



EAST AFRICAN COMMUNITY

**2ND MEETING OF THE 2ND SESSION OF THE
EAST AFRICAN LEGISLATIVE ASSEMBLY**

**Bujumbura, Burundi
20th October -1st November 2013**

**PRIORITY QUESTIONS FOR ORAL
ANSWERS**

October 2013

1.0 QUESTION : EALA/PQ/OA/3/23/2013 (By Hon. Angella Kizigha)

A visa is a necessary travel document to a foreign country. Embassies issue guidelines on how to access visa's prior to travel to a particular country. Some of the guidelines require that applications are made three months prior to the date of travel to allow for sufficient time for verification which sometimes results into denial of visas. Given the scenario;

- (i) Is the Chair of Council aware that a number of people passing through the East African Community airports for their visa's on arrival? Is he further aware that this gives limited time for verifications to determine who qualifies or does not qualify for entry visa's?*
- (ii) Could he give assurances that the above situation does not abet irregular immigration and insecurity*
- (iii) What measures has the EAC put in place to safeguard itself from the "freely walk into East African and easily get a visa on demand at the port syndrome?"*

Madam Speaker,

I wish to inform this August House that the issue of Visa guidelines and issuance by each EAC Partner State is guided by the prevailing Immigration law, policies administrative guidelines, Manuals and other government directives which are reviewed as and when need arises, informed by the circumstances which warrant such reviews.

Each country has different Visa categories which range from transit, single entry, multiple entry, official, diplomatic, tourist, group tourist, Business, education and medical visas. The conditions attached to the issuance of whichever category are stipulated in the instruments I have mentioned which prescribe the charges and duration of the category of the visa to be issued and which differ from one Partner State to another.

Madam Speaker,

With regard to issuing Visas on arrival, preconditions are specified in the visa regulations, policies, and management guidelines of the Partner State.

Countries that require referral visas normally have their applications processed at the Immigration Headquarters ahead of someone's travel. In some cases, it may take over a month or two to conclude the visa processing requirements. . It is true that some Partner States have also enabled visitors to apply for their entry visas online but since the visa payments have to be done at the entry point, the visa stamp/sticker is issued

on arrival depending on the bilateral relationships existing between the particular Partner State and the national(s) of the specific foreign country seeking to enter the destination.

Madam Speaker,

The issuance of visa at the point of arrival does not necessarily abet irregular immigration and insecurity. In fact, the challenge of irregular immigration and insecurity is contributed more by those who enter East Africa through the unmanned entry points than those who enter the countries legitimately.

Madam Speaker,

The processes towards harmonizing the visa regimes in the context of the Community are ongoing. Upon Council's directives, Partner States' Chiefs of Immigration Offices continue to meet, deliberate of matters of mutual interest and propose on modalities for strengthening the modus for allowing them carry out their mandate as stipulated by their Partner States' laws. Partner States continue to install online bio-data capturing and verification equipment at entry points.

Madam Speaker,

The above outlined procedures notwithstanding, I wish to inform this august House that the processes towards harmonizing the visa regimes in the Community are ongoing. We are aware that not all Partner States have diplomatic presence in every foreign land yet applicants are from every corner of the world. As such, we are developing a mechanism by which Partner States Diplomatic Missions will be processing visas on behalf of each other as contained in the protocol on foreign relations coordination. The guidelines will be worked out and where some Partner States' visa issuance instruments will require amendments, we shall ensure those areas are looked into.

The East African Community has also signed an MOU with Interpol which aims at accessing assistance as a region, including training, equipment, information alerts management, among others. Furthermore, we are in advanced stages of operationalising the EAC Regional Forensic Centre, to be hosted in Uganda, which will also complement the Community's other multi-faceted interventions on, among others, migration security.

Madam Speaker,

It is therefore clear that all EAC Partner States continue to put in place measures aimed at guaranteeing security of visa issuance. They are also working together to share best practices and to contribute to a secure East Africa.

2.0 QUESTION : EALA/PQ/OA/3/24/2013 (By Hon. Shy-Rose Bhanji)

The East Africa Market Newsletter of 2nd July 2013 emphatically reported that, starting January, 2016, the EAC passports will gain international acceptance and utilisation. It was also reported that the process of internationalising the passports will commence in July 2015 when the Partner States are expected to procure booklets and issuance systems and conclude the exercise by October 2015.

(i) Arising from the reports, can the Chair of the Council;-

a) Confirm this development to the August House?

b) Inform this August House what the roadmap is and what the process will involve?

c) Indicate to this August House which countries have been lined up to pioneer the acceptance of the EAC Passports?

d) Inform this August House what the Council intends to do to popularize the acquisition and usage of the internationalised EAC Passports.

(ii) Furthermore, given that the current EAC Passports as they are now play a key role in assisting East Africans to move freely in the region; what measures are currently being taken by the Council to enhance their acquisition by ordinary East Africans? In addition, could the Chair of the Council state to this House how many EAC Passports have been issued by each Partner State as of 30th July 2013? What is the cost of each EAC Passport in the respective Partner States? What is the procedure to obtain EA Passports by the ordinary East Africans?

Madam Speaker,

The report cited by Hon. Shy-Rose Bhanji may have been derived from the record of the proceedings of the 18th Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning which took place in Arusha from the 18th -21st June 2013. The Community has prioritized the internationalization of the new Generation EAC Passport. The Sectoral Council at its 18th Meeting adopted the Minimum technical Specifications of the Passport and directed the EAC Secretariat to design a computer generated graphic New Generation East African Passport using the adopted minimum technical specifications and circulate the same to Partner States for comments. The Sectoral Council further directed the Secretariat to convene a multisectoral meeting of experts to develop the roadmap on the internationalization of the new generation East African Passport.

Madam Speaker,

The Secretariat has already designed the new Generation East African Passport and has circulated it to the Partner States. Currently there is no agreed upon Roadmap by

the Partner States on this process, as the meeting of experts to develop the Roadmap is yet to convene. The development of the Roadmap is expected to involve stakeholders and experts from the Ministries of Foreign Affairs, Finance, Internal Affairs and Security in order to give the process a broader perspective.

However the process has a lot of budgetary implications for the Partner States when it comes to the launch, production and issuance of the document. It implies migrating from the current passport issuance machines and upgrade of technology or acquisition of completely new software and personalization machines. The Council will therefore need to direct Partner states to factor in their budgets, funds for rolling out the new generation East African Passport. This will include procurement of the Software, the personalization Machines, printers and booklets. There will be further need to build the capacity of few passport issuing officers on the usage of the new machines from each Partner State.

Madam Speaker,

I wish to further inform this august House that the process of countries being lined up to pioneer the acceptance of the EAC Passport is not necessary. This is because, once Partner States have printed the passports booklets and have commenced issuance to nationals, the passport Issuing Authorities will be obligated to inform the international Community of States, through their missions abroad, on the coming into use of the new Generation East African Passport and also provide detailed information on the security features of the passport and provide at least a specimen copy to all foreign nations. They shall also be obligated to provide a phase out program for the old generation national passports.

The Council will be expected to adopt a programme to popularize the acquisition and usage of the New Generation East African Passport which will be implemented through the Ministries responsible for EAC Affairs, Immigration and Foreign Affairs at each Partner State level. Partner States will be urged to educate citizens on the importance of using the new Generation East African passport and further be encouraged as much as possible to acquire the East African Passport in the spirit of the East African Community integration.

The current East African passport is still being issued by Immigration Departments in Kenya, Uganda and Tanzania. The Republics of Rwanda and Burundi after signing the accession Treaties in June 2007, found the process of reviewing and upgrading the current passport in terms of enhanced Security features and to conform with the International Civil Aviation Organisation (ICAO) recommended standards for international travel documents ongoing. Therefore the citizens from the two Republics are utilizing the Lasser Passe travel document in the region.

The agreed upon cost of an East African passport is US\$ 10.00 converted to the equivalent in local Currency.

The current number of issued passports by each Partner State is not available but will be provided to the next session of the Assembly after the next meeting of the Chiefs of Immigration scheduled to take place before end of this year. The procedures and requirements to obtain an East African Passport by the citizens of each Partner State are the same as those for acquiring a National Passport currently in force.

3.0 QUESTION: EALA/PQ/OA/3/25/2013(By Hon. Shy-Rose Bhanji)

The EAC and the United States are currently engaged in trade negotiations and opportunities for trade amongst themselves. Discussions have also been held at the highest level involving the Secretary General of the EAC and representatives from the US government led by Amb. Froman.

Could the Chair of Council confirm this development and highlight the areas of focus?

Madam Speaker,

I wish to inform this august House that in June 2012, the East African Community and the United States resolved to upscale their Trade and Investment Framework Agreement into (TIFA) a Trade and Investment Partnership (TIP) that includes the following:-

- a) A regional investment treaty;
- b) A trade facilitation agreement;
- c) Continued trade capacity building assistance; and
- d) A commercial dialogue between the EAC and U.S. private sectors.

Both Parties agreed that the TIP could also serve as a building block towards a more comprehensive trade agreement over the long term.

The East African Community deems the TIP to be important for the region for the following objectives:-

- a) Strengthening regional integration in the EAC;
- b) Contributing to promoting value addition and addressing production, supply and trading capacity in the EAC region;
- c) Creating a conducive investment climate in the EAC region;
- d) Attracting targeted foreign direct investment from the U.S. that contributes to income generation, employment and transfer of appropriate technology in the region;
- e) Increasing intra-regional and international trade;
- f) Enhancing competitiveness in trade;
- g) Enhancing reliable and flexible market access;
- h) Facilitating infrastructural investment within the region;
- i) Enhancing industrialization investment; and
- j) Creating a forum for EAC and U.S. private sector interaction.

Madam Speaker,

Exploratory discussions and information sharing were undertaken between the EAC and the U.S. in July 2012, September 2012 and April 2013 at the technical and senior official's level. Two ministerial meetings were also held on 19th October 2012 and 11th

August 2013 which assessed the progress made and agreed on the next steps on the TIP.

The following has been achieved to date:-

- a) A Letter of Intent establishing the EAC-U.S. Commercial Dialogue was signed by both Parties on 19th October 2013. The Letter of Intent provides the principles and objectives that will guide the Parties' cooperation in the Commercial Dialogue;
- b) On 30th November 2012, the Commercial Dialogue was launched with a breakfast meeting which included the EAC SG, Ag. U.S. Secretary of Commerce, EABC, EAC and U.S. private sector operators, and a ceremonial signing of the Letter of Intent during the EAC Summit.
- c) Agreement on the Terms of Reference for the Commercial Dialogue which establishes modalities and priority topics for dialogue between the EAC and U.S. private sectors as well as the public-private sector dialogue.

The following are the agreed priority topics for the Commercial Dialogue which will be reviewed every three years or earlier upon the request of either Party:-

- (i) Trade-related infrastructure;
 - (ii) Agro processing/Agribusiness;
 - (iii) Market access;
 - (iv) Services sectors, including Financial Services, Business Process Outsourcing, Tourism and Information communications technology (ICT);
 - (v) Energy;
 - (vi) Trade Facilitation; and
 - (vii) Trade Capacity Building covering Standards harmonization, Protection and Enforcement of Intellectual Property Rights and Entrepreneurship Development.
- d) The first public-private sector EAC-U.S. Commercial Dialogue was held during the EAC - U.S. Ministerial Meeting on 11th August 2013 (on the sidelines of the AGOA Forum in Adis - Ababa).
 - e) Discussions have been held on the U.S. Model Bilateral Investment Treaty. The Parties reiterated that they are still in exploratory discussions, which will determine whether or not to launch the negotiations on the regional investment treaty.
 - f) Discussions have also been held on the proposed Trade Facilitation Agreement and on Trade Capacity Building assistance.
 - g) A study is currently being undertaken to develop a regional framework for EAC's engagement in trade and investment negotiations with third Parties (U.S., China, India, Turkey and Brazil) which will provide inputs to EAC's positions on the Regional Investment Treaty once the discussions are formalized.

Madam Speaker,

During the EAC-U.S. Ministerial Meeting on 11th August 2013, both Parties agreed to launch formal negotiations on a Trade Facilitation Agreement. They also added a fifth component to the TIP focused on sanitary and phyto-sanitary measures and technical barriers to trade.

4.0 QUESTION: EALA/PQ/OA/3/26/2013(By Hon. Shy-Rose Bhanji)

One way of popularising / educating the citizens of East African on EAC integration is through the Mass Media, that is: live coverage in all Partner States and broad coverage in print and social media. All these strategies cost money. Now that we have our own equipment to connect with other TV Stations to televise live, will the Council avail funds to enable National and Private TV Stations to televise the Assembly's proceedings?

Can the Chair of the Council also agree that there is a need to raise funds to facilitate the media to come to Arusha to do the coverage of the proceedings?

Madam Speaker,

Let me first of all thank the Honourable Member for asking the question and indeed confirm that one of the effective ways of reaching out to the citizens of East Africa is through the mass media. Live broadcasts of EALA proceedings will enhance its profile and leverage the image of the organization while influencing and educating the public about their duties and functions.

I wish to inform the House that the initiative to set up a Mobile Broadcasting Unit for the Assembly was mooted by the 2nd Assembly to enhance its visibility. The original idea was to transmit EALA Sessions and activities, carry out outside broadcasting and enable access to Free on Air Broadcasting thus enabling interested TV stations to pick up the signal. It was anticipated that providing feeds to media houses would also enhance relations with the media as part of the commitment to good governance, openness and accountability.

The Assembly reached out to Development Partners to assist in the initial set-up of the Unit which was then estimated to cost up to USD 600,000. The African Capacity Building Foundation agreed to support the initial phase of the project to the tune of USD 159,995.

Following a directive of the House Business Commission to source for broadcast equipment, a tender for the supply, installation and commissioning of the equipment was issued by EALA/EAC appearing in the regional papers and on the website in September 2011. Two bids were received and after evaluation, Adwest Communications Ltd won the tender to supply the equipment.

Adwest Communications Ltd supplied the equipment which was received by the Secretariat on December 4, 2012. The process was delayed due to the lengthy nature of procurement at the EAC and the corresponding delays and bureaucracies in clearing the consignment with the Revenue authorities.

I wish to report that EALA has in its custody the following equipment:

- Satellite dish,
- Transmitters,
- Uplink amplifiers,
- Audio and Visual mixers,
- cameras,
- a back-up generator and
- Mobile trunk cabinets.

The equipment however only enables EALA to undertake in-house production of video (short documentaries) but it is not sufficient for live broadcasting.

There are still some outstanding equipments necessary for the full commissioning of the broadcasting unit which include:

- the acquisition of the Satellite Space (Air frequency),
- Broadcasting studio screens,
- sub-title creator machines,
- convertors that enable relay from analog to the digital television and
- The Outside Broadcasting (OB) Van.

Should EALA be able to purchase the said key equipment, then it shall be able to fully commission the unit and commence work.

I am informed that the EALA Commission is considering the same and expects to engage a Consultant

Hon Members having said that, I wish to add that this is a long-term investment for the Assembly and the EAC in general. Due to constraints in funding, the best approach to realizing the objective is by phasing it in stages as is already been done.

The EAC will carry out the following activities once we are ready to roll out:

- a) Market the fact that the Assembly/EAC is now free on Air TV Broadcasting to enable anyone with a decoder to hook in and view.
- b) Interest the Television Stations to pick the signal during the plenary and air the same to the public.

Once the Assembly is done with the equipment, the matter of trained personnel to handle the unit shall be a priority. The staff compliment required may include: Camera Operators as well as a Transmission/Satellite Technician.

On the question of funding for the television stations to televise the proceedings of EALA, the Council shall indeed pursue the matter with the relevant authorities in each Partner State to budget for the same.

Broadcasting/televising is an expensive affair although given the importance of integration; the aspects can be explored and possibly worked out. At the moment, some of the Partner States have their arrangements with the national broadcasters – which today have semi-autonomy to televise the Parliamentary proceedings. The Parliaments are footing the said costs. Generally, if we can interest the TV Stations – national and private, then they may offer to consider setting aside airtime for airing integration.

I am further in agreement that there is need to raise funds to enable facilitate media to attend the plenary in Arusha. This again should involve the partnership with the media stations. One of the modalities through which we could address both challenges is by taking collaboration with the Media agencies to the next level. Already the EAC Secretariat hosts the annual EAC Media Summit bringing together EAC officials and media chief executives to discuss pertinent issues around integration. The matter should also be explored at the symposia.

5.0 QUESTION : EALA/PQ/OA/3/28/2013 (By Hon. Shy-Rose Bhanji)

Partner States have entered into bilateral or tri-lateral agreements in some of the areas of the EAC integration e.g bilateral agreement between Kenya, Rwanda and Uganda on tax harmonisation policies development of a Railway line between Kenya, Uganda and Rwanda; development of an oil pipeline between Uganda and Kenya etc.

Could the Chair of Council inform this August House if these agreements are in conformity pipelines with the Treaty for the establishment of the EAC? Are there any other agreement signed in addition to the above and if so, what do they provide for.

Madam Speaker,

The Treaty for the Establishment of the East African Community, the implementation of which takes cognizance of the principles of variable geometry and complementarity, does not prescribe the conclusion of bilateral agreements. In principle some of these agreements are concluded as part of the implementation of the integration agenda.

According to the joint communiqués issued, the issue of Tax harmonization was not a subject of discussion during the trilateral talks between the Republics of Rwanda, Kenya and Uganda held in Entebbe on 26th June 2013, and at the 2nd Infrastructure Heads of State meeting held on 28th August, 2013 in Mombasa.

The only reference to tax during the trilateral talks was in the context of the single customs territory, where the Partner States committed to "*strengthen the single customs territory and implement all the provisions therein where taxes will be collected at the entry points like Mombasa, Mpondwe, Oluhura*".

Madam Speaker,

The oil pipeline between Uganda and Kenya specifically Kampala and Eldoret is at a bilateral level. EAC only takes note of progress and is therefore not involved. There are no other agreements signed.

