



THE REPUBLIC OF UGANDA

PROCEEDINGS
OF
THE CONSTITUENT ASSEMBLY

OFFICIAL REPORT

CONTENTS

FRIDAY, 16TH DECEMBER 1994

MOTION:-

Consideration of the Draft Constitution of the Republic of Uganda [Pg 2646]

Friday, 16th December, 1994.

The Assembly met at 2.30 p.m. in the International Conference Centre, Kampala.

P R A Y E R S

(The Chairman, Hon. James Wapakhabulo, in the Chair).

(The Assembly was called to Order).

COMMUNICATION FROM THE CHAIR

THE CHAIRMAN: Hon. Delegates, it is becoming obvious that fatigue has caught up with us and our numbers are obviously not impressive enough for us to transact business, but maybe we can also say that the spirit of Christmas has also descended on the Members and they are taking that also into account. But I would like to report that the National Resistance Council did discuss a Bill, incorporating a request that the life of the CA be extended for another six months and that request was upheld by the NRC. At the same time, that Statute has since been assented to by the President and should have been published to come into law. The Minister responsible for Constitutional matters, has issued an instrument not giving the full six months extended by the NRC, but initially a period of six months within which we should try to finish and depending on how we proceed, then we may seek another extension by instrument as required by the Statute; so that we use the full term of six months.

During the discussion in the NRC, and I happen to have been present in my other capacity, a lot of criticism was made of our work methods and it is obvious that we have also apart from other factors which led to the non-completion, that we have internal weaknesses which we must address if we are to accomplish our task within the time frame now given to us and I must say, we must finish. I do not see any Minister or Member of the Government wishing to appear in the NRC to seek an extension of the life of this body on account of failure to finish. So, we shall have to undertake a re-organisation of our work methods to ensure that we complete on time. I received a communication from the Chairman of the Privileges, Discipline and Welfare Committee which is in response to mine, which I wrote to him sometime early in the month, drawing his attention to the problem of quorum in the committees particularly and of recent also in the Plenary. This Commit-

tee met and has made some recommendations, but because of the way we do our things, I would rather we discuss these recommendations in Business committee, but I essentially intended to ensure that when we resume, we all perform as required of us, both by the law and also by those who sent you here. The Plenary is to continue with the report of committee III, but we have reached a point upon consultation, that if we did continue, it would be necessary for us to vote or to pronounce ourselves on some of the aspects and to do that, we need more numbers than I can see present here in the Chamber.

I would like to remind the delegates that before we went back to NRC to seek an extension, we did receive also a recommendation from the Business committee on a basis of a report from our sub-committee of the Business committee to the effect that we should take a break, starting Monday and resume on the 10th. I would like to suggest as follows: that given that the spirit of Christmas has already descended on us, that we adjourn after this communication from the Chair, take recess and that we resume in the afternoon of the 10th of January, allowing the morning for the Business committee to meet and put in place a few things particularly in relation to the recommendations coming from our committee on Discipline, Privilege and Welfare. If I see no - *(Interruption)*

MR. KABUGO (Nakaseke County): Thank you, Mr. Chairman. I have received a copy of your indicative Time Table to be accomplished during 1995 and I have been seeing the number of periods and the various committees when they are supposed to submit their reports; I can see Select Committee 1, Select Committee 4, Select Committee 5, but number 2 is omitted. Are we not supposed to submit a report on this Plenary Session?

THE CHAIRMAN: That must be a typographical error; that will be corrected.

LT. COL. GUMA (Bukanga County): I have heard your concern, I know here apparently, we do not have a quorum, but in the Book outside there, we have a quorum. I have been checking everyday. I am of the view that we should take disciplinary measures for someone to come and sign and go away; because this is open day robbery to come and sign and for people to go away.

MR. NDEGE (Luuka County): Thank you Mr. Chairman, with all due respect to hon. Guma, there were committee meetings in the morning and people signed in the morning and attended the morning Session; that does not mean to say that they should be physically here, they should not go for lunch or they are caught up with other commitments which we have explained. So, with all that, I think it is very clear information; hon. Guma should withdraw his comment and we proceed with more serious work.

THE CHAIRMAN: Any way, you have corrected him. Members came and I did come into the office and I was monitoring; definitely, there was a committee taking place in this Chamber and I presume other Committees are also taking place because I met members.

So, the Members did not sign and go away - they did not. I do not think we should indulge in further altercations on this. The point is that, we should when we come back, find that the recommendations of the Privileges and Discipline Committee are accepted in Business committee and we shall seek to adhere to them so that we accomplish our mission. I think it is in our best interest that our names do not get tarnished by misunderstanding and sometimes failures to consult, so that you know whether you should be here and who should be here and so on and so forth. Otherwise, I would like to take this opportunity to wish you all a Merry Christmas and a Happy New Year. I see that there is no other point being raised, the greetings I extend to you are also from my Deputy and from the Secretariat. Hon. Wanendeya, I am about to adjourn, what are ...

MR. WANENDEYA (Budadiri East): Thank you very much Mr. Chairman. I would like Mr. Chairman, to request hon. delegates as we go for Christmas to reflect on the way we should do things in 1995; because Mr. Chairman, with all due respect, we better think of whether or not we want to get this country on the right track by telling the truth and therefore, even consult our people. Our country has had bad history, mainly in my view, because we tell all sorts of lies. Why should delegates - *(Interruption)*

THE CHAIRMAN: Hon. Wanendeya, you made your comments during the General Debate and I do not think we would like to re-open that. I would only have expected you to wish Merry Christmas to your Friends and Colleagues and then we proceed.

MR. WANENDEYA: Mr. Chairman, that is what I would have wished in the final analysis and I hope we will return here in good spirits. I thank you, Mr. Chairman.

THE CHAIRMAN: Hon. Dick Nyai, would you like to reply to that?

MR. DICK NYAI (Ayivu County): Thank you very much, Mr. Chairman. First and foremost, Mr. Chairman, on behalf of the Members of this Assembly, particularly my Colleagues from the National Caucus for Democracy, we wish you, your Deputy and the Secretariat, very Merry Christmas and a prosperous New Year and whereas Prof. Hon. Nsibambi is asking who authorised me; I can inform him that I have Colleagues who did request me to do it and I wish you very good health; so that you come back and conduct ourselves as you have been doing in the normal humour and guidance. Thank you.

THE CHAIRMAN: Thank you. Hon. Apuun Longoli - I think he is the last one.

MR. APUUN LONGOLI (Bokora County): Mr. Chairman, I would like to request your Chair, Mr. Chairman, if you can avail to the hon. Members the presentations which we had from Sheraton recently, because some of the substances which were presented had some impact towards the deliberations in this House, especially the speech of Prof. Mamdani.

THE CHAIRMAN: We shall take note of that and - *(Interruption)*

MR. APUUN LONGOLI: And his Excellency's presentation.

THE CHAIRMAN: We shall ask the Secretariat to liaise with the foundation. As you know, it was an arrangement where we were invited but the material can be produced if those people cooperate.

Hon. delegates, finally, I think there is some administrative arrangement you may need to attend to between now and Monday at the usual place and that should facilitate the consultations.

Otherwise, with that, I wish to adjourn the Constituent Assembly to resume on the 10th January 1995 at 2.30 p.m. We see you then, thank you very much.

(The Assembly rose and adjourned until 2.30 p.m. Tuesday, 10th January 1995).