government to increase funding for the implementation of the prohibition of the Female Genital Mutilation Act, 2010. It is being moved under Rule 55 of the Rules of Procedure of Parliament.

Madam Speaker,

“*WHEREAS Uganda is a signatory to several international instruments including the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, among others;*

*AND WHEREAS Uganda enacted the Prohibition of Female Genital Mutilation Act,20l0 which provides for the prohibition of Female Genital Mutilation (FGM), the offences, prosecution and punishment of offenders and the protection of victims, as well as girls and women under threat of female genital mutilation;*

*NOTING THAT Objective V of the Constitution enjoins the State’s guarantee and respect for institutions which are charged with the responsibility for protecting and promoting human rights by providing them with adequate resources to function effectively;*

*FURTHER NOTING THAT FGM is a cultural practice embedded in the social norms, values and practices of the communities and thus requires a sustained campaign conducted under the multi-sectoral framework, with harmonised messages among all stakeholders;*

*AWARE THAT funds allocated towards the facilitation of the implementation of the Act are insufficient, unpredictable and untimely and this not only impairs the actors in the fight against this practice but also exposes the people to the risk of relapse back into this practice;*

*CONSIDERING THAT Female Genital Mutilation has long and short-term health and social consequences, most of which are irreversible and require medical attention to mitigate their effects, as evidenced by the study carried out by African Environment in 1999, which established that 83 per cent of women who have undergone this practice have required medical attention at some time in their lives for related problems;*

*CONCERNED THAT the beginning of 20l9 witnessed an escalating number of women undergoing Female Genital Mutilation in Sabiny region and the cause has been both socio-economic, as well as political and therefore, requires a multi-sectoral and multi-pronged approach to come up with lasting impacts in eliminating the practice;*

*NOW, THEREFORE, be it resolved;*

1. *That Parliament urges Government to increase funding towards the implementation of the Prohibition of Female Genital Mutilation Act, 2010.”*

**THE SPEAKER:** Is the motion seconded? It is seconded. Give your justification.

**MS ASAMO:** Madam Speaker, I am wondering why the men are so excited - *(Laughter)* – and I thank them for supporting it. I am also happy that the owner of the Act is in the House. I would like to give information on FGM and the reasons why we want it to be handled.

The Ministry of Gender, Labour and Social Development, in partnership with UNFPA and UNICEF, have been implementing a joint programme for elimination of FGM. Key achievements include a reduction in prevalence rates, as well as straightened coordination among actors for FGM abandonment. In addition, Uganda participated in the development of the East African Community Regional Action Plan on Ending Cross Border FGM.

The action plan was domesticated by Uganda through a regional dissemination and consultative meeting, held in Mbale in May 2019 and later costed and shared with partners. Other steps taken by the ministry include engagement with cultural, religious institutions and leaders for social norms and behaviour change for FGM abandonment. Whereas some of these stakeholders get funding under the UN Joint Programme, others such as REACH received direct funding from Government.

A meeting was held with the Inspector General of Police to discuss issues of deployment for law enforcement in the FGM practising districts. The key issues raised in the meeting include the need to increase presence of law enforcement officers in the hard-to-reach areas, which harbour the FGM hotspots and retooling the law enforcement function through increased facilitation such as transport.

Recruitment of more female officers through affirmative action was also discussed, as well as translation and dissemination of the FGM law. It was also discussed in the meeting that communication in the remote areas was difficult due to low frequency and urgent need for a mast to increase frequency was identified.

Madam Speaker, my committee found that they listen more to Kenya than to the Uganda area. Therefore, when you are talking of dissemination, it becomes very hard though the Ministry of ICT has promised to put a mast in those areas. Law enforcement officers reported that tracking cutters and potential victims was difficult, due to limited communication and also limited the capacity of community whistle blowers.

Advocacy for FGM abandonment is on-going. The ministry was at the centre of the celebration for the Zero Tolerance Day and the Karamoja Cultural Day, which also provided a forum for dialogue on expediting FGM elimination.

In September 2019, a joint monitoring and support supervision exercise was conducted in Sebei region to ascertain the status of FGM and chart a way forward. One of the key issues identified during the monitoring exercise was the fear of new cuttings, since sensitisation has diminished due to limited resources.

The capacity of local Government, including law enforcement officers, needs enhancement to address and treat. In addition, there are concerns about the thin structure of the selected implementing civil society organisations, which may undermine their capacity to reach out to the communities.

What are the emerging issues for funding?

The FGM funding has dwindled significantly and we are faced by one-off, unpredictable, untimely and unsustainable disbursements. Madam Speaker, out of the Shs 200 million, Shs 40 million is sometimes given. Sometimes, it is Shs 20 million so it does not all go in one block that is given to reach. Of course, this Parliament has reverted that back to the Ministry of Gender, Labour and Social Development.

These are not aligned to the priorities, an approach that cannot sustain the campaign for mass mobilisation and sensitisation, as well as surveillance for FGM abandonment. Since FGM is a cultural practice embedded in the social norms, values and practices of the communities, we require a sustained campaign conducted under the multi-sectoral framework, with harmonised messages among all the stakeholders.

Strengthening cross border engagement is critical as an initial step for operationalising the regional action plan. This will involve holding dialogue with all the neighbouring communities to identify community-led solutions, including identification of alternative rites of passage.

Strengthening male involvement to address the demand side of FGM, by bringing on board the different age groups of boys and men.

Mobilisation of resources for establishing community radios in the FGM practising districts for continuous mass mobilisation and sensitisation campaigns.

There is need for a parental engagement through dialogue because the decisions to cut girls are purely made by the parents, supported by the opinion leaders in the communities.

The role of the community service department, elders and religious leaders needs to be strengthened to address the gap.

Advocacy campaigns need to be sustained under the multi-sectoral framework, bringing together the district leadership, community leaders and the political leaders at various levels.

Madam Speaker, proposed way forward:

It is important to operationalise the regional action plan on ending cross border FGM by focusing on the following agreed areas:

1. Strengthening law enforcement, including retooling the law enforcement workforce and establishing police posts in hard-to-reach areas. This will be complemented by a joint surveillance, participation in advocacy desk, exchange in learning, rescue and reintegration. To achieve this, the ministry has put resource mobilisation for implementation of the regional action plan high on its agenda.
2. Dissemination of the FGM law, including a review to take care of emerging issues such as medication. The law should be popularised and translated into the local languages so that all the community members understand it.
3. The mobilisation and sensitisation of communities should be strengthened especially prior to the session of cutting in order to avert it and prevent new upsurge as experienced in December 2018 and January 2019. This should be conducted under the multi-sectoral framework, bringing all the state and non-state actors on board with harmonised messages.
4. Conducting an anthropological research on FGM in order to inform programming for its eradication.

Immediate issues for consideration by all stakeholders:

1. Harmonisation of priorities by Government and the partners to get value for money and positive impact of integration as well as enhancing transparency and mutual accountability.
2. Strengthening the coordination role of the Government both at the national and local government levels.
3. Consensus on approaches and modalities including selection of civil society’s partners to support implementation.
4. The ministry and local government should participate in the selection process to ensure the following synergies and mutual support between the state and non-state actors for efficient use of resources and increased impact intervention to ensure value for money.
5. Laying a foundation for sustainability of NGOs’ interventions by Government and mutual accountability.
6. The partnership between Government and development partners need to be revisited so that the roles and responsibilities are clearly spelt out and harmonised.

Madam Speaker, there is a budget attached in this presentation. If the motion passes, I will beg that I lay it on the Table with the different activities that have been budgeted for to show how the money will be used.

I stand here to testify that when we went to the communities, we found that FGM is a discriminating activity. For example, your husband goes to a function without you and he picks another woman who is circumcised because he thinks you are dirty or he regards you as a girl. He picks a neighbour’s wife to accompany him to a function because the other woman claims she is clean. They will say they have not been given enough information by the people who implement the law.

As such, there is a lot of sensitisation that we need to do. The police are limited regarding transport. The porous borders make girls go and be circumcised across the border and then come back later. Of course the cutters also say this is an economic activity for them because they earn money from every cut they do.

Therefore, I think Government should help Karamoja and Sebei regions by improving on the activities other than just having a celebration during the FGM day. We need the activities to be continuous. Madam Speaker, I beg to submit. Thank you.

**THE SPEAKER:** Let us have one or two comments. It is really just to say we should increase our support to that sector.

5.37

**MS JOY ATIM (UPC, Woman Representative, Lira):** I need more than two minutes, Madam Speaker.

**THE SPEAKER:** The motion is just asking for increased funding. Okay, you have three minutes.

**MS JOY ATIM:** Thank you so much. I would like to support the motion for increasing funding towards FGM. Someone is asking if I am a victim of FGM. I am not a victim because this practice is not in northern Uganda.

First of all, today, 6 February 2020, is the International Day for zero tolerance of Female Genital Mutilation. I would have loved to see the Minister of Gender, Labour and Social Development coming to this House to make a statement and to also notify Members of Parliament of the International Day for Zero Tolerance of Female Genital Mutilation. He should tell Ugandans and the world that this is the day we say no to FGM. However, we have not had that statement. Maybe it will be done at an appropriate time since it is not on the Order Paper.

Madam Speaker, I would have loved to hear from the minister the challenges and the successes of what they have done so far. This is unacceptable. Specifically, this is a United Nations awareness sponsored events. I am wondering why they are not doing it as the Ministry of Gender, Labour and Social Development. When will Uganda create this kind of awareness among the public to say no to FGM if this day goes without anybody being aware of it?

Madam Speaker, we went to Amudat to monitor this practice. We went to one of the schools, whose name I have forgotten. The girls gave us their testimonies and they said girls whose genitals have been mutilated are the ones the people value so much and the girls who have run away from mutilation and have come to school are not valued in their community. There must be awareness creation so that they know that education is much better than mutilation.

Government should be committed to this particular issue and I support the increase of funding. We went to that school and found three girls sleeping on one bed –*(Member timed out.)*

**THE SPEAKER:** Since it is a very important issue, you have one extra minute.

**MS JOY ATIM:** Three girls were sharing three mattresses lumped together. It is not a dormitory per say; it is a classroom turned into a dormitory. We are wondering about the Government’s commitment because they established that school but there are no classrooms or dormitories. Everything is a mess. We went to hon. Nauwat’s school and she can bear witness.

Let Government be committed to this FGM issue. First of all, the Ministry of Gender, Labour and Social Development should have alerted the world about FGM. Government should also put money aside for this issue so that we save girls from FGM. Thank you.

5.41

**MS ROSEMARY NAUWAT (Independent, Woman Representative, Amudat):** Thank you, Madam Speaker. I would like to thank the mover of this motion.

It is true FGM is a cultural practice but this Parliament enacted a law in 2010 against it. I am happy to say that before the enactment of that law in 2009, Madam Speaker, you came with the President to sensitise the people. Therefore, if this practice is to stop, there is need for continuous sensitisation. Not everybody in the rural areas is aware of the law preventing them from practising FGM. As such, we need enough sensitisation. Development partners have been supporting us like UNDP, UNICEF, Save the children among others. They have been supporting activities to fight FGM. They have been going to schools to sensitise the children and they have been going to communities alongside culture days. However, these days, that funding has reduced because they also expect that Government should be at the forefront of the fight.

In September 2019, Amudat District hosted the Karamoja culture day which hon. Asamo mentioned. I was not happy and I was there personally. Ministry of Gender, Labour and Social Development sent an officer and that officer is a lady from Karamoja and then I was asking myself why they had to send a Karimojong there. Doesn’t Uganda care about this problem? Why didn’t they send another officer also from the ministry to accompany the Karimojong officer?

Just like you have been coming there, one time, you went to Tepeth County to celebrate the culture day; the Deputy Speaker also was in Kadam and we are very happy. When they see people of your calibre, Madam Speaker, they feel that Government is now in charge.

If we have to eliminate this, it is through education. I am using my own experience that the children to the parents who have gone to school in village their children have not gone for FGM. Therefore, Government should come to support education.

Hon. Atim talked about being in one of our schools; I would like to inform the member that following that visit, they are now constructing some structures there. However, that is one school only. That school cannot serve the entire district. We need more to be done in the whole district and not only for Amudat but all the FGM practicing communities.

Shs 200 million given to the Ministry of Gender, Labour and Social Development should be increased for purposes of sensitisation. Then Ministry of Education and Sports should come to help us to construct structures and even sponsor children. We have the Irish Aid which is sponsoring some children. Initially it was being implemented by FAWE (Forum for African Women Educationalists) but now it is *Straight Talk* implementing and those children have achieved by not going for FGM. Therefore, the Ministry of Education and Sports should also look into that to support these children and sponsor them. I thank you, Madam Speaker.

**THE SPEAKER:** Honourable members, as I invite hon. Olanya, I would like to say that I am very disappointed because for over 20 years I have been on this campaign and this year I refused to go and said I will not go. I told the Minister of gender, Labour and Social Development to go there by herself and start campaigning.

I am tired of you using NGOs. How can Government money go to an NGO to do its work? That is why I refused to go this time. Even that Shs 200 million, I went and negotiated for it in 2009 when the United Nations was moving out. They said that “Government is not interested and we are moving out” and I went and discussed with the President. However, that was a long time ago.

5.45

**MR GILBERT OLANYA (FDC, Kilak County South, Amuru):** Thank you, Madam Speaker. I would like to support the motion. Money should be given in order to fight this kind of act in the country. As a country, we need to look at the cultural norms and the current way of life. It seems there are other people who are so stuck on the cultural values.

Madam Speaker, we need to fight this seriously that if we are not careful, you find someone who has been in the village throughout and they just stuck in that world. They do not know what is out there. Therefore, what will fight this vice is education as my colleague said. Let us inject money and let the children right from primary school be sensitised such that they grow with that kind of understanding that female genital mutilation is bad and automatically it will be eradicated.

Therefore, Madam Speaker, let us embark on primary level and go to schools and sensitise the school going children and automatically it will stop. However, it is a gradual process. You know sometimes we cannot introduce something and we feel it is going to end in one or two days. Let us look at the young generation and gradually in some years to come, it will go off. Thank you, Madam Speaker.

**MS ASAMO:** I would like to inform the honourable members that this topic is very sensitive. And I know that together with the Committee on Education and Sports, we are bringing a full report that even the politicians in that place cannot talk about it including Members of Parliament. Therefore, when you talk about primary, even where we went and we had Members of Parliament, some of them would sit behind and the committee would be asking questions but some of them hid when we called them at committee level to come and give us feedback. They said “I cannot appear.” Somebody tells you in the corridor.

Therefore, I do not know how the sensitisation will go but it needs a bigger thing because it is a political question that people will lose votes due to FGM and yet it is something that is underrating women.

**THE SPEAKER:** I want to confirm that even when I go, the members do not say anything. It is I who talks. *(Laughter)*

5.50

**MR SIMON OYET (FDC, Nwoya County, Nwoya)**: Thank you, Madam Speaker. This is a very wonderful year for me because I had information that the mover of the motion gave it to this House and it is the very point from where I want to start.

In 2009, I was privileged to having participated in a fundraising of Amanang Senior Secondary School in Bukwo. I was invited by the late hon. Toskin and as we were driving into Bukwo, we reached at a certain point, a place called the “Elephant Cave” he parked and said: “Are you seeing those structures; that is the place where they practice FGM.”

Then I asked that as a leader, what are you doing about it and he said it is a very risky venture that we cannot politically talk about it. The first female Member of Parliament for the greater Kapchorwa then lost her election because of campaign again FGM. She is now the chairperson District Service Commission in Kapchorwa.

When I insisted, I spent three days in Bukwo and demanded why leaders were not speaking in a very big rally. They said no, it is a very risky issue and do not mention. The other time hon. Cecilia Ogwal came here, she talked about it and it was a big issue. People came and they were attacking me that I am inviting people from outside to come and attack our culture.

That is a Member of Parliament and that is the position that we really need to engage in. We need to start by sensitizing the leadership of the greater Sabiny. They cannot talk about that. If we are to be real, I am in support of the motion then we also need to engage our neighbouring countries. As we speak, people are being ferried to Kenya because the law does not -*(Member timed out*)

5.53

**MR GAFFA MBWATEKAMWA (NRM, Kasambya County, Mubende):** Thank you so much, Madam Speaker. I also stand here to support the motion of increasing funding to make sure that we can fight FGM. Under UWOPA, one time we visited Amudat and we found the local surgeons were complaining that they were promised some money in compensation to what they were doing. They were told, “This is bad and we must give you money to make sure that you can stop this.” They were getting a lot of money in administering their work.

Therefore, I think it is very important that much as the chairperson has not elaborated the activities that are going to take place, I have a feeling that once we are budgeting for this money, we should make sure the local surgeons are catered for.

Besides, they are the ones going to continue promoting and practicing the activity. I have a feeling that the ministry should go an extra mile. Every time we go there, they tell you they have never seen or they see the minister once in a while.

Can the ministry make sure that they reach the ground not like what my friend hon. Dr Byaromunsi presented today that –*(Member timed out.)*

5.55

**The minister of local government (Mr Raphael Magyezi):** Thank you, Madam Speaker. I have been touched by the presentation by hon. Hellen. This is a matter of national importance.

My concern goes to the role of our local authorities in this matter. Within the framework of the regional action plans, I think it is important that we encourage our local governments to localise these action plans and develop their own to fight Female Genital Mutilation (FGM), listen carefully to the issues of dissemination of the law and national policy. They can also develop their own by-laws and ordinances.

Listen to mobilisation education; this is where the local authorities have a particular role to play.

There is need for collaboration with other local governments across the border. It does not stop at the borders of each district. Provide safety shelters and rehabilitation of the victims of this. Equip and strengthen the department of the community development officer.

I would like to invite my sister Hellen; tomorrow we have a meeting of all district chairpersons and mayors. We can start there with sensitisation.

We will give you a slot at Hotel Africana. Come and talk to these district leaders and improve their understanding of their role in fighting FGM.

We can all do a lot if we work together. However, I realise that there is need for a motion to increase funding. If we support increased funding to the local authorities, it is really genuine and we should support it –*(Interruption)*

**Ms Cecilia ogwal:** Madam Speaker, while we talk about this matter, I think the minister has raised a very good point on sensitisation, but let us not do it from top-down. Sensitisation must start from the culture. Culture is deeply rooted. What is driving female genital mutilation is culture.

Therefore, we must change the mind-set; the paradigm of the cultural leaders so that the girls feel that this should not be tampered with.

Even here in Buganda, it is not about genital mutilation alone but anything that manipulates the private parts of a woman including pulling –*(Laughter)*– let us face the facts.

Anything that manipulates the sexual organ of a woman must be condemned. I am not talking about cutting but also expanding and enlargement –*(Interjections)*

I would like to inform the minister that some of my colleagues, particularly the boys are too shy to talk about it. That is why I thought that as a senior citizen, I need to bring it out. When we talk about it, be blunt. Do not only look at Kapchorwa but also here in Buganda especially, for this expansion and –*(Interjections)*

**The Speaker:** I think we should be serious about what we are doing. That is interesting but who is the complainant in that matter?

We are talking about an international convention, which we are required to observe. There is nothing to do with those things you are talking about. Let us concentrate on FGM.

Honourable Minister of Local Government, last time I went to Kween when there was that serious cutting, I asked the chairman to draft an action plan within two months and send it to me but he has not brought it. I would like to ask you to add that extra work to those of the chairperson’s to develop an action plan in Amudat and Sebei Region.

5.58

**The minister of state for mineral development (Ms Sarah Opendi):** Thank you, Madam Speaker. I do support –*(Interjections)*

**The Speaker:** When Bishop Bamwoze was still alive, he said that when you reach a certain age, you get to the age of indiscretion. I think that is where she is. *(Laughter)*

**Ms opendi:** Hon. Cecilia raised a matter that is on the social media. I think the minister made some statements and those who do that are on her case, but I will not get there.

I would like to support the motion, of course, but also state that it is not just about funding. As far as I know - I recall officiating at a national day in Bukwo in 2014 where those surgeons that “cut” these girls came and said, “We stopped this. We thank the Government for giving us something that can bring income.” Some of them even handed over their knives to me.

However, the stories that followed the following year were terrible. When there was drought in that part of the country, they attributed it to the girls that had not been “cut”. The girls were all paraded and had to be cut.

Anything that goes wrong in the society is attributed to these girls that they have brought the bad omen.

The point I would like to make is that as long as we do not come out strongly – I do not know why these people cannot be arrested? We are holding these surgeons with kid-gloves and that is why they are continuing with their vice.

We are talking and again but you cannot talk for 10 years about something. As long as we do not arrest these people and continue holding them with kid -gloves, the vice will continue.

Secondly, I had travelled to Canada and met President Uhuru. Fortunately, during our short discussion, one of the issues that we discussed was female genital mutilation in Kenya.

A number of our girls are running to Kenya to have this practice done because the other side there are no laws. However, I am happy that towards the end of last year, I saw him coming out strongly and talking against FGM. We need to work closely as the East African Community to have one strong law against FGM.

Also and most importantly, bring the men on board and have those surgeons arrested. These men you see even at our level are not in for ending this. They want the girls circumcised.

As long as we do not bring the men on board and arrest those “guys” then we shall not move. These men you see are the ones saying, “As long as you are not circumcised, I will not marry you.” That is where the problem is.

Therefore, Madam Speaker, having the men on board, working as an EAC region and also arresting the surgeons will help us *–(Member timed out.)*

6.02

**THE MINISTER OF STATE FOR LANDS, HOUSING AND URBAN DEVELOPMENT (HOUSING) (Dr Chris Baryomunsi):** Thank you very much, Madam Speaker. I would also like to thank hon. Asamo for moving the motion.

First of all, I would like to thank you, Madam Speaker, because you have been very consistent on the advocacy campaign for elimination of Female Genital Mutilation and I would like to register my thanks.

For your information, I moved a law to prohibit Female Genital Mutilation as a Private Member’s Bill about 10 years ago in this House and I think work has been going on. The assessments have showed that in Kapchorwa District, the prevalence had considerably come down followed by Kween -

**THE SPEAKER:** No, Kween is the highest.

**DR BARYOMUNSI:** Initially, Bukwo was higher than Kween and then Amudat in that order. Part of the reason for Bukwo is that they are near Kenya where the traditional surgeons are usually imported from Kenya to come and do the exercise.

However, it appears that of recent, there is an upsurge in Female Genital Mutilation and therefore, this motion is very timely. For a long time, it has been the UN agencies and civil society organisations putting in resources but I think it is important that Government puts in more resources to fight this cultural practice.

I would like to comment on what hon. Cecilia Ogwal raised. Labia elongation is a form of Female Genital Mutilation but has no harmful effect on the body. There are four types of FGM and we are usually worried about the three types. The first one is called *–(Interjection)*- Give me one minute to clarify, Madam Speaker. The public domain is commenting on what the minister said yesterday and I just wanted to comment on it from a technical point of view.

FGM basically means deliberately cutting, injuring or changing the private parts of a woman. There are four types of Female Genital Mutilation, which include:

1. Type one: Clitoridectomy where there is cutting of the clitoris;
2. Type two: Excision where more parts are cut;
3. Type three: Infibulation where you cut, stitch and leave a small opening to allow for passing of urine. It is usually done by some people in Somalia and the Aborigines in Australia.
4. Type Four: Any other form of injury or manipulation to the private parts; that is where labia elongation falls but there is no documented harmful effect with elongation of labia.

Therefore, the types of public health importance are usually the first three that I have enumerated.

Lastly, Madam Speaker, the thought about the surgeons was that they take this as a means of livelihood. Therefore, in the programming for elimination of FGM, the idea was that we should think of alternative means of livelihood for these surgeons.

Yes, we made the law to outlaw FGM; they can be arrested but alongside that, I think we should plan for how we can wean them off this practice, which has no benefit and engage them in socio-economic interventions so that they abandon the practice of FGM. Otherwise, Female Genital Mutilation has no benefit at all; it is just an act showing the selfishness of men.

Hon. Tinkasiimire asked for the origin of FGM. What is documented is that in the past, especially in the Sebei region, men used to go for hunting expeditions where they would spend months. They developed this idea of circumcising women in order to reduce sexual arousal so that when the men are away –

This is very unfortunate and that is why we must join efforts; women and men, all of us, including the leaders and members of Parliament, to go into this campaign and eliminate this practice.

I support the motion and since I am part of the Executive, I am also going to add my voice. As we are now in the budgeting season, we should increase money for this campaign. I thank you very much.

**THE SPEAKER:** Honourable members, I put the question that the question be put.

*(Question put and agreed to.)*

**THE SPEAKER:** I put the question that this House do resolve that Government increases funding for the campaign against FGM.

*(Question put and agreed to.)*

*(Motion adopted.)*

**MS ASAMO:** Madam Speaker, I am really sorry but I wanted to lay on the Table the motion, the information sheet and a concept note for expanding interventions to addressing Female Genital Mutilation in Sebei and Karamoja sub-regions. There is a budget attached with activities for further action. Thank you, Madam Speaker.

**THE SPEAKER:** Thank you, honourable chairperson, for that work. The Committee on Budget is directed to examine those proposals and make some provisions starting this financial year. I expect support from the Executive, especially the Minister for Gender, Labour and Social Development to go and speak with zeal for that money. Thank you very much.

Honourable members, the Prime Minister had earlier told me he wanted to make a small statement so I will allow him to make it and then we can go to our other business.

STATEMENT BY THE PRIME MINISTER ON CRYPTO CURRENCIES AND PONZI SCHEMES IN UGANDA

6.08

**THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Dr Ruhakana Rugunda):** Thank you very much, Madam Speaker. I am glad you have given me the opportunity to make this short statement.

I make this short statement to address allegations that were made by some colleagues in Parliament on Tuesday, 4 February 2020 regarding myself and Kwame Rugunda, who is my son, on crypto currencies and Ponzi schemes in Uganda.

The allegations also make reference to the National Task Force on the Fourth Industrial Revolution and the problem of Ponzi schemes and crypto currencies. Below are some of the facts around this issue and the honourable Minister of State for Finance, *Ndugu* Bahati, gave an extensive review of the subject matter so I will not repeat it but I will just make a few remarks on that.

I must say the statement is already uploaded. Over the last few months, this discussion on crypto currencies has been taking place in Parliament and the public domain and has been informed by various reports of fraud, in which companies have been collecting money from innocent citizens with an intention of investing this money in Ponzi schemes.

Relevant institutions of Government, including Bank of Uganda, have issued several announcements warning the public about these schemes.

Furthermore, the respective authorities have been investigating this matter and the owners of two of these companies namely; Global Crypto-Currency and Dunamis Coins have since been arrested and their cases are currently being heard in court and only two to three weeks ago, called a meeting on the subject matter, she chaired a meeting which I attended with some of the victims who have been fleeced of their money.

In order for Government to provide policy direction, a national task force was constituted and the ministry responsible for strategic and technical leadership of ICT sector. I would like, therefore, to clarify on two aspects of the debate that ensued in Parliament on the taskforce and also on crypto currencies and ponzi schemes.

Madam Speaker, regarding the taskforce, the National Taskforce on the Fourth Industrial Revolution was launched by His Excellency President Yoweri Museveni in April 2019, with the aim of proposing policy options to enable Government harness new technologies of the Fourth Industrial Revolution, which include Artificial Intelligence, Block Chain, Robotics, Internet of Things, Cloud Computing and Drones among other things.

The taskforce is currently developing a strategy for Uganda to harness the Fourth Industrial Revolution and is considering various global trends with a focus on development and aspirations for Uganda and also for the East African Region.

Madam Speaker, crypto currencies are one of the applications of Block Chain Technology and the taskforce is exploring them and will make recommendations on its application in Uganda.

Regarding crypto currencies and ponzi schemes, these are two different issues. However, the on-going debate does not distinguish them. It is presenting them as related. The mix up is as a result of ponzi schemes referring to themselves as crypto currencies in an attempt to lure people to defraud them.

This has caused society to think that ponzi schemes and crypto currencies are related and yet they are different. Some ponzi schemes may use cash, some may even use gold or may use or claim to use crypto currencies. However, their underlying motive is to defraud society, which is a crime punishable by law.

Crypto currencies are one of the innovations that have many different applications. Mainly in reducing the cost of money transfer and providing transparency in transactions.

They have both benefits and risks, which we must educate ourselves about. Uganda does not yet have a legal framework for crypto currencies. However, the responsible agencies of Government are closely studying them and are also studying the legal regimes being adopted by other countries.

Madam Speaker and honourable members, contrary to the allegations made by some honourable colleagues, I have never launched any crypto currency, pyramid, or ponzi scheme.

Whereas it is true that my son Kwame is involved in promotion of some of the new Fourth Industrial Revolution Technologies within the Fourth Industrial Revolution such as Block Chain Technology, it is false that his business is associated in any way with ponzi schemes.

It is understandable that since these are new technologies, information and knowledge about them is still limited. We encourage responsible agencies of Government to provide great public awareness about these and other new technologies to avoid this mix up that we saw in the House.

Madam Speaker, this is a new area. Let us get more information so that the debate about the subject matter can be more beneficial and more useful to the country. Thank you, Madam Speaker.

**THE SPEAKER:** Thank you very much, Rt Hon. Prime Minister. Honourable members, we had a very lengthy debate on this matter just this week and we took resolutions. Let us go to the next item.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON TOURISM, TRADE AND INDUSTRY ON THE INQUIRY INTO THE MANAGEMENT OF PRE-EXPORT VERIFICATION OF CONFORMITY (PVoC) TO STANDARDS PROGRAMME FOR INSPECTION OF USED MOTOR VEHICLES

**MR TINKASIIMIRE:** Madam Speaker, before we can proceed to that matter, I would like the Prime Minister, since he is here and it is alleged that because of the office that he holds and his family being mentioned in crypto currency, he should confirm whether or not his son is involved in the promotion of an innovation of Block Chain Technology. We want to know because crypto currency is one of the innovations that is attached to Block Chain Technology.

Whereas other countries like Japan are using the promotion of Block Chain Technology to promote positive things, they are using it to monitor food safety.

For instance, it is alleged that in my honourable colleague, Theodore Ssekikubo’s constituency, there are some areas which are affected by foot and mouth disease. Block Chain Technology would not require you to quarantine the whole area. It would only monitor the infected animals not go to the market.

Therefore, we are interested in knowing what type of Block Chain Technology your son is promoting, Rt Hon. Prime Minister. Is it one that helps this country or is it dripping the pockets of the ordinary citizens?

**MR SSEKIKUBO:** Madam Speaker, I listened to the Rt Hon. Prime Minister and I am happy he has equally admitted that there are those who are fleecing the unsuspecting members of the public.

In addition, I am standing because the Prime Minister said we are going to encourage those agencies to promote awareness and ensure that Ugandans are not fleeced.

Madam Speaker, when you talk about fleecing the unsuspecting members of the public, the Rt Hon. Prime Minister would have been directing immediate action, but once you state that we are going to encourage agencies to rise up to the challenge, I find it lukewarm, uninterested and it could even lend credence to the fact that the Prime Minister cannot confront the crime because he is compromised.

Wouldn’t it have needed a robust response, having established that indeed Ugandans are being fleeced? You set the law into motion and all the agencies must crack the whip, rather than to appear to massage the white collar criminal activities under crypto currencies and the ponzi schemes. *(Applause)*

**DR RUGUNDA:** Madam Speaker, the views raised by both hon. Ssekikuubo and hon. Tinkasiimire - crime cannot be massaged. The law is clear. Crime is dealt with not by force or anything else but by law.

We have already whipped, encouraged, and even arrested people who were involved in two schemes. Investigations are still going on. I think on that issue, the law must take its course and all of us should support its position.

On the second issue raised by *Ndugu* Tinkasiimire, yes, Kwame is involved in the promotion of block chains, robotics and other related post industrial revolution technologies. It is a simple, straightforward promotion of pro-people useful science and technologies *–(Interruption)*

**MR OGUZU:** Thank you, hon. Prime Minister. I know crypto currencies are part of the block chain technology and as far as I know, currencies are supposed to be regulated by the Bank of Uganda.

Now, your family is trying to set up a new currency which must compete with our national currency regulated by the Bank of Uganda. I do not know how you think we will be able to advance the economy of this country and put the monetary policy within control without jeopardising the future of this country. Thank you.

**DR RUGUNDA:** It is not correct, as my brother is suggesting that we are trying to set up an alternative currency. There is nothing like that.

One of the characteristics of the genuine crypto currency and one of the risks about it is that the Central Bank is not in control of it. That is one of the risks.

Therefore, there is not in any way, an attempt to undermine the institutions in this country. On the contrary that is why His Excellency the President has launched a taskforce so that they can study the matter and make the necessary recommendations that will help the country to move forward and benefit from new technologies including block chain.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON TOURISM, TRADE AND INDUSTRY ON THE INQUIRY INTO THE MANAGEMENT OF PRE-EXPORT VERIFICATION OF CONFORMITY (PVoC) TO STANDARDS PROGRAMME FOR INSPECTION OF USED MOTOR VEHICLES

6.26

**MR ROBERT KASULE (NRM, Nansana Municipality, Wakiso):** Thank you, Madam Speaker. This Parliament received a petition from hon. Kenneth Lubogo and that petition was processed through the committee of trade and thereafter, the committee made a report.

The Committee on Tourism, Trade and Industry, on the inquiry into the management of Pre-export Verification of Conformity (PVoC) to Standard Programme for inspection of used motor vehicles.

The report is big and on the onset, I can say that it has taken over a year on the Order Paper and many things have gone on, many contracts have lapsed and now there is a gap. However, we did our report and this is it. I am going to read the main things and the recommendations of the committee.

The PVoC is an inspection and verification programme carried out on goods by appointed inspection agents in the country of export. According to the Uganda National Bureau of Standards (Import Inspection and Clearance) Regulations, 2015, PVoC Programme requires that all goods falling under Uganda Compulsory Standards or any other approved international standards are inspected in the countries of origin *–(Interruption)*

**MR OGUZU:** The procedural matter I am raising is related to the fact that the matter being reported on has been overtaken by events.

The programme has actually expired and as far as I know, the tender is being put to solicit for new service providers and this report seeks to review a tenure that has already ended. Could you guide us on whether we should continue to listen to this report or not? Thank you.

**THE SPEAKER:** Honourable members, the work was assigned by this House to the committee and they are obliged to report and then we take a decision.

**MR KASULE:** Thank you, Madam Speaker. The recommendations have to be made from this report such that we guide the forthcoming tenders.

The categories of goods to be inspected are there. I think members will read.

On the objective of the inquiry, the committee was guided by a number of terms; the terms can also be read by the Members.

There were many meetings that happened, including a field visit by the committee of Parliament that went up to Dubai.

There was solicitation of bids between procurement of JEVIC, EAA Company Ltd and Jabal Kilimanjaro as service providers for the inspection of used motor vehicles under the PVoC programme. There was evaluation of the bids process.

The Contracts Committee Decision on award of contracts

Upon submission of the Evaluation Committee report to the Contracts Committee, the Contracts Committee approved the report of the Evaluation Committee and made the following recommendations:

(i) That the inspection services be awarded to the three companies to create competition among the providers;

(ii) JEVIC be awarded a contract to inspect vehicles in Japan and all other regions around the world except the United Arab Emirates; and,

(iii) Jabal Kilimanjaro and EAA be awarded contracts to inspect vehicles in the United Arab Emirates.

On 14 August 2009, the Attorney-General’s office received a letter from UNBS seeking clearance of the three contracts between UNBS and the three companies (JEVIC, Jabal Kilimanjaro and EAA Co. Ltd). Subsequently, the Solicitor-General cleared the contracts on 24 August 2009 with the following comments:

1. UNBS was cleared by the Solicitor-General to contract JEVIC to inspect used motor vehicles entering Uganda from Japan, United Kingdom, Singapore, South Africa and the rest of the world.
2. UNBS was cleared by the Solicitor-General to contract EAA Co. Ltd to inspect used motor vehicles entering Uganda from the United Emirates.
3. UNBS was cleared by the Solicitor-General to contract Jabal Kilimanjaro Auto Elect. Mech. Co. Ltd to inspect used motor vehicles entering Uganda from the United Arab Emirates.

Honourable members, the petition mainly came when UNBS varied from the original contracts and amended the contracts.

Amendment of the 1 September 2009 contracts

After the signing and commencement of the contracts, EAA Co. Ltd complained to the Minister of Tourism, Trade and Industry in relation to the contracts award. EAA Co. Ltd was concerned about the award of the contract to JEVIC to inspect vehicles from Japan and the rest of the world, except United Arab Emirates without due consideration of the solicitation documents and the fact that EAA Co. Ltd was also based in Japan and had no facilities in Dubai. EAA Co. Ltd also stated that the award of the contract to JEVIC was likely to create monopoly in Japan, contrary to the Government policy.

The minister informed UNBS about the need to amend the contracts in view of the complaints that had been raised (the letter from the minister is attached as Annex 7). On 4 March 2010, the then Executive Director of UNBS wrote to the Solicitor-General seeking clearance of the draft proposed amendments to the contracts.

Upon perusal of the existing contracts and the draft contracts, the Solicitor-General advised as follows:

The Solicitor-General made reference to part c, clause 4 of the contract, which provides that modification or amendment of the terms or conditions of the contract, including any modification or amendment of the scope of services, may only be made by written agreement between the parties. Therefore, any modification or amendment would only be binding if it is made in writing and signed by each party.

Madam Speaker, I will go to page 12 and talk about suspension of the PVoC Programme. On 17 September 2010, the Prime Minister wrote to the Minister of Finance, Planning and Economic Development informing her of the complaints raised by the Uganda motor vehicle importers regarding the requirement for pre-shipment inspection of used motor vehicles directed by UNBS. Following the complaints, the Prime Minister directed the Minister of Finance, Planning and Economic Development to suspend the PVoC Programme with immediate effect (Annex 13).

Arbitration process

In February 2012, JEVIC initiated arbitration proceedings against UNBS claiming that UNBS had breached the original contract by signing amended contracts with EAA Co. Ltd and Jabal Kilimanjaro, thereby opening up pre-export motor vehicle inspection in Japan contrary to JEVIC’s exclusive rights.

UNBS argued that the opening up of the contract was as a result of a directive from the Minister of Tourism, Trade and Industry. Subsequently, UNBS did not attend the proceedings and as a result, the arbitration process was continued and concluded in the absence of UNBS.

Madam Speaker, to cut the long story short, let me talk about the reinstatement of the contract after the initial suspension. The committee found out that on 3 December 2012, the PVoC Programme was reinstated. Upon reinstatement, UNBS made addenda to the earlier contracts in which the commencement and duration of the contracts were modified. The commencement date was changed to l June 2013 and the duration extended to 60 months (five years). UNBS informed the committee that the extension was meant to compensate the contracted service providers for the period when the contract was in abeyance since October 2010.

Committee observations

The committee observed that there were a number of irregularities in the procurement process of the services of JEVIC, Jabal Kilimanjaro and EAA for the inspection of used motor vehicles. The award of contracts to different successful bidders (JEVIC, Jabal Kilimanjaro and EAA) on the basis of regions or lots was contrary to the solicitation document and the Public Procurement and Disposal of Public Assets Regulations, 2013. This was the genesis of all the controversies that surrounded the implementation of PVoC Programme for the inspection of used motor vehicles.

While the evaluation committee of UNBS conducted site visits to assess the technical capacity of the companies, the basis of which, together with the financial evaluation was used to award the contracts, the findings by the parliamentary committee were to the contrary. Jabal was the only company operating in Dubai.

EAA Co. Ltd was not present in Dubai but in Japan. JEVIC declined to take the delegation to its inspection centres. That contradictory report casts doubt on the credibility of the evaluation committee's technical evaluation report.

Suspension of the programme from 2010 till 2013 without any interim measure for inspection of imported motor vehicles meant that vehicles entered into the country without being inspected. This led to loss of a huge amount of revenue by UNBS and put the lives of Ugandans at risk since the roadworthiness of the vehicles was not tested.

UNBS appeared in the arbitration proceedings in the earlier stages and later abandoned the process, which led the matter to proceed *ex parte*, leading to the award of approximately Shs 2.3 billion.

The arbitral award was made on 6 July 2012 and on 17 August, 2015, JEVIC started execution proceedings to recover the amount of money in the arbitral award. That was about three years since the award was made. Lack of concern by UNBS to do something about the award for three years until their newly-constructed headquarters were attached shows incompetence of UNBS.

Terms and conditions of the contracts between UNBS and the service providers

Committee observations

The negotiation record between UNBS and JEVIC illustrated under the inspection charges column indicated that the negotiations were regarding Japan, Singapore, South Africa and the United Kingdom.

The record of negotiations between UNBS and EAA, specifically under the audit issues column, stated that the audits were to take place only in the United Arab Emirates.

The record of negotiations between UNBS and Jabal Kilimanjaro, specifically under the audit issues column, stated that the audits were to take place only in the United Arab Emirates.

Items like knocked-down parts (vehicle spare parts) and earth-moving equipment are not included in the contracts. However, knocked down parts are assembled into cars when they reach the country. Earth-moving equipment which is not inspected may be dangerous in terms of emissions and mechanical breakdowns.

The service providers are supposed to fund accommodation and inland travel for UNBS staff members who carry out annual audits on the companies. This implies that UNBS staff cannot write an objective report about the service providers, due to the inefficiencies and lack of funds.

On the matter of performance of JEVIC, EAA and Jabal Kilimanjaro in implementing the PVoC project for inspection of used motor vehicles, findings are there for all the three companies. Madam Speaker, I will go to page 18.

Challenges faced by Ugandan exporters of motor vehicles

Long distances to the inspection centres

The Ugandan shippers of motor vehicles in the United Arab Emirates and Japan incur extra costs of driving the vehicles to the designated inspection centres, some of which are located very far away from where the vehicles are purchased. This cost is passed on to the consumer through increased prices, to the detriment of those who buy the vehicles eventually in Uganda.

Failure to follow inspection criteria

The exporters also informed the delegation that the inspection criteria are not strictly followed. This is because inspection of a single motor vehicle can take about only 10 minutes. This, in the end, makes the PVoC Programme fail to achieve the intended objective.

High taxes on motor vehicles

The exporters also expressed concerns about the high taxes imposed on motor vehicles and view them as prohibitive.

Committee observations

1. The committee noted a minimal presence of the three contracted companies in several car trading areas, which has led to high costs of transporting cars from far places to the one-stop inspection centre and ultimately leads to high costs to business through transport charges.
2. The committee observed that if a vehicle is inspected for 10 minutes, the evaluation criteria is not followed because that time is too little to ascertain the safety and mechanical condition of the vehicle. That is why vehicles reach Uganda and immediately break down.
3. The committee observed that the $20 remitted to UNBS by the car inspection companies is too little, compared to the cost of inspection which ranges from $125 to $220. The service providers charge highly and only remit $20 per car to UNBS.

On the matter of interim measures adopted in the absence of running contracts; in June 2018, the contracts for the three service providers expired. Since expiry of the contracts, cars have been imported into the country without being inspected.

Destination inspection

The committee was informed that currently, UNBS is conducting destination inspection of imported vehicles. However, the institution faces capacity challenges in terms of equipment, staffing and limited space in inland customs depots. For instance, a basic mobile testing equipment costs around Shs 800 million, yet UNBS requires more than 20 machines, which has not been provided for in the budget for the Financial Year 2019/2020. There was no such money in that budget.

Interim service providers

The committee was informed that following guidance by the Rt Hon. Speaker of Parliament, UNBS procured two companies, EAA and Jabal Kilimanjaro to provide PVoC services, awaiting international bidding process. Madam Speaker, we thank you for at least intervening because our cars were coming to Uganda without inspection.

Committee recommendations

The committee recommends that:

1. The Contracts Committee of Uganda National Bureau of Standards, which altered the terms of the contract, should be held responsible for the Shs 2.3 billion financial loss to Government, as a result of the arbitral award.
2. Of recent, a number of car importers have avoided pre-shipment inspection. This has led to an increase in the number of vehicles entering the country uninspected. Although UNBS charges a penalty of 15 per cent of the CIF (cost, insurance, freight), it has not solved the problem.

 The committee recommends that on top of paying the penalty, these vehicles must be inspected here in Uganda for road worthiness, at the cost of the importer. This, in the long run, will deter defaulters and be given a certificate of clearance.

1. Government should allocate funds for recruitment of staff and procurement of mobile testing equipment for vehicles. The committee further recommends that Government, through Ministry of Works and Transport, conducts annual motor vehicle inspection to ensure safety and road worthiness of vehicles on Ugandan roads.
2. The Uganda National Bureau of Standards should ensure that new competent firms are procured to carry out the pre-export verification exercise, to minimise the risk of importing cars that have not undergone inspection due to the incompetence of the current service providers. The process should follow procedures, as provided for in the PPDA Act, 2003.
3. The committee further recommends that Ugandan-owned firms be given priority to provide the service, so that the revenue accruing from the service is retained in the country and employment is prodded for Ugandans.

In conclusion, Madam Speaker, the committee appreciates the need for pre-shipment inspection of motor vehicles from their countries of origin. However, since inception of the programme, it has been mismanaged, hence making the programme fail to achieve its intended objectives.

Therefore, implementation of the programme should be carried out in accordance with the law to avoid controversies which have characterised the programme in the past.

Madam Speaker, I beg to lay the minutes and all the documents, including contracts that were done between these three companies. I beg to move.

**THE SPEAKER:** Thank you very much, chairperson and your committee. We were told that there is a new process. Can you update the House on this and we see how to conclude.

**MR KASULE:** Madam Speaker, a new process has been put out for the new service providers because the old contracts ran out. We pray that this process is expedited and advertised internally, such that we do not get uninspected vehicles. Remember during the process between that time and then, there was the Chernobyl disaster which was a nuclear accident, where there was contamination of many vehicles in Japan. That is part of the control, such that we do not receive vehicles here which are contaminated with radioactive chemicals.

Therefore, we pray that this process is now done properly. The only reason we give them benefit of doubt is that then, that I was a new process international tendering of service providers, which has never been done, so mistakes were bound to happen. However, now that UNBS has the capacity and has gone through the processes, I think they can now do a good job of procuring properly.

I beg to move.

**THE SPEAKER:** Are there any comments from Members?

6.50

**MR DENIS OGUZU (FDC, Maracha County, Maracha):** Thank you, Madam Speaker. I would like to commend the chairperson for addressing the issues of pre-inspection, with a view that we should be able to have quality products in the market. I am also aware of an effort by Government to have regular vehicle inspections in-country and I know all these translate into costs.

I would like to understand from chairperson of the committee how you will reconcile the pre-entry inspection cost to what we will be doing internally such that vehicles do not become very expensive for Ugandans.

Secondly, I had wanted to understand beyond inspecting vehicles for radioactive components what else the inspection covers. It is because you have not been able to detail what sort of inspection has been undertaken. We might be spending a lot of money on pre-inspection and yet there is no value for money.

Going forward, how is this programme going to translate into capacity building for the country? I doubt if we have the kind of resources to always spend on inspecting vehicles. Is this inspection linked to our curriculum in the institutions of higher learning so that we do not have to always depend on foreign companies to undertake this kind of activities?

I would like to understand if there has been effort made to dig deeper into these issues. I would have loved to hear from the Government in terms of preparation so that we do not just waste the meagre resources in that direction. Thank you.

**THE SPEAKER:** Honourable members, this issue arose out of a petition. So, they are responding to the specific issue. I do not think we are responding to the entire policy?

**MR KASULE:** Madam Speaker, there are many things to be inspected including food that are imported into the country. The petition was on used vehicles and how the procurement was mismanaged. So, given that time has lapsed, we find that UNBS should run new adverts for new service providers.

Also, we encourage home inspection of vehicles here. Many vehicles enter the country after inspection but within a few months, they break down. Therefore, there should be home-grown inspection. I thought the Ministry of Works and Transport was already going forward with that process. Road worthiness can surprise you because a car will look proper today but within a few days, it will have mechanical problems. That is one of the controls.

Secondly, most of those developed countries are dumping those old vehicles onto our markets. The only way to control the dumping a little is for vehicles to be inspected at source such that they are not dumped here. It is because disassembling those vehicles when they reach here is very expensive.

First of all, the trader will say I was pre-inspected from there. If the vehicle was not inspected from the source and the trader brings it here, the cost of taking back that vehicle to Japan almost surpasses the cost of the vehicle itself. As a result, UNBS is also facing that challenge because once vehicles are not pre-inspected and they arrive here, it is very expensive for them to be taken back. Therefore, we need that service to be done by those international bodies.

Thirdly, and which is a disservice to Ugandans is that we do not have home-grown companies to tender and inspect vehicles out there. If they are there, then they are welcome because that will be employment to our people and maybe, it will save us the much needed forex.

Lastly, is about the matter of overcharging. That is why we also complained in the committee because they charge around $220 to inspect a vehicle and yet they only give $20 to UNBS. We are also using it as a revenue collection for UNBS as an agency for Uganda.

There are great prospects of getting revenue. However, we need that charge adjusted for UNBS to get $50 or $60 to make it meaningful. After all, they charge that money but our share is small. That is the only complaint. However, amongst all other things, they pay taxes here.

6.56

**MR TONNY AYOO (NRM, Kwania County, Kwania):** Thank you, Madam Speaker. It is only unfortunate that this report took long but I think the challenge would still remain as the petitioners had presented a case on the cost of bringing the vehicles in.

However, I would like to put this to the chairperson, if he is privy to it. The purpose of inspecting those vehicles from Japan was to use that opportunity to ensure that vehicles that would not meet standards are not brought here. If they are brought here, it would be at the cost of the company that had inspected it to take it back.

We thought that was better to stop dumping because the moment you have brought a vehicle into the country and it does not meet the standard, then the cost of taking it back to Japan is on you. Perhaps Japan would not also accept the vehicle back. I am still wondering how we are going to deal with this challenge because it is coming back.

I thought the recommendations that were here have been captured by UNBS and they have taken care of many of them in the new arrangement. I would like to hear from you whether the recommendations that you have put here have been taken into consideration. Also, on the concern that you are bringing the vehicles that do not meet the standard here, how are we going to take them back to Japan?

Madam Speaker, these are issues which I think we need to deal with because UNBS messed up with the procurement and we made a loss of about Shs 2 billion. We are not going to give them the benefit of doubt because they may take us back to the same problems.

Mr Chairperson, I do not know if you are privy to this. If you are, can you make the House know so that we take a decision? It is because this business of transport vehicles is going to be there. Thank you.

6.58

**MR OTHIENO OKOTH (NRM, West Budama County North, Tororo):** Thank you, Madam Speaker. I just need clarification on the fifth recommendation of the committee. I have just heard from the chairperson of the committee that we do not have local firms competent enough to do this inspection. However, there is another recommendation from the committee to the effect that priority should be given to the Ugandan firms.

By the time you wrote this recommendation, I do not know whether we had some local firms and something happened along the way. Since this report delayed, at that time, did something happen to the local firms? It is because you just stated that to the best of your knowledge, we do not have local firms and you wondered if they are there.

Also, you recommend that we take this inspection back to the Ministry of Works and Transport. I agree it would be good that the ministry does the inspection in regards to road worthiness. However, there is something, which was read by my colleague about the environmental aspect, let alone the road worthiness of the vehicles. We are supposed to test their radioactive effect on the environment. The vehicles could be road worthy and yet they pose grave danger to Ugandans.

I just need some clarification on those two issues. Thank you.

7.00

**MS ANN NANKABIRWA (NRM, Woman Representative, Kyankwanzi):** Thank you, Madam Speaker. I would like to thank the chairperson of the committee. I also remember the purpose of this was to cure dumping of old vehicles into the country by promoting pre-inspection before shipment into the country.

Madam Speaker, I need clarification about the radioactive substance. We are talking about UNBS but I am aware that there is a body we call the Atomic Energy Council, which is the one with the capacity of regulation and detecting.

Once radioactive substance has been detected, disposing it off when we even do not have the bunkers and the council is also just walking - I would have loved to hear a recommendation on the relationship with and the involvement of the Atomic Energy Council.

Madam Speaker, this same House passed a law to do with biofuels based on the environmental aspect and the regulation of how much we can reduce on environment damage by petrol chemicals and fuels. That is why we passed that law. That means that we must guide companies that are shipping in vehicles into the country to specifications of vehicles we need in the country today to suit vehicles that use biofuels. I also need that clarification on whether the chairperson and his committee had that guidance when they were considering the petition.

**MR KASULE:** Madam Speaker, the report is big but somewhere in the report, we talk about the Japanese Government instituting a committee to disallow infected vehicles with radioactive materials from leaving Japan because it will also infect them. Therefore, prior to inspection, they first test the vehicles before they leave their country. The ships they are traveling on are mostly based in Japan. That one was a bit controlled.

However, for road-worthiness, it is those firms that are assigned to stop vehicles that are not road worthy to be exported. That is why they charge that amount of money because they use machines and people to do that work. There is so much they are handling; they handle for all East African countries so that is how it has been done.

Secondly, we are also domesticating the activity because it came from World Trade Organisation. It is a world regulation that we must undertake vehicle inspection and inspections of all other items before they reach the destination of the consumer.

Madam Speaker, one Member talked about Ugandans having the capacity to do that service. Now that the service has been undertaken for around 10 years, Ugandans have now learnt and we will encourage every Ugandan who has the capacity, first of all, to heed to the advertisements and tenders to do that service.

Of course if you do it here, you must be the one responsible. If a vehicle does not meet the standards, you are the one to re-export it, if you do it here. That must also be impeded in the agreement. It is not very difficult because we have SGS here in Uganda, which is doing the same service and I do not know whether SGS has a Ugandan component but they can also do it here. However, that means that they are the ones to be borne with the cost of re-exporting the vehicles.

However, it is most important that vehicles are inspected and all other goods are inspected at the source. The result will be seen through the advert; if they respond then we shall know that Ugandans have the capacity and if they pass through the procurement process properly then they should be given some preference for it to be Ugandans to do this service. Thank you, Madam Speaker.

**THE SPEAKER:** Honourable members, I would like to thank the committee because at first, they were not the original people who undertook the exercise but they have been able to capture the issues and defend the recommendations.

I would like to put the question that the question be put.

*(Question put and agreed to.)*

**THE SPEAKER:** I now put the question that this House do adopt the report.

*(Question put and agreed to.)*

*Report adopted.*

**THE SPEAKER:** Thank you very much, honourable members. I think we have done enough for today. House is adjourned to Tuesday next week at 2 p.m.

*(The House rose at 7.06 p.m. and adjourned until Tuesday, 11 February 2020 at 2.00 p.m.)*