



PARLIAMENT OF UGANDA

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

SECOND SESSION - THIRD MEETING

MONDAY, 23 JANUARY 2023



PARLIAMENT OF UGANDA

IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

SECOND SESSION - 5TH SITTING - THIRD MEETING

Monday, 23 January 2023

Parliament met at 10.04 a.m. in 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 colleagues, I welcome you to today's sitting. I can see Hon. Chemaswet fits the bill on the front bench.

Today, we had to sit on a Monday when Cabinet is also sitting, due to the constraints with our rules regarding some of the processes within the Rules of Procedure of Parliament. As you are all aware, we have been going through the process of censure of Hon. Persis Namuganza, as provided for under Rule 109 of our Rules of Procedure and Article 118 of the Constitution.

Article 118 is very clear on the process, which we followed – whereby we started by receiving the motion, which we transmitted to His Excellency the President. Thereafter, we formed a select committee, which, according to rule 109, is supposed to report back within 15 days.

The committee would have done it within the 15 days, but the problem is that rule 109 emphasises that the moment they bring their

report, it is immediately presented and the chairperson of the select committee takes us through the proceedings. That would have been last Thursday, Friday or Tuesday, which were within the 15 days.

However, the major constraint was with Article 118(5) of the Constitution, which says we can only debate this matter after the expiry of 30 days of transmitting the motion to the President. Those elapsed on Saturday. As such, we had to go with the next working day.

I think we shall also need to, maybe, look through our Rules of Procedure because they do not recognise Cabinet days. Cabinet can be called on any day; so, they do not gazette Cabinet days. That is why we were between a rock and a hard place and had to follow the rules. The moment statutory deadlines are well provided for, you cannot give any excuse for not doing your work, as a House.

Today, I want us to go through this and conclude it. We have other things to do. I want it concluded today. I want the House to pronounce itself today on the matter and then we continue with other business. That is why I do not want to go into any other matter. Tomorrow, we shall have a lot of time for matters of national importance and all other issues.

Honourable colleagues, with that communication - I do not know if there is any reaction to my communication.

MR SSEMUJJU: Mr Speaker, I thank you very much. Specifically, on the determination of this Parliament to follow the Constitution, I need guidance. If we have Members of this Parliament participating in breaking the Constitution - we usually ask ministers to come and explain; if it is MPs, what do we do?

Hon. Chemaswet, who knows that serving military officers are not supposed to do politics, is organising rallies for them. *(Laughter)* If we have an MP breaking the Constitution, where you cannot call a minister to explain, what do we do?

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, first of all, I do not know whether Hon. Chemaswet was organising rallies or not. I even heard he was in Kenya – the other day I was looking for him and he was in Kenya. *(Laughter)* He is always on both sides and he claims – because he is the Vice-Chairperson of the Committee on East African Community Affairs.

Secondly, we have very many provisions, especially for conduct, that are not related to the business of the House. Organisation of rallies is not at all related to conduct of business of the House. So, I think you can invoke our own laws and take him to court in public interest - Hon. Chemaswet, I am saving you, and now you want to cause more trouble. *(Laughter)*

I believe one can take that route of even private prosecution of Hon. Chemaswet, if he is organising rallies. I only rule on procedural matters to do with the conduct of business of this House.

MOTION FOR A RESOLUTION OF
PARLIAMENT TO PASS A VOTE OF
CENSURE AGAINST HON. PERSIS
NAMUGANZA PRINCESS, MINISTER
OF STATE FOR LANDS, HOUSING AND
URBAN DEVELOPMENT (HOUSING)
PURSUANT TO RULE 109 OF THE RULES
OF PROCEDURE

THE DEPUTY SPEAKER: Point of procedure from Hon. Kibalya, before I call Hon. Mpaka?

MR KIBALYA: Thank you, Mr Speaker. As you see, we are squeezing ourselves on our side. Is it procedurally right to pronounce a free sitting so that we can have colleagues also -

THE DEPUTY SPEAKER: Yes. Today, honourable colleagues, it is free sitting. Sit anywhere. We have seats everywhere. Thank you.

MR ENOSI ASIMWE: Thank you, Mr Speaker. Rule 109(12) says: *“On receipt of the committee’s report, and notwithstanding the findings of the committee...”* - That is on censure of a minister - *“...the Speaker shall call upon the chief petitioner to open debate on the motion, followed by a defence by the concerned minister...”*

Well knowing that today is a Cabinet sitting and the ministers are not here, how shall we proceed when the minister cannot be available to defend herself?

THE DEPUTY SPEAKER: Thank you. One, Hon. Namuganza is not a full minister. She is a minister of state. Therefore, any business to do with her ministry can be done by the full minister in Cabinet. *(Applause)*

Secondly, we released the Order Paper on Friday. I never received any notice from Hon. Namuganza to say she had special business in Cabinet and, therefore, would not be here. Therefore, I expect her to be here and when the time comes – in fact, I do not know who is here. I think every Member is here. Hon. Namuganza might be seated somewhere where I cannot see from here. When the time comes, I will call her to present her position.

Honourable colleagues, let me inform you this early; no matter the recommendations of the committee, the House must pronounce itself. Under rule 99 of our Rules of Procedure, the pronouncement shall be by roll call. We shall read your name and you pronounce yourself on the matter.

A Member asked me that concerning the commissioner, they voted by secret ballot. That

is rule 98, which explicitly provides for censure of a commissioner. It is by secret ballot, but on the censure of a minister, it is rule 99, which is very clear; it is by roll call. Under roll call, it means via any form of attending the House, which includes *Zoom*.

We shall allow you to vote from wherever you are. If you are on *Zoom*, you will vote and if you are here physically, you will vote. However, if you are to *vote* on *Zoom*, you must appear on video so that you are clearly recorded. I do not want anyone to claim your voice. I have told you in advance so that you know how we are going to proceed today.

Honourable colleagues, I propose that we give Hon. Mwine Mpaka a chance because it is a long report. Let us listen to him in silence. He informed me in advance that some of the presentations will be via video; so, I informed the Clerk in advance to ensure that we do not miss anything. Let us listen to him in silence.

MOTION FOR A RESOLUTION OF
PARLIAMENT TO PASS A VOTE OF
CENSURE AGAINST HON. PERSIS
NAMUGANZA PRINCESS, MINISTER
OF STATE FOR LANDS, HOUSING AND
URBAN DEVELOPMENT (HOUSING)
PURSUANT TO RULE 109 OF THE RULES
OF PROCEDURE

10.17

MR MWINE MPAKA (NRM, Mbarara South Division, Mbarara): Mr Speaker and honourable members, allow me to lay on the Table the minutes and videos submitted by the various stakeholders, the reports and supporting documents.

This is a report of the Select Committee on the Motion for a Resolution of Parliament to Pass a Vote of Censure Against Hon. Persis Namuganza Princess, Minister of State for Lands, Housing and Urban Development.

Introduction:

At the First Sitting of the Third Meeting of the Second Session of the 11th Parliament held on

Friday, 6 January 2023, Parliament constituted a select committee pursuant to Rule 109 (9) of the Rules of Procedure of Parliament, to scrutinise and identify *prima facie* evidence to the allegations contained in the motion for the censure of Hon. Persis Namuganza Princess from the office of State Minister for Lands, Housing and Urban Development and to report back to the House.

The committee was comprised of the following Members:

1. Hon. Mwine Mpaka
2. Hon. Wilfred Niwagaba
3. Hon. Mpindi Bumali
4. Hon. Charles Bakkabulindi
5. Hon. Nancy Acora
6. Hon. Betty Ethel Naluyima
7. Hon. Geoffrey Ekanya

The select committee was required to exercise its mandate and report back to the House within 15 days from the date of receipt of the censure motion, as required by rule 109(11) of the Rules of Procedure. The committee undertook the assignment and hereby reports.

Background:

On 1 March 2022, Parliament constituted an ad hoc committee to investigate the Nakawa-Naguru land allocations following a Member raising the matter on the Floor and several media reports over the same. The committee presented its report to the House on 18 May 2022, wherein it recommended that Hon. Persis Namuganza be held accountable for abuse of office, for misleading the Uganda Land Commission into the allocation of land to individuals and entities without following Presidential directives, which were non-existing.

It further recommended that the appointing authority temporarily relieves Hon. Persis Namuganza of her duties to pave way for investigations by the relevant organs of Government. Parliament adopted this report of the ad hoc committee with amendments.

At the Seventh Sitting of the First Meeting of the Second Session of the 11th Parliament held on Wednesday, 13 July 2022 Hon. Silwany Solomon (Member of Parliament, Bukooli County Central) rose on a point of procedure regarding an allegation of misconduct and misbehaviour against Hon. Persis Namuganza Princess, the Minister of State for Lands, Housing and Urban Development.

Hon. Silwany alleged that Hon. Namuganza took to social media and television bashing the operations of Parliament and questioning the powers and integrity of the presiding officers of Parliament to form ad hoc committees. The presiding officer referred the matter to the Committee on Rules, Privileges and Discipline to examine the allegations and report back to the House.

The Committee on Rules, Privileges and Discipline inquired into the allegations and found that based on the evidence presented to it, Hon. Namuganza made the alleged impugned statements on social media and during a television interview with *NTV Uganda*.

The committee, among others, recommended that the House invokes Article 118(1)(b) of the Constitution of the Republic of Uganda and rule 106 of the Rules of Procedure of Parliament to censure her. The House adopted the report of the committee on 7 December 2022 with amendments.

On 9 December 2022, Hon. Okot John Amos, Member of Parliament, Agago North, notified the Clerk to Parliament of his intention to move a motion to censure Hon. Namuganza in accordance with rule 109(1). Appendix 2 is attached. In compliance with rule 109(2) of the Rules of Procedure of Parliament, the Clerk, upon receipt of the notice of censure, notified Members of Parliament by causing the notice, the grounds and particulars supporting the grounds of the proposed censure motion to be pinned on the Members' notice board.

Upon notifying Parliament, the Clerk to Parliament prepared and deposited with the Sergeant-at-Arms, a list of all Members of

Parliament with an open space against each name, for purposes of appending signatures as required by rule 109(3) of the Rules of Procedure of Parliament.

The Speaker, upon verifying that the list had been appended by the required number of signatures, within the required time, included the motion on the Order Paper for consideration by the House, as required by rule 109(7) of the Rules of Procedure of Parliament.

On 23 December 2022, Hon. Okot John Amos moved a motion for a resolution of Parliament to pass a vote of censure against Hon. Persis Namuganza Princess, Minister of State for Lands, Housing and Urban Development under Article 118(1)(b) of the Constitution and rules 106 and 109 of the Rules of Procedure of the Parliament of Uganda. The motion was seconded by several Members of Parliament.

In accordance with rule 109(8) of the Rules of Procedure of Parliament, the Speaker forwarded the motion, the supporting grounds, particulars and the supporting documents to the President for onward transmission to the concerned minister.

Pursuant to rule 109(9) of the Rules of Procedure of Parliament, the Rt Hon. Deputy Speaker caused the appointment of a select committee with the approval of the House, to which the motion and all supporting documents were referred.

The mandate of the select committee

The select committee derives its mandate from Article 90 of the Constitution of the Republic of Uganda, 1995 which empowers Parliament to appoint committees necessary for the efficient discharge of its functions.

The committee is established under rule 109(9) of the Rules of Procedure of Parliament, which requires the Speaker to cause the appointment of a select committee to which the motion for censure and all the supporting documents shall be referred.

The mandate of the committee is stipulated in rule 109(9) of the Rules of Procedure of Parliament, which provides that:

“(9) *Fourteen days from the date of transmission of the motion to the President, the Speaker shall cause to be appointed a select committee, to which the motion and all supporting documents shall be referred and the committee shall –*

- (a) *Scrutinise and identify prima facie evidence to the allegations in the motion;*
- (b) *Lead the House under the provision of sub rule (11) herein, in the proceedings of censure.”*

Issues for determination

The committee sought to resolve the following:

- 1. Whether there is *prima facie* evidence to prove the allegations contained in the motion for a resolution of Parliament to pass a vote of censure against Hon. Persis Namuganza, Minister of State for Lands, Housing and Urban Development.
- 2. The findings and observations of the committee on the matter.

Methodology:

The committee, being conscious of its mandate and powers under the Constitution and the Rules of Procedure of Parliament and its quasi-judicial status, employed the following:

- (a) Invited and granted opportunity to Hon. Namuganza, under Appendix 5, the mover and seconder of the motion, and the Members of Parliament who had supplementing information to appear before the committee.
- (b) Held meetings during which it received oral and written submissions from the following:

(i) Hon. Amos John Okot, Member of Parliament for Agago North County, mover of the motion.

(ii) Seconders of the motion namely:

Hon. Musinguzi Yona;
Hon. Osoru Mourine;
Hon. Atwijukire Dan Kimosho;
Hon. Chemutai Everlyn;
Hon. Olanya Gilbert; and
Hon. Amero Susan.

(iii) Members of Parliament with supplementing information pursuant to rule 109(10) namely:

Hon. Solomon Silwany;
Hon. Sarah Opendi; and

(iv) Mr Pande Norman of Mwanja & Pande Advocates, who claimed to have been instructed by Hon. Persis Namuganza Princess to represent her in the proceedings of the Committee. (*Appendix 8*)

c) Reviewed written memoranda from witnesses as follows:

i) A presentation made by Hon. Okot John Amos (Mover of the motion) to the select committee on the censure of Hon. Persis Namuganza Princess;

ii) A presentation made by Hon. Atwijukire Dan (Secunder of the motion) to the select committee investigating the petition on the censure of Hon. Namuganza Persis, Minister of State for Lands, Housing and Urban Development;

iii) Answers to the questions posed by the committee to the petitioners jointly presented by Hon. Okot John Amos and Hon. Atwijukire Dan Kimosho. See (*Appendix 11*);

iv) A letter dated 12 January 2023 from Mwanja & Pande Advocates addressed to the Speaker of Parliament, the Clerk to Parliament and the chairperson of

- the select committee presented to the committee by Mr Pande Norman of Mwanja & Pande Advocates (*Appendix 12.*);
- d) Reviewed relevant documents including:
- i) Notice of Censure against Hon. Persis Namuganza Princess;
- ii) Notice of motion to move a motion to censure under Rule 109(1) of the Rules of Procedure of Parliament against Hon. Persis Namuganza Princess;
- iii) Motion for a Resolution of Parliament to Pass a Vote of Censure against Hon. Persis Namuganza;
- iv) Report of the Standing Committee on Rules, Privileges, and Discipline on the inquiry into allegations of misconduct and misbehavior against Hon. Persis Namuganza;
- v) Transcripts of the proceedings of the Committee on Rules, Privileges, and Discipline for Monday, 12 September 2022; Tuesday, 13 September 2022; Wednesday, 14 September 2022; Thursday, 15 September 2022; Wednesday, 21 September 2022 and Tuesday, 27 September 2022;
- vi) Minutes of the meetings of the Committee on Rules, Privileges, and Discipline on the inquiry into allegations of misconduct and misbehavior against Hon. Persis Namuganza;
- vii) The *Hansard* of the plenary proceedings of Tuesday, 01 March 2022;
- viii) The *Hansard* of the plenary proceedings of Wednesday, 18 May 2022;
- ix) The *Hansard* of the plenary proceedings of Wednesday, 13 July 2022;
- x) The *Hansard* of the plenary proceedings of Wednesday, 7 December 2022;
- xi) The *Hansard* of the plenary proceedings of Friday, 23 December 2022; and
- xii) The *Hansard* of the plenary proceedings of Friday, 6 January 2023.
- e) Received, viewed and verified video recordings submitted by the witnesses.
- f) Reviewed applicable laws namely:
- i) The Constitution of the Republic of Uganda;
- ii) The Rules of Procedure of the Parliament of Uganda;
- iii) Case law particularly from parliaments and courts in Commonwealth countries.
- iv) Treaties and papers on Commonwealth Parliamentary procedures and practices.
- The committee, being mindful of its quasi-judicial status, the rules of natural justice and the constitutional rights of the Member to a fair hearing under Articles 28, 42 and 44 of the Constitution, resolved that Hon. Namuganza:
- (a) Was innocent of the allegations contained in the motion until proven guilty and the burden was on the mover of the motion to prove the allegations contained in the motion;
- (b) Had a right to be represented by a lawyer of her choice;
- (c) Was at liberty to attend any meeting of the committee held for the purposes of receiving evidence from witnesses and that she would, if she so wished, be given an opportunity to cross examine the witnesses; and
- (d) Had a right to access all the evidence that was adduced before the committee by witnesses.
- Accordingly, the committee did the following:

- i) Aailed Hon. Namuganza with a schedule of the meetings of the committee and the motion to censure and all supporting documents. This was done vide a letter dated Monday, 9 January 2023 informing her that a select committee had been constituted to scrutinise and identify *prima facie* evidence of the allegations contained in the motion of censure against her;
- ii) Forwarded a copy of the motion and the supporting documents, and the schedule of the meetings of the committee, inviting her to appear before it, and defend herself against the allegations and informing her of her rights including her right to attend the meetings of the committee with witnesses and to cross examine;
- iii) Informed her of the categories of witnesses namely, the mover and seconders of the motion, and any other Member of Parliament who had supplementing information that would appear before the committee; and
- iv) Transmitted all the evidence tendered by the witnesses before the committee vide letters dated Thursday, 12 January 2023 and Friday, 13 January 2023, and the audio recordings of the proceedings of the committee with the witnesses (*Appendix 19*).

GROUNDS IN THE MOTION TO
CENSURE HON. PERSIS NAMUGANZA
PRINCESS

MR MWINE MPAKA: The motion to censure Hon. Namuganza was moved under Article 118(1) (b) of the Constitution and Rules 106 and 109 of the Rules of Procedure of Parliament.

Article 118(1) of the Constitution prescribes specific grounds upon which a minister may be censured, and these are:

- (a) Abuse of office or willful violation of the Oath of Allegiance or Oath of Office;

- (b) Misconduct or misbehavior;
- (c) Physical or mental incapacity, namely, that he or she is incapable of performing the functions of his or her office by reason of physical or mental incapacity;
- (d) Mismanagement; and/or
- (e) Incompetence.

The committee notes that the grounds prescribed in Article 118(1) of the Constitution are the only grounds upon which a minister may be removed. This principle was reaffirmed by the court in the cases of Brigadier Tumukunde Vs the Attorney-General and another, Supreme Constitution Appeal No.2 and *Severino Twinobusingye Vs the Attorney-General* Constitution Petition No.47 of 2011.

Accordingly, the committee scrutinised the motion, all the supporting documents and the *Hansard* of the proceedings of 23 December 2022, to establish whether the grounds on which the motion was moved are provided for under Article 118 of the Constitution.

The text of the motion as moved in the House by Hon. Okot John Amos, is reproduced as follows:

“Motion for a resolution of Parliament to pass a vote of censure against Hon. Namuganza Princess, Minister of State for Lands, Housing and Urban Development, moved under Article 118 of the Constitution of the Republic of Uganda, 1995 and rules 106 and 109 of the Rules of Procedure of Parliament...”

NOW, THEREFORE, be it resolved, that Parliament pass a vote of censure against Hon. Namuganza Princess, Minister of State for Lands, Housing and Urban Development on grounds of misbehaviour and misconduct...”

Committee findings:

From the text of the motion, the committee found that the grounds for the purpose of censure of Hon. Namuganza is misconduct or

misbehaviour, which are provided for under Article 118(1)(b) of the Constitution.

Having established that the grounds in the motion are those provided for in Article 118 of the Constitution, the committee resolved that the grounds specified in the censure motion were the only grounds upon which it will receive evidence to establish whether there was a *prima facie* case or not.

OBJECTIONS RAISED BY MR PANDE
NORMAN TO THE PROCEEDINGS OF
THE COMMITTEE

MR MPAKA MWINE: Honourable members, Mr Norman Pande raised several objections, and so, we thought we would respond to them before we got into the serious business.

Mr Pande Norman of Mwanja & Pande advocates appeared before the Committee on Friday, 13 January 2023, in a meeting which had been convened to grant an opportunity to Hon. Namuganza to defend herself against the allegations contained in the motion.

He claimed that he had received instructions from Hon. Namuganza to represent her in the proceedings of the committee. However, when asked to present proof of the said instruction, Mr Pande stated that he was unable to obtain written instructions from Hon. Namuganza given the short notice within which she was required to appear before the committee.

At the prompting of the committee to make a phone call to Hon. Namuganza - the committee asked Mr Pande to make a phone call to Hon. Namuganza to send us these instructions. Mr Pande stated that he had attempted to call Hon. Namuganza in that day's meeting, but that she did not answer the several calls he made to her.

He requested the committee to allow him present the letter of instruction from Hon. Namuganza as soon as he was able to reach her.

The committee considered his request and granted him audience on condition that he submits the instructions by Monday, 16 January 2023 at 9.00 a.m.

However, by the time of writing this report, the committee had not received the said instructions, and up to now.

Notwithstanding the failure of Mr Pande to provide written instructions from his client, Hon. Namuganza, the committee allowed him to present a letter dated 12 January 2023, which was addressed to several persons including the Speaker of Parliament, the Deputy Speaker, the Clerk to Parliament, and the Chairperson of the Select Committee containing several objections in the proceedings of the committee as follows:

- a) That his client Hon. Namuganza was not given adequate time to prepare and defend herself on the allegations contained in the motion for her censure, to cross examine the witnesses since the letter from the Clerk to Parliament, dated 9 January 2023, inviting her to appear before the committee on 12 and 13 January 2023, was delivered on 10 January, giving short notice of the meetings.
- b) That his client was not given publications that were referred to in the motion for her censure and, therefore, she was unable to defend herself against the said allegations, or provide context of the statement she had been called to defend herself against the said allegations, or provide context of the statement she had been called to defend herself against.
- c) That the censure proceedings were *sub judice* as they were a subject of court cases namely High Court Miscellaneous Cause No.280 of 2022 Miscellaneous Application No.717 of 2022, Namuganza Persis Princess vs Attorney-General and the Clerk to Parliament Constitutional Petition No.41 of 2022, Miscellaneous Application No.19 of 2022, Miscellaneous Application No.20 of 2022, all of which had been fixed for hearing on 13 April 2023, 1 March 2023 and 17 March 2023, respectively.
- d) That his client was unable to appear before the committee and defend herself against

the allegations contained in the motion for the aforesaid reasons -

THE DEPUTY SPEAKER: Colleagues, please, can we have order in the House? Let us listen to the chairperson. Chairperson, they say you are rapping so, if you could reduce the –(Laughter) Let us listen to him in silence. Thank you.

MR MWINE MPAKA: He prayed that the proceedings be suspended for the above reasons. The committee considered the objections and ruled as below:

a) Inadequate time to appear and defend herself

Mr Pande Norman contended that Hon. Namuganza had not been given adequate time to prepare and defend herself to cross examine the witnesses since the letter from the Clerk inviting her to appear before the committee on 12 and 13 January 2023, was delivered on 10 January 2023, giving her short notice of the meetings.

The committee being cognisant of the 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, and mindful of the fact that the right to a fair hearing is sacrosanct and a non-derogable right under Article 44 of the Constitution ruled as follows:

a) That Article 118(4) and rule 109(8) required the Speaker to forward the text of the motion for censure, the supporting grounds, particulars and supporting documents to the President within 72 hours of moving the motion for onward transmission to the concerned minister.

b) That the evidence on record shows that the Speaker complied with the Constitution and rule 109(8) as communicated by the Rt Hon. Deputy Speaker on 23 December 2022. Therefore, upon forwarding the documents to the President, Hon. Namuganza had been effectively served.

c) That it was the duty of the President to transmit the documents of censure forwarded to him by the Speaker, to Hon. Namuganza and therefore, Hon. Namuganza is presumed to have been served.

d) That further, under rule 109(9), the committee was constituted 14 days from the date of transmission of the motion to the President, implying that Hon. Namuganza was already aware that censure proceedings had ensued against her before the committee was constituted.

e) That the censure proceedings have a strict timeline, prescribed by Article 118 of the Constitution and rule 109 of the Rules of Procedure, which cannot be extended.

f) That, therefore, Hon. Namuganza had been accorded adequate time to prepare and appear before the committee, as required by the law.

The committee, therefore, found no merit in this particular objection and accordingly overruled it.

2. Full disclosure of evidence

Mr Pande further contended that his client, Hon. Namuganza, had not been given publications that were referred to in the motion for her censure and, therefore, she was unable to defend herself against the said allegations or provide context of the statements, which she had been called to defend herself against.

When asked by the committee to clarify what he meant by publications and which documents he expected from the committee at the onset of the proceedings other than the motion and the supporting documents, Mr Pande did not provide the said clarification, neither did he prove clarity on the documents he had received from his client and yet, in his letter, he claimed to have perused through the attachments to the invitation letter, which was addressed to his client and not him.

Mr Pande was reminded of the mandate of the committee under rule 109, which is to scrutinise and identify *prima facie* evidence to the allegations in the motion and that at the time the committee sent out the invitation to Hon. Namuganza to appear before it, the committee had not received evidence from the witnesses other than the motion and the supporting documents.

Additionally, the committee informed Mr Pande that in a letter dated 9 January 2023, Hon. Namuganza was invited to attend the meetings of the committee to receive evidence from witnesses on Thursday, 12 January 2023 and forwarded the schedule of the meetings to her. However, Hon. Namuganza did not appear or send a representative.

The committee further informed him that vide its letter dated 12 January 2023, it forwarded the evidence it had received from the witnesses to Hon. Namuganza. So, on 12th, we again forwarded all the evidence we received to Hon. Namuganza. Accordingly, the committee overruled the objection.

5.3 Objection of grounds of *sub judice*

Mr Pande contended that the censure proceedings were *sub judice* as they were the subject of court cases namely High Court Miscellaneous Cause No. 280 of 2022, Miscellaneous Application No.717 of 2022, *Hon. Namuganza Persis Princess v. Attorney-General and the Clerk to Parliament, Constitutional Petition No.41 of 2022, Miscellaneous Application No.19 of 2022* and Miscellaneous Application No. 20 Of 2022, all of which had been fixed for hearing on 13 April 2023, 1 March 2023 and 17 March 2023 respectively.

Upon raising the objection on grounds of *sub judice*, the committee requested Mr Pande to provide information to justify the grounds, as required by rule 73(4) of the Rules of Procedure.

In response, Mr Pande stated that the Clerk to Parliament and the Attorney-General were

parties to the said court proceedings. They had been served with the court documents and had filed responses in court, meaning that they were aware of the court cases.

He further stated that it was the mandate of the Speaker to decide on the grounds of *sub judice* and that he was only duty bound to provide documents justifying the grounds of *sub judice* to the Speaker and not to the committee.

The committee noted with concern the recalcitrant behaviour of Mr Pande, but nonetheless granted him audience. It informed him that the Deputy Speaker had delivered a ruling on the *sub judice* ground of Hon. Namuganza at the plenary sitting held on 23 December 2023 (*supra*) as above and, therefore, the matter of *sub judice* had been settled.

The chairperson read to him the ruling of the Rt Hon. Deputy Speaker verbatim. In response, Mr Pande stated that the ruling of the Deputy Speaker on 23 December 2022 was in respect to Constitutional Petition No.41 of 2022, but not in respect to Miscellaneous Cause No.280 of 2022 and Miscellaneous Application No.717 of 2022 since the grounds of *sub judice* had not been raised in respect to those cases and, therefore, the Speaker was required to make a ruling on those cases.

The committee sought guidance from the Speaker who, in a letter dated 13 January 2023 (Appendix 20) addressed to the chairperson of the committee and copied to M/S Mwanja & Pande Advocates guided that the matter was not *sub judice* since Miscellaneous Application No.717 of 2022 and Miscellaneous Cause No.280 of 2023 did not relate, in any way, to the proceedings of censure being handled by the committee, but they related to her request to be availed with copies of the *Hansard* and records of parliamentary proceedings relating to the proceedings of 7 December 2022 and further that the cases were all fixed for hearing after the select committee had been appointed.

In light of the Speaker's guidance, the committee resolved to proceed with the inquiry and accordingly wrote to Hon. Namuganza

on 13 January 2023 (Appendix 21), requiring her to attend before it and defend herself against allegations in the motion on Monday, 16 January 2023. In the communication, the committee reminded Hon. Namuganza of her rights to legal representation and forwarded to her all the other additional evidence that was adduced by the witnesses in support of the motion. Accordingly, the committee overruled the objection of *sub judice*.

Submission of the witnesses

At the onset of the inquiry, the committee invited the mover of the motion for censure, Hon. Amos Okot, the seconders of the motion, the Members of Parliament against whom the motion for censure was moved, Hon. Namuganza Persis Princess and any other Member of Parliament who may have supplementary information to appear before it to adduce evidence to prove or disprove the allegations made in the motion.

Below is the summary of the submission of the witnesses and the evidence that they adduced.

Submission of Hon. Amos Okot, MP Agago North County and mover of the motion for censure

At the onset of his submission, Hon. Amos Okot, made an attempt to amend the motion for censure to include an additional ground of censure, to *wit*: abuse of office, to which the committee rejected and informed him that rule 109 restricts the committee to consideration of only the grounds stated in the motion. Hon. Amos Okot made written presentations as follows:

That he moved a motion in the House for a resolution of Parliament to pass a vote of censure against Hon. Persis Namuganza from the office of the Minister for State for Lands, Housing and Urban Development, under Article 118 of the Constitution and rules 106 and 109 of the Rules of Procedure of Parliament on grounds of misconduct and misbehaviour.

That the matter has prompted him to move a motion in the House, which forms justification for the censure as follows;

- (i) That the conduct of Hon. Namuganza was examined by the Committee on Rules, Privileges and Discipline in its report to the inquiry into the allegations of misconduct and misbehaviour against Hon. Namuganza and found that on 21 and 22 May 2022, and again on 12 and 13 July 2022, Hon. Namuganza made statements about Parliament in the media and social media, attacking the operations of Parliament, questioning the powers of Parliament, the integrity of the presiding officers of Parliament and imputing improper motive to Parliament and its presiding officers.
- ii) That in finding Hon. Namuganza guilty of misbehaviour and misconduct, the Committee on Rules, Privileges and Discipline received, evaluated and admitted various pieces of evidence including excerpts from the *Daily Monitor* online newspaper on the 22 May 2022; with a heading “*Parliament has no power to suspend me - Namuganza.*” Video recordings of the interview of Hon. Namuganza held with *NTV Uganda*, which aired on *NTV Ku Ssawa Emu* and *NTV Weekend Edition* bulletins, respectively on Friday, 21 May 2022.

That the above evidence was not disputed by Hon. Namuganza and making it admissible to prove a matter. That the actions of Hon. Namuganza attacking the operations of Parliament, questioning the powers of Parliament, the integrity of the presiding officers of Parliament.

That imputing an improper motive to Parliament and its presiding officers falls below the standard expected of a Member of Parliament.

That the conduct of Hon. Namuganza breached the standard of conduct expected of a Member of Parliament as stipulated in

Rule 85 and paragraphs (2), (3) and (5) of the code of conduct for Members of Parliament as stipulated in Appendix F of the Rules of Procedure.

That apart from breach of Appendix F of the Rules of Procedure, she breached Rule 224 on contempt of Parliament by acting contemptuously when she disregarded lawful directives, disrespected the exercise of lawful parliamentary powers and has continuously engaged in conduct that has brought disrepute to Members and the image of Parliament.

That in addition to the evidence of misconduct and misbehaviour highlighted in the report of the Committee on Rules, Privileges and Discipline, Hon. Namuganza in an interview held with *NBS* on 9 December 2022, again accused the presiding officers of Parliament of bias, defiling the Constitution, declaring Parliament's consideration of report of the Committee on Rules, Privileges and Discipline on the inquiry into allegations of misconduct and behaviour against Hon. Namuganza (State Minister for Lands, Housing and Urban Development) unconstitutional.

That in the same *NBS* interview, Hon. Namuganza accused the Rt Hon. Speaker, Anita Annet Among, of having a personal vendetta against her, a matter she repeated on several occasions, without substantiating.

That the total sum of her conduct constitutes misconduct and misbehaviour and falls short of the standard of decent behaviour and conduct expected of a Member of Parliament and the Rules of Procedure of Parliament.

That on 7 December 2022, during consideration of the report of the Committee on Rules, Privileges and Discipline, Hon. Namuganza was granted an opportunity to apologise to the House, the institution of Parliament, its presiding officers and Members of Parliament. But in spite of the pleas from many Members of Parliament, including senior members of Cabinet, and the Prime Minister, Hon. Namuganza refused to render the apology.

That in view of the above, censuring Hon. Namuganza from the office of the Minister of State for Lands, Housing and Urban Development was the most befitting punishment for her misconduct and misbehaviour, and that it will restore public confidence in Parliament and send a strong message to all Members of Parliament to adhere to the standards of behaviour and conduct expected of them under Rules of Procedure of Parliament.

Hon. Okot adduced the following evidence in support of the censure; a notice of censure against Hon. Namuganza (Princess); a notice to move a motion of censure under Rule 109 of the Rules of Procedure; a motion for a resolution of Parliament to pass a vote of no confidence against Hon. Namuganza; a report of the Standing Committee on Rules, Privileges and Discipline, on the inquiry into the allegations of misconduct and misbehaviour; transcripts of the proceedings of the Committee on Rules, Privileges and Discipline on Monday, 12 September 2022; Tuesday, 13 September 2022; Wednesday, 14 September 22; Thursday, 15 September 2022; Wednesday, 21 September 2022 and Tuesday, 27 September 2022.

Minutes of the meetings of the Committee on Rules, Privileges and Discipline on the inquiry into the allegations of misconduct against Hon. Namuganza, Minister of State for Lands, Housing and Urban Development; printouts of *WhatsApp* messages from the official *WhatsApp* group of the 11th Parliament named, "*11th Parliament Official*".

An article from the *Daily Monitor* online newspaper of 22 May 2022 with the heading; "*Parliament has no power to suspend me - Namuganza*" (Appendix 23); a flash disk containing the following: video recordings of the interviews of Hon. Namuganza held on *NTV Uganda*, which aired on NTV "*Ku Ssawa Emu*" and *NTV Weekend Edition* bulletins, respectively on Friday, 21 May 2022.

Video recordings of the interview Hon. Namuganza had with *NBS* on 9 December 2022; video recordings of the past conduct of Hon. Namuganza, picked from various media houses.

Hon. Okot, showed the committee the video recordings and highlighted some of the statements alleged by Hon. Namuganza, which he claimed constituted misconduct and misbehaviour within the meaning of Article 118 of the Constitution.

He stated that in an interview Hon. Namuganza held with *NTV Uganda*, which aired on *NTV "Ku Ssawa Emu"* and *NTV Weekend Edition* bulletins, respectively, Friday, 21 May 2022, which was examined in the report of the Committee on Rules, Privileges and Discipline, Hon. Namuganza referred to the report of the Ad hoc Committee on the Nakawa-Naguru Land Allocations as "a fake and biased" report.

That in an interview with *NBS* television on 9 December 2022, following consideration of the report of the Committee on Rules, Privileges and Discipline on the inquiry into the allegations of misconduct and misbehaviour against her on 7 December 2022, Hon. Namuganza accused the presiding officers, the Deputy Speaker of defiling the Constitution and referred to the consideration of the report of the committee as "unconstitutional".

That in the same *NBS* interview, Hon. Namuganza alleged that the presiding officers of Parliament had created an environment of fear and intimidation aimed at restraining Members from exercising their constitutional mandate, allegations which were not true.

Hon. Okot further took the committee through videos of the past conduct of Hon. Namuganza, from the various media houses, including a video where she allegedly disrespected the commission of inquiry for land matters and incited the public to attack the former Speaker of Parliament, the Rt Hon. Rebecca Kadaga and the *Kyabazinga* of Busoga.

When asked by the committee on the relevance of the evidence of the past conduct of Hon. Namuganza and why he thought that the censure was the most befitting punishment, Hon. Okot stated that the evidence of the past conduct was relevant for the purpose of demonstrating that Hon. Namuganza was not

a first-time offender and, therefore, deserved to be severely punished by way of censure to send a strong message that similar conduct in the future would not be condoned.

Submission by Hon. Atwijukire Dan, MP Kazo County, and seconder of the motion

Hon. Atwijukire Dan made written presentations above as follows:

That Hon. Namuganza made utterances against the institution of Parliament and its leadership at various fora and had consistently put the Parliament of Uganda into disrepute, from the 10th to the 11th Parliaments.

He adduced the following evidence; an online newspaper article, "*Parliament has no power to suspend me – Namuganza*", published in the *Daily Monitor* of Sunday, May 22 2022, where Hon. Namuganza allegedly made the following statements: "*Members of Parliament debating things which they do not know about and finally passing resolutions they actually do not know. On this basis, first of all, I belong to the Executive and I know they will pass the resolution to the Executive for confirmation. And I am sure that the Executive is sober and will not act the way they acted.*"

A photocopy of the *Daily Monitor* newspaper of Monday, 23 May 2022 with an article: "*Parliament committees are like torture chambers, says Namuganza*" in which Hon. Namuganza is quoted to have referred to committees of Parliament as torture chambers, and to have castigated some committees for subjecting investors, witnesses and VIPs to embarrassment and torture whenever they appeared for discussions and hearings.

A flash disk containing various video recordings (Appendix 27), "*Fake Report*", where she allegedly referred to the report of the Ad Hoc Committee on the Nakawa-Naguru Land Allocations as a fake report full of bias. "*Ignorant Parliament*", we are going to play these videos where she allegedly referred to Parliament as ignorant, by making statements that 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, “*Minister Namuganza storms out of rules...*” - these are the titles of the videos that were submitted. “*Minister Namuganza storms out of rules...*”, wherein Hon. Namuganza allegedly stormed out of the meeting of the Committee on Rules, Privileges and Discipline, which was investigating her alleged misconduct.

- a) “Minister refuses to apologise” wherein Hon. Namuganza allegedly refused to apologise to the House after being found guilty of misconduct and misbehaviour in the report of the Committee on Rules, Privileges and Discipline on the allegations of misconduct and misbehaviour against her.
- b) That in the above video recordings, Hon. Namuganza insulted and demeaned the institution of Parliament, its leadership and that her conduct denigrated the integrity of not only the House, but that of its membership and the Executive and it was an embarrassment to the House, its membership and, by extension, the Executive and the Appointing Authority.
- c) That Hon. Namuganza further vulgarised her conduct by making the censure process appear to be as a result of a personal war between her and the Rt Hon. Speaker, Anita Annet Among.

He adduced evidence of a flash disc (Appendix 28) containing a video recording from an interview between Hon. Namuganza and Baba Television, aired on 13 December 2022, wherein Hon. Namuganza allegedly attributed the on-going censure process against her to a personal matter of the marriage of the Rt Hon. Speaker, Anita Annet Among, to Hon. Moses Magogo and another video recording entitled, “Even dogs fall in love” wherein Hon. Namuganza stated in Luganda that “*N’embwa zewasa*”, which he loosely translated to mean “even dogs marry” in reference to the marriage of the Speaker. (*Laughter*)

Honourable members –

THE DEPUTY SPEAKER: Honourable colleagues, please, order. Mr Chairman, just a minute. Let us listen to our honourable colleague so that he can finish and we give you time to debate. Then, you will express all your feelings towards this matter.

MR MWINE MPAKA: Honourable members, this is the evidence that was submitted by the witnesses. The committee has not yet evaluated them.

THE DEPUTY SPEAKER: Hon. Mpaka – for avoidance of doubt, Hon Mbwaterkamwa, you are not *embwa*. (*Laughter*) So, please, take your seat.

MR MWINE MPAKA: d) That he found the above utterances unparliamentary and constituted conduct unbecoming of a Member of Parliament, more so a minister.

- e) That the rules provide adequate remedies to Members of Parliament, who are dissatisfied with anything done by the House and that, as Members of Parliament, they were expected to set a good example in terms of compliance with the rules and not act in a wanton manner like Hon. Namuganza did in the video clips he presented to the committee.
- f) That he found Hon. Namuganza was not a first-time Member of Parliament, and she was also a minister, who was aware of the procedure for challenging decisions of the House and she should, therefore, not be excused for her misconduct.
- g) That they took a decision to express their dissatisfaction and displeasure in the only way permissible in the Constitution, which was by passing a vote of censure against Hon. Namuganza to deter similar misconduct in the future and restore the dignity of Parliament.

Hon. Atwijukire urged the committee to consider the evidence of the past conduct of Hon. Namuganza as it was intended to prove that Hon. Namuganza was not a first-time offender

who should be given a lenient punishment and that the only befitting punishment was censure, so that she can serve as an example to other Members who plan on engaging in similar misconduct in future.

6.3 Submission by Hon. Gilbert Olanya, MP Kilak South County

Hon. Gilbert Olanya made an oral submission as follows:

- a) That the previous conduct of Hon. Namuganza should be taken into consideration in determining this matter since it served the purpose of proving that Hon. Namuganza was a habitual offender who ought to be severely punished.
- b) That he associated himself with the submission of the mover of the motion, Hon. John Amos Okot.

6.4 Submission by Hon. Yona Musinguzi, MP Ntungamo Municipality. He submitted;

- a) That the framers of the Constitution envisaged situations of ministers with questionable conduct such as Hon. Namuganza and that is why they enacted Article 118 of the Constitution.
- b) That he associated himself with the submission of the mover of the motion, Hon. John Amos Okot.

6.5 Submission by Hon. Susan Amero, District Woman Representative, Amuria. She submitted;

- a) That the attack on the marriage of the Rt Hon. Speaker by Hon. Namuganza was uncalled for since this was a private matter which was not in any way related to the matters for which she had been investigated.
- b) That she associated herself with the submission of Hon. Okot and appealed to the committee to admit the evidence presented.

6.6 Hon. Silwany Solomon, MP Bukooli County Central. He submitted;

- a) That Hon. Namuganza was in the habit of attacking fellow leaders and that she had, on several occasions, attacked the former Speaker of Parliament, the Rt Hon. Rebecca Kadaga, and the Kyabazinga of Busoga, which culminated in her suspension from the Busoga Parliamentary Caucus.

He adduced evidence of a flash disk (Appendix 29) containing a video recording entitled, "CLIP 1" and another entitled "Namuganza Attacks Kadaga in the 10th Parliament" wherein Hon. Namuganza allegedly attacked the Rt Hon. Rebecca Kadaga, the Kyabazinga of Busoga and other leaders in Busoga and incited the public to stone the Kyabazinga of Busoga.

- b) That as a minister, Hon. Namuganza was expected to portray a good public image. For her to attack the Kyabazinga, her conduct was unbecoming of a leader.
- c) That the evidence he adduced showed that Hon. Namuganza was a repeat offender who had, on numerous occasions, attacked the presiding officers of Parliament and had in the past been a subject of investigations by the parliamentary committee and other parliamentary groups for her unbecoming conduct.
- d) That as a repeat offender, Hon. Namuganza should be severely punished by censuring her.

6.7 Submission by Hon. Sarah Opendi, District Woman Representative, Tororo.

Hon. Sarah Opendi made an oral submission as follows;

- a) That she was a member of the ad hoc committee on the Nakawa-Naguru land and participated in the proceedings of the Committee on Rules, Privileges and Discipline on the inquiry into the allegations of misconduct and

- misbehaviour against Hon. Namuganza as a witness.
- b) That she was appearing before the committee to disapprove the allegations that Hon. Namuganza made in the House on 7 December 2022 during consideration of the report of the Committee on Rules, Privileges and Discipline to the effect that the censure proceedings were initiated against her to settle a personal grudge relating to the legal issues allegedly surrounding the marriage of the Rt Hon. Speaker of Parliament, Anita Annet Among.
- c) That Hon. Namuganza reiterated the same allegations in an interview with *NBS Television* held in December 2022 and on *Baba Television*.
- d) That the marriage of the Rt Hon. Speaker began with a traditional marriage ceremony on 30 July 2022 and a wedding on 31 July 2022, at which she was the matron of honour, yet matters leading to the censure of Hon. Namuganza were raised by Hon. Solomon Silwany during a sitting of Parliament held on Wednesday, 13 July – *(Member rose)*

found is not theirs. It is for the House – which will guide the House.

To me, the chairperson is reading and, for clarification, the mover of the motion will come in. Otherwise he presented all the evidence to the committee and this is the evidence, which the committee has scrutinised and is giving us a report.

He will only come in if the committee maybe did not agree with his evidence or left out very substantial evidence.

I expect the mover of the motion not to take more than two minutes because all his evidence has been presented in each and every way. The chairperson is leading us and the rules do not give you a limit to where he leads you. He can lead us until tomorrow – *(Laughter)* – so, Chairperson, please continue leading us, but do not lead us too far.

MR MWINE MPAKA: Thank you, Mr Speaker - that the marriage of the Rt Hon. Speaker began with a traditional marriage ceremony on 30 July 2022, and a wedding on 31 July 2022, at which she was the matron of honour yet matters leading to this censure of Hon. Namuganza were raised by Hon. Silwany Solomon during a sitting of Parliament held on Wednesday, 13 July 2022, which was presided over by the Rt Hon. Deputy Speaker. Therefore, the issues allegedly surrounding the marriage could not be the cause of the censure proceedings against Hon. Namuganza.

Lastly, that the allegations were malicious, unfounded and not true since the Rt Hon. Speaker had not presided over the proceedings related to or dealing with any matter involving the censure of Hon. Namuganza, and there was nothing personal or conflict between her and Hon. Namuganza.

Hon. Sarah Opendi adduced evidence of the *Hansard* of the plenary proceedings of Wednesday, 13 July 2022 (Appendix 30).

Honourable members, before we had to look at the evidence and see which one is admissible and which is not, we thought we would also

THE DEPUTY SPEAKER: Procedure?

MR SSEMUJJU: Mr Speaker, rule 109 under which the chairperson is reporting restricts him to reading and, actually, it provides an opportunity to the mover of the motion himself to make the case. However, the chairperson is doing both.

The procedural issue I am raising is whether the chairperson should not be brief to allow, as the rules says, the mover of the motion to make the case, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Please, honourable colleague, the chairperson of the committee and the committee were given a task to establish whether there is a *prima facie* case or not. For them to do that, he had to scrutinise evidence deeply – and whatever they

be clear on the appearance and the defence of Hon. Namuganza.

Hon. Namuganza did not appear before the committee as required despite having been informed and invited to the meetings of the committee on Thursday, 12 January 2022 to receive the submissions and cross-examine the witnesses that were to appear before the committee if she so wished, and to further appear on Friday, 13 January 2022 to defend herself against the allegations in the motion.

Mr Pande Norman appeared before the Committee on Friday, 13 January 2023, claiming that he had instructions from Hon. Namuganza to represent her, but he did not present proof of the said instructions. What this means is that even the minister can come here and deny having sent someone because we are not sure we met the right person.

However, in his submission, Mr Pande informed the committee that he had perused through the attachments to the letter inviting his client, Hon. Namuganza, to appear before the committee. The committee granted Hon. Namuganza another opportunity to appear before it and defend herself against allegations in the motion and in a letter dated 13 January 2023, inviting her to appear before the Committee on Monday, 16 January 2023 at 9.00 a.m.

In the same letter, the committee asked Hon. Namuganza to confirm whether she had instructed Mr Pande Norman to represent her in the proceedings of the committee as her counsel. On Monday, 16 January 2023, the committee waited for Hon. Namuganza the whole day, but she neither appeared nor sent a representative.

As earlier noted, the committee transmitted the evidence it received from the witnesses to Hon. Namuganza on 12 and 13 January 2023, but she did not respond to the allegations contained in the motion. She did not adduce any evidence to disprove any allegation made by the witnesses or rebut the evidence adduced by them.

The committee took cognisance of the principle in the case of *Fox Odoi v. Attorney-General, Constitutional Petition No.54. of 2013* 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 to or refuses to appear before it, it cannot be stated that he or she was denied the right to be heard; and the principal in *Father Narsensio Begumisa and three others v. Eric Tiberaga Supreme Court Civil Appeal No.17 of 2000 [2004]* Kampala Law Reports page 236 that where the plaintiff appears and the defendant does not when the suit is called on for hearing, if the court is satisfied with the summons or notice of hearing was duly served, it may proceed ex parte.

The committee found as a matter of fact that Hon. Namuganza was duly served with the letters inviting her to appear before the committee together with the schedule of the meetings and the evidence that was adduced before the committee. Therefore, the committee resolved to proceed with the matter ex parte.

The committee, being cognisance of the fact that the burden of proof lay with the mover of the motion, proceeded to scrutinise and identify whether there was *prima facie* evidence to the allegations in the motion as required by rule 109(9)(a) of the Rules of Procedure of Parliament.

Consideration of the admissibility of the evidence adduced by the witnesses

As earlier noted, the committee received various pieces of oral documentary and electronic evidence from the witnesses in support of the motion. The committee being mindful of its mandate to scrutinise and identify *prima facie* evidence to prove the allegations contained in the motion, scrutinised the evidence having regard to the rules of evidence in the Evidence Act chapter six of the Laws of Uganda and decided cases. Accordingly, the committee subjected the evidence to the principle of relevance and admissibility.

The committee also considered the authenticity of the evidence adduced by the witnesses since the authenticity and genuineness of evidence is a condition antecedent to its admissibility.

Admissibility of evidence adduced by Hon. Okot Amos

The committee scrutinised evidence adduced by Hon. Okot Amos in support of the motion with a view of establishing whether it was relevant and admissible as noted hereunder:

- a) The report of the Standing Committee on Rules, Privileges and Discipline in the inquiry into the allegations of misconduct and misbehaviour against Hon. Namuganza Princess, MP Bukono County and Minister of State for Lands, Housing and Urban Development (Housing) and appendices thereto; the transcripts of the proceedings of the committee and minutes of the meeting.

The above documentary evidence was admitted since it relates to evidence of Parliamentary proceedings, which upon being laid in Parliament and adopted, become public documents, which are admissible under Section 79 of the Evidence Act.

- b) Printouts of the *WhatsApp* messages allegedly posted by Hon. Namuganza on the official *WhatsApp* group of the 11th Parliament, named “11th Parliament-Official” on 12 and 13 July 2022, respectively.

The printouts were admitted in evidence since they were part of the documents annexed to the report of the Committee on Rules, Privileges and Discipline on the inquiry into the allegations of misconduct and misbehaviour against Hon. Namuganza. The authenticity of the evidence was verified by the witnesses who were members of the *WhatsApp* group and ‘Admins’ of the group as indicated on pages 14-21 and 24-25 of the report of the Committee on Rules, Privileges and Discipline.

- c) The *Daily Monitor* online Newspaper of 22 May 2022 with the heading, “Parliament has no powers to suspend me – Namuganza.” The committee noted that whereas newspapers are generally not admissible in evidence since they are considered to be hearsay, the evidence was admitted as it was considered relevant to the allegations into the inquiry within the meaning of section 4 of the Evidence Act.

In addition, the evidence was verified by the Committee on Rules, Privileges and Discipline through the submission of Julian Mwine, the head of News at NTV-Uganda, who stated that the interview was conducted by NTV reporters at Parliament and aired on “*NTV Ku Ssawa Emu*” and “*NTV Weekend Edition*” Bulletins, respectively on Friday, 21 May 2022 and provided a link from which the said interview could be downloaded.

Based on the submission, the Committee on Rules, Privileges and Discipline concluded that the statements, which were quoted in the *Daily Monitor* newspaper of 22 May 2022 were reproduced from the interview Hon. Namuganza held with NTV Uganda aired on NTV on Friday, 21 May 2022.

Furthermore, the select committee wrote to the Managing Director of *NTV Uganda* requesting him to authenticate the video recordings of the interview Hon. Namuganza held with *NTV Uganda* on 21 May 2022, among other recordings that the witnesses had adduced in evidence. In response, Julian Mwine, the Head of News at NTV, via email dated 17 and 18 January 2023, forwarded a link from which the video could be downloaded (Appendix 31,) which further confirmed the authenticity of the newspaper article.

A video recording of the interview Hon. Namuganza held with *NTV Uganda*, which aired on *NTV Ku Ssawa Emu* and *NTV Weekend Edition* Bulletins, respectively. Kindly play the videos. ...

(A video recording was played.)

THE DEPUTY SPEAKER: Chairperson, please continue. Once they get ready with the sound, they will alert me and then you will play it.

MR MWINE MPAKA: The committee considered the video recordings of the interview, which aired on *NTV Weekend Edition* bulletin admissible since its authenticity was verified by the Committee on Rules, Privileges and Discipline through the submission of Ms Julian Mwine, the Head of NTV News at *NTV Uganda*, to the Committee on Rules, Privileges and Discipline who confirmed that the interview was conducted by NTV reporters at Parliament and aired on *NTV Weekend Edition* bulletins on Friday, 21 May 2022. In addition, Ms Julian Mwine confirmed to the select committee vide emails dated 17 and 18 January 2023 above that the stories were aired by *NTV* on 21 May 2022 and provided a link from which they could be downloaded.

However, the committee did not admit the evidence of the video recordings of the interview which aired on *NTV Ku Ssaawa Emu*, since this was not in the English language, as required by Article 6 of the Constitution of Uganda and Rule 4 of the Rules of Procedure of Parliament, and a translation thereof was not provided to the committee by the mover of the motion.

Video recordings of the interview Hon. Namuganza held with *NBS* on 9 December 2022

The committee found the above evidence relevant to the facts in issue, since it relates to the conduct of Hon. Namuganza, following consideration of the report of the Committee on Rules, Privileges and Discipline on which the grounds for the motion were pegged. The authenticity of the video recordings could not be verified by the time of writing this report. Accordingly, the committee did not admit the evidence.

Video recordings of the past conduct of Hon. Namuganza picked from the various media houses

The committee noted that the above evidence was beyond the scope of the allegations contained in the motion and the supporting documents and admitting it in evidence would be *ultra vires* to its mandate under rule 109(9) of the Rules of Procedure of Parliament. The dates were clearly stated in the motion; therefore, providing any other video that appeared on another day will be *ultra vires*.

Secondly, the committee could not verify the evidence since it comprised of a compilation by the witness of video clips picked from various media houses and the committee could not establish the subject matter to which the clips related.

The committee notes that since video clips, by their nature, are susceptible to manipulation and alteration, they must be verified for them to be relied upon in evidence and these are usually produced by the person who broadcast them, just like newspapers. Otherwise, they would fall under the classification of hearsay evidence, which is inadmissible. The court in *Olega v. Alidriga (Civil Appeal 6 of 2013)* found that a video recording is regarded in law as a document and being a document, like any other document being offered in evidence, a recording must be authenticated and a witness must offer evidence establishing that the object is what that witness claims it to be.

In view of the above, the committee considered the evidence inadmissible and disregarded it because the burden of proof was with the movers. If they could not verify the source, there is no way the committee would admit it, as required by law.

Admissibility of evidence adduced by Hon. Dan Atwijukire

The committee scrutinised the evidence adduced by Hon. Dan Atwijukire as follows:

- (a) The *Daily Monitor* Newspaper of 22 May 2022 with the heading, "*Parliament has no powers to suspend me...*" The same newspaper article was adduced as evidence by Hon. Okot John Amos and

was admitted in evidence as indicated above.

- (b) A photocopy of an article of the *Daily Monitor* of Monday, 23 May 2022 titled, “*Parliament Committees are like torture chambers, says Namuganza.*”

The committee wrote to the Managing Director of the *Daily Monitor* Newspaper attaching a copy of the newspaper article and requesting for authentication of the same. In response, the *Daily Monitor* returned to the committee a certified copy of the newspaper article. Accordingly, the newspaper article was admitted in evidence.

- (c) Various video recordings entitled:

- i) “*Fake report*” wherein Hon. Namuganza appears to be responding to the report of a committee of Parliament in the English language. The committee noted that the video recording entitled “*Fake report*” comprised of a video clip from the interview Hon. Namuganza held with *NTV Uganda*, which aired on *NTV Weekend Edition* bulletin on Friday, 21 May 2022, which, as noted earlier, the committee admitted the evidence while considering the evidence of Hon. Okot.
- ii) “*Ignorant Parliament*” wherein Hon. Namuganza allegedly referred to Parliament as not sober. Similarly, the committee admitted the video evidence entitled “*Ignorant Parliament*” as it comprised a video clip from the interview with Hon. Namuganza held with *NTV Uganda*, which aired on *NTV Weekend Edition* bulletin on Friday, 21 May 2022. As earlier noted, the committee admitted in evidence while considering the evidence of Hon. Okot.
- iii) “*Minister refuses to apologise*” wherein Hon. Namuganza allegedly refused to apologise to the House following her indictment for misconduct and misbehaviour by the report of the Committee on Rules, Privileges and

Discipline. The committee admitted the video evidence entitled, “*Minister refuses to apologise.*” The committee confirmed the contents of the video recording through the *Hansard* of the plenary proceedings of Wednesday, 7 December 2022, wherein it established that during consideration of the report of the Committee on Rules, Privileges and Discipline on the inquiry into allegations of misconduct and misbehaviour against Hon. Persis Namuganza, Hon. Namuganza was requested to apologise, but she declined.

The evidence was, therefore, admitted in line with the principle in the case of *Olega v. Alidriga*, since the committee could verify the contents of the video through the parliamentary *Hansard*.

- iv) “*Minister storms out of Rules*” wherein Hon. Namuganza appears to be speaking in what appears to be a meeting of a committee of Parliament, where after, she allegedly stormed out.

The committee confirmed the contents of the video recording entitled, “*Minister Namuganza storms out of the Rules*” using the transcript of proceedings of the Committee on Rules, Privileges and Discipline of Wednesday, 14 September 2022 at page 31 and at page 6 of the minutes of the committee that were laid together with the report of the committee in the House, which as noted earlier, forms part of the record of the House and is admissible in evidence as a public document within the meaning of sections 73 and 79 of the Evidence Act.

- v) “*Even dogs fall in love*”, wherein Hon. Namuganza allegedly insulted the person of the Rt Hon. Speaker of Parliament by comparing her marriage to that of dogs. The committee could not establish the source and the authenticity of the video recording, since its source was not disclosed and besides, the video recording was not translated into the English language as required by Article 6 of the Constitution of Uganda and rule 4 of – (*Interruption*)

MR SEKABIRA: Thank you so much, Mr Speaker. On 29 September 2022, we had elections of Members of EALA and we set a precedent to allow Members that had big commitments to vote earlier and go attend to their commitments. With your indulgence, wouldn't it be procedurally right to allow us to do this such that Members that have other appointments can attend to them? I am saying this because we have so many Members and we cannot fit here –(Interjections)– we are over 500. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, listen. You have come to conduct business and the smartest way to do this is to follow the procedures very well. Rule 109 is very clear on the procedure. Now, the procedure we are on is the committee presenting the report. After presenting the report, in reference to what Hon. Ssemujju had raised earlier, rule 109(12) requires us to open debate with the mover of the motion. Article 118(6) of the Constitution is very clear; that after, the person who is being accused is given a chance to be heard. Now, how do you start voting before all this is accomplished? (Laughter)

Secondly, what are you voting on? Thirdly, rule 98 is totally different from rule 99 and I emphasised it at the beginning. Rule 98 that has do with secret voting is totally different from rule 99, which is to do with roll call.

I think we shall first require one Member to maybe move that we suspend rule 99 - I think subrule (4) - which requires that we call all of you inside and close the doors - Yes, these are your rules, Members. I am just implementing your own rules; I am not reinventing anything.

Therefore, let us continue. From the size of the report, I can see that the chairman is about to finish. Thereafter, we shall open debate, give Hon. Namuganza a chance to be heard and then put the question and we start voting. Procedure, Hon. Basalirwa? Let us not take more of our minutes, colleagues.

MR BASALIRWA: Thank you, Mr Speaker. The matter we are dealing with can potentially lead to litigation. Therefore, we must be very careful, especially when it comes to our Rules of Procedure.

Mr Speaker, it is my humble submission that all the documents being referred to in the report be laid on the Table for record purposes - all of them, so that you do not leave any loophole.

Mr Speaker, if we do not do that, we are likely to have many challenges. Therefore, procedurally, I seek your indulgence that whatever information the chairperson is making reference to, in terms of annexures and videos, should be laid and captured by the record.

THE DEPUTY SPEAKER: Thank you. Honourable colleague, that is what the chairperson started with. Clerk, for purposes of scrutiny, kindly ensure that you check that we have everything, but also colleagues, check on the attached documents because we should have all these documents. Chairman, proceed as we come to the conclusion.

MR MWINE MPAKA: I was on five; even dogs fall in love –(Interjection)- Is it a repetition? Video recording of the interview Hon. Namuganza and Baba Television held on 13 December 2022.

The committee viewed the video recording of the interview Hon. Namuganza held with Baba Television on 13 December 2022 and noted that the video was recorded in both English and Luganda.

The video recording was not translated in the English language as required by Article 6 of the Constitution of Uganda and rule 4 of the Rules of Procedure of Parliament, which states that all our proceedings must be in the English language. Accordingly, the committee did not admit the video recording in evidence.

Mr Speaker, I beg your indulgence. It seems they have sorted the video -

THE DEPUTY SPEAKER: If you are ready with the videos, you can play - Please, Chairman, proceed. Only call on me if you are ready. Okay?

MR MWINE MPAKA: Evidence adduced by Hon. Sarah Opendi.

Hon. Sarah Opendi adduced evidence of the *Hansard* of the plenary proceedings of Wednesday, 13 July 2022 in support of her assertion that the matter of the alleged misconduct and misbehaviour was raised in the House by Hon. Solomon Silwany on 13 July 2022, before the marriage of the Rt Hon. Speaker took place and, therefore, the issues allegedly surrounding the marriage could not be the cause of the censure proceedings.

The committee observes that whereas the matter of the marriage of the Rt Hon. Speaker is not an issue, it was relevant to the facts in issue for the purpose of clarifying that the censure proceedings were not motivated by personal grudge, as alleged.

Accordingly, the committee admitted the evidence of the *Hansard* of the plenary proceedings of 13 July 2022, which is a public document and forms part of the record of the House.

Evidence adduced by Hon. Solomon Silwany
Hon. Solomon Silwany adduced electronic evidence in form of video recordings in support of his assertion that Hon. Namuganza was in the habit of attacking fellow leaders and had, on several occasions, attacked the former Speaker of Parliament, the Rt Hon. Rebecca Kadaga as follows:

A video recording entitled “*Clip one*”, which appears to be a news broadcast by *NTV Uganda* in Luganda wherein Hon. Namuganza allegedly described the report of the Committee on Rules, Privileges and Discipline as biased and accused the Rt Hon. Rebecca Kadaga of influencing the findings in the report.

A video recording entitled, “*Namuganza Attacks Kadaga*” in the 10th Parliament,

which appears to be a news broadcast of *NBS* in Luganda relating to an investigation into the conduct of Hon. Namuganza by the Busoga Parliamentary Caucus during the 10th Parliament.

The committee noted as follows:

That the two evidence adduced by Hon. Silwany relate to matters that are not contained in the scope of the allegations in the motion and the supporting documents. Admitting videos in evidence will be *ultra vires* the mandate and powers of the committee as prescribed under rule 109(9) of the Rules of Procedure.

The videos Hon. Solomon Silwany submitted happened at a later date whereas the mover specified the exact dates in his motion.

The videos were not recorded in English language and the translation of the recordings was not provided.

It was the duty of the movers and seconders to go to Makerere and have these translated before the committee can look at these videos.

The committee observes that the principle of admissibility of electronic evidence in the case of *Elega v. Alidriga* above is in that the party offering the recording has to produce a transcript of the recording, which accurately reflects the recordings’ content since evidence in all courts has to be recorded in English as the official language of court and if the recording is in any other language, the transcript of that recording should be translated into English before it can be received in evidence.

The videos also referred to draft reports of the Parliamentary Committee on Rules, Privileges and Discipline, which was directed on 15 March 2018, during the 10th Parliament to investigate the conduct of Hon. Namuganza following a complaint raised by Hon. Abala David, the Member of Parliament for Ngora County, who had complained about various utterances by Hon. Persis Namuganza against the then Speaker of Parliament.

Whereas this matter was referred to the Committee on Rules to investigate, by the time the 10th Parliament was prorogued, the House had not considered the report and no resolutions were made on the matter.

Since the report was not considered by the 10th Parliament, it lapsed, as required in rule 235 of the Rules of Procedure of Parliament, a matter the then Speaker of Parliament guided upon on 16 September 2021.

This means that the report of the Committee on Rules, Privileges and Discipline of the 10th Parliament relating to the investigation of Hon. Namuganza has no evidential value in this matter since the report was never considered by the House and lapsed with the 10th Parliament.

It is important to note that a committee report becomes actionable when it is adopted by the House. Committee minutes, reports and recordings become accessible to the public when they become part of the record of Parliament. Indeed, court in *Spear Motors v. the Attorney-General and two Others, High Court Civil Suit No.0692 of 2007*, held that once a signed report is laid on the Table, it becomes a record of the House, the debate and adoption of the report are two other separate matters.

And whether or not the report of a committee of Parliament is adopted or seems to be relevant to it becoming a record of Parliament, the principle in this case is that once the report of Parliament is laid on the Table, it becomes part of the record of the House and is actionable once it is adopted by the House.

Therefore, since the Report of the Committee on Rules, Privileges and Discipline of the 10th Parliament on the alleged misconduct of Hon. Namuganza was not laid on the Table, in the Parliament, it does not form part of the record of the House and no further action can be taken on the same since it was never adopted by the House then.

In the same vein, the committee could not admit the video recordings of an investigation by the Busoga Parliamentary Group since such

investigation was not conducted by an organ of Parliament nor a report thereof tabled in Parliament for its consideration. This therefore, means that the report of the investigation by the Busoga Parliamentary Group does not form part of the record of the House.

Thirdly, the report is also beyond the scope of the committee's investigation since it happened in the 10th Parliament and the mover specified the dates in his motion.

For the above reasons, the video recordings adduced by Hon. Silwany were not admitted in evidence.

Upon determining the inadmissibility of the evidence, the committee resolved that it would consider only the evidence it admitted to resolve the issue of whether there was a *prima facie* evidence to prove the allegations in the motion.

Findings and observations and determining the issues

1. Whether a *prima facie* evidence has been adduced to prove the allegations contained in the motion of censure against Hon. Princess Persis Namuganza, State Minister for Lands, Housing and Urban Development (Housing).

Upon satisfying itself on the legality of the grounds set out in the motion and supporting documents and identifying admissible evidence.

Now, we are going to consider only the evidence we admitted and try to see whether it has a *prima facie* case.

The committee proceeded to examine whether the evidence adduced in support of the motion discloses a *prima facie* case against Hon. Namuganza.

In resolving the above issue, the committee deemed it prudent to examine the definition of the term "*prima facie*" and the standard of proof required to establish a *prima facie* case under the laws of Uganda and case law.

The committee noted that whereas the term “*prima facie*” is not determined under the Rules of Procedure of Parliament nor any other laws in Uganda, it has been defined by courts in several cases, including the case of Rananlai T. Bhalt v. Republic, East African Law Reports 332, which stated that a *prima facie* case is established when the evidence adduced is such that a reasonable tribunal properly directing its mind on the law and evidence would convict the accused person if no evidence or explanation was set out by the defence.

Furthermore, in the cases of Semambo and Anor v. Uganda Cr. App. No. 76. of 1998, Court of Appeal, court held that a *prima facie* case means a case sufficient to call for an answer from the accused person.

According to the decision in Rananlai T. Bhalt v. Republic and Semambo (supra) the evidence required to establish a *prima facie* case is such evidence that sufficiently establishes a fact in absence of evidence to the contrary, but is not conclusive. Therefore, what the court has to decide at the close of the prosecution case is whether a case has been made out against the accused just sufficiently to require him or her to make his or her defence. Using a simple example, this is like saying a burglar accesses your premises without authority with intent to commit burglary and actually stole. That is what a *prima facie* case would mean.

In light of the above, the committee resolved that a *prima facie* case shall be made out where evidence adduced by the movers of the motion - or any other person appearing to support the motion - proves the allegations contained in the motion and supporting documents and the evidence has not been discredited or rebutted by the accused minister or any other person appearing to defend the minister.

In the same vein, the committee observes that a *prima facie* case shall not be made out:

- a) if no evidence adduced to prove the allegations contained in the motion and documents supporting the motion; or

- b) if the evidence adduced in support of the motion has been discredited as a result of cross examination arising from the evidence adduced to the committee in defence of Hon. Namuganza; or
- c) if the evidence in support of the censure is unreliable that no reasonable court or tribunal could safely convict Hon. Namuganza based on the evidence.

The committee is also guided by the principle in Civil Appeal No.119 of 2018 *Odongo Ochama Hussein v. Abdul Rajab* wherein court observed that the evaluation of evidence to determine a *prima facie* case must be approached as a whole. The court ought not to consider the plaintiff’s story in isolation of the defendant’s story and finally, decide which of the two to prefer. The evidence must be considered on each contentious point in the trial in the absence of probabilities for the correct decision to be made.

The principle in this decision is that the committee should consider the evidence as a whole and each contentious matter must be specifically addressed before the committee makes a determination.

The committee notes that whereas Hon. Namuganza did not adduce any evidence, in her defence, it was duty-bound to evaluate the evidence adduced by the mover and any other person who appeared before it, to determine whether a *prima facie* case has been established. Accordingly, the committee evaluated the evidence and established whether it provided the allegations in the motion.

Allegation 1

Following the resolution of Parliament on the report of the Ad hoc Committee on the Naguru-Nakawa land allocations, Hon. Persis Namuganza Princess on the 21st and the 22nd of May and again on 12th and 13th July 2022, made statements about Parliament on social media, attacking the operations of Parliament, questioning the powers of Parliament, the integrity of the presiding officers of Parliament,

and imputing improper motives to Parliament and its presiding officers. The select committee examined the evidence adduced and finds that the following evidence supports the above allegations:

- a) Printouts of *WhatsApp* messages posted by Hon. Namuganza on the 11th Parliament-Official *WhatsApp* group. The committee examined the following statements made by Hon. Namuganza on the *WhatsApp* group of the 11th Parliament using her telephone number 0782670551: *“I remember people are accusing me on this, the so called Ad hoc Committee in the spirit of abusing, hating, embarrassing, tarnishing each other’s name as colleagues can’t take us anywhere; we need to build consensus and friendship. Shame.*

... So why then does he appoint ministers? That strategic matters. U call Naguru land also a strategic matter? May be you don’t 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 a matter yourself and decide without being misled and influenced to fight a colleague. Am telling u. The powerful committee couldn’t even find time to go and interact with H.E. himself why? So for you now, you can go and ask him whether the honourable minister has initiated this call. He is there alive. 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 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 committees do? All this is done in bad faith. U can continue to defend it the way you want because you are a member, but this must stop. It should stop, all Members of Parliament came to work and they 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’s supposed to be the Committee on Trade. Why ad hoc for a few members?

Where there exists a sectoral or standing committee in which a matter to be investigated falls squarely within the parameters of that sectoral or standing committee, it is that specific committee to handle and or investigate it, and where there exists none is when such an Ad hoc committee shall be constituted.

The continued formation and or constitution of ad hoc committees for whatever intent and purpose, they are constituted or formed in total disregard of the rules is utter breach, violation and to say the least acting ultra vires in contravention of the rules of procedure, we ourselves adopted.”

That is Hon. Namuganza’s *WhatsApp* message on the official group.

The select committee found that the statements contained in the printouts were the same as those laid before the Committee on Rules, Privileges and Discipline and attached to its report to the House. And it is the same statement Hon. Amos Okot based upon the motion for the censure of Hon. Namuganza as indicated on pages 1 and 2 of the notice of motion to the Clerk to Parliament, which is part of the documents supporting the motion.

The committee is, therefore, satisfied that Hon. Namuganza made the statements on social media, bashing operations of Parliament and questioning the powers and integrity of the House to appoint ad hoc committees as provided under Rule 191 of the Rules of Procedure of Parliament, which says, *“The House may at any time, on the advice of the Business Committee, appoint an ad hoc committee to investigate any matter of public interest that does not come under the jurisdiction of any standing or sectoral committee, or that has been dealt with by a select committee.”*

- b) Evidence of the newspaper article published in the *Daily Monitor* of 22 May 2022 with the heading, “*Parliament has no powers to suspend me – Namuganza*”.

The committee examined the newspaper article published in the *Daily Monitor* on 22 May 2022 to determine whether Hon. Namuganza made the statements alleged in the motion. The committee found that Hon. Namuganza made the following statements in the newspaper article:

“But you saw what happened; it was like mob justice, moreover in Parliament. They did not want me to speak; they do not even want me to cite 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, and 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.”

Based on the above, the committee finds that the evidence proves the allegations contained in the motion and meets the standard of proof required to establish a *prima facie* case envisaged under Rule 109(9)(a) of the Rules of Procedure Parliament.

- c) Evidence of the video recordings of the interview Hon. Namuganza held with *NTV Uganda* on 21 May 2022

The committee examined the video recordings Hon. Namuganza held with *NTV* on 21 May 2022 and established that she made the statements attributed to her in the interview and the same statements are those that were reproduced in the *Daily Monitor* newspaper article of 22 May 2022, which the committee has already examined herein above.

In consideration of the statements made in the said interview, the committee found that Hon. Namuganza attacked the operations

of Parliament, questioned the powers of Parliament, the integrity of the presiding officers of Parliament and imputed improper motives on Members of Parliament and the presiding officers of Parliament contrary to the Constitution and the Rules of Procedure of Parliament.

The committee is, therefore, convinced that a reasonable tribunal properly directing its mind on the law and evidence would find Hon. Namuganza to have made statements in the motion and that the supporting documents based on evidence on record.

Based on the above, the committee finds that the evidence proves allegations contained in the motion and meets the standard of proof required to establish a *prima facie* case envisaged under Rule 109(9)(a) of the Rules of Procedure of Parliament.

Allegation 2

That the statements made by Hon. Namuganza Princess were derogatory and were found by Parliament to amount to gross misconduct and misbehaviour, an affront to the dignity of Parliament, denigrated public trust and confidence in the authority and integrity of the Office of the Speaker, Members of Parliament and the institution of Parliament and brought the House and its Members into disrepute; and her conduct was in breach of the Code of Conduct for Members of Parliament as enumerated in Appendix F of the Rules of Procedure Parliament – paragraphs 2, 3, 4 and 5 – and constituted contempt of Parliament.

In proving the above allegation, the committee relied on the following evidence:

- a) Printouts of *WhatsApp* messages posted by Hon. Namuganza on the 11th Parliament *WhatsApp* Official Group.

The committee examined the statements posted by Hon. Namuganza on the 11th Parliament *WhatsApp* official Group as highlighted earlier in this report that “*ad hoc committees are instituted in bad faith, 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” and finds them to be derogatory, they imputed improper motives on Parliament and denigrated public trust and confidence in the authority and integrity of Parliament, the presiding officers and Members of Parliament and the institution of Parliament as a whole.

- b) Evidence in the newspaper article published in the *Daily Monitor* of June 22 May 2022 with the heading “Parliament has no power to suspend me – Namuganza”.

The committee finds that the statements made by Hon. Namuganza in reference to the report of the *ad hoc* committee on Naguru-Nakawa land allocations as quoted in the article in the *Daily Monitor* newspaper that the report was misleading, Members of Parliament were debating things, which they do not know, and passing a resolution on something they do not actually know, that she would not resign on the basis of a fake report full of bias and the inference that Parliament was not sober, were derogatory, they belittled Parliament and undermined its authority and they were an affront to the dignity of Parliament.

- c) Report of the Standing Committee on Rules, Privileges and Discipline on the inquiry into the allegations of misconduct and misbehaviour *-(Interruption)-*

THE DEPUTY SPEAKER: Is that someone on *Zoom*? Let him finish and then, at the end, we play the videos.

MR MWINE MPAKA: The select committee has found, as a matter of fact, that Parliament found that by making the impugned statements, the conduct of Hon. Namuganza amounted to gross misconduct and misbehaviour; was an affront to the dignity of Parliament, it denigrated 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 breach of the Code of Conduct for Members of Parliament, as stipulated in Appendix F of the Rules of Procedure of Parliament, specifically paragraphs 2, 3, 4 and 5, and constituted contempt of Parliament as noted at page 39 of the report of the Committee on Rules, Privileges and Discipline, which was adopted by Parliament on Wednesday, 7 December 2022. Therefore, the findings and recommendations contained in the report form part of the resolutions of Parliament.

Accordingly, the committee finds that evidence on record proves Allegation 2 and the evidence meets the standard of a *prima facie* evidence required under Rule 109(9) of the Rules of Procedure of Parliament.

Allegation 3

The conduct and behaviour of Hon. Persis Namuganza amounts to misbehaviour or misconduct under Article 118(1)(b) of the Constitution

The committee evaluated the evidence adduced by the witnesses to determine whether there is a *prima facie* case established on the grounds of misbehaviour or misconduct under Article 118 of the Constitution.

The committee examined the meaning of the words “misbehaviour” and “misconduct” and established that the words are not defined under the Laws of Uganda. The committee, therefore, had recourse to the dictionary meaning of the words.

According to Black’s Law Dictionary (6th Edition), “misconduct” is defined as “*a transgression of some established and a definite rule of action, a forbid act, a dereliction from duty, unlawful behaviour, wilful in character, improper or wrong behaviour; its synonyms are misdemeanour, misdeed, misbehaviour, delinquency, impropriety, mismanagement, offence, but not negligence or carelessness*”.

This definition was adopted in the decision of the court in the case of Fox Odoi-Oywelowo and another v. Attorney-General (Constitutional

Petition No.8 of 2003) which found that misconduct connotes wilful transgression of some established and definite rule of action.

On the other hand, misbehaviour is defined in the Black's Law Dictionary (4th Edition), as "*ill conduct, improper or unlawful behaviour*".

In view of the above definition, the mover of the censure motion had to adduce evidence to show that the conduct of Hon. Namuganza was a transgression of some established and definite rule of action, a forbidden act, dereliction from duty, unlawful behaviour, wilful in character, improper or wrong behaviour.

The committee notes that the standard of behaviour and conduct expected of Members of Parliament, including ministers, is prescribed in the Rules of Procedure of Parliament. The committee is of the considered opinion that the standard of behaviour and conduct expected of a Member applies to all Members of Parliament, irrespective of whether they are elected or *ex-officio* Members.

The principle that Members of Parliament are equal before the law was examined by court in the case of *Brig. Tumukunde v Attorney-General and Another (Supreme Court Constitution Appeal No.2 of 2006)* wherein court held that: "*We agree that soldier Members of Parliament are full Members of Parliament with equal rights and obligations as the civilian Members of Parliament.*"

They subscribe to an oath of office to defend, support and uphold the Constitution at all times. It is not disputed that the petitioner is entitled to all the powers and privileges any Member of Parliament has."

Rule 85 of the Rules of Procedure Parliament provides that the behaviour of a Member shall be guided by the Code of Conduct for Members of Parliament prescribed in Appendix F.

The Code of Conduct for Members of Parliament, under Appendix F of the Rules of Procedure, prescribes the standard of behaviour expected of Members of Parliament.

The code is designed to assist the Members in the discharge of their obligations to the House, their constituents and the public at large.

Paragraph 2 of Appendix F of the Rules of Procedure Parliament, which places the public duty of Members to uphold the law and act on all occasions in accordance with the public trust placed in them.

Paragraph 3 of the Code of Conduct, which elaborates that the general principle of conduct expected of Members of Parliament wherein Members are required to observe the principle of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Paragraph 5 of Appendix F of the Rules of Procedure of Parliament 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.

In the case of *Severino Twinobusingye v. Attorney-General, Constitutional Petition No. 47 of 2011*, the Constitutional Court pronounced itself on the conduct expected of Members of Parliament - on pages 24 and 25. It 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 their 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 and watch them debating in the public gallery and on television, and read about them in the print media. As a national Legislature, Parliament is the fountain of constitutionalism and, therefore, the honourable Members of Parliament are enjoined by the virtue of their office to observe and adhere to the basic tenets of the Constitution in their deliberations and actions.*"

Having established the standard of conduct and behaviour expected of Members of Parliament, ministers inclusive, the committee proceeded to examine whether the evidence adduced by the witnesses established a *prima facie* case of misconduct or misbehaviour under Article 118 of the Constitution. In so doing, the committee examined the actions complained of to determine whether the conduct and behaviour of Hon. Namuganza contravenes the standard of conduct and behaviour expected of Members of Parliament prescribed in the code of conduct of Members in Appendix F of the Rules of Procedure of Parliament. The committee finds as follows:

- a) By making statements on the *WhatsApp* Group of the 11th Parliament-Official, to the effect that ad hoc committees are instituted in bad faith, 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, Hon. Namuganza failed in her duty at all times to conduct herself in a manner, which will maintain and strengthen the public trust and confidence in the integrity of Parliament, and never to undertake any action, which may bring the House or its Members generally in disrepute contrary to paragraph five of the Code of Conduct of Members of Parliament. Her conduct fell short of the general principles of conduct of Members of Parliament enjoined to observe as stipulated in paragraph three of the Code of Conduct, namely selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- b) By making statements in an interview with *NTV* held on 21 May 2022, as reproduced in the *Daily Monitor* newspaper article published on 22 May 2022: the report of the ad hoc committee on the Nakawa-Naguru land allocations was misleading, fake and biased and referring to Parliament as comprising of persons who lacked understanding of what they were doing when they were passing the resolutions and adopting the report. Hon. Namuganza lowered the esteem of Parliament in the eyes of the public, and belittled the Presiding Officers of the House, its Members and consequently the people of Uganda who elected those leaders in line with their Constitutional mandate. Her conduct brought Parliament and its Members into disrepute and breached paragraph five of the Code of Conduct in Appendix 5 of the Rules of Procedure of Parliament. Hon. Namuganza ought to have used proper channels of challenging the composition of the ad hoc committees as provided for under Rule 87(2) of the Rules of Procedure of Parliament, as opposed to challenging them on social media.
- c) By referring to Parliament as a torture chamber as reported in the newspaper article published in the *Daily Monitor* of Monday, 23 May 2022 titled, "*Parliament Committees are like Torture Chambers, says Namuganza*", Hon. Namuganza undermined committees of Parliament, which are constitutionally established. She denigrated the integrity of Parliament and its Members and lowered the esteem of Parliament in the eyes of the public. In the said newspaper article, Hon. Namuganza is recorded to have made the following statements;
 1. "*This is a disgrace; how can investors who are interested in improving our economy be treated like that. The President should rein in; the President should also investigate this torture chamber*" referring to Parliament committees.
 2. In reference to the findings and recommendations in the report of the Nakawa-Naguru land allocations, she stated: "*When we meet the President, he gives verbal instructions, but when you take the same instructions to the committee, they accuse you of framing the instructions. They should look at other methods of verifying the President's instructions rather than embarrass the messenger. The President is my witness; he knows very well that he gave me the*

instructions and I was working to fulfil them. Some of these new MPs need more orientation to understand how the system works.”

Based on the above pieces of evidence, the select committee finds *prima facie* evidence confirming that the conduct of Hon. Namuganza Princess, Minister of State for Lands, Housing and Urban Development, breached the standard of behaviour and conduct expected of a Member of Parliament as prescribed -

THE DEPUTY SPEAKER: Colleagues, we are left with four pages. So, let us not interrupt the Chairman. Let him conclude.

MR MWINE MPAKA: As prescribed in rule 85 and Appendix F of the Code of Conduct of Members of Parliament prescribed in the Rules of Procedure of Parliament, such conduct amounts to misbehaviour or misconduct under Article 118(1)(b) of the Constitution of the Republic of Uganda, 1995. The committee, therefore, finds that the above evidence meets the standard of proof required to establish a *prima facie* case on grounds of misconduct or misbehaviour under Article 118 of the Constitution.

Before taking leave of this matter, the committee notes with concern the allegations referred by Hon. Sarah Opendi in her submission to the committee to the effect that Hon. Namuganza made allegations in the House and on various media platforms that the censure proceedings against her were initiated to settle a personal grudge relating to the illegal issues allegedly surrounding the marriage of the Rt Hon. Speaker of Parliament, Anita Annet Among.

For the avoidance of doubt, Hon. Sarah Opendi stated that:

- a) She was only responding to the allegations that the censure of Hon. Namuganza is as a result of personal matters between the Rt Hon. Speaker of Parliament and Hon. Namuganza. That on numerous occasions, Hon. Namuganza has indicated that the censure motion is brought against her to

settle a personal grudge relating to the illegal issues surrounding the marriage of the Rt Hon. Speaker.

- b) That the above allegations were not true because the Rt Hon. Speaker had not taken any decision or presided over any proceedings involved in reference of the conduct of Hon. Namuganza to any committee of Parliament, the consideration of any report relating to Hon. Namuganza or any matter relating to the censure of Hon. Namuganza.
- c) That the matter leading to the censure of Hon. Namuganza were raised by Hon. Silwany during the 7th Sitting of the 1st Meeting of the 2nd Session of the 11th Parliament held on 13 July 2022, and these sittings were presided by the Rt Hon. Deputy Speaker of Parliament.
- d) These matters happened before the wedding of the Rt Hon. Speaker, which occurred on the 30th and 31st July 2022, at which wedding she, Hon. Opendi, was the matron and, therefore, cannot be the cause of her censure motion as alleged by Hon. Namuganza.
- e) That the Rt Hon. Speaker has not presided over proceedings related to or dealing with any matter involved in the censure of Hon. Namuganza and there is nothing personal or a conflict of interest between the Speaker and Hon. Namuganza.

Mr Speaker, I beg we play these videos specifically for this matter, then we can go to the other one at the end. The Baba TV video and –

THE DEPUTY SPEAKER: Are you ready, Clerk? Please play the video if you are ready. They seem not to be ready. Please, let us proceed.

(A video recording was played.)

THE DEPUTY SPEAKER: Please stop the video. The language in which it was recorded

is not the language we all understand. The videos that are in English or translated are the ones, which should be played. Otherwise, it is difficult to capture all this.

MR MWINE MPAKA: Mr Speaker, we had included all the videos -

THE DEPUTY SPEAKER: I have a procedural matter.

MR SSEMUJJU: Mr Speaker, the petition or the document and evidence were given to the committee to examine on our behalf and it comes here and tells us if a *prima facie* case had been established. However, now, the committee is making us listen as if we are also going to do the same thing they did.

The procedural issue I am raising is whether, after evaluating evidence, the committee will come back to Parliament and present the same for re-examination.

THE DEPUTY SPEAKER: Thank you, Hon. Ssemujju. Honourable colleagues, a *prima facie* case is a case on the surface. The standard and burden of proof for the case is on the balance of probability. The moment you are presenting such evidence, you need to explain to the Members and they make their own judgment. That is why under rule 109(12), it is very clear that “*Notwithstanding the recommendation of the committee...*”

Whether the committee exonerates or does not, the House must go on and vote. The moment the question or the motion is carried, the outcome will be pronounced. This is not a committee that can give a final ruling. That is the burden you have. It is a committee whereby whatever evidence was presented, they weighed and gave opinion. However, if they feel they need to convince Members more so that they can decide on their own behalf, then they would have to do it.

That is the problem when establishing a *prima facie* case. Your ruling cannot be final. This is just a case to answer. The committee only

established that. That is why Hon. Namuganza must come back here and defend herself. That is why Hon. Okot must come and re-substantiate the case yet he has been doing it. It is because the ruling of the committee is not final, as provided for under rule 109(12). So, let us proceed.

(A video recording was played.)

THE DEPUTY SPEAKER: Honourable colleagues, allow me to make this ruling. If really we cannot have well-coordinated videos, I will send our ICT team for further training so that we do not get to that embarrassment again. We have the evidence very clear on record. Chairperson, conclude with your report so that we can proceed with other issues.

MR MWINE MPAKA: The committee observes that whereas the matter of the marriage of the Rt Hon. Speaker was not an issue, it was relevant to the facts in issue for the purpose of clarifying that the censure proceedings were not motivated by a personal grudge as alleged.

The committee observes that the sequence of events did not support the alleged existence of the grudge. Whereas the committee did not admit the evidence of the video recordings of the interviews of Hon. Namuganza with *NBS* on 9 December - because *NBS* did not verify, and Baba Television, as a basis of establishing a *prima facie* case because it was in Luganda, the committee examined the video recordings for the purpose of clarifying the above contentious issue.

The committee has examined the chronological events on the matter as indicated in the table below. A table showing events leading to the moving of the censure motion:

1. On 01 March 2022, Parliament constituted an Ad Hoc committee to investigate the Nakawa-Naguru land allocations.
2. On 18 May 2022, Parliament adopted the report of the Ad Hoc Committee on the Nakawa-Naguru land allocations.

3. On 13 July 2022, Hon. Solomon Silwany raised on a matter of procedure regarding the allegations of misconduct and misbehaviour against Hon. Namuganza. Hon. Speaker as a result of the alleged matters related to the Rt Hon. Speaker's marriage, which Hon. Namuganza's husband allegedly handled.
4. On 13 July 2022, the presiding officer who was the Rt Hon. Deputy Speaker referred the matter to the Committee on Rules, Privileges and Discipline on the alleged minister, Hon. Namuganza on misconduct and misbehaviour. In light of the above, the sequence in the above chronological order of events does not support the claim of the grudge being the cause of the censure motion as alleged by Hon. Namuganza in her various interviews. The law only calls us to distinguish facts in terms of their occurrence. This is as follows:
5. On 30 and 31 July 2022, Rt Hon. Speaker Anita Among got married to Hon. Eng. Moses Magogo. a) There is a 17-days' lag between the time Hon. Namuganza was sent to the Committee on Rules, Privileges and Discipline on alleged grounds of misconduct and misbehaviour – 13 July - and the time the Rt Hon. Speaker got married on 30 and 31 July.
6. On 7 December 2022, the Committee on Rules, Privileges and Discipline of Parliament presented a report on the matter referred to it on 13 July 2022 and found that the conduct and behaviour of Hon. Namuganza constituted misconduct and misbehaviour and is not befitting of a Member of Parliament more so, a minister. The committee recommended that the House invokes Article 118(1)(b) of the Constitution and Rule 106 of the Rules of procedure. b) No new grounds were introduced following the Rt Hon. Speaker's marriage.
7. On 7 December, the House adopted the report of the Committee on Rules, Privileges and Discipline. c) The committee did not establish any single footprint of the Rt Hon. Speaker's involvement in sending the honourable minister to the Rules and Privileges Committee on allegations of misconduct and misbehaviour on 13 July 2022, where she was not even the presiding officer of the House as established from the *Hansard*, which was submitted by Hon. Sarah Opendi and verified by the committee.
8. On 9 December, Hon. Okot Amos notified the Clerk to Parliament of his intention to move a motion to censure Hon. Namuganza on grounds of misconduct and misbehaviour. d) It is practically impossible that the marriage of the Rt Hon. Speaker could have influenced decisions of the Committee and the House that were taken prior to its occurrence.
9. On 9 December, Hon. Namuganza appeared on *NBS* Television and suggests that her censure is influenced by the Rt Hon. Speaker as a result of the alleged matters related to the Rt Hon. Speaker's marriage, which the husband of Hon. Namuganza allegedly handled. e) The media interviews and statements made by Hon. Persis Namuganza Princess attacking the integrity of Parliament, its proceedings and resolutions were made outside Parliament and therefore, not a privilege and she has no immunity derived from them. These amounted to contempt of Parliament.
10. On 13 December 2022, Hon. Namuganza appeared on *Baba* Television and suggests that her censure was influenced by the Rt

In conclusion, the matter raised in the interviews was obnoxious, reckless, insufferable, beyond the pale, and *per curiam*. It was an attack on the person of the Speaker, the Parliament, without due regard to the Rules of Procedure, the protected status, the protected redress, the applicability of evidence, and the decorum of Parliament.

In conclusion, the committee, having found *prima facie* evidence to prove the allegations contained in the motion and supporting documents, prays that this report be adopted by the House and lead the House, under rule 109(b) of the Rules of Procedure of Parliament, in the proceedings of censure against Hon. Namuganza Persis Princess from the office of the Minister of State for Lands, Housing and Urban Development.

Mr Speaker, I beg to move. (*Applause*)

THE DEPUTY SPEAKER: Thank you, Chairman. Honourable colleagues, without further ado, we are going to debate the report, but this debate will not take long. The rules still give you authority to come make your decision. As per rule 109(12) - Honourable colleagues, please, the presiding officer is speaking. Let us listen to one another.

We are going to have a short debate. I will pick around six people so that we close the debate. By around 12.30 p.m. to 12.40 p.m., we should start voting on this matter and then we can go to other matters.

Honourable colleagues, rule 109(12) requires the first person to open the debate to be the mover of the motion. Hon. Amos Okot -

12.15

MR AMOS OKOT (NRM, Agago North County, Agago): Thank you very much, Mr Speaker. Allow me to thank the select committee for the very good report they have produced. Honourable members, you have received the report from the select committee on the censure of Hon. Persis Namuganza Princess, State Minister for Lands, Housing and Urban Development. They found evidence

that Hon. Namuganza conducted herself in a manner unbecoming of a minister. Such conduct amounts to misbehaviour and misconduct under Article 118(1)(b) of the Constitution.

Honourable members, the decision to censure a minister is not a decision that should be taken lightly. It has far reaching consequences on the minister, his or her family, Cabinet, the appointing authority and the country at large. This explains why the Constitution deems it necessary that ministers should be censured on prescribed grounds.

The following evidence was adduced and found to be true:

1. She has been attacking the powers of Parliament, as demonstrated and the evidence was adduced before the select committee. If the clips were to be played, you were going to see the way she belittled and demeaned the integrity of this House.
2. By attacking leaders and Members of the House as people who have overthrown the Constitution. If I am to pause there a bit, on the day she alleged that the Rt Hon. Speaker has overthrown the Constitution, it is like the Government has failed. That was what she said to the public. She lowered the esteem of the Parliament of the Republic of this country, Uganda.
3. Publicly, she has attacked the personalities of the Speaker and the Deputy Speaker, the honourable Members of this House, plus many other things that you have been going through.

The select committee has found this and if I am to conclude the way Members are trying to suggest, let me conclude by saying this: Mr Speaker, it is our duty because we are a family. We belong to this House and we have the mandate and duty to correct one another and it is our duty to reprove one another and to make sure that the instructions of righteousness are done. This goes deep to those who believe in Christianity; even the Bible gives us that power. If one of us, a member of the family

- like one of us in this institution – is doing something that is not right, it is our duty to bring this person to correction and order, especially things that touch on our behaviour and conduct. Our conduct speaks volumes. The words we speak will remain even on stones, trees and on the ground. You will never dispute those words unless we bring reproof and correction to one another.

Finally, Mr Speaker, humility is one thing that we cannot run away from. Unless we are humble – and that is God’s command. We should be humble to one another. We should submit. It is very shameful if you have been summoned to appear and speak on a subject matter - Even though those things are not true, by just appearing, that says that this person is humble. Our sister has been so arrogant.

Honourable members, you are not excluded. This thing calls upon all of us. Let us stand as one family. Let us protect these people that normally say “Parliament is a barking dog.” Please, we are here to do the right thing. I want to thank you so much. Let us join hands and strengthen the image of this institution. I beg to move so that you carry the day. God bless you.

THE DEPUTY SPEAKER: Thank you, Hon. Amos. Honourable colleagues, in line with Article 118(6) and rule 109(12), I invite Hon. Persis Namuganza to present her case.

With Hon. Namuganza being given a chance, which she has not utilised, I would also like to confirm if she is on *Zoom*; she might be on *Zoom*. Please, I need you to check.

Honourable colleagues, the rules require that before anybody else speaks, we start with the mover and the next person should be the minister who is being accused. I have gotten confirmation from the Clerk that she is not online; so, she has skipped today’s parliamentary proceedings. Therefore, I open the debate to other colleagues.

12.22

MR YUSUF MUTEMBULI (NRM, Bunyole East County Butaleja): Thank you, Mr Speaker. In accordance with rule 109(12), I hereby support the motion, to the effect that the minister in question must be censured.

I remember on 23 March 2003, at Uganda Christian University, the Vice Chancellor then, Rev. Prof. Stephen Noll, had this to say, “*Any leader or any professional who does not have integrity, who does not have discipline, and has no respect for others is as good as garbage.*” –(Interjection)– I am quoting the professor.

He emphasised three things - he was addressing us as the students’ leaders at that time. He emphasised three things; that as a leader, you should always have integrity, you must be disciplined, and you must respect others.

Mr Speaker, from the report we have just received from the select committee, I find my sister short of the three attributes that I have referred to. Therefore, I have nothing much to say, other than saying that the time is now to bring sanity in this House; the time is now to bring integrity to this House; the time is now to ensure that Ugandans respect us, and that once we are given responsibilities, we must act responsibly, and we must respect each other.

Therefore, I invite other colleagues to join me so that we do what is necessary to bring sanity to this House. Thank you.

THE DEPUTY SPEAKER: Thank you. Seconders, I am not picking you today. If you know you are a seconder and you have regularly been talking about this matter, I want to pick colleagues who have not been - so I will go to Hon. Byanyima, Hon. Kanushu, Hon. Ababiku.

12.25

MR NATHAN BYANYIMA (NRM, Bukanga North County, Isingiro): Thank you, Mr Speaker and honourable colleagues. It is a painful job to do something we are going to do today - it is a painful thing; I have ever done it here, it is painful. Above all, treat other

people the way you would want to be treated. You cannot treat others as if they are not human beings. We are all Members of Parliament.

Hon. Namuganza Princess, being a minister, she is a Member of Parliament, but has added responsibility, which anybody can take. To me, I feel that a leader, when you permit something, it becomes a culture - like you have done since the beginning of this Parliament, being on time at 2.00 p.m., it is a culture, but I think Hon. Namuganza has taken a culture of undermining everybody.

Mr Speaker, I cannot imagine somebody who cannot say sorry to anybody; Hon. Namuganza came to the Committee on Physical Infrastructure, which I sit on; we preside over Housing and Lands. She came and walked off on us, I followed her as a father; I told her - most of you people by the way, are my honourable daughters and sons. *(Laughter)*

I told her that that is not the way things are done. The decorum of Parliament does not require you to behave the way you are behaving; go back to the committee and answer questions. She said, "Who are you?" *(Laughter)*

Here, I would be the last person to come and get involved in this censure. I know the bitterness or what is reaped; it is terrible. However, she has caused - I appeal to everybody, let us all be counted to vote against indiscipline. *(Applause)* All Members of Parliament are equal.

I respect this Parliament because you all respect me by virtue of my age and seniority. I also respect everybody; who is Namuganza?

Recently - which is very rare - I saw the President saying, "I am sorry to the people who use the Northern Bypass and Kampala-Entebbe Expressway because of the insecurity around, I am using that route." He apologised to people- *(Interjection)* - yes, he said it.

So, when I see any of us here lacking that humility of saying "Sorry" - In most cases, I disturb some of these ministers, but I have visited about four ministers early in the

morning and said, "I am sorry for what I said about you, forgive me." That is the decorum of Parliament; that is etiquette.

She says, we have never been oriented. We were oriented, but it is her who is uncultured. *(Applause)*

Mr Speaker, we all respect you, despite your age, because of that appointment and the power you have; charity begins at home.

In 1998, I stood here and moved a motion of censure; you could drop a pin down and hear it. Everybody came, but we were surrounded by people who wanted to beat us - we have the freedom; let us do what we are supposed to have done yesterday. Let us move a censure motion, discipline one of us, and let her come to the backbench - it might be a mistake by the way; there are some people who are appointed ministers without being backbenchers. So they feel they are on top of the world. No, this should stop.

Today, I, Nathan Byanyima from Bukanga North in Isingiro District, have voted for censure. I support the committee, and call upon you; please, let us be together and discipline ourselves. I thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Kanushu. Colleagues, you have a Member on the Floor.

12.30

MS LAURA KANUSHU (NRM, PWD Representative): Thank you, Mr Speaker. First of all, as Members of Parliament whose principal job is to make laws, we must respect our Rules of Procedure.

Our Code of Conduct in Appendix F, paragraphs 3 and 4, are very clear on public interest and public trust. Our behaviour has brought public ridicule to this Parliament.

Mr Speaker, I sit on the rules committee and I do not want to repeat what happened in the committee when we were supposed to interface with the Hon. Namuganza. It is very ironic and

very hypocritical, for us to sit here, make laws, and expect the citizens of this country to abide by those laws when we cannot abide by our simple Rules of Procedure.

Mr Speaker, this is not just about Hon. Namuganza; it is about our Rules of Procedure. How can we be hypocritical to tell other citizens of this country to abide by the laws we make when we cannot abide by simple House rules?

How can you be asked to come to a committee of Parliament and you say you cannot appear before such a committee? You disregard the committee of Parliament; that was the rules committee, which is a committee of Parliament. You do not appear, you make her sit for two hours, and then they set a select committee and you do not appear.

Mr Speaker, my simple appeal is one; as the presiding officer, we must obey the Rules of Procedure. If we do not do that, we are bringing shame to this House. We are going to be a laughing stock in this country. I thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Now, honourable colleagues, Hon. Laura has touched a very important issue - of disrespecting committees. We have one case; you see, time is a very good judge. We had a case of Col Kaka Bagyenda. When he was the Director Internal Security Organisation (ISO), he said he could never appear before Parliament. The minister in charge also supported him.

Now, as fate would have it, he was dropped as Director ISO and appointed as ambassador. So, he needed to appear before Parliament for approval. *(Laughter)*

When his case came up, the Speaker told him: "But you said you can never appear before a committee of Parliament. Now, what can I do with you? First, go and appear before the other committee." Of course, he tried to find a way of mobilising, but Members remained steadfast. What happened? He ended up losing his position as ambassador.

So, when you are here – even when you are a Backbencher, even when you are strong or even when you are just an innocent member of the public – please, just appear and if what Parliament is saying is wrong, challenge it. The President usually emphasises by saying, "if it is about talking, I can talk and challenge you". That was a very important point. Hon. Ababiku, you are next.

12.34

MS JESCA ABABIKU (NRM, Woman Representative, Adjumani): Thank you, Mr Speaker, for this opportunity. I have carefully listened to the report and I am dispirited because Parliament is one of the highest institutions in this country. A lot is expected from us.

For us to reach this level, a thorough sieving has been done. Any disrespectful tendency by one of us taints the image of this institution, more so from a minister.

Mr Speaker, what I have listened to, to me, is tantamount to abuse of office, shaming our Government and shaming the appointing authority and the entire House. It is good, at this point, to have a common front to say no to indiscipline and to say no to characters that taint our image.

I, therefore, support the report that this single person be treated in a way that will not continue to taint our image and that of our –*(Inaudible)*

Secondly, as a woman, I am at pain. I have been a Member of the Uganda Women Parliamentary Association (UWOPA) since I joined this Parliament and this is my 11th year. We have been in advocacy to ensure that more women are brought on board. As women, we strive to protect positions given to us. When others take it for granted, Mr Speaker, it is an abuse to all of us as women, not only in Parliament, but the entire country.

Therefore, I support the censure motion for a person who is diverting this cause on behalf of the women. I am very hurt by the response made by this same person when the Rt Hon. Prime Minister requested her to apologise.

You are a junior minister and you cannot listen to your Prime Minister! What do you expect from others who are not even Cabinet Members? It is indiscipline and if we do not regulate it, it means we shall have no regard for each other. We must follow protocol. We must respect each other. Whether you are a minister or not, we all have our rights to be respected and we should do so to others.

Mr Speaker, you cannot be a quality leader if you do not respect yourself. We must be exemplary leaders. I do not see any – how do you be in fights throughout your life in institutions? Is that your trait? Is that what you want young girls and boys to learn – that when we become leaders, we are supposed to fight everybody? I support the censure motion. Thank you very much.

THE DEPUTY SPEAKER: Thank you.

12.39

MR FOX ODOI-OYWELOWO (NRM, West Budama North East County, Tororo): Thank you very much, Mr Speaker. I sat here this morning and painfully listened to the report of the select committee. Painfully because we have before us an example of a leader who has no regard, number one, for authority and, number two, for processes.

In all civilised societies, you have to respect authority, you have to respect processes and you have to respect institutions. That is a hallmark of civilisation – that is actually the beginning of civilisation.

A child in a home must respect their parents. When you are appointed a minister – the first thing the honourable minister should have learnt is that there are four control centres for a minister:

1. A minister is answerable to the courts of Judicature – like we all are.
2. She is answerable to the President, the appointing authority.
3. She is answerable to the Parliament of the Republic of Uganda.

4. She is answerable to her voters.

However, here, you have a person who has no regard for her voters, she has no regard for the President who appointed her, she has no regard for the Parliament of the Republic of Uganda and she has absolutely no regard for processes.

In law, whatever is not controverted is admitted. Now, we have before us a report that has allegations and evidence to prove the allegations. We do not have her side of the story simply because she has no regard for processes. She is not here today as an act of absolute arrogance. So, you have a person who is on a suicidal mission. Our only duty this afternoon is to give her a long rope to hang herself.

Honourable members, I invite all of you to vote – Mr Speaker, with –

THE DEPUTY SPEAKER: Colleagues, on a debate, I will not allow information. Let us just allow Members to flow.

MR ODOI-OYWELOWO: I invite all of you, honourable members, to speak with one voice that for as long as we are in this House, we must have regard for authority, processes and for one another. Let us aid Hon. Namuganza to hang herself.

12.42

MS ROSE OBIGAH (NRM, Woman Representative, Terego): Thank you, Mr Speaker. I stand with pain, as a true representative of the most rural woman. If I heard well, everyone refers to the minister as Princess. One time, I was a princess of the Lugbara Kingdom –(Laughter)– yes, ours is appointed.

At the level of a princess, you expect a lot of dignity, respect and value for humanity because you represent and carry the image of your kingdom, but honestly, whatever my sister was doing here on the Floor of Parliament did not reflect anything in that address of a princess.

That aside, as a Lugbara and an African, a woman is supposed to have all the respect and

be the image of a home. And she did not show that she is the image of that ministry. Handing over the State Ministry of Lands to her is an insult to this country. She does not deserve to sit there anymore.

Even to say a person of my calibre still needs to go for further orientation is an abuse to the people of Terego. The President did say that he was picking only the fishermen and fisherwomen, but she has given us the worst example of fisherwomen.

Besides, to my party NRM, we cannot continue seeing this kind of calibre; it shows a bad image of this mighty party. Therefore, we did not choose to be on the backbench. Some of us are holding four degrees, but for her, a diploma. Therefore, she is better placed to sit at the backbench. I, therefore, support the censure motion. Thank you.

12.46

MR BARNABAS TINKASIIMIRE (NRM, Buyaga West County, Kagadi): Thank you, Mr Speaker. My honourable colleagues, it is with pain that we have to move this indictment this afternoon on one of our colleagues. The colleague indicted before us has been in this House for a long time; beyond one term.

I have had the privilege of sharing a term with her and I know her conduct. She survived because she found a soft spot in the last Parliament, but I think she took it for granted. She thought business was as usual that she can disparage Parliament, and the presiding officers, Members of Parliament and she walks away.

During our inductions, which she had the privilege to attend, they told us that when as a Member, you have a disagreement with the Speaker or any other person, find that person in their chambers and sort out the matter.

This motion should not have found its way on the Floor of the House; this matter should have been sorted out somewhere in Chambers because she was talking about Members of Parliament who did not understand what they were doing in the select committee.

She should have gone to the chairperson, in the first place and talked to them: "Chairperson, you conducted this investigation? Did you address your mind to this? Is this true?" And she would have sorted it out at that level.

Then also, if she did not get the best remedy, she should have gone to the Speaker. There are two Speakers presiding over this House. She ignored everybody and went on a spree of abusing everyone. They gave her a chance on the Floor of the House. The Leader of Government Business invited her to just say "Sorry" to the House, but she ignored everyone.

They invited her to the committee to defend herself - I have seen, in the report, my colleague has read here. They were citing authorities, she should have had the opportunity to raise even better authorities than what they were citing, but she ignored them.

So, Members of Parliament, what can you do to such a person? In the circumstances, she has waived off her chance to defend herself; do you want to defend her?

I am being asked to close the debate (*Applause*) and that the question be put to approve the committee report and we proceed to vote and declare that this House has a Code of Conduct.

THE DEPUTY SPEAKER: Is the motion seconded? [*HON.MEMBERS: "Yes"*] I now put the question that debate closes.

(Question put and agreed to.)

12.50

MR ASUMAN BASALIRWA (JEEMA, Bugiri Municipality, Bugiri): Mr Speaker, I would like to move a motion under rule 16 of our Rules of Procedure –(*Interruptions*)

THE DEPUTY SPEAKER: Please, let us listen to one another. We have a Member on the Floor.

MR BASALIRWA: Mr Speaker, I would like to move a motion under rule 16 to suspend rule 99(4) which says: "The Speaker shall direct the doors to be locked and a bar drawn and

no Member shall, thereafter, enter or leave the House until after the roll call has been taken.

Mr Speaker, I move that this rule be suspended to allow free entry and exit in the process of voting. But also for health reasons, you cannot close this place; it is very small yet we are very many. In the circumstances, Mr Speaker, I move that this particular rule be suspended as the voting takes place. I beg to move.

THE DEPUTY SPEAKER: This rule is not entrenched as per Rule 16, and so, it is a rule which can be suspended by the House. So, is the motion seconded?

Okay, it is seconded by Hon. Chemaswet, Hon. Silwany, Hon. Niwagaba, and many other Members. I now put the question that rule 99 (4) be suspended.

(Question put and agreed to.)

THE DEPUTY SPEAKER: Point of procedure, Hon. Ssemujju.

MR SSEMUJJU: Mr Speaker, thank you very much. Rule 109, under which this process is being conducted, requires that – and I know you know, Mr Speaker, that the decision is communicated to the President within 24 hours after a decision is taken. Reading that rule with Article 107 of the Constitution, I want to raise the following procedural issues:

This Parliament - and I am referring to Parliament as an institution, not the 11th Parliament - censured ministers, but they were reappointed. That is one. Article 107 also speaks about the state of the President. With all the things that have been said here about Hon. Namuganza, why did the President appoint her in the first place? I am talking about Article 107, and so, the procedural issue I am raising is whether we should not consider actualising Article 107 by periodically examining the state of the President. *(Laughter)*

THE DEPUTY SPEAKER: Hon. Ssemujju, your procedural matter can only apply -

because it is under rule 109(3) - and only refers to where the motion has been carried. We have not yet voted and so, we do not know whether the motion has been carried or not. So, your procedural matter fails on rule 80, which is anticipation. You want me to rule on a matter where you are just anticipating. So, I am constrained, my brother. Let us first do the job and the moment the motion is carried, your issue can be raised. I thank you.

Colleagues, rule 109(13), requires that indeed we vote on the matter and like we made it very clear, rule 99 is very clear that the voting is done by roll call when censuring a minister, and the bar is very clear.

According to Article 118 and rule 109, you must get 50 per cent and above of all voting Members of Parliament. Currently, we are 527 Members of Parliament, meaning the motion can only succeed if we raise 265 votes in favour. Please, listen to me. I am taking you through the procedure so that we know whether what we are doing is proper. We need 265 votes because I checked with the Clerk on the voting Members we have; we have to be cognisant of that.

Also, colleagues, under this rule, we are going to do a roll call and like I earlier guided, with the roll call, any Member who is attending can vote, meaning even Members who are attending by *Zoom* can vote. But for Members who are voting via *Zoom*, I will need them to be on video; I do not want anyone to go and make allegations that we concocted voices.

Also, it must be put on record that I have called out Hon. Namuganza to come on the Floor, as required by Article 118(6) and rule 109(3) to come and respond to the allegations and she has not turned up. So, it has to be captured that we gave her a chance to be heard as required by the Constitution and the rules, but she did not turn up.

With that, Clerk, ensure the lists are ready. We shall have two clerks, one recording the votes for “Yes” and the other recording the votes for “No.”

We have the lists ready; we shall be reading them properly and I am going to put the question. I now put the question that the Motion for a Resolution of Parliament to Pass a Vote of Censure against Hon. Persis Namuganza Princess, Minister of State for Lands, Housing and Urban Development, be adopted.

This question is not for “aye” or “nay”; each one of you will have to respond individually. So, for now, I will direct the Sergeant-at-Arms to ring the bell for five minutes for all the Members to come in here.

Before we even start voting, I am supposed, under the same rules, to again repeat the question to you and guide you so that those in favour will say “Yes” and those against will say, “No.” I will repeat the question after you have all converged inside, as required under the rules.

So, let us have a short break of five minutes from which all of us should be inside before we start the voting process. So, Sergeant-at-Arms, ring the bell.

(The House was suspended at 1.04 p.m.)

(On resumption at 1.09 p.m., the Deputy Speaker presiding_)

THE DEPUTY SPEAKER: Honourable Colleagues, order. Please, resume your seats. Whips, can you ensure that Members enter the Chamber? We are going to start voting now. Commissioner, can you ensure that your Members enter the Chamber? Acting Leader of the Opposition, your side should enter the Chamber and we start.

Honourable colleagues, I am told there are some of our colleagues in the canteen waiting for their names - Please, let everyone be here. We are starting.

If I may read rule 99(6), it states;

“When called out, a Member thereupon shall rise in his or her place and declare or use a recognisable sign to assent, dissent or abstain

to the question in the following manner;” - If you support the motion, you will say, “I vote, Yes.” If you are against the motion, you will say, “I vote, No.” If you want to abstain you will say, “I abstain”, or use a recognisable sign language.

Honourable members, I now put the question that a motion for a resolution of Parliament to pass a vote of censure against Hon. Persis Namuganza Princess, State Minister for Lands, Housing and Urban Development be adopted. Clerk, please call out the names of the Members in alphabetical order and we start the voting now.

Hon. Ababiku Jesca	-	Yes
Hon. Aber Lillian	-	Yes
Hon. Abigaba Cuthbert	-	Yes
Hon. Acan Joyce	-	Yes
Hon. Acen Dorcas	-	Yes
Hon. Achan Judith	-	Yes
Hon. Achayo Juliet	-	Yes
Hon. Achieng Opendi Sarah	-	Yes
Hon. Acibu Agnes	-	Yes
Hon. Acom Joan	-	Yes
Hon. Acon Julius Bua	-	Yes
Hon. Acora Nancy	-	Yes
Hon. Acrobert Kiiza Moses	-	Yes
Hon. Adeke Anna	-	Yes
Hon. Adidwa Abdu	-	Yes
Hon. Adome Francis	-	Yes
Hon. Adriko Yovan	-	Yes
Hon. Aeku Patrick	-	Yes
Hon. Afidra Olema Ronald	-	Yes
Hon. Afoyochan Esther	-	Yes
Hon. Agaba Aisa	-	Yes
Hon. Agasha Bashiisha Juliet	-	Yes
Hon. Akamba Paul	-	Yes
Hon. Akampurira Prossy	-	Yes
Hon. Akello Lucy	-	Yes
Hon. Akol Anthony	-	Yes
Hon. Akora Maxwell	-	Yes
Hon. Akugizibwe Aled Ronald	-	Yes
Hon. Akumu Mavenjina Catherine-	-	Yes
Hon. Aleper Margaret	-	Yes
Hon. Aleper Moses	-	Yes
Hon. Aza Tom	-	Yes
Hon. Alioni Odria	-	No
Hon. Alum Santa	-	Yes

THE DEPUTY SPEAKER: Clerk, we have some Members on Zoom. ICT department, liaise and ensure that they vote because with the way we are moving, the Member on Zoom might not be heard.

Hon. Ameede Agnes	-	Yes
Hon. Amero Susan	-	Yes
Hon. Angura Frederick	-	Yes
Hon. Anywar Ricky Richard	-	Yes
Hon. Aogon Silas	-	Yes
Hon. Apolot Stella Isodo	-	Yes

THE DEPUTY SPEAKER: ICT, please, ensure that you share the Zoom login on our parliamentary groups with the meeting IDs. There are Members sending messages that they are waiting for the meeting ID so that they can join via Zoom.

Hon. Arinaitwe Rwakajara	-	Yes
--------------------------	---	-----

THE DEPUTY SPEAKER: Can I request those who have voted to create space for those outside. There are colleagues outside that need space.

Hon. Asaba Paul Nsabimana	-	Yes
Hon. Asiiimwe Florence	-	Abstain
Hon. Asiiimwe Molly Musiime	-	Yes
Hon. Atim Cecelia Ogwal	-	Yes
Hon. Atima Jackson Buti	-	Yes
Hon. Atugonza Allan	-	Yes
Hon. Atukwasa Rita	-	Yes
Hon. Atuto Jacinta	-	Yes
Hon. Atwakiire Catheline Ndamira	-	Yes
Hon. Atwujukire Dan	-	Yes
Hon. Auma Hellen Wandera	-	Yes

THE DEPUTY SPEAKER: Colleagues, order. Can I request colleagues who have voted, if possible, you can create space for others. We have many colleagues standing outside in the corridors. Therefore, if you have voted –

Hon. Auma Kenny	-	Yes
Hon. Auma Linda	-	Yes
Hon. Avako Melsa	-	Yes
Hon. Avur Jane Pacuto	-	Yes
Hon. Awany Tony	-	Yes

Hon. Awas Sylvia	-	Yes
Hon. Awich Jane	-	Yes
Hon. Ayebare Margaret Rwebyambu	-	Yes
Hon. Ayoo Jeniffer	-	Yes
Hon. Ayoo Tonny	-	Yes
Hon. Ayume Charles	-	Yes
Hon. Baatom Ben Koryang	-	Yes
Hon. Baba James	-	Yes
Hon. Bagala Joyce	-	Yes
Hon. Bagiire Aggrey	-	Yes
Hon. Baka Stephen Mugabi	-	Yes
Hon. Bakkabulindi Charles	-	Yes

THE DEPUTY SPEAKER: Colleagues, those of you who have missed out, please, ensure you here; we shall do another round after. Please, be here so that we do not call you when you are not around.

53. Hon. Bwanika Abed	-	Yes
54. Hon. Bwiire Sanon	-	Yes
55. Hon. Byakatonda Abdulhu	-	Yes

THE DEPUTY SPEAKER: Clerk, you have skipped a whole page.

Hon. Basalirwa Asuman	-	Yes
Hon. Bataringaya Basil	-	Yes

THE DEPUTY SPEAKER: Hon., is on zoom –

Hon. Batuwa Timothy Lusala	-	Yes
Hon. Bayigga Michael Lulume	-	Yes
Hon. Bhoka Didi George	-	Yes
Hon. Bigirwa Norah	-	Yes
Hon. Bingi Patrick	-	Yes
Hon. Biraaro Ephraim	-	Yes
Hon. Biyika Lawrence Songa	-	Yes
Hon. Bright Tom Amooti	-	Yes
Hon. Bukenya Michael	-	Yes
Hon. Businge Harriet	-	Yes
Hon. Buturo Nsaba	-	Yes
Hon. Byanyima Nathan	-	Yes
Hon. Byarugaba Alex	-	Yes
Hon. Chelain Betty Louke	-	Yes
Hon. Chelangati Solomon	-	Yes
Hon. Chemaswet Kisos	-	Yes
Hon. Chemonges William	-	Yes
Hon. Chemutai Everlyn	-	Yes
Hon. Chemutai Phyllis	-	Yes

Hon. Cherukut Emma	-	Yes	Hon. Kinobere Tom	-	Yes
Hon. Ebwalu Jonathan	-	Yes	Hon. Kintu Brandon	-	Yes
Hon. Edakasi Alfred	-	Yes	Hon. Kirabo Agnes	-	Yes
Hon. Ekanya Geoffrey	-	Yes	Hon. Kirumira Hassan	-	Yes
Hon. Ekudo Tom	-	Yes	Hon. Kitembo Noline	-	Yes
Hon. Elotu Cosmas	-	Yes	Hon. Kitanywa Sowedi	-	Yes
Hon. Emigu Julius	-	Yes	Hon. Kiwanuka Abdallah	-	Yes
Hon. Esenu Anthony	-	Yes	Hon. Kiwanuka Keefa	-	Yes
Hon. Etuka Isaac	-	Yes	Hon. Kiyaga Hillary	-	Yes
Hon. Gafabusa Richard Muhumuza	-	Yes	Hon. Koluo Andrew	-	Yes
Hon. Hashim Sulaiman	-	Yes	Hon. Komakech Christopher	-	Yes
Hon. Igeme Nabeta Nathan	-	Yes	Hon. Komol Emmanuel	-	Yes
Hon. Ikojo Bosco	-	Yes	Hon. Komol Joseph Miidi	-	Yes
Hon. Isabirye Iddi	-	Yes	Hon. Kugonza Emely	-	Yes
Hon. Isamat Abraham	-	Yes	Hon. Kunihira Faith	-	Yes
Hon. Kaala Kevin	-	Yes	Hon. Kyobe Luke Inyensiko	-	Yes
Hon. Kaaya Christine	-	Yes	Hon. KyoomaXavier	-	Yes
Hon. Kabahenda Flavia	-	Yes	Hon. Lagen David	-	Yes
Hon. Kabanda David	-	Yes	Hon. Laker Sharon	-	Yes
Hon. Kabugho Florence	-	Yes	Hon. Lamwaka Catherine	-	Yes
Hon. Kabuura Derrick	-	Yes	Hon. Leku Joel	-	Yes
Hon. Kahunde Helen	-	Yes	Hon. Lematia John	-	Yes
Hon. Kajwengye Wilson	-	Yes	Hon. Lematia Ruth	-	Yes
Hon. Kakembo Michael	-	Yes	Hon. Linda Irene	-	Yes
Hon. Kambale Ferigo	-	Yes	Hon. Lochap Peterkhen	-	Yes
Hon. Kamugo Pamela	-	Yes	Hon. Lolem Micah	-	Yes
Hon. Kamukama Benjamin	-	Yes	Hon. Lubega Bashir	-	Yes
Hon. Kamukama Davis	-	Yes	Hon. Lubega-Sseggona Medard	-	Yes
Hon. Kamuntu Moses	-	Yes	Hon. Lukyamuzi David	-	Yes
Hon. Kangwagye Stephen	-	Yes	Hon. Lumu Richard	-	Yes
Hon. Kankunda Amos	-	Yes	Hon. Lutaaya Geoffrey	-	Yes
Hon. Kanushu Laura	-	Yes	Hon. Luttamaguzi Paulson	-	Yes
Hon. Kanyike Ronald Evans	-	Yes	Hon. Lwanga Jimmy	-	Yes
Hon. Karubanga Jacob	-	Yes	Hon. Macho Geoffrey	-	Yes
Hon. Katali Loy	-	No	Hon. Magogo Moses Hassim	-	Yes
Hon. Katalihwa Donald	-	Yes	Hon. Magolo John	-	Yes
Hon. Katenya Isaac	-	Yes	Hon. Magoola Rachel Miriel	-	Yes
Hon. Kateshumbwa Dicksons	-	Yes	Hon. Makhoha Margaret	-	Yes
Hon. Kato Muhammed	-	Yes	Hon. Mamawi James	-	Yes
Hon. Katusabe Atkins	-	Yes	Hon. Maneno Zumura	-	Yes
Hon. Katusiime Annet	-	Yes	Hon. Masaba Karim	-	Yes
Hon. Katwesigye Oliver	-	Yes	Hon. Matovu Charles	-	Yes
Hon. Kayagi Sarah Netalisire	-	Yes	Hon. Mawanda Michael Maranga	-	Yes
Hon. Kayanga Baroda	-	Yes	Hon. Mayanja Allan	-	Yes
Hon. Kayemba Geoffrey	-	Yes	Hon. Mbabazi Janepher Kyomuhendo	-	Yes
Hon. Kayondo Fred	-	Yes	Hon. Mbayo Esther	-	Yes
Hon. Kazibwe Bashir	-	Yes	Hon. Mboizi Arthur Waako	-	Yes
Hon. Kemirembe Pauline	-	Yes	Hon. Mbwaterkamwa Gaffa	-	Yes
Hon. Kibaaju Naome	-	Yes	Hon. Migadde Robert	-	Yes
Hon. Kibalya Henry Maurice	-	Yes	Hon. Modoi Isaac	-	Yes
Hon. Kiiza Kenneth	-	Yes	Hon. Mpindi Bumali	-	Yes

THE DEPUTY SPEAKER: Honourable colleague, that is not a ground for censuring a minister. The grounds for censuring a minister are well listed; not revenge, not anything else.

MR CHARLES ONEN: Thank you. I withdraw that statement. Basing on the report of the Select Committee, I vote, "Yes."

THE DEPUTY SPEAKER: Colleagues, please avoid statements, which are going to show that some of you are voting outside what is provided for in the rules and Constitution; your vote should be a simple "yes" or "no" or you abstain.

Hon. Onen Charles	-	Yes
Hon. Ongiertho Emmanuel John	-	Yes
Hon. Opio Samuel Acuti	-	Yes
Hon. Opolot Fred	-	Yes
Hon. Opolot Patrick Isiagi	-	Yes
Hon. Opolot Simon Peter Okwalinga	-	Yes

THE DEPUTY SPEAKER: Colleagues, let me repeat this: please, no statements. That is why I read through - when we were beginning - Maybe I can repeat it - this is provided for under rule 99(6): "*When called out, a Member shall, thereupon rise in his or her place and declare, or use a recognisable sign to assent, dissent or abstain to the question in the following manner – "I vote "Yes", or, "I vote No or "I Abstain", or use a recognised sign language. Let us not make speeches. You are making the work of the Hansard editors difficult.*

Hon. Orone Derrick	-	Yes
Hon. Oseku Richard Oriebo	-	Yes
Hon. Osooru Mourine	-	Yes
Hon. Otingiw Isaac Ismail	-	Yes
Hon. Otukol Sam	-	Yes
Hon. Paparu Lillian Obiale	-	Yes
Hon. Rugumayo Edson	-	Yes
Hon. Ruhunda Alex	-	Yes
Hon. Rutahigwa Elisa	-	Yes
Hon. Ruyonga Joseph	-	Yes
Hon. Rwaburindore Tarsis Bishanga	-	Yes
Hon. Rwabushaija Margaret Namubiru	-	Yes
Hon. Rwemulikya Ibanda	-	Yes
Hon. Saazi Godfrey	-	Yes

Hon. Sekabira Denes	-	Yes
---------------------	---	-----

However, Mr Speaker, I even wanted to raise a procedural matter and I think this chance has come. I have over four Members who have not succeeded to go through *zoom* yet they wanted to vote. I do not know if I can vote for them. *(Laughter)*

THE DEPUTY SPEAKER: Hon. Sekabira, link up with the ICT team so that they see how to help those Members.

Hon. Sendawula Christine Bukenya	-	Yes
Hon. Silwany Solomon	-	Yes
Hon. Ssebikaali Yoweri	-	Yes
Hon. Ssejjoba Isaac	-	Yes
Hon. Ssekikubo Theodore	-	Yes
Hon. Ssekitooleeko Robert	-	Yes
Hon. Ssemujju Ibrahim	-	Yes
Hon. Ssemwanga Gyaviira	-	Yes
Hon. Ssentayi Muhamad	-	Yes
Hon. Sserubula Stephen	-	Yes
Hon. Ssimbwa Fred	-	Yes
Hon. Taaka Agnes	-	

THE DEPUTY SPEAKER: Hon. Taaka has been on *zoom*. So, ICT team please – Hon. Taaka, we are waiting for you. When she gets ready maybe, she can vote.

Hon. Taban Sharifah Aate	-	Yes
Hon. Tayebwa Herbert	-	Yes

THE DEPUTY SPEAKER: Is that Hon. Agnes Taaka? I am giving preference to those who are on *zoom* because it can break down anytime. Hon. Agnes Taaka, do you want to cast your vote? Can you hear me? I think someone should get in touch with her to guide her on what to do.

Hon. Tebandeke Charles	-	
Hon. Teira John	-	Yes
Hon. Thembo Gideon Mujungu	-	Yes
Hon. Tibasiimwa Joram Ruranga	-	Yes
Hon. Timuzigu Michael Kamugisha	-	Yes
Hon. Tinkasiimire Barnabas	-	Yes
Hon. Tumwesigye Josephat	-	Yes
Hon. Tumwine Anne Mary	-	Yes
Hon. Tusiime Julius	-	Yes

Hon. Twalla Fadil	-	Yes
Hon. Twesigye John Ntamuhira	-	Yes
Hon. Twesigye Nathan Itungo	-	Yes
Hon. Twinobusingye Jovanice	-	Yes
Hon. Waako Peggy Joy	-	Yes
Hon. Wakikona David Wandendeya	-	Yes
Hon. Walyomu Moses Muwanika	-	No
Hon. Wamakuyu Ignatius Mudimi	-	Yes
Hon. Wambede Seth Kizangi	-	Yes
Hon. Wanda Richard	-	Yes
Hon. Wandwasi Robert	-	Yes
Hon. Were Godfrey Odero	-	Yes
Hon. Werikhe Peter Christopher	-	Yes
Hon. Wokorach Simon Peter	-	Yes
Hon. Zawedde Victorious	-	Yes
Hon. Zijjan David Livingstone	-	-

THE DEPUTY SPEAKER: Honourable colleagues, this is the last name. We have marked those who were absent and so, we are going to give them another chance.

Hon. Abeja Susan Jolly	-	-
Hon. Abwooli Agnes Kunihira	Yes	-
Hon. Achia Remigio	-	-
Hon. Achiro Paska Menya	Yes	-
Hon. Acon Julius Bua	-	-
Hon. Adoa Hellen	-	-
Hon. Agaba Aisa	-	-

THE DEPUTY SPEAKER: Those ones voted.

Hon. Akello Beatrice	-	-
Hon. Akello Christine	Yes	-
Hon. Akello Rose Lilly	-	-
Hon. Akena Jimmy James Michael	-	-

THE DEPUTY SPEAKER: Can we reach Hon. Taaka? Please, let us help her.

Hon. Taaka Agnes	Yes	(Zoom)
------------------	-----	--------

THE DEPUTY SPEAKER: Thank you, Hon. Taaka. That is captured.

Hon. Alanyo Jennifer	-	-
Hon. Ali Moses	-	-
Hon. Alupo Jessica	-	-
Hon. Alyek Judith	-	-
Hon. Amongi Betty Ongom	-	-

Hon. Anyakun Esther Davinia	-	-
Hon. Aol Betty Ocan	-	-
Hon. Apolo Yeri Ofwono	-	-
Hon. Apolot Christine	Yes	-
Hon. Ariko Herbert Edmond	Yes	-
Hon. Asamo Hellen Grace	-	-

THE DEPUTY SPEAKER: Has Hon. Rauben Arinaitwe voted? Please go on.

Hon. Arinaitwe Rauben	-	-
Hon. Aseera Stephen	-	-
Hon. Asiimwe K Enosi	Yes	-
Hon. Atim Agnes Apea	Yes	-
Hon. Atyang Stella	-	-
Hon. Awor Betty Engola	-	-
Hon. Bahati David	-	-
Hon. Bahireira Tumwekwase Sylvia	-	-
Hon. Bainababo Charity	-	-
Hon. Bainomugisha Jane Kabajungu	-	-
Hon. Bakireke Nambooze Betty	-	-
Hon. Balimwezo Ronald Nsubuga	-	-
Hon. Bangirana Anifa Kawooya	-	-
Hon. Baryomunsi Chris	-	-
Hon. Batuwa Timothy Lusala	-	-
Hon. Bebona Babungi Josephine	-	-
Hon. Begumisa Mary	-	-
Hon. Businge Joab	Yes	-
Hon. Businge Victoria Rusoke	-	-
Hon. Busingye Peninah Kabingani	Abstain	-
Hon. Butime Tom Ateenyi	-	-
Hon. Byamukama Fred	-	-
Hon. Byamukama Nulu Joseph	-	-
Hon. Chelimo Rueben Paul	-	-
Hon. Cheptoris Sam Mangusho	-	-
Hon. Driwaru Jennifer	-	-
Hon. Ecweru Musa Francis	-	-
Hon. Ekanya Geoffrey	-	-
Hon. Elwelu Peter	-	-
Hon. Ezama Siraji Brahan	-	-
Hon. Feta Geoffrey	-	-
Hon. Gidudu Mafwabi Dominic	-	-
Hon. Gume Fredrick Ngobi	-	-
Hon. Isabirye David Aga	-	-
Hon. Isingoma Patrick Mwesigwa	-	-
Hon. Ismail Muhammad Lomwar	-	-
Hon. Kabasharira Naome	-	-
Hon. Kabusu Moses	-	-
Hon. Kabuye Frank	-	-
Hon. Kadaga Rebecca	-	-
Hon. Kafuuzi Jackson Karugaba	-	-

Hon. Kagabo Twaha Mzee	Yes	Hon. Mpuuga Matthias	-
Hon. Kamara John Nizeyimana	-	Hon. Mugira James	-
Hon. Kamara Nicholas Thadeus	Yes	Hon. Mugisa Margaret Muhanga	-
Hon. Kamateneti Josyline	-	Hon. Muhoozi R David	-
Hon. Kamusiime Caroline	-	Hon. Muhumuza David	-
Hon. Karubanga David	-	Hon. Muhwezi Jim Katugugu	-
		Hon. Mukasa Aloysius Talton Gold	-
THE DEPUTY SPEAKER:	Is	Hon. Mulimba John	-
Karuhanga on Zoom? He is not.		Hon. Musasizi Henry Aliganyira	-
		Hon. Mushemeza Elijah Dickens	-
Hon. Kasaija Matia	-	Hon. Mutasingwa Diana Nankunda	-
Hon. Kasaija Stephen Kagwera	-	Hon. Mutebi Noah Wanzala	-
Hon. Kasolo Robert	-	Hon. Mutuuzo Peace Regis	-
Hon. Katabaazi Francis Katongole	-	Hon. Muwanga Kivumbi Muhammad	-
Hon. Katuntu Abdu	-	Hon. Muwuma Milton Kalulu	-
Hon. Kauma Sauda	-	Hon. Nabbanja Robinah	-
Hon. Kavuma Sam	-	Hon. Nafuna Muloni Irene Margaret	-
Hon. Kawalya Abubaker	-	Hon. Nakabuye Juliet Kakande	-
Hon. Kayogera Yona	-	Hon. Nakadama Rukia Isanga	-
Hon. Kesande Grace Bataringaya	-	Hon. Nakato Mary Annet	No
Hon. Kinshaba Patience Nkunda	-	Hon. Nakayenze Connie Galiwango	-
Hon. Kisa Stephen Bakubalwayo	-	Hon. Namanya Naboth	-
Hon. Kitutu Mary Gorreti Kimono	-	Hon. Nambeshe John Baptist	-
Hon. Kubeketerya James	-	Hon. Nambooze Teddy	-
Hon. Kwizera Eddie Wagahungu	-	Hon. Namuganza Persis Princess	-
Hon. Kwizera Paul	-	Hon. Namuyangu Kacha Jenipher	-
Hon. Kyakulaga Fred Bwino	-	Hon. Nandala-Mafabi Nathan	-
Hon. Kyebakutika Manjeri	-	Hon. Nandutu Agnes	-
Hon. Kyoto Ibrahim Muluri	-	Hon. Nantaba Ida Erios	-
Hon. Lamwaka Margaret	-	Hon. Ndeezi Alex	-
		Hon. Nekesa Victor	-
THE DEPUTY SPEAKER:	Can you use a	Hon. Ngoya John Bosco	-
sign, can you write on paper and you show us?		Hon. Ninkusiima John Paul	-
Okay she is making a sign of yes, so please		Hon. Nkuningi Muwada	-
record it.		Hon. Nsamba Patrick Oshabe	-
		Hon. Nsubuga Paul	-
Hon. Lamwaka Margaret	Yes	Hon. Nyakato Asinasi	-
Hon. Lokeris Teko Peter	-	Hon. Nyamutoro Phiona	-
Hon. Lokii John Baptist	-	Hon. Nyeko Derrick	-
Hon. Lokii Peter Abrahams	-	Hon. Nyirabathisti Sarah Mateke	-
Hon. Lokoru Albert	-	Hon. Nyongole Enock	-
Hon. Lokwang Hillary	-	Hon. Obiga Kania Mario	-
Hon. Lokwang Philiphs Ilukor	-	Hon. Obongi Vincent Shedrick	-
Hon. Lugoloobi Amos	-	Hon. Oboth Markson Jacob	-
Hon. Lukwago John Paul Mpalanyi	-	Hon. Obua Denis Hamson	-
Hon. Malende Shamim	-	Hon. Ocan Patrick	-
Hon. Masika Apollo	-	Hon. Odong Jeje Abubaker	-
Hon. Masiko N Henry	-	Hon. Odur Jonathan	-
Hon. Mbabazi Pascal	-	Hon. Oguzu Lee Denis	Abstain
Hon. Mbadi Mbasu Wilson	-	Hon. Ogwang Peter	-
Hon. Moriku Joyce Kaducu	-	Hon. Okaasai Sydrionious Opolot	-

Hon. Okello Charles Patrick Engola	-	THE DEPUTY SPEAKER: Honourable
Hon. Okello Nelson	-	colleague, I am going to repeat for you the
Hon. Okeyoh Peter	-	question on which we are voting. Just take
Hon. Okin P.P Ojara	-	your seat.
Hon. Okot Ogong Felix	-	
Hon. Okot Santa	-	The question we are voting on is that the motion
Hon. Oleru Huda Abason	-	for a resolution of Parliament to pass a vote
Hon. Onek Hillary Obaloker	-	of censure against Hon. Persis Namuganza
Hon. Oneka Lit Denis	-	Princes, State Minister for Lands, Housing
Hon. Ongalo-Obote Clement Kenneth	-	and Urban Development in charge of Housing
Hon. Onzima Godfrey	-	be adopted. Those in favour vote 'yes', those
Hon. Otafiire Kahinda	-	against vote 'No' and those who are not on
Hon. Otiam Emmanuel Otaala	Yes	either side can vote that they abstain. The
Hon. Rwakoojo Robina Gureme	-	Floor is yours.
Hon. Rwamirama Bright Kanyontole	-	
Hon. Sebamala Richard	-	MR ZIJJAN: Thank you, Mr Speaker. I vote
Hon. Sekindi Aisha	-	Yes.
Hon. Sekyanzi Bernard Kirya	-	
Hon. Ssasaga Isaias Johny	-	Hon. Zijjan David - Yes
Hon. Ssegirinya Mohammed	-	
Hon. Ssenyonyi Joel Basekezi	-	THE DEPUTY SPEAKER: Thank you. ICT,
Hon. Sserukenya David	-	do we have any colleague on <i>Zoom</i> ? Has Hon.
Hon. Ssewanyana Allan Aloysious	-	Feta connected? I want to give every Member
Hon. Ssewungu Joseph Gonzaga	-	a chance –[Hon. Gilbert Olanya rose]–
Hon. Suubi Kinyamatama Juliet	-	Honourable member, we are in the voting
Hon. Tebandeke Charles	Yes	process - we have finished voting.
Hon. Tumwebaze Frank Kagyigyi	-	
Hon. Twinomujuni Francis Kazini	-	MR OLANYA: Mr Speaker, a Member of
Hon. Wakabi Pius	-	Parliament is asking whether he can send the
Hon. Wakayima Musoke Hannington	Yes	message through <i>WhatsApp</i> on the official
Hon. Wakooli Godfrey	-	parliamentary –
Hon. Wamala Edward Katumba	-	
Hon. Wamala Nambozo Florence	-	THE DEPUTY SPEAKER: Honourable
Hon. Wanyama Micheal Odwori	-	member, that is electronic voting provided
Hon. Zaaake Francis	-	for under rule 100. Censure of a minister is

THE DEPUTY SPEAKER: Do we have any Member present here whose name has not been called? Or do we have any Member on *Zoom* who has not been given an opportunity?

MR OKUPA: Mr Speaker, Hon. Feta has just sent me a message. He is trying to connect, but I do not know what has happened.

THE DEPUTY SPEAKER: That one is still trying. The rules do not recognise those who are trying. Hon. Zijjan is here.

MR ZIJJAN: Mr Speaker, I request that you guide me to the question.

THE DEPUTY SPEAKER: Honourable member, that is electronic voting provided for under rule 100. Censure of a minister is provided for under rule 99, which is by roll call. So, that vote does not count. Clerk, can you do the tallying and avail me with the results.

THE DEPUTY SPEAKER: Honourable colleagues, whom I had requested to go out to create space can come in as the Clerk does the tally to avail me with the results, which I will pronounce to the House.

Now, honourable colleagues, I need order in the House. Can I announce the results as passed on to me by the Clerk?

MR ANGURA: Thank you very much, Mr Speaker. We are going through a very sensitive process and the voting has taken place. Wouldn't it be procedurally right that we get a few Members to witness the tallying of results so that we can confirm them for you to announce?

THE DEPUTY SPEAKER: Honourable, unfortunately, this is not provided for under rule 99. You have your Rules of Procedure, honourable colleagues. Some of the questions you bring to me are clearly answered in the rules. Always refer to the rules. The rules do not provide for polling agents. That is for secret voting.

For tallying, the Clerk is an officer of Parliament, who is considered to be nonpartisan. However, for secret voting, we always refer to the rules.

Clerk, is this the final result that you have shared with me? The senior clerk is also verifying. Let us give them time.

(Vote tallying continued_)

THE DEPUTY SPEAKER: Thank you, honourable colleagues. For the Members outside the Chamber, a colleague proposed that I ring the bell and they come in. However, that is not provided for under the rules. In the rules, the bell is for when we are going to start voting.

Honourable colleagues, we had 356 of you voting. Out of the 356 who have voted, those who have abstained are three. Five Members voted "No" and those who voted "Yes" to the motion are 348. *(Applause)*

Like I guided at the beginning, the threshold was 265 Members of Parliament. Having obtained the numbers required - that is more than half of the Members of Parliament - as required under Article 118(1) of the Constitution, meeting the threshold provided for under rule 109(13) of our Rules of Procedure, I hereby declare that the motion has been carried for Hon. Persis Namuganza to be censured.

As required under Rule 109(13) of our Rules of Procedure, I will inform the President accordingly within 24 hours. The House is adjourned to tomorrow at 2.00 p.m.

(The House rose at 3.14 p.m. and adjourned until Tuesday, 24 January 2023 at 2.00 p.m.)