



PARLIAMENT OF UGANDA

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

FOURTH SESSION - FIRST MEETING

TUESDAY, 13 AUGUST 2024



PARLIAMENT OF UGANDA

IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

FOURTH SESSION - 10TH SITTING - FIRST MEETING

Tuesday, 13 August 2024

Parliament met at 2.08 p.m. in Parliament House, Kampala.

(Members rose and observed a moment of silence.)

PRAYERS

(The Deputy Speaker, Mr Thomas Tayebwa, in the Chair.)

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Honourable colleagues, I welcome you to today's sitting. On Saturday, the county woke up to the shock of the tragedy that befell residents around Kiteezi Landfill that has so far, according to the reports I received, claimed 21 people.

In the morning, the Prime Minister called me and said the Government would be bringing a statement. I will amend the Order Paper so that the statement can be presented immediately after my communication.

I received very many colleagues, especially Members of Parliament from Kampala and Mukono, who had matters to do with the same. We agreed that during the debate of the statement from the Government, we shall be able to give it enough time.

In the meantime, honourable colleagues, I request that you stand and we observe a minute of silence for our departed colleagues.

THE DEPUTY SPEAKER: Honourable colleagues, with that I see the ministers are ready. Let us go to that same statement – procedure, Hon. Ssekikubo?

2.12

MR THEODORE SSEKIKUBO (NRM, Lwemiyaga County, Ssembabule): Thank you, Mr Speaker. I did not intend to stand when a sad statement was going to be made, but I am rising under your communication.

I rise to express concern that whereas we submitted a motion to your office on the 5th of August and right now it is the 13th of August, we expected, under Rule 110 of the Procedure of Parliament, to have issued a notice to Members of Parliament by this time so that we know when this matter is coming up for debate.

Knowing that the days are flying by, we thought we would be prepared so that even those Members not around Kampala can be notified about that special sitting to debate the motion of the censure of the four Commissioners of Parliament.

We see in the media, a hype that a particular court has sat. We are saying and going on record that it has not erased our motion. It is still standing. Our prayers are different from those raised in the ruling and therefore, it cannot be affected by the court ruling.

Mr Speaker, may we know as petitioners when a notice is due to be issued so that we can prepare accordingly for that debate? I thank you.

THE DEPUTY SPEAKER: Thank you, honourable member. Indeed, it is good you have referred to Rule 110 of the Rules of Procedure of Parliament. Rule 110(5), gives the presiding officer 14 days. We do not need to put up a public announcement that “Members, come from wherever you are.” Every sitting of Parliament is critical. A Member should be here all the time.

We do not need to be putting up a special announcement that, “We are informing you in advance; leave up country, come from wherever you are - those who have not been attending, come and attend because this time we have a motion.” No, that would be wrong.

Therefore, we have 14 days as per rule 110(5) and we are still within time. Wait, the communication is coming, Hon. Ssekikubo.

Thank you – honourable colleagues, why don’t we get this critical statement on Kiteezi? It is a sad day.

2.16

THE CHIEF OPPOSITION WHIP (Mr John Baptist Nambeshe): Mr Speaker, it is a quick one. On the matter of urgent public importance of the Kiteezi Landfill disaster, our line Shadow Minister of Kampala Capital City Authority has a similar statement. I would implore your chair to allow both statements to be tabled so that we comprehensively debate.

THE DEPUTY SPEAKER: Yes, but Leader of the Opposition, you know that under Rule 53 of the Rules of Procedure of Parliament you can bring a statement but must give notice to the presiding officer. Your minister came to my office as I was going out and I agreed with him that during debate after the minister has presented a statement, I will give him sufficient time to make his views. Let us go to the statement.

MINISTERIAL STATEMENT ON KITEEZI LANDFILL

THE DEPUTY SPEAKER: It is a substantive statement on the Order Paper, so, clerk kindly take note.

2.17

THE MINISTER OF STATE, OFFICE OF THE PRIME MINISTER (RELIEF, DISASTER PREPAREDNESS, AND REFUGEES) (Ms Lillian Aber): Thank you, Mr Speaker. Kiteezi Landfill is located 13 kilometres north of Kampala City –

THE DEPUTY SPEAKER: Honourable minister, is the statement uploaded?

MS ABER: Yes, I submitted it.

THE DEPUTY SPEAKER: Okay. Clerk, ensure you display it on the screen.

MS ABER: Kiteezi Landfill is located 13 kilometres north of Kampala City Central in Kasangati Town Council, Wakiso District. It is primarily a waste disposal site for Uganda’s capital and its surrounding areas since 1997. The landfill covers an area of 29 acres and receives 2,500 tonnes of waste daily, making it a critical component of Kampala’s waste management system.

Mr Speaker, Kampala Capital City landfill at Kiteezi Village, Masooli Parish in Kasangati Town Council, Wakiso District, collapsed in the early morning hours of Saturday, August 10, 2024. It affected villages including Lusanja, Kitetika and Kiteezi. The number of bodies recovered so far are 23 as of 7.00 p.m. on Monday.

The number of displaced persons registered at the temporary shelter by the Office of the Prime Minister and the Red Cross is 56 households so far. Those are members who are being accommodated at our temporary tent. The affected persons are estimated to be over 1,000 people from all the three affected villages. I had attached a map of the Kiteezi hazard and risk area. It is unfortunate I am not seeing the statement being displayed.

The hazard risk map analysis shown is of 2023 obtained from the United Nations satellite, which provides satellite image analysis during humanitarian emergencies related to disasters, complex emergencies, and conflict situations.

- a. The map shows the location of the landfill and its surroundings,
- b. The map shows the directions of the flow of material and indicates areas at risk and its elements,
- c. The area marked with red is the current hazard and
- d. disaster zone *-(Interjections)-* I submitted it- I will maybe skip the map; I will go back when it is uploaded.

Let me go into interventions that have been made, Mr Speaker.

- i. 18 Persons were rescued,
- ii. 14 Excavators are on site and more six being mobilized to support the work,
- iii. Personnel deployed - Uganda Police Force, Uganda People's Defence Forces(UPDF), Uganda Red Cross, Office of the Prime Minister, Ministry of Works and Transport, Ministry of Health, and other non-government organisations;
- iv. Five ambulances and Emergency care service providers for the victims and persons at risk.
- v. Security deployed by the Uganda Police Force, to protect people,
- vi. Operations by Kampala Capital City Authority(KCCA), UPDF, Office of the Prime Minister, Ministry of Works and Transport, and Uganda Police Force.

The Humanitarian Assistance:

- a) The Office of the Prime Minister provided Relief Food items to people who have been - *(Interruption)-*

THE DEPUTY SPEAKER: Procedure- Hon. Ssekikubo?

MR SSEKIKUBO: Thank you, Mr Speaker. I thank the honourable minister for giving way. I am raising two issues under procedure; One, the honourable minister is referring to the red lines and boundaries, which we cannot see, ending up talking to herself.

Two, this matter falls under the ambit of Kampala Capital City Authority (KCCA), not the general disaster the country might have. Kampala Capital City Authority was created with a ministry for a specialized function for the city, which should not be mixed up. That was the genesis of creating the Kampala Capital City Authority.

The honourable minister in Charge is seated here; Kampala Capital City Authority was created because of its unique aspect. Now, once the minister herself is here - who has the innate workings of the city, why should we be pointing fingers? So far 23 bodies have been recovered - now we are talking about 25. We had a calamity of such huge proportions and it is being casually handled before this House.

Therefore, is the honourable minister and Government procedurally right to continue handling this matter in the most casual manner, and shield away the responsible minister who is rarely present but is now here? She is here to answer to this and she is being kept in the background. Are we proceeding properly, Mr Speaker?

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, if you listened to me, at the beginning I said, "The Rt Hon. Prime Minister called me in the morning, she told me, she is the one the President and Government have assigned the issue of Kiteezi." Whereby the most important aspect now as we talk has been the quick response of helping the people who have died, the distressed, and the sick, before going to the blame-game of who did not do what.

The most important aspect has been to save whatever we can. The Prime Minister is the

coordinator of all ministers. We discussed that same issue - Hon. Ssekikubo - we discussed her and me in detail. She said, "No, I will come myself." However, at the last minute, she called me - she is still holding an emergency meeting with finance to raise funds to help on this same issue.

She said, "I have assigned the Minister for Relief, Disaster Preparedness, and Refugees to present on my behalf". However, the Minister for Kampala Capital City Authority (KCCA) will be in, in case some questions fall under KCCA or if she feels she can add on some critical information, she will be given the opportunity. Therefore, we are proceeding very well, honourable colleagues. Honourable minister - it is one Government.

MSABER: Thank you very much, Mr Speaker. I was on the humanitarian assistance that has so far been provided. I did mention that;

- b) The Office of the Prime Minister provided relief food items, 40 tons of maize flour, 20 tons of beans, and 250 tarpaulins.
 - c) Uganda Red Cross Society provided non-food items, which include blankets, saucepans, plates, tarpaulins, and other items; energy-saving stoves, and solar lights to support the victims.
 - d) The Rt Hon. Prime Minister visited the site and provided Shs 200,000 shillings to each individual of 54 beneficiaries who are currently in emergency shelters.
 - e) The President provided Shs 5 million to each household that lost a person and Shs 1 million per injured person.
 - f) Mortuary services and care are being handled by the Government and the services are free of charge.
 - g) Owino Traders under KCCA donated food and non-food items, sacks of clothes, bags, shoes, sanitary towels, and matooke. Preventive and mitigation measures:
1. The Government is to fast-track the opening up of another landfill site in Menvu, Nansana and other areas which have been identified; this is still a process.
 2. A radius of 200 meters is to be preserved as a buffer zone to avoid the reoccurrence of the disaster as the field has already been identified as having some cracks. As a measure to avoid a similar incidence, we have gazetted an area of 200 metres.
 3. The Flattening of the garbage hill to stabilize the landfill is ongoing. As I speak to you, the engineers and a team from KCCA are already on the ground handling that.
- The short-term requirements.
1. Recovery efforts are ongoing. We are working day and night to ensure that we recover the bodies;
 2. A comprehensive assessment of persons displaced and affected is ongoing;
 3. Mapping and registration of households at risk of relocation, as per the President's directive;
 4. Coordination of Humanitarian Partner Agencies, is also ongoing; and being managed under the Office of the Prime Minister;
 5. Urgent negotiations on alternative waste disposal sites to mitigate the impending waste crisis and the proposed sites have also been identified. A team was dispatched to go and ascertain the viability of different sites that include; Menvu in Nansana, Wakiso District, the four acres that are still in Kiteezi to be utilised, Dundu, Mukono District, Nkumba, Kyengera, and Nabugabo Updeal;
 6. Provide security for the persons at the resettlement camp. The Police and the military are stationed to provide security for people who are settled in the camps.

Medium and long-term requirements

1. Hazard risk and vulnerability mapping of the Kiteezi land field and its neighbouring surroundings;
2. Relocation of mapped households at risk to safer areas;
3. Valuation and compensation of households where homes were demolished for search, rescue, and recovery operations;
4. Expedition of alternative waste collection sites and commissioning of Kiteezi land site. We had several meetings and we all agreed that we look at alternatives to decommission the Kiteezi land site.

Challenges

1. There has been a challenge on data collection because some of the people move from outside the area and they are coming in to have themselves registered among the beneficiaries. So, a team from Red Cross and Office of the Prime Minister is managing this to ascertain the right data so that we can support the right people;
2. So far unclaimed bodies at the mortuary are two, and they are all juvenile. We are waiting for their relatives to claim the bodies;
3. We have had a challenge while executing the duty because of rain and slippery terrain and that has lowered our speed;
4. Claims by persons from distant places who are unknown. These are people who are not able to identify themselves as relatives of these people. We will, therefore, have to take them through security investigations before we can ascertain the facts;
5. Blocking of garbage trucks yet Kampala generates over 2,500 tons. Mr Speaker, the community from these alternative sites - some of the leaders have been mobilising them not to accept deposits of this garbage, but we know that Kampala and everyday

homes are generating garbage and they have to be deposited so that we do not have another problem in the city;

6. Children with unknown parents were also discovered. I thank the Rt Hon. Prime Minister because she took three of them, and she is currently housing them at her residence;
7. Local leaders from other dumping sites are stopping the garbage vehicles, and this calls for political goodwill that we join hands to ensure that we do not emerge again with another challenge.

Way forward

1. Request for access to the Contingency Fund to get the required resources for the emergency response. A meeting is currently being chaired by the Rt Hon. Prime Minister together with the Minister of Finance, Planning and Economic Development, Minister of Gender, Labour and Social Development, and Minister of Works and Transport to ascertain how best we can access funds to boost the operations.
2. Reduce the fill to a manageable size and decommissioning the dump sites. As I noted earlier, the security team together with the technical people are on site to ensure that we reduce the size of the baggage so that we do not suffer a similar incident since we are still in a rainy season;
3. To procure an incinerator and adopt modern methods of garbage management;
4. Evacuate operators are working in shifts. We are looking at having shifts that are more effective, that is at least three shifts; another shift works six hours and even in the night. I thank Special Forces Command for coming in with manpower and also providing light to work at night.
5. Mr Speaker, we have 32 acres of land that have been identified at Menvu; four acres in Kiteezi, 14 in Nkumba (some of which

are not suitable) as alternative landfill sites, but they are under investigation and we will wait for a report from Kampala Capital City Authority (KCCA) because we were tasked to work together with them;

6. Privately owned sites like Kyengera and Nabugabo Updeal are also options we are looking at. Not yet conclusive, but those are discussions we are looking at.

I would like to thank the President for his intervention and for supporting the affected families with Shs 5 million and injured victims with Shs 1 million. I would also like to thank the Uganda People's Defence Forces for being on ground and supporting the work together with the Uganda Police Force and Uganda Red Cross Society.

I would like to particularly thank the local community. They came on board and were swift enough to support the action and rescue people. Also, I would like to thank the local leaders and the area Member of Parliament who was on the ground with me for all these days, including the Lord Mayor himself. I would like to thank them because we worked together and we still continue to work together.

Finally, the Government is committed and working very hard to find solutions to waste management through alternatives like modern garbage management through incineration and recycling, but also generating power out of the waste.

However, this can only be achieved when the members of the public also appreciate that garbage should not all be mixed. We do not mix broken bottles with plastics and banana peels. This is an area that we will have to look at in future in order to handle issues of garbage disposal. Thank you. *(Applause)*

THE DEPUTY SPEAKER: Thank you, honourable minister. I take it as being comprehensive enough. Minister of KCCA, you will come in later during questions or do you have something useful to add? Thank you.

The debate starts now and I will begin with the Shadow Minister of KCCA.

2.35

MR RONALD BALIMWEZO (NUP, Nakawa Division East, Kampala): Thank you, Mr Speaker, for giving me an opportunity to discuss the biggest challenge Kampala Capital City has. Kampala generates 2,500 tons of garbage every day, but only 1,200 is collected by KCCA, including a consortium of contractors that were appointed by KCCA to deal with the garbage.

Kiteezi was commissioned in 1996, and it was supposed to work for about 10 years. Unfortunately, we have had reports talking about decommissioning and we have had Asians recommending decommissioning of Kiteezi in vain.

Actually, this is not a natural disaster, but it has been induced by humans and there are very many institutions that are to blame, including Parliament and our own Budget Committee.

For the last eight years, the Committee on Presidential Affairs has recommended – I have the reports here - monies for the decommissioning of Kiteezi, but the Budget Committee, Cabinet, Executive and the President have not prioritised this – for that reason, I table the committee report on Presidential Affairs of the Financial Year 2022/2023, including the alternative. I beg to lay.

These are extracts of the report of the committee –*(Interruption)*

THE DEPUTY SPEAKER: Hon. Ssemujju, procedure –

MR SSEMUJJU: Mr Speaker, the Shadow Minister for Kampala is sharing documents that ordinarily should be in our possession, but because of the nature of the problem we are dealing with, wouldn't it be procedurally right for him to tell us what is in those documents so that it helps the debate?

THE DEPUTY SPEAKER: He referred to these documents and several reports containing recommendations that funds should be provided for decommissioning. At least we know what is in the reports. A neighbour may inform Hon. Ssemujju. *(Laughter)*

MR BALIMWEZO: Mr Speaker, it is because you told me not to read the statement.

THE DEPUTY SPEAKER: Honourable, you are debating.

MR BALIMWEZO: Yes, I am debating. You told me not to read my statement. They have always recommended a range of Shs 30 to Shs 60 billion for both decommissioning and starting the Dundu site despite the fact that it is unsustainable according to us. It is 45 kilometres from the City Centre and ferrying garbage from Kampala to Dundu will not be viable. Therefore, we need a more sustainable approach.

80 per cent of the garbage that we generate in the City is biodegradable. Considering that Uganda is an agricultural country, there is a need to manufacture manure from this resource because garbage is garbage when it has no further use.

It can be a very good resource and that is one of the ways. That which cannot be recycled and converted can be burnt and we get energy for fuel.

Mr Speaker, when you talk about how Kampala Capital City Authority (KCCA) has been funded. In 2011, KCCA was given Shs 3.1 billion for managing Kiteezi, they have never increased that money but has been reduced.

Where fuel has increased, you cannot fail to increase the budget for running Kiteezi, the only facility we have as a dump site. By the way, it does not qualify to be a landfill.

Therefore, as I conclude, it is important that the people around Kiteezi—they own the land and it is within the Constitution of the Republic of Uganda under Article 26(1) that the people

have a right to own property. The Government cannot come all of a sudden and say: “We are telling you to go away” without even a clear resettlement plan.

As we discuss, let the Government make a conclusive plan to resettle our people and perhaps compensate them because the money is there. The money that we have been giving to the sugar factories, ROKO, and the money that we are going to use for the regional Parliaments can for starters resettle our people. We can postpone the regional Parliaments.

Mr Speaker- *(Member timed out.)*

THE DEPUTY SPEAKER: Thank you, Hon. Balimwezo. Let us give your colleagues also a chance. I would like to know if the area Member for Kiteezi is there. Yes, Hon. Nkunyingi Muwada –

2.43

MR MUWADA NKUNYINGI (NUP, Kyadondo County East, Wakiso): Thank you, Mr Speaker. It is saddening – I would like to confirm that Kiteezi is a parish under Kasangati Town Council, Kyadondo East Constituency.

The affected villages of Lusanja, Kitetika, and Masooli Parish existed way back by the time the landfill was commissioned or gazetted in 1996 and the people had their own land. It is the landfill that found the people and not the people settling near the landfill.

Just as soon as we joined this Parliament in September 2021, I petitioned Parliament and the Government on this Floor and informed the House about the worsening state and condition of the landfill.

A few days later, I went to the landfill with the Minister of State for Kampala and Metropolitan Areas and the Deputy Executive Director for Kampala; water flowing from the landfill had eroded people's houses.

Part of our demands was for Kampala Capital City Authority (KCCA) to station standby

engineers and on-site engineers to avert flooding, maintain the landfill, and regularly caution or alert the neighbours in the event of any risk.

Unfortunately, on Saturday, with no alert or proof of a standby KCCA engineer or technical person - it is reported and narrated by the witnesses, not the media that a blast blew up sand and garbage in the air with smoke, it came down and covered people's houses. That was the narrative from the residents.

They further allege that for months they saw Chinese contractors installing pipes in the heap of garbage because there were two heaps. There is a new heap and the old heap.

In the old heap is where the Chinese allegedly installed pipes. When the locals questioned these Chinese, they briefed them that they were extracting gas.

KCCA must come out openly - what were the Chinese doing? We do not want to imagine and assume that it was a mere slide by the landfill.

There is a likelihood that it was either an accident or intentional negligence by either the Chinese or KCCA. Even if it was the contractors, it was in full knowledge of KCCA. No one has mentioned that, not even in the Prime Minister's statement.

Equally, when this tragedy happened, Mr Speaker, I beg for your indulgence because I am the area Member of Parliament. I am sorry for taking long, much as all of you have issues to add.

Honourable colleagues, when this tragedy fell, it is the locals who did the first and initial rescue, using hands, hoes, pangas and we equally provided them with gloves.

The people reported to have been retrieved alive were retrieved by the locals, not the Government, KCCA or even the police.

The police came with hundreds of servicemen, some in uniform, some in none-uniform; I was

there with the minister for disaster – the police and some servicemen in plain clothes tried to stop me from accessing. Of course, they had prior knowledge that we wanted to find out what the Chinese were doing. We wanted to dig out and identify the positions that had been reported by the locals.

As we speak now, Mr Speaker, part of the complaints we have on the ground – true, there are so many agencies on the ground and we have held meetings, both with the minister, the Prime Minister and so many other agencies. However, one of the concerns that has remained a constant is that the rescue operations are only done during the day. From Saturday – it is even saddening that people had to die. They were buried beyond the garbage. Kampala Capital City Authority (KCCA) and the Government could not proceed with the rescue efforts overnight.

I was there at midnight. People were still crying under the garbage. In the first rescue efforts, people were following up those who were knocking up and they were digging up those particular spots. The police and the militants chased us away – and I have been telling them and the minister to allow these locals to point at their houses. Maybe when you dig there, you can save some remaining lives. It has not happened, Mr Speaker. These are also human.

What we had is a purported condolence message from Mr Museveni, alleging that these are encroachers near the landfill. These are lawful owners, with land titles. The majority are owners of *mailo* land and some are *bibanja* owners.

It is very saddening to find your people being branded as encroachers after being killed by the State. Who was in charge of the landfill? Under which law do neighbours owe a duty to protect themselves against the actions of a neighbour?

Mr Speaker -

THE DEPUTY SPEAKER: Order, honourable colleagues. Let the area Member

of Parliament – I know emotions can run high on some of these situations, but let us listen. Honourable member, you can try to conclude.

MR MUWADA: Mr Speaker, our immediate prayer is for the Government to initiate rescue efforts day and night, because these are lives. We do not want to say we have lost all the hope. Much as our hope has reduced, at least, rescue efforts can go on day and night.

On Saturday, the minister was there together with KCCA and other agencies. They promised to commence the rescue efforts overnight. They also pledged to offer light. I heard the minister thanking KCCA. They brought trucks for light. When I went to the site around midnight, the generator for the light was not functional and neither was anyone on standby to even operate the machines.

We are demanding that this rescue effort be done day and night. Equally, for a number of our people who were injured during this crisis, we heard of condolences and support of Shs 200,000 and, now, Shs 1 million. In this country, where can you get medication at Shs 1 million? Let us talk about treating our people fully. *(Applause)*

Equally, when it comes to resettlement – it is true that there are some few houses which are closer to the landfill and, indeed, they are at risk. However, we are saying that as we discuss the question of resettling them in the tent, our people who had their own houses and land will not be resettled in the tents for the rest of their lives. We want a comprehensive approach that will talk about how you compensate these people and where they are going. They cannot be taken to stay in the tents forever. Some of these are people with families.

Equally, for those in the tents – the tragedy befell them on Saturday. The whole of Saturday they had promised, with the Red Cross and others, to put up a tent. However, Mr Speaker, the tent was placed in the night. Most of the victims had to seek shelter from neighbours. I was there overnight. Even when the tent was raised, the minister for disaster had promised that they were going to offer beddings and other

items, but some of them were only delivered yesterday. Where is the preparedness of the Government? These are lives! That is why the minister is mentioning a small number. People do not see hope in going to that would-be tent. They do not see any hope because by Saturday, even when they raised the tents, there was nothing inside.

Even the portable toilets came seven hours later. Where is the preparedness and urgency in rescuing and supporting these people?

Mr Speaker, as I conclude, when it comes to the rescue efforts, part of the concerns of the locals – the security organs brought in their own people in plain clothes. Those same people working with security blocked the rightful residents, including myself as the area MP, initially, until the intervention of the minister and the IGP.

We are telling them that we are the people who know. Indeed, the Prime Minister was embarrassed on the ground when she inquired from one of the people walking with the police and that person could not identify the relative he was looking for. There is a possibility that there are some people who were planted to own bodies not belonging to them. We want to understand what is being done at the mortuary to ensure that the bodies are handed to their rightful relatives.

Even for those who are right – I interacted with one family, which claimed that they were being charged to retrieve a body from City Mortuary. I brought it to the attention of the minister for Kampala and the Prime Minister. We need a clear position and commitment that these people are going to be supported, compensated, and made to get the bodies for free. It is KCCA's and the Government's responsibility. The Government must come out openly, own up this saga, and make a promise to fully compensate these people.

As I conclude, Mr Speaker -

THE DEPUTY SPEAKER: Honourable member, conclude this time.

MR MUWADA: We are very sad as the people of Kyadondo East, Kiteezi and Lusanja, but I would like to bring it to your attention, Mr Speaker and honourable colleagues, that a number of these victims are from your areas. Actually, when I was on ground overnight, I saw a family of 20 stranded outside. I got interested and inquired and they told me that they had travelled from Mbale. Another family had travelled from Gulu. These people were saying that their family members were still missing, buried in the sand.

When the Prime Minister visited Lusanja yesterday, I brought it to their attention that some of these families are not from here, but have come to identify the bodies of their people. The rescue exercise has been delayed: how do we support them? The Prime Minister said we cannot support them. These are your people. They are there waiting for the bodies of their relatives. They travelled from your areas.

I pleaded with the Prime Minister to allow some of these people. I said that they can screen and allow them to shelter in the tent because they were staying outside. When you see them, you may think they are residents of our area, but they travelled from your own areas. When I brought it to the attention of the Prime Minister -

THE DEPUTY SPEAKER: Hon. Muwada, I know it is very emotional, but conclude. Please, use one minute and conclude.

MR MUWADA: My prayer and request is that even these people who travelled from distant areas must be supported. The Prime Minister and the ministers rejected that proposal. I am bringing it to your attention because they travelled from your areas. Who is going to support them? They are staying outside because the rescue effort is ongoing. They have not received the bodies of their relatives. What should they do?

Lastly, the locals requested to be allowed to identify the location of their own houses. Much as they were chased away from the landfill, they are saying they know the exact location

of their houses. They wanted to support the police.

We requested that they should at least identify one family member at a go and they take that member down to identify the location of their house because these excavators are going step-by-step, and they may take months to reach.

There are some Kampala Capital City Authority (KCCA) workers who were trapped in a KCCA small truck. They are still under the garbage but KCCA has not spoken about it. There were some KCCA workers who were operating a smaller machine and they were also covered. The distance from where the excavators have reached to where they are, is still far. The coverage is not even a quarter, so far.

We must make all efforts and advocate for the rescue to be sped up, and support the people. It is very saddening, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Hon. Muwada, we join you and the rest of the community to pray for the souls of our colleagues, and whatever can be done to support the rescue efforts; even those who are risking their lives to carry out the rescue. As you have said, any time, it can also fall on them. We need to give more support to those who are carrying out the rescue and everyone who can make a contribution.

Honourable colleagues, from the submission of Hon. Muwada and the Shadow Minister of Kampala Capital City Authority, I request for quick responses because some of the issues do not need to get lost in the major issues. [*Hon Abdallah rose*]

Hon. Abdallah Kiwanuka, I know that it is in your area where they are planning to take it, so I will give you a chance. However, let me first ask the Minister of Kampala Capital City and Metropolitan Affairs because some of the allegations made need to be cleared on the spot and then the disaster minister will come in.

3.00

THE MINISTER OF KAMPALA CAPITAL CITY AND METROPOLITAN AFFAIRS

(Ms Minsa Kabanda): Thank you very much, Mr Speaker. The Minister of Kampala Capital City and Metropolitan Affairs in 2018, reported to the Government that Kiteezi Landfill had reached its capacity. There was a need to decommission it at the time. Unfortunately, there were no resources allocated towards this activity.

However, KCCA went ahead to identify and procure land in Dundu. The Kiteezi Landfill is used by Mukono, Kampala and Wakiso districts, and some other areas. Since Kiteezi is located in Wakiso District, they share the landfill.

Going forward, the Prime Minister talked about compensation for those people but this is still an emergency so we cannot talk about compensation when we still have bodies down there. We still have to register all those people who are there. That is why I requested Uganda Bureau of Statistics (UBOS) to come on board and assist us; tell us how many people were there and how many we should expect. This is because right from Saturday, they were telling us a thousand people, two thousand people, yet that is a small area. We do not know how many people were affected.

The area MP has said that there was no person from KCCA for maintenance. However, as you are winding up, you said that the KCCA truck was also down there. That means that statement cannot be true. There was a maintenance truck that was on board and it was affected. We have not talked about it because it is still down there. When we count, we should say, the vehicle, and the KCCA people are still down there *-(Interjections) - Yes.*

About the Chinese who are on site, Mr Speaker, I have not seen any, and I cannot comment on that. Those are just allegations. We do not have any investors around there. There is no Chinese on site. *(Interruption)*

MR MUWADA: Information. I got confirmation from the –

THE DEPUTY SPEAKER: Honourable colleague, to give information, you are first allowed. Do not just grab the microphone. I know it is a sad moment for your area, but we must follow rules even in such moments. Honourable minister-

MS MINSABANDA: Mr Speaker, KCCA submitted a request for funding, starting with the ministerial policy statements in 2018, 2019, and 2020. Since then, the requests have been submitted every financial year. In 2021, 2022, 2023, and 2024, I came up with a policy statement but nothing was done. We were referred back as unfunded priorities.

The Parliament committee recommended that an allocation of Shs 20 billion be extended to KCCA in the 2019/2020 Budget to enable the authority commence on the proposed interventions, and that the funding gap be spread over the multiple financial years. However, this remained an unfunded priority. Mr Speaker, at one point, we even visited Kiteezi Landfill with Members of Parliament and we thought that since they had seen the problems, they were going to assist us with the budget. However, up to this time, nothing has been done.

Our prayer is –

THE DEPUTY SPEAKER: Honourable minister, you do not have prayers. From whom? Is it from your own Government? You are the Government! We need answers. We do not need prayers from you.

MS MINSABANDA: Mr Speaker, as KCCA, we have done a lot. We have talked to the investors who are willing to assist us.

The first thing is when we could not decommission this land, we looked for investors and we have two who are willing to work with us. It is just that the tariffs were a bit high and if we work as Parliament and Cabinet, we can come up with a resolution. Otherwise, we are

not just seated. We have been working on this issue. We have known about this issue since 2018 and it has been ongoing. It is Parliament and the Cabinet to start working on that issue.

Mr Speaker, we are sorry for what took place on Saturday. We are going to work hand-in-hand with everybody to see that at least something is done.

THE DEPUTY SPEAKER: Thank you, honourable minister. Minister for disaster preparedness -

MSABER: Thank you very much, Mr Speaker. First of all, I want to respond to some issues raised. When we were on the ground with the Member of Parliament - when I arrived and I found the Member of Parliament being stopped, I intervened and inquired from the security; they told me that they did not want the huge team the Member of Parliament was moving with to access the areas which was dangerous because those people would also be at risk. That is why they stopped him. Later on, when he talked to his team, they stayed back, he came on board and we continued working together.

Mr Speaker, issues of disaster require emergency response. Sometimes when something has just happened - that is why I did mention that I thank the locals in that area. They were swift to respond. On the side of the Government, we had to assemble a team, because the disaster minister does not respond alone. The Ministry of Works and Transport, Uganda People's Defence Forces (UPDF), and the rest came on board. That is how we were able to execute what we did.

The tent that was temporarily provided is to shelter to those whose homes were affected and did not have where to go. We realised that it was very important for food to be provided to them immediately and Mr Speaker, I delivered food that very day.

The non-food items that the Member of Parliament talked about could not be distributed immediately because we needed to

mobilise people to come to pass information to them. When I held a meeting with the local leaders, I requested them to give directions to the people, and to let them know that there was a tent provided for them. They rolled on and continued mobilising. People kept on coming.

Today, as I speak, we have 85 people in the tent and the number still continues to increase. We are going to continue providing them with food and all the necessary requirements.

As the Government looks into the details of the compensation, how it will be done, work on the list because these are things you cannot rush into doing because you need clear data on those who are affected.

Mr Speaker, Shs 100,000 being charged at the mortuary is not true. When I got this information, I got in touch with the officer at the Ministry of Health, and he said if anybody is asking for money, it could be commensurate. I shared the contact of the person at the mortuary with the local leaders and told them if anybody asks for money, they should let me know. If there is anyone who has been asked for money, I request that you give the details and that money will be refunded.

Finally, I just want to make this clear; that as we speak now, the Prime Minister is chairing a meeting on how we can handle issues of compensation and the welfare of our people who are affected.

I would like to conclude by asserting that the Government, under the Office of the Prime Minister, is still committed to doing everything it takes so that our people who are affected in Kiteezi are supported amicably. I thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Songa? Honourable colleagues, in the public gallery this afternoon, we have a delegation from the Uganda Alcohol Industry Association. They include:

1. Ms Jackie Takahakanizibwa - Chairperson;
2. Ms Prudence Ukkonika - CEO of Bella Wine and a member;

3. Mr Wilson Manashimwe - member; and
4. Ms Belinda Katuramu - member.

They are here to listen to the debate and second reading of the Alcohol Drinks Control Bill, 2023. Please join me once again in welcoming them. Thank you.

3.10

MR LAWRENCE SONGA (NRM, Ora County, Zombo): Thank you, Mr Speaker. It is now very clear that waste management in Uganda is a big challenge. It has an impact on the economy, security, the health of the people and well-being.

My Committee on Climate Change had a long meeting with Kampala Capital City Authority (KCCA) over this Kiteezi Landfill, to the extent that we even went to the field with them. Our advice was very clear to them that they needed to fast-track the decommissioning of Kiteezi Landfill. It is very unfortunate that up to now it has not taken place.

However, I must assure you that Uganda is losing a lot of money due to waste-related issues; about a trillion shillings annually. What we have in Kiteezi is not a landfill but a dumping site. I do not see any landfill in Uganda. A landfill must have full landfill engineering technology, which we are not doing.

The amount of waste can be turned into wealth. We have methane there, which can be tapped and used. We have so many other gases that can be tapped and used. We even recommended that investors should be encouraged to come and tap that waste, so that, we can use that money to turn that waste into energy. This is what we agreed as a country but the speed at which these things are taking place is so slow.

Secondly, there are a number of projects, including those from the World Bank, which were implemented for waste management in Kampala by KCCA. If you track those projects, you are likely to see that the monies were not well spent on waste management in Kampala. That is why we are suffering the impact of waste management in Kampala today.

This is an early warning and a learning point to us because these wastes are already blocking our channels, causing a lot of floods and health-related issues. Another early warning, which I must give, as I present on this Kiteezi Landfill, is the wetlands in Luzira and Port Bell. Should you remove that wetland in Luzira and Port Bell, you will see the waters of Lake Victoria coming to Kampala. One day you will see all these hills in the island.

I want to give this early warning the same way we gave an early warning on Kiteezi Landfill. Honourable members, my prayer is that we must fast track the alternative land which must have a fully-fledged landfill engineering. Although landfills are outdated, in Africa, we can still use them, if it is with the engineering. Then the materials, such as methane and carbon dioxide can be turned from waste into energy. The Kiteezi Landfill can generate about 6.5 megawatts of electricity; that is the same size as the Nyagak III Hydro Power Project.

It brings me to the issue of corruption. Many investors are coming to the Ministry of Energy and Mineral Development. They want to turn waste into energy but when they give the cost of doing that business, some people want that figure inflated. That should stop if we really want to manage this economy. I thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Kajwengye, Hon. Teira and Hon. Abdallah Kiwanuka.

3.15

MR WILSON KAJWENGYE (NRM, Nyabushozi County, Kiruhura): Thank you, Mr Speaker. I have listened to the Minister of State for Disaster Preparedness and I have also listened to colleagues. Truly, this is a disaster.

My question to the minister and the Minister for Kampala Capital City Authority - I have not heard the two statements address us on policy anywhere. Where is our policy on waste management and disposal? Honourable minister, it is not only Kampala. There is a "Kiteezi" waiting to happen in every other city around this country, in every other municipality,

trading centre and town council. Where is our policy in as far as waste management is concerned? If we cannot manage Kiteezi, which is a national centre for disposal, then how ready are we to manage other Kiteezis in other areas?

This policy would now point us to planning, budgeting, and adoption of modern waste management and disposal. I have seen this because when it rains in Uganda, waste is just dumped; it is not inside, it is carried away. We end up inhaling and drinking this dirty water. Therefore, the disaster management policy must be highlighted here. This is what we should be demanding for, and not budget - because the budget must point to a policy, a plan, and a strategy that we must fund.

Incineration - our town councils - majority of the waste that we have in Kampala is actually transported from upcountry. Why should we bring in agricultural things such as peels to Kampala? If that policy was there, that would be managed at source.

I would like the two ministers to address this House on the policy formulation and disposal. I thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Teira.

3.17

MR JOHN TEIRA (NRM, Bugabula County North, Kamuli): Thank you, Mr Speaker. On three separate occasions, we presented potential investors who were willing to turn the Kiteezi site into energy, which was going at less than half of what Bujagali is selling to the national grid. We were directed to do feasibility studies and in every presentation, KCCA has deliberately thrown away these people -

THE DEPUTY SPEAKER: Who is that one? You are saying, "We were." Is it you, Hon. Teira, or a company you are associated with?

MR TEIRA: Mr Speaker, I am a legal service provider in this country. We have formally presented these people to KCCA but they have

continuously rejected anybody who comes in to develop Kiteezi. I do not know what the intention and motivation are but this should be clearly put in the open since there have been several people who have wanted to develop that area. However, they have been frustrated by KCCA up to today.

Mr Speaker, can we have a clarification on whether they want those investors or not?

THE DEPUTY SPEAKER: Thank you. Hon. Abdallah, Hon. Christine, Hon. Amero.

3.18

MR ABDALLAH KIWANUKA (NUP, Mukono County North, Mukono): Thank you, Mr Speaker. I concur with the submission of my colleague, Hon. Teira -

THE DEPUTY SPEAKER: There is a procedural matter from Hon. Enos. Hon. Abdallah, take your seat because there is a procedural matter.

MR ENOS ASIMWE: Thank you, Mr Speaker. You guided earlier on that we should look at how to resolve the matter and not play the blame game because at this point we need to find solutions. However, looking at the debate, it is taking a direction of what happened, and what was not done right.

Are we proceeding right, Mr Speaker, to keep debating on what went wrong and we do not find solutions? I want to support my honourable colleague from that area. She made a precise and well-articulated statement with all the details that we want to know about this.

I think it would be prudent for us to allow the Government to give us answers to that or find solutions that can put this matter to rest for now instead of blaming each other. Can we also push the ministry or the Government to give us a detailed investigative report on who went wrong, who never did what, and then possibly debate that instead of apportioning blame without having precise answers? I seek your guidance, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I know that even if you were in my position - this is a very delicate situation where emotions are high. However, what Hon. Enos is raising is simple; that we should debate while contributing to how we can handle the emergency for now.

I know this issue requires extensive investigations. You have heard the issues raised by Hon. Muwada. You can either take them at face value or dismiss those issues raised by the community, but they need to be investigated.

Honourable colleagues, for now, can our debate help guide us as far as handling the emergency is concerned. Then, at the end, I will guide you on what we are going to do?

Hon. Abdallah Kiwanuka?

MR ABDALLAH KIWANUKA: Thank you, Mr Speaker. I represent Mukono North which is 22 kilometres from Kampala via Gayaza Road, when you take that route. The immediate parish is Dundu which borders Mukono and Kira Municipality; it is densely populated. Ten years back KCCA purchased this land, but it very well knew that the area had people.

However, they were never notified about their intention to use their land. It was gazetted as a purely residential area and we are imagining shifting disaster from Kampala to our area.

We do not know how the Government does its work, but a few weeks back, we were here debating about the possible eviction that happened in Lubigi. Now here is a catastrophic eviction that is happening at Kiteezi.

The way forward, honourable minister - Dundu is purely gazetted by Mukono District as a residential area. We are ready to accommodate those people. Shift them to Dundu and retain the land; shift all the machines to Kiteezi, other than shifting the problems. As you are cleaning Kampala, you are making Mukono dirty. We cannot contemplate it and we are not ready to receive and accept your garbage and waste. That is the position of Mukono.

It is very unfortunate, Mr Speaker, that we tried several times to engage the minister and the Directors at KCCA - several people, as Hon. Teira has stated, are ready to invest in waste management. They are approaching us but the investment that the Government is willing to accept - for example, in power, the tariff is \$0.05.

Honourable colleagues, you are well aware that Kakira contributes to the national grid at \$0.08. Recently, Karuma was contributing 18 cents. Why is there frustration with this investment at \$0.05? You can easily know that-

THE DEPUTY SPEAKER: Karuma at 18 cents? I think you need to get your facts right.

MR ABDALLAH KIWANUKA: I will cross check that -

THE DEPUTY SPEAKER: Karuma should not be more than \$0.05 per kWh; \$4.7 per kWh, not 18.

MR ABDALLAH KIWANUKA: Thank you, Mr Speaker, for that correction. As a way forward, we have already proposed the compensation mode to shift these people to Dundu land, which is purely gazetted as residential land, and also to do a survey with Singapore.

A few years back, we were ahead of Singapore. We can take a field visit to Singapore or even Rwanda and see how they have managed waste management. Some people here hate to compare us with Rwanda but please accept to learn a few lessons from Rwanda on how they have managed their waste. We do not even need big land. You can do that management at 10 acres, for even a big city like Kampala. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Hon. Christine?

3.26

MS CHRISTINE KAYA (NUP, Woman Representative, Kiboga): Thank you, Mr Speaker. It is unfortunate that we lost all those

people. This is a human-induced disaster or landslide.

I would like to report to the House that we have the healthcare waste management guidelines, the e-waste management guidelines, the sector strategy for organic waste management guidelines, and the WASH guidelines. The only challenge is the enforcement of these guidelines.

Mr Speaker, NEMA, in 2020, reminded KCCA that they had refused to renew the licensing of the activity by 2013. They also reminded them not to allow further garbage disposal because the leakage treatment plant was not fully operational at that place. The effluent discharged was going directly to the water streams, and then there was no regular monitoring of effluent and the receiving environment.

By 2013, the contractors were not licensed to continue using the landfill. NEMA does not have enough money to enforce, but the environmental and impact assessments of these contractors pledged that they would fulfil some of the requirements using their money.

We are wondering if they did not use the money to fulfil the requirements - I do not believe in blame games, but there must be some people responsible for compensating for the loss and losing some of their money, jobs and their contracts. Some responsible institutions have to report back to us.

Mr Speaker, Kiteezi, with its standard, is not a landfill. I have shared the National Environment Management Authority's regulations on landfills on your WhatsApp numbers. Actually, in Uganda, we do not have appropriate landfills. Let us use this scenario to check ourselves and the local governments, because this is an eye-opener. We do not need to lose more people.

We are supposed to adopt some preventive mechanisms; waste collection at source. All of us must go and sensitise our people on the need for us to collect garbage while separating it.

We cannot look at these technologies that our colleagues are proposing when we still have the catchment of waste in totality. Plastics must be different from the organic wastes.

However, when you went to Kiteezi Landfill, they told me that those Chinese were collecting *Buvera*. That is why Kampala Capital City Authority does not – they were collecting plastics like any other company. Therefore, it is very important at the moment to look at the budget so far for the enforcement of these provisions, especially for NEMA and KCCA.

Whenever NEMA would remind KCCA, they would respond that there were no funds. So, we are supposed to take waste management a priority for the city. Likewise, on the issue of sewage management, we always talk about National Water and Sewage Cooperation, but most of our emphasis has been on water and little on sewage. These are national issues and as climate change activists, we cannot leave our community to be exposed to methane to this level.

The eruptions were underneath, what would happen if the eruptions were in the atmosphere? Members, this is a challenge to all of us. Let us task all our institutions to be responsible and our practices from the household levels as the source of garbage to be cognisant of waste management. I thank you. *(Applause)*

THE DEPUTY SPEAKER: Hon. Amero and Hon. Mpenduzi –

3.30

MS SUSAN AMERO (Independent, Woman Representative, Amuria): Thank you, Mr Speaker. I condole with the families that have lost their people. I thank the Member of Parliament for standing with his people and the Government on the other side for the efforts which have been put in place.

However, I have some questions to ask. While in this House, a colleague said that Parliament has not given enough attention, but we gave money to KCCA to purchase Dundu land. What are our priorities in this country?

Do we have to buy land before we do a feasibility study to see that what we intend to establish in that place can stand the test of time? The 134 acres in Dundu has been idle for all these years I have been in this House. Now, we have the Kiteezi problem which they had promised - they were pushing the committee to give the money and we worked very hard to get the money so that we buy Dundu land. What are our priorities? Has the National Planning Authority failed in this regard?

Mr Speaker, if the Government would do the right thing at the right time, we would be very far. We have the best laws in this country but the implementations have failed due to corruption. I request that KCCA be held accountable; they should come and account to this House where they put the money they received from Parliament. We cannot take part of this blame, to say that the House did not give the money. Now, we considered it as a good idea; we visited Kiteezi and Dundu where the land is. What has happened? We took there the graders so what happened that they did not decommission and start using the other land?

Mr Speaker, there is a challenge and if we are fighting corruption, we should not fight it haphazardly. Let us fight it from the root. This business of apportioning blame cannot work here. We need to learn to put our priorities the right way.

A priority is put as “unfunded priority” and what is useless is where we put money which does not benefit the local people. *(Applause)* It is very painful because you do not know where these people who have died come from. Some of them are from our places but even if they were not from our places, they are human beings who are entitled to life. What were we doing to decommission this place?

I beg that KCCA be investigated and they should thoroughly declare where they put the money because we bought that land at a higher price than expected. I beg to submit.

THE DEPUTY SPEAKER: Hon. Mapenduzi and Hon. Atukwasa –

3.33

MR OJARA MAPENDUZI (Independent, Bardege-Layibi Division, Gulu City): Thank you, Mr Speaker. I thank the minister of state in charge of disaster for giving us the report which showed that there were steps being taken. I condole with the families and the country at large.

This unfortunate occurrence should help us as a country to broaden our perspective. Just like it has been stated, I have been to many districts and local governments, and the problem of waste management is real across the country.

I will give an example of Gulu City where local governments are struggling and are not even able to manage waste. Sometimes, when you approach them, they tell you, “We do not have resources.” Even when they have planned and budgeted for it, it is extremely difficult for them to get the resources because of what we have in the law.

The resources generated are sent to the Centre and getting it back is a struggle. We need to deal with that. However, the other problem is the question of how we look at the issue of health and safety.

I believe that before such a facility is established, there could have been an environmental and social impact assessment carried out. I will give you another example. There are many projects across the country where people’s lives have to be protected but because there is laxity and people do not take their work seriously, we continue to lose lives.

Recently, in Gulu, a barrow pit that was dug by some Chinese company, even after carrying out an environmental and social impact assessment, they were supposed to restore it. You find these pits not restored. There is a problem across the country.

I think that as we look at solving this problem, we need to hold the people responsible accountable. By now, some people should be in jail and others should have lost their jobs. For how long shall we continue to lose lives as

a result of negligence and the failure to do what we are charged to do?

This is a sad situation, but it should help us to reflect deeply and begin to take our jobs seriously. Thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Rita or Hon. Okwalinga –

3.36

MS RITA ATUKWASA (Independent, Woman Representative, Mbarara City): Thank you, Mr Speaker. It is very clear to us that today it is me and tomorrow is someone else. In my language, I can loosely translate to say that when a stick beats your co-wife, you are supposed to burn it into ashes because you could be the next target.

One of the things that has missed from the minister's statement is the nature of the emergency of the state of the road to Kiteezi. I am even wondering how they got there to rescue the people. The road is in such a terrible state that it is an emergency itself. For over seven years, those garbage trucks go throwing garbage and now they have diverted and pass through Kyanja spreading the methane and all the dirt. Honourable minister, with due respect to the work you have done, that is one thing you have missed and you ought to track it.

Secondly, I think we all need to be true to ourselves. For instance, you pass the city and KCCA has just had a project where they are putting little bins alongside the road. It is a shame how money can be wasted.

The basics of waste management - if it cannot come from KCCA, then you wonder who will follow. It is very clear and my sister, Hon. Christine Kaaya, has said the same; you should set up a learning example by putting bins that separate garbage into different categories. However, if you cannot do that, which other Ugandans will do it in their home?

My question is, after all the cries- Kiteezi has been on the red flag. I have lived along that road for as many years as possible but you still

fail the Government and make us look bad; you should be held accountable. *(Applause)*

As I conclude, I said that we should “burn this stick” right here- in Mbarara City now, we are in disarray. People have chased us from the Kenkombe dumping site, including where we bury people.

If Kampala that is an attraction at an international level - what will happen to us; Mbarara, Lira and Nakasongola which is yearning to have a city? I think every coin must be accounted for.

I have no kind words for the Kampala Capital City Authority (KCCA); we need to see you act. People have died- we need an action plan. If we can have Kira Motors produce a bus in this country, why can't we manage our waste?

Unfortunately, we are no longer going to be killed by natural disasters; we are now going to be killed by man-made degradation of our motherland. When mother earth cries, it is unstoppable.

I implore you to save us from coming here again. The Government should produce an action that translates into a budget. At least, we have one plant that can process our waste - and we are losing job opportunities for young people. Thank you for the opportunity.

3.39

MR SIMON OPOLOT (NRM, Kanyum County, Kumi): Thank you, Mr Speaker, for this opportunity. Whereas, I thank the President for the assistance that he has at least given to the families and to those that have lost their loved ones, there is one thing that the minister highlighted; that they were unable to identify some of the dead bodies.

I would like to find out from the honourable minister whether they have any plan to conduct a Deoxyribonucleic Acid (DNA) test on some of those bodies because you may find that those who died could be the owners of those children who also died.

Secondly, whereas we are discussing the issue of garbage, there is also an impending disaster

in sewage management. You will discover that many of our homes, if not all of them, have septic tanks.

In modern states, there is a better way of doing it and I implore the House to see how they can - as the minister reports here with a comprehensive report, they should also be addressing the issue of sewage management.

Lastly, I am aware that these companies that are involved in collecting garbage from our homes do charge a fee but I do not know whether there is any arrangement for the Government to take advantage of that money collected and use it for managing the waste somewhere.

They are charging us and the Government is providing land for them to dump this waste, but I do not know where the linkage is. Is it just an issue of annual payments or what? Thank you.

3.42

MR MILTON MUWUMA (NRM, Kigulu County South, Iganga): Thank you, Mr Speaker. Condolences to the affected families. After attending the National Youth Day celebrations in Soroti yesterday, I travelled to Iganga to join a family that lost one of their loved one in the Kiteezi incident.

I have attentively listened to the Minister for Disaster Preparedness and Refugees on the support that was given. As I was in Soroti, I kept receiving calls from that family asking for support on how to see off the young man, Kayeyera Emmanuel, who died in Kiteezi and was buried yesterday.

When I hear that our good President released Shs 5 million in support, it is perturbing. I want the minister to clarify who received this money because even now the family is still asking if there is any support; there was no message from the Government.

We have Resident District Commissioners (RDCs) all over the country. If at all we are burying people who have died under such situations, can we dispatch teams or call RDCs in our respective districts asking them to relay

the Government's message such that you are seen to be touched and concerned about these lives?

I specifically seek clarification on who received this Shs 5 million for Mr Kayeyera because they just asked for the particulars of that person before the body was taken; they were provided and that was the end of everything.

Therefore, when they said that they gave the family Shs 5 million, the family is lamenting that no support was given. I need that record cleared on the *Hansard*. Thank you.

3.44

MR IBRAHIM SSEMUJJU (FDC, Kira Municipality, Wakiso): Thank you, Mr Speaker. First, I sympathise with the colleagues who accept being appointed as ministers. (*Laughter*) Why do I sympathise? When you asked the Minister for Kampala Capital City and Metropolitan Affairs to respond, she was crying like any other Member of this Parliament.

She said, "We did this and this." I do not know why you accept to be ministers in a Government like this. (*Laughter*) I am saying this deliberately because I have seen the Vice President and the Prime Minister here after their appointment going to Gulu to thank Gen. Saleh.

You have all contributed to creating this disaster of one man making every decision. That is why all the Cabinet here is crying. Why don't you convene a Cabinet meeting and make a decision? You come to Parliament to cry? What do you want us to do? (*Laughter*)

Mr Speaker, Kiteezi was one of the villages I represented in the Ninth Parliament. The solution cannot be transferring that particular problem to Mukono, like my colleague, Hon. Abdallah Kiwanuka, has said.

The people who lived in Kiteezi even before the death - because the waste you put there is not processed, it has attracted all the dogs and flies in the world.

The trucks that carry garbage from Kampala are may be supposed to be carrying firewood but they go dropping garbage from every point.

Hon. Abdallah Kiwanuka said that he does not want garbage taken, but they will pass through my constituency; we will also stop you because we do not want to be turned into another site.

By the time these trucks reach Kiteezi, they have dropped 10 per cent of the garbage along the way. *(Laughter)* That is why that whole area smells. The road from Gayaza goes through my constituency to Mukono North. Please find another way; maybe you can ask the President to offer his chopper because we will not allow you to use our villages on your way to Mukono.

I have visited two sites of the National Water and Sewerage Corporation. They process and turn faeces into fertiliser. What stops you from acquiring equipment to process this garbage that you go and deposit there? That is all that you are doing.

Mr Speaker, finally, this disaster that Hon. Muwada has reported here, even when I was the MP for the whole area before it was subdivided, I came here and cried. The World Bank, as early *–(Interjections)–* yeah, for us, we can only cry; we are not in the Government. I am only surprised that even the Government people cry. *(Laughter)* It is understandable. Hon. Muwada can cry, but when the minister for Kampala joins him in crying, then you wonder who is in charge.

So, the World Bank that sponsored that dump site recommended in a report written more than five years ago that, please, decommission. The minister says, “We have also been saying the same thing”. I do not know where we should go.

The point I am making, finally, Mr Speaker, is that, first, I do not think it makes sense to transport garbage from Kyengera, Entebbe – from everywhere – and move in one direction. We need to start – because we do not have a landfill. My proposal would be to spread them – to decentralise this service – such that

people on Masaka Road can find a place there and people on Mityana Road can also find a place there. Otherwise, this disaster has killed people, but you do not know how many people are now diseased as a result of the dropping of garbage from almost every point from Kampala to Kiteezi.

We may not have done research – maybe that needs to be done. I should have appealed to the Government to do something, but I do not know who I should ask there because they are also crying. *(Laughter)* Maybe, Mr Speaker, you will be the one to go and speak to the one person who runs this country, on our behalf. It is not only garbage, but everything. This is because once it comes to the time for decommissioning and you do not decommission, it becomes a problem.

Even the NRM itself, I think the time to decommission it came long ago. *(Laughter)* These problems that we are seeing now are as a result of not decommissioning NRM at the right time. We are now paying the price. This is just one illustration, Mr Speaker. I thank you very much.

THE DEPUTY SPEAKER: Now, I can see why Ssemujju and team have decided to decommission FDC. *(Laughter)* Oh, Hon. Oguzu Lee is not happy with that.

Yes, I had allowed Hon. Christine.

3.51

MS CHRISTINE NDIWALANA (NUP, Bukomansimbi North County, Bukomansimbi): Thank you, Mr Speaker. We are all feeling sorry about what happened in Kiteezi, but the problem is on waste segregation. As my colleagues have been saying, we need to segregate waste. However, even if we do that, without following the right procedures, I do not think anything is going to be done rightly.

In hospitals, we have medical waste, but we have incinerators where waste is burnt and they phase up. In the local government – I think, KCCA is failing to manage the waste. It would

be prudent if waste is collected and burnt or if we could get bigger incinerators where waste can be collected and burnt, instead of just collecting and leaving it to make bigger heaps.

When you look into it, this waste is likely to cause different diseases to these people in Kiteezi because Kiteezi is a slum. We are focusing on these other people who are near the dumping area – where the incident occurred – but what about these other people who are in the nearby villages? They are going to end up getting typhoid, malaria, dengue fever and so on.

As Hon. Christine Kaaya was talking about recycling – it should stop. The Chinese whom they were talking about were going to pick plastic waste. However, they end up recycling bottles of mineral water and they come back to the public. TB is on a high increase because of these plastic bottles which are not sterilised. They just wash them and they are brought back to the public.

Lastly, Mr Speaker, we are also getting the same problem in Bukomansimbi District. I do not know how we are going to be helped. The town council is full of waste and they are also making higher heaps. People are going to get diseases and a similar incident may also happen in our area.

I thank you and beg to submit.

THE DEPUTY SPEAKER: Dr Bwanika, Hon. Alioni, and Hon. Nambeshe.

3.54

DR ABED BWANIKA (NUP, Kimaanya-Kabonera Division, Masaka City): Thank you, Mr Speaker. The Government put a cap in terms of the power that is generated per kilowatt-hour (kWh). It was at \$0.08 per kilowatt-hour and, currently, I hear it has gone to \$0.05 per kWh, which would be okay. I implore the Government that, for power that is generated from projects which have other benefits – like this one when you are doing waste management – it should revisit the cost for the kilowatt-hour so that we can attract investors.

There are so many investors who have visited Uganda in terms of waste management, but they have gone away because of the prohibitive cost per kilowatt-hour. We benefit not only from power when you treat waste, but we can get fertilisers and ethanol - there are so many other things. I want to ask the Cabinet, through you Mr Speaker, to revisit that issue of \$0.05 per kWh for waste management.

Secondly, Mr Speaker, two years ago when we had problems in my constituency – and they killed people – the President was gracious to contribute Shs 10 million per family. That helped our ordinary people in terms of buying coffins and burial – *(Interruption)*

MR KIRYOWA KIWANUKA: Thank you very much, honourable colleague. First of all, I also condole with the people who lost their lives and those who have suffered through this disaster. However, for your information, honourable member, the President – and the Cabinet – has already approved the waste management project in that place at \$0.10 per kilowatt-hour, with the Government taking a subsidy of \$0.02. So, we have already reviewed that.

For projects of that nature, we are actually allowing \$0.12, but the Government is carrying the \$0.02 per kWh and they have to produce at \$0.10. We hope that with the reduction in the other generators, the energy mix will be able to give us that. Thank you.

DR BWANIKA: Thank you, honourable Attorney-General. I wish we had done it long ago because it has taken – but the step is in the right direction.

Mr Speaker, I was submitting on the contribution of the Government to these victims. In our place, the President contributed Shs 10 million and we are very appreciative. I am hearing, now, that the President has contributed Shs 5 million. What is the basis? There should be a guideline because these people need coffins, they need –

Someone should guide the President on what to contribute because when they hear that in Masaka it was 10 and in another place, it was 20, they will think about what you based on to give them Shs 5 million. I want to implore that that be revisited; there should be some guidelines.

3.58

MR ALIONI ODRIA (NRM, Aringa South County, Yumbe): Thank you, Mr Speaker, for the opportunity. My condolences to the families that lost their dear ones. I do not know whether the Minister for Kampala Capital City and Metropolitan Affairs knows what waste management means. I picked up an interest in waste management three years back when my daughter was in year four and had a home assignment on waste management.

I think waste management starts with waste collection, then transportation, and treatment. I want to thank the Attorney-General, for the information he has just given, that the Government has already approved the project for generating electricity in the area. My humble request - we have a problem; rescue those who are still down there yet we already have challenges of resources. We do not have resources because of corruption in the Kampala Capital City Authority (KCCA).

Therefore, my prayer is: can Parliament be exemplary? You have a budget to move around this country to hold regional parliamentary sittings. I am told though yet to confirm - I know it is very difficult even now, for us as Members of Parliament, to know the budget of this Parliament because we do not have access to it. I am told you have a budget to host regional parliamentary sittings in Gulu, Mbarara, Mbale, and Masaka.

My prayer is: can we be exemplary and sacrifice that money to rescue the people in Hon. Muwada's constituency? That is my humble prayer. Thank you.

THE DEPUTY SPEAKER: Thank you. Before the Leader of the Opposition (LOP) comes in, let us have the immediate former

Chairperson for the Committee on Environment and Natural Resources. Yes, Hon. Dr Otaala.

4.01

DR EMMANUEL OTAALA (NRM, West Budama County South, Tororo): Thank you, Mr Speaker. I would like to add my voice in condoling with the families that have lost their loved ones. I also condole with all Ugandans because this loss touches all of us. The people who have been buried down there in Kiteezi came from all over the country.

As the former Chairperson of the Committee on Environment and Natural Resources, I want to begin by agreeing with Hon. Songa and Hon. Kajwengye who have rightly described the landfills that we have in Uganda as not being worth the name of a landfill.

Anybody who has studied public health specifically environmental health, will say that what we have are not landfills because landfills have specific methods of construction. What we are doing is merely dumping.

A landfill is constructed right from beneath the ground and at the base is a material that is impervious to leakage and contamination of the water under the ground. At every level, after filling, it is covered up, layer by layer. What we are doing falls short of that kind of technology.

My committee visited Kiteezi - I think there were a few of us due to the limited resources but I recall Hon. Agasha, was one of them. Mr Speaker, what we found there - and one of the questions that has been lingering - is what triggered this? We found a plethora of people trying to make a living out of this garbage. They were trying to extract polythene bags to take them to the recycling plants nearby. They were trying to extract poorly disposed water bottles so to cut them into pieces and export them to China because this country does not have the technology to recycle used water bottles. The whole place had a lot of people scavenging in a landfill or a dumping ground.

I believe one of the immediate actions is to stop our people from going to dumping grounds to

scavenge for materials like *buvera* and used water bottles.

I want to agree with my colleagues who said that if we are to stop this problem, what needs to be done is to sort garbage right from our homes. That is my humble contribution; people should stop going to dumping grounds. That could have been one of the triggers of this landslide. Thank you.

THE DEPUTY SPEAKER: Thank you. Yes, Hon. Nambeshe.

4.05

THE CHIEF OPPOSITION WHIP (Mr John Baptist Nambeshe): Thank you, Mr Speaker. Kiteezi was a disaster waiting to happen. I express my heartfelt condolences to the bereaved families. My grief has been exacerbated by the information I have received from the area Member of Parliament, Hon. Muwada Nkunyngi.

He has said that some of those who are homeless, hopeless, and devastated are from Mbale. You know Bududa is synonymous with disaster. This could be people who have moved from a frying pan to a fire.

Most of the Internally Displaced People (IDPs) in Bududa are either in Kiryandongo, Bulambuli, Mbale, Kayunga, Buikwe, and/or the suburbs of Kampala. I want to bear with the new minister and salute her zeal and zest with which she has come to this disaster preparedness ministry.

Much as we have been lamenting about the ill-preparedness - and you mentioned it in your statement; the contingency fund - Mr Speaker, this fund is provided for in the Public Finance and Management Act.

Most of the thorny issues revolve around limited funding or constraints in finances or lack of funding by KCCA - but we have a provision. Section 26 even gives the formula. Three and a half times - that is what is calculated. The annual appropriated budget of the previous year is supposed to be in the Contingencies Fund.

However, this is not the case - (*Mr Musasizi rose*) - no, I am extremely informed on this one. (*Laughter*)

I know why you have not been allowed. Mr Speaker, thank you for the protection.

THE DEPUTY SPEAKER: You are usually generous.

MR NAMBESHE: What I want to correct is the 0.5 per cent of the annual appropriated budget of the previous financial year - (*Laughter*) - but this three and a half was amended recently by, I think, the 10th Parliament. It used to be that, so, my mind was still warped.

Mr Speaker, I want to bear with the minister, but also remind her that the sister Ministry of Finance, Planning, and Economic Development is in absolute defiance of this provision in the law. Even as we deliberate on this issue, the minister has no guts, whatsoever, to prove to us that that figure that is required - that is even a provision of the supreme law of the land, the Constitution - is there in the Contingencies Fund. What is there is a paltry quarter of what is stipulated - (*Interjection*) - information will come later. Just hold on.

I was shocked and I put it to the Minister of Kampala Capital City and Metropolitan Affairs - the good *Hajjat* - that your ministry came out, through the Deputy Executive Director, one, David Luyimbazi - I just want to paraphrase what he said in response to what has happened at the Kiteezi Landfill. He said that they were aware, as Kampala Capital City Authority, that that landfill had reached maximum carrying capacity, and therefore, it was a time bomb to de-donate any time.

The million-dollar question one would then ask is: if you knew all this, why didn't you expeditiously work around the clock to relocate the dump site or even relocate the people in advance? Now, I understand you have a buffer where you have relocated the people. Others are finding their ways out yet this is what you should have done first. These emergency responses after lives have been

claimed; the firefighting, which is typical of your Government, Madam Minister.

Mr Speaker, in the Ninth Parliament, Hon. Dr Otaala - that was the 10th Parliament, and I was on the Committee on Environment and Natural Resources - came with Germans who were ready to invest in a recycling plant. However, the reports we got were that they were frustrated by those who were in the capital city asking for kickbacks. Corruption, in a way, is more responsible for many lives that have passed on than even the landfill or the landslides in Bududa.

Many questions about these settlements around Kiteezi; how come NEMA, which is an enforcer of environmental law, came out with experts after this disaster to give caution that landfills like Kiteezi are not the best method of managing solid waste? Where were they? What are they doing? Have they failed to discharge their role of enforcing the law and have become violators of the same?

Mr Speaker, as I conclude, one of the questions has been raised by the President himself in the letter, which he has written to the Inspector General of Government. He is asking about who allowed these people to live near a potentially hazardous - he used the word "catastrophic" - and a dangerous heap of rubbish. I suppose the investigations will arrive at a logical conclusion but I highly doubt whether he does not know who allowed those people to stay there.

A Government that is going to make 40 years down the road, honestly, is like someone who has slept naked throughout the night and then realised in the morning that they are naked and they cover themselves after mosquitoes have preyed upon them. I beg to submit. *(Laughter)*

THE DEPUTY SPEAKER: Thank you. Yes, Government – let someone help me inform Hon. Sarah Opendi that we are coming to the Bill; it is the next item.

Honourable colleagues, you can see that for more than two hours we have been on this item, which was not essentially on the Order Paper.

We now have to go straight to other matters on the Order Paper so, next, we shall be handling the alcohol Bill.

4.14

THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO (Ms Rukia Nakadama): Mr Speaker, on behalf of the Government, I condole with the relatives of the bereaved families and those who are displaced. We pray for the souls of those who have lost their lives to rest in eternal peace.

Mr Speaker, the emergency rescue programme is ongoing and it will be expedited by mobilising more equipment from the different partners so that light can be provided at night to ensure that work continues for 24 hours, so that these bodies can be retrieved.

Secondly, the Rt Hon. Prime Minister is chairing a meeting with the different partners right now to intensify the emergence programme and to address the issue of the welfare of the people who are displaced and many other things, of course. She is trying to do that as we talk.

Also, His Excellency, the President of the Republic of Uganda has put up an investigation team to rule out the possibilities of negligence. We have to give these people an opportunity to do what they have been ordered to carry out.

Lastly, about the comprehensive report, next week the Cabinet, which is chaired by His Excellency, the President of the Republic of Uganda, will sit. I request that that report be submitted next week after members of the Executive have sat. Thank you.

THE DEPUTY SPEAKER: No, honourable colleagues, when you speak twice - I have heard. Okay? Just take your seat.

Honourable colleagues, this is a very absurd situation and I love the unity of the House in addressing it. My prayer is for those who are still undergoing rescue efforts - that is where my focus and prayers are. Let us give them a chance, as the Rt Hon. Prime Minister has said

– let us give them time but they should keep updating us.

What was so interesting about this statement was their initiative. I was happy to see the Prime Minister's call early morning in which she said: "I want to update the House". Not that she waited for us to ask her to bring a statement. It was a very good initiative.

Hon. Ssekikubo, why don't we give them time? What is so burning? The problem is that when you change your face, you scare me - *(Laughter)* - and you know we are in a disaster -

MR SSEKIKUBO: Thank you, Mr Speaker. We need urgent interventions because normally what happens is: you must rescue life first yet I did not hear the minister mention - have we called off the rescue? The difference here is that the disaster is not like a plane crash. There are people whom I believe could be somewhere hemmed up in rooms; we did not hear a statement saying that they are expediting reaching those various areas.

THE DEPUTY SPEAKER: Can we call the minister to clarify that?

MR SSEKIKUBO: Yes, can the honourable minister clarify the rescue so that we then see whether to give up on the lives or not, before we can talk about resettlement and compensation?

THE DEPUTY SPEAKER: Yes, Minister of State for Relief, Disaster Preparedness and Refugees? Honourable colleagues, it is over two hours - I request you.

DRABER: Mr Speaker, let me re-echo it. I said that we had expedited the process, increased manpower, mobilised more machines on the ground, and put in place plans to work both day and night to ensure that we recover more bodies. Thank you.

THE DEPUTY SPEAKER: Thank you. Next item.

BILLS SECOND READING

THE ALCOHOL DRINKS CONTROL BILL, 2023

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, like you promised keep us updated. Honourable colleagues, investigations are ongoing. What we usually do in such matters, we would involve our committee but we do not want to appear like we are competing to investigate, having uncoordinated troop movement. Let us give the Government a chance and before the week comes to an end, we shall ask for an update. Then we see how best we can come in. Yes, Hon. Sarah Opendi. *(Hon. Nambeshe rose_)* Yes, honourable colleague?

MR NAMBESHE: The procedural issue I am raising is that this Bill on Alcohol Drinks and Control was referred to a joint Committee of Trade, Industry, and Cooperatives and that of Health. Incidentally, the reports are out; the minority and majority. The Committee on Health was assigned duties by your office. They are in northern Uganda, establishing the status of the health care facilities and conducting investigations on Nodding Disease Syndrome misappropriations.

The three sponsors of the minority report, Hon. Dr Batuwa, Member for Jinja (Shadow minister of health), Hon. Dr Kamara, and the Member for Kabale -*(Interjection)*- a moment - I am on a point of procedure - I raised the procedure issue. Attorney-General, you are in slumber.

THE DEPUTY SPEAKER: Please -

MR NAMBESHE: As I proceed, even the Chairperson of the Committee on Health, who features in the joint report is equally in the North. Last week when Hon. Opendi had issues and was not available, she requested and you granted her permission to defer the second reading of this Bill to today.

I could implore your Office, Mr Speaker, that you accord similar treatment to the Members who have written this minority report by deferring it to when - because they are there only up to Friday this week. Would be procedurally right to accord equal treatment to this request?

THE DEPUTY SPEAKER: Thank you. Let me also get a procedural matter from the Attorney-General.

MR KIRYOWA KIWANUKA: Thank you, Mr Speaker. We need to be careful as we manage ourselves using these rules. When the Bill is called for a second reading, a motion is moved, and we debate it before we get to the next stage. Because for those of us who have to read the *Hansard*, we do not know at what point we discuss all this.

Therefore, isn't it procedurally okay for the issue to be called, and then you ask for the second reading, then the person who is moving the Bill - so that we are orderly because we do not know at what point the Member will come in to raise all these issues. Mine is just a question of order; how are we proceeding?

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, when a Bill is presented to Parliament for first reading, it becomes the property of Parliament. Hon. Sarah Opendi, indeed, first of all, had lost someone, and she was gracious enough to send me a message early. I saw it very late but I immediately said, "No, we cannot" - like I informed you. Then they had another function on Wednesday and Thursday, unfortunately, she had lost another relative whom she had to bury.

Therefore, I announced that the Bill would be handled today. I received a communication from the Chairperson of the Committee on Health, that they did the report and it would be managed by the Committee on Trade, and he even signed it. Only three Members, as you said, signed the minority report - this is not a matter of doctors - I would say Members, we have postponed this - it is affecting our legislative agenda and calendar. We have kept

pushing - you do not look that - since it is a report, let us debate.

I can request the Chairperson of the committee or one of the Members to also read it because it is attached; it is a report, and it is not an opinion that is going to be formed today. It is already signed, we have it, you can even appoint a one, Hon. Dr Baryomunsi to read it since it was signed by doctors. Yes, Hon. Anifa.

4.26

THE MINISTER OF STATE FOR HEALTH (GENERAL DUTIES) (Ms Anifa Kawooya): Thank you, Mr Speaker. Having listened to your guidance and that of the Attorney-General, and as the Minister of Health, having been here waiting for this, I concur with your directive that we continue to listen in. *(Laughter)*

THE DEPUTY SPEAKER: A Doctor by association has guided properly. She supervises doctors - *(Laughter)* - I like that. Hon. Sarah Opendi, sorry for the loss; it is so bad to lose all those people in one week.

4.27

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Thank you, Mr Speaker. Before I move, I would like to thank you, for your consideration. This item was on the Order Paper, but I lost my brother and we had a burial on Friday. So, it was complicated for me though I was in touch with some Members who unfortunately informed me that they had too, travelled to the North and were not available this week.

When I looked at the Order Paper that was put on the WhatsApp group yesterday, I noticed that it did not have this item. I only came in and found the matter, and that is why I had to excuse myself to get copies of both the majority and minority reports so that I could acquaint myself with the content in both.

This is why I was requesting if we could defer it to tomorrow, however, considering that even the Members who are in the House - the seconders of my motion are not in the House.

THE DEPUTY SPEAKER: You have many seconders.

MS OPENDI: I am talking about those who seconded it the time I moved the motion. They were also shocked when I called them - because they argued that they did not see the amended Order Paper and that is where the confusion has been. This has left me completely confused because I do not have all my documents available.

I have an assistant who locked the office knowing that I was not coming to the office. That is why I was requesting that I organise myself better.

THE DEPUTY SPEAKER: Honourable, move your motion.

MS OPENDI: Mr Speaker, I move that the Alcoholic Drinks Control Bill, 2023 be read for the second time.

THE DEPUTY SPEAKER: Is the motion seconded? Okay, it is seconded by Hon. Komakech, Hon. Rose Obiga, Hon. Amos, Hon. Ssekikubo, the Member for Otuke, and the Member for Lyantonde. Thank you. Honourable, would you like to speak to your motion?

MS OPENDI: Mr Speaker, alcohol has for a very long time been consumed in this country, and over time, the country has been grappling with the need to regulate the manufacture, sale, consumption, and access to alcohol in the country.

The two pieces of legislation that existed then, the Enguli (Manufacture and Licensing) Act, Cap 86, and the Liquor Act, Cap 93 did not adequately address the current challenges of alcoholism such as; alcohol addiction, domestic violence, child abuse, and increase in mental impairment cases in the country.

The Liquor Act only captures the manufacture and sale of liquor in urban areas and municipalities yet we now know that there are so many trading centres that have mushroomed

in almost every part of this country where alcohol is sold at any time of the day.

Some of these trading centres are even near schools, which has made it easy for children to access this alcohol.

Initially, recall that the Ministry of Health had to change the packaging from 50mls to 200mls - but even the 200mls is now accessed by people or children and people of all ages.

These Acts had to be repealed because they were not addressing the challenges. As we speak, alcohol is sold right from 6.00 a.m. to 6.00 a.m. the next day. And of course, while people think that alcohol brings in income, we must look at its adverse effects and how much the Government spends on treating all these complicated cases of diabetes, cancer and high blood pressure.

You are aware that the majority of our people cannot actually afford these treatments. Some districts have tried to ensure that their people remain productive and come up with ordinances, however, as a country, we need to have one piece of legislation because even these ordinances when they are sent from the districts, take time to be cleared by the Solicitor-General.

It is in this spirit that I move the Alcoholic Drinks Control Bill, 2023 - the Bill focuses on the following areas:

1. It is intended to protect individuals against the dangers of excessive consumption of alcoholic drinks. We are aware that there are people, including high-profile people, who have lost their children and relatives as a result of the consumption of alcohol.
2. The Alcoholic Drinks Control Bill, 2023 also intends to protect consumers of alcoholic drinks from misleading or deceptive inducements. You are all aware that there are a lot of drinks in the market promising people all kinds of things - if you take this, you will have a lot of energy, you can move mountains and that kind of

thing, and people rush for some of these drinks.

3. However, we all know, that it is very unfortunate that in the absence of any piece of legislation, some of the producers of some of these alcoholic drinks mix them with very dangerous substances. The report that was issued to the Committee on Health and the Committee on Trade, Tourism and Industry from the Cancer Institute clearly showed that nearly all the drinks they sampled in the market, especially the liquors, had some of the very dangerous substances that would hurt the health of the people.
4. This Bill also intends to protect persons under the age of 18 years from the dangers caused by the consumption of alcohol.
5. We worked tirelessly, amidst resistance to support the Tobacco Control Bill, 2014 by Hon. Baryomunsi. It also had similar challenges. So, we need to protect our children from accessing this alcohol before they are 18 years of age.
6. The Bill also intends to help adopt and implement effective measures to eliminate illicit trade in alcohol, including the smuggling, illicit manufacturing, and counterfeiting of alcohol.
7. And of course, promote and provide for the treatment and rehabilitation programmes for those addicted to or dependent on alcoholic drinks. This has a financial implication, but you know, Mr Speaker, that currently, we have Butabika National Referral Mental Hospital that provides some of these rehabilitation services. However, we also have the private sector that majorly provides these rehabilitative services and they are expensive. The ordinary person cannot afford it. So, most of these alcoholics or people who are addicted to alcohol are left to suffer in the villages.

In addressing the challenges that we face today, the Bill provides remedies, including provisions for the prohibition of –

THE DEPUTY SPEAKER: Honourable, we usually go for objects and principles. So, let us conclude.

MS OPENDI: I am concluding. The Bill makes provisions for the prohibition of trade in alcoholic drinks without a license. We are aware that many people are selling these drinks without a license - selling any alcoholic drinks on any premises - remember, in the Liquor Act, one needed to have licensed premises to sell it.

However, with the repeal of both the Enguli and the Liquor Acts, there is currently no piece of legislation to regulate these areas.

The selling, supplying, conveying of alcoholic drinks or employing any person under the age of 18 years, for example, in bars, manufacturing or selling any alcoholic drinks in sachets or packaging in a bottle of less than 250mls.

Also, as part of the objects of the Bill, it provides for the enforcement of the Act and the protection from personal liability of officers who have acted in good faith.

You are aware that we have bars currently operating and selling drinks to people in uniform. This is also prohibited under this law.

We are also prohibiting the sale of these drinks in public passenger vehicles so that people – we have had road accidents in this country, which arise out of people consuming alcohol when they are driving.

In a nutshell, we benchmarked countries that have similar regulations. We moved to Kenya where we noticed that following the regulation of alcohol, the industry collects more than they were collecting.

Currently, only 35 per cent of the alcohol in Uganda is regulated. The other 65 per cent is illicit. So, without a law, illicit alcohol will continue yet the Government is losing revenue in that respect.

Therefore, it is my humble appeal that we support our communities. We are not prohibiting

the consumption of alcohol but only regulating its production, hours of consumption, and its advertising. Because some of these things are the ones that encourage young people to consume alcohol.

The Ministry of Health passed a policy and the law has come in to pick from the policy; it is in that spirit that I have put this forward. We need both the revenue and a healthy population that will be productive and supportive of this economy. Thank you, very much.

THE DEPUTY SPEAKER: Thank you. Hon. Opendi, I need you to sit far from Hon. Alioni –(Laughter)- I am told the committee report is ready. Honourable committee chairperson, just give us a summary; the *Hansard* should capture the full report.

(The report is attached hereto.)

4.40

THE CHAIRPERSON, COMMITTEE ON TRADE, TOURISM AND INDUSTRY (Ms Sylvia Nayebole): Thank you, Mr Speaker, for giving us the time. For record purposes, the Committee on Trade, Tourism and Industry and the Committee on Health waited for the mover for the last three days, till the Committee on Health travelled.

The Committee on Trade, Tourism and Industry is also travelling today. And so, we are very grateful that you have at least given us time to present this report.

Allow me to lay the report of the Joint Committee on Tourism, Trade and Industry and Health on the Alcoholic Drinks Control Bill, 2023. Allow me to also lay the minutes of the meetings we had on the same report. I beg to lay.

On 14th November 2023, Hon. Sarah Opendi Achieng, Woman Member of Parliament for Tororo District read, for the first time, the Alcoholic Drinks Control Bill (Private Member's Bill), and it was referred to the Committee on Health and the Committee on Tourism, Trade and Industry, for consideration,

in accordance with Rule 129(1) of the Rules of Procedure of Parliament. For purposes of this report, the two committees shall be referred to as a committee.

The report was uploaded and honourable colleagues can check out page 1. I will not read that because of time. The legislative and policy framework of the Bill is equally there.

The Bill attempts to address the loopholes as some laws that regulated alcohol use were repealed. The laws as discussed below, the honourable has hinted at them - the Enguli (Manufacturers and Licensing) Act, the Liquor Act, and the Portable Spirits Act, I will not go into details. You can read from the report.

On page 4, the committees laid out properly the methodology and the different meetings we had. We met over 30 stakeholders on this matter.

I will continue to page 7, which is on the effects of the consumption of alcoholic drinks. Alcohol is among the best commodities that generate internal revenue for the national budget.

Although alcohol is an important source of revenue, it has different effects. One of those is an effect on employment. However, there is also a need to underscore the importance of the alcoholic industry in terms of job creation.

According to the Uganda Alcohol Industry Association, an organisation that brings together alcoholic beverages manufacturers, the industry is responsible for the direct employment of 804,002 people across the value chain, impacting over 6.3 million livelihoods across Uganda. This is as per reports from the Private Sector Foundation Uganda (PSFU). This is the formal one and it excludes all the other informally employed people in the alcoholic industry.

We will look at another effect, which is revenue generation; there is a table right there showing the contribution of revenue by the manufacturing sector in the alcoholic industry for the Financial Years 2019/2020 to 2022/2023.

And because of time, members can read through the table, but I will note this. From the table, the contribution of the manufacturing sector in the alcoholic industry has been registered at an average increase of 19 per cent for the last four years. But also from 2019 to 2023, the contribution of the industry to the economy cannot be underrated.

According to the Uganda Manufacturers' Association (UMA), the top two alcohol players - Nile Breweries Limited and Uganda Breweries Limited, contribute Shs 1.1 trillion annually as tax revenue. *(Applause)*

Mr Speaker –

THE DEPUTY SPEAKER: Colleagues, please, let us have - I do not know whether there is something they served at lunch – *(Laughter)* – or whether something extra put in? Honourable committee chairperson, please -

MS NAYEBALE: Mr Speaker, the alcohol industry also contributes Shs 205 billion towards the revenue of grain farmers in Uganda. By grain farmers, we mean the entire value chain from our local farmers who grow sorghum, cassava, and barley. They equally contribute to the economy.

Mr Speaker, another effect we have is about the health consequences –

THE DEPUTY SPEAKER: Hon. Alioni, leave Hon. Ssekikubo alone. I see you are pushing him out.

MS NAYEBALE: Mr Speaker, among the effects we also have domestic violence. Alcohol abuse is one of the key factors that contribute to increased domestic violence. That notwithstanding, when we were interacting with the various stakeholders - like I have highlighted - the majority failed to rule that it is entirely alcohol that contributes to domestic violence.

There is the effect of public health burden. The treatment and prevention of alcohol-related ailments is also a burden to the health system.

There is lost productivity: Alcohol-related absenteeism and decreased work performance impact economic productivity at both individual, and society levels.

Mr Speaker, the members of the two committees, therefore, came to these conclusions, observations and recommendations.

Certificate of Financial Implications

The committee is alive to the fact that whereas Section 76 of the Public Finance Management Act, 2015 requires that a Bill shall be accompanied by a Certificate of Financial Implications issued by the minister responsible for finance, the committee was not presented with the same by the sponsor of the Bill. The committee is, however, alive to Section 76(4) of the Public Finance Management Act, which states that the Certificate of Financial Implications shall be deemed to have been issued after 60 days from the date of request of the certificate. The committee, hence, proceeded to consider the Bill.

Analysis of the Bill

According to the World Travel and Tourism Council, the tourism sector contributed \$2.1 billion to the economy of Uganda in 2022. This is equivalent to 4.7 per cent of the country's GDP. In 2023, this contribution increased to 5.5 per cent. This is still \$400 million less than what was contributed during the pre-COVID-19 period. The tourism sector requires all the support to recover from the effects of COVID-19, and the legal framework should support and not hurt the recovery of the sector.

According to 2021 Euro Monitor Study on illicit trade of alcohol in Uganda, it was found out that the regulated alcohol industry only contributes 35 per cent of the alcohol consumed in Uganda, while illicit alcohol accounts for 65 per cent.

It is, therefore, crucial that the Government applies the right level of focus to curb significant problems of illicit alcohol trade in Uganda by putting in place the robust

legal and regulatory framework with specific provisions to prohibit illicit alcohol, including native brews which are increasingly becoming commercialised without being subjected to any production standards or payment of taxes. This creates an unfair playing field for legitimate alcohol players, since it does not pay related taxes.

The committee observes that under the memorandum of the Bill, the Bill does not clearly state the problem that it is trying to cure. It is important to identify what mischief the Bill intends to cure. The other question is whether the proposed regulation is the best form of action in the circumstances. The Bill also does not indicate how it intends to eliminate illicit trade in alcoholic drinks.

The committee observes the need for a detailed regulatory impact assessment of the alcohol industry on the economy. The stakeholders who interfaced with the committee expressed mixed reactions on different provisions of the Bill. One of the outstanding concerns was the absence of a detailed cost analysis of the economic benefits of the alcoholic industry in terms of job creation, tax base and income earned from the sale of alcohol.

It is crucial for the Government to carry out a detailed impact assessment of alcohol to the economy. This is buttressed by some clauses in the Bill as discussed below.

Mr Speaker, because of time, I will go straight to page 7.

The committee observes that the restriction on the sale of alcohol at fuel stations assumes that all alcohol purchased at fuel stations is consumed at the purchase point, which is misguided and unrealistic. Shops at fuel stations are shopping points, just like any other outlets selling alcohol, and are intended to provide convenience to consumers who may purchase the product for many reasons, including future consumption and gifting. *(Laughter)*

Mr Speaker, the Traffic and Road Safety Act 1998, as amended, imposes penalties

on consumption of an alcoholic drink while driving. Therefore, the law already addresses the mischief of drink-driving - if that is what the clause is intended to address. *(Applause)*

Clause 14 seeks to regulate the time of sale of alcohol on the different days. Honourable colleagues, this is very important. Clause 14 seeks to regulate the time of sale of alcoholic drinks on the different days. The committee observes that restrictions amount to an infringement on the economic rights to carry out lawful trade and business, guaranteed under Article 40 (2) of the 1995 Constitution of the Republic of Uganda by limiting the hours when businesses can work.

The clause does not take into account different employments, including those who work during the night. There are those who work at night and they would equally want to enjoy during daytime. *(Applause)* So, when you restrict, you are putting a restriction on the night workers who want to enjoy during daytime. Mr Speaker, there are also those on holiday and on leave – what we termed as “leisure tourism” – and wish to enjoy their rights to alcoholic drinks during daytime. *(Applause)*

The restriction on selling hours will impact the sales volumes, which will ultimately reduce the levels of raw materials demanded from the farmers for use in the manufacture of alcohol – Mr Speaker, this is equally important – for example, sorghum, barley, millet, cassava, wheat, corn and fruits and, thus, will have an effect on the economy.

Mr Speaker, by regulating the time, this will affect the entire value chain. The majority of our farmers are the number one suppliers of these manufacturers. So, when you reduce – it does not affect only the consumer, but it affects right from the farmers. So, the committee members thought that it would be very unfair to our farmers.

Mr Speaker, it is important to underscore the entire alcoholic drinks value chain, including the livestock and poultry farmers that supply meat and chicken to food vendors around bars.

Like I had earlier stated, this is a big value chain. *(Laughter)*

When you look at the *nyama choma*, the *chapatti* -

THE DEPUTY SPEAKER: Committee chairperson, we have a procedural matter. Hon. Oguzu Lee?

MR OGUZU: Thank you, Mr Speaker. I have listened to the presenter of the report and I have noticed that when she is speaking against the Bill, the tone, and where I sit, she is enticing me to buy into the report. Wouldn't it be procedurally right that she declares her interest? *(Laughter)*

THE DEPUTY SPEAKER: Thank you. Honourable colleague, it would be procedurally right for you not to accept to be enticed. Honourable colleague, you are managing Hon. Oguzu properly; so continue. *(Laughter)*

MS NAYEBALE: Thank you so much, Mr Speaker. I was about to conclude on that pertinent issue, that was about the livestock and poultry farmers, which supply meat and chicken to food vendors around bars.

Mr Speaker, you may have noticed that often times wherever there is a bar, there is *nyama choma person*, a chips lady, a *rolex person*, *molokonyi*, and *chapatti person* close by. All those will be entirely affected by the time.

Mr Speaker, among those affected people will be the motorcyclists. This is equally pertinent. In this night business, there are *boda bodas* always waiting for clients to retire home. They are always parked either by the bar or by the restaurant somewhere. There are special-hire drivers, the security guards; there are the bouncers, the artists, the comedians, the karaoke artists, among others. Therefore, the majority of the committee believes that if there is an attachment to time, this entire value chain will be adversely affected.

Furthermore, the Bill presumes that the bars and restaurants will remain open to sell soft

drinks while restricting the sale of alcoholic drinks after 2200 hours. This is not only impractical but onerous to enforce.

Mr Speaker, the Bill says when we close the bars at 10 o'clock, soft drinks will be sold. When we interacted with the many stakeholders on this matter, one stakeholder said it is possible for someone to buy their drinks and stock them in advance, and wait for the close of time. This is because the Bill is looking at the sale and not the consumption; so one is allowed to stock his or her drinks in advance and consume them past 10.00 p.m., which we thought is equally impractical and hard to enforce - to buy soft drinks and differentiate them from alcoholic drinks.

The committee also observes discrimination and unfairness under Clause 14(2), which allows supermarkets or depots to sell alcoholic drinks between 1000 hours and 2200 hours; and under Clause 14(3) which allows sale of alcoholic drinks in nightclubs, theatres, fetes, bars and trade shows, without time limitations. This would directly discriminate against the other businesses involved in the sale of alcoholic drinks.

Mr Speaker, if there is a limitation on time to the bars, and we say that the nightclubs, trade shows and the rest can openly sell, it means that all bars will turn into nightclubs. If there is a restriction on time, it means that at exactly 2200 hours or 10.00 p.m., all those who have taken a lot would go to the streets at the same time - *(Interruption)*

THE DEPUTY SPEAKER: Point of order from Hon. Sarah Opendi.

MS OPENDI: Mr Speaker, I have carefully listened to the chairperson of the trade committee. It is very unfortunate that the chairperson of the trade committee is completely biased. I expected the trade committee to come up with proposals like "Instead of 10.00 p.m., let it move to 2.00 a.m. on a working day, and on a weekend, leave it open." Yet, she is here saying that we are infringing on the rights of, for example, musicians. We have left the weekends open, Mr Speaker.

The honourable member is not being fair to this House and this is why I had preferred that members of the health committee, majority of whom are in the field – they actually reached out to me; they wanted to be present here. It would be good that the debate is carried out when all the others are here. Thank you.

THE DEPUTY SPEAKER: Honourable colleagues, number one, the chairperson is reading the position of the committee, not hers.

Number two, the said members of the health committee did not sign the minority report; a majority signed the majority report, including the chairperson and it is here. Only three members signed the minority report. Therefore, let the chairperson finish the report. Chairperson, conclude and we debate.

Honourable colleagues, this is the report of the committee being read. Let us receive the report.

MS NAYEBALE: Thank you so much, Mr Speaker. For Hon. Sarah Opendi to be happy, I will read the report verbatim.

Mr Speaker, the committee envisions a likelihood of increased illicit trade sales as was witnessed during the COVID-19 lockdown. It will increase cartels and black market businesses and encourage corruption as people will be looking forward to accessing alcoholic drinks outside the stipulated time.

The committee is further concerned that the tourism sector will be made less attractive by the said restrictions. Most inbound tourists come to Uganda for holidays, and restricting their leisure will deny them the opportunity to freely enjoy Uganda's heritage and night economy. *(Applause)*

Mr Speaker, limiting the time of sale under clause 14 of the Bill, may not necessarily translate into people drinking less. Thus, the clause will be redundant. High consumption of alcohol may not be tagged to the amount of time taken while drinking.

Mr Speaker, we interacted with very many stakeholders and the doctors gave us - Mr Speaker, clause 17 seeks to regulate the advertising of alcoholic drinks. Subclause (2) obligates the minister, by regulations, to regulate advertisement of alcoholic drinks and alcohol. Subclause (3) imposes a fine of Shs 20 million or imprisonment for a period not exceeding 10 years, for a person who contravenes the clauses.

The committee observes that the clause is redundant since there are other legal frameworks that deal with the quality of advertisement. The clause is not necessary because there is already a regulatory framework in place under the Uganda National Bureau of Standards (UNBS).

Mr Speaker, there are also existing rules by the Uganda Communications Commission. Clause 19 (a) seeks to grant powers to authorise officers to examine or conduct a scientific test on alcoholic drinks to ascertain whether they meet the standards prescribed in the regulations. The committee notes that the function of setting standards in Uganda is the mandate of the Uganda National Bureau of Standards.

Mr Speaker, the Attorney-General reiterates this observation in his submission to the committee. It was also the considered opinion of the Attorney-General that the Bill is inconsistent with and contravenes various laws of the land, including the 1995 Constitution, the Employment Act, and the UNBS Act (Cap 20), among others, and therefore should not be enacted into law.

Clause 27 seeks to regulate the alcohol drinks in a package of not less than 500 millilitres. The committee observes that this clause is in direct conflict with the weights and measures. Mr Speaker, we have that law.

In addition, the purpose of the Bill is to, among others, control excessive or high consumption of alcohol. Therefore, to increase the packaging of alcohol to 500 millilitres, will increase the quantities of alcohol consumed. Thus, the clause seems to advocate for excessive consumption of alcohol rather than allowing small packaging.

Mr Speaker, the provisions fail to take into consideration the significant levels of investment by the manufacturers.

Mr Speaker and colleagues, I will go to the conclusion of the committee.

In light of the above, the committee concludes that whereas it is necessary to regulate manufacturing, importation, sale, consumption, and advertisement of alcoholic drinks, the Bill in its current form falls short of addressing the real challenges, like illicit trade in alcoholic drinks, alcohol abuse, quality control, enforcement mechanisms, personal freedoms, economic impact, and efficacy of such controls, among others in the alcohol industry. The challenge lies in finding the right balance that safeguards public health without unduly infringing on the economic rights and freedoms of individuals and government revenue.

Whereas the Bill was expected to fill the gaps that were created by the repeal of the above Acts, as I had earlier mentioned, the Bill seeks to exempt the manufacture and consumption of illicit or native alcoholic drinks for domestic use from the application of the law, yet the committee was informed that the illicit or native alcohol drinks are the largest forms of alcohol drinks in Uganda. If left unregulated, it will continue to be a danger to both the economy and the health of Ugandans.

The committee received significant proposed amendments to the Bill from stakeholders which, if considered, would have far-reaching implications on the economy and significantly change the nature of the Bill.

Additionally, this being a Private Member's Bill, the committee is constrained to consider the proposed amendments that have an effect of imposing a financial charge on the Consolidated Fund. Some of such proposed amendments include:

Establishment of an alcohol treatment and rehabilitation fund for rehabilitation of alcoholic disorders; the inclusion of dangers

of alcohol abuse in education institutions' curricula, and; provision of public sensitisation and education on the harmful health, economic and social consequences of alcohol abuse, among others.

Mr Speaker and colleagues, the committee, therefore, recommends that this august House should not proceed on the motion for the second reading of the Alcoholic Drinks Control Bill, 2023.

Mr Speaker and honourable members, I beg to report.

THE DEPUTY SPEAKER: Thank you. Honourable member, do you have the minority report? You need to acknowledge. No- Hon. Dr Opio has appointed Hon. Komakech to read it on his behalf.

MS NAYEBALE: Thank you, Mr Speaker. Yes, we have the minority report.

THE DEPUTY SPEAKER: Hon. Komakech, do for us a summary also. I am happy there was a Member who had volunteered. I want to thank you.

No. I just want to make a clarification. Hon. Pamela Kamugo has no minority report. We had just requested, in case all the other minority report members are not around, a Member would volunteer and that is how Members had asked her to read but she is for the majority report according to what she has told me. Hon. Komakech?

5.11

MR CHRISTOPHER KOMAKECH (Independent, Aruu County, Pader): Mr Speaker, the minority report of the joint Committee on Trade, Tourism and Industry, and Committee on Health, on the Alcoholic Drinks Control Bill, 2023.

Introduction

Mr Speaker and honourable colleagues, the Alcoholic Drinks Control Bill was read for the first time on Tuesday-

THE DEPUTY SPEAKER: Honourable member, you do not need to go to that. Just go on to the salient issues because all those ones, Hon. Sarah went through.

MR KOMAKECH: Thank you, Mr Speaker, for your kind words.

THE DEPUTY SPEAKER: From the introduction of when the Private Members' Bill came, really, we go back to that? Go to the salient issues of dissent.

MR KOMAKECH: Thank you so much, Mr Speaker. That is point three;

Dissenting observations

The general conclusion and the way forward on the Bill.

Mr Speaker and honourable colleagues, in order to put forth our arguments for the dissenting opinion, we shall discuss the general conclusion and recommendations first, because it lays the foundation for the dissent.

Whereas the main report recommends that this august House should not proceed on the motion for the second reading of the Alcoholic Drinks Control Bill, 2023, we contend that the Bill is sufficient to regulate the alcohol sector and only requires a few amendments as is usually the case for most Bills that are considered in this august House.

For it to have an effective implementation, we further contend - against the conclusion by the main report - that amending the Bill would significantly change the nature of the Bill, based on Rules 129(4) and 132(2) of our Rules of Procedure, which empower a committee - while examining a Bill referred to it - to propose and accept proposed amendments in the Bill as it considers fit.

If the amendments, including new clauses and new schedules, are relevant to the subject matter of the Bill - as I will read the amendments proposed - you will realise that the amendments are not only a few as to significantly change

the nature of the Bill, but are relevant to the subject of alcohol control and hence not reason enough to make the committee reject the Bill without giving it the examination it deserves and propose amendments where necessary.

Our conclusion is that the Alcoholic Drinks Control Bill, 2023 is a necessary Bill which if enacted into law, will go a long way in resolving the challenges that exist in the alcohol sector.

We recommend that Alcohol Drinks Control Bill, 2023, be read the second time and do pass with proposed amendments.

3.2. Analysis and observation of the following pertinent matters;

3.2.1. The Bill does not state the mischief it seeks to cure.

One of the points of dissent from the majority report is the observation that, under the memorandum to the Bill, the Bill does not clearly state the problem that it is trying to cure; neither does the Bill identify the mischief it intends to cure.

We contend that the Bill in a very clear term states the mischief it intends to cure in both its long title and memorandum. The last paragraph of the memorandum of the Bill clearly provides that one of the consequences of high consumption of alcoholic drinks is on productivity of the consumer. It also enumerates the need to regulate the manufacture and sale of alcohol, as well as the need to protect children from easy accessibility of alcohol. One of the defects cited is the repeal of the Enguli Manufacture and Licensing Act which exposes communities to consumption of unregulated crude alcohol, which is harmful. Suffice to note the fact that a memorandum of Bill does not form part of an Act of Parliament; so its inadequacy cannot weaken the intended impact of the Bill, especially when the long title and the object of the Bill clearly state the intention of the Bill and the mischief it seeks to cure.

I will produce the long title for clarity and I have highlighted the mischief as well.

“An Act to Regulate the Manufacture, Importation, Sale, Consumption and Advertising of Alcoholic drinks;

- i. To prohibit accessibility of alcoholic drinks to persons below 18 years of age.*
- ii. To amend the Industrial Licensing Act, Cap 91.*
- iii. To Repeal the Portable Spirits Act, Cap 97 and for related matters.”*

3.22 Need for an impact assessment of alcohol on the economy and health of the country before processing the Bill.

Mr Speaker, the majority report indicates that in November 2019, Uganda developed the National Alcohol Control Policy following broad consultations with key government sectors, regulatory and other agencies and civil society organisations.

The policy provides a framework within which the Government of Uganda, in association with other key stakeholders, is to develop and implement targeted alcohol control interventions in the best interest of all Ugandans.

As is observed by the majority report, the development of the National Alcohol Control Policy arose out of wide consultations with various stakeholders.

This consultation could, in other words, be termed as an “Impact assessment of alcohol on the citizenry”.

Indeed out of the consultations, it was discovered by the Government that “The unregulated alcohol consumption causes heavy burden of infectious disease and an upsurge in the occurrence of non-communicable diseases (NCDs) - (*Applause*) - such as hypertension, cancer, diabetes, mental illness and chronic heart diseases which damage nearly every organ in the body as well as induce alterations in most of the brain structures due to its psychosis active nature, in addition to affecting

productivity and social relations if consumed excessively.”

We further note that the development of the National Alcohol Control Policy was a positive step by the Government towards regulating the alcohol sector, and since the Constitution empowers Parliament, under Article 79, to make laws on any matter for; peace, order, development and good governance of Uganda and under Article 94 to exercise this power through Bills, it is right and just that Parliament considers the substance and intention of the Bill, and where possible, propose amendments rather than relegate its constitutionally granted power.

Honourable members, if we do not consider this Bill for Second Reading, not only shall we be doing a disservice to a policy that has no binding force in case of non-compliance due to the absence of sanctions, but we shall also not carry out our legislative function expected –

THE DEPUTY SPEAKER: Procedure from hon. Roland?

MR NDYOMUGYENYI: Thank you so much, Mr Speaker. First of all, the honourable member reading the minority report is trying to convince Members of Parliament instead of showing us areas of dissent as it is supposed to be. Therefore, are we proceeding well, if it is more convincing than showing us the areas of dissent?

THE DEPUTY SPEAKER: Thank you. Each committee report is designed to convince you to go in their direction. The previous one was accused of convincing; now this one is- these are issues you can raise during debate.

MR KOMAKECH: Honourable members, if we do not consider this Bill for second reading, not only shall we be doing a disservice to the policy which has no binding force in case of non-compliance due to absence of sanctions, but we shall also not carry out our legislative function - expected of us by the people who we represent - and hence, create a gap in the regulation of a sector which has proved harmful

to the health of our people as per the statistics and what majority report has put forth.

Lastly, the law-making process as enumerated in the Constitution of Uganda and Rules of Procedure of Parliament does not have a requirement of an impact assessment before a Bill is enacted. It would be derogatory to require a Member of Parliament who is empowered by the Constitution under Article 94(4)(b) to move a Private Member's Bill to first establish whether the government made an impact assessment of the area of the subject matter.

I implore the members of this August House to desist from setting such a precedent as it will curtail a constitutionally granted right.

3.2.3 Regulation of native alcohol by the Bill

The majority report rightly observes that the 2021 Euro Monitor study on the illicit trade of alcohol in Uganda, found that the regulated alcohol industry only accounts for 35 per cent of all alcohol consumed in Uganda, while illicit alcohol accounts for 65 per cent.

The majority report also notes the need for the Government to apply the right level of focus to curb significant problems of illicit alcohol trade in Uganda by putting in place a robust legal and regulatory framework with specific provisions to prohibit illicit alcohol, including native brews, which are increasingly becoming commercialised without being subjected to any production standards or payment of taxes.

However, we dissent on the observation that the Bill does not provide for native alcohol nor indicate how it intends to eliminate illicit trade in alcoholic drinks. We contend that the Bill explicitly regulates native alcohol as illustrated in the following clauses:

The interpretation section defines "native liquor" as an intoxicating drink which is manufactured in accordance with the customs and cultural practices of Uganda, other than by distillation.

Clause 4(d) provides that;

"(d) For the purpose of this Act, the licensing authority for the sale of native liquor in a subcounty shall be the Assistant Chief Administrative Secretary, and in a town council or division shall be the Town Clerk."

Clause 5(3) provides that;

"(3) A person who intends to manufacture for sale or sell native liquor shall apply to the relevant licensing authority for a licence."

Clause 22(d) *"Prohibits a person from manufacturing native liquor for sale without a licence."*

This section of the Bill explicitly regulates the manufacture and sale of native alcohol and its essence in illicit alcohol.

Clause 2(c) provides one object of the Bill as to provide for measures to eliminate illicit trade in alcoholic drinks.

Clause 22 provides for the prohibition of manufacturing, importation or sale of alcohol without a licence and contrary to the provision of the Act.

Clause 2(c) is read together with clause 22. They prohibit illicit trading in alcoholic drinks and hence this is proof that the Bill regulates illicit trade in alcohol.

Mr Speaker and Members, being that we understand the great danger that native alcohol poses to the health of our citizens, we have made the following proposals for amendments to the Bill in regard to native alcohol -

THE DEPUTY SPEAKER: No, honourable member, such amendments come when you go to the Committee Stage. They also come with the justifications at Committee Stage. Yes, you know when we go to the Committee Stage is when we go into all that and that is the process.

MR KOMAKECH: Mr Speaker, I take your guidance in –(Interruption)

THE DEPUTY SPEAKER: Yes, Hon. Sarah?

MS OPENDI: Mr Speaker, when I read the minority report and the majority report stated that the Bill is actually not talking about illicit alcohol nor is it regulating it. That is the reason why the minority report is trying to show you the various clauses where illicit alcohol is being regulated in the proposed Bill. That is why he was reading those clauses. So –

THE DEPUTY SPEAKER: I allowed him to do that. But now even when you propose what you are amending and justifying it, that is done at Committee Stage.

MS OPENDI: Maybe he can just highlight those areas in response to the majority report.

THE DEPUTY SPEAKER: They also gave a summary so that we can have time to debate.

MR KOMAKECH: Mr Speaker, I take your guidance in kind, and I beg you to allow me to highlight.

3.2.4 Licensing of manufacture and sale of alcoholic drinks

Members, you will read through that.

3.2.5 Location for sale of alcohol was also another point of interest –

THE DEPUTY SPEAKER: Honourable colleagues, the whole minority report will be captured in the *Hansard* like we did with the main report.

MR KOMAKECH: Mr Speaker, I will go straight to the restriction on time of sale - if you may allow. We dissent on the observation of the majority report that by limiting the time of sale under Clause 14 of the Bill may not necessarily translate into people drinking less, thus, the clause will be redundant.

According to the National Alcohol Policy and the World Health Organization, one of the control measures of controlling excessive consumption of alcohol is limiting the accessibility of the alcoholic drinks. One of

the objects of the Bill under Clause 2(a) is to regulate consumption of alcohol and there is no better particular way to do it than by regulating accessibility.

Suffice to note that when Uganda Breweries Limited, Nile Breweries Limited, and the Uganda Alcohol Industry Association appeared before the committee as the major players in the alcohol sector, they welcomed the clause on limitation of time and made a few proposals for adjustments in the time which we have captured in the recommendations. The submissions of these three entities are attached as Annexure “A”, Annexure “B” and Annexure “C”, respectively.

In addition, literature review revealed that a number of countries have prescribed restriction of time for sale of alcohol and hence Uganda will not be the first country to restrict time of sale of alcoholic drinks as illustrated below:

In Sweden, sale of alcohol must not be carried out before 11.00 a.m. Most licences allow liquor services between 11.00 a.m. to 1.00 a.m. Some restaurants have limited hours on weekdays, but are allowed to serve longer on weekends. Many dance venues and bars are allowed to serve until 3.00 a.m. or 5.00 a.m., often combined with the condition that the restaurant has a doorman to enforce the closure time of similar controls.

Mr Speaker, I will go to advertisement due to time and then I conclude.

Clause 17 seeks to regulate the advertisement of alcoholic drinks. Subclause (2) obligates the minister, by regulations, to regulate the advertisement of alcoholic drinks.

In relation to Subclause (2) which empowers the minister, by regulations, to regulate the advertisement of alcoholic drinks, we agree with the observation of the joint committee that the Uganda Communications Commissions (UCC) Act, 2013 empowers the UCC to regulate advertisement in Uganda and further that the Uganda National Bureau of Standards (UNBS) puts in place standard US EAS

38:2014 which regulates against labelling information that is false, misleading, deceptive or is likely to create an erroneous impression regarding the character of a product.

Therefore, if a provision on advertisement is left in this Bill, it will result in duplication of roles, in addition to creating confusion in the industry.

Conclusion

In light of the worrying statistics by the World Health Statistics Report, 2023 which indicates that Uganda boasts a high per capita alcohol intake, topping the list in Africa and placing fourth globally. The Uganda National Household Survey (UBOS, 2021) which revealed that young adults aged 18-35 years constitute the highest percentage of drinkers and further that on average, a Ugandan consumes 12.21 litres of pure alcohol annually, hence exceeding safe limits and hence at risk of getting many chronic diseases.

We conclude that there is an urgent need to regulate the manufacture, importation, sale, consumption, and advertisement of alcoholic drinks in Uganda. The Bill together with the proposed amendments will go a long way in putting in place robust and holistic laws that will address challenges like illicit trade in alcoholic drinks, alcohol abuse, quality control, and above all protection of the health of the future generation of this country.

Finally, as was noted in the main report, the Bill will also fill the gaps that were created by the repeal of The Enguli (Manufacture and licensing) Act (Cap. 86), and the Liquor Act, (Cap. 93) regarding the regulation of manufacturing, sale and consumption of native alcohol, which, if left unregulated, will continue to be a danger to both the economy and health of Ugandans.

It is my humble appeal that the House adopts the recommendations laid down in this report and allows the Alcoholic Drinks Control Bill, 2023 to be read for the second time, subject to the following amendments.

Mr Speaker, I beg to report.

THE DEPUTY SPEAKER: Thank you. Colleagues, I have known those I should take out when I am broke, and those whom I shouldn't risk, from the way you were reacting.

However, there are really salient issues which were raised, especially on the constitutionality, among others. Attorney-General, I would like to hear from you as we open the debate.

5.35

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Thank you, Mr Speaker. I must state from the onset that the private member did not benefit from the assistance of the Attorney-General's Chambers, as required by Article 94(4) and some of the things that I may point out may point to that.

This Bill, in our view, offends Article 93(a)(2) of the Constitution of the Republic of Uganda, 1995, which provides that we shall not proceed on a Bill that has a financial implication on the Consolidated Fund or an alteration of the same. *(Applause)*

Mr Speaker, that is why Article 94(4)(c) and Rule 121 of the Rules of Procedure require a Member to get assistance from the department that manages a Bill that is before the House. *(Applause)*

From the reading of the majority report, you can clearly see that the implementation of this Bill, if passed by this House, will have an effect on the Consolidated Fund. For that reason alone, I would be moving that the Bill be rejected by the House. *(Applause)*

However, - *(Interjection)*- let me finish then you - Clause 1(b) of this Bill contradicts the very purpose of this Bill-

THE DEPUTY SPEAKER: Please, honourable colleagues, when you mention twice, I have heard you. It is my right to pick you and I usually pick depending on circumstances. I am also guided here; when I call on the Attorney-General, know that even

as a presiding officer, I want to benefit from his guidance. Attorney-General, please continue.

MR KIRYOWA KIWANUKA: Thank you, Mr Speaker. This Bill also creates another challenge because it offends a number of laws that have been passed by this House. *(Applause)*

The regulation of standards is under the Uganda National Bureau of Standards Act.

As I have guided here before, if we continue having subject matter laws, it will help us in guiding the nation. Therefore, the provisions here that offend the Uganda National Bureau of Standards law should be removed.

Again, this Bill will contradict the Employment Act because it is looking to guide on the issue of employment of persons and minors. This is both governed by the Employment Act and the Children's Act.

We have a law that provides for industrial licensing which is done by the Industrial Licensing Act when you are setting up a factory and this is what governs all manufactories, that is, big and small but if we now create another section that is dealing with a section of manufactories, we are likely to cause a contradiction in implementation.

Again, in the National Building Review Board, under that Act, we have provided for the management of building in this country. So, when we start breaking down these issues into a different law, that means when we are reading the law with respect to homes, shops, alcohol, and food we go to different laws; it becomes very difficult and expensive to implement. *(Applause)*

There is nothing in this Bill that is not regulated by an existing law, except the time which also can be managed through licensing. We have laws that license the use of premises in different places.

I strongly advise and pray that to avoid causing regulatory confusion, we wholly reject this Bill, and then for the good ideas that we have

picked up here, we can find the necessary laws where they are supposed to be input to regulate. I beg to submit. Thank you. *(Applause)*

THE DEPUTY SPEAKER: Hon. Aogon, Hon. Roland, Hon. Bashiisha, Hon. Obigah and then Hon. Okupa.

Now the debate is on. Let me first pick this procedural matter.

MR ODUR: Thank you, Mr Speaker. Before we proceed to debate, my understanding is that once a matter of law has been raised before you, you cannot proceed unless you, the Speaker, has determined- the question raised by the learned Attorney-General is a point of law and he referred correctly to Article 93.

What is for you to make a pronouncement whether in your opinion you think by ruling there is a charge on the Consolidated Fund. Because if you read this Article very well which says,

"Parliament shall not, unless the Bill or the motion is introduced on behalf of the Government-", (a) and (b) start with the word "proceed" to mean that at the point this matter of law is raised, if the House agrees that there is a charge, we are stopped from proceeding.

Now, if we go to debate without determining this point of law, it would raise questions. That is why I am asking that before we even debate - if you rule that it does not, then we shall proceed but if you say it does, in your opinion, we stop at this moment.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, sometimes I try to be as accommodative and liberal as possible because I know the situation - but indeed like Hon. Jonathan Odur- where the law commands, my hands are tied; I am constrained.

I do not - listen to me- this is where the law commands. I do not want to make this decision alone. I want it to be ours. I do not want it to be in my opinion alone. In case we proceed to the second stage, we go into all these details.

To be clear, I am going to put a question. If you do not want us to proceed, you will say “No” but if you want us to proceed, you will also say “Yes”.

I now put the question that the Alcoholic Drinks Control Bill, 2023 be read the second time.

(Question put and negatived.)

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, House adjourned to tomorrow at 2:00 p.m.

(The House rose at 5.44 p.m. and adjourned until Wednesday, 14 August 2024 at 2.00 p.m.)