



PARLIAMENT OF UGANDA

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

SECOND SESSION - SECOND MEETING

WEDNESDAY, 30 NOVEMBER 2022



PARLIAMENT OF UGANDA

IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

SECOND SESSION - 14TH SITTING - SECOND MEETING

Wednesday, 30 November 2022

Parliament met at 2.12 p.m., at Parliament House, Kampala.

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Honourable members, I welcome you to today's sitting. Today is the deadline for the consideration of the Local Government Cities Regulations, 2022, as per Section 175 (I) of the Local Government Act. I received these regulations on 16 November 2022 and the Act gives us only two weeks to consider them. So, we need to bear this in mind as we consider that item.

Colleagues, I want to give guidance in relation to yesterday's incident so that we know how we shall be moving in the House. One, as Presiding officers, we gave guidance that for all matters of national importance, you must come to the Chambers of the Speaker or the Deputy Speaker - that is, the Office of the Speaker, and submit your matters. Usually, when you come, we guide you on how these matters can be handled. Most of the time, we agree; we never have any contention.

Yesterday, Hon. Abdallah Kiwanuka came and booked space to raise the issue of the arrest of some people using drones; the language

he chooses to use is a language I am not sure about, but he said, "Some people are arrested using drones", and we booked it.

The Leader of the Opposition submitted a document, which was on our *Alfresco* – raising the same issue in response to the Action Taken Report, which was going to be tabled by the Attorney-General. All of them were on the Order Paper, especially the one from the Leader of the Opposition, which was very detailed. We give you these documents much earlier so that you are able to read them. For example, if you are a Member on this side, you cannot come and raise the issue for which the Prime Minister has booked space to raise.

When you are a Member on the opposite side, you cannot come and start raising issues, which your leaders – the Shadow Attorney-General, the Shadow Minister of Justice, the Shadow Minister for Internal Affairs, and the Leader of the Opposition have booked as substantive items on the Order Paper.

Colleagues, you choose not to read. You choose to come here under the cover of the Rules of Procedure and decide to behave the way you do. Then outside you tell the public, while addressing the press: "They are not giving us space to address these issues in the House", when you have not been coming here; when you have not been attending Parliament, and you decide to cause commotion.

We know the media, sometimes when writing, they pick one part. One person asks you, "Why

did you stop so and so from speaking?" The issue is, we have rules we go by in this House. The moment we run this House as a mere jungle where each one of us can stand up - then you will even start boxing each other and I will enjoy popcorn here; but I will have abdicated my duty as a Presiding officer.

Based on what happened, and because we are answerable to the nation that needs to know how we operate and why we take decisions, I have consulted with the Speaker and we have come up with this guidance on points of procedure and order during debate. They must be adhered to and any Member who tries to veer off, we shall use our authority to ensure that we restore order in the House.

Honourable members, over time, I have observed the continuous abuse of the Rules of Procedure relating to points of procedure and order by Members during debate. Based on that background and in accordance with the powers granted to the Speaker under Rule 7 of the Rules of Procedure of Parliament, I would like to guide as follows:

1. Rule 78 of the Rules of Procedure of provides for circumstances under which debate may be interrupted.

According to subrule (1)(b) and (d) of Rule 78, debate maybe interrupted when a Member rises on a point of order or procedure, respectively. As regards to points of order, it is established Parliamentary practice that a point of order must only be used to draw the attention of the Presiding officer to words used or conduct of a Member at any time immediately after the words are used or conduct that:

- a) Breaches the Rules of Procedure or practice of the House; and b) Contradicts a previous decision of the House.

Points of order can be raised where, for instance, a Member does not conform to the rules of debate, approved attire, uses unparliamentary language or does an act or utters any words that breach the Rules of Procedure.

On the other hand, a Member rising on a point of procedure must, before subjecting the Member holding the Floor to the Speaker's ruling, state:

- i) The Rule of Procedure which he or she deems to have been breached by the Member holding the Floor; and
- ii) The procedural matter the Member wishes to be ruled upon.

A Member rising on a point of procedure must ensure that the point of procedure being raised pertains to the subject matter under discussion by the Member holding the Floor except for matters related to quorum. For example, points of procedure should relate to motions not properly seconded, authenticity of reports being presented to the House, among other matters relating to procedural flaws of the Rules of Procedures. Thus, the point of procedure must be based on identified procedural flaws within the Rules of Procedure and the Rule of Procedure being breached must clearly be stated.

A Member should not make a political statement, raise a matter of national importance or any other matter under the guise of a point of procedure. I repeat: a member should not make political statements, raise matters of national importance or any other matter under the guise of a point of procedure. This amounts to abuse of the Rules of Procedure.

When a Member rises on a point of procedure or point of order during debate, the Member holding the Floor must immediately resume his or her seat and no other Member is supposed to rise until the Speaker has decided on the matter or unless the Speaker grants the Member leave to speak.

In granting leave to a Member to interrupt debate, a point of procedure takes precedence over a point of order. A Member who rises on a point of procedure or point of order must stick to the point of procedure or order respectively, and must not depart from the respective point.

Once the Speaker makes a decision on a point of procedure or order, the Member who was holding the Floor is entitled to proceed with his or her speech unless the Speaker's decision prevents the Member from proceeding with his or her speech.

Colleagues, therefore, I want to inform you that a point of procedure will only be applicable only on matters featuring in the debate on the Floor and are within our Rules of Procedure. The Constitution is not our Rules of Procedure. The Local Government Act is not our Rules of Procedure. Our Rules of Procedure are just to guide the way we conduct business here. They are not laws; they are rules.

The moment one starts bringing up issues that are outside our rules, but hide under the rules, be rest assured I will not allow you to proceed. I will ask you to get off the Floor so that the business of the House can proceed properly. So, I implore you to abide by this guidance when seeking to interrupt debate on a point of procedure or order.

Finally - and I was sharing with the Chairperson of the Committee on Rules, Privileges and Discipline and other Members - we had agreed to be flexible because some of you are new. We do not want to be that rigid and strict on the interpretation of the rules. We wanted to give room for manoeuvring so that everyone comes on board. We do not leave the House to seniors only who understand the rules, and that has been our major aim for flexibility.

However, the problem is that you have interpreted our flexibility to mean allowing you to somersault on the Floor. You do break dance and all kinds of things. You can say that I say, "Procedure," Members look bored. "Can I do some breakdance to make them a little happy?" That is where we are. We are going to try to be as flexible as possible, but where we find flexibility being abused, then we shall apply the strict interpretation of the rules. I thank you. I will allow three reactions before we go on.

2.27

MR ABDALLAH KIWANUKA (NUP, Mukono County North, Mukono): Thank you, Mr Speaker. With your wise guidance and humility, the challenge comes in, for example, on matters of national importance, where we normally expect an immediate response(s) and action to be taken. What happens is that these matters are pushed to the next day for the minister to come and react.

For example, we have a line-up of around 100 issues to be responded to by the ministers because they are always given an opportunity to come back and respond - they do not normally have the responses. However, I am wondering, Mr Speaker, given your guidance to the House - when the Attorney-General was required to come back and respond on the issues of the backlog in courts - how can I remind him? In the guidance, you have told us how we can raise the points of order and procedure, but what happens in a situation where we have to remind them to respond to this and that? Thank you.

THE DEPUTY SPEAKER: Honourable colleague, the problem is that we take it as if everything has to be handled on a microphone. I have very many colleagues who have such issues. They come to my chambers and I call the minister. I call the Leader of Government Business and say, "I have this matter. If you do not sort out the Member's issue and he continues demanding, I am putting the issue on the Order Paper tomorrow, and you must come and answer."

My head is not a computer. Sometimes you come to the microphone because you prepared, but I cannot remember that that issue is pending. In the end, we are just in between here.

I want to implore you to utilise our offices as much as you can. There are some of you Members who I only meet here on the Floor raising issues. You have never been to my office nor to the Speaker's. Hon. Aloysius has been there many times; sometimes we agree and sometimes we do not, but at least he brings issues and some are sorted out there and then.

Therefore, I want to inform you that some of the issues are better resolved when you reach out to us as presiding officers. Our offices are open for you to utilise.

2.29

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Thank you, Mr Speaker. I would like to thank you for the flexibility with which you and the Speaker have been presiding over this House. I think it has provided Members with an opportunity to explore the rules of the House and learn. So, we should appreciate that, as Members of the House.

Secondly, there is a danger in ambushing the House with important issues when they are not on the Order Paper or have not been raised with the Speaker. There are other ways that we can use to bring these issues to be debated by the House. I just want to give an example: there is this issue of drones, which is a very big concern for many Members.

If, for example, a Member sought permission from the Speaker to move a motion so that it is debated by the whole House, and we are given time to think through it to give ideas about how it can be resolved, we would solve such issues in a civilised way and all of us would benefit from it.

However, if a Member just comes up, in the middle of the debate and raises such a matter when Members and the Speaker have not even thought through it, that Member denies the House the opportunity to make a contribution to finding a solution to that problem. When we do it in an orderly manner, the whole House and country benefit.

There are very many opportunities in the Rules of Procedure that we can explore. There is a rule that empowers personal explanation and motions. Let us explore better ways of giving the House the opportunity to debate these issues because, at the end of the day, we want solutions; not only for ourselves, but for the whole country. Thank you.

THE DEPUTY SPEAKER: Colleagues, I can give housekeeping issues more time, but maybe, in the future. Otherwise, today, we have many items on the Order Paper.

2.31

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): Thank you, Mr Speaker, for your communication. I remember one time I rose and told the Presiding Officer then, that as backbenchers, we wished to have an in-house meeting with our Speaker to talk about issues within the House without the fourth arm. That is very pertinent.

I have good evidence from Hon. Kasule Lumumba. When she was our commissioner, we used to sit here - that was during my first term - and we would talk about certain issues.

Secondly, I would like to say that training is still needed. Training of Members of Parliament should go on because without good training, these are the challenges we will continue to face. Sometimes, these things happen, but definitely, we are politicians; we cannot run away from that.

However, I will pray –(Interruption)

MR MACHO: Mr Speaker, I want to thank you for guiding the august House with your wisdom. I stood on a point of order because after two years in Parliament, my colleague is talking of how the Government can get money to train us. The incident that happened yesterday is an issue of character, decorum and discipline.

My submission is that as a Parliament within the Commonwealth, we should look at the structure of discipline, virtues, and decorum. I call upon all parties to train their people on their character so that we have people of quality.

Mr Speaker, yesterday Hon. Olanya was one of the people banging this Table because of the issue of character, and he must apologise for that. I do not know whether my colleague is in order. Thank you.

THE DEPUTY SPEAKER: Colleagues, I picked the point. We are going to take up that proposal and we shall discuss it.

MR SSEWUNGU: Thank you, Mr Speaker. Indeed, you can see that what I am saying is pertinent; he also needs training. *(Laughter)* The way he is proceeding after having taken years here - He is raising a point of order. How do you expect political parties to train Members?

Mr Speaker, as I conclude, these Members you see have internal issues that they want to express and once we get into our in-house conversation with you, the leadership of the House, we shall share with you some of the challenges that we have. Therefore, as you prepare for the training, you should first attend before I get in. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Honourable colleague, we shall look into it, but in the meantime, on a daily basis, we deal with your leaders. I have received very many issues from Members through the Leader of Government Business and the Leader of the Opposition. Some Members come directly while others go through their leaders.

You usually meet as groups. When you meet as the Opposition, say, "We have these issues with our presiding officers". The LOP will come and share with us and we love that because the positions we occupy are positions where we should be scrutinised and criticised. However, there is no single justification - whether you want to claim that you were provoked - that can warrant you to behave in a certain manner.

Matters of national importance - Hon. Odur, you are taking us back.

2.36

MR JONATHAN ODUR (UPC, Erute County South, Lira): Thank you very much, Mr Speaker. I have two matters to react to briefly regarding your communication. The first one is about the leadership provided by both sides of the House when we have issues as Members.

I would like to kindly beg your indulgence that while we are here led by the different appointees, Members of Parliament have come here in their own right and that right cannot be fettered by virtue of being led by the Leader of the Opposition or the Prime Minister. It is a constitutional right for Members to speak here. Therefore, that should be guaranteed for Members.

Secondly, Mr Speaker, for us to appreciate the guidelines you have given and for purposes of having predictability, that should be in writing. We have been following these Rules of Procedure. If the Speakers see that there is need to amend, there must be something that is in black and white that each and every Member can then follow.

We cannot be subjected to the moods of the day so that you do not know what the Speaker is thinking today - Should I do this? Should I do that? The Speakers also must be consistent in their rulings for us to accept them. If they are going to apply, we must see them in practice against all Members and that will make this House stand. However, once we see that the presiding officers are not consistent in their rulings, it will be very difficult for Members to abide. Thank you.

THE DEPUTY SPEAKER: Thank you, honourable colleague. On the issue of Members reaching out to their leaders, Hon. Odur, if you heard me properly, I said, my Chambers are always open and Members are always coming.

However, where you are uncomfortable or where you need backup, go to your leader and that is what has been happening. I have handled very many cases; we have not said or I have not guided that Members should go to their leaders and then their leaders come to me. No way! You have your right, as a Member.

For record purposes, we even invite you to our homes because some Members say, I need a more free environment. A Member comes and says, "Honourable, I need to spend an hour with you because I need mentorship and guidance." I cannot give you an hour in the office

when other people are lining up. Therefore, the option is for us to share coffee at home. I can even visit your home only that most of you are mean: you do not invite us. I do not know why.

Secondly, on the written guidance, this is going to be circulated to you in writing. Whatever we have guided here, we have not amended any of the rules at all. We have interpreted the rules the way they are. Whoever will be dissatisfied with the interpretation, we can link up. We are open to sharing with you where you feel we are very radical.

Colleagues, allow me to provoke the chairperson of the committee; a senior leader. He is the Chairperson of the Committee on Rules, Privileges and Discipline and a senior leader here. If you can give more guidance to the House, it would also be appreciated.

2.39

THE CHAIRPERSON, COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE

(Mr Abdul Katuntu): Thank you very much, Mr Speaker. I would like to draw the House's attention to rule 25. It says,

“(1) The Speaker shall determine the order of business of the House and shall give priority to government business.

(2) Subject to sub rule (1), the business of each sitting, as arranged by the Business Committee in consultation with the Speaker, shall be set out on the Order Paper for each sitting and shall, whenever possible, be in the following order - ”

The interpretation of rule 25 is that business of the House is determined by the Speaker. If you want to raise any issue, please approach the Speaker. It is not very difficult to find the reason why the rule states so; do not ambush the Speaker or the House. That is why regarding matters of national importance, any person wishing to raise them approaches the Office of the Speaker because the entire business of this House is governed by rule 25 and the Order Paper is a sole prerogative of the Speaker of the House.

When you come here and raise an issue which is strange to the Speaker, you give him or her a very big challenge because he or she is the one presiding. Therefore, I implore our colleagues to approach the Office of the Speaker and raise their issues. Why? Because business is determined by the presiding officer either on the Order Paper or through consultation in accordance with rule 25 – *(Interruption)*

MR NAMBESHE: Thank you, Mr Speaker. The clarification I am seeking from the Chairperson of the Committee on Rules, Privileges and Discipline is about the business being determined by the presiding officer of the House. The rule categorically mentions the order of business. The order of business is different from business.

Rule 25(2) of the Rules of Procedure talks about the business for each sitting. Business, therefore, shall be determined by the Business Committee, but the presiding officer – the Speaker – determines the order. I would like to be educated on that one because you are a guru in these matters.

MR KATUNTU: Why don't I respond to this one? Thank you. If you read the rule, acting Leader of the Opposition, you have deliberately missed out three words. It says: *“...arranged by the Business Committee in consultation with the Speaker.”* You have deliberately missed out *“in consultation with the Speaker.”*

MR OSHABE: First of all, let me thank the Speaker for giving us this opportunity to learn while on the job – *(Interjection)* - I am learning, especially when Hon. Katuntu starts to interpret some of these – *(Interjection)* – thank you, Hon. Ssewungu, for that.

Hon. Katuntu, for quite a long time, I have seen Members come here, pick up on matters that were discussed prior and are not on the Order Paper. They can even pick up matters that were discussed by the 10th Parliament or the Ninth Parliament and bring them back for discussion. Sometimes, that might look like ambushing the Speaker, but probably, it came out of a matter that the Member thinks should be discussed at the moment.

Having said that, I also want to be in a Parliament where Members are a little bit free, not in a Parliament where a Member has no room whatsoever to raise anything that concerns the people. Can you, kindly, clarify on where we fall? This is because many times, we might be called out of order for not having met the Speaker or having discussed with the Speaker, like you have said: “Do not.” Kindly, help me understand.

THE DEPUTY SPEAKER: Honourable colleagues, please, let us conclude this.

MR KATUNTU: Thank you very much, Mr Speaker. I would like to thank Hon. Nsamba. The business of the House is governed by the rules – we either follow the rules or it is chaos. That is it. There is no other option. These are the Rules of Procedure. If you think you want to raise business outside the Order Paper, without consulting the Speaker, you have to amend the rules. Period!

Flexibility - and really, I must plead guilty on this, honourable colleagues. We discussed this with the Speaker. I told the Speaker that there are many new Members of Parliament who are not well versed with the rules. Should we interpret them strictly, sometimes, you disadvantage them. Therefore, as the presiding officer, have a little bit of discretion and flexibility. Indeed, that is what they have been doing, even to cater for the instance you are talking about, Hon. Nsamba. If that was wrong, then I plead guilty to having advised the Speaker so.

However, we were conscious of one thing: these rules may be a little bit complicated for the new Members and they may not be studying them and appreciating them. Therefore, interpret the rules liberally. That is what the presiding officer and I agreed on. If you abuse that liberal interpretation, then, the presiding officer, like the Speaker has said, falls back strictly to interpret the rules as they are. That may disadvantage colleagues.

What the Speaker is trying to do is for the benefit of all of us. There is nothing wrong with you going to the Speaker and telling him what

matter you want to raise. If the Speaker is not being cooperative, by the way, you can even bring a formal motion. It is provided for under the rules. This is for the good of the House and for the orderly business of the House. No House will be conducted without following the rules. That will be total anarchy. I thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, we really need to move. The point I am emphasising is very simple: no one will be treated differently from others in this House. If others can come to our office to seek permission to make submissions, you must also do it. The moment I do not do that, then people will just say: “Okay, there is no need for me to do A, B, C and D.”

Let us go to matters of national importance. Hon. Joseph Komol?

2.48

MR JOSEPH KOMOL (NRM, Dodoth North County, Kaabong): Thank you very much, Mr Speaker. I rise on a matter of national importance in regard to the impassable roads from Kaabong to Kenya and South Sudan borders.

The roads, through Kaabong to Kenya and South Sudan borders, historically existed and were used for economic purposes such as trade, tourism and largely as the shortest routes to the external borders.

These particular roads, if opened, will connect the whole of Uganda, through Kaabong, to the two international borders. The absence of these roads have resulted in poor services, poverty and increased insecurity due to poor coordination. It is as if the district is landlocked, yet it is in a strategic position to fight poverty and uphold the prosperity of its people.

Mr Speaker, Kaabong District does not have any external market for its agricultural products. It does not have any cross-border coordination and it does not have tourism activities and border posts.

The two roads were opened by Government in 2011 as the shortest routes and alternative routes –

THE DEPUTY SPEAKER: What are your prayers, honourable member?

MR JOSEPH KOMOL: My prayer is for the two roads that were opened in 2011 – one of them is Kalapata-Pire-South Sudan Road. It is 80 kilometres, but only 30 kilometres were worked on. The other is from Kalapata, Kamion to Nauntos Border.

My prayers are:

1. What plans does the Ministry of Works and Transport have for the border connection road network in Kaabong District?
2. What plan is there to tap into the EU funding that was meant for these roads?

Thank you.

MR OSHABE: Mr Speaker, thank you so much for allowing me –

THE DEPUTY SPEAKER: I have not allowed you to speak.

MR OSHABE: Mr Speaker, the way you nodded –

THE DEPUTY SPEAKER: No, I am still studying your face. *(Laughter)*

MR OSHABE: The way you nodded, Mr Speaker –

THE DEPUTY SPEAKER: Okay. Use one minute.

MR OSHABE: Mr Speaker, we have experienced heavy rains across the country. Everywhere in this country, roads have broken down. Yesterday, somebody from the minister's constituency, Buwekula – and everyone; I think every Member here has a road to talk about.

Mr Speaker, can I plead with you that you allow the Minister of Works and Transport to come here and address Parliament on the measures that can be taken around this time? Usually, in Parliament, around this time, we have had several debates on roads after heavy rains.

Therefore, not to underestimate what my colleague has said, I am just requesting that, probably, the minister comes up with a plan. Usually, we even require a supplementary to handle these emergencies so that our people – *(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. Honourable member, you are raising a very important point. Honourable minister, would you like to comment before I guide on what Hon. Nsamba has raised?

2.52

THE MINISTER OF STATE FOR WORKS AND TRANSPORT (TRANSPORT) (Mr Fred Byamukama): Thank you, Mr Speaker. I do agree with the concern of the honourable colleague.

The President directed us to work on Karamoja roads and the security roads, and we were given about Shs 50 billion. We got a contractor to work on those roads in a phased manner, but our first contractor was attacked by unknown people; they even burnt the tractor and he terminated the contract.

We went ahead and got another contractor last week, and we have the money. Next week, we are launching a comprehensive working on the Karamoja roads, which are termed as “security roads”, connecting to the borders of South Sudan and Kenya. So, let the Member be patient; we are going to work on it.

THE DEPUTY SPEAKER: Thank you.

MR FRED BYAMUKAMA: Then in regard to my other colleague's comment, if you guide so, we shall prepare a comprehensive report; we shall come back and address this House. Thank you very much.

THE DEPUTY SPEAKER: Thank you. I think it is very important because usually this period – and you remember I had warned you even much earlier, Rt Hon. Prime Minister – I told you during this period, we usually have issues of emergencies around roads and schools; floods and all that.

So, honourable minister, two weeks is enough for you to prepare a comprehensive emergency approach. But you should be having it; you should even share it next week. We are going to give you space on the Order Paper on Wednesday next week.

MR FRED BYAMUKAMA: To be safe, Mr Speaker, the country is very wide. I would request that you give us two weeks. Thank you.

THE DEPUTY SPEAKER: Two weeks granted, honourable minister. But I am told the Speaker had already given you two weeks and you have not responded. So, please, let us make it two weeks, honourable minister. - Under what point are you standing up?

MR AMOS KANKUNDA: This is a clarification, Mr Speaker -

THE DEPUTY SPEAKER: No. Honourable colleague, clarification happens when a Member is holding the Floor.

MR AMOS OKOT: I came when he was on the Floor, but immediately-

THE DEPUTY SPEAKER: No, please. I allowed you when he was already off. Please, take your seat.

2.55

MR ROBERT MIGADDE (NRM, Buvuma Islands County, Buvuma): Thank you, Mr Speaker. I am not on a procedural issue; mine is a matter of national importance and I thank you for that opportunity.

Mr Speaker, I am raising this issue on behalf of the people of Bugaya Island which comprises

7,830 people. For the past six months, they have had threats over an eviction and rumours have been going around that one of the Generals bought this island.

On 17 November 2022, a UPDF helicopter Gunship No. AF 639 with seven people on board – two in UPDF army uniform and

five in UPDF Air force uniform – landed in two different areas on this island. This has heightened the people’s worries, evidencing the rumours.

I have tried to inquire from the different sources and the information I have got is that this is a normal operation. And to the people of Bugaya, this in an abnormal operation because such gunships have not been landing there. The question is: “Why at such a time when there is a land wrangle?”

We have only one prayer: For the relevant minister to assure the people of Bugaya that the UPDF is not really part of this land wrangle and this is a normal operation. That is the only prayer we have, Mr Speaker. Thank you very much.

THE DEPUTY SPEAKER: Thank you. Honourable colleague, a Member is raising a matter of national importance. It is just a matter of information; this cannot be clarification. A point of clarification should be for someone who is giving a response; who is giving an answer. The Member has enough problems; do not add him more.

2.58

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): First of all, I am not the General he is talking about. (*Laughter*) But I have information – by association – about what he is talking about, Mr Speaker. We want to have a surveillance system for Lake Victoria and some of the areas cited to place radars and equipment are in some of these places. And when the technical people assess and people want to acquire land to operationalise the project, they buy land from the people.

So, he should not get worried; it is not about disputes. If the project is ready, the owners of the land will be approached – and they usually use small places to place equipment.

THE DEPUTY SPEAKER: Honourable minister, can I guide you that you meet the leaders from the area?

GEN. MUHOOZI: The Ministry of Defence leadership will meet the leaders in the area.

THE DEPUTY SPEAKER: Please, help coordinate that so that the Member is able to even come with more evidence and the issue is sorted.

Hon. Faith Kunihiro?

3.00

MS FAITH KUNIHIRA (NRM, Woman Representative, Kyenjojo): Thank you very much, Mr Speaker. I rise on a matter of urgent national importance with regard to the Kahombo River Bridge that was washed away by the heavy rains on Monday.

Mr Speaker, this bridge connects four subcounties of Kanyegaramire, Kitega, Bufunjo and Nyabirongo, and the people are unable to access the main business centres at the moment.

My prayer is that the Minister of Works and Transport considers this an emergency. I have already heard that you have given him two weeks to bring a report, but the people of Kyenjojo will not wait for the two weeks. My prayer is that this issue will be addressed so that the people can be able to access their business centres and business areas. Thank you.

THE DEPUTY SPEAKER: Honourable minister?

3.01

THE MINISTER OF STATE FOR WORKS AND TRANSPORT (TRANSPORT) (Mr Fred Byamukama): Thank you, Mr Speaker. I request that after here, I get in touch with the honourable colleague. We have a regional manager that side; we shall rectify that problem

so that the road is passable. Thank you very much.

THE DEPUTY SPEAKER: Hon. Abdallah Kiwanuka?

3.01

MR ABDALLAH KIWANUKA (NUP, Mukono County North, Mukono): Thank you, Mr Speaker. On 28 November 2022 at around 9.30 a.m., a Muslim cleric by the name Sheikh Yahya Mwanje was abducted by armed people dressed in civilian clothes and up to now, his whereabouts remain unknown.

Mr Speaker, we have been complaining about this issue of abduction for quite some time – I think over two years - but nothing has been done.

My prayers are:

1. The minister should explain to this Parliament why the government has failed to put an end to the issue to do with abduction of citizens in this country;
2. I also need to know what offenses stand against Sheikh Yahaya Mwanje and where he is being detained right now.
3. Finally, Mr Speaker, find space on the Order Paper for the minister to give us an accountability report as you had promised, at least tomorrow, for the people who have been abducted previously. Thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Abdallah Kiwanuka, yesterday we had you in a meeting with the Leader of the Opposition and the Leader of Government Business, in the lounge. We agreed to hold a meeting on Tuesday to follow up on our previous meeting. The minister, by then, will have given us the report, which we agreed upon in the meeting we had in my chambers.

Secondly, based on that, the minister will come to the Floor and explain. We said that even the new cases, which you have talked about, should be communicated to the minister so that he immediately verifies.

For now, honourable minister, you can limit yourself to the issue of Sheikh Yahaya. The rest of the issues, which we are supposed to handle on Tuesday, will be responded to after then. The emergent one is that Sheik Yahaya Mwanje was picked and they do not know where he is.

3.04

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): Thank you, Mr Speaker. I actually had a discussion with Hon. Abdallah Kiwanuka on the same subject – (*Laughter*) - but he was not satisfied.

Be that as it may, Mr Speaker, and with your guidance, I think we shall provide comprehensive feedback after your meeting. However, regarding the Sheikh and by the admission of Brig. Kulayigye last evening, he is with the military. He was picked by CMI and I hope that eventually, he will be produced in court so that he appears before the courts of law for the reasons for which he was arrested.

THE DEPUTY SPEAKER: Thank you. This is one of the issues, which we shall ensure that we handle in the meeting we are going to have with the Prime Minister, the LOP and other colleagues – the Minister of Internal Affairs and the Shadow Minister for Internal Affairs.

3.05

MR RONALD KANYIKE (NUP, Bukoto County East, Masaka): Thank you, Mr Speaker. I rise on a matter of national importance regarding the killing of fishermen under the disguise of fighting illegal fishing in my constituency.

Last month in October, three fishermen – Yaweh Ssenyonga, 30 years, Medard Mujuni and a one Kisembo – were killed on Lake Victoria. It happened on Lambu Landing Site in Bukoto East in Bukakata Subcounty.

It is very sad that there is criminalisation of small-scale fishing and human rights violation on the fishermen by the UPDF under the Fishing Protection Unit. It is very unfortunate

that the UPDF, under that unit, are violating human rights –

THE DEPUTY SPEAKER: Honourable member, you have started judging. You want an explanation. You are judging the person you want to explain; so, what explanation will they give? You should ask the hard questions and they explain.

MR KANYIKE: Mr Speaker, this august House passed the Fishing and Aquaculture Bill, which bars the UPDF from being on the lake. However, as Parliament, we are still waiting for the signing of that Bill by the President –

THE DEPUTY SPEAKER: Are you sure about the statement you have made? Is that what we passed here?

MR KANYIKE: Yes. We passed that Bill as Parliament -

THE DEPUTY SPEAKER: Honourable member, the clause you are referring to was on training, but not deployment. Please, when making statements here, be very cautious. It was a clause on training manpower to be deployed on lakes. Deployment is for the commander-in-chief. He knows his forces and who to deploy. We said that training should be supervised by the Minister of Internal Affairs.

MR KANYIKE: Thank you, Mr Speaker. My prayers are:

1. As Parliament, we need to condemn the violation and continued presence of the UPDF soldiers on the lake;
2. As the area Member of Parliament, I demand compensation for these fallen fishermen to their families so that the widows can look after the orphans;
3. Lastly, we also need an apology from the force. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable member, what you brought to my office and the prayers you have made, I

do not even need to call the minister because there is nothing that is within the powers of the minister. Your prayers would be explicit for the minister to explain how these people were killed. Now, you want Parliament to condemn.

Therefore, I want to guide that you can either bring a petition or move a motion. That is when we will be able to act on the things you have raised. Otherwise, the way you explained to me when we were in office is different from how you have brought out your prayers - no, we are done with that.

Hon. Atkins, do you have a procedural matter?

MR KATUSABE: Mr Speaker, I want to thank you for the opportunity. Since this is my first time to make a submission after you lost your brother-in-law, as a brother and friend, please accept my deepest condolences.

I rise on a procedural issue. You and I, by the grace of God, have had the opportunity to hear this tragedy being played out on this very Floor - losing our fellow citizens. I also come from a fishing community. The tragedy that is unfolding has a story; I do not know how much can we attach to human life. Must we lose somebody just because we have to enforce a law?

Wouldn't it be procedurally right - it is your discretion - for us to pronounce ourselves that the brutal shooting that continues to occur on our lakes should be halted? And I thought this Parliament has got authority, power and influence to enforce that.

However, in the meantime, as we look into these and have meetings with ministers, a directive that originates from this House has got to be sent to those enforcing this law, that we can put a halt on the shooting. I am saying this because he is talking about three lives lost; we will never recover life.

Mr Speaker, wouldn't it be procedurally right that a directive comes from this House to ensure that no shooting really ever occurs on the lakes? And I am happy that my brother, the

Minister for Internal Affairs is here. Thank you very much, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable colleague, when we make a directive in this House that no shooting should ever occur - *(Laughter)* - on a lake, how will we enforce it? One, it means it has been occurring; you have known it and it has been okay, but now you are stopping it. You know, because it is not allowed by law. The law already provides for this: you are not allowed.

Therefore, I think the best way to process it - sometimes issues are good, but you can get away, if you want, of having the issue debated further. You can bring it through a petition from the community.

Secondly, on the one deploying on the lakes, the Commander-in-Chief still has his discretionary powers, under the Constitution, on who to deploy where for the security and safety of the citizens of Uganda. So, I do not want a situation where Parliament will overstep. Sometimes when you overstep then back stepping becomes difficult. I would want us to remain within our area, but keep engaging. We achieve better when we engage.

3.14

MR ALEX RUHUNDA (NRM, Fort Portal Central Division, Fort Portal City): Mr Speaker, I have just been forced to rise on this matter because what is being portrayed is that there is a lot of impunity in our country - which is giving us a bad image - that people can just be shot at easily and killed. This is something that Parliament must really not take simply. And there are processes for taking care of the culprits.

Mr Speaker, Justice has to be done and these culprits can be prosecuted. We also have the court martial. We must really exert pressure on some of the trigger-happy men holding rifles, to see that they are held responsible and prosecuted because I don't think that is the policy of the government. And I would feel embarrassed to go out of this country and begin defending such acts because they are really earning us a bad image.

Mr Speaker, as I conclude, I would like to say that this kind of impunity is going to cause further insecurity, and that is why we see people raiding police stations and/or people taking up arms. There is something deeper that Parliament needs to investigate to bring order and sanity to our country.

Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Honourable colleague, the rules guide us on how to process business. I can hear you. But how do I process the request you are talking about? That is why I guided the colleague that he can bring such a matter through a petition or a motion for us to debate and make resolutions. And that way, we can engage the minister to explain how we can intervene in the action that can be taken.

Therefore, how you bring your matter here enables me to give you space because sometimes I can comb through the rules, but still find no way of presenting your matter. Oh yes, I had allowed Hon. Nangoli.

3.17

MR GERALD NANGOLI (NRM, Elgon North County Bulambuli): Thank you so much, Mr Speaker, for this great opportunity. I rise on a matter of national importance concerning the unfair treatment of staff of the Petroleum Authority of Uganda. As you may recall, on 15 September 2022, this same matter was raised on the Floor of Parliament here and it concerned the state of affairs at the Petroleum Authority of Uganda, relating to the renewal of staff employment contracts in a manner that is unfair, biased and discriminatory.

And to-date, the directive was given to the Minister responsible to come up with a comprehensive report to guide to the House on this. However, the Minister of Energy and Mineral Development has not come up to update the House.

Mr Speaker, the minister was advised to urgently intervene in the process of renewing staff employment contracts at the Petroleum Authority of Uganda and report to this

Parliament. However, to date, the minister has not updated this august House on the same issue and the interventions taken.

To my dismay, on 21 November 2022, the same agency ran adverts calling for new applicants for the same jobs that have brought a lot of contention between the authority and the staff in question.

My prayers are:

1. That the on-going recruitment, with your directive, be halted until these matters are comprehensively investigated; and
2. That Parliament gets interested in this matter, and that it be referred to the relevant committee - that is COSASE - for further intervention or interrogation, and report back to the House urgently.

Thank you very much, Mr Speaker. I have the evidence here. I have been following up this matter for the last six months; I have everything including the adverts that ran on Monday, 21 November 2022. I request to submit this for further interrogation and investigations.

THE DEPUTY SPEAKER: Honourable member, if I may ask, there are many recruitments going on in Government: why follow up on this for six months? Do you have any special interests?

MR NANGOLI: Mr Speaker, I serve the interests of all Ugandans.

THE DEPUTY SPEAKER: Because six months is a long time.

MR NANGOLI: Not specifically the Petroleum Authority of Uganda, but as a concerned citizen, I am supposed to protect employees be it in roofing or in the Petroleum Authority of Uganda; I am just a concerned person. I do not have any interest in the Petroleum Authority of Uganda. I am concerned because I represent the interests of all Ugandans here. Thank you so much, Mr Speaker.

THE DEPUTY SPEAKER: Now, honourable minister, according to Hon. Nangoli, all other recruitments in the Government have no problems. The problems are only at the Petroleum Authority of Uganda. *(Laughter)*

3.20

THE MINISTER OF STATE FOR ENERGY AND MINERAL DEVELOPMENT (ENERGY) (Mr Sidronius Okaasai): Mr Speaker, we have received a request to make a statement, but the case he has presented relates to an agency supervised by the ministry. This case has actually been taken up by the IGG. It is being investigated and so, it is premature for us to actually discuss it here.

The IGG has taken it up and they are investigating. We are waiting for a report from the IGG.

THE DEPUTY SPEAKER: Thank you, honourable minister.

MR OKAASAI: Secondly, we have asked the board to submit a report about this to the ministry and once we get a comprehensive report on this case from the board, we shall be able to analyse it and actually come and make a statement here. Therefore, we cannot make a statement on a case which we are still investigating; the IGG is doing it. We are also asking for a report from -

THE DEPUTY SPEAKER: Thank you, honourable minister. Colleagues, it is in good faith. If we are to work well, Parliament cannot halt recruitment by the Executive. We have several laws that provide for people who have grievances with the process of recruitment. You will find Parliament ordering or stopping recruitments and procurements. Our role is oversight. The process should end with oversight and then someone brings a petition.

The reason I asked Hon. Nangoli this is because I needed you to tell me whether you have received a petition and how you received the information. That is why I asked you what your interest is. That is what you should have clarified to me.

Secondly, if there are dissatisfied people, they can petition and then we base on that petition. We have received very many of that kind. I urge you, colleagues, not to be tempted to start ordering and stopping recruitments and procurements. However, that does not mean that we do not look into issues because the law allows oversight. I have seen that we have tried it several times. In the end, what do you end up with?

The minister does not do recruitment; he supervises and he is the political head who comes here. Honourable minister, investigate. If the IGG is about to conclude their report, you can share it with us. Come and explain in relation to the issues raised by our colleague, but this House cannot order halting of recruitment.

MR OLANYA: Mr Speaker, I would like to implore you to guide on a procedural matter. The honourable minister stated clearly that the IGG is investigating the matter –

THE DEPUTY SPEAKER: Under what rule should I guide, honourable?

MR OLANYA: Let me conclude, Mr Speaker.

THE DEPUTY SPEAKER: No, I need a rule under which I will guide.

MR OLANYA: I beg for your indulgence. Allow me to finish this statement.

THE DEPUTY SPEAKER: Okay.

MR OLANYA: Mr Speaker, I would like to know if the investigation of the IGG would interfere with the roles of Parliament; that is the only thing I would like to know. The IGG deals with another department and Parliament is quite independent. Does the work of the IGG interfere with parliamentary work?

THE DEPUTY SPEAKER: Honourable member, to make it easy for you, the IGG reports to Parliament. That is the first thing.

Secondly, Parliament does not investigate. Parliament does oversight. If you interpret our

oversight - the way we conduct it - to mean investigations - the Constitution is very clear. The Constitution does not say Parliament should go and investigate. It says that you do oversight. That is why, during our oversight, we study reports. We do not originate cases, but rather, we receive matters and handle them. It is very simple. However, the IGG is an office of Parliament and reports to Parliament. Colleagues, please, let us go on.

Honourable colleague, the recruitment is being done by the Petroleum Authority of Uganda, which is established under the Act and not by the Public Service Commission. The shadow Minister for Public Service does not apply here.

3.26

MR ALLAN MAYANJA (NUP, Nakaseke Central County, Nakaseke): Mr Speaker, farmers in Nakaseke Central County and across the country are concerned that over 60 per cent of seeds, pesticides, fertilisers, herbicides and the vaccines bought from agro input dealers are not meeting the prescribed standards, thus making farmers incur losses.

Fake agricultural inputs on the market compromise the sector's productivity thus keeping farmers in chronic poverty since the agriculture sector is the source of income to the great percentage of Uganda's population.

These counterfeits and food fraud have far reaching negative effects on human and animal health, food security, the environment, innovation, employment, and trade and investment for national development.

My prayers are that:

1. The Committee on Trade, Industry and Cooperatives picks interest in this matter.
2. The Ministry of Agriculture, Animal Industry and Fisheries comes up with stringent measures to protect farmers from fake agricultural inputs.

3. The Ministry of Agriculture embraces ICT technologies in verifying agricultural inputs on imports and those manufactured locally in the country.

Thank you.

3.28

THE MINISTER OF STATE FOR AGRICULTURE, ANIMAL INDUSTRY AND FISHERIES (ANIMAL INDUSTRY) (Lt Col (Rtd) Bright Rwamirama): Thank you, Mr Speaker. I would like to thank the Member for the concerns of his farmers.

We are in the process of amending the law. It is true that because of liberalisation, many dealers come up with fake chemicals. We have been advising farmers to go to those who are certified because most of these farmers buy from the market. One of the problems that we face is that chemicals are exposed to a lot of sunshine and high temperatures and sometimes lose potency.

We actually advise farmers to buy from authorised dealers, but we have not stopped there. We formed a committee – [*Mr Geofrey Macho rose*] - Can I finish? We advise them, through extension workers in the local government. We have been on record, in all local governments, urging farmers to buy from authorised dealers – (*Interjections*) – Please, they get certificates -

THE DEPUTY SPEAKER: Colleagues, stop harassing the minister. He has listened to you. When you talk twice and the minister has not given you time, it is an indication that he is not yet done. Colleagues, always read the signs. Honourable minister, you are protected. Please continue.

LT COL (RTD) RWAMIRAMA: Mr Speaker, we have formed a committee of experts chaired by Prof. John David Kabasa, to investigate and bring us a report so that we can trace the root cause of some of these leakages. I have mentioned some of them and we are also strengthening the law to make sure that people who indulge in these fake chemicals are

punished severely so that they see it as a no go area. Otherwise, the concerns of the Member are true. We are aware of what is going on and we are trying to stop it.

THE DEPUTY SPEAKER: Honourable minister, I think it would serve us better if you can bring a comprehensive statement on this issue. Members who have all these points of clarification would be able to debate.

LT COL (RTD) RWAMIRAMA: Much obliged, Mr Speaker.

THE DEPUTY SPEAKER: Are two weeks enough for you, honourable minister or do you need one week?

LT COL (RTD) RWAMIRAMA: Mr Speaker, give me three weeks because the committee is still –

THE DEPUTY SPEAKER: Oh, because there is a committee?

LT COL (RTD) RWAMIRAMA: There is a committee going on.

THE DEPUTY SPEAKER: Okay, two weeks, honourable minister. Thank you. Let me end with Hon. Aloysius Mukasa.

3.26

MR ALOYSIUS MUKASA (NUP, Rubaga Division South, Kampala): Thank you very much, Mr Speaker, for your well-thought consideration in giving me way.

Allow me bring to the attention of Parliament the devastating fire that gutted Kibuye-Ndeeba Market. Although no deaths were registered, a lot of timber stores, timber workshops and machinery worth billions of shillings were lost –(Interjection)- no, it was on Friday. Yesterday, it was just a procedural matter –

THE DEPUTY SPEAKER: Honourable, please, continue.

MR ALOYSIUS MUKASA: Mr Speaker, this is the second incident, moreover on the

same spot. I call upon the Office of the Prime Minister, this time, for a practical remedy because the incident has rendered my residents unemployed. Moreover, these machines are very expensive to replace. I think a hand, which is considered, should be huge. Thank you very much, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Rt Hon. Prime Minister?

3.32

THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO (Ms Rukia Nakadama): Mr Speaker, I am going to meet with the ministries concerned, come up with a way forward and report back here.

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, you do not need to report back here. Link up with the Member and receive the concern. It would be good if you can even visit with the Member and help.

MS NAKADAMA: Much obliged, Mr Speaker.

THE DEPUTY SPEAKER: Thank you, Rt Hon. Prime Minister. Honourable colleagues, I had earlier on allowed Hon. Macho. There is a special award, which was given to the late Rt Hon. Speaker, Jacob Oulanyah. I sent Hon. Macho, Hon. Andrew Ojok and Hon. Tinkasiimire – with Hon. Macho as the leader of the delegation. *Bishop* Nambeshe, the Chief Opposition Whip, also joined them.

So, use just two minutes.

3.34

MR GEOFFREY MACHO (Independent, Busia Municipality, Busia): Thank you, Mr Speaker. This day in November is a very special day in the history of this Parliament, and Uganda as a country, as well as in the family of the late Rt Hon. Speaker, Jacob Oulanyah, because the Global Impact Leadership Alliance (GILA), an organisation of black American leaders where President Obama and other leaders such as Condoleezza Rice belong, gave

the late Rt Hon. Speaker an award for being fighting for the rights of the African people and also, as one of the most distinguished speakers on the African continent.

It was a very important award attended by the speakers of the cities of Missouri and Indianapolis, with a number of senators. We moved as a team of three people – *(Interjection)*- sorry, with the Chief Opposition Whip of Opposition, Hon. Nambeshe, although in America he is called “Presiding Apostle”.

Mr Speaker, they appreciated – and this event is held annually with many African leaders from different parts of the continent.

I take this opportunity to invite my young brother, Hon. Andrew Oulanyah, to come and present the award to the August House and the people of Uganda. Thank you, Mr Speaker. *(Applause)*

THE DEPUTY SPEAKER: Thank you. Honourable member, you can use two minutes.

3.36

MR ANDREW OJOK (NRM, Omoro County, Omoro): Thank you very much, Mr Speaker. I was privileged to be part of that team that went to America and I must say it was a four-day event that culminated in the team paying tribute to the late Speaker of this House, and my father.

In addition to that, we also coincidentally met a team of oncologists who were part of the team that set up the Uganda Cancer Institute. The two were Dr Tianyu Zhao and Dr Baozhou Sun, who were very committed to seeing that the cancer issue in Uganda is addressed. Of course, you mentioned yesterday that the cancer institute is there, but the staff is lacking. They raised similar concerns, for example, that a state like Missouri has over 40 to 50 cancer machines, yet Uganda has one or two.

Allow me to present the three proclamations that were made in honour of the late Speaker. Allow me to just highlight them and then read one of them because of time.

There is a proclamation from the City of Bellefontaine Neighbors and another from the City of St Louis. These two are from the state of Missouri. The third proclamation is from the Senate of Illinois. We were privileged to meet the first black Speaker of that Senate, Mr Welch. Allow me to just read one of them to see the content of the proclamations.

“*CITY OF ST. LOUIS*

RESOLUTION HONORING FORMER SPEAKER OF THE 11TH PARLIAMENT OF UGANDA, THE HONOURABLE JACOB L. OULANYAH

WHEREAS the Honourable Board of Aldermen for the City of St. Louis recognises the former Speaker of the 11th Parliament of Uganda, Hon. Jacob L. Oulanyah, who passed away in March 2022; and

WHEREAS in 2017 he made history when he led the largest delegation from Uganda at one time to attend the RESET America RESET Africa conference organised by the Global Impact Leadership Alliance (GILA) and its founder and CEO Larita Rice-Barnes;

WHEREAS Hon. Jacob L. Oulanyah was a champion of connecting Africa to America, he was a proud supporter of the work of Empowerment of Grace and GILA, founded in the City of St. Louis, but working in Illinois and Indiana. GILA is committed to meeting the extensive needs of the ever-changing world through its resources and relationships formed on a global level. GILA is touching four continents: North America, South America, Africa and Asia; and

WHEREAS Speaker Oulanyah was elected to Parliament to represent the people of Omoro County in Omoro District of northern Uganda, before he was elected Deputy Speaker, he was practicing law under J.L. Oulanyah and Company Advocates. He had specialised training in legal and legislative drafting and had experience in drafting laws and agreements, including peace agreements. He taught legislative drafting and constitutional

law to post-graduate law students at the Law Development Centre; and

WHEREAS GILA has strategically identified key leaders from across the globe who are skilled in their crafts and have a passion to lead, train and develop other world-class leaders through foreign exchange using its resources and global relationships, the former Speaker of the 11th Parliament of Uganda, Hon. Jacob L. Oulanyah, was one of those leaders; and

WHEREAS the GILA is bringing together Heads of State, key policy makers, civic leaders, mayors, senators, House representatives, key personnel, business and organisation owners, local citizens, stakeholders, and many more providing a platform for cultural, education and economic exchange; and

WHEREAS the GILA is convening its 6th RESET America RESET Africa Conference held in St. Louis Missouri, at Harris Stowe State University hosted by its 21st President, LaTonia Collins-Smith. This year's theme is "Time is Now: Finishing What We Started; Securing Our Future, Establishing A Legacy";

AND WHEREAS this year 2022, the Uganda Parliament delegation is led by the Deputy Speaker of the 11th Parliament of Uganda, Hon. Thomas Tayebwa to attend the 6th annual RESET America-RESET Africa conference;

AND WHEREAS during the conference there will be a memorial tribute to the late Speaker, Hon. Jacob L. Oulanyah, his son Hon. Andrew Oulanyah will travel from Uganda to receive the honours;

NOW, THEREFORE, be it resolved by this honourable Board of Aldermen of the City of St. Louis that we recognise the late Honourable Speaker Jacob L. Oulanyah and congratulate the GILA and its founder for the remarkable success in organising these global efforts, which serve as a gateway for building international relationships, promoting solidarity, economic development and improved leadership.

We further direct the Clerk of this board to spread a copy of this resolution across the minutes of this proceedings and prepare a commemorative copy to the end that may be presented at a time and place to those deemed appropriate by the sponsor.

Introduced this 18th day of November 2022 as attested by:

The Honourable Marlene Davis, Alderwoman 19th Ward."

I beg to lay.

THE DEPUTY SPEAKER: Thank you. We join the family and as colleagues, we really appreciate and congratulate the late for receiving this award, posthumously. We continue to pray for the soul of our departed leader to rest in eternal peace.

BILLS FIRST READING

THE COMPETITION BILL, 2022

3.42

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Mr Speaker and honourable colleagues, I beg to move that the Bill entitled, "The Competition Bill, 2022" be read for the first time. Attached is the Certificate of Financial Implications. Thank you.

THE DEPUTY SPEAKER: With that one, you do not need secondment. Is there anyone doubting? Hon. Jonathan, are you seconding? Is the Bill seconded?

3.43

MR JONATHAN ODUR (UPC, Erute County South, Lira): Mr Speaker, allow me to second the Bill. I have seen the minister is lonely and has been abandoned by Members; so, I duly second the Bill. *(Laughter)*

THE DEPUTY SPEAKER: It is seconded by Hon. Jonathan Odur, Hon. Andrew Oulanyah, Hon. Kajwengye, Hon. Yoweri and Hon. Betty

Awor. As per Rule 118 of the Rules of Procedure of Parliament, I refer the Bill to the Committee on Trade, Industry and Cooperatives to be processed in line with Rule 129 of our Rules of Procedure.

LAYING OF PAPERS

4(A) THE FIRST ORDINARY SESSION OF THE SIXTH PARLIAMENT OF THE PAN- AFRICAN PARLIAMENT

THE DEPUTY SPEAKER: Hon. Nsamba, our representative to the Pan-African Parliament -

3.49

MR PATRICK OSHABE (NUP, Kassanda County North, Kassanda): Thank you, Mr Speaker. This Parliament is represented by:

1. Hon. Felix Okot-Ogong, the leader of delegation
2. Hon. Achayo Juliet (MP, Ngora County)
3. Hon. Kamusiime Caroline (Woman Representative, Rukiga County)
4. Hon. Patrick Oshabe (MP, Kassanda County North); and
5. Hon. Musana Eric (MP, Buyaga County)

The Pan-African Parliament sat on –

THE DEPUTY SPEAKER: Honourable member, just lay the report on the Table. That is what the rules say.

MR OSHABE: Mr Speaker, the Pan-African Parliament sat on the 24th of October up to the 11th of November and passed resolutions, recommendations and a report of the delegations of the Pan-African Parliament. A lot was deliberated on.

I beg to lay the report of the First Ordinary Session of the Sixth Pan-African Parliament and related meetings held in Midrand, South Africa.

THE DEPUTY SPEAKER: Thank you. Colleagues, as per our rules, we are not supposed debate these reports. They are sent to

the library, where we go and read them so that they help us in our day-to-day deliberations in the House.

For such reports, we always refer to Rule 38 of our Rules of Procedure. Hon. Nsamba's introduction is usually long, but thank you for doing a good job.

4(B) REPORT ON THE OUTREACH VISIT TO BUNYORO SUB-REGION

3.47

MR JOHN BAPTIST NAMBESHE (NUP, Manjiya County, Bududa): Thank you, Mr Speaker. I am just going to present an executive summary of the report on the outreach visit to Bunyoro Subregion.

Section 6E(i) of the Administration of Parliament (Amendment) Act, 2006 empowers the Leader of the Opposition to, among other responsibilities, undertake oversight and outreach visits to cover all of Uganda as part of evidence-gathering for effective decision making -

THE DEPUTY SPEAKER: I am sorry for the interruption. You are laying a report.

MR NAMBESHE: I am not laying. Mine is a submission.

THE DEPUTY SPEAKER: No, you are under item 4(b) - Laying of Papers. That is what I have on the Order Paper.

MR NAMBESHE: Then it is irregular, Mr Speaker, but I am not going to challenge your ruling. This is the report on the outreach visit by a delegation led by none other than the Leader of the Opposition to the subregion of Bunyoro. I beg to lay.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I interest you to read through. This was not a ruling. I am reading the Order Paper the way it is, which you received and never raised any issue on it with my office - He has accepted it; it was an omission he made. *(Laughter)*

Colleagues, read these documents. They are very rich in content – what is the issue, Hon. Nsamba?

MR OSHABE: Thank you, Mr Speaker. I am at pains with that rule. That is a rule and it says that when we bring these reports, we just lay them here. However, there are very critical matters that need to be debated in this House. For example, the African Continental Free Trade Area; many of our colleagues here may not have that information and probably, we have not had our contribution.

Therefore, I do not know how we are going to move; such critical resolutions are passed and we send them to the library without teasing out the key critical matters that concern this country. I need your guidance, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable colleague, these are our rules; they are not mine. I interpret what you give me. If you gave me something different, I would interpret it the way you gave it to me. If you have any issue with this, you can propose an amendment to the rules.

Also, when you usually read, you can get away - we have very many avenues within our rules of enabling you to bring out all these issues; we can give you space on the Order Paper. It can even be in form of statements and all that.

Above all, you have already made resolutions. That is what we consider. You did not consult us when you were going to make them and now you want us to debate your resolutions. It is a Catch-22 situation, but it is something we shall have to discuss with you. As the Pan African Parliament MPs leadership, reach out to us then we can devise the means of seeing how we can do better.

Hon. Jonathan, did you have a procedural matter?

MR ODUR: Yes. Thank you, Mr Speaker. My procedural matter is on the same rules. My reading of rule 38 on the laying of the report of the Pan African Parliament requires the

Member laying to highlight the resolutions here after laying. It is not for debate, but the member laying should highlight the resolution under rule 37(2).

Therefore, if it pleases you and the Member is prepared with those resolutions - just the highlight of the resolutions - the Member should be accorded a few minutes so that it can benefit the entire House.

THE DEPUTY SPEAKER: Yes, honourable, you are right. In that regard, there will be no debate. However, the unfortunate bit of it is that I have five minutes and your five minutes are gone. - No, honourable member, you have exhausted your minutes.

That is why we give you the Order Paper earlier; it is something that you should raise earlier, then in my communication, I would amend the Order Paper because we are human beings; we make mistakes. For instance, this is an oversight on our side; we should have given you about 10 minutes to read the resolutions and all that. However, the time I have is well programmed; I cannot go beyond that, but next time it should be better.

Colleagues (*Mr Katusabe rose*) No, honourable colleagues, let us reduce. We are proceeding well. Under what rule are you rising? Honourable, start with the rule. Is Hon. Gilbert Olanya your counsel? (*Laughter*) So it is a brand-new move. Okay, do not start with the rule, just tell me.

MR KATUSABE: Mr Speaker, I thank you for your generosity. Your chair is a constitutional chair and that is the reason you are the custodian of these rules. Nobody in this House has the mandate to amend the Order Paper except you, Mr Speaker.

My procedural issue - and this is something that you are familiar with; globally, there is no rule without exception. And you guide this House and your word is final and binding. My procedure issue is the danger of turning this House into - with due respect, a cemetery or a graveyard of knowledge books -

THE DEPUTY SPEAKER: Of what, honourable? No, I heard of the graveyard and cemetery of what?

MR KATUSABE: A cemetery of knowledge books. Mr Speaker -

THE DEPUTY SPEAKER: Honourable, let him conclude - use a minute to conclude. Do not send him to the cemetery now. He is already complaining about cemeteries - *(Laughter)*

MR KATUSABE: Mr Speaker, these are your Members. There is nowhere else that we will run to and the entire country looks up to Parliament. My request is that you should never allow any space or room for your Members to get to the library because they even have libraries in their homes.

THE DEPUTY SPEAKER: So, what is the procedural matter, honourable colleague?

MR KATUSABE: Mr Speaker is, wouldn't it be procedurally correct to allow the taxpayers to do a lot of benchmarking because we want to pick best practices from elsewhere, and when we assemble them into a report, these reports are now subjected to analytical interpretation.

And my procedural issue, Mr Speaker, was basically on your wise ruling that you have just made, that some of these things, running them with your Office should be prioritised so that we have a priority agenda that aligns to emerging and pressing issues confronting our nation. Thank you very much.

THE DEPUTY SPEAKER: Thank you. Honourable, I must admit, I have struggled to pick what you were telling me. And I listened patiently, but I am at pains to rule on your point of procedure, Sir. I have really struggled and I want to be as honest as possible. Maybe, it is because Hon. Sarah Opendi is not allowed to help me out. *(Laughter)*

However, if I picked you very well, I would not have allowed a cemetery or what - I have admitted a mistake on our side and I showed you the problem here.

Secondly, we have this Order Paper; we can make a mistake on it. So, the moment we make a mistake, reach out to us and we edit it, especially after I have gotten here and finished my communication. You can tell me, "Mr Speaker, I see that on this item, you are giving me two minutes, but it is not possible because the rules require me to be A,B,C,D." I will eat humble pie and accept the mistake I have made. And that is what I have just done.

Therefore, Hon. Katusabe, maybe I can guide; for example, Hon. Nsamba, extract those resolutions properly – but you have laid them already. So, since they are not for debate - they were just for reading as per our rules - and I do not have that time. Clerk, extract them and put them on our system so that Members do not go to the library, but can pick them on our *Alfresco* system.

The same should apply to the report of the LOP. However, for the LOP, we will get time; you can approach our office and we will give you space on the Order Paper to present your report, any time.

Now, colleagues, with that, I told you that I do not have much time because I want to amend the Order Paper. There is an important issue that has been going on, which was raised by Hon. Ssewungu, on the recent incidents at police posts or against security personnel.

The Minister for Internal Affairs has prepared a statement and he is ready. It is something serious, which concerns the country. It is important we give him an opportunity to present it.

MINISTERIAL STATEMENT ON
THE RESPONSE TO THE QUESTION
RAISED BY HON. JOSEPH SSEWUNGU
GONZAGA ON THE RECENT INCIDENTS
AT POLICE POSTS AND AGAINST
SECURITY PERSONNEL

THE DEPUTY SPEAKER: Honourable minister - the statement should be uploaded, colleagues, check on the system. My office confirmed that it was uploaded.

3.59

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): Mr Speaker and honourable members, this is a response to the question raised by Hon. Joseph Ssewungu Gonzaga on the recent incidents at police posts and against security personnel.

On the 12th Sitting of the Second Meeting of the Second Session of the 11th Parliament of Uganda held on Thursday, 24 November 2022, Hon. Joseph Ssewungu Gonzaga, MP Kalungu County West raised a matter regarding the incidents at a number of police posts by armed groups who have injured or killed policemen and or taken firearms.

Background

Mr Speaker and honourable members, I would like to respond as follows: From November 2021 to date, we have registered several incidents of violent crime against security personnel, police and to a very lesser extent, the UPDF, involving the use of firearms.

Some incidents of theft of firearms have also been registered. Most, if not all these incidents, could have been prevented or thwarted, but for some lapses, which we are now addressing, including laxity and wrong behaviour by some of our own elements - in some of these incidents, lives of security personnel have been lost and some rifles taken.

On a positive note, however, most of these firearms were recovered and suspects arrested, as illustrated in the details, which I will provide.

According to available intelligence, the motives of these actions are about the acquisition of arms for subversive activities - that is from the admission and claims of some of the apprehended culprits themselves, as well as for other criminal ends, other than subversion. The details of the incidents will provide an apt illustration of this point.

Needless to say, however, the distinction is immaterial for purposes of this response, because what we are doing as Government,

in keeping with the expectations of the public whom we serve, is to stop and prevent this disturbance of peace and security and the attendant unnecessary alarm it causes.

Towards this end, I will dwell on the responses and measures made this far and the results, therefore, namely:

- i) The recovery of 10 rifles, which had been taken. I want, for the record, to amend that one to include the one from the incident in Kapeeka, which was not from our stores, making it 11;
- ii) The apprehension of 22 culprits who are on trial, including a one Ndugwa, and his accomplices. I am not at liberty, at this juncture, to go into the details of their case due to the sub judice rule;
- iii) The killing of three assailants in some of the engagements with security; and
- iv) Operations are ongoing to apprehend the culprits still at large and to recover the remaining few weapons.

The following are the details of the registered incidents:

1. The first being on the 25th of November 2021 at Wakiso New Market. The specifics are that two UPDF personnel namely Private David Okiror and Private Emmanuel Okirima were injured and their guns taken. Those guns were recovered. The culprits were arrested and are on trial.
2. On 7 December 2021 at Busunju Police Post, two policemen namely, Cpl Fred Okech and Moses Kigongo were killed and their guns taken. The guns were recovered. The culprits have been arrested and are on trial.
3. On 16 December 2021 at Nakasozi Police Post, two police officers - Cpl Francis Nsubuga and PC Paul Ddimba - were killed and their guns taken. The guns have been recovered and the culprits arrested and are on trial.

4. On 25 July 2022 at Kiwumpa traffic checkpoint Luweero, two police officers namely PC Josephat Twinamasiko and PC Busingye were injured. Later, Busingye succumbed to injuries and two guns were taken. Some suspects were arrested. The guns are still at large.
5. On 31 July 2022 at Buwama Town, two police officers, PC Lawrence Otim and PC Paul Nkolo were shot at. PC Otim succumbed to injuries. No gun was taken.
6. On 31 October 2022 at Busiika, three police officers namely D/IP Alex Wagaluka and PC Moses Ongol were killed and PC Stephen Ondama later succumbed to injuries. Two guns were taken and we are still pursuing the culprits.
7. On 14 November 2022 at Kyanja, there was an incident where some people on a motorbike shot at a police post. There was no loss of life or weapon taken. Investigations are on-going to get the culprits.
8. On 17 November 2022 at Gaddafi Amber Court, Small Gate – Jinja, one UPDF soldier NCOS Sgt Simon Peter Eyagu was killed and two guns taken. His colleague was an accomplice in the incident and was arrested. The two guns were recovered. One of the assailants, a one Rodgers Alisobola, was put out of action in Iganga.
9. On 23 November 2022 at Kikuube District, there were no fatalities. A UPDF soldier Pte Wycliffe Musubira's gun was taken while on guard in Bungoma Forest Reserve, but was later recovered.
10. On 23 November 2022 at Nakulabye Police Post, an armed person moving towards the police post at night was fired at by the police and he ran away. He left behind a magazine of AK47. The police is searching for the culprits.
11. On 24 November 2022 at Bungokho, two guns were reportedly stolen. The two guns stolen seem to be the result of an insider job because there was no break in. The OC of the station is under arrest and investigations are on-going.
12. On 26 November 2022 at Kapeeka, Nakaseke, one UPDF soldier, Pte Tufeyo Obed was killed, but no weapon was taken. One gun was recovered from the assailants in the exchange and two assailants, namely Tarsisi Merengera and Denis Ssekimpi were put out of action. This gun was not from our stores, but it was recovered in that incident. It is the 11th gun in the recoveries.
13. The last is the incident at Sanga in Kiruhura on the 27th of November, where a rogue police officer who had lost his firearm faked a break in and theft of a rifle, which he dropped in the compound. No gun was taken in that incident. The officer is under arrest.

Interventions

Numerous measures have been undertaken, all intended to respond to these incidents that have taken place, but also to prevent and/or mitigate the effects of other such incidents in the unlikely event that they happen. This is to make it very expensive for those intending to indulge in these activities, and also to decisively respond to them when they happen.

Police work, honourable members, is very public. However, it is not hazard neutral. Therefore, in order to reduce vulnerability of installations and personnel, we undertook the following measures:

1. Merging far-flung and vulnerable smaller police posts and booths into sizable units to improve operational efficiency and force protection. The details of these are in Annex A on the merger of police stations, attached with a detailed justification for this measure.
2. The better organisation of security installations; that is access controls, front

desk staff who attend to the public, as well as invisible reaction groups or persons have been re-designated.

3. A team of senior police officers headed by the Deputy IGP has traversed the affected police regions to reassess the security vigilance and alertness on duty. This is intended to ensure and enhance vigorous inspections of kit installations and personnel readiness.
4. Community mobilisation, through community policing, to ensure public consciousness and vigilance.
5. Firearms safety and control measures have been enhanced and have taken place.

Following His Excellency the President's directive on 28 June 2018, the finger printing of all weapons was undertaken. To date, I want to report that 76,069 rifles have been finger-printed and of these, 49,838 rifles, which represent 93.9 per cent, belong to the police. Two thousand nine hundred and fifty seven (2,957) rifles, representing 99 per cent belong to prisons and 18,602 rifles belong to private security organisations. This is meant to enhance armed safety, accountability and tracking, if a gun gets lost.

The insertion of chips in gun grips is quite expensive, but it is another alternative technology and it will be adopted to augment finger printing. The UPDF has already embarked on that.

The sanctions regime within the police force to enforce discipline is being reviewed for the necessary legislative improvements. Currently, the sanctions regime within the police force is liberal and we think we need to make it more stringent.

Training standardisation and enhancement for private security organisations has also been embarked on and to this end, standard operating procedures and common standards manuals have been developed by the Uganda Police Force.

Last, the operations to apprehend the culprits still at large and recover the remaining guns continue.

Mr Speaker, in spite of these incidents, the country is peaceful and stable and will remain so. The security forces will do everything possible to ensure that the public goes about their business without any fear and that the law enforcement officers go about their duties without any obstruction or hindrance. I beg to submit, Mr Speaker.

THE DEPUTY SPEAKER: Thank you, honourable minister, for this update. Hon. Ssewungu, a supplementary question?

4.13

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): Mr Speaker, I want to thank the minister for his statement and the way he phrases my name "Gonzaga." I am enjoying that one as well. Kindly, keep it up. *(Laughter)*

Mr Speaker, the statement was about to convince me, but at the end he says, "the country is stable and peaceful..." after giving a lot of evidence of what happened to the police. That is a contradiction. Yesterday, we had a battle here about abductions and arrests.

Mr Speaker, we cannot delve deep into what they have taken as security because they have to keep their secrets for the safety of our country. However my first question is, you have mentioned culprits and suspects. Have you produced them before courts of law? If it is the Court Martial, where is it?

What the minister is saying is somehow a contradiction of what the Police spokesperson says everyday about this matter. I think you need to harmonise between the spokesperson and yourselves.

Mr Speaker, we cannot refuse to accept what he has given, but the interventions you are taking – I do not know why the Ministry of Internal Affairs is not giving more training to the policemen in our rural police posts. Some

of them are lazy, some of them are drunkards; they drink from morning up to evening and maybe, that is why some people take advantage of stealing guns from them. That is very important.

There are police men who have stayed in the police posts for over 10 years in one place. Such people will not give you fruitful results in the performance of their job.

Mr Speaker, as a person who raised this matter, I pray that the General is confirming and assuring this House that you are not going to have more attacks on police posts because these are things that bring worry and threat to the population.

Lastly, the closure of these small police posts is not fair in some areas, Mr Speaker. I pray that the minister goes back and studies all the police posts that were closed. There are some police posts you closed that are very far away from the district headquarters and indeed – *(Interruption)*

MR RUHUNDA: Thank you, honourable member, for giving way. Mr Speaker, he has left out some important information where some of the senior police officers connive - like in the recent case where a corporal arrested his bosses for conniving to steal company money. *(Laughter)*

MR SSEWUNGU: All that is information, but there is no way you will manage security without use of local people; LCs. More training and monitoring is required and that alone can help us solve this problem.

Kindly, do not wait for us to always raise matters of national importance or procedural matters. You are supposed to inform Parliament and update it on what is happening as long as such an incident takes place.

I want to thank you, Mr Speaker, and we pray that our country remains peaceful, but remember that the country is not stable and you know it very well. General, you know it very well. Look at me carefully, you know it. *(Laughter)* Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Hon. Ssewungu, we are in a very stable and peaceful country because you have not registered any incident against yourself; you have been moving freely.

Honourable colleagues, I have allowed Hon. Ssewungu because he is the one who raised the matter, but now the rules were amended. Rule 48 allows a few supplementary questions at the discretion of the Speaker. I will pick Hon. John Musila and Hon. Okwalinga. You have one minute strictly because it does not allow a rebuttal or comments. It allows a supplementary question; so, if you come with that long introduction, I will cut you off. Strictly one minute.

4.18

MR JOHN MUSILA (Independent, Bubulo East County, Namisindwa): Thank you, Mr Speaker, for giving me this time to speak and add to what the minister has given to us.

Mr Speaker, I am baffled with the sequence and I hope you also saw it very clearly; two guns, two guns, two guns.

Two, those officers who lost their lives predominantly – and I want my words to be marked – are either from north east or central. That baffles me. However, that is not very important.

I want to also raise this: the minister is a former General. Those of us who have – *(Member timed out.)*

THE DEPUTY SPEAKER: Honourable, can you ask a question?

MR MUSILA: Yes. The question is, instead of merging these police posts, why can't we beef up the LDUs and other reserve forces so that we keep our country safe? Thank you.

THE DEPUTY SPEAKER: Clerk, I said strictly one minute. Please, I need this adhered to. Whoever is setting the clock, strictly one minute. Hon. Okwalinga?

4.19

MR SIMON PETER OKWALINGA (NRM, Kanyum County, Kumi): Thank you very much, Mr Speaker. I would like to thank the Minister of State for Internal Affairs for an elaborate statement that he has given the House.

However, within that statement, I would like to know – because when you identify the problem, you also need to look at the cause; what is causing this?

The person who was put out of action in Iganga was reported to be a deserter. Does the minister or Government have a record of deserters in this country? I am aware that even a President of a neighbouring country is one of those deserters. *(Laughter)* I would like to know whether our Government has a record of all these deserters. *(Interjection)* Yes, I am telling the truth; we need to know the record of all these deserters because deserters – *(Member timed out.)*

THE DEPUTY SPEAKER: Honourable colleagues, let us know our boundaries. Presidents of other countries - I know Hon. Okwalinga was in the forces. I do not know whether he also deserted; so, he knows his colleague deserters. *(Laughter)*

4.21

MR EDDIE KWIZERA (NRM, Bukimbiri County, Kisoro): Thank you, Mr Speaker. The additional question is on the cause and motivation because the pay disparity in police can cause the selling of arms. I want the minister to comment on the programmes they have to enhance the pay to meet the economic terms. Thank you.

4.22

MS ROSEMARY NYAKIKONGORO (NRM, Woman Representative, Sheema): Thank you, Mr Speaker. My concern is related to Hon. Okwalinga's, particularly with regard to the veterans. These are the people who had guns and I do not know whether we know the number of veterans in this country.

We have been yearning for a Bill to know which veterans we are dealing with. These could partly be the disgruntled ones who could be stealing guns to go and have a life because I know they are struggling.

We do not know whether we have specific programmes for them or if they can be integrated to go for missions, such as AMISOM. The veterans' issue is a critical matter that we should address as a country. Otherwise, we are likely to continue seeing similar scenarios because they are the people that have touched guns and can steal guns from the fellow members of the forces.

4.22

MR ABDALLAH KIWANUKA (NUP, Mukono County North, Mukono): Thank you, Mr Speaker. I note that, honourable minister, some incidents are missing. In Bukomero, Kiboga - on the 30th of October – they attacked a microfinance and took off with a gun. It is not captured among the incidents, which you have mentioned.

Secondly, you talked about the cases. I think we are not indulging very much in the details – whether they are in court or not – but we need to know the case numbers and where they were taken, either in the ordinary courts or the court martial. For me – *(Member timed out.)*

Lastly –

THE DEPUTY SPEAKER: No, honourable member. We have an orderly House. When the microphone is off, you do not switch it on because we have strictly an hour. This is a question, not a statement. Whenever we have questions, the shadow minister does not have a right of reply, but when they are statements, he has.

4.24

MR BOB OKAE (UPC, Kwanja North County, Kwanja): Thank you, Mr Speaker. I want to know the plan that they have in place now that they have merged some of these outposts because two days after merging them, my home was attacked by unknown people.

They vandalised my vehicle. When I went to police, they advised me to hire security guards. Thank you.

4.25

MS CHRISTINE NDIWALANA (NUP, Bukomansimbi North County, Bukomansimbi): Thank you, Mr Speaker. I appreciate Hon. Ssewungu when he stated that the policemen are not well trained.

Honourable minister, I want to make a clear observation on your men. Today, the way the police is behaving is not like the previous days'. These incidences are at a very high rate during this period when people are very poor – when we are from COVID-19. If you can remember very well what happened yesterday in Mubende when they burnt a motorcycle for a policeman who was enjoying the forbidden fruit of a married woman – *(Member timed out.)*

THE DEPUTY SPEAKER: Honourable member, it seems you wanted to make a forbidden statement. *(Laughter)*

4.26

MR JOHN-BAPTIST NAMBESHE (NUP, Manjiya County, Bududa): Thank you very much, Mr Speaker. Honourable minister, Ugandans are gravely concerned about the practice of the security forces arresting culprits and committing extra-judicial killings.

Why is it a practice by the security forces to put out of action those that they have arrested like Alibuza in Iganga? The crystal clear case is that of Amber Court. The assailants that were arrested – among them was one who would have availed information, but he was put out of action.

There are even earlier cases of say, Zebra. Let me bring that case – *(Member timed out.)*

THE DEPUTY SPEAKER: Conclude, honourable member.

MR NAMBESHE: Zebra Ssenyange was put out of action. If he was a suspected culprit, the million dollar question is, why do you put them out of action?

The last one is about the Sheikh of Gangu, Sheikh Abbas Kirevu. That one was killed in front of his family. My question to the honourable minister is: why has it become a practice to kill?

GEN. MUHOOZI: Mr Speaker, some of the questions are similar. Hon. Ssewungu talked about the suspects and where they are. Some other honourable member raised the same. These are with the General Court Martial, due to the nature of their cases - possession of military stores. Twenty two of these are with the court martial.

Hon. Musila tried to tribalise death, unfortunately. I think we need to honour these fallen comrades, devoid of attributing their death to where they come from.

He also talked about merger. Our decision to merge was very considered and informed. Rather than have dispersed, fragmented and ineffective positions, we thought merger was the best way to go.

Hon. Simon inquired about the cause and, by extension, talked about the record for deserters. Yes, we have a record of deserters from the UPDF and the police. As you know, desertion is a criminal offence.

Hon. Kwizera talked about pay inadequacy as motivation. I do not think so. Otherwise, I think we would have – *(Interjections)*- no, I do not need clarification. Let me finish.

Hon. Nyakikongoro, there are no veterans in these cases. Much as they have their issues, in these cases, we do not have them.

Hon. Kiwanuka talked of one incident missing. I will have to inquire into that. About the court cases, they are in the General Court Martial – like I said before.

On the plan for vacated posts, the inference is to say that whatever happens is because these posts were collapsed. I do not think so, and I still insist that that was the right decision to make in order to limit the vulnerability of police officers.

Hon. Nandagire - police training: Yes, and no. I know we have bad apples in any society, and so it is in the police. What is important is to have institutional mechanisms to bring them to book.

Lastly, the LOP talked about extrajudicial killings - the issue of putting people out of action; this depends –(Interjection)- I do not need your clarification. No, let me complete. Extrajudicial killings - I wouldn't want to make an omnibus generalisation, like Hon. Nambeshe. Some of these incidents have been as a result of hostility and resistance of those who are being arrested. I want to close my case here. Thank you, Mr Speaker and honourable members.

THE DEPUTY SPEAKER: Thank you, General. This is very important information. - The General is no longer on the Floor. So, colleagues, I said earlier on how we are limited by Section 175 of the Local Governments Act in relation to handling regulations; today is the deadline. Therefore, allow me to first go to item No.6, so that the Minister can handle this issue to meet the issue of statutory deadlines.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE ON
PUBLIC SERVICE AND LOCAL
GOVERNMENT ON THE LOCAL
GOVERNMENTS/CITIES REGULATIONS,
2022, NO.115 OF 2022

4.32

THE CHAIRPERSON, COMMITTEE ON PUBLIC SERVICE AND LOCAL GOVERNMENT (Mr Godfrey Onzima): Thank you, Mr Speaker. Allow me to lay a copy of the report and the minutes of our engagement on this matter. I beg to lay.

Report of the Committee on Public Service and Local Government on the Local Government/ Cities Regulations, 2022

Mr Speaker, at the Eighth Sitting of the Second Meeting of the Second Session of the 11th Parliament of Uganda held on Wednesday,

16 November 2022, the Minister of State for Local Government, Hon. Businge Victoria Rusoke, tabled the Local Governments and Cities Regulations, 2022.

Subsequent to the above, the Speaker referred the regulations to the Committee on Public Service and Local Government in accordance with Rule 159(f) of the Rules of Procedure of Parliament. The Committee on Public Service and Local Government has examined the regulations in detail, made inquiries and in accordance to rule 159(f) presents this report with some observations to this august House.

The methodology

The committee held consultative meetings, reviewed some literature, consulted the relevant laws and reviewed the submissions from the Ministry of Local Government and the Association of City Mayors.

The committee hereby presents its observations and the way forward.

Committee Observations

The committee observes as follows:

- a) The contents of the Regulation 3(a) are the same as section 4(a) of the Local Government Act. This provision is redundant and is a duplication of the law.
- b) Regulation 3(b), (c) and (d) presuppose that there is, in existence, a city service commission, a city land board and other committees upon which powers are being conferred. Whereas not, these structures are a creature of statute, and this should be created before duties and powers are conferred on them.
- c) The justification in 3(b) applies.

Therefore, our proposed amendment here is that the committee recommends that Regulation 3(b) be revoked because the provision is redundant and duplicates the Act.

Regulation 4: Management of city council revenues

The committee noted that the automation and distribution of city council revenues is already provided for in the Act. The Act is actually more detailed, for it provides for penalties and grants, plus other sources of revenue, like donations and so on. That can be seen in Section 85 of the Local Government Act, Cap 243, which provides for that and also, you can see it as the Fifth Schedule of the Local Government Act, which is 243, Part Five of part 19.

The committee also noted that the regulations do not provide for which of the two entities are responsible for collection of what revenue like section 85 of the Local Government Act does. It just makes provision for the proceeds after collection. This presupposes that any of the two entities can collect any revenue and they can collide, as a result. It should expressly be stated that each unit collects revenue from the sources in its jurisdiction.

Furthermore, some provisions of this section contradict the mother Act. A case in point is section 85(1) of the Act that provides, *“Revenues should be collected by the division councils, which shall retain 50 per cent and remit 50 per cent to the –”*

THE DEPUTY SPEAKER: Colleagues, can I have order in the House?

MR ONZIMA: *“Revenues should be collected by the division councils, which shall retain 50 per cent and remit 50 per cent to the city council,”* yet Regulation 4(4) says, *“in accordance with Section 85(1) of the Act, the revenue collected by the City division instead of the division council...”* Like in the Act, 50 per cent shall be retained and 50 per cent remitted to the city. The provision mandates both the council and the division to collect, which is contradictory.

Proposed amendment

The committee recommends that Regulation 4 be revoked because automation and distribution

of city council revenue is already provided for in the Act.

Regulation 5: Management of City Division revenues

The committee noted that the automation and distribution of city council revenues is already provided for in the Act. The Act is actually more detailed because it provides for penalties and grants plus other sources of revenue, like donations and so on.

Proposed amendment

The committee recommends that the regulation be revoked because the automation and distribution of city council revenue is already provided for in the Act.

Regulation 6: Sharing of assets between the city and the district

The committee observed that section 6 (d)(i) and (j) contradict each other and may cause unnecessary animosity between the districts and the cities. The committee further noted that the rights and liabilities that arise or arose from these assets have not been provided for in the regulation.

Proposed amendment

The committee recommends as follows:

- a) Amend Regulation 6 to read as follows: *“Sharing of assets and liability between the city and the district.”*
- b) Replace 6 (i) *“titled land in the name of the district shall remain the property of the district”* with *“Excepted property mentioned in 6(d).”*
- c) Replace (j) *“untitled land shall become the property of the city or district under whose territorial boundaries it falls and”* with *“Except titled land, which is in the process of transfer into the names of the district upon purchase or other commercial transaction by the district.”*

- d) Any pending public liabilities, including taxes, rates, levies, duties payable and fees that were incurred by the district before the commencement of these regulations, over assets that shall be retained by the city, shall be paid by the district that incurred those charges and liabilities.

The justification is for clarity and to give the cities both user and ownership rights over these properties, as opposed to only user's rights, which renders them tenants of the districts.

Regulation 7: Physical Development Planning and Boundaries

The committee observed that these regulations are for cities, not local governments. "Local government" in the Act includes local councils under sections 3-5, district council, subcounty council, city council, city division councils, municipal council and the municipal division council, which might be outside these regulations.

Proposed amendment

The committee recommends that the words "Local Government" are replaced with the word "cities."

In conclusion, the committee recommends that the report and proposed amendments by the committee be adopted by the House.

Mr Speaker and honourable members, I beg to submit.

THE DEPUTY SPEAKER: Thank you, Chairperson. Honourable minister, I am giving you chance to give a quick reply, which will guide us.

4.43

THE MINISTER OF LOCAL GOVERNMENT (Mr Raphael Magyezi): Thank you very much, Mr Speaker. First, I would like to thank the committee and appreciate the good job done, especially in view of the time they had within the Local Government Act.

Section 175 requires that the House does consider and pronounce itself on the regulation within 14 days. The committee has enabled the House to do that and I thank them very much. I believe that the recommendations are in good faith to ensure better management of our new cities.

Mr Speaker, I have some comments and then I will give my proposal on the way forward. First, under 3.1, the committee recommends that Regulation 3 be revoked because, in their view, it is redundant. I beg to differ from the committee's view. This section is not redundant. It is aimed at providing for statutory boards and commissions of the cities. This is not in the Act explicitly; therefore, we think it should be there. It is urgent. We are talking about the city service commissions, the city land boards and the city public accounts committees. This is not a redundant provision.

Secondly, under Regulation 4 on the financing of the cities; the local revenues, the committee is recommending that this regulation also be revoked because in their view, automation and distribution of city council revenues is already provided for in the Local Government Act.

Again, I beg to differ from the committee's view because automation of local revenue is not provided for in the Act. We are not making a contradiction to say, "In the Act." We are talking of collecting revenues by the district councils. In the regulation, we have put "collecting by the city division." It is not a contradiction. It is an omission of the word "council", which can simply be corrected.

However, I take note of the views of the committee; that this requires a detail on which revenues should be collected at which level in the city. Just as in the first one, they made a substantial recommendation when they met my team yesterday - talking about the statutory boards and commissions of the cities is a substantial matter. This should come in the Principal Act, and not just a regulation. I take note of that.

I also looked at the committee's recommendations under Regulation 6; the sharing of assets between cities and districts. The committee recommends that we include the sharing of liabilities, and they have also made some proposals on amendments of this regulation.

Mr Speaker, I beg to differ from the committee on the issue of sharing liabilities between the districts and cities. Traditionally, we have had sharing of assets between the mother local government and the new local government for a reason. These local governments are legal entities; they can sue and be sued; they contract. Some of these liabilities are a result of certain contractual obligations, which cannot be assigned to a third party.

Therefore, we beg that we continue looking at the sharing of assets, which I think the committee has made some interesting and commendable recommendations. For example, there is the issue of titled land - which titled land? We need to clarify that, including additional information on the relocation of district headquarters. I commend the committee on this. We shall certainly continue to look at this so that we can provide better details.

Finally, on the physical development plan, the committee recommends that in this regulation, we replace the words "local government" with the word "cities." It appears under sub-regulation 7.2, in which the import of that regulation is that the mother districts shall relocate from the cities. A local Government shall have its headquarter within its area of jurisdiction. Therefore, it is not a question of simply saying, "Delete the word local government and replace it with city." You have to look at exactly what you were looking at in that particular regulation.

We need to incorporate what the committee says; that is making sure that we highlight the fact that we are talking about headquarters of these districts, which have been in the cities, and they need to relocate to their areas of jurisdiction.

In view of this, and in view of the fact that the ministry is in the process of preparing a comprehensive Bill for amendments of the Local Government Act - there are now serious issues that are urgently required to streamline and strengthen the management of the cities; the statutory boards and commissions, financing of these cities, the sharing of their assets with the districts, the physical development planning and the human resource management issues.

I would like to propose to Parliament that you permit me to withdraw the regulation and I proceed to expeditiously process an amendment of the Local Government Act, focusing on improved management of the cities. This will come on its own as a Local Government (Amendment) Bill, focusing on this very critical aspect, in which we shall incorporate what we had put as substantial matters in this regulation, including the observations of the committee. I think this provides a good way forward. We shall expedite this Bill. I beg to present. I thank you.

THE DEPUTY SPEAKER: Thank you. Colleagues, Section 175 of the Local Governments Act says, "The minister may..." It allows him to bring regulations. He may bring, he may not. He brings as long as it is necessary and now he has decided to withdraw. The committee said, "Honourable minister, you are addressing very serious issues in the regulations that should be anchored on the main law so that they are just not regulations." And the minister has appreciated it.

I put the question that the minister be allowed to withdraw the regulations.

(Question put and agreed to.)

THE DEPUTY SPEAKER: Honourable colleagues, this is not mandatory on his side. It is discretionally, but if you want to move a motion on his behalf -

MR NAMBESHE: Mr Speaker, respectfully, because you are the custodian of the rules, the honourable minister -

THE DEPUTY SPEAKER: I am flexible; these are our rules.

MR NAMBESHE: Whereas the honourable minister has the latitude to withdraw his regulations, he has to do that through a formal and substantive motion, according to our rules and that is what we were trying to raise.

THE DEPUTY SPEAKER: So, you want him to table it in form of a motion? Will you support it? I do not mind what Hon. Nambeshe has said because it was not on record. What is your procedural matter, Hon. Ssewungu?

MR SSEWUNGU: Mr Speaker, we are getting a very interesting scenario here this afternoon because the supervisory committee of the ministry is disagreeing with the minister, on the Floor of Parliament. What we need to know is whether it would be procedurally okay for the House to know whether this committee met the minister before they brought what was read. I am saying this –(Interjections)– yes, because this report is signed by only nine members of the committee and the minister has totally disagreed with almost every amendment the Members tabled.

So, we would want to know, as Parliament, whether they interfaced with the minister or they just disagreed in principle. We need to know that, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Members, I will not allow any further debate on this. The minister has said he wants to withdraw; what does it help? Let me allow the minister - because the Leader of the Opposition has guided very well that the minister moves a formal motion. Honourable minister, can you move your motion?

4.54

THE MINISTER OF LOCAL GOVERNMENT (Mr Raphael Magyezi): Thank you, Mr Speaker. I beg to move a motion that the Local Governments (Cities) Regulations, 2022 stand withdrawn. I beg to move.

THE DEPUTY SPEAKER: Is the motion seconded? Okay, it is seconded by Hon. Gilbert Olanya, Hon. Okupa, Hon. Bataringaya, Hon. Nsegumire and Hon. Apea. I now put the question that the Local Governments (Cities) Regulations, 2022 be withdrawn.

(Question put and agreed to.)

THE DEPUTY SPEAKER: Honourable colleagues, this is a resolved matter. Do not take me back - I do not need help on a matter, which is already withdrawn.

Colleagues, you said I should not be strict and I decided to be flexible; so, you have seen flexibility. Colleagues, let us go back to the Order Paper.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE ON
RULES, PRIVILEGES AND DISCIPLINE
ON THE INQUIRY INTO ALLEGATIONS
OF MISCONDUCT AND MISBEHAVIOR
MADE AGAINST HON. PERSIS
NAMUGANZA PRINCESS, MP BUKONO
COUNTY AND MINISTER OF STATE FOR
HOUSING

THE DEPUTY SPEAKER: Honourable Chairperson, Committee on Rules, Privileges and Discipline -

4.55

THE VICE CHAIRPERSON, COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE (Fr Charles Onen): Thank you, Mr Speaker. I am here to present a report of the Standing Committee on Rules, Privileges and Discipline on the Inquiry in the Allegations for Misconduct and Misbehaviour by Hon. Persis Namuganza Princess, MP Bukono County and Minister of State for Housing and Urban Development.

I beg to lay a copy of the report. Further, allow me to lay a memory stick containing the recording of the television interview of Hon. Namuganza with *NTV Uganda*, held on Friday, 21 May 2022, and a CD with a video recording of the plenary proceedings of 18 May 2022.

Lastly, allow me lay on the Table, the minutes of the meetings and *Hansard* recordings of the meeting.

Mr Speaker, at the 7th Sitting of the 1st Meeting of the 2nd Session of the 11th Parliament held on Wednesday, 13 July 2022, Hon. Solomon Silwany, MP Bukooli County Central, rose on a point of procedure regarding an allegation of misconduct and misbehaviour against Hon. Persis Namuganza Princess, Member of Parliament, Bukono County, Namutumba District and Minister of State for Housing.

Hon. Silwany alleged that Hon. Namuganza took to social media and television and bashed the operations of Parliament and questioned the powers and integrity of the Presiding officers of Parliament, to form an Ad hoc Committee.

The following Members spoke to the matter:

1. Hon. Sarah Opendi, Woman Representative, Tororo;
2. Hon. Geoffrey Macho, MP, Busia Municipality;
3. Hon. Asuman Basalirwa, MP, Bugiri County;
4. Hon. Henry Maurice Kibalya, MP, Bugabula County South;
5. Hon. Elijah Okupa, MP, Kasilo County;
6. Hon. Ibrahim Ssemujju Nganda, MP, Kiira Municipality; and
7. Hon. John Amos Okot, MP, Agago North County.

The Presiding officer referred the matter to the Committee on Rules, Privileges and Discipline, stating that the rules of natural justice require that the Member is accorded the right to be heard before a decision is made. The committee was directed to report back to the House within two weeks.

The Committee on Rules, Privileges and Discipline derives its mandate from Article 90 of the Constitution. Pursuant to Rule 175(a) and (b) of the Rules of Procedure, the committee inquired into the allegations made against Hon. Persis Namuganza and now presents its report to the House for consideration, as required.

Issues for determination by the committee

The committee sought to resolve the following issues:

- a) Whether Hon. Persis Namuganza Princess made the impugned statements against Parliament in the media as alleged;
- b) Whether there was any breach of the Rules of Procedure of Parliament; and
- c) The observations, recommendations of the committee on the matter.

The methodology

The committee held meetings during which it received submissions of the following witnesses:

- i) Members of Parliament who spoke to the matter during the plenary sitting of Wednesday, 13 July 2022. That is Hon. Solomon Silwany, Hon. Sarah Opendi, Hon. Asuman Basalirwa, Hon. Henry Maurice Kibalya and Hon. Okupa.
- ii) We received a submission from Hon. Persis Namuganza Princess, Member of Parliament, Bukono County and Minister of State for Housing;
- iii) Staff of Parliament who are the administrators of the 11th Parliament Official *WhatsApp* Group on which Hon. Namuganza allegedly posted the impugned statements, namely:
 - a) Mr Chris Obore – Director, Communication and Public Affairs,
 - b) Mr Moses Bwalatum - Deputy Editor of Hansard, and
 - c) Mr Charles Bukuwa.
- iv) Police Constable Akumu Florence - a CCTV operator and analyst with the Parliamentary Police Division.

We also reviewed written submissions as follows:

A submission by Counsel for Hon. Persis Namuganza (CRIMSON Associated Advocates) in letters to the Clerk to Parliament and the chairperson of the committee dated 21 July 2022, 26 July 2022 and 12 September 2022.

We reviewed relevant documents including:

- a) The *Hansard* of the plenary proceedings of Wednesday, 13 July 2022;
- b) The printouts of the impugned *WhatsApp* messages allegedly posted by Hon. Namuganza on the 11th Parliamentary Official *WhatsApp* group;
- c) The article from *The Daily Monitor* online newspaper of 22 May 2022 entitled, “*Parliament has no powers to suspend me - Namuganza.*” You can read that.
- d) The transcript of the television interview of Hon. Namuganza with NTV Uganda held on Friday, 21 May 2022.

We reviewed the following media and social media content:

- a) The impugned *WhatsApp* messages allegedly posted by Hon. Namuganza;
- b) The video recording of the television interview with NTV Uganda, which was aired on *NTV Ku Ssaawa Emu* and *NTV Weekend Bulletins* respectively on Friday, 21 May 2022.

We also viewed the CCTV footages of the Chamber and lobbies of Parliament in the afternoon of Wednesday, 18 May 2022.

We reviewed the applicable laws:

- i) The Constitution of the Republic of Uganda (1995),
- ii) The Rules of Procedure of Parliament of Uganda,
- iii) The case law, and

- iv) The treaties and papers on Commonwealth Parliamentary Procedures and Practices.

In conducting the inquiry, the committee was cognisant of its quasi-judicial status and the constitutional right of the Member to a fair hearing. Accordingly, the committee wrote to Hon. Namuganza in a letter dated 19 July 2022 - you can see that from the appendix - informing her of:

- a) The allegations made against her;
- b) The right to be represented by a Counsel;
- c) The right to call witnesses and to cross-examine the witnesses called by the committee; and
- d) The schedule of the meetings of the committee with other witnesses.

In addition, the committee resolved that any member with a personal interest in the matter under investigation, including a member who made the complaint or any member of the committee who could have publicly expressed his or her views on the matter, would be disqualified from participating in the proceedings of the committee other than a witness. No member of the committee declared a personal interest in the matter under inquiry.

At the onset of the inquiry, Hon. Namuganza, through her Counsel, Mr Pande Norman of CRIMSON Associated Advocates, raised objections to the inquiry in a letter which Counsel presented in the meeting held on 21 July 2022. The objections were as follows:

- i) That the matter being investigated by the committee was sub judice;
- ii) That she was not given adequate time to prepare and defend herself and to cross-examine the witnesses since the letter from the Clerk to Parliament dated 19 July 2022, inviting her to appear before the committee on the 21st of July was served to her on the evening of 20 July 2022;

- iii) That she was not given adequate time to review the evidence brought against her;
- iv) That whereas she desired to attend all hearings of the committee on the matter, she was prepared to travel abroad.

She made the following prayers:

- a) That the hearing of the matter by the committee be suspended until the High Court renders its verdict on Miscellaneous Cause No. 111 of 2022.
- b) That the committee makes full disclosure of all the evidence it intends to rely on during the hearing.
- c) That the hearing be suspended until she returns from her official duty abroad.

The committee considered and ruled on the objection as noted below:

When Hon. Namuganza raised the claim of *sub judice*, the committee requested her to provide information to justify the claim as required by rule 73(4) of the Rules of Procedure.

In response, counsel for Hon. Namuganza submitted the said justification, which you can find in Appendix v, which the committee relied upon to seek guidance of the Rt Hon. Speaker as required by rule 73(5) of the Rules of Procedure.

The Rt Hon. Speaker, in her guidance to the committee dated 5 September, ruled that the matter was not sub judice since the High Court had delivered its ruling on Miscellaneous Cause No. 111 of 2022 on 15 August 2022.

In light of the Speaker's guidance, the committee resolved to proceed with the inquiry and accordingly wrote to Hon. Namuganza on Wednesday, 7 September 2022 requiring her to appear before it to respond to the allegations against her on Monday, 12 September.

In the communication, the committee reminded Hon. Namuganza of her right to legal

representation and to cross-examine witnesses called by the committee. However, on Monday, 12 September 2022, Hon. Namuganza did not appear before the committee in person as required. Instead, her counsel delivered a verbal communication that she was unable to attend the meeting of the committee as she was attending a Cabinet meeting.

The committee informed counsel for Hon. Namuganza that it expected the communication on the absence of Hon. Namuganza to be in writing and further that her appearance was to be in person and not through her lawyers.

The committee considered the failure by Hon. Namuganza to communicate in writing the circumstances of her absence disrespectful, but nonetheless proceeded to hear the submission of her counsel.

In the submission, Hon. Namuganza raised an objection to the proceedings of the committee on the basis of the sub judice rule stating that the matter under inquiry was still the subject of court proceedings following her appeal against the ruling of the High Court in Miscellaneous Cause No. 111 of 2022 (Hon. Persis Vs Attorney-General).

Counsel furnished the committee with a copy of the Notice of Appeal as justification for the sub judice claim (Appendix viii). The committee being cognisant of rule 73(d) of the Rules of Procedure, which provide, that, "*Appellant proceedings, whether criminal or civil, shall be deemed active from the time they are commenced by application of leave to appeal or by Notice of Appeal until the proceedings are ended by judgment or withdrawn*" referred the sub judice claim to the Rt Hon. Speaker in accordance with rule 73(5) of the Rules of Procedure.

The Rt Hon. Speaker, in her guidance to the committee dated 12 September 2022 (Appendix ix), ruled that while the matter in court was challenging the legality, reasonableness and profundity of the report of the Ad Hoc Committee on the Naguru-Nakawa land allocations, the matter under inquiry by the

committee was on the negative statements about Parliament allegedly made in the media and the alleged misconduct and misbehaviour by Hon. Persis Namuganza, Minister of State for Lands, Housing and Urban Development. The matter is thus not *sub judice*; that was the ruling of the Speaker.

Based on the above ruling, the committee found no merit in the objection of the sub judice and accordingly overruled it.

Hon. Namuganza contended that she had not been given adequate time to prepare and defend herself and to cross-examine the witnesses since the letter from the Clerk to Parliament inviting her to appear before the committee on 21 July 2022 was served on the evening of 20th July.

She further stated that whereas she desired to attend all hearings of the committee on the matters scheduled for 21st–28th July 2022, she was preparing to travel abroad to attend the 41st Annual General Meeting and Symposium of Shelter Afrique-Elephant Hills, Victoria Falls, Zimbabwe from the 24th to 29th of July. She prayed that the hearings be suspended until she returned from her official duties abroad.

The committee, being cognisant that adequate time to prepare a defence is one of the essential ingredients of the right to a fair hearing in accordance with Article 28(3)(c) of the Constitution, suspended hearings on the matter for almost two months, from the 21st of July to Monday, 1 September 2022 to enable Hon. Namuganza prepare her defence and attend to her official duties abroad.

As noted earlier, the committee wrote to Hon. Namuganza on the 7th of September to appear before it on Monday, the 12th of September, to respond to the allegations levied against her, but Hon. Namuganza did not appear as expected on account of a Cabinet meeting, which she was attending that day. The committee adjourned the meeting to Tuesday, the 13th of September to enable her appear. The committee, therefore, granted Hon. Namuganza adequate time to prepare her defence as required by law.

Full disclosure of evidence

At the onset of inquiry on 31 July 2022, Hon. Namuganza requested the committee to make full disclosure of all evidence it intended to rely upon during the hearing to enable her prepare and ably defend herself. In the meeting on Tuesday, the 13th, Hon. Namuganza was asked to respond to the allegations made against her. In response, she stated that she would not respond to allegations she was not aware of since she had not been supplied with evidence on which delegations were made.

The committee, being aware of its quasi-judicial status and the inquisitorial nature of its mandate, made a ruling in the presence of Hon. Namuganza as follows;

- a) That the committee, in its letter dated 19 July 2022, informed Hon. Namuganza of the allegations made against her as contained in the *Hansard* of the plenary sitting of Wednesday, 30 July 2022.
- b) That the committee had not yet commenced hearing of and receiving evidence from witnesses.
- c) That the information the committee had at that material time was the *Hansard* of the plenary sitting of Wednesday, 30 July 2022 wherein the matter of the alleged misconduct by Hon. Namuganza was raised, and which had been supplied to her at the onset of the inquiry.
- d) That the response the committee expected from Hon. Namuganza that day was to either affirm or deny the allegations contained in the *Hansard*.
- e) That if she denied the allegations, the committee would expect to call witnesses to establish whether the allegations were true or false and it was at that point that the committee would receive evidence from the witnesses and grant her the opportunity to cross-examine them and call on her own witnesses, if she wished so.

- f) That if Hon. Namuganza required more time to study the evidence submitted by the witnesses in order to cross-examine them, the committee would grant the additional time.
- g) That the committee was not a court of law and its proceedings were investigatory and not adversarial. Therefore, the committee was not bound by strict judicial rules of evidence, which require parties to make full disclosure of all evidence they intend to rely on at the commencement of the hearing.

For the above reasons, the committee found no merit in the objection and overruled it.

Petition to the Speaker of Parliament

On Wednesday, 14 September 2022, in the meeting of the committee convened to receive submission from witnesses, Hon. Namuganza appeared and raised another objection, stating that she had petitioned the Rt Hon. Speaker and requested for copies of her rulings on the sub judice claim since the committee had declined her request to be supplied with the same. She laid on the Table a copy of the said petition, dated 13 September 2022 and requested the committee to halt the inquiry, pending a response by the Speaker to the petition.

The committee considered the objection by Hon. Persis Namuganza and ruled as follows:

- a) That it had communicated verbatim, the rulings of the Speaker dated 5th and 12th of September, respectively, to her counsel during its meeting of Monday, the 12th, and to her during its meeting of Tuesday, 13 September 2022.
- b) That the Rules of Procedure of Parliament did not bar the committee from proceeding with the inquiry on the basis of a petition by a witness to the Speaker.

The committee construed the objection as a delaying tactic and, accordingly, overruled it.

Mr Speaker, the last paragraph on page 12 up to page 23 – is about the submission of witnesses. I request that I skip it. Members can read the submissions.

The last paragraph on page 23 is about the findings, observations and recommendations.

Issue one is on whether Hon. Namuganza made the impugned statements in the media, as alleged. The committee considered evidence presented by the witnesses to establish whether Hon. Namuganza made the alleged impugned statements.

In his testimony before the committee, Hon. Solomon Silwany alleged that Hon. Namuganza made the statements on the official *WhatsApp* group of the 11th Parliament, *the 11th Parliament Official* on Tuesday, 12 July 2022 from 5.45 p.m. until Wednesday, 13 July 2022. He adduced evidence of printouts of the *WhatsApp* messages allegedly posted by Hon. Namuganza, using her telephone number, 0782670551.

The testimony of Hon. Silwany was corroborated by Hon. Sarah Opendi, Hon. Elijah Okupa and the ‘Admins’ of the 11th Parliament Official *WhatsApp* group, namely; Mr Chris Obore, Mr Moses Bwalatum and Mr Charles Bukuwa. Mr Chris Obore confirmed that the impugned messages were posted by Hon. Namuganza and were still on the *WhatsApp* group. He adduced evidence of printouts of the messages.

The committee granted Hon. Namuganza opportunity to controvert the evidence adduced by the witnesses by informing her of the allegations made against her and inviting her for meetings to respond to the allegations. The committee invited her for meetings with the witnesses, informed her of her right to cross-examine them and furnished her with a schedule of the meetings.

When Hon. Namuganza raised objections to the hearing, the committee considered the said objections and made its rulings. It responded to her request for adequate time to prepare a

defence by suspending hearings on the matter for almost two months, from the 21st of July to the 12th of September. The committee reconvened on Tuesday, 12 September 2022, but still, Hon. Namuganza did not appear in person, claiming that she was attending a Cabinet meeting. The committee adjourned the meeting to the 13th of September to enable her appear in person.

On Wednesday, 14 September 2022, the day the committee was meeting with the witnesses, Hon. Namuganza walked out of the meeting in protest, stating that the committee was indulging in an illegality, which she would not be a part of. Nonetheless, the committee went ahead to furnish her with the evidence of printouts of the *WhatsApp* messages adduced by the witnesses and the audio recordings of the proceedings of the committee with the witnesses for that day. Hon. Namuganza did not make any attempt to rebut or counter the evidence.

The committee took cognisance of the principle in the case of *Fox Odoi Oywelowo v. Attorney-General (Constitutional Petition No.54 of 2013)* where the Constitutional Court held that the right to be heard is limited to the opportunity to be heard and where a tribunal avails to an individual an opportunity to be heard and that individual fails or refuses to appear before it, it cannot be stated that he or she was denied a right to be heard.

Accordingly, in view of the above principle, the committee observes that it accorded Hon. Namuganza a reasonable opportunity to present her case before it as the rules of natural justice and the right to a fair hearing dictate.

Despite the fact that Hon. Namuganza did not controvert the evidence presented to her, the committee was cognisant of the fact that it is duty bound to analyse and evaluate the evidence before reaching a conclusion.

Accordingly, the committee viewed the alleged impugned messages from the phone of Mr Moses Bwalatum and established that they were the same as those in the printouts of the

WhatsApp messages adduced as evidence by the witnesses.

The committee further established from the record of Parliament that the telephone number 0782670551 from which the impugned messages originated belonged to Hon. Namuganza. (Appendix 19)

In view of the uncontroverted evidence of the *WhatsApp* adduced by Hon. Silwany, as corroborated by Hon. Sarah Opendi and Hon. Elijah Okupa, the committee finds that Hon. Namuganza made impugned statements on social media as alleged.

On the consideration of evidence of the *Daily Monitor* newspaper article of 22 May 2022, the committee examined the evidence adduced by Hon. Henry Maurice Kibalya, an article from the *Daily Monitor* online newspaper of 22 May 2022 with the heading “*Parliament has no powers to suspend me - Namuganza*”.

Hon. Henry Kibalya said that he downloaded it from the official website of the *Daily Monitor*, that is, <https://www.monitor.co.ug/uganda/news/national/parliament-has-no-powers-to-suspend-me-namuganza-3823346>. He alleged that in that said article, Hon. Namuganza was quoted as having stated in an interview with *NTV Uganda* regarding the report of the ad hoc Committee on the Naguru–Nakawa Land Allocation that this report was misleading. I quote:

“This report was misleading Members of Parliament, debating things which they do not know about, and finally passing resolutions, which they actually do not know. On this basis, first of all, I belong to the Executive and I know that they will have to forward the resolutions to the Executive for confirmation. I am sure the Executive is sober and will not act the way they acted.”

The committee sought to establish whether Hon. Namuganza made the statement attributed to her in the interview with *NTV* and as quoted in the *Daily Monitor*.

So, the committee viewed the video recordings of the television interview of Hon. Namuganza with NTV Uganda (Appendix 20) as well as the transcript of the interview prepared by the parliamentary Department of Official Report (*Hansard*) on the request of the committee (Appendix 21). They established that indeed, Hon. Namuganza made the statements attributed to her in the *Daily Monitor* newspaper adduced as evidence by Hon. Kibalya.

She stated: *“But you saw what happened; it was like mob justice. Moreover in Parliament, they did not want me to speak. They did not even want me to say that the letter is missing. So, this report was misleading Members of Parliament debating things which they do not know, and passing resolutions on something they do not actually know.”* (Emphasis is mine.)

In response to the question by the *NTV* news reporter on whether she would respect the parliamentary resolution for her to step aside as further investigations go on, Hon. Namuganza stated:

“But on this basis of a fake report, full of bias, then you tell me to step aside? First of all, I belong to the Executive. I think they will or have forwarded this to the Executive. I am sure the Executive is sober. It does not act the way they acted.”

Now, based on the evidence on record, the committee was satisfied that Hon. Namuganza made the statements attributed to her in an interview with *NTV*, as reproduced in the *Daily Monitor* newspaper article, adduced as evidence by Hon. Kibalya.

The committee further considered the allegations by Hon. Kibalya that Hon. Namuganza made a derogatory gesture as she was leaving the Chamber of Parliament, following the consideration of the report of the ad hoc Committee on the Naguru–Nakawa Land Allocation by the House.

Accordingly, the committee viewed the video recording of the plenary proceedings of 18 May 2022 (Appendix 22) - the day the report of

the Ad hoc Committee on the Naguru–Nakawa Land Allocation was presented and adopted by the House.

In addition, the committee viewed the CCTV footage of the Chamber and lobbies of Parliament for that day with the head, PC Florence Akumu. The video recordings and the CCTV footage revealed that Hon. Namuganza left the House immediately after the adoption of the report of the Ad hoc Committee on the Naguru Nakawa Land Allocation. The CCTV footage further showed that Hon. Namuganza made a certain gesture as she was leaving the Chamber, but it was not clear what gesture it was. (*Laughter*)

The committee asked PC Akumu to retrieve the images from the CCTV camera directly facing the exit - that is the exit she used as she was leaving the Chamber - to aid the committee on establishing whether Hon. Namuganza actually made the alleged derogatory gesture.

However, the committee was informed that it was not possible to retrieve the said images, since the camera in question could only store data for three months, after which, the data would be automatically deleted. The committee, satisfied with the explanation given by Constable Akumu, visited the Chamber and the command centre where the CCTV cameras are operated from and confirmed that indeed, the information it was interested in, was missing.

The committee further established that there were four CCTV cameras in the Chamber. Three of them were and are able to playback beyond 18 May 2022; the day the report of the ad hoc committee was presented, while one camera, which the committee was interested in, could not playback. (*Laughter*)

Mr Speaker, I request, since we are here, and we can observe, I mean those big cameras; one in the corner and the other ones. This camera was the one which was not able to playback. With a close examination of the four cameras, we realised that they were of the same make. We believe that those cameras could store

information in the same way. When we moved closer to camera No. 4, which we were interested in, we observed that the camera had loosely connected wires hanging over it, and the cover of its lens was missing.

In view of the above findings, the committee could not establish whether or not Hon. Namuganza made the alleged derogatory gesture, based on the controverted evidence of the *WhatsApp* messages adduced by Hon. Silwany, as corroborated by other witnesses and the interview of Hon. Namuganza with *NTV Uganda*, as quoted in the *Daily Monitor* newspaper article of 22 May 2022. The committee finds that Hon. Namuganza made impugned statements on social media and television, as alleged.

Issue one is, therefore, answered in the affirmative.

Issue two is whether there is any breach of the Rules of Procedure of Parliament.

The committee, having found that Hon. Namuganza made the impugned statements in the media, sought to establish whether there was any breach of the Rules of Procedure of Parliament.

In his submission to the committee, Hon. Silwany alleged that the statements of Hon. Namuganza constituted an affront to the integrity of Parliament and its presiding officers. However, he did not state the specific rules in the Rules of Procedure that Hon. Namuganza contravened by making the impugned statements. Instead, he cited Rule 190, which empowers Parliament to institute a select committee.

In the submission of Hon. Sarah Opendi, she stated that Hon. Namuganza contravened Rule 85 and Appendix F of the Rules of Procedure, specifically paragraph (5), which requires Members of Parliament to conduct themselves in a manner which will maintain and strengthen the public trust and confidence in the integrity of Parliament and never undertake any action, which may bring the House or its Members generally into disrepute.

Hon. Asuman Basalirwa stated that if it was true that Hon. Namuganza made the alleged impugned statements, then she was in contempt of Parliament and her conduct was unbecoming of a Member of Parliament.

The committee considered the rules cited by the witnesses and general rules relating to the conduct of Members of Parliament herein below:

Members, you can read Rule 85, Appendix F especially No.5 on Public Trust where the rule states that: *“Members shall, at all times, conduct themselves in a manner which will maintain and strengthen the public’s trust and confidence in the integrity of Parliament and never undertake any action which may bring the House or its Members generally, into disrepute.”*

The committee examined the dictionary meaning of the words “integrity” and “disrepute.” The Black’s Law Dictionary (the revised 4th Edition, pages 947 and 558) defines integrity as “soundness of moral principle and character as shown by one person dealing with others in the making and performance of contracts and fidelity and honesty in the discharge of trusts. It is synonymous with probity, honesty and uprightness.” Disrepute is defined as the “loss or want of reputation; ill character; disesteem and discredit.”

According to paragraph 5 of the Code of Conduct, the duty to act in a manner which will maintain and strengthen public trust and confidence in the integrity of Parliament is borne by the Members of Parliament at all times, that is, within and outside the precincts of Parliament. Therefore, Hon. Namuganza had a duty to ensure that her statements in the media do not denigrate the integrity of Parliament and bring the House and its Members into disrepute.

It was further alleged that the conduct of Hon. Namuganza constituted contempt of Parliament. Rule 224 of the Rules of Procedure define contempt of Parliament as *“An act or omission, which obstructs or impedes*

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

According to the Cambridge Dictionary, “dignity” means “the quality of a person that makes him or her deserving of respect, sometimes shown in behaviour or appearance.”

The committee considered the following statements made by Hon. Namuganza on the 11th Parliament-Official WhatsApp group to ascertain whether by making the impugned statements, she contravened the Rules of Procedure of Parliament:

“I remember people accusing me on this, the so-called Ad hoc Committee; the spirit of abusing, hating, embarrassing, tarnishing each other’s names as colleagues cannot take us anywhere. We need to build consensus and friendship - shame...”

So, why then does she appoint ministers: that is strategic matters? You call Naguru land also a strategic matter? Maybe you do not know what strategic matters mean. What I am emphasising, colleagues, is that it is very bad to just be used to fight each other; we still have a long way to go, even life after Parliament. You need to study the matter yourself and decide whether you are being misled and influenced to fight a colleague.

I am telling you; the powerful committee could not even find time to go and interact with His Excellency himself. Why? So, for now, you can go and ask him whether the honourable minister has initiated this call. He is there, live. So, kindly go for avoidance of doubt.

And these so-called ad hoc committees all the time; we have substantive committees of Parliament. They should be the ones to handle the matters that fall under their responsibilities. Why ad hoc? As if they are hired to embarrass. Anyway, the matter is in court for judicial

interpretation. So, what will the substantive committee do? All this is done in bad faith. You can continue to defend them the way you want because you are a member, but this must stop. It should stop.

All Members of Parliament came to work and belong to these Parliamentary committees. We shall raise a point of order if another ad hoc committee is formed to create order in the House, like the one which is investigating the importation of rice. It is supposed to be the committee on trade. Why Ad hoc? For a few Members?”

The words highlighted in the statement made by Hon. Namuganza have the following dictionary meanings:

- a) Abusing: Being rude and offensive words said to another person.
- b) Hating: To dislike someone or something very much.
- c) Embarrassing: Feeling ashamed or shy.
- d) Tarnishing: To make people think that someone or something is less good.
- e) To be used: To take advantage of a person or situation; to exploit. To be friendly towards someone for your own advantage or purposes.
- f) To fight: i) To use physical force to try to defeat another person or group of people. ii) To use a lot of effort to defeat or achieve something, or to stop something happening.
- g) Misled: To cause someone to believe something that is not true.
- h) Influence: To affect or change how someone or something develops, behaves or thinks.
- i) Hired: To employ someone or pay someone to do a particular job.

- j) Bad faith: Dishonest or unacceptable behaviour.
- k) Few: Some or a small number of something.

So, the statements by Hon. Namuganza on the 11th Parliament-Official WhatsApp group that ad hoc committees were instituted in bad faith, that they are used to fight people, they are hired to embarrass, they are being misled and influenced and they are created for a few members, impute improper motive to Parliament and its presiding officers in the exercise of its powers to constitute ad hoc committees, which are duly conferred on Parliament by the Constitution and the Rules of Procedure of Parliament.

The Constitution of the Republic of Uganda, Article 91(1) empowers Parliament to appoint Committees necessary for the efficient discharge of its functions. Article 90(2) further provides that Parliament shall, by its Rules of Procedure, prescribe the powers, composition and functions of its committees. In the exercise of the above constitutional mandate, Parliament enacted its Rules of Procedure, and Rule 191 thereof provides, “*The House may at any time, on the advice of the Business Committee, appoint an Ad hoc Committee to investigate any matter of public importance that does not come under the jurisdiction of any Standing or Sectoral Committee or that has not been dealt with by a Select Committee.*”

The Constitutional Court, in the case of *Twinobusingye Severino v. Attorney-General* (Constitutional Petition No.47 of 2011) upheld the constitutional powers of Parliament to appoint committees under Article 90(1) and (2) of the Constitution. The court held that Parliament acted within its constitutional powers in setting up the Ad hoc committee to investigate allegations of bribery in the oil sector and to interfere in the exercise of these powers would be an interference with the legitimate internal workings of Parliament.

In view of the above, the committee observes that the statements made by Hon. Namuganza

challenging the powers and authority of Parliament to institute Ad hoc committees were unfounded, misleading and had no legal basis.

As noted earlier, Hon. Namuganza made derogatory statements about Parliament in an interview with NTV regarding the Report of the Nakawa-Naguru Land Allocations and she stated, “*But you, you saw what happened. It was like mob justice moreover in Parliament. They did not want me to speak; they did not even want me to say that the letter is missing. So, this report was misleading Members of Parliament: debating things which they do not know and passing a resolution on something they do not actually know. But on this basis of a fake report full of bias, then, you tell me to step aside.*”

First of all, I belong to the Executive. I think they will or have forwarded this to the Executive. I am sure the Executive is sober.” so mark the underlined words.

According to the Cambridge Dictionary, the words used by Hon. Namuganza bear the following meanings – I mean the underlined words.

Fake: a copy of something that is intended to look real or valuable and deceive people;

Bias: the action of supporting or opposing a particular person or thing in an unfair way because of allowing personal opinion to influence your judgment; and

Sober: someone who is not drunk, or someone who is serious and thinks a lot.

According to the Afro barometer (Policy Paper on Factors that contribute to Mob Justice in Uganda, 2022; Page 1) mob justice is defined as “*a form of extra-judicial punishment, or retribution in which a person suspected of wrongdoing is typically humiliated, beaten and in many cases, killed by vigilantes or a crowd.*”

The word used by Hon. Namuganza, as defined above, implied that Parliament lacked understanding of what it was doing when it

passed a resolution adopting the report of the Ad Hoc Committee on the Naguru-Nakawa Land Allocations. That it passed a deceptive and biased report and that Parliament is comprised of unserious and drunk people who are not law-abiding in the discharge of their duties.

The words further meant that Hon. Namuganza was intentional in defying the resolutions of the House on the Ad hoc committee report.

The committee findings are such that the statements were unfounded, baseless, malicious, demeaning and contentious. They undermine the authority and integrity of Parliament and brought the House and its Members into disrepute.

The committee considered the tenability of allusion by some Members that Hon. Namuganza may have made impugned statements within the confines of her right to freedom of expression. The committee was conscious of the fact that the right to freedom of expression is a fundamental human right guaranteed by Article 29(1)(a) of the Constitution.

In addition, the freedom of Members to speak in Parliament is one of the immunities and privileges of Members of Parliament envisaged under Article 97 of the Constitution and section (2) of the Parliament (Powers and Privileges) Act, Cap 258.

Article 97 provides thus:

“The Speaker, the Deputy Speaker and Members of Parliament and any person participating or assisting in or acting in connection with or reporting the proceedings of Parliament or any of its committees, shall be entitled such immunities and privileges as Parliament shall by law prescribe.”

The Parliament (Powers and Privileges) Act gives effect to Article 97. Section (2), therefore, provides for Parliamentary immunity from legal proceedings. It provides thus:

“No civil or criminal proceedings may be instituted against any Member for words spoken before or written in a report to Parliament or to a committee or by reason of any matter or thing brought by the Member in Parliament or a committee by petition, motion or otherwise.”

The committee, however, notes that the right to freedom of expression is not absolute. According to Article 43 of the Constitution, the right must be exercised in cognisance of the rights and freedoms of others or the public interest. Accordingly, the right to freedom of speech and expression must be balanced against the need to maintain the authority of and public trust and confidence in the integrity of Parliament.

The Inter-Parliamentary Union, while recognising the importance of the right of Members of Parliament to freedom of expression, stresses the need for Members to be conscious of the impact that their statements, given their position as social leaders, and to exercise some care when speaking.

It further recognises that Parliament reserves the right to sanction Members for their speech, either within or outside the precincts of Parliament. It states: *“It is universally recognised that Parliamentarians have special freedom of expression needs. This is based not so much on their special personal status, but on the role that they play in society and the need for them to be able to debate openly in Parliament, without fear of reprisals especially of a legal nature, in order to serve the wider public interest. That Parliamentarians have the right, in common with other citizens, to engage in very strong criticisms of other Parliamentarians, political parties and even the Head of State as well as to voice their view on sensitive national issues.”*

Parliamentarians should also use their position, as social leaders, to help ensure respect for freedom of expression. Societies cannot rely only on good laws, even where the rule of law is strong, to protect freedom of expression since there will be always opportunities for abuse, as part of their general responsibility to

oversee the actions not only by Government, but also other powerful social actors, such as large corporations. Parliament should keep an eye out for abuses, expose them and follow up at least in most serious cases.

Related to this, Parliamentarians should be conscious of the impact that their own expressions may have. Even though as noted just below, Parliamentarians enjoy very strong protection from their rights to free speech. This does not mean that they do not have a social and moral responsibility to exercise some care when speaking.”

Mr Speaker, the need for Members of Parliament to exercise their right to freedom of speech with restraint was further stressed by the Constitutional Court in the case of *Twinobusingye Severino V Attorney-General*. In the judgement to that case, the court partially stated:

“We hasten to observe, in this regard, that although Members of Parliament are independent and have the freedom to say anything on the Floor of the House, they are, however, obliged to exercise and enjoy the powers and privileges with restraint and decorum and in a manner that gives honour and admiration, not only to the institution of Parliament, but also to those who inter alia elected them, those who listen to them and watch them debating in the public gallery and on television and write about them in the print media.

As the national legislator, Parliament is the fountain of constitutionalism and, therefore, the honourable Members of Parliament are enjoined by virtue of their office, to observe and adhere to the basic tenets of the Constitution in their deliberations and actions.”

The committee is of the view that the statements imputed improper motive against Parliament and its presiding officers and bringing it to disrepute, and should be distinguished from healthy criticism.

It is clear from the documentary evidence on record and oral testimonies of the witnesses that Hon. Namuganza Persis initiated a discussion on the 11th Parliament-Official WhatsApp group that led to the impugned statement. In making the statement, she was motivated by personal grievances given having been indicted by Parliament for our role in the Naguru-Nakawa Land allocations.

Therefore, condoning such conduct under the guise of the exercise of the right to freedom of speech and expression may nurture and facilitate a culture of impunity and disrespect for Parliamentary processes and decisions, and thereby erode the public trust and confidence in Parliament.

The committee observes that the Rules of Procedure provide avenues to challenge the decisions of the House under rule 222(1), which states thus: *“It is out of order to attempt to reconsider a specific question upon which the House has come to a conclusion during the current session.”* You can read that.

Rule 55 provides an avenue or opportunity to an honourable member or Members of Parliament to make personal explanations on the Floor of Parliament. Therefore, the statement by Hon. Namuganza that she shall raise a point of order if another ad hoc committee is formed to create order in the House, implies that she was aware that a decision of the House could only be challenged in the House. However, she opted not to use the available legal avenues and instead challenged the decisions of the House in the media contrary to the Rules of Procedure of Parliament.

The committee finds that by making derogatory statements about Parliament, the conduct of Hon. Namuganza amounted to gross misconduct and misbehaviour. It was an affront to the dignity of Parliament. It denigrated the public trust and confidence in the authority and integrity of the Office of the Speaker, Members and the institution of Parliament, and brought the House and its Members into disrepute. Her conduct was in total breach of the code of con-

duct for Members of Parliament as enumerated in appendix (f) of the Rules of Procedure of Parliament specifically, paragraphs 2, 3, 4 and 5 and constituted contempt of Parliament. Issue No.2 is, therefore, answered in the affirmative.

Observations

The committee observed that from the evidence presented to it, Hon. Namuganza made the impugned statements on social media as alleged by Hon. Silwany and corroborated by the testimonies of Hon. Sarah Opendi, Hon. Elijah Okupa and the administrators of the *11th Parliament-Official WhatsApp* group.

The evidence on record further supports the assertion by Hon. Henry Kibalya that Hon. Namuganza made derogatory statements about Parliament during a television interview with *NTV Uganda* regarding the report of the Naguru-Nakawa land allocations.

The statements made by Hon. Namuganza on social media imputed improper motives to Parliament and its presiding officers and were, therefore, an affront to the dignity of Parliament. They denigrated public trust and confidence in the integrity of the Office of the Speaker, Members and the institution of Parliament and brought the House and its Members into disrepute.

In addition, the statements Hon. Namuganza made in an interview with *NTV* were contemptuous, demeaning of the institution of Parliament and undermined its authority.

In the course of investigating the allegation by Hon. Kibalya that Hon. Namuganza made a derogatory gesture as she was leaving the Chamber of Parliament on the afternoon of 18 May 2022, the committee noted that the camera, which captured images of Hon. Namuganza exiting the Chamber, could only store data for three months after which the data would be automatically deleted.

The inquiry by the committee commenced after the three months period had lapsed. Therefore, the data from the camera had been auto-

matically deleted. This not only hampered the investigations of the committee, but also poses a serious security threat to Parliament as an institution.

Throughout the inquiry, Hon. Namuganza exhibited disrespectful behaviour. On several occasions, she did not appear in person as required and on Wednesday, 14 September 2022 when she appeared before the committee in person, she was one and a half hours late and did not apologise for her late coming. She later walked out of the meeting in protest stating that the proceedings of the Committee on Rules, Privileges and Discipline were an illegality.

In conclusion, the committee finds that the conduct and behaviour of Hon. Namuganza constitutes gross misconduct and misbehaviour and is not befitting of a Member of Parliament, more so a minister.

Recommendations

The committee, having found that the conduct of Hon. Persis Namuganza is not befitting of a Member of Parliament and a minister, and being cognisant of the fact that Parliament approved her appointment as a minister, recommends that the House invokes Article 118(1) (b) of the Constitution and rule 106 of the Rules of Procedure to censure her. (*Applause*)

The committee further recommends that:

1. Members of Parliament should uphold their duty to maintain and strengthen the public trust and confidence in the integrity of Parliament at all times. They should desist from conduct that denigrates the integrity and reputation of Parliament, its presiding officers and Members in the eyes of the public.
2. That should orient Members on the Rules of Procedure with special emphasis on the code of conduct for Members of Parliament enumerated in Appendix F of the Rules of Procedure and mechanisms available in the rules for resolving personal grievances.

3. That the Parliamentary Commission should consider procuring a CCTV camera system with larger storage capacity so that data can be stored for longer periods and ensure that data from the CCTV camera system is backed up for future reference and security purposes.

Mr Speaker, the committee prays that this report be adopted by the House. I beg to move.

THE DEPUTY SPEAKER: Thank you, chairman, for the comprehensive report. I saw Hon. Gilbert Olanya - Colleagues, this is a very serious issue that has a lot to do with the respect of this House; how we move in this House. If Members were cautious, these are issues that could be avoided. If Members respected their own House, we would not be going through such scenarios.

In view of the fact that we have very many of our colleagues in Juba for sports and we would want to give them an opportunity to come and contribute to the debate, I am giving you this week to read through the report, comprehend it properly and then next week, I will guide on which day we shall have a debate of this report and make a final resolution on it. With that, the House is adjourned to tomorrow at 2.00 p.m.

(The House rose at 5.58 p.m. and adjourned until Thursday, 1 December 2022 at 2 p.m.)