

1.0 INTRODUCTION

On 7th November 2019, the Rt. Hon. Speaker of the Parliament of Uganda, in her communication to the House, raised concern about the conduct of some Members of Parliament in Committees that brings the image and dignity of Parliament into disrepute. She particularly singled out Hon. Zaake Francis, Member of Parliament (MP) for Mityana Municipality for his reported un-parliamentary conduct during meetings of the Committee on Education and Sports. She referred the matter to the Committee on Rules, Privileges and Discipline for investigation.

The Committee received a copy of a written complaint to the Speaker from Professor Barnabas Nawangwe, the Vice Chancellor of Makerere University, on the treatment he received on 6th November 2019 while appearing before the Committee on Education and Sports in Parliament.

The mandate of the Committee on Rules, Privileges and Discipline is stipulated under Rule 172 of the Rules of Procedure of Parliament and it includes the following:

(1) The Committee on Rules, Privileges and Discipline shall by order of the House:

(a) inquire into any complaint of contempt of Parliament or breach of privilege which may be referred to it and to recommend to the House such action as the Committee may consider appropriate;

(b) consider any matter of discipline referred to it by the Speaker or the House including attendance of Members at sittings of Committees, and to report its findings to the House.

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- (2) The findings and recommendations of the Committee on Rules, Privileges and Discipline shall be presented, debated and approved by the House.
- (3) Without prejudice to sub-rule 2, where affected parties agree to the findings and recommendations referred to in that rule, there shall be no debate save approval of the report by the House.
- (4) Once the House has pronounced itself on any report presented under this rule, the decision of the House shall be binding on all parties.

The Committee inquired into the conduct of Hon. Zaake Francis during a meeting of the Committee on Education and Sports on 6th November 2019 pursuant to Rule 172 of the Rules of Procedure.

2.0 TERMS OF REFERENCE

The Terms of Reference were for the Committee to inquire into the conduct of Hon. Zaake Francis while in a meeting of the Committee on Education and Sports on 6th November 2019 and make recommendations.

3.0 INQUIRY INTO THE CONDUCT OF HON. ZAAKE FRANCIS, MP MITYANA MUNICIPALITY

3.1 Methodology

The Committee conducted the inquiry as follows:

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- (1) Reviewed the relevant documents that consisted of the Hansard of 6th November 2019 and the letter containing Professor Nawangwe's complaint to the Speaker in regard to the matter before the Committee.
- (2) Reviewed the CCTV (Close Circuit Television) footage covering the area surrounding the Conference Hall, the corridors and the Central Lobby of Parliament immediately after the meeting of the Committee on Education and Sports on 6th November 2019.
- (3) Received testimonies from the following witnesses:
 - (a) Division Police Commander of the Parliamentary Police Division, Superintendent of Police (SP), Anabella Nyiramahoro;
 - (b) the Chairperson of the Committee on Education and Sports, Hon. Jacob Opolot;
 - (c) Vice Chancellor of Makerere University, Professor Barnabas Nawangwe;
 - (d) A member of the Committee on Education and Sports, Hon. Ongiertho Emmanuel, MP Jonam County;
 - (e) Detective Assistant Inspector of Police, Harriet Kibuuka;
 - (f) Hon. Zaake Francis, MP Mityana Municipality;

A collection of handwritten signatures in black ink, corresponding to the witnesses listed in the report. The signatures are written in a cursive style. Some are clearly legible, such as 'Anabella', 'Jacob Opolot', 'Barnabas Nawangwe', 'Ongiertho Emmanuel', 'Harriet Kibuuka', and 'Zaake Francis'. Other signatures are more stylized and difficult to read.

3.2 Evidence from the CCTV footage

The Division Police Commander of the Parliamentary Police Division, SP Anabella Nyiramahoro presented the CCTV footage to the Committee.

The footage covered recordings of the area surrounding the Conference Hall, the corridors and the Central Lobby of Parliament immediately after the meeting of the Committee on Education and Sports on 6th November 2019.

Hon. Zaake was seen walking out of the Conference Hall pointing/gesturing, but the person he was pointing at was not in view.

3.3 Testimonies from the witnesses

3.3.1 Testimony of Division Police Commander of the Parliamentary Police Division, SP Anabella Nyiramahoro

As the in-charge of the Parliamentary Police Division, SP Nyiramahoro explained that the CCTV cameras in Parliament do not cover the Conference Hall, Committee Rooms and Offices. She stated that there is need for more CCTV cameras in all public places for enhanced security.

She recommended for the Committee to interview the Security Officer who was on duty at the Conference Hall on 6th November 2019.

3.3.1.1 Reaction to issues raised by the SP, Nyiramahoro following the testimony

The Committee expressed concern about the fact that CCTV Cameras in Parliament did not cover meeting rooms. They noted that this made it difficult to acquire evidence in certain cases.

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3.3.2 Testimony of Hon. Opolot Jacob, Chairperson of the Committee on Education and Sports

Hon. Opolot Jacob, testified as follows:

- (1) The incident for which Hon. Zaake Francis was referred to the Committee on Rules, Privileges and Discipline indeed occurred. However, he (Hon. Opolot) did not file any report on the matter with the Rt. Hon. Speaker because, in his opinion, the situation had been ably dealt with during the meeting of the Committee on Education and Sports. He also stated that he had seen a written complaint by the Vice Chancellor of Makerere University to the Speaker.
- (2) He informed the Committee that on Tuesday 5th November 2019, Hon. Zaake Francis and Hon. Kibalya Maurice joined a meeting of the Committee on Education and Sports under Rule 203 of the Rules of Procedure of Parliament that allows any Member of the House who is not a Member of a Committee to take part in public proceedings of the Committee. The Minister of Education and Sports came to that meeting with some leaders of the Council and Management of Makerere University. However, a section of Members of the Committee on Education and Sports objected to the inclusion of the leadership of Makerere University in the Minister's delegation. This culminated into a heated exchange during the meeting and the Minister bowed to the Members' demands to exclude the leadership of Makerere University from his delegation.
- (3) On 6th November 2019, during a subsequent meeting of the Committee on Education and Sports with the Management of Makerere University, Hon. Zaake Francis, Hon. Basalirwa Asuman and Hon. Silwany Solomon joined the meeting as permitted by Rule 203. During the meeting, there was a demonstration of bitterness from Hon. Zaake towards Professor

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Nawangwe/ Vice Chancellor. Other Members joined in, and the situation escalated into an embarrassing one. Hon. Zaake continuously interrupted the submission of the Vice Chancellor and at times directly pointed a figure at him while making various accusations.

- (4) As the Chairperson, he (Hon. Opolot Jacob) managed to contain the situation and maintain order in the meeting by periodically calling the Members to order and at one point joked that given the visible “bad blood” between the Vice Chancellor and Hon. Zaake, he would consider allocating them a room to sort out their differences.
- (5) In response to his (Hon. Opolot’s) calls for order in the Committee, Hon. Zaake openly branded him, a dictator. As Chairperson, he deliberately used tact and persuasion and ended the meeting well.
- (6) Hon. Silwany Solomon rose to have a chat with the Vice Chancellor who had already been discharged from the meeting. He was joined by Hon. Zaake who after a short while raised his voice. As Chairperson, he (Hon. Opolot) stood up and gently pushed Hon. Zaake away. He (Hon. Zaake) was urged to let the Vice Chancellor exit the meeting venue.
- (7) Lastly Hon. Opolot reiterated the fact that as Chairperson, he did not raise any complaint about what happened in the Committee meeting that day.

3.3.2.1 Responses to issues raised by the Committee following the testimony

- (1) On the applicability of rules 190, 87 and 88 to the situation in the said meeting as narrated by Hon. Opolot Jacob, the witness explained that

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In regard to the general mood of the meeting, Professor Nawangwe said that it was combative, though it was not surprising given the matter under discussion. He pointed out that:

- (1) the delegation from Makerere University headed by the Chairperson of Council remained respectful and calm despite the hot environment. They listened quietly to submissions from Members of Parliament for about one and a half hours.
- (2) when Committee Members were making remarks, Hon. Zaake kept interfering and heckling during the submissions saying they should ask certain questions.
- (3) Hon. Zaake made allegations on his (Prof. Nawangwe) person. The Member kept behaving in a disruptive manner despite efforts to restrain him by the Chairperson and other members of the Committee. The statements made by Hon. Zaake included the following:
 - (a) That the Vice Chancellor did not have the powers to suspend people from the University and he wanted to know which section of the law Professor Nawangwe was using to suspend these individuals from the University.
 - (b) That he (Hon. Zaake) would make sure more strikes took place in Makerere University.
 - (c) That the Professor Nawangwe kept getting information from his girlfriends from Makerere University with whom he sleeps.
 - (d) That the professor Nawangwe always called himself a Professor yet he could not answer even simple questions.

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- (4) Professor Nawangwe further stated that after the closure of the meeting by the Chairperson, Hon. Zaake followed him and continued with the tirade of words while physically pointing at him very disrespectfully and even flexing muscles. Hon. Zaake was restrained and at this point the Chairperson together with one of the security personnel escorted him (Professor Nawangwe) towards the exit of Parliament.
- (5) He observed that while being escorted outside the premises of Parliament he could see Hon. Zaake trying to follow him but was being restrained.

3.3.3.1 Responses to issues raised by the Committee following the testimony

- (1) To a question on whether the confrontation by Hon. Zaake only happened within the Conference Hall, Professor Nawangwe responded in the affirmative.
- (2) To a question as to whether the insults were directed to him alone and not the University Management, Professor Nawangwe informed the Committee that the insults were indeed directed to him alone.
- (3) Asked if he had known Hon. Zaake before the meeting, he said he had not.
- (4) On whether he responded to Hon. Zaake's insults, he said he kept his cool except in regard to the alleged existence of girlfriends where he asked Hon. Zaake if he had evidence.
- (5) Asked why he thought Hon. Zaake's utterances were dangerous he said physical pointing given Hon. Zaake's muscular build was threatening. He

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noted that at one point all Members of the Committee shouted in unison that “Zaake Stop!”

- (6) Asked at what point the insults were hurled, Professor Nawangwe said the insults continued throughout the meeting.
- (7) Asked how he thought Hon. Zaake should be handled, he said Parliament has Rules that should determine how to treat the case. However he noted that in his letter to the Speaker, he said Hon. Zaake should be cautioned to ensure future protection of witnesses invited to Parliament.
- (8) Asked about the extent of the damage on himself arising from the events of that day, Professor Nawangwe said they are yet to establish the damage, but his authority over students would be affected as well as the reputation of the university.

3.3.4 Testimony of Hon. Ongiertho Emmanuel, Member of the Committee on Education and Sports

- (1) Hon. Ongiertho informed the Committee that his testimony was restricted to the meeting room.
- (2) He said that Hon. Zaake Francis sat next to him during the meeting and that he (Hon. Zaake) kept trying to engage him on different things.
- (3) He submitted that when the meeting commenced, the University management made a presentation and Members asked questions and

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made comments. He was one of the Members who was very hard on the University Management.

- (4) He testified that Hon. Zaake also made comments, first expressing displeasure at the Chairperson for continuously trying to redirect the meeting; and in the process often finding him (Hon. Zaake) on the wrong side. Among his comments, Hon. Zaake stated that:
 - (a) Professor Nawangwe had people whom he deployed among the students to threaten them.
 - (b) there is one gentleman with a pistol whom Professor Nawangwe uses to threaten the students.
 - (c) Professor Nawangwe had girlfriends whom he used to intimidate the students.
- (5) Hon. Ongiertho further submitted that during the meeting Hon. Zaake was frequently speaking out of turn and it was obvious that he (Hon. Zaake) was targeting Professor Nawangwe. Some things he said and the way he said them were meant to demean the Professor Nawangwe.
- (6) The witness said that after the adjournment of the meeting, Hon. Zaake went again to Professor Nawangwe who was still interacting with the Chairperson. From the way he was communicating it was evident that Professor Nawangwe was uncomfortable.
- (7) The witness observed that it was unacceptable for a Member of Parliament to go that far and that the Chairperson was trying to get Hon. Zaake away from Professor Nawangwe.

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3.3.4.1 Responses to issues raised by the Committee following the testimony

- (1) Asked if Hon. Zaake's submission during the meeting had any relevance to the submission made by Makerere University management, the witness said that some of the issues Hon. Zaake raised were relevant to the report but others were not.
- (2) Asked if he saw Hon. Zaake as a physical threat to Professor Nawangwe, the witness responded that during the meeting he did not see any physical threat from Hon. Zaake to the Professor.

3.3.5 Testimony of Detective Assistant Inspector of Police, Kibuuka Harriet

- (1) The witness informed the meeting that her role was to receive and usher visitors to Committee Rooms. Accordingly she received the Vice chancellor and ushered him to and out of the Conference Hall.
- (2) She said she did not witness the confrontation as she was sitting in the corridor overlooking the Conference hall and had to check other rooms as well.
- (3) At the end of the meeting everybody stood up and it took the Vice Chancellor 3-4 minutes to get out of the Conference Hall from where she ushered him out till the Central Lobby. She remembered telling the personal security of the Vice Chancellor that 'I think you are now safe here' and left the Vice Chancellor to be interviewed by journalists.

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3.3.5.1 Responses to issues raised by the Committee following the testimony

- (1) Asked if she had heard any confrontation in the Conference Hall, the witness said that at one time she heard people telling Hon. Zaake to calm down.
- (2) Asked if she saw Hon. Zaake following Professor Nawangwe, she said she was walking in front of him, so she did not see what happened.
- (3) Asked why she told the security personnel of the Vice Chancellor that 'you are now safe' she responded that she had heard that the meeting had had some issues, though she did not personally witness the confrontation.

3.3.6 Testimony of Hon. Zaake Francis, MP Mityana Municipality

Hon. Zaake Francis made a written submission as attached herewith as Annex

The following points stood out: -

- (1) That the issues he sought clarification for from the Vice Chancellor of Makerere University on 6th November 2019 had earlier been raised by Students of the University to the Committee on Education and Sports. They consisted of allegations against the Vice Chancellor as follows:

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- (a) That he had condoned the military attack on students where they were severely tortured, sexually assaulted and their property destroyed as a result;
- (b) That his juniors telephoned parents of outspoken students and threatened to kill them;
- (c) That his personal Assistant moved on campus with a pistol threatening students;
- (d) That he personally sent his student critics threatening messages on social media;
- (e) That he unduly influenced the cancellation of scholarships of students opposed to his policies;
- (f) That he suspended student-critics without following due process;
- (g) That he engaged in inappropriate relationships with female students to spy on their colleagues;
- (h) That his juniors rented University premises without remitting rental dues to the University among others.

(2) Hon. Zaake further stated:

- (a) That Professor Nawangwe responded to just a few of the issues raised by the Committee on Education and Sports; and the issues he (Hon. Zaake) raised as listed above were not answered.
- (b) That after the meeting had been adjourned, he (Hon. Zaake) walked to the Chairperson to express his disappointment. While

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standing beside the Chairperson, Professor Nawangwe joined them with a smile. At this point Hon. Zaake repeated the allegations to him but instead of answering the question Professor Nawangwe just smiled and stated that Parliament is a toothless dog that cannot do anything about what was happening in Makerere University. With a sneer he wondered what made Hon. Zaake feel so safe to insist on the allegations.

- (c) That Hon. Zaake cautioned the Professor to stop working on “orders from above” but rather work on governance issues at Makerere University. While he was still gesturing as he made his point, the Chairperson came and led Professor Nawangwe away. Hon. Zaake then walked away from the Conference Hall.

3.3.6.1 Responses to issues raised by the Committee following the testimony

- (1) On whether the Chairperson or Members of Parliament could have heard Professor Nawangwe saying Parliament was a toothless dog, Hon. Zaake said the Chairperson had stepped away. He said Professor Nawangwe had 3-4 people with him from his team while Hon. Zaake was with his Assistant. Journalists were standing behind him. There was therefore no MP nearby.
- (2) On whether he said he would ensure that strikes continue at the University, Hon. Zaake said that he did not.
- (3) In regard to the apparent lack of respect and decorum by Hon. Zaake, he responded that he behaved very well and that in regard to his body language, he was just gesturing and he did not point at the Professor.

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