



EAST AFRICAN COMMUNITY

IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)

The Official Report of the Proceedings of the East African Legislative Assembly

SPECIAL SITTING OF THE ASSEMBLY

Thursday, 30 June 2011

The East African Legislative Assembly met at 9.30 a.m. in Simba Hall, AICC Building, Arusha, Tanzania.

PRAYER

(The Speaker, Mr. Abdirahin Abdi, in the Chair)

(The Assembly was called to order)

COMMUNICATION FROM THE CHAIR

The Speaker: Honorable Members, amidst us today are the founding fathers of the countries of the East Africa Community. They are His Excellency Daniel Arap Moi, the former President of the Republic of Kenya, His Excellency Ali Hassan Mwinyi, the former President of the United Republic of Tanzania, I had invited His Excellency Yoweri Kaguta Museveni, the President of the Republic of Uganda, but due to other pressing engagements, he was unable to come. However, he graciously sent the Prime Minister of Uganda.

I, in accordance with the provisions of Article 54 of the Treaty invited the founding fathers to the current EAC integration process to address this Assembly on the occasion of EALA's 10th anniversary. I would now like to make the following proclamation to welcome the presence, in the Assembly, of the chief architects of the current EAC integration process.

PROCLAMATION

Whereas under Section 1 of Article 54 of the Treaty, the Speaker of the Assembly can invite any person to attend the Assembly, notwithstanding that he or she is not a member of the Assembly, if in his or her opinion the business of the Assembly renders his or her presence desirable;

And whereas in the opinion of the Speaker the attendance and presence of the Assembly of Their Excellencies is desirable in accordance with business now before the Assembly;

Now, therefore, it is with great honour that I welcome the presence, in the chamber, of His Excellency Daniel Arap Moi, His Excellency Alhadji Ali Hassan Mwinyi, and the Rt. Hon. Amama Mbabazi representing His Excellency Yoweri Kaguta Museveni.

- (*Applause*) -

The Speaker: Honourable Members, I rise to notify you that in accordance with Article 52 of the Treaty for the Establishment of the East African Community, the Parliament of Rwanda has elected a new Member to replace hon. Pierre Damien Habumuremyi who was appointed the Minister for Education in the Republic of Rwanda - (*Applause*).

The new Member is present and would like to take his seat in this House. His name is Hon. Christophe Bazibomo. However, in accordance with Rule 6 of the Rules of Procedure of this Assembly, he cannot sit or participate in the proceedings of the House until he takes the oath, or affirms allegiance to the Treaty as a Member of this Assembly.

Rule 6(3) specifically states that when a Member first attends to take his or her seat other than the first sitting of the House, he or she shall be brought to the table by two Members and presented by them to the Speaker, who shall then administer the oath or affirmation of allegiance to him or her. I, therefore, request any two Members of the House who know the new Member to present him to the Speaker to enable him take his oath.

ADMINISTRATION OF OATH

The Oath of Allegiance was administered to: -

Mr. Christophe Bazibomo

SPECIAL ADDRESSES

Welcome Remarks

The Speaker: Your Excellency Daniel Arap Moi. Your Excellency Alhaji Ali Hassan Mwinyi, the Rt. Hon. Amama Mbabazi the Prime Minister of the Republic of Uganda, the Right Hon. Speakers of National Assemblies, Hon. Ministers, Hon. Members of Parliament from the partner States and EALA, the current and former Secretary Generals of the EAC, the Registrar of the IECTR, the representatives of ECOWAS/SADAC Parliamentary Forums, Ambassadors and High Commissioner, distinguished guests, ladies and gentlemen;

First and foremost let me welcome you all to this special sitting which is part of the 10th Anniversary Symposium of the EALA. I am particularly grateful to the forefathers of this region; His Excellency President Yoweri Kaguta Museveni and Their Excellencies Daniel Arap Moi and Alhaji Ali Hassan Mwinyi who were instrumental in the rebirth of the EAC following the establishment of the Permanent Tripartite Commission for Corporation signed on 30 November 1993.

The leaders offered wise counsel and took time to midwife and nurture the process ultimately leading to the launch of the EAC in 1996. On behalf of the East African Legislative Assembly and my own behalf, I thank His Excellency Daniel Arap Moi and His Excellency Alhaji Ali Hassan Mwinyi for gracing this occasion this morning.

I also appreciate the warm and cordial messages received from President Yoweri Kaguta Museveni who has been ably represented here by the Prime Minister Hon. Amama Mbabazi, and His Excellency Benjamin Mkapa, who, due to prior commitments, were unable to be here but really wished us a successful symposium. Collectively, we owe the prominent and eminent developments in the region to the four great sons of this region.

Allow me to initialize them as the four M's of the EAC; they are Museveni, Moi, Mwinyi, and Mkapa - (*Applause*).

I also recognize the presence of the former Secretaries Generals of the EAC; Amb. Francis Muthaura, Hon. Mushega, Amb. Juma Mwapachu. As you can see they are also all M's.

At this juncture, I would also like to recognize the new Secretary General of the EAC, Amb. Richard Sezibera. I would also like to recognize the first Speaker of the EALA Abdirahaman Omar Kinana. I would also like to say that whoever wants to be the next speaker; remember he is called Abdirahaman, I am called Abdirahin so you had better change your name to start with an "A" - (*Laughter*).

Your Excellencies, distinguished guests, ladies and gentlemen; your presence to this symposium is very warmly appreciated. The symposium brings with it golden memories of a day 18 years ago when our leaders convened in Arusha to rekindle the Community. The symposium also ushers in an aura of celebration over the success and opportune moment to reflect on the achievements of EALA during the last ten years. However, to bring the perspective of the symposium into focus, let me briefly state the history of the integration of the EAC.

East Africa is credited with one of the longest experiences of regional integration dating to the colonial days. As early as 1900s Kenya and Uganda had agreed to establish a customs union between them. They were joined later by the then Tanganyika in 1992 in the customs union. Integration arrangements were achieved early in the dispensation including the East African High Commission in 1948 to 1961, the East African Common Services Organization from 1961 to 1967 and the EAC from 1966 to 1977. By the time of its collapse, the community had made great strides and the benefits to the people were

immense including free movement of people, opportunities of employment, viable institutions that provided effective and efficient services to the citizens of the region.

Indeed, in retrospect, the collapse of the Community in 1977 was a sad anchor to state of affairs. However, today I stand here convinced that the steps we have taken as a community since its reestablishment are fundamentally underpinned in the treaty for the establishment of the EAC. As such the Treaty remains the guiding principle and there is no need for fear whatsoever of a second collapse. Instead the integration has proceeded at pace with major achievements recorded including the entry of Rwanda and Burundi in 2007, a fully fledged customs union, commencement of a common market and initial discussion of the monetary union including the will and desire to fast track the same.

Your Excellencies and distinguished participants;

The theme of the symposium is “*A Decade of Service towards a Political Federation*”. We chose this theme intentionally. Yes, there are four stages of integration as outlined in the Treaty. However, we at EALA the last ten years of existence have never lost sight of the need for quick attainment of the political federation. Let me highlight a few areas that I believe demonstrate this.

In as far back as January 2002 EALA at its first formal sitting passed a resolution urging the Summit, the Council and all other organs of the Community to spare no efforts in working and mobilizing the East Africans towards the realization of the terms, objectives and goals of the process of corporation as outlined in the Treaty.

The creation of Ministers responsible for EAC affairs was the brainchild of the Assembly. It is now the Assembly’s vindicated belief that without Ministries responsible for EAC, the EAC project would never have moved forward. We therefore, thank the Summit of EAC Heads of State for heeding our calls and establishing the Ministers responsible for EAC affairs. We have now gone further to demand that they should actually become residents in Arusha and be given specific roles to handle.

In the different studies done on political federation all the way from the Wako Commission, we have consistently given support for the fast tracking of the federation. We have even gone ahead to recommend the need to start the drafting of the EAC political federation institution.

During the difficult times that the Republic of Kenya faced after the 2007 General Elections, EALA decided to send a good will mission to Kenya. Although it could have been more symbolic, it is our sad realization that without a strong regional law, political stability in the region may not be guaranteed. Although controversial in some circles the Assembly, through a private Members Bill have proposed legislation seeking to create a regional elections body as a way to address this matter squarely. In our oversight role, we have ensured that the resources of the Community are appropriately budgeted for clearly linked to the programmes and activities that lead to deeper integration. We have made very bold and at times very unpopular proposals to amend the Treaty to make the regional community institutions stronger as opposed to being subordinate to the partner

States. These proposals we have made with the conviction that the more the centre is empowered the faster the integration process would move.

We as the legislative organ of the Community have every reason to believe that the vision of the Community shall be realized progressively through the integrative pillars up to and until the political federation. Whilst realizing that the Assembly can still do more, what is for sure is the support of the majority of the people of East Africa has for the corporation in all the five partner States. It is this belief in success that makes us work harder every day to ensure the realization of full integration of the Community.

Your Excellencies, over the next three days I anticipate the mixed rich grill of ideas and sharing of experiences as experts in our own fields. I am also looking forward to the thematic speeches by the forefathers that shall set the mood for the discussions. Since this is a meeting of great minds, I am sure the discussions shall be frank, thought provoking and interesting. The outcomes of the deliberations over the coming days shall be useful in charting the map for the political federation.

We are not here merely what we have done but expect to hear from you what you think we have done well, ought to have done or what we should do in the future. We are all East Africans and it is us to shape our destiny.

Before I conclude my remarks, I wish to remind you that a number of activities marking the 10th Anniversary of EALA either have been held, ongoing or are planned. In April EALA launched its official flagship magazine Bunge la Afrika Mashariki and joined the citizens of Rwanda during doing the community work in eradication of grass-thatched houses known as *Nyakatsi*. In addition to the symposium, the Assembly has recently rolled out a tree planting exercise in Arusha that shall target the planting of 50,000 trees within the partner States. We have aligned a number of network activities later in the year including the inter-Parliamentary soccer tournament, the cultural festivals that shall all be commemorated while enabling the legislators' network to share experiences among others with the youth, private sector, and civil society of the East African region.

Your Excellencies, before I call upon you to address this august House, may I take this opportunity to introduce to you the dignitaries who are present here. They are:

- The Rt. Hon. Pierre Ntavyohayuma – the Speaker of Burundi.
- 2. The Rt. Hon. Rose Mukantabana - the Speaker of the Rwanda Parliament.
- Ministers for EAC Affairs from Kenya, Uganda, Rwanda and Tanzania.
- The Judge President of the East African Court of Justice.
- Members from the National Assemblies of the Partner States.

(Mr. Speaker introduced the Members of the National Assemblies)

(Mr. Speaker introduced Members of EALA)

(Mr. Speaker introduced the Permanent Secretaries)

(Mr. Speaker introduced Ambassadors and High Commissioners)

(Mr. Speaker introduced the other dignitaries)

Distinguished guests, ladies and gentlemen, I thank you for your kind attention, and now, it is my honour to invite the Rt. Hon. Amama Mbabazi to come and address this Assembly. As you can see, hon. Museveni sent us another “M” – *(Laughter)*.

The Prime Minister of Uganda, Rt. Hon. Amama Mbabazi: Thank you very much Mr. Speaker of the East African Legislative Assembly. Your Excellency Daniel Arap Moi, the former President of the Republic of Kenya, Your Excellency Alhaji Ali Hassan Mwinyi, the former President of the Republic of Tanzania, the speakers of the Parliaments of Burundi and Rwanda, hon. Ministers, hon. Members of EALA, the Secretary-General of the EAC, the former Secretaries-General of the EAC, Members of the diplomatic coup, distinguished ladies and gentlemen, good morning.

As you heard from the Speaker the President of Uganda as a founding President of the EAC was unable to be with you today. Maybe because I am an M, I was sent to represent him with the clear statement that I will avoid adding anything to because I want to make it his 100 per cent. I will read it.

It is now 18 years since Presidents Moi, Mwinyi and I revived the EAC after its collapse in 1977. The idea of a common trade was not a colonial invention or new. Excavations at Ntutsi in Uganda have shown that glass beads in Kwanzi and cowry shell in Nzimbi were in common use in Uganda at that time; 900 AD. Where were they coming from? Uganda was not manufacturing glass beads nor did we have an ocean out of which we could extract cowry shells. I am told that glass beads were being imported from Mesopotamia, present day Iraq. Both items were certainly being imported from Zanzibar through Bagamoyo, Dodoma, Tabora et cetera. Up to today, they call themselves *waungwana*, freed slaves or something like that. The Ugandans corrupted the word into Balungano. This common trading area extended all the way to the Congo River at Nyangwe. Our people got textiles, Enyenda, Engoi from the coast. They also got guns and gunpowder of Ganga from the coast. In exchange, they sent ivory to the coast. Unfortunately, some of the chiefs were also sending slaves out of Congo, Bulega, we bought copper bracelets and Amoshi (neck wears made out of giraffe tails). This was a common trade area and not a free trade area because the chiefs along the way would extort Congo some sort of stuff from the traders.

Colonialism therefore, interfered with the trading activities of our people. Even the EAC of today does not cover the entire pre-colonial trading of this part of Africa. The new element, and what we restored in 1991, was the element was the element of abolishing Congo, the taxes between kingdoms and chiefdoms in our case between the modern States.

I salute Wazee Moi and Mwinyi for working with me to resurrect this dream of the East Africans. It has done very well in the last ten years. Prior to the launch of the customs

union, total intra-East African Community trade was United States Dollars 1,811.8 million in 2004. In 2009, the total intra-East African Community trade was US\$3,547.7 million. These are figures given from the East African facts and figures 2010. We have now implemented the Customs Union, which means that we have common external tariff for goods from third party countries, reduced non-tariff barriers and no import duty on goods produced and traded within the region. We are now aiming at a monetary union, which means that a single currency becomes the language of trade.

The monetary and fiscal policy discipline built in the monetary union anchors inflation and its expectation and enhances micro-economic stability. It also ensures significant reduction of exchange rate productivity and associated risks within the region. These are very important steps for which I congratulate the East Africans.

Among the regional integration blocks of Africa EAC is unique in one aspect. I think it is the only trading block that aims at both economic and political integration. Article 5(2) of the EAC Treaty says:-

“In pursuance of the provisions of paragraph 1 of this Article, the partner States undertake to establish among themselves and in accordance with provisions of this Treaty a customs union, a common market, subsequently a monetary union and ultimately a political federation in order to strengthen and regulate the industrial, commercial, infrastructural, cultural, social, political and other relations of the partner States to the end that there shall be accelerated harmonious and balanced development and sustained expansion of economic activities, the benefits of which shall be equally shared”

It does not only aim at economic integration. It aims at political integration of the East African people. As you can see the Treaty talks of ultimately forming a political federation. Having registered good steps from the economic integration front, Presidents Mkapa, Kibaki and I had a retreat in Nairobi on 28 August 2004. The purpose of the retreat was to examine whether we could not fast track the process of political integration leading into the earlier realization of a political federation rather than leaving it to the idea of ultimately achieving that goal in the undefined future in terms of time.

The following were the reasons we thought that the process should be fast tracked:-

1. Economic integration without political integration is slow and when you are coordinating several sovereign units, it is bound to be slower than when you are planning for one unit.
2. It will take longer for the benefits of the integration to spread around the Community evenly. To take one example; freedom of movement of labour will take long to be realized if at all yet employment creation is one of the greatest gains in an economic community area and economic community integrates the market. A bigger market supports production units, factories and so on better. It is a more attractive foreign investment to this nation. Employment creation is one of the benefits. Nevertheless, freedom of movement of labour comes quite late in the day if at all. In one sovereign unit even when there is unbalanced growth, there are mitigating factors because employment opportunities are equally accessible to

- all systems. Revenue from production units is also accessible to all citizens of the sovereign units irrespective of how developed or otherwise their home region is.
3. Although we are now members of the EAC most of the time, we do not negotiate together for African Growth Opportunities Act or while negotiating with the IMF, the World Bank et cetera. Uganda negotiating alone is much weaker than would be the situation if we were negotiating as East Africans.
 4. There is a lot of duplication of effort with each country trying to attract investment in similar sectors for example textiles, fruits and others. If East Africa is one country, one sovereign unit it will not matter if all the textile factories are concentrated in Mombasa, which is near the coast but using Ugandan cotton. As long as we have five political units, we shall continue to waste energy with parallel efforts instead of coordinated ones. An economic community pulls markets together. It does not, however, solve easily the question of equitable distribution of benefits.
 5. Continuing to inconvenience communities that were split by colonialism such as the Tesos, Samia, Pokot, Bagisu, Luhya, Karimojong, Turkana, Luo, Kuria, Busoma and the Maasai, Wadigo, Banyankole, Bahaya, Banyambo, Banyarwanda et cetera. Families are split as well as cultural units.
 6. It also splits our consciousness. Instead of thinking of ourselves as one, we are continuing to think of ourselves as Ugandans, Tanzanians, Kenyans, Rwandese and Burundians.
 7. The pseudo-borders incapacitate us when it comes to giving each other support on account of sovereignty roots that tie us into different political bundles. We cannot assist directly the people of Burundi because of these sovereign ropes. Instead it is the UN that comes to help yet the UN does not have the requisite knowledge or commitment hence the problem takes much longer than the case would be if East Africa would be one political unit.
 8. While in the EAC you will integrate the market, the use of natural resources is not that easily integrated. Turkana in Kenya is very dry, the neighbouring Karamajong in Uganda while also dry is much more hospitable yet Turkanas are always reminded that they are not Ugandans never mind that their dialect is 98 per cent similar to that of the Karamojong dialect. Since people are forced to be imprisoned in these sovereign units, they are forced to worsen the environment with their goats and camels destroying the sparse population. If they stopped using these dry areas for cattle and crops they could wonderful tourism that would benefit all of us. Give the globalization of the continent, the Turkana are forced to stay in that area because that is where their home is yet our ecology does not respect these sovereign units. If rain is scarce on account of environmental abuse because people are forced to stay in their homestead the adverse conditions notwithstanding, that weather change will not respect the sovereign unit.
 9. The greatest danger however is in the fact that while Europeans and Americans are now basing themselves on mars and outer space, Africa has almost forgotten how to make the spear. Our individual countries have no serious capacity to develop defence industries and advanced military technology. What are the implications of these? In all millennia two factors have been self evident; one, any society that lugs behind in science and technology is exterminated, enslaved or

survives at the mercy of others which is the present situation of all the black countries other than South Africa and two, all societies even the most primitive ones have always made their implements; hoes, axes et cetera, made their own weapons; spears, arrows et cetera, provided their own shelter and produced their own food. It is only the Africans of the colonial and post-colonial era that are not independent in respect of the above capacities. Ancient Egypt was conquered for the first time in 525 to 532 BC by Darius from Asia Minor, present day Turkey because the latter had developed iron technology while the former were still using brass (a much weaker metal). The whole of Africa was colonized and a specter of slave trade was visited on us because we lagged behind in technology. The American Red Indians, the Aztecs of Mexico, the Mayas and Incas of Peru, the Aborigines of Australia were exterminated because they lagged behind in technology and had inferior political organization. The Africans today are surviving at the mercy of others. Rationality would have propelled us to quickly use the recovery of our independence to ensure that Africa stands up once and for all all the time.

The Independence and post-independence African leaders need to bear to the historical responsibility for the future tragedies that may befall the Africans in future. The whites plundered Africa but we survived slave trade. We survived colonialism and neo-colonial regimes. Those are now in decline. They will be overtaken by China in a matter a few decades. The Chinese are so packed up that they have now resulted to a one-child policy. Since they like boys I hear the proportion of boys versus girls is getting seriously upset. Chinese boys will therefore, have not girls to marry.

More seriously however, is the problem of natural resources; minerals, agricultural land and so on. If you notice the oil and other commodity prices such as copper have been going up. The main factor here apparently is China. The 1.3 billion people of China are finally getting modernized. Demand for steel, copper, cement et cetera that had collapsed in the past is now picking up. With both India and China becoming modern the pressure on raw materials will increase. In 20 years time when China will have a GDP of US\$45 trillion and USA a GDP of only US\$35 trillion, who will prevent China from any adventures that they may feel necessary for their continued posterity?

We survived Western imperialism. Are we to wait in our present weak and dependant state to see what the future Asia imperialism will offer? We occupy one of the biggest land masses (11 million square miles) with considerable natural resources although our uninformed policies exaggerate the magnitude of these resources. Why can we not turn at least parts of these land mass into a powerful and secure base for the black man? Besides the black man must also be made to go to the moon and mass. *Wengine wanakwenda kutafuta nini uko?* They are looking for new natural resources as well as new bases for military supremacy.

Space-based weapons are going to be the dominant forms of aggression. The black race is just sitting in this micro-political units created by colonialism, the 53 States of the African Union (AU) completely oblivious of what is going on in the world.

There is the problem of global warming. This is caused by the profligate living of the Western countries, the aristocrat of the world for the last 500 years. About 17 years ago, there was an attempt to control this in the form of the Kyoto Treaty. The USA and Russia have refused to sign it. What is their argument? Apparently part of the argument is that global warming is not after all so bad since it will mean that frozen Siberia and Alaska will be suitable for agriculture. Where does that leave Africa which is already warm? It means that the marginal areas will become drier since, as we know, warm air expands and therefore retains moisture. Cold air contracts in volume and consequently loses moisture. In fact, the process has already started. The snow cap on Mt. Kilimanjaro is becoming smaller and glaciers of the Rwenzori Mountain are getting shorter. What is African's response to this species threatening aggressions by the Whiteman's countries soon to be joined by China? Nothing! Not even the awareness of the problem. We are just busy looking for daily bread in the form of handouts from the very countries threatening our survival.

The present generation of African leaders must rise to the occasion or else they will be like the African chiefs who were busy fighting each other for the local supremacy while the white man was busy taking slaves and colonizing the continent.

10. The land locked countries are held hostage by these irrational boundaries. One may be efficient in Uganda in terms of economic recovery and transformation. If however, the coastal States do not provide efficient infrastructure in the form of railways and harbours our labours would be in vain. How do we handle that possible frustration of the land locked States; Rwanda, Burundi, Uganda, Zambia, Malawi, Ethiopia and in possible future Southern Sudan and many others in West Africa? With an East African political union, this issue would be transferred from international characterized by one may even say, in terminable negotiations relations to domestic relations whereby the hinterland populations will combine with others and vote out regimes that is indifferent to the needs of infrastructure. This issue is potential source of conflict. It needs a strategic answer. The answer fortunately is available and hugely more beneficial an East African Federation merging the sovereignties.
11. The misuse of the common natural resources such as L. Victoria, Nalubale and the Nile River, Chira, Kagera River, the Mountains Rwenzori, Kilimanjaro, Kenya at the internal borders are getting seriously degraded on account of absence of common policy even when a policy is agreed upon implementation enthusiasm is as varied as the sovereign units involved.
12. What always amazes me is the ability of the Africans to hate themselves and love those --- Africans now worship the USA. We are always trooping there to get handouts as well as accounting for our domestic policies to the imperialists of yesterday and quality controllers of democracy of today yet at our disposal for the last 40 years we have got this huge land mass with populations that are linked culturally, linguistically and economically, that is why they smuggle in from West Africa up to here that we have failed to stand in strength. When we laugh and get mesmerized by the strength of others but are indifferent to building our own. The

USA is made up of a porch of people; Germanic, Latinos, Red Indians, African, Arabs name them. In this part of the world we are talking of only Bantus and Nilotics and Nilo-Hamitics with a lingua franca known as Kiswahili. Why can we not turn this great area into a powerful base for the black race? We referred this idea to the consultations among the East Africans. The results from the consultations were excellent as you may remember. Progress in addressing the broad concerns and fears expressed stands as follows:-

i. Political and Social-Cultural Concerns.

- a) Through the programme on promoting good governance, democracy and rule of law and protection of human rights the disparities in the national Constitutions and practices of democracy, good governance, anti-corruption, human rights, constitutionalism and rule of law are being addressed.
- b) Lack of uniformity in doctrine, discipline and accountability among agencies dealing with peace, security and defence in the partner States is being addressed through the development of the East African Community Protocol on Peace and Security. These includes mechanism for conflict early warning, conflict prevention, management and resolution, illicit drug trafficking and control of proliferation of small arms and light weapons as well as strengthening of inter-agency population and coordination amongst security agencies.
- c) The draft Federal Constitution will address loss of sovereignty, national identity and independent national decision making as well as unclear institutional arrangements for the proposed federation to address the political power sharing at different levels and among the different partner States.
- d) Consultations and sensitization of political parties is among the ongoing sensitization programmes with the intention of involving political parties in the EAC political integration with a view to addressing the lack of a mechanism of national political parties in the federal arrangement.
- e) The preparatory activities towards the development of federal constitution will address the manner in which the Federal Constitution will be developed, popularized, voted upon and how it will relate to the national Constitutions.
- f) Through harmonization of the educational certification and harmonization of education curricula, difference in education systems, curricula and academic or professional qualifications and social-welfare schemes among the partner States are being addressed.

- g) Implications on the existing social insurance system and the need for an East African health insurance scheme are being addressed through harmonization of health policies through a protocol on health.
- h) Continuous sensitization on existing opportunities and benefits of integration will promote ownership of the integration process.
- i) EAC policy on culture and sports will preserve cultural and traditional values including language.
- j) Financial sustainability of the proposed political Federation with implied increase in taxation to run one additional team of Government is being addressed through policy initiatives towards alternative funding methods.
- k) The EAC investments strategy, industrialization policies, joint projects on infrastructure development, criteria for hosting of the institutions of the community amongst others will address economic imbalances and ensure equitable distribution benefit in the region.
- l) Differences in the levels of economic development, skills and competitiveness in the manufacturing and service industries that would disadvantage some partner States will be addressed through the Common Market Protocol.
- m) The difference in the land tenure system obtaining in the partner States are being addressed in the Common Market Protocol where land is left to the national land laws.
- n) Initiatives to address non-tariff barriers under the customs law will address the operational problems of the customs union.
- o) The protocol on sustainable development and utilization of natural resources is under implementation. Other initiatives spearheaded by the Lake Victoria Basin Commission would promote sustainable utilization and conservation of the environment.

Equipped with these results we have continued to consult at the level of Council of Ministers and also at the level of Heads of States. In the last meeting in Dar es Salaam we resolved to re-commission the Committee of Experts or eminent persons to look into the issue of some fears expressed by some East Africans and how they could be overcome. The process is moving very well. I commend it to East Africans.

Thank you.

- (Applause) -

The Speaker: Thank you very much. It is now my honour and pleasure to invite His Excellency Alhadji Ali Hassan Mwinyi to address this gathering. *Karibu. (Applause)*

The former President of the United Republic of Tanzania (His Excellency Ali Hassan Mwinyi): Hon. Retired President Moi of Kenya, hon. Prime Minister Mr. Babasi of Uganda, Hon. Speaker of our host hon. Abdirahin Abdi, Hon. Speakers of all the Member States, Hon. Ministers, Hon. Members of Parliament, Members of the Diplomatic Corps, Ladies and Gentlemen, Mr. Speaker, I would like to thank you and this African Legislative Assembly for inviting me to attend this gathering.

The invitation to me would seem to reflect the saying that good memories die-hard. I would also like to congratulate this African Legislative Assembly for commemorating its 10th anniversary. Ten years is a short time for human organization yet EALA has much to be proud of during the brief period of service to the East African Community integration. Please, accept my congratulations.

You have invited me to participate in a panel of past and present Heads of States on the theme Vision of the East African Community yesterday, today and tomorrow. I believe that my inclusion on this panel is mainly to reflect on yesterday. I believe in all fairness that such focus will only be right and appropriate during the leadership as the President of the United Republic of Tanzania. I was on occasions confronted by criticisms of the late Mwalimu Nyerere during my presidency. My response was always founded in the teachings of the Quran where in one place it says, "To each epoch its book", *Kila zama kina kitabu chake*. That is what the Quran says.

Leadership guides the people depending on the circumstances obtaining at any material time. This is because as a socialist economist Aleg Nown once wrote:-

"Ideas evolve, ideas can be reinterpreted, and elements of doctrine can be dropped in response to circumstances even while men seek to shade circumstances in the light of their ideas".

It is important to appreciate this point as Mzee Moi would indeed, in the case of post-Kenyatta era. I completed my term of office in November 1995. The EAC was not born yet. What was in place at that time was the Permanent Tripartite Commission Agreement, which I was involved in signing along with President Moi and President Museveni in 1993. Our action was partly informed by the framework of the mediation agreement on division of assets and liabilities of the demised EAC, which was signed way back in 1984.

This was when Mwalimu Nyerere who was still the President of Tanzania and before that time President Museveni became the President of Uganda. That agreement also provided for the then East African Corporation States to explore areas of future cooperation and to make complete arrangements for such cooperation.

In discussing the vision of the East African Corporation from yesterday, it is very important to appreciate the conditions at that time; the social, political and economic

conditions that emerged in the period between December 1985 when I became the President and November 1993 when the Permanent Tripartite Commission for East African Corporation Agreement was signed. There were a number of driving forces, ideas if you like, which fertilized the rebirth of the EAC vision.

It was the end of Idi Amin's regime and the unstable political transition in Uganda until when President Museveni became President in 1986. President Museveni hit the ground running with a strong passion and drive for the East African integration. It was at that time the ideological shift from a socialist command economy in Uganda and Tanzania. This shift which in Tanzania, I coined as *Ruksa*, opened up a new confidence in cross border trading relationship in East Africa.

It was also the time when Tanzania opting for the return of multi-party system engendered a new political climate that reinforced market economy policies to be pursued. So, globalization was taking its effect in our region marked by the privatization policies and measures propelling more intense trading ties between business firms in East Africa. Hence these different but competing forces and ideas made a vision for regional integration in East Africa inevitable. The people appeared ready to see the revival of the EAC. However, integration of any kind including marriage is complex. In the case of integration involving countries, politics take command. It is not simply politics of the leaders in terms of views and principles they hold. This is now different. Politics in recent years has meant the mood, perception and wishes of the people not of what leaders want. It is what the people want. Therefore, in my view, yesterday's vision of the EAC was triggered by circumstances which engendered people's support for integration. Leaders only translated such support to an agreement to establish the Permanent Tripartite Commission which also gave birth to the EAC. I am proud to have been associated with this process.

I am proud particularly because that vision of yesterday resulted in the development of a vision for today and tomorrow; a vision for an East Africa that is united, peaceful and prosperous. A vision so well captured by the mantra of one people one destiny. Indeed, the citizens of East Africa are now reaping good harvest. This harvest encompasses the following:-

- (a) Enlargement of our community with the entry of Rwanda and Burundi into the East African Community since July 2007.
- (b) The growth of inter-EAC trade by about 50 per cent since the onset of the Customs Union in January 2005.
- (c) The growth of cross-border investment by our own indigenous East African companies such as Azam of Tanzania, Bidco of Kenya, Nakumatt of Kenya, Trans-century of Kenya and the Kenya Commercial Bank (KCB) among others. We must hail Kenya as a regional economic power for spearheading of the integration of our economies.
- (d) The deepening of democracy, spirit of reconciliation and consolidation of peace and stability especially in Burundi and Rwanda.
- (e) The growing positive roles of the EALA as a regional legislation oversight and outreach organ of the EAC sending out the right signals about the political maturity of the EAC as an integration of our people.

- (f) The institute role of the East Africa Court of Justice unique in Africa in terms of how quickly it has developed and unenviable jurisprudence of high quality. This is yet another advantage.
- (g) The onset of the common market, the complex stage of integration but for which there is political will to drive its success.
- (h) The beginning of the process towards an East African monetary unit. Some of us still remember the East African shilling of the old days and how it shaped and galvanized us as East African people. I have my own particular sentiment with it because at one time I was the President or chairman of the East African Currency Board in Zanzibar.
- (i) The ongoing various efforts to establish a common ground that would be best to lead our political federation.

These harvests, in my view, constitute the East African Common Vision of today and tomorrow. I am not part of the leadership that oversees East African's deeper integration. However, what I can see is that there is much brighter hope about the EAC and its integration. It is thus important to consolidate and enhance this hope through greater sensitization programmes especially in respect to the federation project where there are pockets resistance often founded on not real but felt fears and concerns.

Mr. Chairman, Sir, thank you.

- (Applause) -

The Speaker: Thank you very much your Excellency. Again, it is my honour and pleasure to invite His Excellency Daniel Arap Moi to address this gathering.

The former President of the Republic of Kenya (His Excellency Daniel Arap Moi): My brother, your Excellency Hassan Mwinyi, Prime Minister of Uganda, Mr. Speaker, distinguished guests, ladies and gentlemen, what has brought us here today is a matter that has been close to my heart for the best part of my life as a leader and citizen of East Africa.

The matter is the integration of the East African people meaning the East African Federation. I am very happy to be in this assembly and to say something about yesterday, today and tomorrow of the EAC.

The colonial Government had the idea to integrate the East African States into a common market. Their minds were on trade and common market. However, the unity of East Africa took a more dramatic turn when we were agitating for independence. In fact, those times schoolchildren were singing United States of Africa. They were far much ahead of the leaders themselves. This city of Arusha, Moshi and Mbale in Uganda became centers of political activities as we used them to hold our meetings to further our course for independence. As one of the leaders who operated under the umbrella of Pan African Movement for East and Central Africa, which was called PAMECA, we anticipated an East Africa which was not only a market place but also a formidable political unit. We visualized our land as a land of opportunity where the people were free from colonial rule and where prosperity thrived.

Our vision for a united East Africa State arrived right into independence and beyond. It is clear today that whatever slowed down our pace of integration were merely shallow and superficial set back, which have no root. These meetings and other meetings usually should ask us why people tend to retreat when the idea of East Africa Federation comes in. The people of this region are the driving force behind our desire for unity. East African Unity is therefore a people-driven initiative which no individual is capable of derailing.

Sometimes we find ourselves dragging our feet on issues like common currency or customs union because we are scared of change. African always are derailed by ideas from the Western World and so on instead of thinking about what their people want. Let me assure the people of East Africa that those who advocate unity are not seeking power but seeking strength. Unity begets strength - *(Applause)*.

I enjoy watching the National Geographic channel and one of my favourite programmes are the wild animals of Serengeti and the Maasai Mara and their struggle for survival. Those who have discovered the strength of unity, be they lions, buffalos, wildebeests, hyenas, baboons or crocodiles have prospered. They are most successful when they hunt or when they are in self defence against attack; the most united animals eat better meals, they are healthier, they have time to play or leisure, they procreate faster, they are most confident and enjoy higher standards of living than the individuals who operate on their own - *(Laughter)*.

For our people in East Africa unity should be our survival tactic because it guarantees better results. This time we have a lesson to learn from our animals. I urge our Governments and the leaders to hasten the move towards greater integration because we have reached a point of no return. In fact, I fear that whoever wants to turn back at this point might turn to be a mountain of salt lick that wife of Lot. Integration is something that is natural to all our people because we have a common experience, common culture and share common aspirations. East Africa has the potential of growing bigger than what it is at present. I can see light at the end of this tunnel. After years of instability, violence and uncertainty the tide seems to turn for the better in Somalia. The events in recent weeks where the Government has made some gains against the fundamentalist group provides a sign of relief. Those developments have rekindled hope that as soon as possible Somalia may take its rightful place as EAC.

I applaud the entry of Rwanda and Burundi in the community our natural brothers of East Africa. In the next few days we shall be celebrating the independence of the Republic of Southern Sudan after so many years of blood shed and sacrifice. Southern Sudanese are one and the same people as East Africans. They have more to share with us than with anyone else. I expect that their desire to join our Community will be accelerated so that we all combine our energies to seek prosperity for our people. When I look back at history I am inspired by those leaders who saw their immediate borders and sort to unite people. Be they Europeans like Bismark, Americans like George Washington or Africans like Kwame Nkrumah, Nyerere or Jomo Kenyatta, the dream which these leaders had for their people is very remarkable and worth emulating.

Some attained unity of their people through bloody conquest or subjugation. We are lucky today because our unity is spontaneous and arises from the wishes of our people. We do not need to fire a gun to achieve what the people can deliver by simply expressing their consent for unity. Anytime I travel in Kenyan countryside, Ugandan countryside and Tanzanian countryside as I often do, I am captivated by the strength available from our people. I am often forced to remark rather loudly and wonder why we still want to restrict ourselves to smaller cocoons - *(Laughter)*.

The land, which God gave us, is vast, rich, and full of promise. Sometimes I see even our Governments make legislations that focus on the small things like counties, regions or registering political parties created on the basis of tribe. What we talk today and tomorrow and in future about our countries are people who want to have their economies improve. I think the leaders ought to have asked themselves why are we not moving? Why are we not making progress? All the time we talk about East African integration we retreat back! We are weakened by instilling fears amongst our people. Who are instilling this fear? The leaders themselves. You talk as leaders and when you go back you instill fears. How do you expect people to move forward? The problem is within us. What we need in Africa or East Africa for that matter is to have nationalists. What we have today is a large number of tribal leaders who are thinking about their tribal corners and so on; who have not even seen beyond their constituencies. How do you expect them to talk about a big area like what we are talking about now? We need nationalists. Somebody in a corner somewhere in Africa wants her or his status improved. How do you talk about a small corner there and talk as if you are a leader? A leader is somebody who thinks about the entire people. You do not care. You are there as a leader to talk about their future.

People are dying in different parts of the world because people do not care about the lives of the common people. Even leaders themselves, the Constitutions they draft amazes me. Let me be frank with you; the Western World have seen that Africans cannot govern themselves. They think that you are not impartial; you are partial in dealing with the problems of the people. That is why they are coming through the NGOs, people called civil societies. They have found out that you are behaving partially. I do not know why. You are driven to draft your Constitutions; even in Tanzania you are going to have it - *(Laughter)*.

They are around the corner. They may be in Arusha. They may be listening even in this hall. In not too distant future, they will be governing without you knowing. Even ladies have succumbed to think that men still hold positions and therefore laws have been draft to prevent that pressure. It is not! In Kenya today you may help more women, are you going to use law to restrict them? You do not need. Let things move naturally! If things move naturally men will find themselves in --- What is needed is fairness and that is all. Sometimes women ask me we want to be empowered. I ask; by what? You have education like anybody else, you move on. Do not think of a law because men will use that to say yes we agree with you, we will help you by using the law to empower you. Who are you? I do not know what Kenyans will do because women will feel ---. Will men use law to prevent women from moving on? What I am driving at is that you should be more careful. Do not think that having been educated you will be able to govern

properly. No! You will be thinking you are governing but you are not governing. Somebody behind do this and you do not know where it comes from.

In fact, the biggest weakness that amuses me in African politics is that if the political party is not made up of one tribe, it is a combination of fellows who think they are big tribes colluding against the small tribes. I urge that we focus on the bigger things in life rather than reoccupying ourselves with the small things in life.

Look at the larger picture, leave alone the smaller picture. I imagine a young man or woman who has just graduated from the University of Bujumbura finding a job advertisement in the daily news of Dar es Salaam, applies for it and because he is qualified he is called for an interview in Nairobi and he goes to work in Juba. I see the importance of our unity in terms of the opportunities opening for our younger people. You cannot identify the young people of today from the tribes or geographical regions they come from because they all look alike. It is fitting for all these young people that they are given a county without borders from which they can search and find employment and build their livelihoods.

Do not fear to imagine a nation called East Africa with a Parliament, Judiciary, President and Commander in Chief. I think it is only when you start entertaining the idea that you realize it is possible to reach there. The country stretching from Ebiya in Southern Sudan to Mtwara in Southern Tanzania cannot be anything else other than a superpower.

Before I end my remarks, I want to salute all the leaders who have driven the dream of EAC to greater heights; that is East African Federation. The foundation laid by the founding fathers should be supported by moving a step forward each day. I am happy to see my colleague who worked hard for East Africa and now retired His Excellency Hassan Mwinyi, to be in good health as he is today. As for my brother President Museveni whom I have never seen to be tired of talking of East African integration, I wish him success as he keeps the fire burning. I thank the EALA, all the members and their able Speaker hon. Ibrahim Abdi for seeing it fit to convene this forum to prepare for your 10th Anniversary. When he invited me, when he spoke to me when he visited me in Kenya and asked me to attend this meeting I responded without hesitating. I cannot fail to register my gratitude to President Jakaya Kikwete and his Government for the support they give to the Community work. I get encouraged anytime there is a gathering of the EAC that we are inching close to reaching the ultimate goal of the East African Federation. Who knows maybe this team may eventually yield the United States of Africa.

With these remarks, I thank you very much for your attention. Thank you and may God bless you.

- (Applause) -

The Speaker: Thank you very much Your Excellency.

Hon. Members, I now call hon. Otieno Karan to come and move a vote of thanks on our behalf.

VOTE OF THANKS

Mr. Clarkson Otieno-Karan (Kenya): Your Excellency Daniel Toroitich Arap Moi, former President of the Republic of Kenya, Your Excellency Alhaji Hassan Mwinyi, the former President of the Republic of Tanzania, the Right hon. Mbabazi, the Prime Minister of the Republic of Uganda, the Rt. Hon. Speaker of EALA, Speakers of National Parliaments who are here, former and current Secretary Generals, former Speaker Bw. Kinana, former Members of Parliament of EALA, Members of Parliament from our national Parliaments, it gives me great pleasure to get this opportunity to move a vote of thanks to these distinguished leaders in East Africa.

Mr. Speaker, Sir, allow me on the onset to pay tribute to EALA under your leadership before I talk of the distinguished sons of East Africa who thought it wise to restart the EAC.

The EALA under your guidance has created this opportunity for leaders in East Africa to be together and share their views. Your wise guidance to this Assembly has enabled us to transverse all countries of East Africa and be able to have a feel of what East Africans think about the EAC. This morning when I was having breakfast with the Amb. Muthaura, he told me that all the organs of EAC, the only organ where the sovereignty of East Africa is, is the Assembly. This is because in the other organs people never stop to think about their national States. But in the Assembly where the sovereignty of the East African Community is. Therefore, we must move steadily. We must move fast to be able to give hope to the people of East Africa that it is on through the EAC that we can be able to achieve whatever we wanted.

Mr. Speaker, Sir, allow me now to assure the three founding fathers that saw it fit to restart the EAC that the decision they made is a popular decision. I know in some occasions make unpopular decisions, which they later on feel shy about. The decision they made to restart the EAC is so popular that East Africans, born and unborn, will remember them for.

Allow me to pay tribute to His Excellency the President of the Republic of Uganda, Yoweri Kaguta Museveni who is represented here by his Prime Minister. If you followed the speech, which was read on behalf of His Excellency the President, you would have had a feel that the President is here in person. The speech reflected what the President of Uganda normally talks about. The pattern and manner and how he put the facts, was well put just he normally does when here personally.

Mr. Speaker, Sir, one major issue that he talked about is our inability to negotiate as a team. This is fundamental. I want to tell this House that the EALA went ahead to put a Joint Negotiations Act so that East Africans can negotiate together in the interest of the people of East Africa. I urge all leaders, present ones who are steering East Africa to see that as a priority so that we negotiate on behalf of East Africans as a team because that is when we will have our strength.

Allow me to pay tribute to Alhaji Hassan Mwinyi. It is an opportunity to see our great leaders. I was delighted to have seen him because when he was the President I never got the opportunity to move near him. This occasion created an opportunity for me to look at him closely. The only person who resembles him whom I had moved close to is Mr. Mwinyi who is sitting next to me. However, I had the opportunity to see him personally.

He said that the enlargement of East Africa is our strength. It brings a population of 120 million people and we should never be shy of moving together and doing things as East Africans.

To His Excellency the retired President hon. Daniel Arap Moi, in his usual style he is really a symbol in East Africa. He moves easily across the border and you never think about him being a Kenyan. He is an East African. When he moves in Uganda, you will see the crowd that follows. When he moves in Tanzania, you will see the crowd that follows him. I wish God gives him good life to see East Africans coming together. I want to salute them for getting time to honour the invitation to come meet East Africans and share with us the knowledge they had at the time of putting this EAC together once more and what they have seen thereafter and the vision they have for it in future. Everybody will remember these great sons of East Africa. I do not think they will be forgotten because the decision they made to restart EAC is very popular with East Africans and should not be forgotten.

Mr. Speaker, Sir, allow me to pay tribute to the former Speaker of EALA. The foundation he laid is what you have built on. Naturally if the foundation is not well put, no matter how qualified you are you cannot put up a house which people can proud of. I congratulate you. Thank you for being here and I believe the visions you had for East Africa is being championed by Hon. Abdi.

To former Secretary-Generals, Amb. Muthaura, my friend Bw. Mapachu, you did your part; you laid the foundations and they were very strong foundations for which the current Secretary-General has to build on. His task now is to walk the talk and be able to achieve what you never achieved for East Africa. We have hope in him that he is able to walk the talk.

Mr. Speaker, Sir, allow me also to pay tribute to the former members of EALA because without them we would have not found any foundation to build on. The manner in which they steered the first Assembly starting from nothing until they laid some groundwork on which the second Assembly has now built on is no mean achievement. For those who are here, we cherish the work they did. We have gone through the HANSARDS and their contribution is a living testimony of the vision they had for East Africa. It is on that foundation that we are now building the second Assembly.

To the Speakers of the National Assemblies who have always given us support when we move to partner States under the guidance of hon. Abdi, we made use of one of our rules to pass a resolution to be able to be meeting in one partner State at least once in every one year so that we take the Assembly to the people. The tremendous support we have got from the Speakers of the National Assemblies is a living testimony to the fact that they all

believe that East Africa should be built as one nation. We cherish them and believe we will continue in that direction.

To our Members of Parliament from national Parliaments, you are our voters; you have an opportunity today to see how the people you voted in are conducting themselves. I believe you are convinced that the manner in which you voted put in Members of Parliament who are capable of transacting business here. I know we are soon coming back to seek mandate. In our endeavor to sell the Assembly to partner States, some of our members are now shy that we over sold ourselves to the extent if you go to partner States perhaps the fight for election to EALA has already started. We believe that you will use your wise guidance to elect Members for the Third Assembly.

We have been able to move this Assembly without looking at our States and deciding on issues based on how it is beneficial to the people of East Africa.

Mr. Speaker, Sir, finally, I was forgetting my dear friend who had the opportunity to visit me when I was the mayor of Kisumu, the former Secretary-General, Amanywa Mushegha who is also here. His contribution to this Assembly cannot go unnoticed. I believe that if we take the wise advice of our forefathers that there is no turning back according to His Excellency Daniel Arap Moi, then we will move forward and be able to build together a market for East Africans.

With those few remarks, it is my pleasure to say thank you. I thank all the delegates for getting this opportunity to attend this important occasion. (*Applause*)

The Speaker: Thank you hon. Karan.

Hon. Members, dear participants, we have now come to the end of our session. Before I adjourn I would like to make a few announcements.

One, when we adjourn we go for group photographs, have tea and then come back here. The Excellencies have agreed to be panelists so that you can ask questions and get some clarifications. We are running out of time and I think time is of the essence so we will try and see how we can come back as quickly as possible.

I would also like to make the following announcement; you know it is not good for someone to give you something, you eat, enjoy and not say thank you. I would like to thank AWEPA and Trade Mark East Africa who made this symposium possible. I would also like to thank the Republics of Rwanda and Burundi, who sent cultural troops to come here and entertain us. I would also like to thank the Steering Committee led by hon. Patricia for the good job they have done so far in organizing this symposium.

Finally, I would like to thank the staff of EALA who have worked very hard and more so, Bobby Odipo who did a tremendous job.

ADJOURNMENT

The Speaker: Hon. Members, I would like to now adjourn the House *Sine die*.

The House rose at 12.30 p.m.