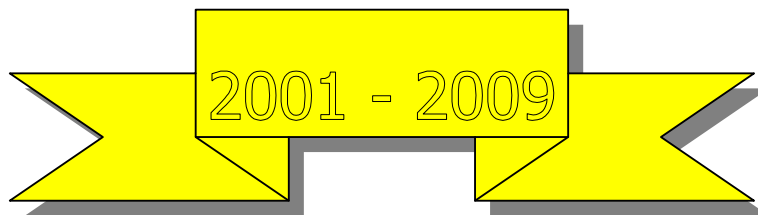




East African Legislative Assembly

EIGHT YEARS OF EALA



A Publication of the East African Legislative Assembly
Arusha

2009



EAST AFRICAN COMMUNITY

EIGHT YEARS

OF

EALA

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CHAPTER ONE

1.0 THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA): ROLE AND RESPONSIBILITIES

1.1 Introduction

The East African Legislative Assembly is the legislative organ of the East African Community, and it was inaugurated on 30 November 2001. By the provisions of Article 48 of the Treaty for the Establishment of the EAC (1999), the Membership of the EALA comprises fifty two members: forty five elected by the National Assemblies of Partner States and the other five are one member responsible for Ministry of EAC Affairs from each Partner State, the Secretary General of the EAC and the Counsel to the Community.



EALA Speaker in a group photo with newly sworn in Members of the Second Assembly from the three original Partner States of Kenya, Tanzania and Uganda

1.2 Functions of EALA

Under Article 49 of the Treaty, the EALA is mandated to exercise legislative, representative and oversight functions on all matters within the purview of the East African Community.

Among EALA's core functions are to:

1. Enact necessary legislation to implement the relevant provisions of the Treaty
2. Debate and approve the EAC Budget
3. Discuss all matters relating to the EAC and make recommendations to the Council of Ministers
4. Foster cooperation between the Assembly and the National Assemblies of Partner States
5. Link the Community and its governance organs with the people of East Africa
6. Through its Committees, consider annual reports on the activities of the Community, Annual Audit Reports of the Audit Commission, and any other Reports referred to it by the Council of Ministers; and,
7. Foster co-operation between the Assembly and the National Assemblies of the Partner States.

EALA carried out these functions through Bills, Motions for Resolutions, Questions to the EAC Council of Ministers and Reports of Committees.



EALA legislators arrive at the Uganda National Parliament to consider, debate and approve the EAC Budget 2007/08.

CHAPTER TWO

2.0 EALA MAJOR ACHIEVEMENTS: 2001 – 2009

From its inauguration on 30 November 2001 until it was dissolved in November 2006, and the swearing in of the Second EALA on 5th June 2007 to date, the EALA successfully established itself into a strong and effective regional legislature and registered a number of achievements. The presentation of these achievements is outlined here below around the mandate and functions of the Assembly through legislation, oversight, and through membership to and participation in activities of other bodies.

2.1 Legislative Function

As the legislative organ of the East African Community the core mandate of the Assembly is to legislate on all matters relating to the operationalisation of the Treaty for the Establishment of the East African Community.

(a) Laws Enacted

In pursuance of this function, the First EALA enacted the following laws during its term in office:

- i. The Community Emblems Act (No.1) 2004.
- ii. The East African Legislative Assembly (Powers and Privileges) Act (No.2), 2004.
- iii. The East African Community (Appropriation) Act (No.3) 2004
- iv. The East African Community Supplementary Appropriation Act, 2005
- v. The Acts of the East African Community Act (No.5), 2004.
- vi. The Laws of the Community (Interpretation) Act (No.6) 2004.
- vii. The East African Community Customs Management Act (No.1), 2005.
- viii. The East African Community Competition Act, 2006.
- ix. The East African Community Standardization, Quality Assurance, Metrology, and Testing Bill, 2006
- x. The East African Community (Appropriation) Bill, 2006
- xi. The East African Community Competition Act, 2006
- xii. The Lake Victoria Transport Management Act, 2007
- xiii. The Summit (Delegation of Powers and Functions) Act, 2007
- xiv. The East African Community Joint Trade Negotiations Act, 2008
- xv. The Inter- University Council for East Africa Act, 2008
- xvi. The East African Community Budget Act, 2008
- xvii. The EAC Emblems (Amendment) Act, 2008
- xviii. The EAC Customs (Amendment) Act, 2008

- xix. The Civil Aviation Safety and Security Oversight (CASSOA) Act, 2009

The Assembly also debated and approved the EAC Budgets for the Financial years 2002/2003; 2003/2004; 2004/2005; 2005/2006; 2006/2007; 2007/2008; 2008/2009; and 2009/2010

(b) Private Members' Bills

The EALA published and introduced in the House the following Private Members' Bills:

- i. The East African Joint Trade Negotiations Bill, 2003
- ii. The Inter-University Council for East Africa Bill, 2004
- iii. The East African Community Immunities and Privileges Bill
- iv. The East African Community Budget Bill, 2004
- v. The East African Community Wildlife and Tourism Bill, 2008
- vi. The East African Community Election Bill, 2008

2.2 Oversight Function

The EALA effectively exercised its oversight role through the following activities:

(a) Questions for Oral Answers

Rule 17 of the Rules of Procedure of the Assembly provides for EALA priority questions to the Council of Ministers relating to matters of the Community. The EALA has asked a total of fifty priority questions on the implementation of the Treaty, which were duly answered by the Chairperson of the Council of Ministers.

(b) Resolutions

The EALA adopted the following resolutions for implementation by the Council of Ministers:-

- A Resolution seeking to establish practical working relations between the Secretariat, the Assembly and the Court, adopted in February 2003 in pursuance of Article 14 (3) and Article 66 of the Treaty
- A Resolution seeking the appointment of an East African Peace Committee for Uganda with the mandate to bring to an end the violence in Northern Uganda in May 2003, in pursuance of Articles 123 and 124 of the Treaty

- A Resolution seeking to enforce the directive of the Summit to the effect that in matters pertaining to participation in WTO and ACP/EU, the EAC Partner States should negotiate as a Bloc, adopted in May 2003 in line with Article 74 of the Treaty
- A Resolution to urge organs of the EAC to work towards the realization of the objectives and goals of co-operation, adopted in January 2002
- A Resolution of the Assembly to urge the Summit to appoint the President and other Judges of the East African Court of Justice and to determine their comprehensive Terms And Conditions of Service.
- A Resolution of the Assembly to urge the EAC Council of Ministers to upgrade the positions of the Counsel to the Community, the Clerk of the Assembly and the Registrar of the East African Court of Justice to executive level positions in the structure of the EAC.
- A Resolution of the Assembly Urging EAC Partner States to Ratify the Resolution of the Un General Assembly on the Convention on the Rights of Persons With Disabilities
- A Resolution of the Assembly Urging the Partner States to Develop a Joint Policy to Protect the Environment.
- A Resolution of the Assembly Urging the EAC Heads of State Summit, through the Council of Ministers, to adopt a Common Position on ICTR Completion and Attendant Issues.
- A Resolution of the Assembly to appoint a Select Committee to investigate the Circumstances under which the 4th session of the 2nd Assembly was suspended and the trend of the Financial Remittances from Partner States to EAC for the Financial Years 2007/2008 and 2008/2009.
- A Motion of the Assembly Congratulating President Barack Hussein Obama on His Election as the 44th President of the United States of America and urging Him to foster closer Economic and Political relationship with East Africa.
- A Motion of the Assembly urging the EAC Heads of State Summit, through the Council of Ministers, to Review Economic Partnership Agreement Negotiation (EPAs).
- A Resolution of the Assembly urging for peaceful resolution of the Conflict in Migingo Island which has drawn Members of Partner States of the East African Community.
- A Resolution of the Assembly urging the Summit to delegate its Powers and Functions under Article 9 (2) to the Council of Ministers to restructure and allocate responsibilities to individual Members of the Council on such Terms and Conditions as the Council may deem fit.

(c) Standing Committee Activities

Rule 77 of the Rules of Procedure of the Assembly provides for the appointment of relevant committees necessary for the efficient discharge of the Assembly's functions, namely:-

- i. to examine, discuss and make recommendations on all Bills laid before the Assembly;
- ii. to initiate any Bill within their respective mandate;
- iii. to assess and evaluate activities of the Community
- iv. to carry out relevant research in their respective mandate
- v. to examine policy matters affecting their subject areas
- vi. to examine the Community's recurrent and capital budget estimates; and,
- vii. to report to the Assembly on their functions

In order to fulfill this mandate, which constitutes the basis for the Committees to carry out specified functions, the committees effectively undertook to review, scrutinize, investigate, and inquire into the activities of the organs and institutions of the EAC. The committee reports tabled and discussed in the House during the term of the First Assembly included the following:

i. Accounts Committee

- Report on the EAC Audited Financial Statements for the fiscal years 2000/1; 2001/2; 2002/3; 2003/4; 2004/5; 2005/6; 2006/7; and 2007/8
- Report on Supplementary Estimates (Re-Allocations) for the Fiscal Year 2001/2
- Reports on the Budgets of the East African Community for the Financial Years 2003/2004; 2004/2005; 2005/2006; 2006/2007; 2007/2008; and 2008/2009

ii. Legal, Rules and Privileges Committee

- Report on the Study and Review of the EALA Dress Code
- Report on the proposed amendments to the Rules of Procedure of the Assembly
- Report on the Review of the Treaty for the Establishment of the East African Community
- Introduction of the EAC Community Emblems Bill, 2003; the EALA (Powers and Privileges) Bill, 2003
- Report of the Committee on Legal, Rules and Privileges on the Summit (Delegation of Powers and functions) Bill, 2007
- Report of the Committee on Legal, Rules and Privileges on the proposed amendments to the Treaty for the Establishment of the East African Community
- Report of the Committee on Legal, Rules and Privileges on the amendments to the Rules of the Assembly

iii. Agriculture, Tourism and Natural Resources Committee

- Report on the Lake Victoria Development Programme and the status of safety of navigation on the lake
- Report on the EAC tourism marketing strategy for the region
- Report on the resource based conflicts in the EAC region
- Report of the seminar on the water levels of Lake Victoria
- Report on Extractive Industries in the EAC region

iv. Regional Affairs and Conflict Resolution

- Report on the review of the processes and stages of integration
- Report on the modalities to gauge the views of the citizens of East Africa through a referendum for a political federation
- Report on the steps so far taken in the harmonization of disaster management policies
- Report on the status of co-operation in Defense matters in the EAC region.
- Report on the natural resources based conflicts in East Africa
- Report on the functional relations between EALA and the National Assemblies, pursuant to the Provisions of Article 49(2)(a) of the Treaty
- Report of the Good Will Mission to Kenya following the aftermath of the Kenya General elections of December 2007
- Report of the EALA/ Regional Affairs Committee delegation visit to Rwanda and Burundi August/September 2008
- Report of the Conference on Causes of Conflict in the East African Region May 2009
- Report on the networking visit to ECOWAS in Abuja, Nigeria August 2009

v. General Purpose Committee

- Reports on the EAC Annual Reports for the periods 2000/1; 2001/2; and 2002/3 2003/4; 2004/5; 2005/6; 2006/7; 2007/8; and 2008/9
- Reports on the EAC Annual Audit Reports for the financial years ended 30th June 2002; 2003; 2004; 2005; 2006; 2007; and 2008
- Reports on the EAC Budgets for the Financial Years 2004/5; 2005/2006; 2006/2007; 2007/2008; 2008/2009; and 2009/2010
- Report on the EAC/UNIFEM Workshop on Gender Mainstreaming 2006
- Report on the EALA Workshop on Gender Mainstreaming, May 2009

vi. Communication, Trade and Investment Committee

- Report on the status of infrastructure development in East Africa.
- Report on the East African Parliamentary liaison Committee on trade visit to the European Union
- Report of the public hearing workshops on the draft protocols on the East African Customs Union and standardisation, quality assurance, metrology and testing
- Report on the East African Community Trade Negotiations Bill, 2003
- Report on the Tour of the Customs border posts and port of East Africa
- Report on the Standardisation, Quality Assurance, Metrology and Testing Bill, 2005
- Report of the public hearing workshops on the East African Community Common Market, 2006
- Report of the Committee on Communications, Trade and Investments on the Lake Victoria Transport Bill, 2007;
- Report on the East African Community Customs Management (Amendment) Bill, 2007
- Report on the East African Joint Trade Negotiations Bill, 2007
- Report of the EALA public hearing workshops on the East African Community Common Market, February 2009
- Report on the Tour of the Customs border posts of East Africa, August 2009

vii. House Business Committee

- Prepared and organised the legislative business and programmes of the Assembly
- Nominated Members of the standing committees and one select Committee of the Assembly
- Recommended for appointment to the Council of Ministers, Officers of the Assembly, namely: the Clerk; the Deputy Clerk; the Principal Clerk Assistant; the Sergeant-at-Arms; the Hansard Editor; the Research Officers; the Senior Clerk Assistants; the Network Administrator; the Hansard Reporters; the Clerk Assistant; and the Accountant
- Prepared and presented to the House the Report of the study tour of the European Parliament and the Belgium House of Representatives by Committee Chairpersons
- Prepared and presented to the House the Report on the tour of the German Parliament and the Report on the Study Tour of the Lok Sabha (Indian Parliament)
- Approved the EALA Budget for 2007/08 – 2009/10 prior to its submission to the Council of Ministers

- Proposed a staffing structure for EALA and recommended appointment of staff to critical positions;
- Prepared the legislative Calendar and Programmes of EALA

(d) Select Committee

In line with the provisions of Rule 80 of the Assembly Rules of Procedure, the EALA appointed two Select Committees. The purpose of the first Committee was to investigate the resignation of the Clerk of the Assembly in February 2003. The Committee made a report of its findings to the Assembly in March, and after extensive debate, the report was adopted in July 2003. The second Committee sought to investigate the circumstances under which the 4th Session of the Second Assembly was suspended and the trend of the financial remittances from Partner States to EAC for financial years 2007/2008 and 2008/2009. The report was adopted with amendments in May 2009.



Mr. Abdirahin H. Abdi taking an oath of allegiance to the office at its headquarters in Arusha, Tanzania in June 5th, 2007

CHAPTER THREE

3.0 MEMBERSHIP AND PARTICIPATION IN REGIONAL AND INTERNATIONAL ORGANISATIONS

In its eight years of existence, the EALA grew into an internationally recognized Assembly. This recognition came about as a result of EALA's deliberate effort to have its existence and operations known throughout East Africa through its outreach programme, and internationally by constant participation in carefully selected international meetings. EALA sought and was admitted to and recognized by all the major parliamentary groupings, both at the regional and international levels. EALA also sought and acquired affiliation and membership to a number of other international organizations. The EALA membership to these bodies is reflected through participation in a number of activities, some of which are listed here below:

3.1 Inter-Parliamentary Union (IPU)

The Inter-Parliamentary Union is the global association of Parliamentarians of sovereign states. Through regular meetings, the IPU helps to contribute to better knowledge of representative institutions and to the strengthening and development of their means of action as Members of Parliament.

The First EALA sought and received Associate Membership of the IPU, and then participated in the following meetings:

- i. The 112th Assembly held in Manila in the Philippines from 31st March – 8th April 2005
- ii. The 113th Assembly held in Geneva, Switzerland from 14th – 19th October 2005
- iii. The 114th Assembly held in Nairobi, Kenya from 7th – 12th May 2006
- iv. The 115th Assembly held in Geneva in Switzerland from 16th – 18th October 2006
- v. The 116th Assembly held in Nusa Dua Bali in Indonesia from 29th April – 4 May 2007
- vi. The 117th Assembly held in Geneva, Switzerland from 14th – 19th October 2007
- vii. The 114th Assembly held in Johannesburg, South Africa from 7th – 12th April 2008
- viii. Regional Seminar on the role of Parliaments in the national reconciliation process in Africa held in Bujumbura in Burundi from 7th – 9th November 2005

3.2 Commonwealth Parliamentary Association (CPA)

The Commonwealth Parliamentary Association brings together parliamentarians united by common interest, respect for the rule of law, individual rights and freedoms. It also pursues the positive ideal of parliamentary democracy. The Annual Commonwealth Parliamentary Conference is one of the activities through which the CPA fulfils its aim of promoting knowledge of parliamentary democracy. It provides the opportunity for Parliamentarians from throughout the Commonwealth to get together and reflect on the theme and topics of the conference for regular consultation among members of the Commonwealth Parliaments.

Through the efforts of the EALA, the East African Legislative Assembly acquired an observer status to attend the Annual Commonwealth Parliamentary Conference and other relevant meetings of the CPA. Through this status EALA was able to participate in the following activities during its term of office: -

- 33rd CPA (Africa Region) Conference held in Kampala, Uganda from 3rd – 10th August, 2002
- 34th CPA (Africa Region) Conference held in Nairobi, Kenya from 1st - 9th August, 2003
- 48th Commonwealth Parliamentary Conference held in Windhoek in Namibia from 2nd - 14th September, 2002
- 49th Commonwealth Parliamentary Conference held in Bangladesh from 4th – 12th October 2003
- 50th Commonwealth Parliamentary Conference held in Quebec in Canada from 30th August – 9th September, 2004
- Opening Ceremony of the Second Session of the Pan African Parliament on 16 September 2004
- 36th CPA (Africa Region) Conference held in Yaoundé in Cameroon from 28th July to 6th August 2005
- 37th CPA (Africa Region) Conference held in Accra in Ghana from 28th July – 5th August 2006

3.3 World Trade Organization (WTO)

The EALA, led by its Committee on Communication, Trade and Investment put the issue of trade between the East African Community and other countries at the forefront of the EAC agenda. In this regard, the following are among the activities that the Committee undertook and participated in:

- Pre- and post-World Trade Organization (WTO) Ministerial Conference meetings
- 2005 WTO Public Symposium held in Geneva, Switzerland from 20 – 22 April 2005
- WTO meetings held in Cancun, in Hong Kong from 13 – 18 December 2005, in Geneva and in Berlin;
- International Policy Dialogue on the Present situation and prospects of success of the Doha Development Round held in Berlin in June 2005
- Conference on Mobilising Parliamentarians for Development held in Vienna in June 2005

3.4.0 Regional Activities

The EALA developed strategic partnerships with other regional institutions that have a bearing on the EAC region and on Africa as a continent at the sub-regional, regional and international levels. These strategic partnerships accorded the Assembly the opportunity to share experiences, learn best practices and influence processes at the different levels. Here below are some of the activities that the Assembly participated in:

3.4.1 East Africa Region

- Meetings of the Inter-Parliamentary Liaison Committee on Trade
- Meetings of the Association of Public Accounts Committees of East Africa
- Committee to Committee activities with the National Assemblies of the EAC Partner States
- The Annual Inter-Parliamentary Seminars (the Nanyuki Series)
- The Second East African Business Summit organised by the East African Business Council and held at the Mt Kenya Safari Club, Nanyuki in Kenya
- The Regional Stakeholders' Conference on the state of fisheries of Lake Victoria, held in Entebbe, Uganda in February 2005
- The Second Conference on the petroleum potential and investment opportunities in East Africa, held in Entebbe in Uganda in March 2005
- The sub-committee meeting of the Inter-Parliamentary Committee for East Africa on the programme for political cooperation, held from 27 – 28th August 2004 in Nairobi, Kenya

3.4.2 Great Lakes and Horn of Africa Parliamentary Forum

- The Great Lakes Inter-Parliamentary Forum on the role of Parliaments in peace and security initiatives and in the promotion of regional integration in the Great Lakes Region, held in Kigali, Rwanda in March 2005
- The Second Inter-Parliamentary Forum of the Great Lakes and Horn of Africa Region on the role of Parliaments in building sustainable peace and security, and in promoting good governance and democracy in the region, held in Khartoum, Sudan in July 2006
- The Regional Seminar on parliamentary and private sector cooperation for sustainable development and poverty reduction in the Great Lakes Region, held in Arusha in Tanzania from 8th – 9th September 2006
- The Great Lakes Parliamentary Forum on Peace (AMANI Forum) Annual General Assembly and conference on small arms, held from 8th – 10th December 2005 in Mombasa, Kenya which EALA attended as an observer.
- The Nile Basin Initiative workshop on the challenges of achieving socio-economic development through equitable utilisation of the Nile Basin resources, held in Entebbe , Uganda in July 2006

3.4.3 Other Regional Activities

Besides holding engaging in dialogue with the people of the East African region, the EALA successfully marketed East Africa to the other regional bloc and participated in some of the activities initiated by these regional bodies, namely:-

- The 14th Plenary Assembly Session of SADC Parliamentary Forum held from 28th April to 3rd May 2003 in Lusaka, Zambia
- The SADC Parliamentary Forum Human Rights seminar on "Political Will for Health and Development: What can Parliaments Do?" held in Gabarone
- The regional conference on the working structures and role of regional parliaments in integration efforts in Africa which drew participants from ECOWAS Parliament, SADC PF, IGAD Parliamentary Unit and the AU, which took place in the Masai Mara Sopa Lodge in Kenya from 9th to 12th May, 2004
- The meeting of NEPAD Contact Group of African Parliamentarians and the African-European Parliamentary Consultation on Children orphaned and made vulnerable by AIDS in Africa, which took place in Cape Town, South Africa from 22nd to 24th September, 2004
- The Round Table Conference on interface between the regional parliamentary assemblies and the Pan African Parliament, held from 8 - 9 August in Lusaka, Zambia
- The training workshop for members of ECOWAS Parliament on the role of regional parliaments in conflict management and gender

- perspectives, held in Abuja in Nigeria in May 2005. EALA participated as a resource institution
- The Parliamentary Seminar on the role of African parliamentarians in implementing NEPAD commitments, held in London
 - The UN Parliamentary Hearing in New York (November 2007)
 - The International Conference on the Great lakes Region (IC/GLR) Regional Meeting of the Parliamentarians of the Great lakes Region held at the *Palais du Peuple* of the Democratic Republic of Congo, Kinshasa from 26th – 28th February 2007. The ultimate objective of the Regional Meeting of Parliamentarians, convened two months after the signing, of the Pact on Security, Stability and Development on the Great lakes region in Nairobi, Kenya, were to encourage ownership of the Pact by the Parliamentarians for the its speedy ratification and implementation
 - The Parliamentary Seminar held in Juba, Southern Sudan September 13 – 14, 2007. The objective of the seminar was for EALA to share experiences with their Southern Sudan counterparts on Regional Integration from Parliamentary perspectives
 - The Third Conference of the Great Lakes and Horn of Africa Region Inter-Parliamentary Forum (GLHARIF) held at Arusha International Conference Centre (AICC), Arusha – Tanzania from October 3 – 5, 2007. The meeting discussed Report of the Second Conference held in Khartoum in 2006, the Report of the Technical Committee set up in Khartoum and discussion on proposed Revised Rules of Procedure of the Forum and their adoption, overviews of the on-going peace processes in Southern Sudan, Darfur and Northern Uganda
 - The Trade Policy Training Centre in Africa (TRAPCA) 2nd Annual Conference held in Mbabane, Swaziland from November 5 – 7, 2007. The theme of the Conference was on : “Multilateral, Regional and Bilateral Trade Agreements: Emerging Scenarios and Challenges for African and Least Developed Countries”
 - The United Nations Parliamentary Hearing on: “Reinforcing the Rule of Law in International Relations: the Key Role of Parliaments,” held in New York from 20th - 22nd November 2007. The meeting focused on: priorities, challenges and goals of the new United Nations management team; observing the rule of law in the implementation of key international commitments in the areas of disarmament and non-proliferation; follow-up to the UN Global Counter-Terrorism Strategy and formulation of an International Convention on Terrorism; and the legacy of the international tribunals and building national capacities for effective international criminal justice regime
 - The EU Presidency Seminar on Africa held on November 7, 2007 in Lisbon, Portugal. The overall objective of the seminar was to reinforce the dialogue between Africa and European Parliamentarians and discuss ways of strengthening Africa and EU partnerships. The seminar focused on two key areas of parliamentary responsibility: a) the joint EU-Africa Strategy and NEPAD; and b) parliamentary oversight of ODA.

- The 115th ACP-EU Joint Parliamentary Assembly (March 2008 in Ljubljana) following its admission to the JPA in March 2008.

3.3 Relations with others

- A study visit to the European Parliament, the Nordic Council and the Norwegian Parliament, which provided an opportunity for exchange of ideas and experiences and also to inform the development partners on the process of regional integration in East Africa and the role of EALA in the process
- Study visit to the Parliament of South Africa in Cape Town
- Study visit to the SADC Parliamentary Forum in Gaborone in Botswana in 2003
- Goodwill mission led by the EALA Speaker to the Kingdoms of Qatar, Bahrain, Oman, the United Arab Emirates and Kuwait with a view to forging economic partnerships between EAC and the Gulf Cooperation Council, from 4th to 17th October 2004
- The East African Parliamentary Liaison Committee on Trade mission to the European Union
- Networking visit to ECOWAS Parliament headquartered in Abuja, Nigeria from 10th – 14th May 2009



Members of the Committee on Regional Affairs and Conflict Resolution listening attentively to the President of the ECOWAS Commission, not in picture during their visit to the ECOWAS headquarters in Abuja, Nigeria from 10th – 14th May 2009

CHAPTER FOUR

4.0 PARTICIPATION IN OTHER ACTIVITIES

4.1 Election Observation

The Treaty for the Establishment of the East African Community (1999) provides, among other things, that the EAC Partner States shall co-operate in a broad range of identified areas, including co-operation in political matters (which encompasses election observation). In pursuit of this objective, six teams of Members of EALA led EAC observer missions to the following partner state and non-partner state elections, to observe the organization and conduct of the elections:

- | | | |
|----------------------|---|-----------------|
| ➤ Zanzibar | - | October, 2005 |
| ➤ Tanzania | - | December, 2005 |
| ➤ Kenya (Referendum) | - | November, 2005 |
| ➤ Uganda | - | February, 2006 |
| ➤ Kenya | - | December, 2007 |
| ➤ Zimbabwe | - | April, 2008 |
| ➤ Rwanda | - | September, 2008 |

Participation in observing these elections provided useful lessons that will be applied in harmonizing electoral laws in the community in preparation for a federal Assembly.



Hon. Mike Sebalu, the Leader of the EAC Election Observation Mission delivering a press statement to the media at Chester House Nairobi, Kenya during the December 2007 General Elections

2.0 Outreach /Marketing the Community

One of the first resolutions that EALA adopted was with regard to outreach and marketing of the East African Community. The EALA therefore resolved to carry out some of its activities in the Partner State. In this regard, the EALA set out an outreach programme which comprised of plenary sittings, sittings of the Committees, thematic seminars for capacity building and familiarization tours of the Partner States, which would include meeting and engaging in discussions with the *Wananchi* of all cadres, starting with the leaders. In this regard, therefore, and in pursuance of the Community's principle of people-centred and market-driven co-operation, the Assembly was able to carry out the following activities as part of its outreach programme:-

4.2.1 Familiarisation Tours of Partner States

Pursuant to a resolution of the Assembly to get know its constituency and to take EALA and the EAC to the people of East Africa, the Assembly visited various parts of Burundi, Rwanda, Kenya, Uganda and Tanzania, themed against the following objectives:

- i. To expose and familiarise Members of EALA with the conditions of living of the people of East Africa;
- ii. To expose and familiarise the members with the natural resources and the environmental conditions of East Africa
- iii. To expose and familiarise the members with the development conditions obtaining in the areas of agriculture, industry, commerce, economics, social welfare etc
- iv. To enable the members meet with, discuss with and engage the various sectors of East Africans in the process of fulfilling the objectives of the EAC
- v. To enable the members gain a deeper knowledge and understanding of the conditions and needs of the people and thus be able to reflect them in their deliberations, resolutions and legislation
- vi. To enable the people feel the presence and operations of the Assembly and get engaged in its activities and work, thereby feel part of the process of the execution of the goals and targets of EAC
- vii. To enable, facilitate and bring about the fraternal spirit of brotherly relations among the East Africans on the borders of the five Partner States.

In addition to engaging in dialogue with the people of East Africa during the tours and visits, the Assembly went a long way in marketing the East African Community. The following are some of the tours successfully undertaken by the Assembly during its term:

- (i) Tour of Eastern Uganda from 31st January to 4th February 2002, during which Assembly_
- visited the former, surviving and current institutions of the East African Community
 - visited the border towns of Busia, Tororo and Kapchorwa, where Members of the Assembly interacted with local leaders and the business people and discussed matters related to cross border trade, free movement of persons, socio-economic relations between the sister countries, proliferation of arms and the disarmament of cattle rustlers
 - visited the Sironko-Kapchorwa-Suam Road, a new road which was being built using the funds with which Kenya compensated Uganda after the collapse of the former EAC
- (ii) Tour of parts of Mainland Tanzania and parts of Zanzibar from 25th April to 30th April 2002, during which the Assembly_
- Visited the Tanzania Harbours Authority
 - Met with the Tanzania Chamber of Commerce, Industry and Agriculture
 - Met with the Business Community
 - Made a courtesy call on President William Mkapa
 - Made a courtesy call on the Prime Minister, Hon Frederick Sumaye
 - Toured Kahama Gold Mines at Shinyanga
 - Visited the Lake Victoria Environment Management Programme in Mwanza
 - Visited the Institute of Vector Borne Diseases and the Amani Malaria Research Institute in Muheza
 - Visited the Hydro-Electric Plant at Hale
 - Met with the Business Community in Tanga
 - Visited the Hollili/Taveta border
 - Visited the College of African Wildlife Management in Mweka
 - Participated in the celebrations to mark Workers Day,
 - Made a courtesy call on the Mayor of Arusha Municipality, Hon. W. Paul Lothar Laiser, who granted the EALA free citizenship of the Municipality of Arusha
- (iii) Tour of Kenya from 31st May to 15th June, 2002 which covered parts of Nairobi Province, the Rift Valley Province, the Central and Coastal Provinces. The activities and events in which the Members of the Assembly participated on this tour included: -
- Courtesy call on H.E President Daniel T. arap Moi
 - Madaraka Day Celebrations
 - Visit to Kenya Utali College in Nairobi
 - Visit to Kenya Wildlife Service in Nairobi

- Tour of Homegrown Flower Farm in Naivasha
 - Tour of the Tabaka Tea Factory in Limuru
 - Visit to the Kenya Forest Research Institute (KEFRI) which was previously an EAC Institute
 - Visit to Kenya Agricultural Research Institute (KARI)
 - Visit to the International Livestock Research Institute ILRI, which is a private concern;
 - Visit to the Nairobi Stock Exchange at Nation Centre
 - Visit to the Export Processing Zone Authority and factories at Athi River
 - Tour of the Shauri Moyo Jua Kali Shades in Nairobi
 - Tour of the British American Tobacco factory in Thika
 - tour of the Longonot Earth Station Satellite Communication
 - tour of the Olkaria Geothermal Power Plant in Naivasha
 - Visit to the Kenya Airways Headquarters base at Embakasi
 - Visit to the Kenya Ports Authority in Mombasa
 - Visit to the Kenya Pipe Line Company Pumping Station in Mombasa
 - Visit to the Kenya medical Research Institute (KEMRI), which was previously an EAC Institute.
- (iv) Tour of Uganda from 23rd to 30th March 2003 which covered the war affected northern region of Gulu District, parts of the central region and the western border districts of Kabarole and Kasese. While there the Assembly: -
- Met various local political leaders and the business communities
 - Interacted with H.E. President Museveni and discussed the possible ways in which the conflict in the northern region could be resolved.
- (v) Second tour of Kenya from 15th to 28th June 2003 which covered parts of central and western Kenya. During the tour the Assembly had the opportunity to: -
- Inspect some small scale farming activities, pursuant to the Assembly's resolution to expose its members to the development conditions of the people of East Africa obtaining in the areas of agriculture, industry, commerce and social welfare
 - Interact with the people living along the common borders of Kenya/Uganda and Kenya/Tanzania. The interactions here focused mainly on the common problems of and the conflicts in fishing activities associated with fishing on Lake Victoria, the menace of cattle rustling, and the proliferation of small arms, which was very rampant along the Kenya-Uganda border at the time.

- (vi) Second tour of Tanzania from 31st January to 12th February 2004, which covered parts of the coastal areas around Dar-es-Salaam, parts of the southern region (Mbeya, Iringa, Tukuyu), and the Central region (Morogoro and Dodoma). During the tour, the Assembly: -
- Visited business and commercial ventures, social entities like schools, and;
 - Held meetings with political, civic and business leaders.
- (vii) Third tour of Kenya from 16th to 30th June 2004, which covered parts of the coastal, central and eastern provinces. During the tour, the Assembly: -
- visited business entities,
 - held meetings with the National Council of NGO's, the Kenya Business Council and
- (viii) Fourth tour of Kenya from 5th to 11th July 2005, which covered parts of north and north eastern Kenya. The Assembly used this opportunity to see and to learn first hand the challenges faced by the pastoralist communities in the arid and semi arid areas of north and north eastern Kenya.
- (ix) Fifth tour of Kenya from 18th to 23rd June 2006. This tour took the members of the Assembly around the lake region, covering Kisumu and the surrounding areas. The focus of the tour this time was the receding water levels of Lake Victoria and its impact on the economic activities and livelihoods of the people around the lake basin.
- (x) Second tour of Uganda from 14th – 29th June 2007, during which the Assembly conducted several activities. They included:
- attend budget speech at the Parliament of Uganda/Kampala Serena Hotel;
 - visit the Inter-University Council for East Africa at its offices in Kampala;
 - attend the Summit of Heads of State at Kampala Serena Hotel;
 - courtesy call on H.E President Yoweri Kaguta Museveni at the State House in Kampala;
 - courtesy call on Speaker of the Parliament of Uganda at the Parliament of Uganda;
 - presentation and debate of EAC budget at the Parliament of Uganda;
 - visit African Development Bank in Kampala;
 - visit Lake Victoria Fisheries Organization in Jinja; and
 - visit to Mbale and the East African School of Civil Aviation in Soroti.

(xi) Tour of Lake Victoria Basin from 17th – 28th July, 2007, which covered the Province of Kisumu, Nandi North and South districts, Homa Bay Municipality, Mara Region, Mwanza Region and Entebbe. During the tour, the Assembly:

- conducted public hearing on the Lake Victoria Basin Commission Bill, 2007 and the Lake Victoria Transport Management Bill, 2007 with various stakeholders in;
- visited selected sites to assess pollution on the Lake;
- toured Budalang'I to assess the impact of degradation on the Lake;
- visited Nandi South on conservation activities i.e. afforestation, soil and water, and monitoring of water quality;
- visited on community groups in Nandi North on tree nursery, tea nursery, and protected springs for domestic water use;
- observed the impact of receding water level in the Lake in Homa Bay;
- observed the lower Mara river at the famous Mara bridge;
- visited milk processing plant in Musoma;
- paid homage at Mwalimu Nyerere's grave yard in Butiama village;
- visited the Igombe fishing village behind Mwanza airport to observe settlement on the lake shore and refuse disposal;
- visited Marine services, R.V. Jumuiya, and Nyegezi Fisheries Institute;
- visited selected landing sites in Kampala including Luzira Port Bell; and
- visited selected landing sites in Entebbe.



Members of EALA with Madaraka Nyerere at the late Mwl. Nyerere's Mausoleum when they visited Butiama village during the Lake Victoria Basin tour in July 2007

- (xii) First tour of Burundi from 26th – 29th August 2007, during which the Assembly conducted several activities, including:
- Visit to the meeting stone and Lake Tanganyika beaches;
 - Tour at the SUSUMO Sugar plantations;
 - Tour of the source of the Nile;
 - Courtesy call to the President and Speaker of the bicameral parliaments;
 - Courtesy call to H.E. Pierre Nkurunziza; and
 - Visited the boarder post with the Democratic Republic of Congo.



EALA Speaker, Hon. Abdirahin H. Abdi inspecting a guard of honour by the Burundi Army immediately after stepping on the red carpet at the Bujumbura International Airport during his delegation tour to the Country from August 26 - 29, 2007.

- (xiii) First tour of Rwanda from 29th August to 2nd September 2007, during which the Assembly did the following:
- visit to Gisozi Memorial Site;
 - interacted with bicameral parliaments;
 - tour the Ministry of Foreign Affairs in charge of regional cooperation;
 - visited the Kigali Institute of Education;
 - toured the *Gacaca* court Jurisdiction;
 - visited the Rwanda National Unity and Reconciliation Commission; and
 - interacted with the Rwanda Investment and Export Promotion Agency.
- (xiv) Tour of Tanzania Isles from 3rd - 14th December 2007, which covered the beaches of Zanzibar, touristic resorts, historical sites such as the Sultanate palaces, Stone Town, and slave market, the spices plantations, etc.
- (xv) Second tour of parts of Rwanda from 26th – 29th September 2008, during which the Assembly:
- Visited Murambi Memorial Site where mummified bodies remain as a horrifying reminder of the massacre that

happened in Rwanda, where almost one million Tutsis and moderate Hutus were killed in 1994 genocide.

- participated in communal work in Byumba, a town close to the Uganda border. Legislators worked extensively during *Umuganda*, the compulsory countrywide communal work usually performed in Rwanda at the end of each month.
- attended *Gacaca* proceedings in Kigali suburb (Nyamirambo), a lifetime experience for the members who were able to witness first hand, the trial of genocide suspects in communal/traditional courts.
- visited Mpanga Prison, a facility where most of the genocide convicts, and suspects are detained. This giant modern Prison has been suitably built to manage long sentence convicts.
- toured Gatuna border post, the busiest link between Uganda and Rwanda, the members witnessed the immigration and emigration of people as well as customs procedures.
- visited Lake Kivu, particularly, the Methane Gas plant, a focal point in Rwanda's economy where the government has invested a lot of resources to extract this invaluable natural resource.



EALA legislators attended one of the Gacaca proceedings of suspects of the 1994 genocide in Nyamirambo in the outskirts of Kigali Town in September 2008



ELA Speaker and legislators participating in communal work, 'Omuganda' with the common 'wananchi' during the Rwanda tour

- (xvi) Third tour of Uganda from 2nd – 14th December 2008. While in Uganda, the Assembly among other things, visited H.E. President Yoweri Kaguta Museveni's home village in Rwakitura village, Kiruhura district. The Members observed how the President influenced the villagers who were once nomads to live a sedentary life by cultivating, keeping cattle and selling milk to a nearby cooling facility.
- (xvii) Second tour of Burundi from 17th – 30th May 2009, during which the Assembly visited many potential investment opportunities within Bujumbura and in the countryside.
- (xviii) Tour of Tanzania from 2nd – 14th August 2009 where Members visited the Dar-Es-Salaam harbour, IPP Media and Mikumi National Park in Morogoro region.

4.2.2 EALA Meetings held in the Partner States

Following are some of the meetings that the Assembly held in the Partner States: -

- i. Plenary Meeting at the Parliament of Uganda from 21st to 25th January 2002
- ii. Meetings of Standing Committees from 18th April to 20th May 2002 held in Zanzibar
- iii. Plenary meeting held in the Old Chamber of the Kenya National Assembly from 4th to 6th June 2002
- iv. Plenary Sitting held in the Old Chamber of the Kenya National Assembly 27th June 2003
- v. Plenary Meeting at the Parliament of Uganda from 20th to 22nd June 2007
- vi. Plenary Meeting at the House of Representatives in Zanzibar from 3rd to 14th December 2007
- vii. Plenary Sitting held in the Old Chamber of the Kenya National Assembly 12th to 23rd May 2008
- viii. Plenary Sitting held in the Chamber of Deputies, Kigali from 10th to 28th September 2009
- ix. Plenary Meeting at the Parliament of Uganda from November 30th to 17th December 2008
- x. Plenary Sitting held in the Old Chamber of the Kenya National Assembly 22nd March to 3rd April 2009
- xi. Plenary Sitting held in the Chamber of Deputies, Bujumbura from 17th to 30th May 2009
- xii. Plenary Sitting held in the Karimjee Hall, Dar-Es-Salaam from 2nd to 14th August 2009

4.2.3 Seminars / Workshops

Following are some of the thematic seminars for capacity building that the First Assembly held in the Partner States: -

- i. Seminar on "Regional Integration" at the Nile Resort Hotel in Jinja in Uganda from 28th to 30th January 2002
- ii. Seminar on "Procedure, Committees and the Privileges of Parliament" at the Fisherman's Resort Hotel in Zanzibar from 21st to 24th April 2002
- iii. Seminar on the "Oversight Role and Function of Parliament" held in the Kenya Parliament building in Nairobi from 4th to 16th June 2002
- iv. Seminar on "Gender Mainstreaming" at the Safari Park Hotel in Nairobi from 17th to 20th June 2002
- v. Seminar on "the Implications of Past Treaties and Agreements Regarding the River Nile and the Lake Victoria Basin on the economic future of the people of the East African region" held in Kisumu in from 19th to 21st June 2003

- vi. Seminar on "Inter-Parliamentary Relations" held at the Mt. Kenya Safari Club, Nanyuki in Kenya from 25th to 27th June 2004
- vii. Second "Inter-Parliamentary Relations" Seminar held at the Botanical Beach Hotel in Entebbe, Uganda from 26th to 30th January 2005
- viii. Inter-Parliamentary Relations Conference with Members of the Kenya National Assembly from 23rd to 25th June 2005 at White Sands Beach Hotel in Mombasa
- ix. Seminar on Parliamentary Procedures and Practices for Members of EALA from 21st – 25th August 2007 held at the White Sands Beach Hotel in Mombasa
- x. Induction Seminar for the newly sworn in Members from Burundi and Rwanda held in Arusha from 11th – 14th June, 2008 to introduce them to the legislative procedure and operational aspects of EALA and the Mandate and Functions of EAC
- xi. Swahili language training course for EALA Members from Burundi, Rwanda, Uganda and Kenya held in Zanzibar from 8th – 19th July, 2008.
- xii. The third Inter-Parliamentary Relations Seminar held at the Dar-es-Salaam Kempinski Hotel from 13th to 16th August 2006
- xiii. The fourth Inter-Parliamentary Relations Seminar held at the Kigali Serena Hotel from 2nd to 4th October 2008
- xiv. Team building workshop for EALA Members held in Zanzibar between 2nd and 6th November 2008

CHAPTER FIVE

5.0 CONCLUSION

In a nutshell, the last eight years of EALA could be remembered for:

- Successfully creating its own space within the EAC as the legislative organ of the Community
- Its dedication, vigour, zeal and transparency in fully supporting and spearheading the integration process of the East African Community.
- Its attempt to market the EAC to the East Africans, which was evident in the outreach programme and activities that it undertook, whereby the Assembly was able to come into contact with more East Africans than any other organ of the EAC
- Upholding the principles of separation of powers between the Executive and Legislature on very serious issues affecting the East Africans brought before the Assembly for debate and approval. One of the reasons for withholding its approval of two EAC Budget proposals was the fact that the Assembly felt that it had not been involved in the budgeting process in due time and therefore did not want to be used as a rubberstamp by the Council of Ministers;
- Demonstrating its stability as a regional legislature when the Assembly withheld its approval of the EAC Competition Bill until the Council of Ministers introduced satisfactory amendments
- Finding a niche within the regional and international parliamentary forums, which is evident from the invitations that the Assembly received to participate in numerous regional and international parliamentary activities