

The Integrator

AUGUST 2016

MAGAZINE OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)



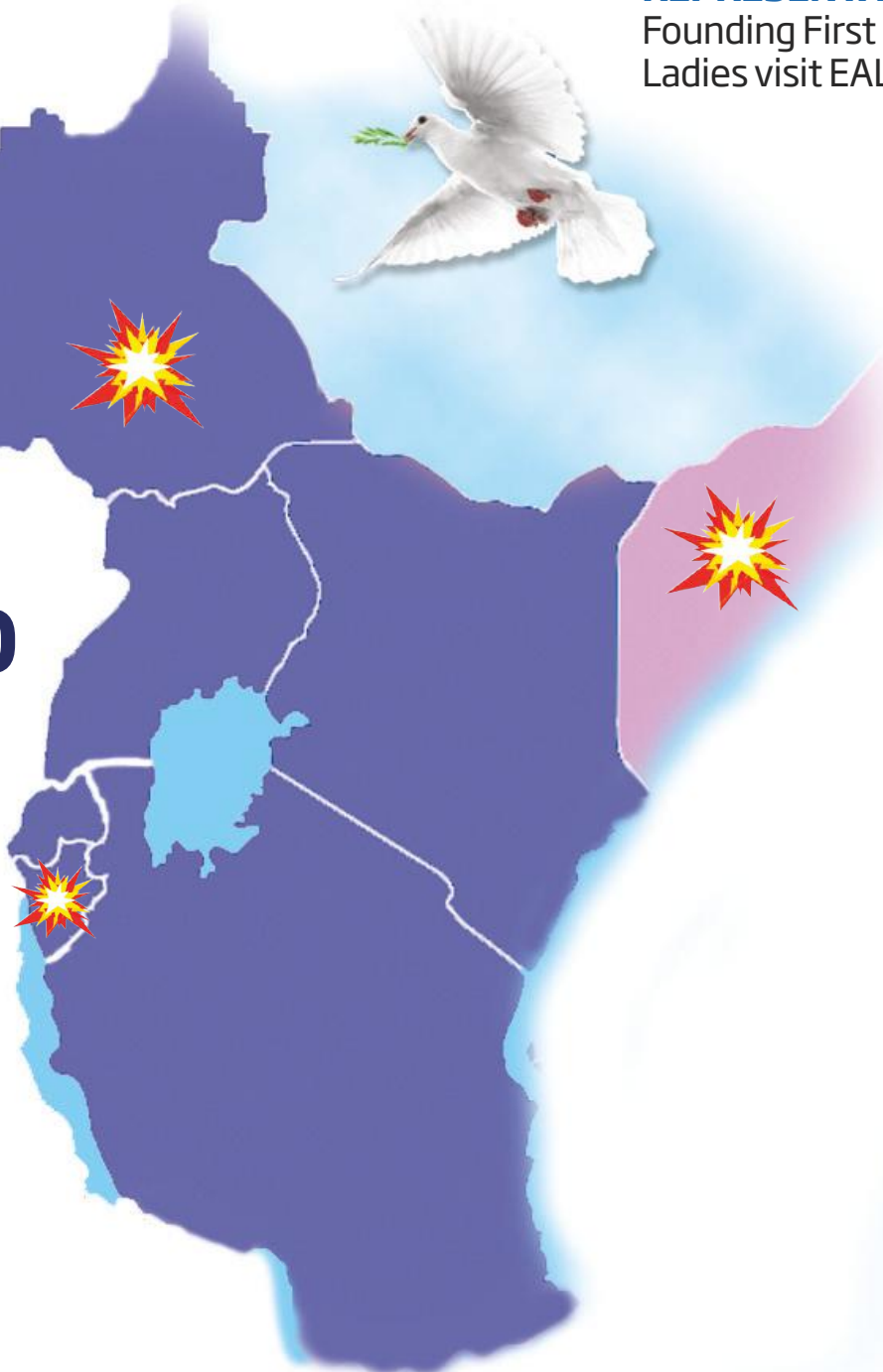
LEGISLATION
Acts of the
Community

OVERSIGHT
Public hearing
on Burundi

REPRESENTATION
Founding First
Ladies visit EALA

REGIONAL PEACE AND SECURITY

SOUTH SUDAN
Who is to blame?



GRAPPLING WITH TERROR: A complex global threat

EAC INTER-PARLIAMENTARY GAMES



WINNERS:

Hon Christophe Bazivamo, the EALA Team Captain, receives the football trophy that the Assembly won in the last East African Community Inter-Parliamentary Games held in Kigali, Rwanda from the Speaker of the Rwanda Chamber of Deputies, the Rt Hon Donatille Mukabalisa. The Games are a major outreach and sensitization programme to strengthen cooperation within the Community. Participants are members of the national assemblies of EAC countries and the Games are coordinated by EALA. Apart from football, the other disciplines competed for are volleyball, basketball and golf.



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Welcome to the inaugural edition of **The Integrator**

THE advent of fast and faster news flow often leads to a situation where something essential risks being lost.

An appreciation of this reality, amongst other considerations, necessitated our ambition to break away from this fast flood of news cycle in a bid to tell our side of the story as it should. This magazine is therefore our response to the fierce urgency to pull back and explain the whole essence of integration in a contextual and insightful manner.

The Integrator is principally our new bold statement to rekindle and sustain a dialogue over the fundamental questions related to the entire corpus of community and integration as envisaged by the framers of the Treaty for the Establishment of the East African Community.

Much ground has been covered since its inception, but there are many challenges that need to be overcome and questions that still need to be addressed to compel the Partner States to implement these agreements.

The independent forum provided in these pages, without purporting to speak for anybody else other than the contributors themselves, it is expected, will provide the requisite space to discuss, explore, analyze, criticize, and where necessary, offer solutions to the issues as deemed.

Further, **The Integrator** will attempt to offer information on the various phases of the East African integration process and a provide platform for contributors to share their thoughts on the pertinent issues in a way that facilitates and fosters constructive and interactive debate.

Besides, through the focus on a thematic area in every edition, we intend to stimulate conversation, inform readers about emerging and contemporary issues and connect them to the idea and doctrine of community and integration.

The contributions herein are in large part, the considered views of the Members of the Assembly. They could be contentious and perhaps contestable. The articles will be hugely opinionated, but never partisan.

Basically, we hope to bring perspective, without punditry, much less, appear cynical. We will aspire to provoke and inspire, never to lecture. After all, we are fully aware that as legislators, we are neither the repository of every answer nor a magic wand for the broad and intricate subject of community and integration.

To our esteemed readers, hopefully, you will come to rely on this publication as the choice reference to look out for the thought-provoking, engaging issues that matter in the East African Community at large.

Here is our first offering, dealing with the critical subject of peace and security in the region - in a manner that is not the sort of consequential stories that are not always the stuff of daily headlines. So, sit back, relax and enjoy reading **The Integrator**.

Hon Amb AbuBakr Ogle

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This edition of the new look East African Legislative Assembly (EALA) magazine now known as The Integrator, has been revamped to provide in-depth coverage of the Assembly's mandate and its activities. With a thematic approach to the various issues affecting the citizens of the East African Community, contributors have in this issue devoted attention to peace and security in the region.



Founding First Ladies visit

EALA Members were privileged with the honour of hosting the founding First Ladies of the East African Community, Mama Ngina Kenyatta and Mama Miria Obote, who made a historic visit to the Assembly and rekindled nostalgic memories for good neighbours.



Reading of the Budget

The 2016/17 Budget totaling \$101,374,589 was debated and passed in the House. The theme was 'Towards Full Implementation of the EAC Common Market Protocol and Enhancing Full Implementation of the EAC Common Market Protocol'



Remembering Hafsa Mossi

The entire Community and African continent was in a state of shock and grief following the assassination of Burundi's Hafsa Mossi. EALA members pay glowing tribute to a colleague who left an indelible mark in the work of the Assembly.

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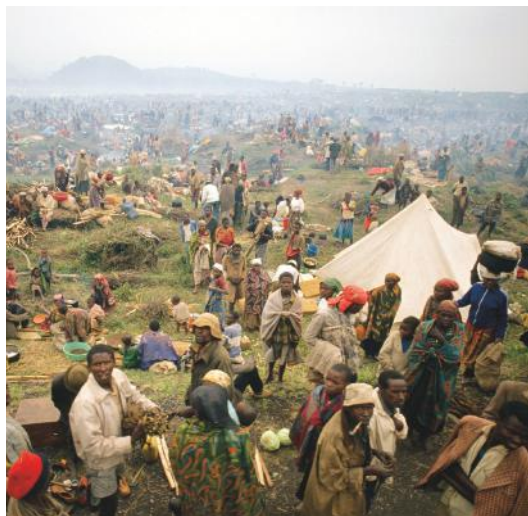
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REIGN OF TERROR A global complex

Terrorism has become a global threat, instilling fear, pain and destruction across the world. Nations continue exploring ways of tackling a complex phenomenon.



A new dawn for EALA in magazine re-launch



The Integrator has arrived - refreshing, inspiring and innovative. The relaunch of Bunge la Afrika Mashariki as **The Integrator** is symbolic to the Assembly in many more ways than one. I congratulate the Editorial Board for this new innovation which re-positions the East African Legislative Assembly (EALA) magazine.

Over the last five years since inception, the magazine has gone a long way in marketing and publicising the work of EALA as provided for and articulated by Article 49 of the Treaty for the Establishment of the East African Community (EAC).

It is certainly clear that the millennial citizens of the region are hungry for dialogue about everything from political hot topics, conversation on integration, to everyday tips of what is transpiring within the borders of the six Partner States. The re-branding of the magazine is thus timely, given its fresh impetus to report beyond what is happening at the regional Assembly.

Indeed, the EAC encapsulates a people-centred integration process, making it imperative to constantly appraise the people on pertinent developments, plans and goals. At the same time, to make integration flourish, it is important to give the Community's citizens a chance, a fora and an avenue to voice their concerns and articulate on the issues that affect them.

The entry of **The Integrator** thus fills in this niche, as it is expected to devote editorial space to connecting with the citizens' diverse shades of opinion on one side, while offering educative, informative, entertaining and transformative content on the other. For the first time, some core articles shall be translated into Kiswahili in a bid to widen the readership and embrace the lingua franca of this large constituency in the East African region.

The magazine will also offer critical insights into integration and illuminate the role of EALA in the process. **The Integrator** is expected to be its own curated publication, full of high-quality content carefully designed for specific readership. Each edition shall henceforth be thematic-driven.

We roll off this edition by looking at Peace and Security, a critical component of integration. The EAC region attaches great importance to matters of peace and security. Partner States agree that regional peace and security are pre-requisites to enhancing social and economic development. A number of salient issues that call for cooperation remain vital, including good neighbourliness, enhancement of joint patrols to promote border security and enforcement of mechanisms in pursuit of criminals.

This issue takes interesting insights within the broader perspective of maintaining peace and security in the region. Unpacked therein are articles on embracing constitutionalism to ensure democratic ideals, guarding the very social fabric of our society as well as in-depth analysis on what we as a region can do to reverse the trend of insecurity and address the causes of conflict in the region.

Similarly, our very Regional Affairs and Conflict Resolution Committee has also played a critical part in this dispensation. You will find an expose on the Committee's experience whilst handling the recent public hearing on the deteriorating human rights situation in Burundi.

The articles are authoritative, well-researched pieces delivered in a concise style that makes reading friendly and captive.

I welcome you to take this path with us as you enjoy reading your copy of **The Integrator**.

The Integrator is expected to be its own curated publication, full of high-quality content.

Rt Hon Dan F. Kidega
Speaker

Peace and security vital for integration

It cannot be gainsaid the East African Community (EAC) aims to achieve prosperity, competitiveness, security, stability and political unification.

Ultimately, the EAC, made up of Burundi, Kenya, Rwanda, Uganda, Tanzania, and its newest member, South Sudan, aims at creating a political federation to expand and reinforce regional economic, political, social and cultural integration.

The EAC hopes that its citizens quality of life shall be improved through enhanced security, greater competitive capacity, and value added trade and investment. However, analysts contend that integration can and will only succeed if peace, stability and security prevails throughout the region

It is no secret that today the region faces a myriad of challenges. Terrorist attacks, religious tensions, piracy along the coastline, disputes and battles over scarce natural resources, human and drug trafficking, as well as organised crime are but some of the challenges troubling the Community.

In recent times, the violent conflict been witnessed in the republics of Burundi and most alarmingly in South Sudan should worry and seriously so, citizens of the EAC Partner States. The regional Assembly has within its mandate galvanized some efforts in the Republic of Burundi by way of a public hearing following a petition that was lodged by the civil society.

In this issue, **The Integrator** takes an in-depth analysis into matters based on the theme of Peace and Security, as well as delving into some of the initiatives premised on addressing the root causes and sources of grievances and ills in the society.

Governance challenges, negative ethnicity and socio-economic inequities contribute to injustices and conflict, with the resultant effects of underdevelopment, manifested in high levels of poverty, human rights violations and youth unemployment, among the other factors that afflict citizens.

It is vital is for the region to develop integrated approaches that encompass a range of sectors and thematic concerns that address all possible sources of threats to peace and security. Ideally such narrative should and must include a wide array of areas including governance, human rights, environmental affairs, economic and social justice, as well as the social, economic and political inequalities within Partner States.

EALA acknowledges the need for increased and greater responsibility at the regional and continental level in so far as funding security initiatives and qualitative investments are concerned. Similarly, the region needs to upscale the cooperation and collaborative efforts in maintaining peace and security in the region.

The editorial team of **The Integrator** is encouraging you, our valued reader, to read comment and give feedback on the interesting articles contained in this edition. Essentially, the EAC no longer needs to react... it must act!

The Community must define the moment and rally the region to a cause that citizens hold so dear - that which upholds the values of peace and tranquil in our midst.

The EAC region must develop an integrated approach that encompasses all the sectors

State of EAC Address wins accolades

EALA members congratulated President John Pombe Magufuli for the concise exposition of EAC policies contained in the State of the EAC Address, delivered at the March session in Dar es Salaam.

The Prime Minister of the United Republic of Tanzania, the Rt Hon. Majaliwa, Kassim Majaliwa, delivered the State of EAC Address on behalf of President Magufuli, who is the Chair of the Summit of EAC Heads of State, on 8 March 2016 at the commencement of the 5th Meeting of the 4th Session.

The speech presented a scorecard on a number of areas related to the pillars of integration. It cited major progress under the Customs Union including the completion and operationalisation of seven out of the envisaged 15 One Stop Border Posts and enhanced trade facilitation.

"Trade is now at 23 percent, over and above intra-African Trade figure of 12 percent. "There has been a 300 percent increase in the value of trade from 2 billion USD in 2005 to 6 billion USD in 2014. These numbers coupled with the combined GDP of 110.3 billion makes our region a formidable trading bloc," said President Magufuli.



President Magufuli

He urged the region to push for the total removal of non-tariff barriers (NTBs). On the Common Market, President Magufuli gave an account of achievements realized in the Partner States to date. He remarked that the Republic of Burundi now recognizes the academic qualifications, experiences obtained, licences and certifications obtained for the workers from other EAC Partner States.

The United Republic of Tanzania on its part, has issued a total of 3,222 simplified Certificates of Origin as at June 2015, compared to 2,355 certificates issued in 2014. In Kenya, an SMS-based NTBs Reporting System to facilitate reporting and subsequent elimination has been developed.

A historic decision on anthem and flag

KENYA's President Uhuru Kenyatta and his Cabinet late last month made a historic declaration that the East African Community (EAC) flags shall henceforth be hoisted in all government institutions and schools.

In addition, the Cabinet also decreed that Kenya's national anthem shall in future be performed alongside the regional anthem.

The Kenyan chapter of the East African Legislative Assembly (EALA) has been in the forefront in the campaign to have the EAC flag and the rendition of the regional anthem in what they rightly felt would take the integration agenda a notch higher.

"This is truly what it means to deepen and widen EAC integration indeed! We are really so elated by the decision of our Cabinet that will now ensure that the EAC flag is prominently hoisted in all government institutions and schools," said Hon Nancy Abisai, the Kenya EALA Chapter Chair.

The performance of the hugely popular and melodious *Jumuiya* regional anthem in all Kenyan national institutions and schools will also serve as an instrument for the sensitization of the Community's importance in our national development, she added.

Hopefully, the *Jumuiya* regional anthem will in due course be sang at the international sports stage when Kenyan world beaters in athletics clinch gold, as they customarily do.

New interactive website launched

IN March, EALA Speaker, the Rt Hon Daniel Fred Kidega, re-launched a new interactive website. The website which was developed with technical assistance from Westminster Foundation for Democracy (WFD), is expected to leverage the Assembly as it disseminates information to the public.

The website has been enhanced with interactive features which include a social media platform - Twitter, Facebook and Flickr capabilities - which are expected to draw more visitors and to the website. It also now makes it possible for EAC citizens to share the content of the website with other users, engage and leave comments while also raising expectations about what next to expect.

The Assembly has over the last few months improved the use of Information and Communications Technology (ICT) for better public information dissemination and to enhance outreach programmes that promote wider public participation.

1964 - 2016

HAFSA MOSSI

Member leaves a decisive impact on the work of the Assembly

THE Assembly was united in its condemnation of the brutal assassination of the late Hafsa Mossi during an extraordinary sitting, a week to the day of her death.

Besides condemning the despicable and utterly heinous murder of their colleague, Members were equally concerned about the heightened insecurity in Burundi and expressed their displeasure that sovereignty has often been invoked, compounded by the apparent laxity by the EAC in resolving the conflict. That, even as the ordinary citizens and high-profile political, military and professional figures are killed, in many cases through targeted assassinations.

Members referred to the more than seven instances that the Third Assembly expressed itself on the deteriorating political, human rights and humanitarian crisis in Burundi through motions, resolutions and petitions, yet no concrete action has been taken to stem the tide of assassinations, extra-judicial and arbitrary killings. (The Report of the Regional Affairs and Conflict Resolution Committee is discussed elsewhere in this magazine).

Gregarious and good company, Hafsa was a rare personality. A gracious, loyal, fiercely private, beautiful and generous woman - at all ages! Her intelligence was incisive and broad in a manner commensurate with her full and fluent mastery of all the languages she spoke: English, French, Kiswahili, Kirundi and Kinyarwanda.

Hafsa could tell you everything, from the trending perfume or cologne, jewelry and elegant fashion to gardening and business or how to render a wall.

The late member had such a decisive impact on the work of the Assembly, divine and meticulous in the

thoughtful contributions she made to the Standing Committees she served in, and on the floor of the Assembly.

Quiet spoken, Hafsa was in equal measure, unassuming, deeply rooted in her community, fine-grained, bright and steady - sometimes exacting a hybrid of many roles as patron of the local mosque and mentor to youngsters in her Gihosha district locality.

As a communication chief to the Presidency in the first negotiated government in Burundi after the long and bloody conflict, Hafsa once confided, that she was never afraid to speak truth to power. While the print journalist would often rant and rave, the electronic journalist she once was demanded that she remained cool, calm and calculated.

"You know, as a spokesperson, you had to be able to read the tea leaves," she explained.

Above all, Hafsa had such a vehement devotion to her family, including her aged and ailing mother, Moza Sintuka, and particularly to her young daughter, Aimaan whom she adored so much and her two other loving daughters Dada and Astona Nahimana.

Hafsa was shot at point blank range as she left her home in Gihosha district, northwest of the capital, Bujumbura.

She began her journalistic career in 1993 with the Channel for Africa in South Africa. Hafsa is best remembered as a producer for the BBC Swahili service where she moved to in 1998.

May the Almighty Allah rest her soul in *Jannat -ul-Firdaus. Ameen!*



Founding First Ladies distinguished visitors

IT was a rendezvous and a memorable occasion for EALA when the founding First Ladies of the East African Community (EAC), H.E. Mama Ngina Kenyatta and H.E. Miria Obote delivered motivating speeches at a Special Sitting of the Assembly on 31 May 2016, in Arusha.

Graceful and radiant, the two distinguished guests brought back the good old memories of the original Community and challenged EALA members to ensure that integration is realised and guaranteed. The United Republic of Tanzania's founding mother, Mama Maria Nyerere, sent her apologies.

In her remarks, Mama Miria Obote challenged the EAC to re-energise itself and strive to be a fully functioning integration bloc.

"This objective can be achieved through joint or common EAC investments such as the ongoing projects between Uganda and Tanzania for the proposed pipeline, Uganda, Rwanda, Tanzania and Kenya for the Standard Gauge Railway and Kenya, Ethiopia and South Sudan for the Lamu Port. The clear call should be an intensification of efforts across various fields to make our region more integrated." Mama Obote said. She further called for the region to move faster to have an integrated education syllabus and curriculum to stabilise the labour market within the East African Community.

"For instance, a majority of Ugandans have never learnt proper Kiswahili. We are now learning proper Kiswahili in our schools and through public engagement. This is the best way towards integration," she added.

Mama Miria Obote praised EALA for

recognising the contribution of the founding families.

In her speech, Mama Ngina Kenyatta informed the sitting that EAC's founding fathers had "walked and worked tirelessly" in anticipation of the region's unity.

"In 1967, all three of us were witnesses to the establishment of a Community that spoke to a shared sentiment. The EAC was built on the understanding that our nations and our peoples were stronger together. I request you to keep the hope of the founding fathers alive and to ensure that unity in the region is achieved", Mama Ngina said

"It is a credit to your hard work and persistence—and the hard work

Let us keep the hope of the founding fathers alive and maintain our unity

and persistence of your respective Governments—that today, that Community is more vibrant and active than ever", she added.

Mama Ngina Kenyatta urged EALA and EAC to remain united to the ideals of integration. Welcoming the guests, EALA Speaker, the Rt Hon Daniel Fred Kidega, lauded their contribution to the integration process.

"Today, we celebrate you. You are walking encyclopedias in your own rights and repositories of information, who despite ageing gracefully, still credit, follow developments of this



Mama Ngina Kenyatta speaks

great region, and are supportive of the EAC unto this day," he said.

And at its Sitting on 16 March 2016, he said EALA passed a resolution recognizing the role the founding First Ladies continue to play in galvanizing East Africa in the integration process and in the service of East Africans as "informal Institutional memory".

The resolution was moved by Hon Mumbi Ngaru.

ORIGINS

Tracing the roots of the East African Community

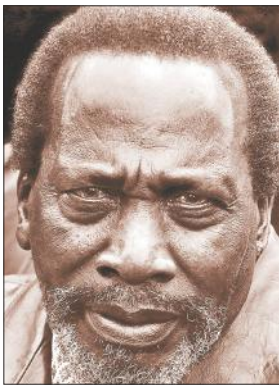
THE East African Community (EAC) is an intergovernmental organisation composed of six countries in the African Great Lakes region in eastern Africa: Burundi, Kenya, Rwanda, Tanzania, Uganda and South Sudan. The organisation, founded originally in 1967, collapsed in 1977, and was revived on 7 July 2000.

In 2008, after negotiations with the Southern Africa Development Community (SADC) and the Common Market for Eastern and Southern Africa (COMESA), the EAC agreed to an expanded free trade area including the member states of all three organizations. The EAC is an integral part of the African Economic Community.

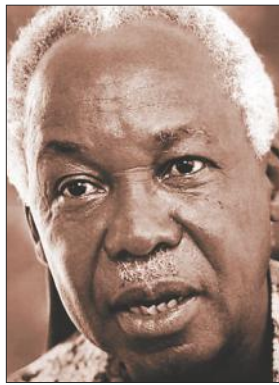
The EAC is a potential precursor to the establishment of the East African Federation, a proposed federation of its members into a single sovereign state. In 2010, the EAC launched its own common market for goods, labour, and capital within the region, with the goal of creating a common currency and eventually a full political federation. In 2013 a protocol was signed outlining their plans for launching a monetary union within 10 years.

Kenya, Tanzania, and Uganda have cooperated with each other since the early 20th century. The customs union between Kenya and Uganda in 1917, which the then Tanganyika joined in 1927, was followed by the East African High Commission (EAHC) from 1948 to 1961, the East African Common Services Organization (EACSO) from 1961 to 1967, and the 1967 to 1977 EAC. Burundi and Rwanda joined the EAC on 6 July 2009.

Inter-territorial co-operation between the Kenya Colony, the Uganda Protectorate and the Tanganyika Territory was first formalised in 1948 by the EAHC.



Jomo Kenyatta



Mwalimu Nyerere



Milton Obote



Christine Pratt, Hon Makongoro Nyerere, Mama Ngina, Hon Akena Obote and Mama Miria Obote.



EALA members welcome the founding First Ladies.

Assembly approves budget

IN June, the East African Legislative Assembly (EALA) debated and passed the 2016/17 Budget totaling \$101,374,589.

With the reading and passing of the Budget, the organs and institutions of the East African Community to effectively carry out their operations during this financial year.

The Budget, whose theme was **Towards Full Implementation of the EAC Common Market Protocol and Enhancing the Implementation of the Monetary Union Protocol**, prioritizes full implementation of the EAC Single Customs Territory and the enhanced implementation of the EAC Common Market Protocol.

The Budget Speech was presented by the Chair of the Council of Ministers, Hon Dr Susan Kolimba. Debate was preceded by presentation of the Report of the Committee on General Purpose on the EAC Budget Estimates for Revenue and Expenditure for the Financial Year 2016/17, by Hon Dr Odette Nyiramilimo.

The Budget is allocated to the EAC Organs and Institutions as follows; East African Community Secretariat (\$57,741,185), East African Legislative Assembly (\$16,086,224) and the East African Court of Justice (\$4,286,477).

The Inter-University Council for East Africa shall receive (\$4,553,890), Lake Victoria Basin Commission (\$11,214,708) while \$2,131,422 is earmarked for the Lake Victoria Fisheries Organization.

On their part, the East African Science and Technology Commission shall receive (\$1,196,542), East African Kiswahili Commission (\$1,179,542) and the East African Health Research Commission (\$1,397,438).

The East African Competition Authority is to benefit from \$1,587,565 in the Financial Year.

Meanwhile, EALA's General Purpose Committee emphasised the efficient use of Community resources while urging the Council of Ministers to seriously look into the issue of



The Chair of the Council of Ministers, Hon Dr Susan Kolimba and the East African Community Secretary-General Ambassador Liberat Mfumukeke before the presentation of the Budget.

inadequate funding which has been dwindling over the last three years.

A number of successes were registered in the Financial Year 2015/2016, notably, upscaling of the Single Customs Territory (SCT) through finalisation of operational

instruments of the business manuals, passage of key pieces of legislation by EALA, deployment of SCT Monitoring and Evaluation tools and deployment of staff in some Partner States.

However, EAC similarly faced a number of challenges including that of the slow pace of harmonisation of domestic taxes to facilitate the functioning of the SCT and inadequate staffing particularly in the run-up to the exit of staff in 2017.

The long decision-making processes and the delays in remittances of funds from Partner States and development partners are other bottlenecks.

The Budget is allocated annually for the operations of the EAC organs and institutions



EAC Speakers pose for a group photograph following the 11th Bureau of Speakers meeting in Arusha.

SPEAKERS of the East African Community (EAC) parliaments are looking forward to the operationalisation of the East African Parliamentary Institute (EAPI).

The Speakers are optimistic that EAPI shall help build the capacities of legislators, parliamentary staff and other stakeholders in parliamentary practices, contributing to the widening and deepening of integration.

On 29 April 2016, the EAC Bureau of Speakers held the 11th Meeting in Arusha, Tanzania and discussed at length the operationalisation of the EAPI and considered of key areas to strengthen integration.

National legislatures and EALA are to commence the process of budgeting within the Financial Year 2016/17, with the anticipated launch of the EAPI now in high gear. Under the EAPI Act, 2011, the EAC Speakers form the Board of Trustees and are expected to act conclusively on where the Institute shall be hosted and advise the Council of Ministers on the same. The EAPI Act passed by EALA, now awaits to be gazetted by the Council of Ministers.

At the Bureau meeting, EALA Speaker, the Rt Hon Daniel Fred Kidega also took over the Chair from the Speaker of the Parliament of Tanzania, the Rt Hon Job Ndogai. The Chair of the

EAPI close to reality after Speakers meet

Bureau of Speakers is rotational and is held for a period of 12 months.

Speaker of the Kenya National Assembly, the Rt Hon Justin Muturi and Speaker of the Senate, the Rt Hon Ekwee Ethuro as well as the President (Speaker) of the Burundi Senate, the Rt Hon Reverien Ndikuriyo attended the Forum.

The Rwanda Chamber of Deputies was represented by the Deputy Speaker, Hon Jean d'Arc Uwamaninpaye, while the 2nd Deputy Speaker of the Burundi National Assembly, Hon Nduwimana Edouard, represented the Speaker, the Rt Hon Pascal Nyabenda. The Bureau received the apologies of the Speaker of Parliament of Uganda, the Rt. Hon Rebecca Kadaga.

The meeting underscored the need to enhance functional relations between the national legislatures and EALA. The Speakers presented progress reports to the Forum.

On terrorism, the Forum noted with concern the damage and pain inflicted by the atrocious acts across the globe.

The Speakers asserted the position that there were no 'good' or 'bad' terrorists, and that all such groupings have to be fought ferociously, urging for solidarity to protect the destiny of the Community.

The one-day meeting was preceded by a two-day meeting of Clerks, which, among other things, reviewed the mandate of the Bureau, discussed modalities of operationalisation of EAPI, and reviewed several emerging challenges in legislature in the region.

The Bureau of the EAC Speakers is the umbrella body that EALA and the national assemblies utilise to champion the cause of parliaments in the region, that of enacting legislation, oversight and representation and plays a key advisory role to the Summit of the EAC Heads of State.

PICTORIAL ROUNDUP



1



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- 1 President Uhuru Kenyatta joins Members moments after delivering a speech to the Assembly during its session in Nairobi.
- 2 EALA Speaker, the Rt Hon Dan Kidega displays the EAC flag in front of the Assembly.
- 3 Hon Dora Byamukama contributing on the floor of the House.
- 4 EALA Elders Hon Leonce Ndarubajiye and Hon Twaha Taslima reflect on proceedings.



3



4



5 Members of EALA test their muscle power in a tug-of-war competition during the Inter-Parliamentary Games in Kigali.

6 President Yoweri Museveni is received by the Council of Ministers before addressing the Assembly at its sitting in Kampala.

7 Hon Shy-Rose Bhanji argues her point on the floor of the Assembly.

8 Hon Dr Martin Nduwimana stresses a point during debate in the Assembly.





COVER STORY

WHICH WAY?

Peace and security in the Community



A critical imperative for the integration of the East African Community concerns two interrelated matters - peace and security, two intertwined goals which could shape and determine what type of a community is established and how successful it becomes, writes Hon Abubakar Zein

One of the critical imperatives for the integration of the East African Community concerns two interrelated matters that are peace and security. These two intertwined goals might very well shape and determine what type of a community is established and how successful it becomes.

These two matters are also the cornerstone of the EAC Peace and Security architecture, the devolved aspect of the African Peace and Security Architecture (APSA).

The East African system mirrors the African one and principally seeks, amongst others, to establish a peace and Security Council, a panel of the wise, an early warning system, a peace fund and an East African Community Stand-by force.

It is an institutional framework that is nonetheless, dependent on the completion of the ratification of the EAC Defense Protocol, the EAC Peace and Security Protocol and other legal instruments including the establishment of the Political Federation and its attendant legal infrastructure.

So far, a number of interventions have been undertaken at the level of the Secretariat in Arusha and at the Partner State levels while waiting for the necessary Peace and Security infrastructure to be put in place. For instance, the first components of

an early warning system are being developed. The situation room is operational albeit, with a skeleton staff. The newsfeed and other intelligence gathered is complimented with reports of EAC monitors on the ground.

The reports coming from the early warning system have been fairly accurate so far. But the missing link in the system is the required early response mechanism, as the situation leading to the Kenyan Post-Election Violence in the 2007 and

the ongoing challenges to peace and security in Burundi demonstrates. In both cases, there were adequate warnings but the Community was unable to act.

There is progress made in developing a regional framework for the co-operation between Partner States armed and other security forces. This co-operation ranges from joint military excises, developing

the interface of command and control structures and sharing of intelligence. One of the major joint ventures has been the anti-piracy task force operating in the Indian ocean.

One could also cite other examples of ad hoc progress being made but is presently hindered by non-completion of the ratification process of the Peace and Security as well as the Defence Protocols.

But what is indeed holding back tangible progress

A number of interventions have been made to put in place the necessary infrastructure



Uprooted by conflict, a refugee and her earthly belongings heads to an unknown destination.

SPECIAL REPORT

in completing and fully activating the Peace and Security architecture for the East African Community?

I believe progress is being hindered by the Partner States not agreeing on which approach to use in unpacking the architecture. I hold the view that there are two main ways of approaching the desire of establishing a peaceful, safe, secure and stable community.

The First Approach

The first one will be based on approaches and interventions that seek to establish mainly security for and within Partner States. Then, the sum total of that security of Partner States will be the basis for saying there is peace and security in the Community. In this approach each of the Partner State will determine what peace and security means in their jurisdiction. This determination will be augmented by a loose common arrangement at the Community level without a strong enforcement mechanism.

This approach is wholly dependent on the goodwill of the Partner State and its institutions. It is based on guarding jealously state sovereignty. Under this approach, the Partner State will determine how much policy space it will open and withhold the right to vary or even withdraw from shared policy space.

Under this approach, what suffices is the old Organization of African Unity (OAU) philosophy on absolute respect of sovereignty and colonial borders including accepting in absolute terms the principle of non-interference in domestic affairs of states from other states. Even in glaring cases where there is clear and present danger and threat to peace and security, the Community will not be able to act without the consent of the concerned Partner State.

In a situation where the Partner State is unwilling to "invite" the Community to participate in addressing challenges to peace and security in its jurisdiction the Community becomes impotent to act. Worse still, the Community may become completely immobilized from responding where the Partner State or its institutions are either the source or are perceived as a contributing factor to threats to



A protester demonstrates in style following political tension in Bujumbura

security and peace in its jurisdiction or even the region.

It looks like this is the approach that currently obtains in the Community. The reluctance to move away from the pre-eminence of the philosophy of exclusive state sovereignty is what defines the affinity to the status quo.

It is my opinion, that Partner States prefer this approach and therefore will take a long time to complete the activation of the EAC Peace and Security architecture of the Community. Clearly, the Treaty for the establishment of the East African community does not support this approach but Partner States' contention is that a different approach can only be viable with time and with the further integration that will allow for the adoption of shared sovereignty on some aspects. To a number of Partner States, this phase will only be reached after the conclusion of the Political Federation stage.

This state of affairs partly explains why the Partner States have so far not put in place any mechanism that

could trigger direct intervention of the Community without the permission of the affected Partner State or even invoke sanctions as envisaged by the Treaty for the establishment of the Community.

In my opinion, this is why the provisions of the Treaty that deal with the ultimate enforcement of the Treaty obligations have not been given effect. Article 146 on the suspension of a member, Article 147 on the expulsion of a member or even Article 148 on exceptions to the rule of consensus in decision-making, do not have a framework or even procedures for their implementation.

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Strategic reflection of today's challenges

THE President of the General Assembly, Mogens Lykkesøft, organised a high-level Thematic Debate of the UN General Assembly, focused on UN, Peace and Security on 10-11 May 2016.

This event served as a platform to identify key threats and engage in a strategic reflection about today's challenges to international peace and security.

Furthermore, it allowed for consideration about the means, tools and instruments available within a UN-context to tackle these challenges as well as the responsibilities and institutions required for an effective collective security architecture.

The thematic debate built on the common trends and synergies from the most recent UN peace and security reviews, including the review of UN peace operations [on the basis of both, the High Level Independent Panel on Peace Operations and the Secretary-General's report on the future of UN peace operations], the Peacebuilding Architecture Review and the Global Study on the implementation of Security Council Resolution 1325 (2000) on women, peace and security'

Staging a series of coordinated, independently organized regional workshops and seminars, the thematic debate took place as the world is considering how best to implement the ambitious and wide-ranging 2030 Agenda for Sustainable Development as well as the Paris Agreement on climate change and who - as the next Secretary-General - will lead the UN in this and other equally vital tasks.



Security forces restrain protesters during the heat of the demonstrations.

The Second Approach

The second approach, which may be called the collective and integrated approach, will be based on a shared set of values at the Community level with a clear and strong implementation framework at both Community level and Partner State levels.

The conceptualization of the terms "peace" and "security" will be anchored in the Community instruments and implemented at an institutional framework that binds both levels. This is indeed the approach that is envisaged by the Treaty and the instruments that have so far been developed including the Defence and Peace and Security Protocols.

This approach will develop an integrated approach that encompasses a range of sectors and thematic concerns that address all possible sources of threats to Peace and Security. In its conceptualization, it will address both aspects of physical violence and structural violence as threats to peace and security. It will cover a wide array of policy space

including governance, human rights, environmental affairs, economic and social justice, addressing issues of inequality including between Partner States and within Partner States and so on.

Further, it seeks to secure peace as the establishment of harmony and tranquility at a personal level, between individuals, groups of people and between nations, with the environment etc in the Community. It will also seek to build the capacity and establish the necessary institutional infrastructure for the Community to address fault lines and potential factors of conflict before they emerge or get out of hand.

It is therefore my considered opinion that as a Community, we need to make up our minds that Peace and Security are the necessary ingredients which forms the basis of building a strong Community. It is the critical trigger to deepen and widen the desired EAC integration so that we can truly become "One People with One Destiny."

Rwanda Constitution



Rwanda's Constitution, writes Hon Martin K. Ngoga, is conscious of the country's tragic history but is also mindful that peace, security, unity and reconciliation can be attained through consensual and pluralistic democracy founded on power-sharing.

The state of Rwanda as is today, rose from the ashes. Literally. Its Constitution thus of necessity and experience, reflects that reality. The Rwandan Constitution, in its preamble, is therefore explicitly conscious of the tragic history of the country but at the same time mindful amongst others, that peace, security, unity and reconciliation can be attained through building a state based on consensual and pluralistic democracy.

Now, how would the Rwandan experience of power-sharing and/or Government of National Unity, is widely referred to in other quarters, possibly help ameliorate persistent political squabbles that threaten the state's peace and security and to some extent, its own existence, in other parts of the East African region?

This is indeed a very vexing issue, but as it is widely acknowledged, constitutions and electoral systems that determine how the political agenda is set and how binding political decisions are made in any country will always be tailored to the concrete experiences and needs of any given country.

This reality is put more succinctly by American scholar, Theodore Becker, when he puts forth "Each of the specific guarantees on individual liberties in the Bill of Rights was a grim reminder of searing colonial experiences. Just reading them is a description of what had happened regularly to the patriots who had fought the tyranny of the (British) King's forces.

To further emphasize how the

countries past and experiences influence their choices in Constitution making process, another constitutional expert, Kristi Samuel suggests, "In post-conflict or post authoritarian transition, a new Constitution often acts as symbolic break with the past and creates expectation that a new peaceful phase in the country's history is about to begin. Moreover, inclusive and participatory Constitution making process legitimize the Government, provide a forum for national dialogue and negotiation of decisive issues and can play a psychological role in developing a sense of nation, by including the citizens in developing a common vision for the future of their country".

Decisions made in any country will always be tailored to the concrete experiences

Among the key choices in Rwanda's constitutional governance path was the principle of power sharing which itself is a set of principles that, when carried out through practices and institutions, provide every significant identity group or segment in a society representation and decision making on common issues.

According to the Rwandan Constitution, this principle is mainly implemented through political parties.



President Paul Kagame

It revolves around equitable sharing of powers among people organised in political parties. It is captured as one of fundamental constitutional principles and it is further elaborated in terms of obligations, prohibitions and political accountability by political parties.

The Constitution provides for the right to organise, including organizing in political formation and to participate in equal measure in the country's political governance. There is express recognition of political parties whose formation must conform to the law and must be regulated by the specific law determining the establishment and functioning of political parties.

Every Rwandan has a right to join a political party and those who opt not to belong to any political party should not, according to the Constitution, be subjected to any form of discrimination as a consequence.

Further, political parties are obligated to reflect the unity of Rwandans, observe gender equality and prioritize national unity and territorial integrity. These obligations should be observed across the structures of a political party, in its leadership and membership at large.

As such, political parties are

fosters democracy



Legislators debate during a Rwanda Parliament session.

prohibited from basing themselves on any form of discrimination and divisionism based on race, ethnic group, tribe lineage, region, sex, religion or any other division which may lead to discrimination.

Having provided for the right to organize in political parties, their obligations and prohibitions, the Constitution of Rwanda provides for power sharing in the following terms:

“Power sharing is respected in State Institutions in accordance with the fundamental principle set out under Article 10 of this Constitution and the other provisions of other laws.

The President of the Republic and the Speaker of the Chamber of Deputy cannot come from the same political organization. Cabinet members are selected from political organizations on the basis of seats held by those political organizations in the Chamber of Deputy. However, a political

organization holding the majority of seats in the Chamber of Deputy cannot have more than fifty per cent (50%) of Cabinet members. It is not prohibited for other competent persons to be appointed to the Cabinet

In Parliament, the principle of representation of various categories is respected as provided for by the Constitution and other laws”.

Having provided for power-sharing among political parties and competent citizens not belonging to any political party, the Constitution goes ahead to create mechanisms of checks firstly, to ensure observance of the Constitutional principles by political organizations. as well as providing a platform for political parties to exercise their diversity in unison, to rally their different ideologies around causes of common interest.

These mechanisms are exercised through the powers conferred upon

the Senate and the forum of political organizations. To this effect, the Constitution provides:

“The Senate in particular monitors the application of fundamental principles specified in Article 10 and that of the provisions of Article 56 and 57 of this Constitution”

It is important to note at this point, that in order for the Senate to meaningfully exercise this oversight regulatory function, its membership is not drawn on the basis of political organizations.

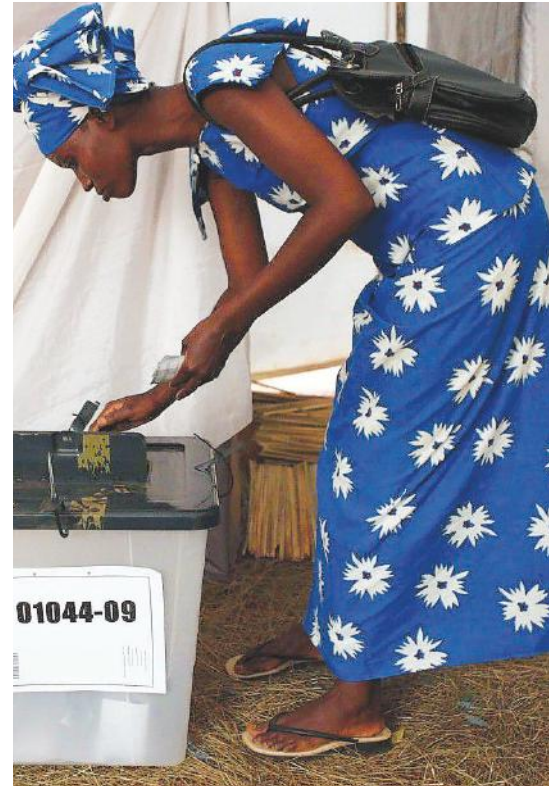
As regards to the forum of political organizations, the Constitution provides:

“The National Consultative Forum of Political organization brings together political organizations for the purpose of political dialogue, and building consensus and national cohesion.

The functioning of the National Consultative forum of political



President Kagame acknowledges greetings from Rwandese citizens in the countryside.



A woman casts her vote to exercise her democratic right.

organizations is provided for by the organic law determining modalities functioning of the National Consultative forum of political organizations is provided for by the organic law determining modalities for the creation of political organization, their functioning and the code of conduct of their leader"

Apart from these key oversight and regulatory entities, the Constitution provides for a wide range of oversight through Civil Society, media and administrative structures.

As matter of fact, political parties in Africa are not premised on strong ideological differences. They are premised on how different from each other they claim to have better prescription for common problems. They claim to have better approaches and genuine commitments to fight corruption, poverty and that they can move the development agenda faster. These are methodical and not ideological differences.

The absence of deep ideological differences is what causes political parties in Africa to align their ideologies to the classic template western

models. This artificial rallying around western models cannot, as a natural consequence, stand. This explains why parties opt to coalesce around ethnicity, regionalism and other populist and divisive tendencies.

What all this means and which is what informs Rwanda's choice is that we have more in common and therefore if we can find our way around the same table, we can mitigate the

The choice of Rwanda is that in which diversity is managed in unity

consequences of confrontational politics. The criticism goes, "can opposition thrive and be strong under this model?"

It must be noted where a political party is not in breach of Constitutional prohibitions, opting to stay out of institutions governance cannot in

itself be a ground for deregistration. That said, the practical question is "can a political party that opts not to participate and bring their ideas around the table for consensus, be, as a strategy, more persuasive to the electorate?"

My view is that it would all depend on the state of deliverables by those sharing powers against those that choose to stay out. It is therefore a matter

That has been the choice of Rwanda. It has been the choice in which diversity is managed in unity, the choice by which differences are rallied around common interest of the nation. It is a choice where political parties are not for divisive purposes but for advancing national agenda, one that is commonly set through consultation and dialogue.

It is a choice that underscore the fact that it is not the interest of the elite few that matter, but what can positively change the lives of majority citizenry. The people of Rwanda realized that these objectives cannot be achieved unless, without prejudice to democratic elections, governance and power is shared.

Protocol on peace will accelerate EAC political federation



Partner States of the East African Community undertook to ultimately establish a political federation and to ensure “the promotion of peace, security, and stability and good neighbourliness ...” Have they lived up to their commitment? Hon Dora C. Byamukama attempts to answer that question.



FLASHBACK: Uganda President Yoweri Museveni, retired President Daniel arap Moi of Kenya and retired President Benjamin Mkapa of Tanzania cut the ribbon to officially mark the revival of the East African Community on 30 November 1999.

Peace and security are so vital that we cannot start to discuss principles of good governance or respect for human rights when bullets are flying over our heads and we are paralyzed by fear.

Having lived in Uganda as a young person in the period between 1971-1986; I know first-hand what it means to be gripped by fear, fear to turn round a street corner because you do not know what awaits you, fear to go home by road, as a student, a distance of about 300 kilometres, because you were likely to be ambushed, raped and killed. At one time, our parents chartered a plane to fly us home in order to ensure our security!

Whilst lack of peace and security is not peculiar to the Republic of Uganda, other EAC Partner States have had and still have a similar experience at varying degrees.

Interestingly, when peace and security was restored in Uganda by the National Resistance Movement, some Ugandans still took a whole while to sleep soundly because they were used to hearing gunshots all night long. A silent night devoid of gunshots made them nervous!

Today, when one talks about those dark days, some young people roll their eyes to illustrate boredom or disbelief. The truth of the matter is that people paralyzed by fear cannot be productive. Social and economic development suffers and despair sets in. In a nutshell, the environment is not conducive for productivity which in turn, prompts some people to fight or flee and the cycle goes on.

Fast forward, on 30 November 1999, the East African Community was revived when the President of the Republic of Uganda, Yoweri Museveni, and the then Presidents of Kenya and Tanzania, Daniel arap Moi and Benjamin Mkapa respectively, signed the Treaty for the Establishment of the East African Community. That marked the beginning of a new era with a key objective of widening and deepening co-operation for mutual benefit.

The Partner States further undertook to establish a Customs Union, a Common Market, subsequently a Monetary Union and ultimately a Political Federation to strengthen

and regulate their relations. Partner States further committed to ensure, inter alia, “the promotion of peace, security, and stability within, and good neighbourliness among the Partner States...”

Which begs the question: Have the EAC Partner States lived up to their commitment? Whereas the answer to such a question may not be an outright ‘Yes’ or ‘No,’ an analysis of what has been achieved in the last one and half decades, provides evidence that we are on the right track but need to accelerate action within a set time frame.

As of late 2015, all Partner States had appended their signatures to the EAC Protocol on Peace and Security, reaffirming commitment to Article 6 of the Treaty. These fundamental principles that govern the achievement of the objectives of the Community include:

- mutual trust, political will and sovereign equality
- peaceful co-existence and good neighborliness
- peaceful settlement of disputes
- good governance including adhering to principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality, as well as the recognition, promotion and protection of human and peoples’ rights in accordance with the provisions of the African Charter on Human and Peoples’ Rights
- equitable distribution of benefits and cooperation for mutual benefit.

Linked to the fundamental principles, the EAC Protocol on Peace and Security’s scope of cooperation mandates Partner States to cooperate in peace and security matters and collaborate with international and regional organizations to promote peace and security in the region. It further commits Partner States to, where necessary, develop common measures, strategies and programmes and to enter into agreements for its effective implementation. In addition Partner States have agreed, inter alia, to cooperate in the following areas:

- conflict prevention, management and resolution
- prevention of genocide



African Union (AU) Chairperson Dr Nkosazana Dlamini Zuma. The AU passport was launched during the AU Summit held in Kigali, Rwanda last month.

- combating terrorism
- combating and suppressing piracy
- peace support operations
- disaster risk reduction, management and crisis response
- management of refugees
- control and proliferation of illicit small arms and light weapons
- combating transnational and cross border crimes; including drug and human trafficking, illegal migration, money laundering, cyber crime and motor vehicle theft
- addressing and combating cattle rustling and
- Prisons and Correctional Services including exchange of prisoners, detention, custody, and rehabilitation of offenders

EAC Partner States also agreed to establish an early warning mechanisms to facilitate the anticipation, preparedness and early responses to prevent, contain and manage conflict

and crisis situations in the areas of cooperation.

In a nutshell, the EAC Protocol on Peace and Security cements the relationship of Partner States and raises the level of integration to a higher level, pointing towards a political federation. This is so, in my opinion, because matters of peace and security can best be handled by a political center under one command, short of which ‘uncoordinated movement of troops can be disastrous’. This conviction is buttressed by the objectives of the Protocol on Peace and Security, where Partner States undertook to:

- protect the people and safeguard the development of the Community against instability arising from the breakdown of law and order, intra-and inter-state conflicts and aggression
- co-ordinate and co-operate in



“I am a citizen of the East African Community!” A young woman with the new electronic EAC passport. The e-passport is scheduled to be issued in 2018.

- matters related to peace and security in the Community
- prevent, contain and peacefully resolve conflicts and disputes among and within the Partner States
- observe and encourage the implementation of the United Nations, African Union and other international conventions and treaties on arms control, disarmament and peaceful relations between Partner States
- develop peacekeeping capacity and co-ordinate the participation of Partner States in international and regional peace support operations
- enhance the capacity of the Community with respect to disaster management and co-ordination of international humanitarian assistance
- enhance the capacity of the Partner States in the management of refugees

- enhance the capacity of the Partner States in combating terrorism and piracy
- co-operate in exchange of prisoners, detention, custody and rehabilitation of offenders and
- implement the EAC Strategy on regional Peace and Security

It is said - “actions speak louder than words” - the earlier question still lingers on - to the extent that we need to transform the words of the Protocol

We are on the right track but need to accelerate action within a set time frame

into action. The instrument for transforming the words of the Protocol into action is vested in an institutional arrangement for its implementation which should be expeditiously set up and vested with requisite resources.

Further to this, whereas the objectives of the Protocol are noble which include ‘...to protect the people...’ one wonders - which people this refers to, since each Partner State is already doing so, anyway? In view of this, I deduct that the people referred to are those people that reside in the EAC; it is thus time to recognize citizens of East Africa as such.

More questions arise: Can we make reference to ‘protection of people’ when Partner States cite defence of sovereignty to curtail intervention geared at instilling peace and security? Isn’t it time to re-examine the meaning of borders within the EAC, which borders were set by colonialists devoid of the historical and cultural context?

And when will a Protocol for extended jurisdiction for the East African Court of Justice to, in particular, handle human rights be concluded considering that this is an avenue for redress in matters of peace and security? Indeed, the recent agreement for the issuing of an EAC international e-passport scheduled for 2018 strongly supports the argument for a new definition of ‘people’ to mean citizens of East Africa.

As the lyrics of one song go, “there are more questions than answers...”, it is therefore time to do things differently and expedite amendment of the Treaty in order to fast-track political federation, establish a central authority with vested power and resources to effectively handle critical matters such as peace, security, planning, finance and development. The Community must seize the moment, considering that the EAC is geared for further expansion with many more states knocking at its door.

It is only through pooling of resources under a unified political structure that we can ensure sustainable peace, security, prosperity, and survival for the East African people in a highly competitive global economy.

Banishing the curse of ethnic divisions to reduce conflicts



Hon AbuBakr Ogle argues that whenever East Africans rise against each other in a bloody conflict over perceived ethnic divisions, tribal origins or clan lineages, they do so not because they are so brimful of hatred, but because of reckless and self serving political manipulations.

The sight of a young, evidently famished mother, in tattered clothes, with a baby strapped on her back gleefully wielding a bloodied machete, having hacked another woman also carrying an infant. This is one of the particularly gruesome Rwandan genocide memories that to this very day, sits like a tumor leaking poison into the back of my mind.

Yet, that macabre instance is just one of the many across the East African region, indeed, much of the African continent that aptly captures the depth of our viciousness and propensity for a nasty, brutish and ghastly engagement whenever we have risen against each all in the name of ethnic hostility and its resultant violence.

How come that we can so easily pick out our next door neighbor for attack merely because they speak a slightly different African dialect from your own? Are East Africans so brimful of hatred that even quarrelling over the origins of tribes and clan lineages will cause bloodshed? Why would

everybody blame everybody else and think that the answers lie in squaring out over some imaginary ethnic differences?

The answers to these questions are varied and myriad depending on the perspectives or by the pundits and cynics making them. Some will blame the history of the African tribes. Some will claim that tribes did not exist at all and that they were imagined by whites, whose fault it all was.

Indeed, as far as the early European travelers in Africa themselves were concerned, they took a dimmer view. The Negroid tribal differentiation was necessary in order to assist them study the black man's brain capacity and judge how far up the evolutionary tree the African had or could climb. After all, to understand the African, they claimed, you must subtract all elements of common sense and rationality.

Yet, it is true that all African societies are organized tribally, or into what anthropologists call segmentary lineages, groups of people who trace their descent to a common ancestor.



Rwandan refugees flee-to -to-escape the geno

These so-called tribal or clan lineages number anywhere from a few dozen to a few thousand kinsmen and coalesce together around a common language and ancestry.

This has in turn created an extraordinary social fragmentation, where people never left the small defined countryside and valleys where they were born. They lived their lives within that limited same language communes and often in competition with their neighbors of a different language.



side in their country that cost the lives of more than 800,000 people.

Now, at independence in the 1960s, the departing European colonial powers had established a modern “Westminster” style of governments in which citizens’ vote for Members of Parliament in regular multiparty elections. In Britain, like in all other developed Western democracies for instance, political choices revolve around a left-of-center Labour Party and a Conservative Party, where voters by and large make decisions based on ideology and policy, like more or less government protections or more

market-oriented policies.

Compare these to any ideological differences there could be, if at all any, between the long-serving National Resistance Movement (NRM) and The Forum for Democratic Change (FDC) in Uganda, or between the Jubilee and CORD coalitions in Kenya, or a chip of the old block, as they all aptly fit, between the ruling Chama Cha Mapinduzi (CCM) and UKAWA in the United Republic of Tanzania?

In the words of a critical colleague, Fred Mukassa Mbidde, “when you look

through the NRM Constitution and the FDC Platform in Uganda, for instance, their ideology is that they are all multi-ideological. The same is true for the political parties in Kenya, Tanzania and elsewhere in the EAC region. These parties are only competing to govern and eat in turns.”

Yet, when that ideal European political system was transplanted to the emerging African nations, the result was chaos. The reason was that the African voters did not vote for political programmes, rather, they



A woman with her baby fleeing from genocide prays for divine intervention.

supported what political historian, Francis Fukuyama appropriately describes, “a certain Big Man (and occasionally Big Woman), who once elected, will use his or her influence to direct government resources,” ranging from school fees and construction projects to all manner of parochial events ranging from circumcision and pre-wedding ceremonies to funeral costs back to their common language communes.

In his acclaimed work *The Origins of Political Order*, a study on the societal structures of ancient Melanesian Society of Papua New Guinea and the Solomon Islands, Fukuyama traces this culture to what he called “wantoks” - a pidgin corruption of the English word, “One Talk” - or people who speak the same language.

That is why, despite the existence of a national government with all the trappings of sovereignty, like a flag

and an army, very few of us have a sense of belonging to a larger entity called the nation, or being part of a social world beyond their common language mentality. Thus, our lack of coherent political parties, except for the individual personalities each striving to bring back as much pork (looted public property) as possible to his/her narrow base of supporters.

This was the beginning of the politicized ethnicity we have across much of our countries lately that has been detrimental to national unity and the broader socio-economic well-being of the country. It also implanted seeds of ethnic rivalry and conflicts that are contagious and spread quickly like cancer cells.

With that, the stage was set for unhealthy competition amongst ethnic groups for property, jobs, education, social amenities, healthcare, and generally set in motion, a whole

process of a toxic brew of distrust and suspicion.

Besides, the fears of deprivation and access to power and economic resources, encouraged and reinforced further by state bias and preferential treatments, made it look fashionable for people speaking common language, to easily identify themselves as members of one ethnic group.

Interestingly, it did not quite matter that not all members of the same ethnic group, as is often the reality than the exception, were not at all beneficiaries of the supposed state goodies.

And because ethnicity in itself was more of a construct than a constant, the reasons for its sustenance also rode on the shoulders of realpolitik issues. Ethnicity, for instance, became an effective and viable tool for mobilization by those clamouring for distributive justice, both for survival



The pain of family separation is evident in the faces of these children (above) A grim reminder of the Rwanda genocide (below left)

anchored on exaggerated grievances, yet most fueled by excessive greed.”

Fortunately for us in the East African region, none of our so-called tribal or ethnic divisions are currently craving for its own identity, security, recognition or even autonomy from the other, which signifies that the conflicts therein are still localized and very much driven by political power seekers.

Thus the need for a radically transformational and focused leadership that can, and must, help intensify negotiations, truth and reconciliation, and if need be, power-sharing, among others, in order to stem the tide of potential ethnic hostility. Only then could we have immensely contributed to our region's peace and security.

and against marginalization.

There is no denying today that our ethnic divisions and its availability to be summoned at a very short notice by political manipulators, has created a bondage of despair, decline and utter underdevelopment and is in turn, one of the greatest challenges to regional peace and security.

It is even more worrying that the political manipulators often find fertile ground in the minds of ordinary citizens who pretend to be powerless victims when caught imbibing this drivel. The citizens perfectly

understand the hollowness of those empty political rhetoric but appear to be innocent bystanders.

In the description of the hugely respected immediate former Chief Justice of Kenya, Dr Wali Mohammed Mutunga, it is a tragedy that we tend to elevate, “those who view everything through the prism of the tribe, who equate national interest with ethnic interests, are obsessed with ethnic hegemonic projects, hold hollow and dangerous supremacist ideologies and have invented false ethnic entitlement, most of it

Amani na usalama katika jumuiya yetu: Tutumie mbinu gani?



Mfumo wa Amani na Usalama wa JAM, unatokana na vyombo kadhaa vya utendendaji, kama vile Baraza la Amani na Usalama, Jukwaa la watu Mashuhuri, chombo cha tahadhari za awali, mfuko wa amani, na kikosi cha kulinda Amani na Usalama, aandika Mheshimiwa Dr Nderakindo Kessy

Moja ya msingi wa kulea na kukuza mtangamano wa Jumuiya ya Afrika Mashariki (JAM) unatokana na mambo mawili yanayohusiana: Amani na Usalama. Mambo haya mawili, mara nyingi, huwa ni chachu kubwa katika aina ya jumuiya itakayoundwa pamoja na mafanikio yake. Hali kadhalika ni jiwe la pembeni katika Mfumo wa Amani na Usalama wa JAM, ambao nao ni kioo cha Mfumo wa Amani na Usalama wa Umoja wa Afrika - MAUUA (African Peace and Security Architecture - APSA).

Mfumo wa Amani na Usalama wa JAM, unatokana na vyombo kadhaa vya utendendaji, kama vile Baraza la Amani na Usalama, Jukwaa la watu Mashuhuri, chombo cha tahadhari za awali, mfuko wa amani, na kikosi cha kulinda Amani na Usalama. Kukamilika kwa mfumo huu wa kitaasisi unategemea kukamilika kwa kuridhiwa kwa itifaki ya Ulinzi ya JAM, itifaki ya Amani na Usalama ya JAM, na vyombo vingine vya sheria ikiwemo uundwaji wa Shirikisho la Kisiasa pamoja na miundombinu wake wa kisheria. Mpaka sasa, hatua

kadhaa zimechukuliwa katika ngazi ya Sekretariati, kule Arusha, na katika kazi za Kitaifa wakati wakisubiri ujenzi wa miundombinu muhimu za Amani na Usalama kukamilika.

Kwa mfano, sehemu za mwanzo za kuundwa kwa chombo cha kutoa tahadhari za awali, bado kukamilika. Pamoja na mapungufu yaliyopo, uendeshaji wa mfumo huo unawezekana kwa kutumia wafanyakazi wachache, wale wanaohitajika. Habari za kawaida pamoja na za kiintelijensia zinazopatina, huwa zinakamilishwa na ripoti za JAM kutoka kwa wasimamizi kwenye maeneo husika.

Ripoti kutoka kwenye chombo cha tahadhari za awali, mpaka hivi sasa,

Kuna mbinu kuu mbili za kufikia matamano ya kuunda jumuiya yenye amani na iliyo tulivu



Wafuasi wa chama cha kisasa wakisherekea wakati wa uchaguzi

zimekuwa sahihi. Lakini kiunganishi kilichokosekana katika mfumo huo wa amani na usalama ni utaratibu wa kutoa hatua za awali za kukabiliana na majanga. Kwa mfano upungufu huo unadhibitishwa kwa vurugu na ghasia zilizotokea baada ya uchaguzi mkuu nchini Kenya mwaka 2007, na hivi sasa katika vurugu na ghasia za kisiasa nchini Burundi. Katika mifano hii miwili, tahadhari ilikuwepo lakini jumuiya ilishindwa kuchukua hatua za haraka.

Pamoja na hali hiyo, zipo hatua zilizokwisha kuchukuliwa katika kuunda mfumo wa ushirikiano kati ya nchi za JAM katika mambo ya Ulinzi



na Usalama. Kwa mfano: mazoezi ya pamoja ya vikosi vya ulinzi na usalama za nchi hizo; kuanzishwa kwa mfumo wa kudhibiti wakimbizi, kupambana na ugaidi na uharamia katika Bahari ya Hindi; pamoja kubadilishana taarifa za hali ya usalama. Lakini uundwaji wa mfumo huu haujaweza kukamilika kutokana na kutokuridhiwa na nchi zote itifaki ya amani na usalama pamoja na ile ya ulinzi; na hii ninaamini ni kwa sababu nchi husika hazijaweza kukubaliana jinsi kuunda mfumo huo wa amani na usalama. Nina mtizamo kwamba kuna mbinu kuu mbili za kufikia matamanio ya kuunda jumuiya yenye amani na iliyo tulivu na imara.

Mbinu ya Kwanza

Mbinu hii inajikita katika kuchukua hatua zinajenga amani na usalama kwa ajili ya kila nchi peke yake; ambapo ujumla wake ndio utakao kuwa msingi wa kusema kwamba JAM ina amani na ni usalama. Katika mbinu hii, kila nchi mwanachama itajipangia kisheria nini maana ya amani na usalama kwa wananchi wake. Mpango huu utaisiadia na mpango wa pamoja uliodhaifu, na usio na nyezo thabiti za utekeleza, katika ngazi ya kijumuiya.

Mbinu hii inategemea utashi mwema wa kila nchi mwanachama na taasisi zake; msingi wake utakuwa kulinda utafu: ubinafsi. Hapa kila nchi itajipangia kiwango chake katika

sera za pamoja na kushikilia haki ya kubadilisha kiwango hicho na hata kujiondoa kabisa katika sera hizo za pamoja.

Mtizamo huu unaendana na ile filosofia ya shirika la zamani la Umoja wa Afrika (OAU) iliyoamini katika kuheshimu utafu, mipaka tuliyowekewa na wakoloni, na kukubali kwa upana wake kanuni ya nchimoja kutoingilia maswalayandani ya nchi nyingine. Hivyo basi kwenye mbinu hii, hata pale inapokuwa wazi kabisa kwamba kuna hatari au tishio la uvunjifu kwa amani na usalama katika nchi moja, jumuiya haitaweza kuingilia bila ya makubaliana na nchi hiyo husika.



Ukulima bora hutegemea msingi wa amani na usalama.

Inapotokea kwamba nchi hiyo haiko tayari “kukaribisha” jumuiya katika kukabiliana na changamoto hizo za amani na usalama katika eneo lake, basi ujumuiya hautakuwa na maana. Baya zaidi, jumuiya inaweza kuganda kabisa na isiweze kuchukua hatua yoyote pale itakapotokea au kuonekana kwamba nchi au taasisi zake ndio chanzo cha uvunjifu wa amani na usalama wake, au wa jumuiya nzima.

Inaelekea mbinu hii ndio iliyobebwa na jumuiya hivi sasa. Kuogopa kuachana na filsofia hiyo, ya muda mrefu na nzee, ya kutokuingilia utaiifa ndiko kulikotufikisha katika hali hii tulionayo hivi sasa kijumuiya.

Ninaamini kwamba nchi wanachama wa jumuiya zinapendelea mbinu hii, na hivyo basi uzinduzi kamilifu wa

Mfumo wa Amani na Usalama wa JAM utachukua muda mrefu.

Nikweli kwamba Mkataba wa Uanzishwaji wa JAM hautoi nafasi kwa mbinu hii. Lakini, nchi wanachama zimejiridhisha kwamba ni baada ya muda mrefu na kuwa na mtangamano utakaotoa nafasi ya kulegeza utaiifa, kwa njia moja au nyingine, ndipo mbinu nyingine inaweza kutumika. Kwa baadhi ya nchi wanachama,

Amani na Usalama ni viungo muhimu katika kuunda msingi bora wa kujengea jumuiya yenye nguvu

hatua hii itafikiwa tu pale nguzo ya nne ya mtangamano itakapokamilika, yaani Shirikisho la Kisiasa.

Kujiridhisha huko, kwa nchi wanachama, kunaelezea kwa sehemu fulani kwa nini bado jumuiya hajaweza kuweka utaratibu utakaoilazimisha Jumuiya kuingilia kati bila ya kibali cha nchi iliyoathirika au hata kuweka vikwazo vya kiuchumi kama inavyoelezwa katika Mkataba wa Uanzishwaji wa JAM.

Ninaamini kwamba hali hii ndiyo inayosababisha masharti ya Mkataba yanayohusu utekelezaji wa majukumu ya Mkataba hayajawekewa nguvu; pia Ibara ya 146, kuhusu kusimamishwa kwa mwanachama; Ibara ya 147, kuhusu kufukuzwa kwa mwanachama; au Ibara ya 148, kuhusu kutokuridhiana katika

maamuzi, hazijawekewa muundo au mchakato wa utekelezaji.

Mbinu ya Pili

Mbinu ya pili, ambayo inaweza kuitwa mbinu jumuishi, itajikita katika mambo na maadili yanayokubalika katika nchi zote, na yenye muundo thabiti ya utekelezaji katika ngazi ya kijumuiya na ngazi ya Kitaifa.

Dhana ya “amani” na “usalama” itasimikwa katika vyombo vya jumuiya na kutekelezwa katika muundo wa kitaasisi unaozilazimu ngazi zote mbili. Kwa uhakika hii ndiyo mbinu inayopewa nafasi katika Mkataba wa Uanzishwaji wa JAM na katika vyombo vilivyokwisha kuundwa hadi sasa vya utekelezaji, viwili kati yake ni Itifaki ya Amani na Usalama pamoja na Itifaki ya Ulinzi.

Mbinu hii itaunda mbinu jumuishi ambayo italetta pamoja sekta kadhaa na mitizamo itakayogusa karibu viini vyote vya matishio ya Amani na Usalama. Hapa, mambo ya ukatili mwilini pamoja na ukatili wa kimuundo yataangaliwa kama matishiyo ya Amani na Usalama. Mbinu hii itagusia sehemu pana ya sera, zikiwemo za utawala, haki za binadamu, mazingira, haki za kiuchumi na kijamii, usawa kati ya nchi wanachama na ndani ya nchi mwanachama, nk.

Amani na Usalama

Mbinu jumuishi italenga kupata amani kama msingi wa kujenga maelewano na utulivu wa mtu binafsi, kati ya watu wawili, kati ya vikundi viwili, na kati ya mataifa mawili. Hali kadhalika italenga kujenga uwezo na kuanzisha miundombinu ya kitaasisi kwa ajili ya Jumuiya ili iweze kuondoa madhaifu na kukabiliana na mambo yanayoweza kuleta migogoro ndani ya jumuiya, kabla haijakuwa mikubwa na pengine kushindikana kutatuliwa.

Hivyobasi, ni maoni yangu kwamba kama jumuiya, tunahitaji kuamua kwamba Amani na Usalama ni viungo muhimu katika kuunda msingi wa kujengea jumuiya yenye nguvu. Hii ni chachu muhimu katika kuongeza kina na upana wa matamano ya mtangamano wa JAM ili kweli tuwe “Watu Wamoja Wenye Hatma Moja”



Bila amani, watoto hawawezi kuonyesha nyuso za furaha.

Kiswahili promoted

SEVENTEEN teachers from the United States of America visited the East African Kiswahili Commission (EAKC) in Zanzibar on 8 July 2016 to get information on Kiswahili

During their visit, the teachers sought to tap professional development opportunities and materials that educators can use in classrooms.

Under the ‘Summer Oman-Zanzibar Curriculum Development Program’ funded by Fulbright-Hays and the Sultan Qaboos Cultural Center, the primary and secondary schools’ teachers and university lecturers obtained first hand facts about EAKC’s work.

The programme provides grants to support overseas projects in training, research, and curriculum development in modern foreign languages.

Led by Prof Lisa Adeli, the

Director of Educational Outreach for the University of Arizona’s Center for Middle Eastern and Prof Scott Reese, a historian of Islamic Africa at Northern Arizona University, the teachers participated in short-term seminars, curriculum development, group research, and advanced intensive Kiswahili language programmes.

EAKC Secretary Prof Kenneth Simala said the Commission has a broad mandate of co-ordinating and promoting the development and use of Kiswahili in the East African Community and beyond.

Prof Simala said it was time education technocrats worked with the Commission in educating a new generation of culturally sensitive and knowledgeable citizens of the United States, Oman and East Africa about the breadth and richness of their cultures.

Vital role of gender in conflict resolution



To address violent conflict and insecurity effectively, it is critical to understand the different roles that women, men, boys and girls play in preventing, resolving and/or perpetuating conflict as well as the different impacts it has on each category of people, writes Hon Nancy L. Abisai

NOVEMBER 2004 was a defining moment for women involved in peace initiatives in the world. They converged in Geneva for a conference organized by the former Egyptian First Lady, Suzzanne Mubarak and Sheikha Sabeeka Ibrahim Al-Khalifa of Bahrain.

Coincidentally, at about the same time in Oslo, the renowned Kenyan environmentalist, the late Prof Wangari Maathai had just been awarded the Nobel Peace prize, an amazing feat in itself and for womenfolk generally, as she was then the first African woman ever to receive the coveted prize.

It was at this conference that I had the opportunity to hear, first-hand, live testimonies from participants about the trauma women and the girl child often face during periods of conflict and war as well as the extent of suffering and related losses that most of us do not either comprehend, or at the very least, take so much for granted. The burden is quite significantly felt more by the women due to their vulnerability.

To address violent conflict and insecurity effectively, it is therefore critical to understand the various and different roles that women, men, boys and girls play in preventing, resolving and/or perpetuating conflict as well as the different impacts it has on each category of people. One can

advance a very basic, rhetorical, but straightforward argument of how any process could possibly be built when half the population is either deliberately cut off or excluded from the peacebuilding process. That makes the participation of women so critical and important in the quest for peace and security in the East African region.

Indeed, these were the same concerns raised by various women at the Geneva conference and who have fought for peace on countless occasions. Women like the late Dekha Ibrahim, a Kenyan well renowned for active participation in peace building and cohesion amongst warring communities in her Northern Kenya region.

Dekha, as she was fondly called, told of the harrowing experiences that the different genders went through, enumerating instances where young boys, girls, men and women suffered rape, sex and child slavery.

How can any process be built when half the population is excluded from peacebuilding?

Women and children are most vulnerable during times of conflict.



Dekha's experience will find abode in what happened to the rest of the country over the infamous 2007/2008 post-election violence. Women and children were worst hit due to their vulnerability. For example, women were disproportionately affected by sexual and gender-based violence during the short stint of madness that engulfed Kenya, with rape regularly used as a weapon of conflict, a fact that is too often ignored.

For reasons of ignorance and in appreciation alone, most of the women and child victims of



Resolving conflict and its impacts

TO address violent conflict and insecurity effectively it is critical to understand the different roles that women, men, boys and girls play in preventing, resolving and perpetuating conflict - and the different impacts it has on them.

Conflict and insecurity affect women, men, boys and girls differently and this shapes the dynamics of every conflict. Conflict also disrupts the social interactions of everyday life - changing the roles men and women play and how they relate to each other in society. This interaction between gender and conflict has major implications for how we should think about conflict, security and opportunities for peace.

For example, women are disproportionately affected by sexual and gender-based violence during conflict, with rape regularly used as a weapon of war - a fact that is too often ignored. However, it is important to realise that women can also be perpetrators as well as peacebuilders. In Nepal, Colombia and Sri Lanka women combatants all participated in conflict - and in the post-conflict environment they have different reintegration needs to male combatants.

Women in fragile and conflict-affected states face a unique set of issues and challenges, and these are reflected in UN Security Council Resolution 1325 and subsequent resolutions. These resolutions are important because they recognise the peacebuilding potential of women and the importance of women's political participation; acknowledge the impact of conflict on women; and set the basis for international policy on women, peace and security.

conflict and violence who mainly include women, find it difficult to narrate their stories because of the traumatizing experiences they have had to go through. Reports from human rights advocacy groups document many examples of the exploitation and abuse of women and children affected by conflict.

Women in refugee and IDP camps, while fleeing also face sexual exploitation and a lack of physical security. This is especially true in households without men, and also in those cases in refugee or IDP camps where women are heads-

of-households. The social fabric in a family is equally of critical importance for it shapes society in either a positive or negative way. It can create criminal or law abiding peaceful loving citizens.

In the Kenyan context again, the ghastly attacks on the Garissa University College as are the many nasty Al Shaabab raids in various parts of the East African region, were largely attributed to a supposed radicalization of despondent youth. In this instance, the girl-child can be so easily lured because society has ignored them.



The late Northern Kenyan peace crusader Dekha Ibrahim.

The poverty question also plays a key role as many women young adults are attracted into such criminal activities in exchange for what they perceive to be a better life. Interaction between gender and conflict has major implications for how we should think about conflict, security and opportunities for peace.

Women can, nonetheless, play a contributory role in peacebuilding, if effectively harnessed, since the impact of conflict and violence casts upon men and women in quite different ways. It goes without saying that for peacebuilding initiatives to remain sustainable in the long-term, women must be included in every level of the process.

Yet current formal peacebuilding processes often remain largely male-dominated, where women are simply cast aside as mere war victims. Deliberate attempts should therefore be made to introduce a gender perspective in matters of peacebuilding.

In its current form, many formal

peacebuilding activities suffer from an insufficient understanding or acknowledgment of the diverse communities in which they operate. When conducting peace initiatives, it is imperative to understand that gender concerns play a key role in ensuring sustainable peaceful solutions.

Gender analysis can bring to light the experiences of men and women during conflict and peace, assess needs, and show how gender relations change during and due to conflict and peace. Such analysis also brings to light strong concern about sexual and gender based violence, during conflict.

The continuation of this form of

Gender analysis can bring to light the experiences of men and women during conflict

violence in post-conflict settings can have lasting, harmful effects on other sectors in peacebuilding. It can dissuade girls from attending schools, and women from owning businesses and property, from collecting water and food, from participating in political activities and can negatively impact on the private sphere of the family.

There is also need to ensure involvement of women in all other aspects of peace and security. There must be a realization that this is an issue that affects all genders in very different perspective thus demanding of a direct engagement in talks and negotiations.

Suffice to add that women will have to be accorded official recognition as peace builders and be adequately represented in any peace programs. If peace is to be sustained, women's mediation and peace making roles should form part of the all-inclusive agenda.

Article 5 (3) (e) of the Treaty for the Establishment of the East African Community, stipulates that: the Community shall ensure the mainstreaming of gender in all its endeavors and the enhancement of the role of women in cultural, social, political, economic and technological development".

Further, Provision 6 (d) of the same Treaty calls for, among its objectives, "promotion and protection of human and peoples' rights in accordance with the provisions of the African Charter on Human and Peoples' rights." This aspect makes it understood that equal opportunities and gender equality are within.

I will personally rejoice at the day when women will not have to fight for space to be included on peace table talks, but rather be accorded their rightful place as equal partners in development and peace and security initiatives.

It is only then that we in this region, will have proved to the world that we have come full circle and are at long last awake to the realization that sustainable peace cannot be achieved for as long as we persist in marginalizing our womenfolk. In its stead, must strive for an active and all inclusive participation of all genders.

The rationale behind the gender concept

What does 'gender' mean?

Gender refers to the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, as well as the relations between women and those between men.

These attributes, opportunities and relationships are socially constructed and are learned through socialization processes.

They are context/time-specific and changeable. Gender determines what is expected, allowed and valued in a woman or a man in a given context. In most societies there are differences and inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as decision-making opportunities.

Gender is part of the broader socio-cultural context. Other important criteria for socio-cultural analysis include class, race, poverty level, ethnic group and age.

What is 'gender equality'?

Gender equality means that women and men have equal conditions for realizing their full human rights and for contributing to, and benefiting from, economic, social, cultural and political development.

Gender equality is therefore the equal valuing by society of the similarities and the differences of men and women, and the roles they play. It is based on women and men being full partners in their home, their community and their society. Gender equality starts with equal valuing of girls and boys.

What is 'gender equity'?

Gender equity means fairness of treatment for women and men, according to their respective needs. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations and opportunities. In the development context, a gender equity goal often requires built-in measures to compensate for the historical and social disadvantages of women.

Mainstreaming gender

"Gender mainstreaming is the process of assessing the implications for women and men of any planned action, including legislation, policies and programmes, in all areas and at all levels, and as a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres so that women and men benefit equally and inequality is not perpetuated.

The ultimate goal is to achieve gender equality." (ECOSOC 1997/2) The importance of Gender mainstreaming was firstly recognized through the Beijing Declaration which emerged from the Fourth World Conference on Women in Beijing in 1995:

"... Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that, before decisions are taken, an analysis is made of the effects on women and men, respectively" (para. 202).

Then, the United Nations Economic and Social Council (ECOSOC) adopted agreed conclusions 1997/2 (see definition above) on mainstreaming the gender perspective into all policies and programmes in the United Nations system adopted on 18 July 1997.

Resolution 1325

Ms Bineta Diop, Special Envoy of the Chairperson of the AU Commission on Women Peace and Security and Ms Phumzile Mlambo-Ngcuka, United Nations Under-Secretary-General and Executive Director of UN Women are among prominent women from Africa and the world championing the implementation of the UN Security Council Resolution 1325. Over the past 15 years, there has been progress in the development of national action plans on the implementation of Resolution 1325 and the development of gender policies at the national and sub-regional framework.



The human rights and humanitarian situation in Burundi

REPORT OF THE EALA REGIONAL AFFAIRS AND CONFLICT RESOLUTION COMMITTEE



The Committee held a public hearing in Arusha, Tanzania on the Petition by the Pan-African Lawyers (PALU) on the human rights and humanitarian situation in Burundi. The article below summarises the resolution made after the public hearing by the Committee chaired by Hon Abdullah Mwinyi.



Burundian protesters express their feelings as they take to the streets.

THE PETITION

East African Civil Society Organizations' Forum (EACSOF) represented by the Pan African Lawyers Union vs. The Attorney General of Burundi, the Commission électorale nationale indépendante (CENI) and the Secretary General of the East African Community (EAC). In the case, the Applicant (ECASOF), represented by PALU, questioned the legality of the decision of the Constitutional Court of Burundi of 5 May, 2015, authorising an 'exceptional third term' for H.E. Pierre Nkurunziza, and subsequent decisions of the CENI, as well as President Nkurunziza's bid for the presidential elections of 2015. This was the very first time that a case of this nature had been filed, at a regional court, anywhere in Africa. PALU highlighted that President Nkurunziza's candidacy was in violation of the Arusha Peace and Reconciliation Agreement for Burundi of 2000, the Burundi Constitution of 2005, and thereby breached principles of the rule of law and consequently also violated the objectives, fundamental and operational principles of the EAC Treaty.

There exists a dire humanitarian crisis in Burundi including refugees, internal displacement, inadequate provision of social services and so on. That the committee appreciates the efforts undertaken by Partner States in alleviating the suffering of people of Burundi, but a lot more needs to be done.

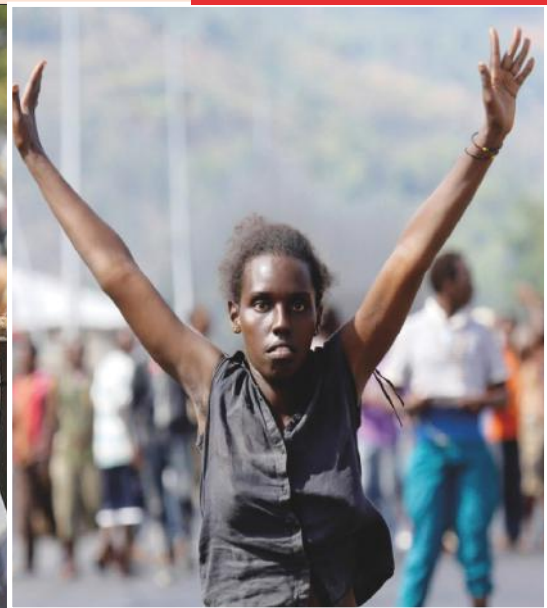
The humanitarian crisis has particularly impacted negatively on children (see the UNICEF report on the children in Burundi). The EALA Regional Affairs and Conflict Resolution Committee believes a lot more needs to be done to address the humanitarian crisis in Burundi.

RECOMMENDATIONS TO THE COUNCIL OF MINISTERS

On an Appeal for further assistance to address the Humanitarian Crisis in Burundi: The committee urged the Assembly to request the Council of Ministers to make a formal request for urgent/additional humanitarian resources from both regional and international partners for Burundi, partner states and neighbouring countries hosting Burundi refugees and/or displaced persons.



Cry the beloved country ... a march for flag and nation.



"I am for peace", this protester seems to be saying.

requested the Assembly to allow the committee to make substantive recommendations on the matter after the visit of the AU mission to the Republic of Burundi.

Need to establish a credible mechanism to investigate allegations of gross human rights violations: The committee urged the Assembly to support the establishment of a credible international investigative mechanism to independently investigate all allegations of human rights violations in Burundi.

The committee urged the Assembly to support the full utilization of all possible measures allowed by the Treaty and Community law to be directed against any person or entity that will undermine the establishment and operationalization of a credible investigative mechanism.

The committee requested the Council of Ministers to communicate the Assembly's prayers to the Summit concerning the human rights crisis in Burundi thus:

- That the Summit affirms that the Community has a duty of care and responsibility to protect the people of Burundi from violence and guarantee the safety and security of all citizens and persons in Burundi.
- That the Summit considers to facilitate and support the establishment of a credible investigative mecha-

Enhancing of the capacity of the EAC to deal with the humanitarian crises in the Community. The Assembly urged the Council of Ministers to ensure the Community urgently and comprehensively reviews its legislative, policy, institutional arrangements and other measures that will put in place the necessary capacity to deal with humanitarian challenges and/or crises in the Community.

On the human rights crisis in Burundi: The committee held that there were serious and sufficient grounds to believe that gross human rights violations that have taken place and continue to take place in the republic of Burundi unabated. The petitioners' and other parties that appeared before the committee, including from the government delegation, all agree on this fact.

They only disagree on the magnitude, responsibility and how to end the violations.

Duty of care and responsibility to protect: The committee held the view that the Community under the Treaty obligation, the African Union under the Constitutive Act, the United Nations and other international players owes a duty of care and responsibility to protection of the people of Burundi.

Deployment of the African Union (AU) preventive and protection force: The committee appreciated the commitments taken by the African Union (AU) on the issue of sending a high-level mission to Burundi to discuss the matter of the deployment of an AU preventive and protection force to secure the wellbeing of the people of Burundi.

The committee urged the Assembly to support the urgent completion of those discussions and further

nism to independently investigate all allegations of human rights violations in Burundi.

- That the Summit puts in place actions that will fully utilize all possible measures allowed by the Treaty and Community law to be directed against any person or entity that will undermine the establishment and operationalisation of a credible investigative mechanism.

On the political crisis in Burundi, the committee held the view that a political crisis that requires urgent intervention existed in the Republic of Burundi.

The committee appreciated the efforts of the Summit to resolve the political crisis in the republic of Burundi and in particular appreciated the appointment of H.E. Yoweri Kaguta Museveni, the President of the Republic of the Uganda as the Mediator of the peace process for Burundi.

RECOMMENDATIONS TO THE ASSEMBLY

The committee urged the Assembly to affirm that the political crisis in Burundi requires urgent and concerted efforts to halt the humanitarian and human rights crises and appreciated the role and efforts by the Summit to bring lasting peace to the Republic of Burundi in the past and currently.

The committee further urged the Assembly to support an all-inclusive, participatory and credible process of dialogue in and outside Burundi to bring lasting peace to Burundi and to support the work of the office of the Mediator, H.E. Yoweri Kaguta Museveni.

RECOMMENDATIONS TO THE COUNCIL OF MINISTERS

The committee urged the Assembly urge the Council of Ministers support the work of the Summit and the office of the Mediator to bring lasting peace to Burundi in the shortest time possible. Further, the committee urged the Assembly to support all measures, including the full utilization all possible measures allowed by the Treaty and Community law to be directed against any party, person, group of persons or entity that will undermine the peace

process including the work of the Mediator.

THE PRAYERS TO THE SUMMIT

The committee asked the Assembly to request the Council of Ministers to communicate to the Summit to urgently do all that is possible to stop the humanitarian, human rights and political crises in the republic of Burundi.

It further urged the Assembly to request the Summit to fully empower and facilitate the work of the Mediator and his office, including appointing a team of respected statesmen and women to aid in his cause and/or office.

The Summit was requested to consider to apply all possible measures allowed by the Treaty and Community law to be directed against any party, person, group of persons or entity that would undermine the efforts of the Community, including the Office of the Mediator in its work.

ENHANCING THE CAPACITY OF EAC TO DEAL WITH PEACE AND SECURITY MATTERS

The committee held the view that the Community urgently requires to complete the EAC Peace and Security Architecture including examining and develop the EAC's capacity, institutional arrangements and or Treaty, legislative and policy regime to allow the Community to address humanitarian, human rights and political interventions.

The committee therefore urged the Assembly to urge the Council of Ministers to hasten the process of completing the Community Peace and Security Architecture including putting in place the necessary institutions and competencies that will ensure the peace and security of the Community.

Finally, the Council of Ministers was asked to ensure that the Partner States complete the ratification of the EAC Defense Protocol and the EAC Peace and Security Protocol and report back to the Assembly on its next sitting on the progress made to finalize the ratification of Partner States of the two mentioned Protocols.

Intra-Burundi dialogue stalls as five parties boycott talks

ARUSHA, July 2016

The Intra-Burundi Dialogue resumed in Arusha on July 16, but representatives of five parties that participated in Burundi's general election boycotted the second round of peace talks facilitated by former Tanzanian president Benjamin Mkapa.

Government officials walked out protesting the presence of some participants they accuse of planning to overthrow President Pierre Nkurunziza's regime.

Mr Mkapa had travelled to Belgium to meet key opposition stakeholders in an effort to end to the crisis that has rocked the country for more than a year. But this did not go down well with the government, which maintains that it will not negotiate with those who organised the failed coup last year.

"The long awaited truth will not come from Arusha, because the dialogue outside the country is for selfish politicians," said Jelase Ndabirabe, spokesman for the ruling party CNDD-FDD.

However, members of civil society criticised the government's rigid stand on the talks.

"It is not for the government to refuse to dialogue with people who are opposed to its policies. Dialogue is normally with those you have a disagreement with, and not your allies," said Gabriel Ruffyiri, a civil society leader.

As the dialogue stalled, Burundi's Foreign Affairs Minister Alain Nyamitwe said the main issues to be discussed in the Intra-Burundi Dialogue are the return of refugees and preparations for the 2020 elections, adding that the government does not recognise the opposition in exile.

UN Security Council approves police plan



President Museveni



Former President Mkapa



UN Chief Ban Ki Moon

Mr Mkapa was picked the facilitator of the process by the EAC Heads of State Summit in March.

The former head of state is assisting the mediator, President Yoweri Museveni of Uganda, who was appointed mid-last year to spearhead the reconciliation efforts among Burundians when the country plunged into violence following President Pierre Nkurunziza's bid for the presidency for a third term.

THE Security Council has requested Secretary-General Ban Ki-moon to establish a United Nations police officers component in Burundi for an initial period of one year to monitor the security situation and to support the Office of the UN High Commissioner of Human Rights (OHCHR) in monitoring rights violations and abuses in the crisis-gripped country.

Acting on the recommendations of the Secretary-General, the Council adopted a new resolution by a recorded vote of 11 in favour with four abstentions (Angola, China, Egypt and Venezuela), which authorized the deployment of a UN police component of up to 228 officers.

Further by the text, the UN police would be placed under the authority of a Senior Adviser to the United Nations and be deployed in the capital, Bujumbura and throughout Burundi. The Secretary-General was further requested "to ensure their progressive deployment."

The Security Council urged the Burundian Government and all Burundian parties to cooperate fully in the deployment and activities of the

UN police component and to allow UN staff to travel freely and unhindered in places of detention and to prisoners.

As for observers and experts from the African Union (AU), the Council urged the Burundian government to allow without delay the continuation of the full deployment of 100 AU human rights observers and 100 military experts. It also urged the Government and other stakeholders to extend full cooperation to those observers and experts and provide them with full access for the purpose of fulfilling their mission.

By other terms of the resolution, the Security Council urged all parties in Burundi to reject all forms of violence and to refrain from any action that would jeopardize peace and stability in the country or undermine the inter-Burundian dialogue.

It also urged the Government to "respect, protect and ensure respect for human rights and fundamental freedoms for all." It welcomed the steps taken by the Government to lift some prohibitions on media and civil society, cancel some arrest warrants and release a number of detainees.



UN Security Council approves 228-strong UN police contingent for Burundi .

SOUTH SUDAN

Who is to blame for the violence?



Evacuation... foreigners flee Juba following the latest round of violence.

Since Independence Day in July 2011, South Sudan has fallen rapidly into strife and disarray. Tensions erupted in the capital, Juba, at the end of 2013 and spread to three large provincial cities. By the following year, thousands were dead and the AU had appointed a five-person commission of inquiry, chaired by former Nigerian president Olusegun Obasanjo.

The commission spent several months in South Sudan. When it delivered its findings in 2014, I was the only one of five members who dissented. In the official report, the violence in South Sudan was characterised as mainly “criminal,” but in a minority view entitled A Separate Opinion, I argued that it was more than a breakdown of law and order. Rather, the violence was political. Criminal violence is the action of individual perpetrators, to which the response is simply to judge and punish. But political violence requires a constituency and raises more difficult questions



Who should be held responsible politically for the extreme violence that has destroyed the lives of hundreds of thousands in South Sudan? The troika of Western states and IGAD for framing an agreement that set up a politically unchallenged armed power in South Sudan, argues Prof Mahmoud Mamdani

– among them, how to isolate the perpetrators of political violence from their supporters. To begin to answer these questions, we need an accurate description of what happened.

Ethnic lines

Two main ethnic groups dominate South Sudan: Dinka (the larger group) and Nuer. Juba is settled along ethnic lines, and the killings in the capital at the end of 2013 – by Dinka militias – were organised as a house-to-house operation in Nuer residential areas. The political objective was to cleanse Juba of its Nuer population, divide the inhabitants of the country along

ethnic lines, and destroy any basis for consensus, polarising 11 million citizens in the new state into us and them.

A displaced person in a UN compound told the commission: “They put a knife into what bound us, turned the crisis from political to ethnic.”

By “they” was meant the government that assumed office at Independence; the crisis turned ethnic at the end of 2013 after an explosive meeting of the National Liberation Council (NLC), the executive committee of the ruling party, the Sudan People’s Liberation Movement (SPLM).

The tension had been simmering throughout 2013 and rose dramatically when three members of the NLC announced their intention to contest the chairmanship, a position that would automatically qualify its holder as the ruling party's candidate for the presidency in the upcoming 2015 election.

In April, the presiding NLC chair and President of South Sudan, Salva Kiir, who is Dinka, removed the executive powers of his vice-president Riek Machar, who is Nuer. In July, Kiir dismissed all his ministers and then embarked on a tour of the Bahr el Ghazal region in the predominantly Dinka northwest, delivering provocative speeches that were broadcast on the national TV network. By the time he called for the NLC to meet on December 14, the stage was set for a showdown.

The killings in Juba lasted until December 18 and left hundreds of Nuer dead, but who carried them out? The most widespread explanation among senior military, intelligence, police, and government officials we talked to was that they were the work of several thousand irregulars recruited during border skirmishes with Sudan shortly after Independence.

The people who carried out the killings from December 16-18 were mostly from Bahr el Ghazal.

Nuer communities in Juba responded to the killings with a rebellion and a local uprising. Community-based fighting formations outside Juba known as the White Army, 50,000 in all and fresh from a run of campaigns against the Murle ethnicity in 2012, converged, first on Bentiu, which they ransacked, and then on Juba.

An intervention by the Ugandan army halted the march of the White Army. At the same time, the UN Mission opened its compound to protect IDPs from hostile forces on the government side. Both the Ugandans and the UN were credited at first with reducing the level of violence, even preventing a genocide; later, both were accused of prolonging the crisis – the Ugandan army because it propped up the government, and the UN Mission because it turned a blind eye to armed IDPs in the camps.

There are two major examples of secession in post-colonial Africa:



South Sudan President Salva Kiir greets President John Magufuli, moments after depositing the instruments of admission to the EAC in Dar-es-Salaam

Eritrea and South Sudan. Eritrean Independence followed a military victory against the regime in Addis Ababa, but there was no military victory in South Sudan. External factors militated in favour of South Sudan. Madeleine Albright's decision to back SPLM against Khartoum in 1997 was a child of Washington's war on terror. Only a reasonable fear that it could be the next target of US aggression in a post-9/11 era that had begun with the invasion of Afghanistan and Iraq explains why the government of Sudan agreed to hold an independence referendum in the South and let half the country secede.

The Comprehensive Peace Agreement (CPA), signed in 2005 when the South gained autonomy from Sudan in preparation for full independence in 2011, turned out to be a shoddy affair. In spite of opposition from some regional states to a short five-year time table, it was rushed to the table by a Troika of Western states—the United States, the United Kingdom, and Norway—once it was clear that Washington's interest in the Sudanese civil war had forced Khartoum onto the defensive. Without the threat of US intervention against an African country identified as an enemy in the war on terror, Khartoum would not have signed the agreement.

Who determines peace terms?

The CPA's lamentable approach to the array of armed groups in the future state of South Sudan was based on the assumption that only those with the capacity to wage war have the right to determine the terms of the peace. The most alarming consequence of the agreement was that non-militarised political opposition, both in Sudan and the country that was about to come into being, was thoroughly marginalised.

Enthusiastic voices from the rest of the world, in particular the Troika, reinforced the illusion of the new regime, led by Kiir, that all it needed to ensure its continued hold on power was international support.

It basked in the extenuations that the world now grants to victim cultures: the south, when it was part of Sudan, had been terrorised, starved, bombed, and brutalised, and it follows, as it does for post-genocide Rwanda, that whatever happens next, the victims in charge of their own destiny must be coddled and absolved of responsibility.

In Sudan six years ago, the regime in Khartoum was roundly and correctly accused of fraud when it took the country to the polls. But in South Sudan, the rigging of the referendum on self-determination, which produced a 99.8 per cent Yes vote, was



Internally displaced persons at a UN refugee camp outside Juba.

approved with a cheerful smile by the international community. Two years later, when the ruling SPLA appeared to split more or less down the middle—each half intent on devouring the whole—the Western press was mystified. It had always commended the “Christian and animist” victims in the South against their “Muslim and Arab” oppressors in the North, and now reached for an equally formulaic explanation for the outbreak of civil war in the victims’ new territory, where all was supposed to turn out well. The new formula was an old one: “Tribalism.” The ethnic nature of the split in the National Liberation Council was the best to hand: It was, after all, a standoff between Nuer and Dinka. From this point of view, the current conflict, which has continued since 2013 and led to deaths estimated in the thousands, is between a Dinka-led government and a Nuer-led rebellion.

Who should be held responsible politically for the extreme violence that has destroyed lives of hundreds of thousands in South Sudan since December 2013?

Two groups above all. First, the Troika of Western states, and its friends such as IGAD, for their decisive role in framing an agreement that set up a

politically unchallenged armed power in South Sudan. Second, the pre-July 2013 Cabinet of the Government of South Sudan for the political crisis that led to the political meltdown on December 15, 2013.

The regional organisation of states, Iqad, and the UN Security Council representing the international community have patched together another makeshift agreement to stop this round of fighting in South Sudan. The agreement has three key features: A coalition government based on a sharing of seats between the two sides to the civil war; a demilitarised Juba which will be the seat of this government; and an agreement to have a hybrid court try all those considered criminally culpable for the mass violence during the civil war.

The obvious dilemma with this agreement is that those likely to be tried are the same as those who hold power. With this in mind, Salva Kiir and Riek Machar have written a joint op-ed in the *New York Times* proposing that there should be no trial but a reconciliation premised on forgiveness, though Machar disavowed the op-ed four days after it was published, claiming not to have been consulted about its contents.

From the point of view of both Iqad and the troika, this proposal may be the least costly way forward. But it is unlikely to hold the key to a stable future.

An alternative way forward would require greater political will, more resources and a more radical vision from all parties concerned. It calls for a recognition that the transition that was the CPA failed; that it fed the worst anti-reform tendencies in the SPLA and turned into a breeding ground for the violence that erupted in December 2013.

South Sudan needs a second transition. Instead of giving political power to those with the gun, this transition will seek to forge a political compact both at the level of society and that of the political class. It will seek to combine political justice with political reform. Political justice is about political accountability, at both the individual and the societal levels. Key to the pursuit of political justice will be the exclusion from high office of all those politically accountable for the mass violence that followed the crisis of December 15, 2013. Key to political reform will be demilitarisation and democratisation at the societal level so that the process of reform of militias at the local level goes hand-in-hand with that of creating self-governing democratic communities. The demilitarisation of Juba is a starting point; for it to continue, demilitarisation will need to extend beyond Juba to most of the country.

The challenge in forging this transition is political. Is it possible to put together a political authority with the credibility, the vision, and the experience for a task that combines elements of tutelage with that of a democratic project? For this, I suggest a hybrid political authority led by an African team—the most likely being the AU’s High Level Panel on Sudan (both North and South), chaired by former South African president Thabo Mbeki—backed up by the joint authority of the African Union and the UN.

*– Prof Mahmood Mamdani is the Director of the Makerere Institute of Social Research. Article reproduced courtesy of **The EastAfrican***



EMPLOYMENT OPPORTUNITIES

The Integrator shall strive to avail information on opportunities for East Africans interested in working for the East African Community.

More than 400 people are at present working for the various EAC Organs and Institutions in the 5 Partner States. While recruiting, the EAC seeks to secure the highest standards of efficiency, technical competence, professionalism and integrity.

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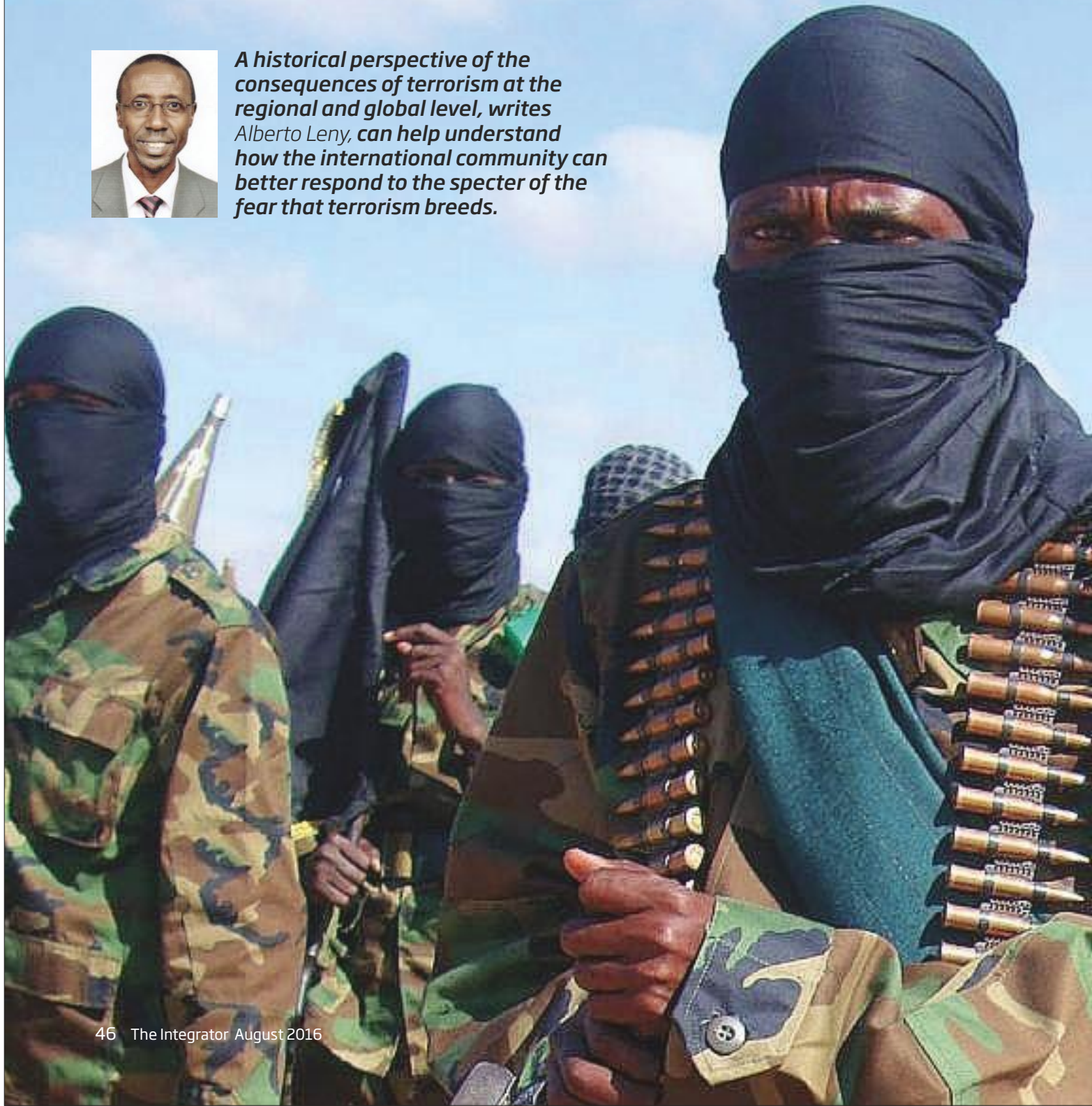


Please visit the EALA Website (www.eala.org) for more information on the role of the Legislature in the integration process.

WAR ON 'REIG



A historical perspective of the consequences of terrorism at the regional and global level, writes Alberto Leny, can help understand how the international community can better respond to the specter of the fear that terrorism breeds.



N OF TERROR'

From Europe to Africa, Asia to America, the Middle East to Russia, across the entire globe, the threat of terrorism is a persistent terrifying reality defying humanity, race, faith and nationality that demands urgent collective global action.

The devastatingly horrifying impact of terrorism captured universal attention on September 11, 2001 when a series of coordinated attacks by the terrorist group al-Qaeda in the United States killed 2,996 people and injured over 6,000.

The attacks involved four passenger planes commandeered by extremists targeting the World Trade Centre in New York and the US defence headquarters, the Pentagon.

The September 11 attacks caused at least 10 billion US dollars in property and infrastructure damage, and 3 trillion US dollars in total costs.

For East Africans, the tragic taste of terrorism came on August 7, 1998, when nearly simultaneous truck bomb explosions at the US embassies in Nairobi and Dar es Salaam killed 224 people and left 4,085 injured.

The bombings caused considerable damage running into billions of dollars including the destruction of the Nairobi Ufundi Cooperative building and damage to nearby buildings.

A historical perspective of the consequences of terrorism at the regional and global level can help understand how the international community can better respond to the specter of fear that terrorism breeds.

The attacks targeting the US embassies attracted the attention of the Federal Bureau of Investigations (FBI).

After the September, 11 terrorist attacks, the George W. Bush administration declared a worldwide "war on terror", involving open and covert military operations, new security legislation, and efforts to block the financing of terrorism.

Calling on other states to join in fighting terrorism, Washington asserted that "you are either with us, or you are with the terrorists". Many governments joined the campaign, often adopting harsh new laws, lifting long-standing legal protections and stepping up domestic policing and intelligence work.

Terrorism is a complex phenomenon. Challenges have been identified and criticism levelled at some of the approaches in dealing with this global menace.

Due to the growth of terrorism over the past few decades, Africa cannot afford to isolate itself from the collective international efforts to address its threat to humanity.

While the terror phenomenon took root centuries ago, the 9/11 attacks in the US and the East African capitals revealed the new inhuman, sophisticated and destructive face of terrorism couched in religious fanaticism and militant extremism designed to inflict maximum harm.

This emergent face of ideology inspired terrorism mostly avoids direct confrontation with state security or militaries in conventional warfare, instead largely channeling a deadly arsenal of bombs and other explosive devices in "suicide attacks" at "soft targets" or to put it simply - at civilians.

But first, what is terrorism? To where can this new wave of the "Reign of Terror" that has engulfed the world be traced?

The definition of terrorism in English is "... the unlawful use of violence and intimidation, especially against civilians, in the pursuit of political aims." The word terrorism owes its origin to the late 18th Century in reference to the rule of the Jacobin faction during the period of the French Revolution known as the Terror (French *terrorisme*, Latin *terror*).

The latest incidences of terror over the past few years have hit France hard, with a lengthy history of attacks dating back to the 19th

Africa cannot afford to isolate itself from the collective effort to address this global threat

Century carried out by extreme right, extreme left, and insurgent groups.

Islamist extremists have launched numerous attacks in France in the 2010s, of which the November 13, 2015 Paris attack was the bloodiest and deadliest in Europe since the Second World War and the train bombings in Madrid, Spain on March 11, 2004 that killed 192 people and injured around 2,000.

Three suicide bombers struck outside the Stade de France during a football match between France and Germany followed by mass shootings and a suicide bombing in cafes, restaurants and a concert at the Bataclan theatre.

The attackers killed 130 people and injured 368 as the Islamic State of Iraq and the Levant (ISIL also known as ISIS) claimed responsibility, saying it was in retaliation for the French air attacks on ISIL targets in the war zones of Syria and Iraq.

France had been on high alert since the January 2015 attacks on the Charlie Hebdo cartoon magazine offices and a Jewish supermarket in Paris that killed 17 people and wounded 22, among them civilians and police officers.

The latest "terror war" mounted on the French allegedly by ISIL was the brutal attack on an elderly priest in his church in Normandy on July 26, 2016.

Two weeks earlier, France and the world was again in a state of shock and horror. A man linked to ISIL barreled through the crowded Promenade des Anglais in the city of Nice in a 20-ton truck for more than a mile, crushing and hitting people gathered to watch fireworks on the national Bastille Day (July 7).

When Mohamed Lahouaiej Bouhlel was finally gunned down by security forces and his deadly rampage halted, he had killed 84 people and left more than 200 injured.

Three coordinated suicide bombings in Belgium, two at Brussels Airport in Zaventem and one at Maalbeek metro station, left 32 civilians dead and more than 300 injured. Three perpetrators linked to the November 15, 2015 Paris attacks were killed. ISIL claimed responsibility for the attack.

On June 28, 2016, a series of deadly explosions ripped through Ataturk International Airport in Istanbul, Turkey, leaving 41 people dead



The former US Embassy in Nairobi, moments after the deadly terrorist attack.

and 368 injured. Again ISIL claimed responsibility for the bombings.

President Recep Tayyip Erdogan, speaking shortly after the attack, summed up the international community's countenance towards the conflagration of terrorism as he appealed to all governments, especially in the west:

"We must all take a firm stand against terror. The bombs that exploded in Istanbul today could have gone off at any airport in any city in the world. Make no mistake; for terrorist organisations there is no difference between Istanbul, Berlin, Chicago and Rome. Unless all government and the entire mankind join forces in the fight against terrorism, much worse things than we fear today will come true."

For Africa and the East African region, it is useful to draw lessons from the experiences in America, Europe and other parts of the continent, inasmuch as this region has borne its fair share of terrorism.

Kenya has been on the receiving end of various terrorist attacks mostly linked to Al-Shabaab

In Uganda suicide bombers killed 76 and injured 70 people watching the screening of the 2010 World Cup Final in Kampala, The Islamist militia Al-Shabaab that has ties to Al-Qaeda and ISIL, claimed responsibility for the bombings as a retaliation for Ugandan support for the African Union Mission in Somalia (AMISOM).

Uganda, Burundi, Djibouti, Ethiopia and Kenya have contributed peacekeeping troops to AMISOM, which was mandated by the African Union's Peace and Security Council in 2007 and authorised by the United Nations Security Council.

Kenya has been on the receiving end of many terrorist attacks, mostly linked to Al Shabaab. The earliest recorded attack in Kenya attributed to terrorist elements was the bombing by alleged Palestinian Liberation Organisation (PLO)-linked operatives of the then Jewish-owned Norfolk Hotel in 1980.

The explosion that killed 20 people of several nationalities was believed to be an act of revenge by pro-Palestinian militants for Kenya's support of Israel's Operation Entebbe.

The counter-terrorist hostage-rescue mission was mounted after an Air France plane with 248 passengers was hijacked by two members of the Popular Front for the Liberation of Palestine - External Operations (PFLP-

EO) under orders of Wadie Haddad (who had earlier broken away from the PFLP of George Habash).

On November 28, 2002 two missiles were fired at, but missed an Israeli passenger airliner as it took off from Moi International Airport, Mombasa. Shortly afterwards the Kikambala Hotel was attacked as it was receiving Israeli tourists. Three Israelis and ten Kenyans were killed in the explosion.

In October 2011, the Somali military and the Kenya Defence Forces (KDF) mounted a coordinated operation against Al-Shabaab in southern Somalia. Since then, a series of explosions have rocked various parts of Kenya. In June 2012, KDF was formally integrated into AMISOM.

On September 21, 2013, Al-Shabaab associated gunmen targeted and shot customers at the Westgate Shopping Mall in Westlands, Nairobi, killing 67 people of different nationalities, most of them Kenyans.

In June 2014, more than 60 people were killed in attacks in and near Mpeketoni, Lamu, and Al-Shabaab again claimed responsibility.

In yet another horrifying attack, gunmen in April 2015 stormed the Garissa University College, killing 147 students and injuring dozens of others. The Al-Shabaab attackers claimed they were "retaliating over non-Muslims occupying Muslim territory".

There have been numerous other lesser incidents, all linked to Al-Shabaab and their suspected cells in various parts of the country, including attacks on passenger buses in Northern Kenya as well as ambushes on Kenyan security personnel and civilian targets with guns and improvised explosive devices (IEDs).

Al-Shabaab also continues to target AMISOM troops and the Somali military, as bombings and ambushes rock Mogadishu and other liberated parts of Somalia, reinforcing the resolve to end the terror wrought by this extremist militant group.

Fear of terrorists has piled pressure on security agencies at the national, regional and international level to seal all loopholes exploited by terror groups. However, critics say anti-terrorism laws can be discriminatory towards Muslims, while some politicians also fear that they could be arbitrarily used to arrest them on



The aftermath of the terrorist bombing in Kampala during the July World Cup final.

suspicion of terrorism.

According to the Global Terrorism Index, more than 250 organisations have been named as perpetrators of terrorist attacks. The five perpetrator groups responsible for the most terrorist attacks in 2014 were ISIL, the Taliban in Afghanistan, Al-Shabaab, Boko Haram in Nigeria and Maoists in India.

Among these groups, the average lethality of attacks carried out by ISIL (6.46 people killed per attack), the Taliban (4.07), and Boko Haram were higher than the global average (2.57). The average lethality of attacks carried out by Al-Shabaab (2.46) was slightly lower than the global average.

The "Reign of Terror" has cast a dark shadow of gloom over the entire globe, calling for nations across the political, social and geographical divide to act jointly through shared intelligence and concerted action to tackle the grave threat of terrorism.

On May 9, 2016, Russia President Vladimir Putin called for the creation of a non-aligned system of international security to counter global terror, saying:

"Today our civilization has faced brutality and violence - terrorism has become a global threat. We must defeat this evil and Russia is open to join forces with all countries and is ready to work on the creation of a modern, non-aligned system of

international security."

Putin's is alluding to a change of tact in the "war on terrorism". The war against the new face of terrorism must adopt a pragmatic, all-inclusive approach for it to be effective.

Critics charge that the "war on terrorism" is an ideology of fear and repression that creates enemies and promotes violence rather than mitigating acts of terror and strengthening peace and security. The jury is out on this line of thought.

The worldwide campaign, the critics add, has too often become an excuse for governments to repress opposition groups and disregard international law and civil liberties. But there is a counter argument: Aren't the perpetrators of terrorism the main violators of the very same laws and liberties that they crush with wanton impunity.

Ultimately, governments need to address terrorism through regional and international cooperation, using international law and respecting civil liberties and human rights.

In conclusion, governments ought to address the root causes of terrorism, notably political alienation due to prejudice, state-sponsored violence, and poverty.

- Alberto Leny is a journalist who writes on peace and development

Acts of the Community

NO	NAME OF AN ACT	DATE PASSED BY EALA	DATE OF ASSENT	STATUS/REMARKS
1	The East African Community Appropriation Act, 2002	21/5/2003	9/10/2003	Assented to and into force
2	The Community Emblems Acts, 2003	20/2/2003	9/10/2003	Assented to and into force
3	The Acts of the East African Community Act, 2003	30/7/2003	9/10/2003	Assented to and into force
4	The Laws of the Community (Interpretation) Act, 2003	24/7/2003	9/10/2003	Assented to and into force
5	The East African Community Appropriation Act, 2003	27/6/2003	9/10/2003	Assented to and into force
6	The East African Legislative Assembly (Powers and Privileges) Act, 2003	20/5/2003	9/10/2003	Assented to and into force
7	The East African Community Customs Management Act, 2004	16/12/2004	31/12/2004	Assented to and into force
8	The East African Community Appropriation Act, 2004	16/5/2004	6/12/2004	Assented to and into force
9	The East African Community Supplementary Appropriation Act, 2005	27/9/2005	25/11/2005	Assented to and into force
10	The East African Community Appropriation Act, 2005	27/9/2005	26/11/2005	Assented to and into force
11	The East African Community Standardization, Quality Assurance, Metrology and Testing Act, 2006	24/5/2006	10/9/2006	Assented to and into force
12	The East African Community Competition Act, 2006	21/9/2006	16/11/2006	Assented to and into force
13	The East African Community Appropriation Act, 2006	31/5/2006	10/9/2006	Assented to and into force
14	The East African Community Appropriation Act, 2007	11/9/2007	29/5/2008	Assented to and into force
15	The Summit (Delegation of Powers and Functions) Act, 2007	26/9/2007	29/5/2008	Assented to and into force
16	The East African Community Supplementary Appropriation Act, 2007	11/9/2007	10/11/2008	Assented to and into force
17	The Lake Victoria Transport Act, 2007	20/9/2007	29/5/2008	Assented to and into force
18	The East African Community Customs Management (Amendment) Act, 2007	25/9/2007	29/5/2008	Assented to and into force
19	The East African Community Joint Trade Negotiations Act, 2008	11/12/2007	10/11/2008	Assented to and into force
20	The East African Community Customs Management (Amendment) Act, 2008	15/12/2008	31/7/2009	Assented to and into force
21	The East African Community Budget Act, 2008	10/12/2008	31/7/2009	Assented to and into force
22	The East African Community Appropriation Act, 2008	16/9/2008	31/7/2009	Assented to and into force
23	The East African Community (Supplementary) Appropriation Act, 2008	16/9/2008	31/7/2009	Assented to and into force
24	The Inter-University Council for East Africa Act, 2008	23/9/2008	31/7/2009	Assented to and into force
25	The Acts of the East African Community (Amendment) Act, 2009	24/2/2009	27/10/2010	Assented to and into force

NO	NAME OF AN ACT	DATE PASSED BY EALA	DATE OF ASSENT	STATUS/REMARKS
26	The East African Community Appropriation Act, 2009	27/5/2009	27/10/2010	Assented to and into force
27	The East African Community Customs Management (Amendment) Act, 2009	11/8/2009	27/10/2010	Assented to and into force
28	The Community Emblems (Amendment) Act, 2008	16/9/2008	31/7/2009	Assented to and into force
29	The Administration of the East African Legislative Assembly Act, 2011	9/12/2010	10/5/2012	Assented to and into force
30	The East African Community Supplementary Appropriation Act, 2010	3/6/2010	22/12/2011	Assented to and into force
31	The East African Community Appropriation Act, 2010	3/6/2010	22/12/2011	Assented to and into force
32	The East African Community Competition (Amendment) Act, 2010	15/4/2010	22/12/2011	Assented to and into force
33	The East African Legislative Assembly Elections Act, 2011	14/9/2011	10/5/2012	Assented to and into force
34	The East African Community Supplementary Appropriation Act, 2011	25/5/2011	23/8/2012	Assented to and into force
35.	The East African Community Appropriation Act, 2011	25/5/2011	23/8/2012	Assented to and into force
36.	The East African Parliamentary Institute Act, 2011	15/9/2011	10/5/2012	Assented to but not yet operationalised by Council of Ministers
37.	The East African Community Customs Management (Amendment) Act, 2011	6/12/2010	30/3/2012	Assented to and into force
38.	The East African Civil Aviation Safety and Security Oversight Agency Act, 2009	2/9/2010	2/9/2014	Assented to but not yet operationalised by Council of Ministers
39.	The East African Community HIV & AIDS Prevention and Management Act, 2012	20/4/2012		Assented to but not yet operationalized by Council of Ministers
40.	The East African Community Conflict Management Act, 2012	29/5/2012		Assented to but not yet operationalized by Council of Ministers
41.	The Community Emblems (Amendment) Act, 2012	19/4/2012		Assented to
42.	The East African Community Elections Act, 2012	25/4/2012		Assented to but not yet operationalized by Council of Ministers
43.	The East African Community Appropriation Act, 2012	30/5/2012		Assented to and into force
44.	The East African Community Customs Management (Amendment) Act, 2012	19/4/2012		Assented to and into force
45.	The East African Community One Stop Border Post (OSBP), Act, 2013	23.4.2013		Assented to and into force
46.	The East African Community Vehicle Load Control Bill, 2013	29.5.2013		Assented to



The Integrator

A publication of the East African
Legislative Assembly (EALA),
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