



PARLIAMENT OF UGANDA

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

THIRD SESSION - THIRD MEETING

WEDNESDAY, 7 FEBRUARY 2024



PARLIAMENT OF UGANDA

IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

THIRD SESSION - 7TH SITTING - THIRD MEETING

Wednesday, 7 February 2024

Parliament met at 2.19 p.m. at Parliament House, Kampala.

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Honourable colleagues, I welcome you to today's sitting. I have been observing in the media, very many complaints regarding fees circulars from various schools, including government-aided and private schools. This is a matter we have extensively discussed in this House. I have seen several circulars from the Government with regard to that matter, giving very clear directives.

However, the situation seems to be getting even worse. Some of the school fees being charged are totally prohibitive. I am extremely sure that most of us, considering our backgrounds – if that was the situation – would not be here because we would not have been able to study.

On Tuesday, I had requested the Minister of Education and Sports to bring a statement with regard to the issues we had raised. This is one of the issues I would want the Ministry of Education and Sports to capture so that we look into it. This should include measures being put

in place, including punitive measures, for those schools which have defied the Government's directives. This is a very critical matter, which I want us to give the due attention it deserves.

Honourable colleagues, yesterday, our very own Ugandan, Lady Justice Julia Sebutinde, was overwhelmingly elected by her peers as the Vice-President of the International Court of Justice. *(Applause)* Since she is another lady who is raising our flag internationally, I take this opportunity, on behalf of Parliament, to congratulate and wish her the best and pray for her to continue dispensing justice without fear or favour. *(Applause)*

As part of my communication – there is something which I would have loved to communicate about, but I requested Hon. Sarah Opendi, since she is the chief organiser and it is under UWOPA, to help me communicate it as part of my communication. Hon. Sarah Opendi, you have two minutes. She is the temporary "Vice-Deputy Speaker" for now, with no benefits. *(Laughter)*

2.24

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Thank you very much for that elevation for today, Mr Speaker. I add my voice as the chairperson of Uganda Women Parliamentary Association to congratulate Justice Julia Sebutinde upon that achievement. It is not usual for one to become the Vice-Chairperson of the International Court of Justice.

Mr Speaker, before I go straight to the issue –

THE DEPUTY SPEAKER: I made you the “Vice-Deputy Speaker” with limited authority. *(Laughter)* So, limit yourself to the powers I gave you. *(Laughter)*

MS OPENDI: I did not want to rise on a procedural issue, but let me stick to the powers conferred upon me this afternoon.

Mr Speaker, the First Lady and Minister of Education and Sports, *Mama Janet Museveni*, invites Members of Parliament to the launch of the Protego Women’s Health Framework that is scheduled to take place on Friday, 9 February 2024. Initially, the venue was Kololo, but because we have other foreign dignitaries, including the First Lady of Gabon, the venue has been shifted to Entebbe State House.

Also, as you are aware, visitors to State House must undergo COVID-19 tests. So, this is to inform all of you that the COVID-19 tests will be done tomorrow. The teams will be here from 9.00 a.m. to 12.00 p.m.

As a brief, Mr Speaker, people may wonder what this framework on women’s health is all about. Five countries – Brazil, Uganda, Hungary, Egypt and Indonesia – in 2020 negotiated to come up with the Geneva Consensus Declaration. More countries have since joined, but the whole reason behind this was to ensure the sovereignty of countries, but also to ensure that we strengthen our own health systems, education systems and, equally, the family and cultural values in every country.

This time, we are just launching one component of that Geneva Consensus Declaration.

Therefore, honourable members, you are all invited. There will be transport from here at 9.00 a.m. on Friday. Please, let us keep time because we have foreign dignitaries and we cannot arrive after them. Thank you very much.

THE DEPUTY SPEAKER: Thank you, Hon. Sarah, for handing over power peacefully – handing it back without any hesitation. *(Laughter)* It seems she again wants to –

MS OPENDI: Mr Speaker, a Member is asking: “Is it for women only?” What concerns women, also concerns men; we cannot exist without you. *(Applause)* Therefore, this is for all of you, honourable members. Thank you very much.

THE DEPUTY SPEAKER: Thank you. Matters of national importance. Hon. Naluyima? However, before Hon. Naluyima, the Leader of the Opposition had told me that he had an issue.

2.28

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Thank you, Mr Speaker. There are issues that continue to happen and they should be of concern to all of us – issues to do with the law and the selective application thereof.

Recently, we did see images making the rounds, of our colleagues here in Parliament, Hon. Lilian Aber and Hon. Peter Ogwang, wearing UPDF uniforms. Now, these are known to us; they have never done any kind of military training that qualifies them to be UPDF officers. Wearing these UPDF uniforms goes against the laws, specifically the UPDF Act.

I saw the spokesperson of UPDF, Brig. Felix Kulayigye, saying: “They said sorry.” So, they decided to ignore them simply because they said sorry. However, the officers who gave them uniforms were arrested immediately.

Here is the challenge, Mr Speaker: We have a couple of people who are in jail. There is a young lady called Olivia Lutaaya, a 28-year-old mother of two, and several others who have been in jail for three to four years simply because they, as the charge is, were in possession of military stores. What are the military stores?

Red berets, with an insignia, “People Power, NUP.” The Uganda People’s Defence Forces (UPDF) said, those berets look like UPDF berets, so it is illegal to wear them. They have been locked up for three to four years, and

denied bail. Their cases have not kicked off at all. They are still in jail to-date, simply because they wore something which the UPDF says looks like their uniform.

Here are people who wore the real UPDF uniform, and it is okay. There are several others. There is a gentleman called Andrew Mwenda; I hear he is a spokesperson of some political outfit in town. There is another one called Frank Gashumba; he is also a mobiliser for some political outfit in town, and several others. They do it in a manner so wanton, and it seems to be okay.

Mr Speaker, this hypocrisy has to stop. It cannot be a problem when somebody wears something that is simply resemblant to UPDF attire and then another wears the real UPDF attire and it is okay. The UPDF then comes out and says, “No, these ones have said ‘sorry’,” and it is business as usual. No, this is not acceptable.

It would be important for the Government to inform this House: Is there a selective application of the law? Are there people who are more Ugandan than others? Also, these people, the Olivia Lutaayas and others, are they actually in jail because of this or for political reasons? If it is for wearing something similar to UPDF attire, then those who wore real UPDF attire should be in jail. This is problematic. It is not right.

I saw *Afande* there and I want to ask her: “*Afande, huu ni ungwana kweli?*”

My colleague wants to give information – with your permission, Mr Speaker.

THE DEPUTY SPEAKER: Our principle on matters of national importance is that there is no information. Leader of the Opposition, please conclude. Or, have you concluded?

I have pronounced myself on this several times, honourable colleagues. I do not need to repeat it.

MR SSENKYONYI: Mr Speaker, what we would like to hear from the Government is

clarity on these issues. Are there those who are above the law, or are we going to see our colleagues, who by the way are colleagues in Parliament – I do not have anything personal against Hon. Lillian Aber or Hon. Peter Ogwang; they are colleagues we interact with here. Are they going to have their day in court or is this for some and not others? Thank you.

THE DEPUTY SPEAKER: Maybe for clarity, Leader of the Opposition, I was with Hon. Peter Ogwang in Jinja. What he was wearing is not a gazetted UPDF uniform. *(Applause)* I have remembered that Hon. Peter bought what he wore in America and they sell it in public shops.

On resemblance, that is another issue but it was not. I just want to clarify on the one for Peter because I even had to get close and ask when they recruited him. It was until I checked and found out that it was not.

On the rest, the Government?

2.33

MR JONATHAN ODUR (UPC, Erute County South, Lira): Mr Speaker, thank you very much for giving testimony –

THE DEPUTY SPEAKER: Let Hon. Odur just conclude.

MR ODUR: Mr Speaker, I want to persuade you. Now that you have the expertise to distinguish – *(Laughter)* – that you personally take time –

THE DEPUTY SPEAKER: How can I be called an expert and you laugh at me? *(Laughter)* You should be appreciating that I am now an expert. *(Laughter)*

MR ODUR: We are really grateful for that. Mr Speaker, you may use your office to personally find time, pay attention to these detention facilities, look at that evidence – the purported red berets – with the clarification and precision that you have given us, that that was not the UPDF uniform. Your evidence could help the Olivia Lutaayas – *(Laughter)* – and others who are there. Thank you.

THE DEPUTY SPEAKER: Thank you. I would. Maybe she will invite me as a witness but I do not need to be an expert. The UPDF gazetted publicly. What I saw in the public gazette – because I also first interested myself. Olivia has not invited me.

Rt Hon. Prime Minister?

2.34

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Mr Speaker, you ably answered this matter of national importance. Your answer can be taken as a true reflection of what the Government does.

Members, when Hon. Lillian Aber put on that uniform, she was put to order. That is why most of you got to know. Otherwise, if she was not, some of you would not have known. This issue was handled by the army. I believe the army has already given a statement that Hon. Lillian Aber apologised. Maybe she did not know, but now she knows.

Mr Speaker, on the issue of berets, I always see people wearing them and I do not see anybody being arrested, including Members here. I see you wearing them everywhere, even in functions, and I have not seen anybody being arrested. Maybe those ones were gazetted. Even Joel is always in a beret. Have you ever been arrested?

Mr Speaker, that is what I can say.

THE DEPUTY SPEAKER: Thank you. Hon. Naluyima?

2.36

MS BETTY NALUYIMA (NUP, Woman Representative, Wakiso): Thank you so much, Mr Speaker.

Of late, we have heard from the Ministry of Internal Affairs the matter concerning the renewal of national identification cards through its agency, the National Identification and Registration Authority (NIRA). Most of us here got our national identity cards and were

part of the first batch that was in 2015, and many of our IDs shall expire on 2 December 2024.

Whereas we are wondering how the national identification can get expired, we would like to get clarity. As I speak now, many of the people in Wakiso and several other areas consult me about this matter. We have comen who are taking advantage saying, “We shall follow this and that.”

Mr Speaker, before our people and the public get conned, can we get a justifiable process? My prayers to this extent are:

1. Can the Minister of Internal Affairs come to this Floor and fully explain what process will be followed? Could we know whether it is going to attract any fee, like many times we see that if someone has lost an ID, there is a fee to pay?
2. After every nine years, are we continuously going to have this renewal? Could we have that statement?
3. When we start the process, hard-to-reach areas like Bussi Islands, a whole sub-county, neighbouring Kalangala have alternative measures? These are some of the issues they face. For example, when there is a national activity like mass enrolment, the way it will be, they have to do it yet their transportation - could we have an online alternative such that when people have smartphones, they have forms provided online?

I beg to pray.

THE DEPUTY SPEAKER: Rt Hon. Prime Minister, do you want to comment or wait for the minister to bring a statement?

2.39

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Mr Speaker, the Government of Uganda put aside Shs 300 billion – this I know for sure – to do this exercise, and the processes are on. I only request that you give us some time such that the Minister of Internal Affairs

can come and give more clarity. The fact is, we are on course.

THE DEPUTY SPEAKER: Wednesday, next week, Rt Hon. Prime Minister. Thank you.

MS NABBANJA: Thank you so much.

THE DEPUTY SPEAKER: Thank you. No, you cannot have a procedural matter on an answer. You cannot raise a point of procedure on a matter of this nature, honourable member. I want us to confine ourselves to the point of procedure remaining a point of procedure, otherwise it ends up becoming a debate. Hon. Okumu?

2.40

MR GABRIEL OKUMU (NRM, Okoro County, Zombo): Thank you very much, Mr Speaker, for the opportunity. I rise on a matter of national importance. Nyagak I is situated in Okoro constituency and on 14 September 2012, it was launched by His Excellency, the President of Uganda. To date, we struggle to trace the corporate social responsibility put for this project. There is actually no bridge which was constructed across the river. The community annexed to Nyagak I complains to date of no compensation. In this term, we visited this project with the Committee on Environment and Natural Resources and a report was made. My prayers:

1. We request the Government to construct a bridge across the river. As the leaders of the area, we would like the Minister of Energy and Mineral Development to lay the documents for this project.
2. I would also like to request the Government to comply with the corporate social responsibility of this project in the original plan.

Thank you very much.

THE DEPUTY SPEAKER: Honourable member, in your submission, you have said that the committee visited and the report was made and it is yet to be brought on the Floor of Parliament. Rule 80(4) of our Rules

of Procedure, which covers anticipation, specifically in reports of committees which are yet to be tabled on the Floor, does not allow us to discuss such a matter until we receive the report.

Let the report be brought quickly, because you quoted the report, and you made my work difficult as the presiding officer. Let the report come quickly and we handle the matter. Hon. Kwizera?

2.43

MR EDDIE KWIZERA (NRM, Bukimbiri County, Kisoro): Mr Speaker, thank you so much. Bukimbiri County is a tourism county but we have a challenge with both telephone and internet networks. My prayer is that the Government should take it as a priority because tourism contributes to revenue and the economy. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable minister?

2.43

THE MINISTER OF STATE FOR TOURISM, WILDLIFE AND ANTIQUITIES (Mr Martin Mugarra): I thank Hon. Kwizera for raising this matter, but just to inform the House that we got into an arrangement with one of the private companies which agreed to put up around 60 masts across the protected areas, and Bwindi is one of them. So, we expect this to be beginning in the next three to four months.

But we will go ahead and engage the Uganda Communications Commission, and we have been engaging the Government to see how they can also participate, but the programme is ongoing.

THE DEPUTY SPEAKER: Thank you. Clerk and Whips, please, I need in the next five minutes – I will ascertain quorum so that we can go on the Second Reading for the Bill that we are having. So, if there are Members in the canteen and in the corridors, they should come in so that I am able to ascertain quorum, both physically and online. Hon. Mary Begumisa?

2.44

MS MARY BEGUMISA (NRM, Woman Representative, Sembabule). Thank you, Mr Speaker, for giving me this opportunity on behalf of my people. I rise on a matter of national importance about the spate of murders of women by unknown people in Sembabule District. Four women have been murdered between the dates of 24th of October last year and a day before yesterday, the 5th of February. And if you could allow me to quickly read their names.

The report that I got this morning from the Division Police Commander (DPC) and the Resident District Commissioner (RDC) and all of us, have been working on it; Nantongo Annet, Nakuya Madrine, Najuka Flavia, and Nabasirye Mastula – all of whom have testified that they are sex workers in Sembabule Town Council, Parish Zone. They are strangled, raped, and murdered. It keeps recurring in Sembabule Town Council, and investigations are going on. I think one was killed a day before yesterday and all the people are scared.

I have two prayers:

1. The relevant ministries of security and internal affairs to quickly help our people. Our security people and the RDC have done their best, and I have talked to all of them this morning to put up a small aid post or security lights or engage other people.
2. That Government should quickly help us with a special fund to these girls and women like they did one day in Entebbe, where these women claim that this is an economic activity. Government can help them with at least an economic activity – a special fund – quickly, because they have children and then we can start something small for them and engage them in active business.

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

2.47

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Mr Speaker, it is unfortunate that we have lost lives. However, before coming here, I had already got information that there are murders in Sembabule. We had a meeting with the Minister of Internal Affairs – Gen. Muhoozi himself was present – and we have instituted a team to go to Sembabule to find out what really happens and those police officers, senior at that, will be there for some time so that these criminals can be arrested.

Now, for our senior citizens who work at night, I can only say they can go for the Parish Development Model (PDM). We also have the Women Fund; at that time of Entebbe, Uganda Women Entrepreneurship Programme (UWEP) and PDM were not there. So, we can only see, through the Member of Parliament, how they can access this money and they start their economic activities. Thank you so much.

THE DEPUTY SPEAKER: Thank you. Clerk, ascertain for me quorum both physical and online, and you give me results. Colleagues, in the Public Gallery this afternoon, we have a delegation of elders from Bugahya County, Hoima District.

They are represented in Parliament by Hon. Pius Wakabi, Hon. Tibasiimwa Joram Ruranga, and Hon. Businge Harriet. They have come to observe proceedings of this House. Please join me in welcoming them. *(Applause)* Thank you our elders for coming.

Honourable colleagues, in the Public Gallery again this afternoon, we have leaders of the Islamic University Students Union Parliament from Northern Division, Mbale City. They are represented in Parliament by Hon. Wambede Seth Kizangi Massa and Hon. Nakayenze Connie Galiwango. They have come to observe proceedings of this House. Please, join me once again in welcoming them. *(Applause)* Thank you for coming.

Hon. Pius, you know the procedure here. When you have visitors and you have a matter you

want to raise, you come to the Speaker, early, and you – Information? No one is on the Floor.

Honourable members, in the public gallery, this afternoon we have a delegation of Uganda Sugarcane Growers Association from Butembe Constituency, Jinja District. They are represented in Parliament by Hon. David Livingstone Zijjan and Hon. Loy Katali. They have come to observe proceedings of this House. Please join me in welcoming them. *(Applause)*

Honourable member, have they given you very critical information which you refuse to share with me? And you want to share it with the House?

2.50

MR PIUS WAKABI (NRM, Bugahya County, Hoima): Thank you, Mr Speaker. *(Laughter)* I represent Bugahya County, where these elders have come from. They have one big concern. One, they want to thank the Government for supporting elders through the Social Assistance Grants for Empowerment (SAGE).

They thank the Government for that programme but these elders are representing Bugahya, but from Kabale subcounty. The Government is only supporting elders who are 80 years and above but in the whole subcounty, there is nobody who is 80. The eldest elder is 79 years old. So, they are here, and they are asking your office if you have any plan of lowering the age limit to 60 –*(Laughter)*– so that my elders can benefit. *(Applause)*

Mr Speaker, I also take this opportunity to thank these elders. They have sent me here twice unopposed. *(Applause)* They have already made a unanimous decision to send me back and unopposed for the third time. *(Laughter)* I thank you in the presence of my members. Thank you very much.

THE DEPUTY SPEAKER: Hon. Pius, I would be sending you an invoice for this space, but I do not have that power. The Prime Minister is here. She is the Leader of the

Government Business. Therefore, she should know much more.

Rt Hon. Prime Minister, in that regard, there are also elders who they recorded wrongly and this is across the country. In the process of correcting that error on the national ID, you find someone that you see with great-grandchildren they show that she has 60 years and the community knows that she is 90 years. – Just wait honourable member.

2.52

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Mr Speaker and colleagues, I thank the Member and our voters who are up there for the information. We are lucky that this Government thinks about all the age brackets. Under the Parish Development Model (PDM), we all agreed that 10 per cent of the PDM money should go to the elders between the years of 60 to 79. The Member should help us to make sure that those elders in that age bracket get their support.

Then, two, the few years I have spent as the Prime Minister, I discovered that during the time when we were registering people for the national ID, people were lowering their age because they did not want to be seen as very old, especially our mothers and the boys.

When the time came, they found themselves caught off-guard and so we have been, as Government, trying to rectify that. Members should not fear; they should go to the NIRA offices in their districts and rectify this because it can be seen. Some of these people have their birth certificates and some of them have baptism cards and this can be seen. Thank you so much.

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

2.54

MR DAN ATWIJUKIRE (NRM, Kazo County, Kazo): Thank you, Mr Speaker and colleagues. I rise on a matter of national importance. In my area of Kazo, there is a

secondary school, but I have also established that it is happening elsewhere and it is a seed school. The Government gave it money for upgrade but in the last financial year, the money was returned to the centre because the Office of the Solicitor-General could not clear the contract and the argument is that the Government has given conditions that the money should not be used where they do not have a title. This money was returned; they have sent it back.

It is under the Uganda Intergovernmental Fiscal Transfer (UgIFT). We are in the third quarter. The contract is still in the Solicitor-General's office and the likelihood is that the money will return to the centre another round, making two financial years.

Meanwhile, children continue to suffer because the facilities are not sufficient. People are wondering what sense is the Government making by sending the money and bringing it back.

My prayers:

- (i) Government should step in and resolve this matter because this is an upgrade; the school is already in existence. Whether they are clear or not, the school is there. I am wondering about the sense that we are trying to make by playing ping-pong of not upgrading the school on the premise that it has no title when it is already in existence. Is there a time that we shall carry the school away, or it will remain?
- (ii) Government should resolve this issue, have the contract signed, and have the money utilised so that the children and parents in the area can benefit.

Like I told you, Mr Speaker and Members, this is happening even in other areas, especially for schools that are under church-founded establishments.

Thank you very much.

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

MS NABANJJA: Mr Speaker and honourable colleagues, we resolved in this Parliament that all Government entities should have land titles. So, the Government is implementing a parliamentary resolution because people were grabbing Government land left, right, and centre, even hospitals. And so, it was noted that we needed to protect land belonging to those institutions.

I will handle the issue together with the Ministry of Lands, Housing and Urban Development, and the Ministry of Education and Sports. We shall go to Kazo and make sure that this issue is resolved.

THE DEPUTY SPEAKER: Thank you. Hon. Byakatonda.

2.58

MR ABDULHU BYAKATONDA (Independent, Workers Representative): Thank you, Mr Speaker. I rise on a matter of national importance. In December 2022, the European Union Parliament passed a law barring products that are from deforestation zones from entering their market. Apparently, our coffee is affected and the European Union consumes 60 per cent of the coffee grown in Uganda.

You find that Uganda has coffee as one of its income earners contributing about 15 per cent and in the supply chain, about 40 per cent of smallholder farmers are employed in this sector. What is required here is, to ensure that we form a national traceability committee system. *(Interjection)*- Yes, my prayers, Mr Speaker. The formation of this committee requires Shs 35 billion to put it in place and they should do a mapping of all the local coffee-growing areas in the country.

Mr Speaker, we are left with about 12 months and after that, we shall not have that market. I beg that the Government takes this matter up with utmost urgency. Thank you.

THE DEPUTY SPEAKER: Rt Hon. Prime Minister?

2.59

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Mr Speaker, we are handling rationalisation as we speak now and I know that Cabinet is handling this matter, where we have Uganda Coffee Development Authority being rationalised. I do not know whether what he is proposing can now come in with that request of Shs 25 billion. We shall have to study the matter.

However, I would like to inform you, Mr Speaker, that I was in Italy last week. Italy is one of those countries that consume our coffee. I had an interaction with the Prime Minister, my counterpart on the other side *—(Applause)—* and we agreed that we need to add value to our coffee to shoot into the European market.

If we attract many factories that will add value to our coffee, we shall definitely enter the European market because they cannot do without coffee. The Prime Minister told me that for them, coffee is part of their life. I want to allay the fears of our brother that we shall continue to look for all opportunities across the globe and have our coffee go to different markets across the world. Fortunately, we are the chairperson of the G77 plus China and the Non-Aligned Movement (NAM). *(Applause)*

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, the Clerk has given me a report; both physically and online, we have 192 Members, meaning we meet the threshold. Hon. Sarah Opendi, do you have a procedural matter?

MS OPENDI: Thank you, Mr Speaker. This House works through committees. When we raise motions on the Floor, it is the committees that process them. You have already talked about the issue of school fees. Remember the motion on school fees was referred to the Committee on Education and Sports. It is now over one year; we have not concluded that.

I presented the Alcohol Control Bill on the Floor of this House and it is supposed to be processed, as per our rules, within 45 days.

The 45 days have elapsed but I have not heard from the chairperson of the Committee on Health on what is happening. As far as I know, the process was interrupted by the ministerial policy statements but I have not heard him coming to ask for time.

The procedural issue is: Would it not be right for the chairperson of the Committee on Health, as well as that of the Committee on Education, to tell us why they are not meeting the timelines, as per our Rules of Procedure? Thank you.

THE DEPUTY SPEAKER: Chairperson, Committee on Health?

3.03

THE CHAIRPERSON, COMMITTEE ON HEALTH (Dr Charles Ayume): Thank you, Mr Speaker. I agree with the honourable member but please expect a letter to that effect, explaining and asking to seek an audience on the Floor of Parliament, in relation to more days. *(Laughter)* Thank you.

THE DEPUTY SPEAKER: He will give the reasons. Chairperson, Committee on Education?

3.04

THE DEPUTY CHAIRPERSON, COMMITTEE ON EDUCATION AND SPORTS (Mr James Kubeketerya): Mr Speaker, while that report was brought here, it was referred back to the committee, and we agreed that the petitioners and members of the committee have to look at the details before a synthesised report is brought to the House. We shall consult them and then have a final report.

The information I would like to give in line with that is that in the whole country, we have over 40,000 schools. Out of these, the Government only owns 10,000 schools. The issue of private schools is something that the Government must handle, including the personnel inspecting that sector. The private sector is bigger than what the Government has; so, that is the complexity of the matter. Thank you.

BILLS
SECOND READING

THE SUGAR (AMENDMENT) BILL, 2023

THE DEPUTY SPEAKER: Honourable colleagues, we received the report. I promised that we would hold the debate and after, continue processing the Bill. – Procedure, Hon. Walyomu?

MR WALYOMU: Thank you, Mr Speaker. I stand on a procedural issue, under our Rules 99(1)(a). I do not know whether it is not procedurally right for us to observe that rule, since we are dealing with an amendment so that we can have the tally and roll call of the Members who are present. Thank you.

THE DEPUTY SPEAKER: Honourable member, refer to the rule again. You do not need to read it; we have our Rules of Procedure.

MR WALYOMU: It is 99(1)(a).

THE DEPUTY SPEAKER: Isn't it referring to the Constitution because we are not amending the Constitution here?

MR WALYOMU: No, it is not referring to the Constitution.

THE DEPUTY SPEAKER: Can you read it for me?

MR WALYOMU: “99. Roll call and tally

1. Roll call and tally voting shall be held in the following circumstances:
2. At the second and third reading of a Bill for an Act of Parliament to amend –

THE DEPUTY SPEAKER: Let us continue with the debate –(Laughter)– and it starts now. Before we go any further, let me make a very simple clarification: Honourable colleagues, I received a notice yesterday of proposed amendments from Hon. Manjeri. I managed to go through it today, but I told her to give it to the committee chairperson, and I have read through it. I just wanted one confirmation from the chairperson that these amendments were

presented to the committee, as required under Rule 134(4) of the Rules of Procedure.

The Committee of the whole House can handle amendments but those amendments must have been presented to the committee and rejected. Otherwise, under Rule 129(3) of our Rules of Procedure, if you have amendments to the Bill, you take them to the committee. Once the committee does not consider your amendments, they can be brought to the Floor, so that the Committee of the whole House can look at them.

In the case of Male Mabirizi Kiwanuka v. Uganda Law Society, court declared that the amendments that were moved on the Floor of Parliament without complying with Rule 133(4) of the Rules of Procedure – which is now rule 134(4) – were found that such amendments denied the committee the opportunity to scrutinise them, and that no reasonable grounds that had been adduced by the Member for his or her failure to present the same before the committee.

I would like to know if these proposed amendments were part of the Bill and if they were taken to the committee.

3.09

MS MANJERI KYEBAKUTIKA (NUP, Woman Representative, Jinja City): Thank you, Mr Speaker. Rule 134(4) of our Rules of Procedure states that, “*The Committee of the whole House shall consider proposed amendments by the committee to which the Bill was referred and may consider proposed amendments, on notice, where the amendments were presented but rejected by the relevant committee or where, for reasonable cause, the amendments were not presented before the relevant committee.*”

I have a reasonable cause why my amendments were not presented before the relevant committee. Recently, I was appointed the Shadow Minister of Trade and Industry. When I was appointed, when it comes to the committee, sometimes it is always members of the committee that present and their submissions are captured.

As a shadow minister, my submissions may be captured or not. That is why I had to use this rule so that I can present the amendments to the Bill. Thank you so much. *(Applause)*

THE DEPUTY SPEAKER: Thank you, honourable member. Are you a member of the committee?

MS KYEBAKUTIKA: I am not and this will come around July when I will be designated to that committee.

THE DEPUTY SPEAKER: Honourable colleagues, here, a Member is an ex-officio member of any other committee of which they are not members. It is imputing bad motive on a committee to say that you thought that you could present your views to the committee and they are not listened to. That is putting a bad image on Parliament – that colleagues cannot listen to the submissions of other colleagues.

If an honourable member cannot be listened to, then what about strangers? Honourable member, I find your cause not that reasonable. The problem is that when you read through her proposed amendment, it is basically amending nearly the whole Bill, saying “Reject the whole Bill.” You should have taken it to the committee so that you make our work easy. It is very simple. You cannot hide behind being a shadow minister.

You are a Member of Parliament from a sugarcane-growing district. You know the interests of your people. You have a chance of voting down what the committee has presented or accepting it. Let us not be derailed by this but I just wanted to inform you in time. Honourable colleagues, read rule 134(4). If the amendments are fundamental – Yes, Hon. Ssenyonyi?

3.13

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Mr Speaker, we seek your indulgence because as a House, generally, we are now going to discuss these proposed amendments, and so we seek your indulgence that any Member, including Hon. Manjeri,

can shoot through her thoughts, and we get to discuss them as a House, and establish the suitability of it.

THE DEPUTY SPEAKER: Honourable members, when you are debating a Bill, the debate is limited to the principles and objectives of the Bill, not amendments. That is what your rules say. I am not bringing any rules from anywhere. Hon. Odur, do you want to get for us a middle ground?

3.14

MR JONATHAN ODUR (UPC, Erute County South, Lira): Mr Speaker, I have listened to my honourable colleague and she seems not to have put her reasonable cause quite clearly for the House to understand. However, if I understood her well, the practice in this House is that when committees sit, the notices are sent to the members of the committee or through the WhatsApp forum.

Even if you are a Member of Parliament, it is extremely difficult for you to know where committees are seated and perhaps that is the reason why her being a non-member, she was not aware when they were processing. To me, that is good enough – a reasonable cause – that she did not have ample opportunity or notice that the committee was sitting to present. For that reason, I wanted to persuade you that when we go to the committee stage, you allow her and if the House is pleased to accept the amendment, it will vote in favour. If not, it will be rejected.

THE DEPUTY SPEAKER: Committee chairperson?

3.15

MR MWINE MPAKA (NRM, Mbarara South Division, Mbarara City): Thank you, Mr Speaker. Hon. Manjeri is a member of our WhatsApp group. We accommodated her as a shadow minister. Even in processing these amendments, she was seated with us in the same room and even when we were signing this report, she was with us. The members of the committee are here and they can testify.

THE DEPUTY SPEAKER: Hon. Odur?

MR ODUR: In that case, if you look at the rule then, the explanation by the committee chairperson gives her away. It means that when she appeared in the committee, the committee did not entertain. So, the whole House now should – that is what the rule says.

THE DEPUTY SPEAKER: Honourable member, there is attending a committee and speaking – and that is why I asked a question. My question was very simple: Did you present the proposed amendments to the committee and they were rejected? If they were rejected, then rule 134(4) allows it.

If they were not presented as per rule 129(3) then your hands are tied. Honourable colleagues, I do not want us now to start doubting the conduct of each other. You still have a chance of convincing Members when we reach a clause, you go on and say reject this and we maintain what is in the Bill.

That is what you wanted and I will give you that chance to debate. - Hon. Bakkabulindi, please when I am chairing the House, it is well known; you can never access a microphone without my permission. I want that to be maintained.

Honourable colleagues, let us have a debate. Then when we are going to the committee stage – on the debate really? Let me start with Hon. Akamba.

3.17

MR PAULAKAMBA (NRM, Busiki County, Namutumba): Thank you, Mr Speaker. The Bill for which we want to debate the report, in its defect clause states, “The sugar industry is regulated under the Sugar Act, No.13 of 2020, which established the Sugar Board as the body responsible for implementing the Act.” However, because of the Government policy on rationalisation, which restricts the establishment of statutory bodies, the Sugar Board has never been established by the Government.

To address this challenge, the Bill seeks to amend the Sugar Act, 2020 to establish the Sugar Industry Stakeholder Council, which would comprise representatives of stakeholders in the sugar industry and be funded by a sugar levy charged on the millers.

The basis for this Bill is on the fact that there is rationalisation. Rule 80 of the Rules of Procedure of Parliament of Uganda bars this House from debating in anticipation. As far as I know, there is no law or Bill, regarding rationalisation, that has been tabled in this House.

Therefore, shall we be proceeding well to debate a Bill whose basis is on rationalisation, which has not yet been tabled to this House? Thank you.

THE DEPUTY SPEAKER: Hon. Bahati, would you like to say something?

3.20

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Mr Speaker, the creation of the stakeholders’ council is one of the amendments that we have. The second amendment is the correction of the formula – which is very important – that will determine the price of sugarcane in this country. We made an error in the previous Act and we are correcting it.

So, it is important that we look at the Bill in its entirety, not just one-sided. After all, the important reason why we are bringing this Bill, again, is to ensure that the management and the governance of the sugar industry is in the hands of those who understand it better, which is the private sector. Thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Akamba raises a very critical point on anticipation. My only fear would be on Government policies that do not require it to, first, come here. For example, if the Government decided to say: “We have a plan of rationalisation and because of that plan, we are not going to be recruiting or appointing

new boards” – the Speaker is speaking – and you have had many agencies, which are not moving. Then, the sector is being affected.

To me, when you go to those clauses, these are the arguments you can push and say: “No, this one, we do not change or we change.”

However, I do not have anything to do with rationalisation. I will not reject a Government Bill because of rationalisation until you bring it here. If the minister brought it as a justification for the Bill, you can either accept it or not, but you cannot stop a Bill.

3.22

MS CHRISTINE KAYA (NUP, Woman Representative, Kiboga): Thank you, Mr Speaker. I also concur with you. I request that we do not give the reason for dropping the board and going to the council as being the plan of the Government to rationalise. We have reasons why the board has not been operational. Probably, we can bring those other reasons, but not that of the Government’s plan to rationalise.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, we are debating. What Hon. Akamba brought out is a good point during a debate. So, we are already debating. *(Laughter)* We are no longer on procedure.

DR BARYOMUNSI: Thank you, Mr Speaker. Just to clarify; the Government is undertaking a policy of rationalisation. That is a given. However, there are Bills, which require to come to Parliament and that is a different issue.

For Bills, which have to be handled by Parliament, they will come but from the Government side, there is rationalisation. Rationalisation means administrative restructuring of the Government. Where Parliament has to be involved, we shall definitely come.

So, the two have to be understood in that context. It does not mean that because the Bills have not come here –

THE DEPUTY SPEAKER: Hon. Baryomunsi, I ruled on the matter.

DR BARYOMUNSI: I am reinforcing your ruling.

THE DEPUTY SPEAKER: Debate. *(Laughter)* I did not want us to be bogged down by this. Let us focus on the major issues. Just debate. Honourable colleagues, let us do it very quickly.

I will pick Hon. Iddi, Hon. Muzaale, Hon. Walyomu, Hon. Manjeri, and Hon. Teira – I had already picked Hon. Sanon – and then I will pick Karamoja. I will also pick Hon. Loy Katali.

3.24

MR IDDI ISABIRYE (NRM, Bunya County South, Mayuge): Thank you, Mr Speaker. Before I submit, I want to appreciate you. When this report was tabled, you considered our plight, as Members of Parliament coming from the sugarcane-growing area of Busoga. You allowed us to go and celebrate the *Tarehe Sita*. Otherwise, you would have considered this debate yesterday.

I also want to appreciate the committee because when Parliament sent this Bill to them, they allowed and interfaced with many stakeholders, including Members of Parliament from the sugarcane-growing areas.

Mr Speaker, if you go to page 7 of this report, the committee brings out the observations very clearly, indicating the weakness of the council that the Bill is proposing to replace the board with. We are aware that the board draws its funding from the Consolidated Fund. When you look at how the council is going to grapple with the funding, it was not very clear. Although the committee observed well, it did not come up with a proper recommendation and amendment.

My view on this is that at the time when a board was created by an Act of Parliament, there was a need. The functions of the board were very clear. I do not know what went wrong for the

Government to suggest an amendment to drop the board and come up with a council.

The policy of this Bill is very clear. It is to regulate and promote the sugar industry. This is very clear and we do appreciate, especially, as leaders who come from the sugarcane-growing areas. If you look specifically at our region, Busoga, it has been ranked as one of the poorest regions in the country. This Government has really made very many efforts to make sure that Busoga comes out of poverty.

If you went to Busoga right now, the only crop that is giving people money is sugarcane. Therefore, when we sit here to talk about promoting and regulating how this industry is going to operate, we do appreciate. However, a good law is that which is universal.

We know the contribution that the sugar industry makes to the national economy. If you look at the proposed amendments, you find out that the farmers really need protection, not necessarily squeezing the millers – because you cannot have millers without farmers and neither can you have farmers the millers come here. So, coming –(*Member timed out.*)

THE DEPUTY SPEAKER: Thank you. I had picked Hon. Martin Muzaale.

3.29

MR MARTIN MUZAALE (NRM, Buzaaya County, Kamuli): Thank Mr Speaker. I come from a sugarcane growing region and I can tell you that the position of our farmers is that they are not happy with the Bill. We are actually happy with the principal Act because the Bill seeks to amend quite a number of issues, which take away the advantages to the farmers.

Mr Speaker, in the principal Act, the Board has powers to licence. In the amendment Bill, we are giving powers to the minister, which is very dangerous. The issue of licensing millers is very key because that is where the gist of the matter is. If we just give this power to one individual, it is going to be very dangerous to our farmers.

Mr Speaker, when you look at the composition of the council, you realise that it is the Government that is going to take the lion's share.

THE DEPUTY SPEAKER: Honourable colleagues, I am loving the debate but again, within the confines of the rules, I am finding it difficult. May be – because from what I am hearing, we are more or less going to the clauses. Maybe we go to Committee Stage and handle the Bill clause by clause so we can give enough time to each clause. –

Honourable members, I am seeing that we are not looking at the general principles. Let me first hear from Hon. Teira.

3.31

MR JOHN TEIRA (NRM, Bugabula County North, Kamuli): Thank you, Mr Speaker. This Bill speaks to several millions of Ugandans who are in the sugar industry. For us to be very objective, we need to look at both the plight of the farmers and the millers. I am glad all sides have been considered in the Bill. By raising these issues, we are looking at how the situation is, with the information from the ground.

Mr Speaker, until 2012, when Mayuge Sugar Industries Limited came in, the millers, from as early as 1920s were determining the price of cane in the factories. When we opened up for other millers to come in, the price shot from Shs 40,000 to a reasonable amount, which attracted so many people into the sector.

When many people came into the sector, the forces of demand and supply dropped the prices. By 2019/2020, the sugar prices were very low. The farmers suffered. The plight of the miller was to buy cheaply and sell sugar at the prevailing market rate.

If we intent on having an objective debate on the plight of sugar, we can come up with a middle position. I am afraid, Mr Speaker, the sentiments are not balanced. As the Presiding Officer, if you permit debate on this matter openly, we shall balance the sentiments. (*Applause*)

THE DEPUTY SPEAKER: Thank you. This is why it will help, Hon. Teira, if people debate that way. When we start handling clause by clause, then you are telling me that we go to the Committee Stage, so we handle each clause. Are you getting me?

Honourable colleagues, I want to repeat that debate on a Bill is limited to the principles and objectives of the Bill. Do not start going to clause by clause because that is at Committee Stage. In fact, even at Committee Stage, I allow an extensive debate. I do not just rush anything. If you have been here, you will recall we always allow you to debate clause by clause before we pass it. Hon. Katuntu.

3.33

MR ABDU KATUNTU (Independent, Bugweri County, Bugweri): Thank you very much, Mr Speaker. I come from Busoga, a sugar-growing area. The relationship between a farmer and a miller is symbiotic. That should be understood from the beginning. The process of production depends on the market. If you produce without a stable market, you will be in trouble. Therefore, as we debate, we need to take the interest of both the farmer and his market and, the millers.

If we stand here and say, “my issue is about farmers or millers,” then we shall miss the whole point. We want to legislate for the sector and the thriving sector is beneficial to both the farmer and the millers. I will give you an example, Mr Speaker, before I resume my seat.

For those who come from the fishing communities, at one time, the population of the fish in our lakes dwindled. When it dwindled, there was an advantage for the fishermen because the supply was low, the prices went up. But, was it sustainable in the long run? No. Obviously, there were a few other mistakes, especially when the army came in, but Government came up with a policy to regulate the fishing industry such that we have the population of the fish back to what it was.

Sometimes the base of prices is temporary. I must repeat, if you do not have a sustainable market sometimes the base of price is purely

temporary. This is because when the fish population goes down, eventually there will be no fish. The factories must close yet the factories are the markets.

As Hon. Teira said, the sentiments – (*Interjection*) - should be balanced. We need to look at both the production and the market. When you are talking about markets, you are talking about millers – (*Member timed out.*)

THE DEPUTY SPEAKER: Honourable member, conclude.

MR KATUNTU: At an appropriate time, I will make my own feelings about the substance of the Bill. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I do not want to reduce this to a Busoga affair. Hon. Joab from Bunyoro, you also grow sugarcane. I am going to allow you -

3.36

MR JOAB BUSINGE (FDC, Masindi Municipality, Masindi): Mr Speaker, I thank you for the observation that sugarcane is not a Busoga issue; it is also a Bunyoro and a national issue.

I have a number of unanswered questions though. We are seeking to amend the Sugar Act, 2020, which as far as I know, was never operationalised because there were no regulations to operationalise it. We are seeking to replace the board, for example, with the council and so on - whatever reasons we are giving here.

I do not know what informs the ministry and the Government to cause an amendment to a law that has not been tested. (*Applause*) What is the basis of this defect? This is something that has been puzzling me.

This year or towards the end of last year, many of us got communication from the President, addressed to the Prime Minister in regard to the sugar industry. The President was mainly addressing the issue of zoning but the law was never implemented. The President wrote a letter to the Prime Minister yet at the same time

an amendment was coming. I really suspect - is there any good motive really behind this amendment? This is something I have been asking myself, because when you study the progress of events it is as if there is some syndicate going on there, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable colleague, the Executive is the Government arm that is implementing these rules; you cannot impute a syndicate motive on them to propose amendments. That is why when you come here, even if you have that in your mind, there is a language to use, those are not words you - of syndicate, of what, those are not good words. Hon. Joab Businge, I think you can disagree but using a more respectful language. I do not know if you want to comment on that.

MR BUSINGE: Thank you, Mr Speaker, for that guidance. I actually wanted to imply that, maybe, I suspect something fishy, I smelt a rat and so on. *(Laughter)*

THE DEPUTY SPEAKER: Yes, Hon. Dr Baryomunsi.

3.40

THE MINISTER OF INFORMATION, COMMUNICATIONS TECHNOLOGY AND NATIONAL GUIDANCE (Dr Chris Baryomunsi): Mr Speaker, like you have guided, the Executive is responsible for implementing the laws, which this Parliament passes. Where we find a challenge, and require the support of Parliament, we bring Bills here in good faith and in the open, the whole country is watching this debate.

Is it in order for the honourable Member of Parliament to impute bad motives on the side of the Government, when the Government has, in accordance with our rules, drafted an amendment Bill and brought it here, he was given a copy; I am sure he has read the Bill? What wrong motive has he read in this Bill? Can he withdraw his assertions, and maybe you order that it be expunged from the record of this House? Yes, unless he substantiates.

THE DEPUTY SPEAKER: Hon. Joab Businge, I was trying to be - you see how I was communicating with you. You read the signs - I do not like ordering Members and so, I usually want you to read the signs. I think I can say, "I strongly disagree with the proposed amendment" or I can even say "this is the wrong timing." But to say "fishy" please, we are a Parliament and there is some language we use. Hon. Joab Businge, I do not want to exert my full authority on this matter, so, please use a language that is acceptable and withdraw the language that is not acceptable in this House.

MR BUSINGE: Mr Speaker, I thought I had given the basis of my fears, but for the sake of harmony and decorum, I would pray that I reserve my personal sentiments about the Government. Otherwise, my fear was just -

THE DEPUTY SPEAKER: No, the language you used is - I do not mind your sentiments. Those are -

MR BUSINGE: The language - Mr Speaker, I want to withdraw the unpalatable vocabulary but to say that I disagree with the motive; I remain suspicious because I do not understand this - *(Interjections)* - yes.

THE DEPUTY SPEAKER: Thank you. Let me pick the honourable member for Masindi, then Hon. Kiiza and Hon. Nakut.

3.43

DR FLORENCE ASIIMWE (NRM, Woman Representative, Masindi): Thank you so much, Mr Speaker, for this opportunity. As the minister stated, there are two issues that we need to consider and which are paramount in this Bill. One is the price, and two is the governing structure of the sugar industry, much as there are other clauses that we are going to look at.

Mr Speaker, I have observed over time that while we make laws here, they are never accompanied by regulations and policy, and this has happened for a long time. If, for example, you asked how many regulations have been placed here for all the Acts, all the

Bills that were passed, you will be surprised, Mr Speaker.

It is true that if we look at the Sugar (Amendment) Bill, we have to look at two parties; the millers and the farmers. Masindi is one of the sugarcane growing areas and we have a sugar factory, Kinyara Sugar Factory, and the issue that we are grappling with is the licensing of other millers.

Recently, the farmers wanted to have their own factory and the licence was given but cancelled. As we talk about millers, we need to also discuss who is to licence these millers. If it is going to be the minister, will he or she have the right to grant a licence, and/or cancel it? We need some guidance.

I think when we come there, we need to handle the issue of the millers and the licensing because Masindi has that problem. We wanted our own factory because of the prices. The licence was cancelled. We do not know why.

Recently, we had a meeting with sugarcane farmers in Kabango, and one issue that they wanted me to table here is why this licence was cancelled. Do we have a number of millers that we are going to agree to be licensed depending on the production, the number of farmers - there are many issues that we need to look at?

I propose that we go clause by clause; look at each issue, and agree on each clause and come up with an amendment act that will cater for both the farmers and the millers. I beg to submit.

3.47

MR KENNETH KIIZA (Independent, Bujenje County, Masindi): Thank you, Mr Speaker. I raised a matter here some time back, in relation to the sugar industry whereby we had a Sugar Board, within the sugar law of 2020.

The Minister of Trade, Industry and Cooperatives, Hon. Bahati stood on the Floor here and promised to have the Sugar Board put in place by 1 July 2022. Little did we know that

the Government would instead come up with an amendment to this law.

In 2011 and 2012 when there was a spike in sugar prices - we need to remember very well where we come from; it will help us very well. Fast forward in 2018/2019, there was a total collapse of the sugar industry here. We had a lot of sugarcane and the millers could not absorb the cane. Now that we have a chance to make a law, which should help us alleviate almost all these issues, we need to make sure that if the miller and the outgrower are like the left and right hand, when shaking that hand, one of the hands should not prick the other. That will help us to have a better understanding and handling of the sugar industry in this country.

As we speak – the Hon. Joab Businge talked about the Bill coming before us on the 5th of December. On 22nd of December, there was a letter from the Head of State to the Prime Minister in which he said there was scarcity of sugar in the country, and atoning and pushing for zoning. It is very surprising and I have never seen an economy or a market where when there is scarcity of a commodity, the price falls; it is unbelievable. Right now, the price of sugarcane in the country is falling yet they say there is scarcity of sugar cane.

Lastly, Mr Speaker and colleagues, the price of sugar has dropped by nine per cent. It is surprising that the price of the raw material, which is sugarcane, has dropped by more than 24Per cent. So, this is a big problem that we need to address as a Parliament today. I submit.

THE DEPUTY SPEAKER: Can I have a Member of Parliament from areas that do not grow sugarcane, for example, Karamoja.

3.49

MS FAITH NAKUT (NRM, District Woman Representative Loru, NAPAK): Mr Speaker, in 2011, when there was a sugar crisis, the price of sugar in Kampala was Shs 9,000 to Shs 11,000. In Napak and Moroto districts, we were buying it at Shs 17,000 and Shs 18,000. Those of us who do not grow sugarcane paid the price for the country and so, that gives me the right to speak on this matter.

The Ministry of Trade, Industry and Cooperatives has had this Act for all these years, and as Members have rightfully noted, it has not been implemented in terms of setting up a board.

So, if the Ministry of Trade, Industry and Cooperatives thinks that changing the governance structure so that more power is removed from them and given to the millers, to the farmers - in fact, I should be complaining why we are not giving powers to even us, the final consumers who pay the price.

It should please this House that the Ministry or the Government wants to remove some of the control and give it back to us. Honourable colleagues, not everything should be opposed, we should understand the context. If the Ministry cannot implement yet we want them to say, let the Act remain as it is, what will we be doing to the country? I submit.

THE DEPUTY SPEAKER: Honourable minister, these fears of why you did not implement the Act you have not even tested, but now you want to amend *-(Applause)-* what is your say on that? That is a big issue from which I see Members are having a problem. I have never seen Hon. Walyomu annoyed like he is today yet we have not yet reached the critical issues.

3.51

THE MINISTER OF TRADE, INDUSTRY AND COOPERATIVES (TRADE)(Mr David Bahati): Mr Speaker, he should not be annoyed. Let us have an input in the Bill and make a law that will help facilitate the growth of the sugar industry.

There are two things I want to repeat is that in the Bill we made a mistake in the formula to determine the price of sugar cane for the farmers. That is very important, especially for those that are speaking for the farmers, and saying that this has to be corrected. So, we are correcting it. That is number one.

Number two, in the implementation of the law, it became a bit difficult to put the board

in place. First, we did not have the resources to facilitate the board when put in place.

Secondly, after consultation with the millers, the farmers, and other stakeholders *-(Interjection)-* just a second - it became apparent that actually - and also looking at the models in other countries - having a stakeholders' council, which actually has the power to license and equal powers by the farmers and the millers, is a better model than having a board governed by the Government. This is because the powers to govern this sector should go back to those who understand the industry better.

THE DEPUTY SPEAKER: But, Hon. Silwany, you do not see clarification coming for a Member? No, honourable colleagues -

MR BAHATI: I was actually getting scared; maybe we need the Sergeant-At-Arms because he is approaching me. *(Laughter)*

THE DEPUTY SPEAKER: Honourable colleagues, let me just emphasize this: this debate is extremely difficult to remain within the confines of the rules of debate if we do not move to committee stage where we shall start on these clauses.

Honourable colleagues, I now put a question that the Sugar (Amendment) Bill, 2023 be read the second time.

(Question put and agreed to.)

BILLS COMMITTEE STAGE

THE SUGAR (AMENDMENT) BILL, 2023

Clause 1

THE DEPUTY CHAIRPERSON: Thank you. Honourable colleague, I now put the question that clause 1 -

MR ODUR: Mr Chairperson, in Clause 1, there is an issue that needs the attention of the mover. It seeks to amend Section 2 but the text you have is instead amending Section 13.

I suggest that that is corrected from the Bill otherwise we shall make it erroneous. From the Bill it should read, “Section 2 of the Act” because when you go to section 13, you notice that it does not speak to this.

THE DEPUTY CHAIRPERSON: Honourable minister, he is saying that under Clause 1, what you are seeking to amend is in Clause 2 not clause 13 as you referred in the Bill. Maybe you can read it properly for him. Yes, Hon. Jonathan Odur.

MR ODUR: Under Clause 1, it should read - the headnote will be “Amendment of Section 2 of the Sugar Act 2020” and beneath it should be “Section 2 of Act, No. 13 is amended” because the words “board” and the “council” that you seek to amend should come under the interpretation clause, which is Section 2.

THE DEPUTY CHAIRPERSON: Yes, honourable minister?

MR BAHATI: Mr Chairperson, I accept the correction moved by the Member.

THE DEPUTY CHAIRPERSON: Thank you. Honourable colleagues, I put the question that Clause 2 – yes, Hon. Akamba.

MR AKAMBA: Mr Chairperson, I beg to move that we stay this particular amendment because the principle of the Bill is basically and majorly on the issue of substituting the board with the council. So, when we begin with the definition clause yet we have not determined, it will be pre-empting the decision to be taken on the subsequent clause. So, my request is: we stay this and go to the substance of the Bill. Thank you.

THE DEPUTY CHAIRPERSON: I totally agree with you. I had communicated much earlier on how the clauses were arranged because this would be more or less a consequential amendment as Hon. Akamba has put it. So, he is very right. Let us stand over this clause.

However, Hon. Walyomu, please put on a smile, because your face keeps scaring me. I will allow you to speak when we reach on a clause that is if you want to speak but for now, put on a smile, like the one the Hon. Dr Baryomunsi requested us to put on during the Non- Aligned Movement (NAM) Conference so that we can survive like that. We are standing over clause 1.

Clause 2

THE DEPUTY CHAIRPERSON: Hon. Kibalya, on Clause 2?

MR KIBLAYA: Thank you, Mr Chairperson. I was just substantiating on clause 1 on why we request to have requested that it be stood over.

THE DEPUTY CHAIRPERSON: I have already ruled on it.

MR KIBALYA: The interest is, Mr Chairperson, that as colleagues will be debating subsequently, we wanted to get the gist of the reasons as to why we would like to have it stood over so that by the time we debate they have our reasons. This is because our concerns are on the roles of the Council and those of the Board.

THE DEPUTY CHAIRPERSON: Honourable colleagues, I have already ruled on that. That is what I ruled and the same should apply to Clause 2. We stand over all clauses, which are to do with the Council and the Board, until we get done handling the issue of whether we are going to have a board or council and then we go back. There was a procedural matter.

MR ZIJJAN: Thank you, Mr Chairperson. I would like to debate but I feel a bit constrained and constricted by the way the House is being conducted.

At first, it was about the language when a colleague used the word ‘syndicate.’ The denotative meaning of that word does not point to a party having an ill intention. It simply means that a group of people are propagating –(Interjection)- not conniving; propagating,

read your dictionaries. It has nothing to impute negativity with the other party.

Secondly, when you put a question, clearly there were ample voices here, which said: “Nay” – (*Interjections*)- okay, the Chairperson will rule. Kindly let me speak. I felt a bit bulldozed and the debate, as an umpire, my view would be that justice should not just be done but viewed to be done. We should feel that the Government does not have the leverage that we do not have. It should be a balanced Floor where we feel we all weigh at par.

Mr Chairperson, my fear is that if we continue this way, there will be sentiments, feelings and gloomy faces like the brother has manifested. Are we proceeding right? I seek your indulgence.

THE DEPUTY CHAIRPERSON: Honourable colleagues, and I would like to put this very directly that I do not have any single interest on where this goes. So, I request that you do not start judging us who are not from sugarcane-growing areas. Otherwise, if it was that way, this House would not have got the quorum to make the law, which you wanted. You know! So, it is really bad for a National Parliament to start looking at us who are from other areas in a certain way.

Hon. Zijjan, please. No, Please. I have a duty, as a Presiding Officer, and I know when I am seated here, I listen to all sides. If in your mind you felt, for example, the noise that Hon. Walyomu made - it remains one vote. When I looked around, his voice – I mean his voice – I do not mean that when you shout so much then yours carries 10 people, then when Hon. Nakut says: “Aye” that it carries one vote. I am giving an example, so please anyone who is dissatisfied with the ruling of the Speaker, Rule 87 of our Rules of Procedure provides for that.

Otherwise, I think we are doing well here. You have requested for a very important issue, which Hon. Akamba has helped us. It is very important that we first sort out the issue of the board and the council before we go ahead.

Secondly, honourable colleagues, if you do not want the law to pass because you are okay with the old law, that is also okay because the old law cannot be implemented with the wrong formula.

If you want a law that is going to benefit your people, at least, even if you reject the rest, we correct the formula so that it can be implemented. Otherwise, the minister will never implement anything. It will just remain on the shelves with people saying we have a law for sugarcanes, we passed for you a law that cannot be utilised. Therefore, let us move steadily. Now we go to – I have guided that we go to the clause that determines the issue of the council or the board. Yes, Hon. Manjeri Kyebakutika, point of procedure?

MS KYEBAKUTIKA: Thank you, Mr Chairperson. In accordance with Rule 134(4), I gave notice to your office that I would be proposing some amendments. So, I am wondering why we are going through every clause; I have not been given an opportunity to propose any amendment to this Bill. Are we proceeding well when I have been closed out yet I am a full Shadow Minister of Trade and Industry who is supposed to give guidance to this House?

THE DEPUTY CHAIRPERSON: My dear sister, the alternative minister, for your proposed amendments, the rules do not require that you just send a notice to the Office of the Speaker. The first thing was for you to comply with Rule 129(3) which says: “*Except in cases of very minor amendments, and subject to Rule 132, all proposed amendments to a Bill referred to a Committee shall be presented to the Committee by the person proposing the amendment and the Committee shall scrutinize it together with the Bill.*”

Now, I told you that the amendments that we handle under Rule 134(4) are amendments like what Hon. Jonathan has brought. They do not affect the fundamental structure of the Bill. All other amendments of that nature should have been presented to the committee by you as a Member. Leave alone being the shadow

minister, as a member, you have an obligation. Every Member, whether you are a shadow minister or back bencher, should have interest in every Bill. Please!

In the case of *Male Mabirizi vs the Uganda Law Society*, it was made very clear that you cannot have such amendments without sending them to the committee because the committee would need to first consult the public and the mover of the Bill. So, on the Floor of Parliament, we only handle minor amendments, not amendments that affect the structure of the Bill. Yes, Hon. Dr Bwanika.

DR BWANIKA: Mr Chairperson, the mandate and function of regulation is a function of the Government. It can never be a function of a private entity and this is a principle that we have to agree on as we consider this Bill.

I am refraining from moving forward before we agree on that principle. This Bill seeks to take away the mandate of regulation from a board to a council, which is a private entity. I pray that you guide the House as far as this principle is concerned before we move into the nitty-gritties of the Bill.

THE DEPUTY CHAIRPERSON: Honourable colleagues, that is in Clause 3 and that is the one we are going for. So, let us call for the Clause, you debate it and we decide on it. Simple! That is what I was saying all along. Yes, Clerk.

Clause 3

THE DEPUTY CHAIRPERSON: Chairperson of the committee.

MR MWINE MPAKA: Mr Chairperson, I beg that we stay the amendments on Clause 3 because the committee was proposing to make the council a body corporate with the - because you had guided that everything to do with the council, we stay it until a later stage.

THE DEPUTY CHAIRPERSON: No, honourable colleagues, I am just reading through the Bill. In clause 3, the Bill is about

the establishment of Uganda Sugar Industry Stakeholder Council. I think this is the clause we are handling.

MR MPAKA: Clause 3 is amended by -

(a) numbering the proposed section 3 as subclause 1; and

(b) -

THE DEPUTY CHAIRPERSON: Colleagues, let us handle clause 3 the way it is in the Bill. So, first allow the committee chairperson to present it because he has not yet. However, the committee had wanted the proposal of establishing the council to be the way it is. That is what I am talking about. Honourable colleagues, you better now debate that as is in the Bill. Don't go to the report; get to the Bill.

MR AKAMBA: Mr Chairperson, the issue I want to raise is: I don't know whether it is deliberate or an omission but the committee did not report on clause 3.

Therefore, the committee chairperson will not have locus to propose an amendment on a clause that he did not report on; there is no report on clause 3. Unless it is a mistake, I stand to be guided. Are we therefore, proceeding right by the committee chairperson to propose an amendment to a clause that he did not report on?

THE DEPUTY CHAIRPERSON: That is why I have guided him. Honourable colleagues, the problem is that you are not listening to me. I told you that when the committee chairperson came up, I guided him that he never proposed an amendment on the clause of establishing a council.

I put it to you for debate that do you want a council or you want to retain what was in the old Bill? Very simple! Now, I also want to guide you: on any matter where they are not proposing an amendment, the committee does not report. As honourable members, when I call the question that it stands part of the Bill, you can debate and propose.

MS AISHA KABANDA: Thank you very much, Mr Chairperson, for your guidance. Probably, that also informs people's opinion on why would the committee chairperson amend his own report on the Floor of Parliament? Having said that, the reason the honourable minister gives for doing away with the Sugar Board is a very flimsy reason, if I must say. You cannot say that you do not want a Sugar Board because the Government does not have money.

To say the Government does not have money for it, is to say that you do not regard it important. That means you are setting it from important areas to less important.

Sugar is very important in this country. There was a time we had a problem because of sugar prices in the whole country. We cannot say that sugar production is not important. The very reason this Sugar Board was put in the principle law tells how important the ministry regarded sugar production at the time.

Mr Chairperson, you have listened to the sentiments of the honourable colleagues here. I propose that we sustain that section the way it is without amending it.

THE DEPUTY CHAIRPERSON: Thank you. I just want to make a very simple clarification on how I guided the committee chairperson and what is in the report. The committee is agreeing with the proposal of the Government to have a Sugar Council.

However, the committee in its report is saying, "do not just have it flat, make it a body corporate." Therefore, they are agreeing with the council being put in place, but saying strengthen it. When you read the Bill, you will realise that it only talks about the establishment of the council. The committee, in their report, are saying the council shall be a body corporate with perpetual succession and a common seal with power to sue and be sued in its corporate name. That is the amendment from the committee on the clause.

Before we go to that, however, let us finish the principle of whether we need a Sugar Board or a Sugar Council. If you choose a Sugar Council, you go to issues of a body corporate. If you don't choose it, you go to other issues of retaining it the way it is in the Bill.

MS AISHA KABANDA: Mr Chairperson, I did not know that I miscommunicated.

THE DEPUTY CHAIRPERSON: No, Hon. Aisha Kabanda, you are okay.

MS AISHA KABANDA: My submission was that we do not amend that, we leave the board to stay as it is in the principle law. That was my submission. *(Applause)*

THE DEPUTY CHAIRPERSON: I don't have a problem with your submission, Hon. Aisha. I was only giving further clarification to what Hon. Akamba had said. Yes, Hon. Akamba.

MR AKAMBA: Mr Chairperson, I expected you to rule on my concern. My concern was: does the committee chairperson who did not report on that clause have the locus to move an amendment? That was my question and I beg for your ruling.

THE DEPUTY CHAIRPERSON: Yes, he has in our rules. How? He is not doing it on the Floor, it is in the report. The committee agreed with the proposal to create a Sugar Council as provided for under clause 3. However, they said strengthen it by making it a body corporate. That is the amendment they are adding.

The committee is not subtracting; it is only adding. Therefore, it can report on the clause. That is the review they have done and that is an amendment they have proposed. Yes, Hon. Walyomu.

MR WALYOMU: Thank you, Mr Chairperson. On that clause on whether to replace the Sugar Board with the Sugar Council, I remember very well as we were passing this Act, you were one of the Backbenchers who supported the Sugar Board and we were together.

Now, the Sugar Board you supported, before it was implemented, they are again bringing an amendment to remove it. I wonder whether the Sugar Council they are proposing - we may pass it but they might not implement it. No *-(Interjection)* - wait -

THE DEPUTY CHAIRPERSON: Let us give Hon. Walyomu a chance. Honourable, I would be glad if you shared the merits and demerits of having either the Sugar Board or the Sugar Council.

MR WALYOMU: Mr Chairperson, that is where I was coming.

First, the Sugar Board would be independent vis-a-vis the Sugar Council. Why am I saying that the Sugar Council will not be independent? In the clauses to follow, they are proposing that it will be the millers to facilitate the Sugar Council. Meaning that if you subject the Sugar Council to be paid by the millers, then you are sending them towards the millers. They will be subject to the millers.

Secondly, if Government is saying that they do not have money - as per now, we have like 150 agencies and out of those, I think we have only a few agencies, which contribute towards the Government fund.

Thirdly, the Sugar Council is also a limited company. People are just going to make money. Therefore, since the sugar sector or the sugar industry contributes a lot towards the government funds, the Government should look for money to facilitate the board.

Therefore, on that clause, Mr Chairman, I stand by saying that we should retain the board other than having the council. *(Applause)*

THE CHAIRPERSON: Yes, Hon. Loy Katali?

MS KATALI: Thank you, Mr Chairman. I agree with my colleague that we retain the board and not the council, reason being that the board should be funded, by the way, from the Consolidated Fund. The Government has not

helped the sugarcane outgrowers. They have struggled to be where they are and this is the time for the Government to come up and fund this board.

Mr Chairperson, when it comes to the council, it is going to be funded by the millers. That means the outgrowers will be under the mercy of the millers. Thank you. I submit. *(Applause)*

THE CHAIRPERSON: Thank you. *(Mr Bahati rose)* Please, give information before I allow the honourable member over there.

MR BAHATI: Thank you, Mr Chairperson. There should not be cause for worry. Actually, we should be concerned that we have had a law for two years and you asked the Government to implement it and we have not implemented it. We have told you that we have some concerns. We have come with some solutions and, therefore, it is important to listen to these solutions.

Now, what is the difference *-(Interjections)-* just a second. I want to make the clarification properly - between a board and a council?

Mr Chairperson -

THE CHAIRPERSON: Honourable colleagues, let me assure you: we have enough time here. We shall - let us listen to each other; each one of us is going to speak. Even if it means coming back tomorrow - okay? - we have enough time. There is nothing we are trying to do in such a rush.

MR BAHATI: So, what is the difference between the council and the board? *(Interjections)* Can I first make a point?

THE CHAIRPERSON: Honourable minister, continue.

MR BAHATI: Let us listen to each other and solve this issue. Listen, the difference between the council and the board is this -

THE CHAIRPERSON: Please, Hon. Zijjan, we need order in the House.

MR BAHATI: There are three ways of regulating these corporates. One, the Government can be a single regulator. The second is that the private sector can regulate itself. The third is the middle ground, where you have the private sector together with the Government. Now, the council, in this case - the board, which we had proposed was being regulated purely by the Government. In this case of the council, we have the millers, the farmers - the council is making recommendations to the minister. The minister will only appoint the chairperson.

THE CHAIRPERSON: Thank you. Honourable colleagues, listen to me. I request you to take your seats. I have two questions that I am grappling with, for which we shall need very clear clarification. This is so that, as a referee, I am able to do my work effectively, without falling victim or without some people misunderstanding me.

The two major questions are: one, does Government have the power to create a private entity and give it financial obligations, which it must meet? (*Applause*) I am just asking. That is number one.

Number two, the Government has brought a law and in the law it is saying it does not have money and, therefore, they cannot have a board because they will not be able to finance it. With that it means that if we are to retain the board, we shall have amended the clause of the Government and we shall be saying that the Government should go and charge on the Consolidated Fund.

You see, each Bill is handled independently. This is a new Bill. It is a Bill that must be handled independently. So, would that constitute a violation of Article 93 of the Constitution? I said I have questions. Okay? And, I do not want answers to those questions from any of you. I need answers to those questions from the Attorney-General.

I need guidance, as a referee. When the referee says he needs guidance - I am asking myself: where does the Government get the power to

create a private entity and then say, "you are a private entity, you will pick from your pockets and fund -"? (*Applause*)

With those two questions, we are going to stand over the Bill until I get a clarification from the Attorney-General. We shall resume on it next week. (*Applause*)

MOTION FOR THE HOUSE TO RESUME

4.25

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Mr Chairman, I beg to move that the House do resume and the Committee of the Whole House reports thereto.

THE CHAIRPERSON: Honourable colleagues, I now put the question that the House do resume and the Committee of the whole reports thereto.

(Question put and agreed to.)

(The House resumed, the Deputy Speaker presiding.)

REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

THE DEPUTY SPEAKER: Honourable minister, I do not know what report you have. (*Laughter*)

4.26

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Mr Speaker, I beg to report that the Committee of the Whole House has considered and debated extensively, the Bill entitled "The Sugar - (*Interruptions*)- what is happening?

THE DEPUTY SPEAKER: Please, honourable colleagues, let us be orderly. Okay? I am the one who put the question. I know the issues on which I put the question. Honourable minister, please continue.

MR BAHATI: I know sugar is sweet and the debate on sugar is sweet too. Mr Speaker, I beg to report that the Committee of the Whole House has considered the Bill entitled “The Sugar (Amendment) Bill, 2023” and deferred it. *(Applause)*

THE DEPUTY SPEAKER: Thank you.

MOTION FOR ADOPTION OF THE
REPORT FROM THE COMMITTEE OF
THE WHOLE HOUSE

THE DEPUTY SPEAKER: There is no report to adopt. *(Laughter)* Let us go to the next item. Yes, Hon. Katuntu - anyway, I now put the question that the report of the Committee of the whole House be adopted.

(Question put and agreed to.)

Report adopted, motion deferred.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I just remembered that when we were in secondary school, a certain colleague, during an examination, wrote his name on the paper and submitted it without answering any question. I was told that he was also marked and given marks. Unfortunately, zero is not a mark. Zero is marks. One is a mark. Since we have stood over it, let us have it on record.

I will need the Attorney-General - Clerk, extract the issues I have raised for the Attorney-General so that when he comes back, he responds to them. We shall then resume when I have clarity on how to move on with the Bill. Yes, Hon. Katuntu.

MR KATUNTU: Thank you very much, Mr Speaker. I suggest that the Attorney-General should come to this House other than writing a memo to the Speaker and explain those very issues on the Floor.

THE DEPUTY SPEAKER: Sure. I want him to come here. He will write, submit to me but then, come because Members will have questions for him. I will need him to clarify on issues with the Government.

LoP, your Member is itching very much so, sort yourselves.

MR SSENKYONYI: He has some very valuable information. Mine is a very slight technical issue. I do not know whether it would not be good to provide timelines so that we do not remain in abeyance for a long time.

You see, this sugar issue is very critical. People are saying, two years - I do not know but I think it would be important that we deal with this critical issue soon enough. However, my colleague has vital information, Mr Speaker.

THE DEPUTY SPEAKER: You know, Hon. Ssenyonyi, what you are talking about is indeed very true. We have to sort out this Bill. My fear is: it is a redundant law because of the issues to do with the formula. At least on all issues, we agree but only the formula, we have to move and manage this Bill.

Honourable minister, on Tuesday or Wednesday, do you think that the Attorney-General will be around?

4.31

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Mr Speaker, as you have said, it is very important that we resolve this matter because the issue of the formula is key, especially for the farmers and the millers. Therefore, on Tuesday, the Government will be ready.

THE DEPUTY SPEAKER: Honourable colleagues, do you think we should start with the Attorney-General clarifying the issues alone as a substantive item or should it be done at Committee Stage?

You know, we have the Chairperson of the Committee on Rules, Privileges and Discipline. I always refer to him when we have such a scenario.

Hon. Katuntu, do you think we should bring it as a substantive item on its own or do we have to first go to Committee Stage then call the Attorney-General to clarify?

MR KATUNTU: Mr Speaker, this matter has been adjourned at committee level. We have to go back to the committee level and sort that problem. You cannot sort it at Plenary level.

THE DEPUTY SPEAKER: Additionally, yes, Hon. Odur.

MR ODUR: Mr Speaker, I agree with Hon. Katuntu but this underscores the presence of the Attorney-General in this House when we are making laws. Had he or she been here, we were going to invite the Attorney-General to clarify and proceed. The Government Chief Whip and whoever is acting should be able to whip the Attorney-General to be here so that we process and help Minister Bahati to have his Bill. Thank you.

THE DEPUTY SPEAKER: The Attorney-General represents us here and abroad. I have been in touch with him - honourable colleagues, what has happened to you? *(Laughter)* You do not want to even listen to your Speaker? Are we hyper because of the sweetness of the sugar? *(Laughter)* I was giving you a report, and you no longer even – honourable colleagues, for the record, I have been in touch with the Attorney-General. He has been helpful to the committee with regard to this. These are questions, which did not come to him directly. I know he will return tomorrow. After he has returned, I will have a conversation with him, but I want us to communicate with him.

The Deputy Attorney-General was supposed to be here with us, but they called him to State House for a critical obligation, that is why he could not make it here. Yes, Hon. Dr Batuwa.

4.34

DR TIMOTHY BATUWA (FDC, Jinja South Division West, Jinja City): Thank you, Mr Speaker. Relatedly, on matters regarding the Bill, we were told that there are two issues, which could not be functionalised in the previous law. One being that it would be handled by the Attorney-General and the other is the formula - that the previous formula could not work.

I am worried to say that the current formula does not even look at the cost of production and consequently, the report did not indicate that it was tested. I wish that when we come back, that formula gets tested because the cost of production of one tonne of sugarcane is Shs 195,000. However, when you subject it to the selling price right now, it is Shs 146,000. This means that the formula we are about to bring is going to condemn farmers to a loss of Shs 50,000 per tonne of sugarcane. Therefore, let us test the formula before we come here to debate next time. Thank you very much.

THE DEPUTY SPEAKER: Thank you. You know, honourable colleagues, I told you that sometimes I allow you to speak for the sake of peace. *(Laughter)* Now, I will have peace with Hon. Dr Batuwa on this. Yes, Hon. Mugole.

4.35

MR STEPHEN MUGOLE (NRM, Kabweri County, Kibuku): Mr Speaker, relatedly, as the Attorney-General comes, we have three Bills that have a similar scenario. In 2008 and 2009, Parliament passed the Business, Technical, Vocational, Education and Training Act, (BTVET) and there was an industrial training levy. We passed the Uganda Tourism Act and there was a tourism development levy. We passed the Local Service Tax and there was a hotel tax levy and the others. These have not been implemented because of a similar scenario of forming a certain body, then the stakeholders refuse.

My presupposition, Mr Speaker, is that when this matter comes, the Attorney-General should wholesomely look at all these Acts where we have put body corporates that are not operational. It will help going forward. I thank you.

THE DEPUTY SPEAKER: Thank you. We have noted that. Yes, Hon. Akamba.

4.36

MR PAULAKAMBA (NRM, Busiki County, Namutumba): Thank you, Mr Speaker. I would like to propose that before the Attorney-General comes here, we get the copies of his

answer to your question uploaded, so that we are not ambushed. Thank you.

THE DEPUTY SPEAKER: Thank you. You people are the ones even looking suspicious –(Laughter)- because of your behaviour, you have started to look suspicious.

Honourable colleagues, you know it is a principle that you cannot read a statement on the Floor when it is not uploaded and shared with Members. (Laughter) I now regret why I ruled Joab Businge out of order, otherwise I see a syndicate –(Laughter)- if I am to borrow the words, he withdrew.
Next item.

LAYING OF ACTION TAKEN REPORTS, PURSUANT TO RULE 220 OF THE RULES OF PROCEDURE

I: ON THE PETITION OF UNSATISFACTORY AND UNFAIR SERVICE DELIVERY BY VARIOUS TELECOMMUNICATION SERVICE PROVIDERS IN UGANDA

THE DEPUTY SPEAKER: Honourable minister?

4.37

THE MINISTER OF INFORMATION, COMMUNICATIONS TECHNOLOGY AND NATIONAL GUIDANCE (Dr Chris Baryomunsi): Thank you very much, Mr Speaker. I beg to lay on the Table an action-taken report from the Ministry of Information, Communications Technology and National Guidance, in response to the petition, which was brought to this House and considered by the Committee on Information, Communications Technology and National Guidance. The petition was about the unsatisfactory and unfair service delivered by various telecommunication service providers in Uganda. Therefore, this is the action-taken report prepared by my ministry. I beg to lay.

THE DEPUTY SPEAKER: Thank you, honourable minister. It is referred to the Committee on Information, Communications

Technology and National Guidance. They will review and see if there are any gaps and when they are processing the Ministerial Policy Statements, they will have to make the minister answer those questions.

II. ON THE STATUS OF IMPLEMENTATION OF THE VARIOUS LAWS INTENDED TO PROTECT THE RIGHTS OF BOTH THE BOY AND GIRL- CHILD, INDICATING THE CHALLENGES AND PLANS

THE DEPUTY SPEAKER: Honourable minister for Gender. As the Honourable Minister is coming, colleagues, in the Public Gallery this afternoon, we have a group of tea farmers from Buhweju District. They are represented in Parliament by Hon. Mwijukye Francis, Hon. Koyekyenga Oliver and Hon. Biraaro Ephraim. They have come to observe proceedings of this House. Please, join me in welcoming them. (Applause) Thank you.

4.39

THE MINISTER OF STATE FOR GENDER, LABOUR AND SOCIAL DEVELOPMENT (DISABILITY AFFAIRS) (Ms Hellen Asamo): Mr Speaker, pursuant to Rule 220 of the Rules of Procedure of Parliament, I hereby lay the action-taken report on the status of implementation of the various laws intended to protect the rights of both the boy and girl-child, indicating the challenges and plans. I beg to lay on the Table.

THE DEPUTY SPEAKER: Thank you, honourable minister. The report is referred to the Committee on Gender, Labour and Social Development, for the same consideration as I guided on the Committee of ICT and National Guidance.

III. ON HARMONISATION AND ENHANCEMENT OF REMUNERATION OF PUBLIC OFFICERS

THE DEPUTY SPEAKER: Honourable Minister of Public Service?

4.41

THE MINISTER OF PUBLIC SERVICE (Mr Muruli Mukasa): Mr Speaker, I beg to lay on the Table the action-taken report on the harmonisation and enhancement of remuneration of public officers - the action points taken report. I beg to lay.

THE DEPUTY SPEAKER: Thank you, honourable minister. The report is referred to the Committee on Public Service and Local Government, for consideration, as I guided earlier.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE ON
ENVIRONMENT AND NATURAL
RESOURCES ON THE PETITION ON
THE DEPRIVATION OF FUNDAMENTAL
RIGHTS AND FREEDOMS ON NATURAL
RESOURCES AND BLOCKAGE OF
ACCESS ROUTES TO PUBLIC WATER
DAMS BY THE NATIONAL FORESTRY
AUTHORITY AND ITS AGENTS IN
NAKASONGOLA DISTRICT

THE DEPUTY SPEAKER: Honourable Chairperson of the Committee on Environment and Natural Resources? Chairperson or Deputy Chairperson. He did not assign a Member? Oh, the Deputy Chairperson is here.

4.42

THE DEPUTY CHAIRPERSON, COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES (Mr Nathan Igeme Nabeta): Mr Speaker, sorry I was waiting for my chairperson who was going to be here to read the report on the access routes of public water dams by National Forestry Authority and its agents in Nakasongola District.

Mr Speaker, I will just spend a little time on the introduction and then go to the conclusion. The Committee on Environment and Natural Resources received a petition from the Rt. Hon. Speaker, presented to her by Hon. Noah Mutebi Wanzala, the Member of Parliament for Nakasongola District, on behalf of the petitioners, a cattle-keeping community within the district.

The committee considered the petition in accordance with Rule 30 of the Rules of Procedure of the Parliament of Uganda and herein presents the findings;

Observations and Recommendations.

The petitioners, are a cattle-keeping community within Nakasongola District. They were aggrieved by the activities of the National Forestry Authority and its agents within and around Kasagala Forest Reserve, including replacing of indigenous with exotic trees species. Also the closure of access routes to the nine public valley dams of Kyayonchwa, Katalawendo, Kiraka, Wampiti, Wakasambya, Bamusula, Mitanzi, Wakanzi, and Kinoni, meant to provide permanent water sources for the petitioners' cattle, especially during the prolonged dry spells experienced by the drought-prone Nakasongola District.

The petitioners had engaged a number of key stakeholders, such as local government leaders, district councils, the National Forestry Authority (NFA), without success. The petitioners made the following prayers;

1. Unconditional grant of rights of usage and the easement of wetlands in terms of water catchments by neighbours whose settlements and residences are situated on the highlands bordering the natural wetland resources of NFA.
2. The unconditional unblocking of some of the access routes to public water dams which were excavated on the forest reserve land or public land by the Government of Uganda or donors.
3. The prohibition of bush clearing taking place on the remaining intact natural resource in favour of the artificial planted forest.
4. The prohibition of large or small commercial eucalyptus tree species in the semi-arid Cattle Corridor district of Nakasongola.
5. The prohibition of bush clearing in the wetlands fragile ecosystem and the planting therein of artificial eucalyptus forests, which offends the principles of existence of nature and the right to do a decent environment.

6. Payment of adequate compensation or restoration for the loss of public dams and resources, which are no longer recoverable.
7. And a declaration that the wetlands are only water catchment resources for the survival of the main animals.

The committee adopted the following methodology; held meetings with petitioners, undertook physical visits, reviewed some documents, and desk review of the triangulation of data from various documentation relevant to the assignment.

The relevant regime, Mr Speaker, in regards to assessment, the legal regime considered the Constitution of Uganda, the National Forestry and Planting Act, the National Environment Management Act, the Forest Management Plan, the Land Act, the Local Government Act.

The demographics of Nakasongola

Nakasongola District is located in central Uganda. It was created in 1997, prior to which it was part of Luwero District. The district borders the district of Apac to the north, Masindi in the west, Luwero in the south, and Kayunga in the east. The district is composed of three counties namely Kyabujingo County, Buruuli County, and Budyebbo County. Nakasongola has a total population of 181,000.

Mr Speaker, I can now skip through to the observations.

Findings and recommendations

The committee observed that the petitioners expressed dismay at the limited access of valley dams due to the fact that existing routes were either blocked due to the restrictions by NFA or were too narrow to contain large herds of cattle. This was evidenced by abandoned watering troughs in Bamusuuta Valley Dam.

However, at Mikanzi Valley Dam, the committee observed that the animals had been drinking from the available troughs and were drinking from there at the time of the visit to the district, contrary to the petitioner's claim.

The committee observed that;

- (i) The existing routes availed by NFA were supposed to be jointly used by both animals and humans, thereby making the routes highly susceptible to traffic congestion.
- (ii) The available routes are in close proximity to residential areas, hence making the people's property prone to destruction by animals.
- (iii) There is a need for NFA to avail alternative routes for the farmers to use the access valley dams, and the committee emphasised that the routes by NFA should be along the external boundary of the forest reserve and not through the forest in order to limit movement.

The committee recommends that;

- (i) National Forest Authority fulfils its commitment to establish six metric-wide routes along the external boundaries of the Central Forest Reserve to facilitate movements of animals to existing water points within six months from the time of the committee visit.
- (ii) The alternative routes by Bamusuuta Dam should be opened up within two weeks from the time of the committee's visit.
- (iii) The demarcation of the boundaries should be done in the presence of the district surveyors, NFA surveyors and the farmers, with the aim of GPS meters and GIS equipment to promote transparency.
- (iv) The Chairperson LCV spearheads the establishment of the proposed routes on behalf of the petitioners together with NFA and the District Local Government team to proper accountability.
- (v) Funds should be appropriated by NFA and the Government to facilitate the construction of proper routes with the aid of equipment such as wheel loaders along the proposed six-metre routes.

Committee recommendations:

The committee recommends that;

- (i) Sustainable mechanisms should be put in place jointly by Government responsible security agencies and communities to safeguard the Government projects, assets and apprehend and prosecute the culprits.
- (ii) The respective agencies, the Ministry of Water and Environment and the Ministry of Agriculture, Animal Industry and Fisheries (MWE and MAAIF) jointly advise mechanisms of restoring and replacing the vandalised solar panels to the valley dams in Nakasongola to facilitate the pumping of water to the watering troughs.

On the arrest and eviction of Locals

The Committee recommends that;

- (i) The NFA compensate persons with lawful and provable claims over the land, which was declared a forest reserve;
- (ii) NFA and its agents opt for amicable resolution of trespass disputes over NFA land and resort to arrest and prosecution as a last resort to ensure peaceful coexistence between the local government and the forest reserve.

De-silting of Existing Dams

The committee recommends that the respective Ministries; the Ministry of Water and Environment (MWE) and the Ministry of Agriculture, Animal Industry and Development (MAAIF) de-silt the dams in Kasanga, Wakasambya, Katalende to improve the access of water for the dams.

Encroachment on Existing Dams by Private Developers

The committee recommends that;

- (i) Another dam should be established by a responsible entity, (MWE/MAAIF) in Malengera to ease access by farmers instead of restoring Wakazizi Dam since

it is far from their villages (over 25 kilometres from the users). NFA should be committed to availing land where this dam will be established.

- (ii) Nakasongola District Land Board intervenes to ensure lease conditions that allow the establishment of routes along the forest reserve to aid access to the available water sources by the farmers.
- (iii) The public dams and boreholes in Kyankonwa that were fenced off by the private developer be opened up to allow access by the farmers.

General Committee recommendations:

The committee recommends that the terms of any lease to a private developer should be subject to the right for public access to the dams and any other public amenities on the lease property.

Assault by enforcement officers

The committee recommends that:

- (i) The process of demarcation of the six-mile routes along the forest reserves be expedited to facilitate movement of animals to the various water points;
- (ii) Farmers should refrain from trespass, especially on private property, as this is against the law and defaulters should be held accountable.

Degradation of Existing Swamps and Wetlands:

The committee recommends that a private consultant be engaged by MWE/MAAIF and NFA to ascertain the impact of Eucalyptus growing on the existing water table in Nakasongola given that it is a dry corridor in addition to the encroachment claims of the existing water resources.

Replacing Natural with Artificial trees species/commercial trees planting.

The committee recommends that;

- (i) The MWE carries out an impact assessment of planting of artificial tree species instead of indigenous species on

the environment and people's livelihood in Nakasongola District.

- (ii) NFA should establish mechanisms/programs of transferring knowledge and technologies in line with tree farming to the communities in Nakasongola District for harmonious co-existence.

8.8 The need for De-gazetting forests

The committee recommends that the Government should look for alternative settlement and grazing areas for the cattle community as opposed to the de-gazetting of forest reserves as this shall in the long run pose negative effects on the environment and the climate to the detriment of the present and future generations.

9.0 Conclusion

The committee observes Nakasongola District is in the cattle corridor and has a predominantly cattle-keeping community, which faces challenges of access to water for their sustainability and their animals due to extreme dry spells the district experiences. This notwithstanding, NFA is enforcing its mandate of maintaining and restoring forest reserves within the district which is creating conflict of access routes to the Government sunk dams near and within the forest reserves, culminating in conflict between the pastoralists, community, and the forest authority.

The committee therefore recommends that NFA ensures the coexistence of the forest reserve with the local communities by working with the communities. This will be done, among others, by mapping the forest reserve six meters, access routes, route each dam to enable the local pastoralist communities to access the water dam to water their animals, amicably resolving any trespass cases that arise rather than resorting to arrest and confiscation. Mr Speaker, thank you.

THE DEPUTY SPEAKER: Thank you, Hon. Nabeta. The debate starts now, but I will first allow Hon. Wanzala. Yes, honourable. Do you have a procedural matter.

MR PETER OKOT: Thank you, Mr Speaker. Our Committee of Natural Resources has got a membership of 35 Members. However, I see only seven committee members signed on the report. Our rule provides a third. Thank you. Are we proceeding right?

THE DEPUTY SPEAKER: Honourable chairperson, do you want to say something?

MR NABETA: It is an old report, Mr Speaker. It was before I became the deputy chairperson of the committee.

THE DEPUTY SPEAKER: I thought you wanted to give an explanation, but I want to know because when we were stuck during COVID-19, we had a situation where we suspended that rule and this is an old report because Members could not be gotten and we had very critical things to do. So we sat as the Parliament and suspended that rule.

Since this is a report that is handling a petition, honourable colleagues, let us process it.

MS NALUYIMA: Mr Speaker, as we proceed to process the report, can we get assurance? Wouldn't it be procedurally right for the committee chairperson to lay all the documents at an appropriate time so that they are part of parliamentary proceedings for further reference so that we can follow up on everything the way it was processed in the report?

THE DEPUTY SPEAKER: I will ensure that it is done. I know Rule 204 requires one-third but let us address these issues. Let us get it out of the way, rather than going back to process the report afresh. Honourable member, I understand your concern; it was valid.

Let me first allow the lead petitioner, Hon. Noah Wanzala.

4.58

MR NOAH MUTEBI (NRM, Nakasongola County, Nakasongola): Thank you, Mr Speaker. I would like to thank you, as a leader of this House, for assigning the Committee on Environment and Natural Resources to go

to Nakasongola and of course, ascertain the problems of our people who are living near the forest reserve.

This committee was led by Dr Otaala, the vice chairperson of the committee then, and we traversed the entire forest with him and the committee. I entirely agree with the report, but I want to make a few comments.

The National Forestry Authority fenced off one of the valley dams, which was very useful to the communities of Malengera Village. These people cannot access water for their cows. They are starving and suffering.

The committee recommended that the Ministry of Water and Environment go to that place and excavate another valley dam, but there was also an issue with the community providing land. I want to reassure the House that the community is ready to offer land where the Ministry of Agriculture can excavate that valley dam.

Secondly, Mr Speaker, regarding access to other valley dams, some other valley dams were fenced off and there was no access. We discussed with NFA officials who were there then, to open them and they agreed to do so in some areas but have still denied the communities access to them in other areas.

They have told this Parliament about the low water table in Nakasongola. Nakasongola is a cattle-corridor district and you are very aware that the water table is very low. There is a project, which is taking place. The Ministry of Water is handling the Bulk Water Transfer Project, which started some time back, but it is being handled at a slow pace. If the Bulk Water Transfer Project can be sped up, those other areas will access water we do our way with the forest reserves.

Many of our people have been arrested; other people have been taken to Luzira. I appeal to the Government that NFA should go slow on the community members. As I conclude, people who are being arrested are Ugandans; the forests are for Uganda. Why doesn't NFA

go slow on Ugandans because they are human beings?

I entirely agree with the report, but these issues must be considered. I submit.

THE DEPUTY SPEAKER: Thank you. Honourable colleague, it must go and record that as Parliament, we must support Government institutions that are implementing the laws we passed. We cannot be in Parliament, pass a law and then tell the agency that is supposed to implement it to go slow on implementing a law. We would rather amend that law.

I am going to pick Hon. Tinkasiimire, Hon. Ababiku, Hon. Sekyanzi, Hon. Olanya, Hon. Okeyoh, Hon. Santa Alum, Hon. Christine and Hon. Silwany. Hon. Kayemba-Ssolo seems to have a forest. I am going to pick you, honourable colleagues; we have time.

5.02

MR BARNABAS TINKASIIMIRE (NRM, Buyaga West County, Kagadi): Thank you, Mr Speaker, for giving me this opportunity to speak after your ruling. I support the position of the committee. You see, that the provisions they have put in are a win-win. Have the Ministry of Agriculture replace these valley dams outside the forest. For me, that is a better deal for the people of Nakasongola.

Nakasongola looks to be a vulnerable place because it is a flat. When you clear the forests in flat places, the climatic conditions sometimes change, to the detriment of the ordinary person inhabiting such a place. When step out of your car in this dry season, you feel the heat.

If we feel the heat but go slow on protecting the forests, then we are not being just to Ugandans and Uganda as a country, particularly the one we are looking at tomorrow. We should encourage Ugandans to plant more forests, instead of cutting them.

I will use this opportunity to appeal to the people in Nakasongola, whom my honourable colleague, Hon. Noah Mutebi, cannot speak to,

that they should have left the forest yesterday. *(Applause)*

I went to Bugoma, Hoima Sugar has cleared hectares and hectares of natural forest. I walked through and found a tree, which no equipment can dare to cut into logs of timber. If they brought the log itself and carried it here on a truck, we would not have where to sit if they placed it inside here.

That particular tree, in estimation of the many years it has lived, could have lived for about 600 years. If we are going to cut trees and natural forests that have spent 600 years, are we being just to this country? We are not. *(Applause)* I pray that we implement the recommendations of the committee to the latter. *(Applause)*

THE DEPUTY SPEAKER: Thank you, Hon. Tinkasiimire.

5.06

MS JESCA ABABIKU (NRM, Woman Representative, Adjumani): Thank you, Mr Speaker, for the opportunity. I support the committee report. Yesterday, I presented a report on what is going on in the Karamoja Subregion; the recurrence of famine. One of the factors attributed to this is the effects of climate change.

If we do not support the protection of our reserves, let us be ready to expect worse scenarios. There is increased heating of the earth. I even recommend that we stop the attempts of cutting down the natural trees. The replacement of these trees is causing a lot of disasters. Why? They are short-lived and those who plant them keep cutting them.

Secondly, we need special intervention than what the minister brought on the Floor talking about increased planting of trees. We need to do enforcement even at our district local governments, people are licensed without clear conditions. Those who opt to cut their wood loads must be ensured to plant trees to replace what they have harvested.

Thirdly, Mr Speaker, I feel there is poor coordination among the ministries in relation to this report. Why should we put reservoirs or sources of water, near a forest reserve? It is tempting and yet we are fighting against encroachment. We are advocating for opening more access roads within the reserve. What will it lead to? To a desperate community. I propose that we review how best to place these other sources of water and infrastructures like roads, if we want to protect our forest reserves. So, *—(Member timed out.)*

5.09

MS VICTORIOUS ZAWEDDE (Independent, Woman Representative, Nakasongola): Thank you, Mr Speaker. I thank the committee for the detailed report. Allow me to make some corrections about the committee. I listened when the chairperson was presenting that Nakasongola District has three constituencies, but instead, Nakasongola has two constituencies; Budyebo and Nakasongola.

I may disagree with my colleagues as I also give them some information. People have occupied the forest reserve we are talking about. Some very many people are living along this land and it is no longer a forest. I also want to inform the august House that we no longer have some natural trees. Instead, they have planted artificial trees. Remember, these are areas that have been occupied by the local people. Just like Nakasongola, it is found in the cattle corridor, it experiences a lot of dry seasons. We have two dry seasons: April to May and October to March.

Mr Speaker, these valley dams were only constructed in some swampy areas which are only serving the available communities. If we close up these valley dams, all the water sources that were put into the forest – and these are Government dams excavated by the Government and a lot of money has been injected into this project.

The question is, what will the available communities use? Nakasongola District is a remote area, which is found in central. Very many people know that the central region is an

urban area, but Nakasongola is a remote area. People who go to the north can attest to this.

The forest reserve we are talking about is located along Katuugo. Those who have ever used that road, know the situation I am talking about. I may disagree with my colleagues who are saying that this road should be blocked and maybe we only reserve the land for the forest. I request that we help these communities, and poor Ugandans to settle because we cannot only have the artificial trees and yet people have nowhere to stay. We need to create some space for our people instead of saying that we should only keep protecting the artificial trees, yet they were cut.

These are forest reserves that had natural forests and if the natural trees were cut and you people are protecting the artificial trees, then I fail to understand where will –(*Member timed out.*)

THE DEPUTY SPEAKER: Conclude honourable, she is the woman MP of the area.

MS ZAWEDDE: Thank you, Mr Speaker. My prayer is that these communities should be provided with some roads to the water sources so that they can have clean water because we are living with bad water. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. For the record of the *Hansard*, there are no artificial trees planted – the artificial ones are the ones we use for Christmas decorations or plastic ones. Maybe indigenous versus improved. They are all forests—just the artificial one.

5.12

MR BENARD SEKYANZI (NRM, Budyabo County, Nakasongola): Thank you, Mr Speaker. I thank the committee for the recommendations.

For sure, Nakasongola is a vulnerable district. Honourable colleagues, I want you to understand Nakasongola very well as a district. In Nakasongola, we faced a lot of problems during the colonialist times, whereby people

were displaced to Lango region and the Langis can bear me witness.

In 1979, they were all chased from there, and it was as if it was a move by the then Government. Most of the land in Nakasongola was taken to forest reserves, but there is no forest there. All areas are occupied by human beings, with their animals. That is a fact.

When someone comes here and deceives you that there is a forest being destroyed, there is nothing. Sincerely, the Government needs to help people of Nakasongola by –(*Interjection*)– wait, I will allow you to give information, but not now.

The Government needs to help the people of Nakasongola to plant more trees. All the areas are occupied, and you are all aware that mailo land in Nakasongola is a problem, absentee landlords. When we returned from Lango region, we found that our land had been taken by some people. We settled there, but we do not sleep; day and night, people come claiming that that is their land.

I request the Government to give Nakasongola a special affirmative action that can help our people even to benefit in this PDM. If not, we are going to suffer and we are here to legislate for our people, not for the trees. Thank you.

THE DEPUTY SPEAKER: Honourable, the trees belong to the people. I had already picked the Members to speak. I think I moved this side, isn't it? I picked Hon. Santa and Hon. Koluo.

5.13

MR GILBERT OLANYA (FDC, Kilak South County, Amuru): Thank you, Mr Speaker. I appreciate the committee for the good work done. We should accept that there is very high competition between human settlement and land. Human beings are increasing every day and night, but land is fixed.

National Forest Authority normally claims that their land was given to them in the 1940s, many years ago. They are moving from place to place in Amuru. They move to an area and

say, here was gazetted since 1946.” They start asking the community to quit the land. Much as we need to preserve our environment, the Bible says the animals, trees, and everything are to help human beings live well -

THE DEPUTY SPEAKER: Which verse? *(Laughter)* The Bible, okay.

MR OLANYA: Mr Speaker, I will quote the verse. *(Laughter)* Therefore, let what we have help human beings – *(Dr Baryomunsi rose)* - Let me continue. I will let you give the information – *(Interruption)*

DR BARYOMUNSI: Thank you very much, Mr Speaker. I would like to help my brother with the verse. It is Genesis 1: 28, where after creation, God gave a command for man – man and woman – to establish dominion over all the creatures and subdue the earth. *(Applause)*

THE DEPUTY SPEAKER: Honourable colleagues, I think now you have known. In case someone gives you an examination to list Members who escaped from the seminary to Parliament, you know who to start with – and add Hon. Aza. *(Laughter)*

MR OLANYA: Thank you, Mr Speaker. Therefore, let what we have help human beings to live well on earth. You cannot come and start blocking roads and evicting people from land in the name of the forest, which was there very many years ago.

The 1995 Constitution states that when somebody stayed on a particular area for 12 years upon the enactment of the Constitution, it means the person becomes a bona fide owner of the land – in case you stayed on that land without being informed, whether by the Government or that individual.

Now, National Forestry Authority claims their land was given since 1940, 1946 and 1948, yet the 1995 Constitution gives power over that land to that particular person living on it. *(Member timed out.)*

THE DEPUTY SPEAKER: Honourable colleagues, I would like us to be cautious. The law is the law. There is a process of degazettement or gazettement for people or the Government to take over a forest. As long as you have not gone through it, we cannot just come here and encourage people in one way or another that forests are there to protect people. No. It is a law. So, when we are on the Floor of Parliament, we must protect our laws.

I had picked Hon. Santa, Hon. Koluo – Hon. Christine, I would like you to come in as a shadow minister at the end because you need to listen to honourable colleagues. I will pick one, two, three, four, five, six, seven, eight, nine, 10, 11, 12 and then I come here. Let us ensure that we are considerate of other Members.

5.15

MS SANTA ALUM (UPC, Woman Representative, Oyam): Thank you, Mr Speaker. There is very stiff competition among human beings, natural resources and animals. This Parliament must handle it with a lot of care. Everywhere, in most parts of the country, people are increasing in terms of population and land is not increasing.

Two, I would like to pose this question to the committee. On page 12, under arrest and eviction of local persons, you recommended that National Forestry Authority (NFA) compensates persons with lawful claims over the land, which was declared a forest reserve. Do you mean to say that there was land for people and NFA just went and planted trees or evicted people from the land?

I would like that to be very clear because this is a recommendation that, at the end of the day, we are going to adopt. If so, this signifies a very big problem that is being caused by NFA.

In addition, Nakasongola is water-stressed. It is very unfortunate that they can be blocked from accessing the valley dam. In their report, the committee also placed some verdicts on the people of Nakasongola, of vandalising solar panels. If this is true, I would like to know how far you engaged the local government.

If this is happening, then, it is very bad. Even yesterday, as far as Karamoja was concerned, we were seeing this problem of valley dams being constructed at a very high rate and then people vandalise it.

Finally, the failure to protect this – I think this squarely rests on the local government. We have security people on the ground right from the villages to the parishes - the Parish Internal Security Officers (PISOs) and the Gombolola Internal Security Officers (GISOs). I wonder how this can happen. What are they doing? They are being paid.

Mr Speaker, Nakasongola should be helped with trees. Many trees must be planted to address the issue of water stress and the erratic climatic conditions that we face today. I thank you.

THE DEPUTY SPEAKER: Thank you. I think those two issues, honourable minister, are very important - especially to pick from the aspect Hon. Santa brought: compensation. Was this is a forest? We want to be very cautious –(Hon. Magolo rose-) - no, I have the Government. Okay?

MR MAGOLO: Mr Speaker, Nakasongola forest, where we went, has enclaves and some of them belong to private people. When private people came and bought the land, they closed the roads that go down to where the water is, which is in the middle of the forest. A private person who has bought the land could not allow the community to access the valley dam, which is in the middle of the forest.

Therefore, what the people were demanding was that they create a way through the forest to access the water, which is many miles away. We went there. That is why the National Forestry Authority gave a leeway that they are going to provide six metres outside so that they create new dams.

THE DEPUTY SPEAKER: Hon. Magolo, what about the one of compensation, which Hon. Santa raised?

MR MUTEBI: Mr Speaker, before the gazettment of Katuugo Forest Reserve, there were some few families, which had settled there. After the forest was gazetted, those people continued to be there. Now, NFA is forcing those people to move away from the forest. That is why they are being taken to court every day and night when in actual sense they settled on that land before the gazettment of that forest. That is the clarification I wanted to give.

THE DEPUTY SPEAKER: Honourable colleagues, when we are making recommendations that have a charge on the Consolidated Fund, we have to be cautious. We cannot sit here and say: “Compensate people who are in a forest reserve.” If those people have their legal claim, there are ways of achieving that. They achieve it in court.

As Parliament, you do not have the capacity to go through the intricacies of the claims. No, you have to be very cautious, otherwise, that is how we make recommendations that are difficult to implement and then we say, “Did we legislate or recommend in vain?” I am usually very cautious to ensure that the recommendations we make are implementable.

If people are going to court, how do we come and say, “No, no. We are tired. You are overtaking people to court and you are claiming so much” Yet, as Parliament, we are saying compensate. To be honest, it cannot work that way, honourable colleagues.

Hon. Baryomunsi, do you want to seek further clarification?

DR BARYOMUNSI: Thank you, Mr Speaker. I want to seek clarification from the committee. Did the committee satisfy itself? Otherwise, it is this Parliament, which gazettes. You are saying, we gazetted that forest reserve when people were settled there and no compensation was given!

I would like to know: when was this gazettment done? Is there documentary proof that when we gazetted this forest people were

there before you recommend compensation? I think the report does not bring out those facts.

THE DEPUTY SPEAKER: That is why I said it is - Hon. Muruli Mukasa, do you want to add something?

5.28

THE MINISTER OF PUBLIC SERVICE (Mr Wilson Muruli Mukasa): Thank you, Mr Speaker. I would like to thank the committee for this good work, for letting a team go there and fact find these issues. Generally, the committee has done a good job.

However, on the issue of families, which were there, what has not come out is that when the forest was gazetted in the 40s, as raised by the Member from Amuru, there were families in that area. The forest is gazetted and those families keep staying there. They are not kicked out.

Now, when the National Forest Authority (NFA) became very active, these people were asked to leave without any compensation. That is true. It is not that the forest reserves established in areas were vacant. In the main, yes but as they were doing it, they also included real villages and there is evidence to this effect. Where is the evidence? Long standing burial grounds, graves and trees which show human habitation. So it is true.

I was born in that area. I represented that area for a very long time so I know. Therefore, it is not just in vain. When they are talking of compensation, there is some truth in this matter. It is not that people have gone in after gazettement and now they want to be compensated. That is not the case.

In areas of Kalungu in that Kasagala Forest Reserve, there are people who have been there for a long time. When the gazettement took place, they were there, then they were asked to leave recently without any compensation.

Mr Speaker, I may not get a chance to say something extra. The committee has done a good job. Maybe to enrich the report further

to stop this conflict now that the Ministry of Water and Environment is in charge of bulk water, they could establish these water points outside the forest reserves so that people do not have to have this conflict.

However, in case that has not happened and to stop this conflict, NFA must incur an extra expense. Where they have created these corridors, they make sure there is actual fencing so that when people are going to get water with their animals, they do not stray.

Mr Speaker, you know pastoralists. When they see grass over there, they will go there. To stop all this, if they could fence so that people go to the water points and come out without injuring the forest, that would be very good. Thank you.

THE DEPUTY SPEAKER: Honourable minister, thank you for the clarification. However, we are limited by Article 93 as Parliament; on issues of directing you to go and compensate and the rest should come from the Executive. Maybe the recommendation could be put in a safer way by saying that the committee established that there were claims that looked plausible and the Government should investigate these claims with a view of compensating the affected persons not saying that Parliament commands that the Government should go and compensate. Hon. Aisha, you want to say something?

5.33

THE MINISTER OF STATE FOR WATER AND ENVIRONMENT (WATER) (Ms Aisha Sekindi): Thank you, Mr Speaker. I want to add a voice on the guidance we are giving this Parliament. We have a committee led by the Prime Minister, which was directed by His Excellency the President to look into the people who are claiming that they settled in the forests for so many years, or they were given by the former regime's authority to live there so that they can be compensated.

My request is that we add Nakasongola on that list to ascertain whether these people are giving us a real story so that we can add them to the list of those that are going to be compensated. Thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Santa or Hon. Okupa, whoever will be ready will help us with an amendment later so that we are safer when we are about -

Hon. Koluo - I had pick you, honourable colleagues in your order.

5.34

MR JOSEPH KOLUO (Independent, Toroma County, Katakwi): Thank you, Mr Speaker. Geographically, Nakasongola and Katakwi, are almost the same. They are in lowland areas, and that is why I concur with the committee on desilting the dams. For sure, in the cattle corridor, if there is no water for the animals and people to use, it is a crisis.

I have read the report but there is a simple conflict between owners of the private forests who are refusing these valley dams to be desilted. I suggest that these valley dams be desilted.

I have been raising here in Parliament the problem of one valley dam in Toroma, Katakwi called Acuna Dam. This dam is totally a very big problem because when it rains, all the water that comes from Karamoja Region -floods the whole place. Yet, up to now, that dam has not been opened.

Finally, as an environmentalist, I disagree with degazetting a forest. We have seen the effect of climate change in our country. The only solution solution for that is possibly to encourage people in that area to plant more trees and practice better farming methods. I know the cause of that is land fragmentation. I submit that land fragmentation should be addressed in Nakasongola. Thank you.

THE DEPUTY SPEAKER: Thank you.

5.37

MR GEOFFREY OKELLO (NRM, Nwoya East County, Nwoya): Thank you, Mr Speaker. Let me also add my voice to thank the chairperson for the report. Mr Speaker, since we were in lower secondary school, this problem has persisted.

I remember at some point there was a lot of discussion in this Parliament about valley dams, is it hostels that are made from valley dams or whatever? It shows us that we have been trying to address a question that requires a long-term strategy. We have been trying to solve them within weeks, months, or even years.

Mr Speaker, when you pass through Nakasongola in any way through the main road or any other place it is highly degraded and it is not just about cows; it is highly degraded and it is not even good for human habitation.

There is something that has happened recently and I see a lot of seriousness and I suppose that could be a long-term strategy also for Nakasongola. Government of Uganda is drawing water from the Nile and taking it to Gulu City, which is about 70 kilometres away and I think even less than 70 kilometres away from Lake Kyoga, could go a long way to address this matter over a long period of time.

Finally, Mr Speaker, yesterday we were here talking about Karamoja, and one of those issues that were brought up also applies to Nakasongola, that is diversification. The population of the animals, given the degradation there, we cannot sustain it. Therefore, the Government needs to come out with a strategy to diversify income sources for those who are keeping animals. I thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Kayemba?

5.39

MR GEOFFREY KAYEMBA (NUP, Bukomansimbi South County, Bukomansimbi): Thank you very much, Mr Speaker. I thank the committee for the report on the issues of Nakasongola.

BI want to ask the ministry to give us a gazetted forest demarcation report so that we know all the forests in Uganda and their acreage, and exactly where they pass because we have found, Mr Speaker, that most of the forests are given away by officials in the National Forestry Authority (NFA).

They are taken by the so-called big people. You find a forest, the land that would have a forest is taken away and some actually have land titles. I think it might be the same thing in Nakasongola. We agree, people might have been there before, but how did they come there? And where was the Government when people were occupying NFA land?

Now they say they want compensation. The Government might lose money out of that. I think we need to be more serious. I beg to submit, Mr Speaker.

THE DEPUTY SPEAKER: Thank you.

5.41

MR PETER OKOT (DP, Tochi County, Omoro): Thank you very much, Mr Speaker. When I am going to Tochi, my constituency, I drive through Nakasongola. I thank the committee for the report.

In the report, we are informed that some of these valley dams were constructed as recently as 2016. That means they were constructed in those forests for a reason. We are told and we all know the area of Nakasongola has a very low water table.

I believe the choice of putting the valley dams in those forests was dictated by the fact that it is the only place where water can be got. This is a serious Government investment, which could have been put elsewhere if the situation had allowed it. However, the fact that it could only be found suitable in the forest is the reason they were put there.

Now that it is bringing a challenge; causing conflict between the farmers of animals and NFA with forest destruction, a middle ground needs to be found. How can we find a middle ground? Number one, as ably stated by other colleagues, talk of de-gazetting, which can also be contested given the climate change now.

Number two, which has been brought by Hon. Okello, we have the Nile. Since the Government invested heavily, it can also invest again to prevent future conflict between humans and

other natural resources for coexistence in our society. Thank you very much, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Hon. Walyomu?

5.43

MR MOSES WALYOMU (Independent, Kagoma County, Jinja): Thank you, Mr Speaker. I want to thank the committee for the report.

I think Nakasongola is almost similar to my constituency of Jinja District, which is rural because my constituency is full of forest reserves.

Mr Speaker, sometimes I wonder. Before the creation of NFA, that is the National Forest Authority, we used to have full forest cover under the ministry. Now with the presence of NFA, forests are disappearing.

I think this is forcing the community nearby to think that there is no need for forestry because at the end of the day, the so-called big people go and acquire leases and plant trees and after planting trees, when these trees grow, they reach a certain time and go and harvest and then the whole forest looks like it is cleared.

Mr Speaker, as I talk, if you go to one of the forest reserves in my area, that is Namavundu, people are just harvesting the trees.

The so-called investors - and when the locals do apply for the leases, they are not given a chance. When NFA is implementing the Act, they implement the Act favouring them. The other part which favours the locals is not looked into because if you read the Act very well, at least there is 5 per cent of the land to be utilised by the locals. But in my area, the whole thing is done by NFA giving out land to the commercial farmers.

To make matters worse, we have Itanda Falls. The locals discovered the falls, but I tell you, NFA gave out that area and now people cannot even access it.

THE DEPUTY SPEAKER: But “*Nyege Nyege*” people, that is where they commit all kinds of sins.

MR WALYOMU: I tell you, Mr Speaker, even during that time of “*Nyege Nyege*”, where my people would enjoy, they never enjoyed because they had no access to “*Nyege Nyege*.” Somebody had to pay about Shs 2 million – (*Interjection*) You see, it is not all about “*Nyege Nyege*”, but we also used to use the same route to cross to Kayunga, but up to now, my people cannot use it to cross to Kayunga.

Mr Speaker, NFA needs to be like Uganda People’s Defence Forces (UPDF) and I am sorry to say this, but you see, when UPDF goes to a community, they show them the reason as to why they are there.

They are close to the people and if NFA can implement the Act as it is by giving the locals the feeling that they are part and parcel of the forest reserve, we shall have forests in this country.

THE DEPUTY SPEAKER: Thank you. I am really happy about the NFA debate because at least we are talking about its strictness. If they were not this strict, we would have more or less zero forest cover.

You know, the big people who have been making titles in forests and all that - you find nearly every forest in this country is titled by someone who is waiting for the collapse of NFA one day so that no one can chase after them as they enjoy their title.

So, at least they are doing a good job of being strict when it comes to protecting forests. Hon. Vero, Hon. Margaret, Hon. Joab, and then Hon. Yonah.

5.48

MS VERONICA NANYONDO NAMA-GANDA (NUP, Woman Representative, Bukomansimbi): Thank you, Mr Speaker, and thank you, honourable chairperson, for the report and for taking time off to go and visit Nakasongola. It is a really good thing that you did.

Mr Speaker, I thank the chairperson and the committee for the recommendations. However, we come here and give good recommendations but implementation is hard.

I pray we add one more recommendation; here in the central where Nakasongola is, the *Kabaka* of Buganda came out and requested all people in Uganda to have the *Kabaka’s* forest on their land. I pray we encourage people to plant trees on their land because climate change is a big problem in Uganda.

Secondly, on the issue of the dam which was constructed in the forest, I wonder how it was constructed in the middle of the forest, but I think that has been cleared. However, the honourable Minister for Water and Environment is here. We came here some time back complaining about how the dams are being constructed. They are not safe for people and the water is not good for home consumption because we use the same dams with animals.

However, the ministry has not taken any action, not even coming on ground, as directed by the Speaker, to see what we are talking about. I will use this opportunity to request the State Minister of Water and Environment, because she is here, to put into action what was directed by the Speaker as the committee did in Nakasongola. Thank you.

MS SEKINDI: Thank you, Mr Speaker –

THE DEPUTY SPEAKER: Minister, you will respond. Hon. Lamwaka -

5.50

MS MARGARET LAMWAKA (Independent, Chua East County, Kitgum): Thank you, Mr Speaker. I want to thank the committee so much for the detailed report they have come with. Nakasongola gives me a visa to go to Kitgum and when I am passing Nakasongola, the first thing I normally see is that there is also - Amidst the water that they do not have, there is also a high rate of charcoal burning. This is done by the big shots who have bought land there and they want to have the land for grazing and almost all the traditional trees are completely gone.

My suggestion, Mr Speaker, is that since we receive maize seeds to support food production, I wish these sister ministries would come out and give trees to Members of Parliament so that we carry out mass planting of trees in all our areas.

Another issue is, this is one Government and these are sister ministries. Now, NFA goes straight to fence the water and the people of Nakasongola are left like that because they have not thought of the human beings and the animals there.

These people who also have their own *mailo*, go and fence the water and the poor person in Nakasongola is the one suffering. Can the Ministry of Water and Environment and NFA sit together and as they are going to fence, leave water for the people of this place?

THE DEPUTY SPEAKER: Thank you. Hon. Joab, then Hon. Yonah and then Hon. Mapenduzi.

5.53

MR JOAB BUSINGE (FDC, Masindi Municipality, Masindi): Thank you, Mr Speaker. I am also getting concerned. It seems there are people who are not doing their job well because when you look at the development in Uganda, it should be guided by the law.

For example, what we are saying is that today, the whole country is a physical planning area, according to the National Physical Planning Act. I want to think that when development is going on in any part of this country, there are established authorities, for example, every district has a physical planning committee and all other local governments.

Therefore, when these developments are taking place like the valley dams vis-a-vis afforestation by individuals, why don't the physical planning committees in the respective areas guide this development? For example, I know in my area, it is very difficult for anybody owning land to develop it without granting accessibility to a public facility and water is a public facility.

Therefore, I am wonder where these committees in the local governments and maybe in the relevant ministries are. I would pray that this House directs the relevant ministries to see whether these procedures were followed and if they were not followed, then the developers, including NFA and the individual developers, should be directed to provide access. Otherwise, we cannot simply sit down and see the public losing these public facilities.

The Government has invested heavily in these water sources and for somebody to simply come and fence them off, making the facility inaccessible, when all Government Agencies, Government Departments and Ministries (MDAs) are watching - I think we are not doing our job well. Mr Speaker, that is my concern.

THE DEPUTY SPEAKER: Thank you.

5.55

MR YONA MUSINGUZI (NRM, Ntungamo Municipality, Ntungamo): Thank you, Mr Speaker. I thank the committee for the good report.

Today we are talking of global warming, but what is global warming? Humans have not only misbehaved on themselves. You are talking of "Nyege Nyege", this is misbehaviour. Adultery, defilement, murder are misbehaviours. They have not only stopped misbehaving on themselves but they have also gone ahead and misbehaved on God's creation; nature.

THE DEPUTY SPEAKER: Honourable, say we.

MR MUSINGUZI: I am not part of those people. *(Laughter)* I am a seminarian like you and Mr Speaker, you know that. Humans have gone ahead - Mostly you, to encroach and misbehave on God's nature. What is the repercussion? God has punished you and He has punished even me, the innocent one.

How has he punished you and me? He has punished you with global warming; with too much heat. I can barely cover myself in bed and I know all of you do not cover yourselves.

You have misbehaved on God's creation by deforestation –(Interjection)- You are defiling the forest like He has put it. I would like to assure you, there is no future for the future generation.

Therefore, I thank the committee, I thank the National Forestry Authority (NFA) - By the way, I want to dissociate myself from the Member who was saying, "...and I add my voice to the Speaker, NFA has done a recommendable job." Most of the district forests were sold by the Ministry of Water and Environment. We want to thank the NFA for the little that we have today and for enforcing the law. That is why you, people of Nakasongola, are crying, including my brother here.

I see the minister who is spearheading mergers - Mr Minister, listen to me, Sir. As you are on your phone planning for mergers of these institutions, you are going to roast your children and great grandchildren of tomorrow. Immediately you talk of takeover or merging NFA with Water and so on, these grabbers who are misbehaving on themselves are ready to go and finalise their titles which they are planning to make.

THE DEPUTY SPEAKER: Thank you, honourable. Hon. Yona, from what I have seen, it is only you who will go to heaven, so you will be bored alone there - (Laughter) - because I see all your colleagues, from your judgement, will be left behind. The problem is, if I allow you on, Hon. Christine, I will not allow you again and yet you and your colleague here - because you also have to get - Okay. I had allowed Hon. Mapenduzi.

5.59

MR OJARA MAPENDUZI (Independent, Bardege-Layibi Division, Gulu City): Thank you, Mr Speaker, for the opportunity. I would like to join my colleagues in thanking the committee for the report.

However, there is a bigger problem in this country. Today, we live in a country where people try to compete on how to break laws. We even have leaders who try their best to side with criminals.

Mr Speaker, the problem of encroachment on forest reserves, encroachment on wetlands, and destruction of the environment is becoming unbearable. In this country, it seems more people are interested in cutting trees than those interested in planting and growing them. Sadly, we have agencies that are mandated to make sure these laws are implemented to the letter.

I am disappointed with the ministry and NFA. Recently, Mr Speaker, the President issued an Executive Order banning the indiscriminate cutting of trees for charcoal business. However, when you see the number of trucks - and these violators keep on changing tricks. Now they have changed from carrying it on open trucks and are using box trucks. The law enforcement agencies have roadblocks. They know what is going on but they side with the criminals. Who is going to handle this?

Mr Speaker, apart from implementing the President's directive, the ministry is supposed to help this country come up with alternative measures. We have repeatedly told the ministry to come up with policies on introducing fast-growing trees so that we protect the indigenous tree species while we plant the ones that grow faster and they become the alternative.

We have been talking about promoting the use of briquettes and other alternative energy sources but you do not see any effort being made. Therefore, much as we applaud the committee for doing a wonderful job, there is a need for the ministry and the law enforcement agencies to stop implementing the laws selectively. There are places where they close their eyes. There are places where - and there are also government officials whose trucks are involved in carrying charcoal.

It is painful when you drive from here to Gulu, passing via Nakasongola. It is difficult to see mature trees in Nakasongola; indigenous tree species. You find pine trees and these that are now being brought from elsewhere. If we are not –(Member timed out.)

THE DEPUTY SPEAKER: Thank you, honourable. Hon. Mapenduzi has brought

up a very important point. I shared this with Professor Mnason Tweheyo, the former Dean of Forestry at Makerere University. He told me that there are trees which grow in two years and are ready for charcoal. Therefore, it is just a matter of the Government policy saying, no. People are making good money out of charcoal and it can be a commercial venture. Plant trees that you can harvest in two years and you have charcoal without affecting the environment by cutting the young trees. Thank you for that.

Hon. Martin Muzaale, Hon. Kazini - No, I am trying to pick those who have not spoken today, okay? Yes, because I am seeing - and when I talked to Hon. Kirumira - Yes, Hon. Martin Muzaale. We have 15 minutes to conclude this, so I will pick five colleagues, three minutes each.

6.03

MR MARTIN MUGABI (NRM, Buzaaya County, Kamuli): Thank you, Mr Speaker. I am back in my mood, away from the Sugar Bill. I would like to thank the committee for the report and the recommendations. I think, as the Government, we need to begin to act. We have the planning ministry that is responsible for seeing that strategic interventions are done in particular areas.

If individuals in those ministries misallocate resources, or put infrastructure where it is not supposed to be then today we are saying we should close that infrastructure where we spent a lot of money. I think the time has come to hold such people culpable for such misallocation of resources in this government.

I have heard a colleague talking about humans sharing the same water source with animals. These projects are supposed to be designed in such a way that animals can benefit from this infrastructure as well as humans. Ideally, the problem would be with the planners or the designers of these projects.

Mr Speaker, it comes back to the same point I have just talked about; I think the time has come that we begin to act. If we have paid you money for consultancy and you fail to come up

with a good job, you should be held responsible for that loss. Otherwise, a lot of mess is still going on.

Lastly, we are talking about climate change. The truth is, NFA - We appreciate what they are doing but they are not doing enough. Before we used to receive some trees as Members of Parliament in a bid to try to promote afforestation in this country but of late, we are not planting any trees. When we go to our communities and plant trees, however few, it is a very big message to the communities that the time has come to plant trees.

The issue of trees that can grow fast is also very important. Otherwise, the seedlings that are being given to people to plant grow after a very long period; about 10 years, yet the issue of charcoal is still a very big challenge in our communities because most people *-(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. I will pick Hon. Kazini, Hon. Aza, Hon. Anywar, Hon. Rauben and Hon. Nakut. Because of gender, I will pick the honourable member from Iganga and I am happy to see Hon. Asaba here. Thank you.

6.06

MR FRANCIS KAZINI (NRM, Buhaguzi County, Kikuube): Thank you, Mr Speaker, and the chairperson for the good report. I am among the people who are working very hard to go to Heaven and you can go to Heaven by speaking the truth. The Honourable member here mentioned that Bugoma Forest is seriously encroached on.

I would like to tell the Member that Bugoma is in my constituency. I want to confirm his words that Bugoma is encroached upon.

(Text expunged)

MR KAZINI: If we want to protect the natural forests, we must open boundaries of these forests to mark the demarcation and boundaries. Some of our people are encroaching on these forests without knowing the boundaries.

Mr Speaker, it is now almost a year since Bugoma Forest boundaries were opened. However, to date, they have not produced the report. I do not know what they are waiting for. The Minister of Lands, Housing and Urban Development together with NFA opened the boundaries of Bugoma Forest but there is no report up to now. As I talk, the locals are encroaching on the forest because they do not know the exact boundaries.

As I conclude –(Interruption)

THE DEPUTY SPEAKER: Point of order.

MR OLANYA: Thank you. Mr Speaker, my colleague has put across a very serious allegation that there are Members from this House who are giving directives for our natural resources to be depleted. Is the honourable member in order to put allegations, but he does not mention the names of those individuals?

THE DEPUTY SPEAKER: Honourable, why are you making Hon. Olanya look a suspect? Can you mention the people? I am also being suspected.

MR KAZINI: Perhaps he is suspecting to be among them, but he is not among them. Mr Speaker, for security reasons, I may not mention them here, but they are with us.

THE DEPUTY SPEAKER: No, honourable colleagues, this is not how Parliament works. When you make an allegation on a Member – For forest encroachers to be seated among us here, they must be exposed. You have immunity, no one can prosecute you for any statement you make here.

Moreover, you said that you want to go to Heaven. Now you are going to fail at the last minute. (Laughter) I thought you would join Hon. Yona. Hon. Zijjan, can you help our colleague?

MR ZIJJAN: Thank you, Mr Speaker. I wanted to move under procedure. The honourable member has expressed concern for his freedom after speech. I would wish that we take his fear

seriously, given that when we exit the premises of this House, we are not given security. For the sake of our brother, I ask that we expunge his submission and assume that he did not say it. However, prevailing upon him to mention names might endanger him. Are we proceeding right, Mr Speaker, by pressing our Member to put himself in danger?

THE DEPUTY SPEAKER: The oath you took, honourable, says without fear or favour. If you knew fear was the dominant factor, you should not have taken that oath.

6.11

THE MINISTER OF INFORMATION, COMMUNICATIONS TECHNOLOGY AND NATIONAL GUIDANCE (Dr Chris Baryomunsi): I just want to assure Members that the Government will not go for any Member of Parliament because you have made a submission. The NRM Government believes in open methods of work and zero tolerance to corruption.

Therefore, if the honourable member has names, he can table them or if he is fearful, he can submit them to the Government. I am here as the acting Leader of Government Business and I am saying he can give them to us as the Government in confidence if he fears to table them. Then we shall act on that.

THE DEPUTY SPEAKER: No, Hon. Baryomunsi. The problem is that he has said they are seated among us. Really, this is an honourable House and having suspects here – He also said that the statements he is going to make are the only ones which will take him to Heaven. Along the way, he got scared of going to Heaven.

Honourable member, if you are not ready to mention the Members - I think it is difficult to maintain this statement on record the way it is if you cannot name and shame. This is a House of accountability and I give it to you. If you cannot name the Members you have said are seated in this House, then you have to withdraw so that it gets off the official record of Parliament.

MR KAZINI: Mr Speaker, for security reasons, I am going to withdraw the statement. But the truth is, Bugoma Forest is gone. *(Laughter)*

THE DEPUTY SPEAKER: No, the encroachment on Bugoma Forest is not an issue we are talking about. The component we are concerned about is of Members of this august House who are seated here. It might be Hon. Aza and you fear a punch right away.

MR KAZINI: To avoid fights within the House, I withdraw that one. Mr Speaker, as leaders, we must support NFA because they are doing a good job to protect these forests. Since the leaders have not supported NFA, that is why most forests in Uganda are encroached upon.

I, therefore, call upon the leaders who are here and outside there, that let us support NFA and other agencies to protect our forests. Thank you.

THE DEPUTY SPEAKER: I will invoke rule 229 so that the *Hansard* is cleared of that statement that, “Members of this House who are seated here...” However, the clear content of the area Member of Parliament is that Bugoma Forest has been encroached upon and the Government should investigate this seriously.

Honourable minister, I expect you to answer on the issue of the report where he said, “it is more than a year but you have not made the report on this public.”

MR KAZINI: Mr Speaker, by way of information, the exercise was conducted by the Ministry of Lands, together with NFA.

THE DEPUTY SPEAKER: Yes, NFA is under the Ministry of Water and Environment. They cannot come to Parliament but their minister can.

6.15

MR TOM AZA (NRM, West Moyo County, Moyo): Thank you very much, Mr Speaker. Members of the committee, thank you for

the good report. The immediate neighbour of Nakasongola District is Kiryandongo going northwards. As we are aware, this area has got refugees.

Since people are producing day and night and they are not about to go back to Sudan and South Sudan - others are from Kenya – please let us expect bigger problems than what we are witnessing now. With the presence of refugees in that area and since the population is expanding, the following must be worked upon: issues of valley dams, cattle grazing, lack of access to other natural resources, other water sources, access roads to gardens, issues of deforestation, charcoal burning, and so on. The sooner this is done, the better for the country and the better for the people of Nakasongola. Otherwise, it is a time bomb, which is only waiting to explode into proportions of volcanicity. Thank you very much.

THE DEPUTY SPEAKER: Thank you. Let us have Hon. Anywar and Hon. Asaba.

6.16

MR RICKY ANYWAR (NRM, Agago West County, Agago): Thank you, Mr Speaker, for giving me this opportunity. Climate change is real and it is affecting all of us. Therefore, it is our collective responsibility to protect and preserve our environment. For that matter, I would like to thank the committee for the wonderful report.

Much as we think about our present situation, we should also be mindful of the next generation coming after us. My only concern with NFA is the way they transmit information to fellow Ugandans. For example, in Agago District, last month, people woke up to officials from NFA coming with mark stones to gazette certain places without informing the people. I request that NFA informs the country about the areas that are gazetted as forest reserves. Thank you.

THE DEPUTY SPEAKER: No, NFA does not gazette. It is this Parliament which gazettes. Maybe it is about opening boundaries. I think the process of opening boundaries, honourable minister, should involve informing leaders of

the area. Otherwise, what Hon. Ricky is saying is that the way people react might lead to chaos sometimes.

Hon. Asaba, Hon. Nakut, Hon. Rauben and the Member for Iganga.

6.18

MR PAUL ASABA (NRM, Kyaka North County, Kyegegwa): Thank you very much, Mr Speaker, for the opportunity. I would like to thank the committee for the report.

I have one concern about the compensation that has been mentioned. We are taking this matter lightly, but in most cases - I would like to urge the Government, more especially the ministry concerned, to take keen interest in some of these matters.

It happened in my constituency, where in Katikara, people were complaining that NFA had taken over their land. We all took it for granted that people must have encroached on NFA land. At the end of the day, the Government could not help. When these people went to court, court found out – When surveyors came on ground, they found out that the acreage that was meant for NFA was just a part and the remaining portion of land was really for these people and they were genuine, yet they were being chased away. They had spent almost five years suffering; being chased away by NFA.

Therefore, in most cases when Members come out, we really need to pick keen interest and go on the ground and find out the exact matter.

Lastly, NFA also connives with people who are cutting trees in the forests. (*Applause*) In our area, when you are moving, you may think the forest is there, but inside, there are no trees. They just camouflage. They come around here and say, “Go and cut, we are protecting you”. People felled all the trees and these trees are no more. That is my submission. Thank you.

THE DEPUTY SPEAKER: They leave the forest on the roadside when inside, they have harvested. Wow! Hon. Nakut?

6.20

MS FAITH NAKUT (NRM, Woman Representative, Napak): Mr Speaker, when the lead petitioner was submitting, I understood his pain. The pain comes from where the community does not have where to take their livestock to drink from. It is not about whether the community wants to occupy the forest; it is in that mistake of taking a water facility into the forest.

The solution that is practical here should be on how the community can access water elsewhere. He has even given a proposal that there is alternative land - He will lead in getting land where the Ministry of Water and Environment can put a dam. I think we should support that so that we solve the need of the community, even as we support the need to protect the forest.

Now, I have a problem with the way the recommendations are crafted by the committee. The recommendations give tasks to too many agencies. For example, one recommendation says a consultant should be sourced by the Ministry of Water, Ministry of Agriculture and NFA. When there are too many people doing the same job, nobody will do it and the situation will remain the same year in, year out.

I propose that the recommendations, wherever they are ambiguous, be edited so that they are clear on who is going to do the work. If we are saying the Government – If we are not sure because of the competition in ministries, we would rather say the Executive or Government should do this. Otherwise, I am worried that the recommendations will remain the way they are and nothing will happen and the need will remain the same.

Of course there seems to be a fight which this Parliament must help the Government with. Who is technical to handle issues of water in our country? We need to help the Ministry of Water. If every ministry now wants to handle water - Ministry of Tourism wants to handle water in the game parks, Ministry of Agriculture wants to handle water to take to the livestock farmers, Ministry of Water wants

to handle water, who is going to handle water? Is it a vote of no confidence in the Ministry of Water and Environment?

If the Ministry of Water and Environment is not competent to handle water in Uganda, especially water for production, let us come out clearly and rationalise it to other ministries.

THE DEPUTY SPEAKER: Thank you. However, honourable member, that is why the Government came up with programme-based budgeting. So, if it is a programme to do with provision of water, then, it has to go under the Ministry of Water and Environment. If it is to do with roads – because I saw Ministry for Lands was handling roads, Ministry for Agriculture doing roads, Defence doing roads, Ministry for Infrastructure doing roads, Presidency doing roads, ICT digging roads to put in pipes for internet – *(Laughter)*

Programme-based budgeting is aimed at sorting out that issue – harmonisation of the sector. I hope we are moving very well. That is why I was emphasising, when we were discussing the Budget Framework Paper, that we need to also move along those lines so that we remain within the programmes.

However, on amendments, you have not helped us. You have given us an assignment instead. When we are about to put the question, there is a proposed amendment from Hon. Santa - clear yours properly so that it is well captured.

We cannot say “Government, go and hire a consultant”. No, we are doing the work of the Executive. We should assign the Government. They are the ones who know the nitty-gritty of implementation. Let us hear from the forester. The Member for Isingiro is a forester.

6.24

MR RAUBEN ARINAITWE (Independent, Isingiro West County, Isingiro): Thank you, Mr Speaker. I also want to thank the committee for the report. I will start on gazettelement. All the forests in Uganda were gazetted from 1932 up to 1938. At the time of gazettelement, they compensated everyone who was in the

forest reserve. Then in the 1970s, there was a programme which came called “double production through self-reliance”. It was under Amin. They entered the forest reserves.

In some other forests, when they were gazetting, they left what we call “enclaves”. They thought those enclaves – the people inside there would protect the forest and provide cheap labour to the forest. However, now, they have started expanding. So, those people that you hear want compensation actually expanded beyond the area – that is the example of Nakasongola. That is what happened – I am talking from a professional point of view.

Then, when we talk of encroachment and the population, when you go to areas like Kabale, Mbarara, and Bushenyi, which have a high population, no one encroaches on a forest reserve. You ask yourself, between Nakasongola, Mbarara, Kabale and Bushenyi, which one has a bigger population? Let us also think of mind-set change and teach our people the use of forests.

Every forest was gazetted with an objective. We have forests which were gazetted to remain natural namely, Mabira and others. There are areas which were gazetted for plantations, like Nakasongola, West Nile, and Fort Portal because we wanted to get timber, paper, and plywood from those forests.

Encroachment has become a problem. It started under dam production. In 2011, when the digitisation of titles started, they made titles in the forest reserves. At the moment, it has gone high. Someone gets a title, goes to court, and the same person who has given the title in lands commission is the one that represents the Government. What happens? *(Member timed out.)*

THE DEPUTY SPEAKER: Conclude, honourable.

MR RAUBEN ARINAITWE: The Government loses the case. In addition to losing the case, it loses land and people get compensated.

Someone in Bugoma was compensated Shs 3 billion yet he was in a forest reserve. In Buhungiro, Kyegegwa, someone was compensated about Shs 1.6 - Therefore, it is this Parliament - Actually outside there, they take shortcuts using codes to degazette forest land.

Lastly, on the forest cover, by the time National Forestry Authority (NFA) came in, 70 per cent was outside the forest reserve, 15 per cent was under Uganda Wildlife Authority, and 15 per cent was under NFA. Before NFA, all forests were under the forestry department but when they started sharing it between NFA and the districts, almost all the forests that were left under the districts were finished.

NFA is doing its best but through hardships. Therefore, they will need this Parliament to come to their rescue. I thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you for submitting from the point of view of a forester. I see Hon. Muruli Mukasa who submitted from the point of view of someone who was born in a forest. (*Laughter*) No, honourable minister, please –

6.29

THE MINISTER OF PUBLIC SERVICE (Mr Wilson Muruli Mukasa): How could we be compensated, live in the forest and the forest people do not even talk about us, for all those years from the 1940s? There was something not straight in the reasoning of that experienced forester.

THE DEPUTY SPEAKER: Thank you, honourable minister. Yes, the honourable Member from Iganga.

6.29

MS SAUDA KAUMA (NRM, Woman Representative, Iganga): Thank you, Mr Speaker, for the opportunity. It becomes hard to speak after a forester, like they have said.

I join colleagues in thanking the committee for their report. I also respect the cry of my colleague, Hon. Wanzala from Nakasongola,

for bringing the cry of his people. I also add my voice that may his prayer be heard, but do not abuse the forest.

Mr Speaker, the Government should be serious, like you said. You do not leave people - they have said, they had created enclaved people and again, they are encroaching on the forest but you just let them. Now people are asking for a path through but the Government just looks on.

I also want to raise the concern of my people. We have people who are dealing in timber and charcoal in Iganga, just like elsewhere. Sometimes, these people are disturbed and arrested by police officers yet they do not get timber from the natural forests or the forests that are gazetted by the Government. It is their business. I felt it wise to bring this concern to the knowledge of the House because they are innocent but they are always disturbed.

In Iganga, we have so many people who are dealing in that. In fact, they have asked me to bring it to your office, Mr Speaker. However, I got a chance to be here as the committee presented. They should come up with a measure. The Government should be serious and protect their forests instead of disturbing these people because they plant their trees and it is those trees that they cut down for timber to do business. I beg to submit. Thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Kirumira and then Hon. Christine.

6.31

MR HASSAN KIRUMIRA (NUP, Katikamu County South, Luweero): Thank you, Mr Speaker. I join my colleagues in debating about this very important issue.

Mr Speaker, what I want to put across is that people can coexist with these forests. My biggest issue is the kind of energy that is used by NFA in applying the law. In the report, it is indicated that some people were harassed, animals were taken away and sold to pay fines. Some people were arrested and taken to courts, and that is where I found an issue.

Much as we credit them for the good work they are doing for our country, they need to lower the kind of energy they use in implementing or applying the law.

I come from Luweero which neighbours Nakasongola and we do farming in Nakasongola. We know what people are going through with the NFA and that is a fact. Therefore, application of the law should be well calculated by NFA to help in the coexistence of people with NFA and the national forests.

Most importantly, Mr Speaker, these are indigenous people and they have been living there since time immemorial. I pray and add my voice to the people who debated previously that they should be respected. Those who are affected grossly should be compensated. Thank you.

6.33

MS CHRISTINE KAAYA (NUP, Woman Representative, Kiboga): Thank you, Mr Speaker. My submissions would be to help ourselves direct our decisions as far as deforestation, degazettement and gazettement are concerned.

Mr Speaker, I want to put it forward that poor performance, for example, of a Member of Parliament does not lead to removal of a constituency but just leads to election of a new person. The same would apply to NFA. If there are some challenges with its performance, it is not good to close it but it is better to improve its performance.

We are aware that NFA only manages 15 per cent of the forest reserves in Uganda. The rest are managed by the districts and private people. The challenge is the perception countrywide that people think every forest reserve is managed by NFA. The district leaders hide in there, even when they spoil their forests. They put it on NFA and inform the public that it is NFA that does not mind. The rest of the 85 per cent of the forest reserves we have in Uganda are managed by local governments and private people.

Mr Speaker, there is the concept of community forestry that we used to have under the rainforests and what we call natural forests. It is natural forests versus plantation forests. Some people call natural forests, rainforests while others call plantation forests, commercial forests. The concept of community forestry was working well under the natural forests where people would be allowed to access some of the resources.

However, when it comes to plantation forests where NFA has licensed private people to manage some of these forest reserves, the concept is not there; it dies. So, we need to come out clearly with the concept of community forestry in plantation forests such that the natives do not feel that when private people carry on the responsibility of Government, then they cease to use such resources.

The issue of Government relocating people, this issue that Nakasongola is raising - You will find it across the entire cattle corridor, including Kiboga District. We have a *Mailo* tenure system and the former owners of public land had their leases expire. The district leaders, instead of allocating our people; the natives, portions, it is new people that come to these districts. Mr Speaker, we request for help. District land boards should give natives part of this land, especially when leases expire. Otherwise, Nakasongola people cannot access forests.

There is land that has been given out to other people. Let us revise the reallocation of expired leased land to our natives. I want also to put it directly that bona fide occupancy does not apply to gazetted forest reserves and gazetted wetlands. Even if you have sat there since 1983, when the Government comes out to replant forests, you are supposed to leave. Bonafide occupancy does not apply to gazetted forest reserves. So the Government can look out for—*(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. Honourable minister?

6.38

THE MINISTER OF STATE FOR WATER AND ENVIRONMENT (WATER) (Ms Aisha Sekindi): Thank you, Mr Speaker. I want to thank my colleagues, Honourable Members of Parliament, for their contributions. Some of the contributions we have are helping us to improve on our services and I am taking them to the relevant departments.

I am going to give some clarification on some issues like the policy we have of giving other people and not the natives of the place. The policy was open; it was left in the hands of every Ugandan to access the forest. I think, as the policy makers, we can improve on that. Otherwise, it is open to everybody.

Hon. Nanyondo, regarding the dams you are talking about, those are valley tanks which were dug by the Ministry of Agriculture, Animal Industry and Fisheries. That is why we have not come up to do anything about that issue. Some of these valley tanks you see in your constituencies are being dug by the Ministry of Agriculture, Animal Industry and Fisheries.

On private landlords fencing the water sources, Mr Speaker, I am giving assurance to these Honourable Members of Parliament that I am going to follow it up. There is a law and there is no way somebody can fence - there is a law governing that and I am going to follow it up myself.

Hon. Ojara -

THE DEPUTY SPEAKER: You do not need to answer one by one, honourable minister. I just need to get a picture. But the one of charcoal -

MS SEKINDI: Since you have given us information, Hon. Ojara, you have indicated that these people are also human beings. We try to implement and they try to change goalposts. We are going to inform NFA Police Protection Unit to be serious about it.

Mr Speaker, allow me to talk about Hon. Muzaale's issue about poor planning. We are implementing a directive from His Excellency.

As of now, the designs we are making for bulky water are for multipurpose use. We are no longer making designs to cater for one use only.

On boundary opening, Mr Speaker, NFA is opening our forest boundaries. We are done with the wetlands and the Gazette is out. We launched it on Thursday, on Wetlands Day, so we are soon bringing it here as well as making the Gazette on our forests because we are doing the boundary opening.

On the issue of Nakasongola, we went there with the Prime Minister and we informed the community about the bulky water we are doing there, but we are doing it in a phased manner. So, that one, we are assuring them that we are getting water from Lake Kyoga, which is going to serve Nakasongola and part of Nakaseke.

On who is supposed to do what, I want to assure my colleague, the shadow minister, that we have a water policy which is separating who is to do what. For us at the Ministry of Water and Environment, we are supposed to develop water projects up to the farm gate. The Ministry of Agriculture, Animal Industry and Fisheries is supposed to do the on-farm by extending water to the farms.

Mr Speaker, I want to end by requesting that if we do not have - I am not so certain as to whether we have a policy - I think we need to regulate these private people with the forest. In fact, even if you planted your forest, it has a livelihood impact on the community. So, I think we need legislation to regulate the private sector. Thank you so much.

THE DEPUTY SPEAKER: Bugoma Forest report?

MS SEKINDI: For that one, I am going to take it to my colleague who is not around, Hon. Beatrice Anywar, so that we can produce a report.

THE DEPUTY SPEAKER: Committee on Environment and Natural Resources, follow up on that. Hon. Santa -

6.45

MS SANTA ALUM (UPC, Woman Representative, Oyam): Thank you, Mr Speaker. Arising from the debate, I propose an amendment on page 12 to read as follows: “Parliament urges the Government to consider compensation of persons with lawful and provable claims over the land which was declared a forest reserve.”

THE DEPUTY SPEAKER: Hon. Nakut -

6.45

MS FAITH NAKUT (NRM, Woman Representative, Napak): Mr Speaker, I propose three amendments. One of them is on page 12 under 8.2, vandalism. “(2) The Government should devise a mechanism of restoring the vandalised solar panels of the valley dams in Nakasongola to facilitate pumping of water to watering troughs.”

Amendment two, on page 14, (i) under 8.5 on encroachment: “The Government should construct another dam in Malengera to ease access to farmers instead of restoring Wakazizi dam since it is far away from their villages.”

The third amendment is on page 16 under 8.7 on degradation: “The committee recommends that the Government ascertains the impact of eucalyptus growing on the existing water table in Nakasongola.”

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I put the question that the report of the Committee on Environment and Natural Resources in the petition of deprivation of fundamental rights and freedoms on natural sources and blockage of access routes to public water dams by the National Forestry Authority and its agency in Nakasongola District be adopted with proposed amendments.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: The House is adjourned to tomorrow at 2.00 p.m.

(The House rose at 6.47 p.m. and adjourned until Thursday, 8 February 2024 at 2.00 p.m.)