



EAST AFRICAN COMMUNITY EAST AFRICAN LEGISLATIVE ASSEMBLY

REMARKS BY RT HON. DANIEL F. KIDEGA, SPEAKER OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA) AT THE OPENING OF THE 9TH ANNUAL GENERAL MEETING OF THE EAAACA, 29TH SEPTEMBER 2015, AT IMPERIAL RESORT BEACH HOTEL, ENTEBBE, UGANDA

The President of EAAACA

Excellences Ambassadors and High Commissioners here present

Heads of East African Association of Anti-Corruption Authorities

Former Heads of Anti-Corruption Authorities

Distinguished Delegates

Ladies and Gentlemen

Good Morning,

Permit me at the outset to express my gratitude and appreciation to you for organising the 9th Annual General Meeting of East African Association of Anti-Corruption Authorities in East Africa, a key hallmark activity on your calendar. I thank the Inspector General of Government of the Republic of Uganda, Hon. Lady Justice Irene Mulyagonja and the EAAACA Secretariat for inviting me to officiate at the opening ceremony that brings together Anti-Corruption Agencies from the region to reflect

on measures of combating Corruption. I also thank you for choosing the Republic of Uganda and specifically, Entebbe as host.

Excellences, Ladies and Gentlemen

I am informed that this year's meeting has been called to address critical issues in fighting corruption in the Eastern Africa region as enshrined in the theme which is **“Strengthening EAAACA’s efforts to eradicate Corruption in East Africa”**.

There is no apt time to have called this key meeting than this occasion given the role of Governments, political leadership and citizens of the region towards combating the chronic cancer of corruption.

Eradicating corruption is significant to regional development. Corruption undermines good governance, erodes the rule of law, hampers economic growth and distorts competitive conditions in business transactions.

This is particularly true in this globalized world we live in that brings with it new risks to developing countries. In particular, the ease of movement of funds from one jurisdiction to another, the opening up of borders for trade and investment, raises serious concerns. Several reports today identify Corruption as one of the Non-Trade Barriers in cross border trade and investment, and a vehicle of illicit financial flows, across the region.

EALA at its Sitting in Bujumbura in March 2015, passed a key Bill entitled the EAC Elimination of Non-Tariff Barriers, 2015 that seeks to

spur trade, remove barriers, provide a legal mechanism for the elimination of identified NTBs in Partner States and hopefully contribute to the reduction or all together, eradication of corruption.

Excellences, Ladies and Gentlemen

The Mbeki-led report of the High Level Panel on illicit Financial Flows (launched February 2015) carried out some investigations across the region. According to the report, the flows relate principally to commercial transactions, tax evasion, criminal activities such as money laundering, bribery, corruption and abuse of office. Moreover, it is reported that countries that are rich in natural resources and countries with inadequate or non-existent institutional architecture are the most at risk of falling victim to illicit financial flows. The recent discovery of mineral resources in the region, which is positive on the one side, could spiral corruption to a whole new level and such calls for complex undertakings to curb this vice.

Excellences, Ladies and Gentlemen,

Regional co-operation is therefore critical to the effective fight against corruption. I am glad to note that EAAACA in collaboration with the EAC took the initiative to develop the EAC Protocol on Preventing and Combating Corruption. Although the process for the enactment of this crucial instrument has been long, progress towards its finalization is being made. The 19th meeting of the Sectoral Committee on Legal and Judicial Affairs held in August 2015, resolved that EAC Partner States' draftspersons do fine tune the draft for consideration during the 20th

meeting. The Protocol therefore is not far from being a reality in the region.

However until it is enforced, the EAC should and can take advantage of existing relevant regional and international instruments and good practices such as those developed by the Financial Action Task Force on Money Laundering (FATF), the United Nations and the African Union. EAAACA Members can benefit from these instruments to foster co-operation in fighting corruption and mutual legal assistance between the Members and globally.

Issues on illicit financial flows, asset recovery, and money laundering require co-operation and mutual legal assistance in taking concrete and meaningful priority steps to prevent and combat corruption, in accordance with jurisdictional and other basic legal principles.

Excellences, Ladies and Gentlemen,

EAC and the EALA for that matter, are also concerned with curbing and eradicating corruption. Besides the Protocol on Corruption already alluded to, the EAC also has a draft Protocol on Good Governance whose contents *inter alia* include Constitutionalism, Rule of Law, combating corruption and enhancing Ethics and Integrity.

As an Assembly, you will be pleased to note that we are considering enacting 3 key Bills to confront corruption head-on. The envisaged Bills are the EAC Integrity and Anti-Corruption Bill, 2015, the EAC Procurement Bill, 2015 and the EAC Whistle Blowers Bill, 2015. The

Laws passed by EALA supercede those of the Partner States on matters within the purview of the Community.

Excellences, Ladies and Gentlemen,

It is reassuring that each Partner State today has an Anti-Corruption law and an Anti-Corruption Institution as evidenced by this gathering today. We acknowledge and commend the actions being taken by the Governments. However, it must also be said that political leaders in some countries are neither unable nor willing to pursue bold reforms because of the political risks. Where the reforms are in place, the implementers of the anti-corruption reforms/policies risk losing their jobs. Comprehensive reforms can also be very expensive as the implementing institutions may have insufficient funds to support their mandate, let alone paying decent salaries.

I need also suggest at this point that our Judiciary systems should tighten the noose around those found to be complacent or on the wrong side of the law and dispense with their cases efficiently and effectively.

Excellences, Ladies and Gentlemen

However, it is not simply enough for those who contravene the law to be simply fined, jailed or both for it is time for us to go beyond the justice systems and invoke ethical and integrity standards as well. We must find ways and means of recovering assets, pecuniary or otherwise, ill-earned and or gained through corrupt means. We must give back unto

“Caesar what belongs to Caesar” – that way, we shall be seen to be serious in the fight against corruption.

In East Africa, corruption remains a big problem which calls for more robust action. Through EAAACA, the fight against corruption in the region can go a long way. Bold and comprehensive reforms can be pursued through collective effort. EALA, which is the Legislative Organ of the EAC and whose mandate extends to oversight and representation is very much ready to collaborate with EAAAC.

Mr. President, Excellences, distinguished Guests, Ladies and Gentlemen: I want to assure you of my earnest support and to reiterate that my doors are open to taking this initiative further. My presence here today is therefore the start of a relationship which can be harnessed for the improvement of our region.

Excellences, Ladies and Gentlemen;

As I conclude, I am confident that, by the end of the two-day meeting of minds, we shall have shared experiences on how to improve your efforts in the fight against corruption in our region. Let us analyse critically, the issues we grapple with and in the end suggest bankable solutions.

As John Fitzgerald Kennedy once said, **"our task is not to fix the blame for the past, but to fix the course for the future". We need to fix the course for the future, and not, lament and lament again.**" Let us thus focus on improvement and quick wins.

I am further aware that there is going to be a change of guard at the tail-end of this AGM. I wish to thank the outgoing Executive Office led by the President for their hard-work and to welcome the incoming President and the new Executive.

As you usher in the new leadership, I urge you not to relent in the fight against Corruption. Collectively, let us work towards consigning the vice of corruption to the dustbin of history once and for all.

That been said, it is now my honor and pleasure to declare that the 9th EAAACA Annual General Meeting opened. I thank you for your kind attention.