



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY

**WELCOMING SPEECH BY RT. HON. DANIEL FRED KIDEGA,
SPEAKER OF EALA AT THE COMMENCEMENT OF THE NINTH
INTER-PARLIAMENTARY RELATIONS (NANYUKI IX SERIES),
MARCH 3-4th, 2016, DAR ES SALAAM, TANZANIA**

**Your Excellency, Samia Suluhu Hassan, Vice President of the United
Republic of Tanzania;**

Rt. Hon Job Ndugai, Speaker of the Parliament of Tanzania;

The Chairperson and Members of the EAC Council of Ministers

The Secretary General of the East African Community;

The Judge President of the East African Court of Justice

The Representative of AWEPA, Mr. John Corrie

**Hon. Members of the East African Legislative Assembly and
Parliaments of the Partner States;**

Excellencies Ambassadors and High Commissioners

**Representatives of the academia, Private and Civil Society
Organizations**

Distinguished guests; Ladies and Gentlemen;

On behalf of EALA and indeed my own behalf, I welcome and thank You all for finding time to attend the 9th Inter-Parliamentary Relations Seminar (Nanyuki Series), here in Dar es Salaam, United Republic of Tanzania.

I wish to record my deepest appreciation to H.E. Dr John Pombe Magufuli, President of the United Republic of Tanzania, and the citizens of this great country for acceding to our request to hold the Seminar in this beautiful and vibrant city of Dar es Salaam.

At the outset, I take the opportunity to congratulate Your Excellency following your election as the Vice President of the United Republic of Tanzania and to wish you all the very best as you steer the country to greater heights. I assure you of our support now and in the days to follow as you undertake your mandate.

In a special way, I also extend my appreciation to my fellow legislators of the National Parliaments for availing themselves over the next couple of days as we exchange and share information on the EAC. Ordinarily, tomorrow being a Friday, a good number of legislators would have travelled to be with constituents in order to address key matters within your jurisdiction. Your decision therefore to put aside the busy schedules to be here, exemplifies the degree with which you attach to matters of regional integration of the EAC.

I am further grateful and indebted to our partner, AWEPA with whom we have continued to closely work with for the success of the Nanyuki Series. This is the 9th such occasion of the Nanyuki series, so named after the inaugural one held in Nanyuki, Kenya, in June 2004 and whose aim is to bring together legislators to discuss the functional relationships of the Parliaments and information exchange on policy matters of the EAC.

Today, we are privileged to have with us seasoned academicians in the names of Prof Paschal Mihyo, Prof Mwesiga Baregu, Dr Victor Shale and Dr Eric Ndushabandi. Given their expertise, I am sure that learning on the subject matter themed "***Compliance with African Union and Sub-Regional Blocs' Election Benchmarks: A Case of the EAC***" and coupled with our political know-how will be experiential.

Your Excellency, Honourable Members, Ladies and Gentlemen,

The theme is timely and presents an opportunity for us to reflect on what is at stake for the region given the fact that the EAC election cycle has recently commenced. The Republic of Uganda concluded its polls last week while a similar exercise took place a few months ago right here in the United Republic of Tanzania.

No doubt, Democracy, elections and the rule of law are distinct but inter-related concepts. Since the early 1990s, when most African countries

returned to multiparty rule, there have been exponential growth in the width and breath of the elections' dispensation in the continent.

At the continental level, the African Union has developed instruments that provide benchmarks for democratic elections in its Member States. One such key instrument is the African Charter on Democracy, Elections and Governance which was adopted in January 2007 in Addis Ababa, Ethiopia. Article 44 of the Charter is particularly of the essence as we deliberate during our discourse here since it espouses on the interplay in the framework of co-operation at individual State party level, at continental level and at the regional level.

Your Excellency: so far only the Republic of Rwanda has ratified the above Charter in the region and deposited the instrument with the AU. It is hoped that other Partner States shall in due course append their signatures to the ratification of the same. I appeal to you to forward the message to the Summit of EAC Heads of State to intervene and ensure the region complies with the requirement.

In line with the benchmarks developed at the continental level, some RECs have developed instruments that support democratic elections within the jurisdictions. Over the next two days, we intend to take a peek and analyse how the benchmarks conform to that of the AU.

The EAC Treaty (Article 7 (2) and Article 123) enshrines the parameters for future political convergence towards a Political Federation and such include *inter alia*: good governance, adherence to the principles of democracy, rule of law, accountability and transparency and social justice, as well as the recognition, promotion and protection of human and peoples' rights in accordance with the provisions of Article 6 (d) of the EAC Treaty.

Our presence here today emanates from the various exercises of elections that we have at one time or another, all faced. We may thus all profess, that credible elections do not merely begin or end with the casting of votes and proclamation of the results but rather, are defined by an exactitude of processes. The optimal participation of various stakeholders, the citizens, poll contestants, Electoral Management Bodies and Political Parties' representatives as well as the Election Observation Missions and Post-Election participatory reviews, to mention, but a few, are all of absolute importance.

Credible elections are essential for democratic governance as well as inclusive and sustainable development, peace and political stability. Democratic elections represent the free expression of the will of the people, which serve as a basis for legitimacy and authority of government, whilst protecting the rights of citizens to vote and to elect leaders of their choice.

As we all know, elections can be a source of conflict if not well managed. Renowned Academicians: Khabele Matlosa, Gilbert Khadiagala and Dr Victor

Shale (incidentally, he is one of our resource persons) in their Publication **When Elephants fight: Preventing and Resolving Election related Conflicts in Africa:** depict electoral violence as one of the major democracy deficits confronting Africa.

There are lessons emerging from the electoral trends in Africa that have degenerated into conflicts as evidenced by the 1995 post – election violence in Zanzibar; the 2007 post – elections violence in Kenya; the 2010 pre and post – elections violence in Burundi and subsequently, the post elections violence in 2015. Other case studies on electoral violence have been documented in the Republics of Zimbabwe, Lesotho and Guinea Bissau. The amount of energy invested in resolving the conflicts particularly in Kenya and Zimbabwe including the evidence of writing of new constitutions is critical in generating some lessons on the theme of institution building. The questions that may linger on and that we must certainly find answers to are **Why or where do we go wrong? And for what reasons?**

Just to throw some spanners into the works and perhaps provoke your thoughts, representative democracy today faces criticism from the aristocratic quarters, asking whether affirmative action/ positive discrimination should be maintained. Then there is the question of the term limits to the Presidential term, whilst this is not extended to Parliamentarians (with exception of EALA) and lastly, the quality of leaders turned in through

elective democracy. These are all ingredients that should jog our minds as we debate here over the next two days.

Because I am speaking to politicians it is vital that we do all we can within our powers to ensure Partner States shore up commitment to democratic governance by abiding by the several instruments in place.

Our role as Parliamentarians in this process is likewise of absolute importance. I am indeed looking forward to the usual incisive presentation by Prof Mwesiga Baregu who shall elaborate on the matter.

On its part, in April 2012, EALA passed the EAC Elections Act 2012. The Act provides for the establishment by the EAC Elections Board to develop, set standards and advise Partner States on electoral best practices. It similarly seeks to harmonize electoral standards to be adhered to by the National Electoral Commissions, evaluate elections in the Partner States and provide a Consultative Forum for Political Parties and other stakeholders in matters related to elections.

In May 2012, EALA similarly passed the EAC Conflict Management Act, 2011 that among other things, establishes a Conflict Prevention Management and Resolution Mechanism responsible for identification of potential sources of conflict while devising response options. The Act also establishes the EAC Panel of Eminent Persons.

I want to inform the Assembly that the EAC which often sends Observers to the Partner States during electioneering has developed a Code of Conduct for Election Observers as well as Guiding Principles for Election Observation and Evaluation.

This two day meeting of great minds, is therefore expected to enhance discourse while examining avenues of harnessing collaboration to take common positions in the aforementioned matters. I therefore wish you all fruitful deliberations.

With these remarks, I am honoured to invite the Representative of AWEPA, Mr John Corrie to make his statement. I thank you for your kind attention.