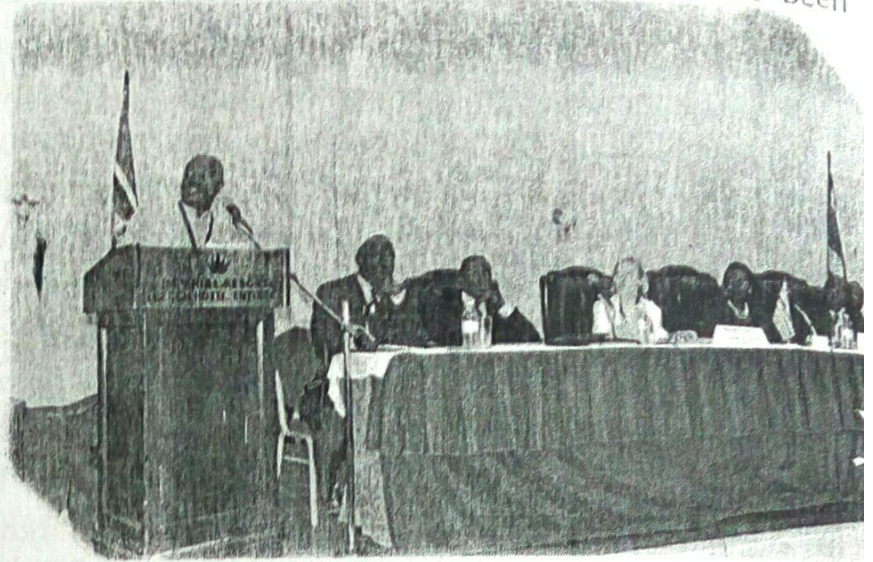


### 3. PERSPECTIVES ON THE EAST AFRICAN COMMUNITY (EAC) INTEGRATION

#### Session One;

#### I. Audit of Previous Nanyuki Recommendations

Hon. Sebalu in his submission observed that EALA has been at the forefront of the EAC streamlining and integration process. He noted that so far six Nanyuki's have been implemented. He further observed that all the previous Nanyuki seminars had themes and had come up with recommendations. He therefore noted that it was important to make follow-up and address the issue of implementation deficit of the seminar resolutions and recommendations.



Hon. Sebalu MP EALA with other Panelists making his presentation on the Audit of Previous Nanyuki Recommendations

It was on this note that he called for collective efforts amongst all the stakeholders to work out modalities of how to ensure that past recommendations are implemented.

He also called for proactive engagements between EALA, EAC and the national parliaments of partner states especially on the issue of Non-Tariff Barriers (NTB). He further called for the building of synergies on a joint and complementary level of integration with national parliaments. He reiterated the need to bring on board the people so as to enable them own, understand and champion the integration process.

Hon Sebalu observed that to comprehensively audit the progress achieved so far, attempts ought to be made by answering the following:

- How far have the actors at various levels (regional, secretariat, national, community, etc.) gone in achieving the objective of the Nanyuki Series?
- Does the Nanyuki series fulfill the objective for which it was set up?
- Are series targeting the right audience?
- Do we see a point in time the series inviting the chairpersons of committees in national parliaments to enhance the EAC - national integration work plans?
- Are the representatives in the Nanyukis' selected out of choice or conviction?

- Are we getting more informed national parliaments as a result of the Nanyuki Series?
- What is that is working well in the series and what is it that is not working well?
- Which recommendations have been implemented by your organization?
- What implementation challenges are faced at various levels?
- Due to high turnover of national parliaments, what measures are necessary to maintain institutional memory?
- Do we have a trickledown effect on the population as a result of the Nanyuki Series?

Hon. Sebalu in conclusion observed that clear answers to the above will lead to a reduction of the implementation deficit on the balance sheet of recommendations. He further observed that his presentation was aimed at stimulating debate than providing answers.

*ii. Panel Discussion I - Political Parties, National Assemblies and Local Authorities*

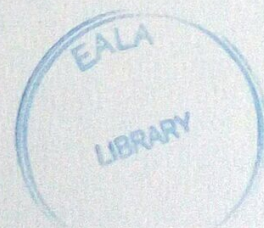
**Nicholas Opiyo:** *The role of Political Parties in Promoting the Principle of People Centered and Market Driven Cooperation in the EAC Integration.*

Mr. Opiyo observed that political parties can be able to hold governments to account as they are capable of providing the most forceful group in any country. He further observed that parties can determine and influence government priorities, policies and direction. Parties he noted therefore are an important constituency that needed to be incorporated in the EAC integration process.

He also noted that political parties can be good tools for accountability, to hold governments to account for the commitments they have made. He contended that since the population of young people is higher than that of the older generation, and given that political parties have structures that have enabled them to capture the youths, they are a very integral part of the EAC integration process.

**Hon. Mukhisa Kituyi:** *Regional Perspectives on the role of National Parliaments in Promoting the Principle of People Centered and Market-Driven Cooperation in the EAC Integration*

Hon. Kituyi in his presentation gave the historical concept and perspective of 'market-driven integration' noting that when the founding fathers of the revived EAC came up with the treaty, they did not want it to appear like it was driven by politicians. He contended that the notion of it being people-centered and market driven was a product of a specific dispensation - the collapse of the EAC in 1977.



He further contended that because the EAC treaty was destroyed from the top, the notion that if the new 'baby' was focused on the East Africans; it would be able to stand, despite a few weaknesses of a few individual politicians.

He noted that while the private sector should be a major player as they will provide the engine for the EAC integration, they should not drive the integration process. That whereas there is need to pay attention to the needs of the market, it is equally important for the Community/region to create space for markets but not the markets to drive the integration.

*"You cannot assume that what is good for the trader is good for the East African integration process. The assumption that trade is the engine of development is not always true. You must discipline trade to achieve development."* Hon. Mukhisa Kituyi.

He called on the political leadership to embrace with passion the commitment to the growth of the spirit of the EAC since it is the politicians who will determine the next phase of the EAC.

He observed that the integration should follow the vision of the foundation fathers of the EAC (i.e. starting with cooperation, to customs union, to monetary union and then to political federation) and that this process should be facilitated by the governments of East Africa. This they can do by asking themselves the following questions:

- How do we dialogue to gain the momentum, spirit and passion to keep the protocols of the EAC?
- How do we remove the impediments to the way of achieving a monetary union? The EAC cannot create a monetary union unless member countries are ready to cede some of the powers of partner states necessary for monetary union.

He further observed that it is also necessary to think about processes that can engineer and keep the spirit of East Africanness within the people e.g. forming an East African football league could be one way of achieving this.

He concluded by emphasizing the need to generate a budget that will facilitate dialogue on the Community on a wider scale, other than limiting to a small ministry within partner states. This will revive the spirit of East Africanness' within the East Africans.

**Dr. Patrick Mwesigwa Isingoma - Executive Secretary, East African Local Government Authorities (EALGA): *The role of Local Government authorities in Promoting a People Centered and Market Driven Cooperation in the EAC Integration***

In his presentation, Dr. Mwesigwa Isingoma revealed that EALGA is an East African association made of local government associations from the five East African partner states. He noted that EALGA is also the secretariat of the local government associations which is the political body composed of five ministers in charge of local governments within the East African region, and the current chair is Hon. Kabagasira, Minister of State in charge of Local governments.

He observed that the mode of dispensation on the EAC integration is not homogenous within the region. It cannot be seen in a continuum because various dispensations operate in different countries within the community. He further observed that we have situation which ranges from centralized dispensations (adjustments of appendages which operate from central government administrations) and devolved power centers. The former scenarios is found in Tanzania and Burundi where local governments operate as appendages of Central government while in Uganda, Rwanda and Kenya, there is comprehensive devolution of power and authority to the local governments in those areas. This means that right from the onset, we are not operating from a uniform ground - a challenge that has to be addressed.

He noted that the treaty has taken care of the needs of local governments, through the various articles, like Article 5 of the treaty, Article 7, which set the ground for a people-centered cooperation. He further noted that Articles 76<sup>2</sup>, 89, 128 and 129 have a strong relevance to the operations of local governments. He however noted that it is not enough to have these articles without them being applied on to the ground.

He noted that a major challenge where the people who work in the local governments of the 5 partner states are not knowledgeable about the EAC. The same problem faced the European Community because the people who were supposed to implement were not adequately knowledgeable about it. If the people are not knowledgeable about the EAC, this is a big problem that must be solved.

He concluded by calling on the EAC and EALA to work with local Governments in coming up with a sensitization programme that will make the communities aware about the EAC integration process.

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<sup>2</sup> Article 76 handles free markets and encompasses peace, labour, social services and capital within the region.

Prof. Murindwa Rutanga – Makerere University: *Academia's Perspective on the EAC Integration Agenda*

Prof. Murindwa Rutanga in his submission noted that when the countries in East Africa got independence, they only got political independence, but not economic independence. That they remained a market for Western products and as such the EAC is still serving the interests of imperialism. He further noted that there is need to understand the nature of the EAC's political economy, so as to be able to understand and define the kind of incentives that EAC needs. He observed that while *"we talk about a customs union and free markets, but it is the imports from Western economies that are going to flood the EAC market"*.

He argued that there cannot exist a strong East African economy without a political organization *"to run the show."* That it is for this same reason that the European Union has failed to be effective and successful. *"You must therefore have a strong state, which will defend the region politically."* Political integration is therefore very central to the integration process of not only East Africa, but Africa as well.

He noted that on basis of the above argument, the EAC political agenda should attempt to answer the following:

- i. The political organization should build resources internally for development. *"We cannot depend on aid. If we borrow to run our business; then it ceases to be our business."*
- ii. The political body should have the capacity to plan for the whole region and ensure that the plans are implemented. *We need to follow the example of China."*
- iii. The political organization needs to set up think tanks. A look at China and America show that they have think tanks. The EAC has to produce its own knowledge and ideas. *"If you don't have ideas, what will you implement?"*
- iv. Set up the same educational system from Nursery to University in all the partner states. The EAC cannot develop with divided and uncoordinated education systems.
- v. The political organization should set up research institutions and give them programs and agenda of what to achieve.
- vi. Develop a collective long-term vision for the whole region showing ways of how to achieve it. That there is need to have a collective vision and approaches to development for the region - develop a framework for the people within the EAC to which they can contribute.
- vii. Develop programs for organizing the EAC population, so that they too understand and share the benefits of the EAC.

- viii. Draw visible development projects to harness the regional resources for regional benefit e.g. oil mining, refinery and marketing, since many of the countries in the EAC have oil.
- ix. Design projects for the 136 million people in the EAC. *“What should they do in the East African project? They should not be just recipients; they must contribute to the EAC”.*

In conclusion, he called for a continental integration project and defend the continent from external aggression in all fora.

**Mr. Robert Kabushenga – Vision Media Group: *Media's perspective on the EAC Integration Agenda***

Mr. Kabushenga in his presentation entreated the EAC treat its relationship with the media seriously. That the EAC should therefore invest in the media to voice its agenda and make it known. He called on EALA to conduct public consultations on top of the other integration processes that Community is using towards integration.

He observed that there should be media presence and coverage to for example ensure that participants in EALA meetings have portraits of their photos after the seminar. This should be made a must for all the hotels hosting EALA/Nanyuki seminars.

He also called on the EAC to streamline its various organs so that there is harmony in the message they communicate and in turn should give the media a collective message to be pursued. He noted that in liaison with EALA, national parliaments of partner states should have at least one issue in EAC debated periodically. The EAC also needs to develop a collective agenda that benefits all the EAC partner states because currently, each country seems to be pushing for its own agenda, through the local media in their countries.

Most importantly, he pointed out the need to develop a school curriculum which will promote the achievement of smooth EAC integration.

Mr. Kabushenga also pointed out the need to hold annual events where the business community, lawyers, media and other social interest groups meet the media practitioners and owners at the same time to understand each other's operations. That EALA needs to call the media to sensitize the Assembly and build its capacity on media relations in a bid to increase awareness through the various media channels.

**Mr. Sebahizi Prudence: *Civil Society Organizations' (CSO's) Perspective on the EAC Integration Agenda***

In his presentation, Mr. Sebahizi observed that the CSO's were generally very supportive of what EALA is doing. That most of the work of CSOs involves 'pushing' state actors to act, but EALA is passing Bills without any 'pushing' from the civil society. He revealed that EALA has passed over 40 Bills most of which were private members Bills and what remains to be done however is to ensure that these laws are implemented and domesticated. This, he said is where the work of CSOs becomes very crucial.

He urged EALA to hold a special session to listen and exchange ideas with the civil society on some of the things they go through as they go about their business. He requested EALA to synchronize her calendar so that it coincides with that of the Secretary General during his interactions with the CSOs. This he said would give EALA the opportunity to hear from civil society and what their perspectives are on some of the issues concerning the EAC.

He called for implementation of the EAC single customs territory to eliminate barriers such as cargo trucks paying customs tax at every point of entry as goods transit from one country to another. He urged EALA to follow up implementation of those laws which have already been passed like the customs union before moving on to passing other laws under the EAC common market and the monetary union protocols.

He commended the proposal by EALA to have the road linking Kitare-Edede-Suam-Kapchorwa-Mbale Road as very good as it will open up and explore business potential in the Eastern part of Uganda and the Western part of Kenya. This will reduce delays at the Malaba and Busia borders and enhance movement of people and up to South Sudan.

On the issue of security especially for women and children in the East where there are cross-border raids in pastoralist communities of the Karamajongs, Pokoti, and Turkanas, he noted that as a result of raids for example, children's schooling is disrupted and the women cannot engage in gainful economic activities.

He also proposed that:

- Boarding schools be strategically built in the border areas so that children can easily cross to another country and attend school. This will motivate the youths to engage in other activities when they grow up.
- Female genital mutilation is another cultural practice that is out dated and should be completely eliminated from the EAC partner states.
- EALA should legislate for a law that allows patients in critical condition quick entry and immigration procedures from one country to another to enable access to better treatment without delay that would lead to loss of life.

- EALA should ensure that women and the youth participate fully in all the processes of the EAC integration. The 1/3 representation by women to EALA committees should be maintained, so that women feel affirmed.

## Session Two

### i. Panel Discussion III - Private Sector, Gender & Youth

#### Mr. Andrew Luzze Kaggwa - East African Business Council: Private Sectors Perspective on the EAC Integration Agenda

Mr. Luzze Kagwwa in his presentation called for introduction of one-check point to all cargo vehicles from the port of entry instead of having so many stop checks for a vehicle that has already been inspected. That awareness creation on the EAC common market protocol be done for both police officers and traders.

He further called on the Ministries for East African Community Affairs spearhead coordination between the different ministries, departments and agencies within the EAC partner states on the EAC integration process. He also called on EAC Secretariat to address the uncoordinated, weak legal and institutional framework on the common market protocol by partner states especially in regard to the movement of goods and services within the EAC partner states.

To illustrate the above, he gave the following Case Scenario:

*"A Ugandan Company is contracted by Kenya to carry out an assignment on Mt. Kilimanjaro for a period of 6 months. There is no accommodation on the side of Kenya so, the workers sleep in Uganda and cross every morning into Kenya, but they are required to pay USD200 per entry/per day to cross into Kenya for 6 months. "Can we think market-driven!"*

He called for the following actions:

- Domestic Air transport which seems to be favouring outside operators against local operators yet, the protocol of the common market says 'non-discrimination' of service provider's e.g. if Air Rwanda comes to Entebbe and there are passengers going to Kilimanjaro, it should be able to pick them, instead of leaving them for an external Air transport company.
- Domestic taxes at airports should be harmonized. This will facilitate movement of people and goods.



- Work permits should be produced in a timely manner to enable easier movement of labour. Currently, it takes a whole year for one to get a work permit.
- Empower the institutions and organs of the EAC.
- National laws and policies should be aligned with the customs union and this process should be expedited. In some countries, it is taking two to three years to amend or approve a law. This also means that resources to facilitate the integration should be made available.
- Actualize the resolution of the Council of Ministers that was passed which allows CSOs and the private sector to have an in-put into the EAC integration process.

**Ms. Mukami Kowino – Forum SYD: Youth Perspectives on the EAC Integration Agenda**

In her presentation, Ms. Mukami revealed that while studies show that 70% of Africa's population is youthful below the age of 30, in East Africa, 75% of the 136 million people in the region is below the age of 30. This means that the youths as an integral section need to be engaged and involved in the EAC integration discussions. That this is provided for in Article 120 of the EAC Treaty.

She further revealed that the EAC has two policy papers that make provisions for the youth: i) the strategic plan that mentions gender - youth, women and persons with disabilities (and the need for partner states to prioritize the problem of high levels of youth unemployment) and ii) the draft EAC youth policy that has been developed by the Secretariat in collaboration with the partner states<sup>3</sup>.

She noted that the strategic plan mentions:

- That the youths have limited opportunities for economic and social mobility.
- That young people lack the capacity and know-how to function independently or implement programs envisioned within those policies (due to youth unemployment and underemployment despite expansions in democratic governance across the partner states)
- The need for partner states to harmonize the youth policies that provide for a binding framework for effective implementation of youth projects and programs.

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<sup>3</sup> The Draft EAC Youth Policy notes that national governments need to develop clear national and regional strategies for youth empowerment and participation in national development that are consistent with international commitments entered into by individual partner states.

- That partner states increase investment in youth development and empowerment, through the provision of adequate and sustainable resources for technical and professional skills.
- That partner states to develop an EAC immigration and population policy that advances the implementation of the EAC common market protocol.
- That there are insufficient opportunities for youth employment and yet for those who are employed, the environment is not friendly to them. They don't receive equal pay for equal work, while some are employed in places with unfavorable conditions.

Ms. Mukami made the following recommendations:

- Pursue economic policies on employment creation that is pro-poor.
- Harmonize national and regional policies to create coherence in national programmes by minimizing duplication of national youth policies.
- Enhance youth participation in policy formulation initiatives. It is very crucial to let key youth organs like the Youth Council and the Youth Assembly functional.
- Provision of funds in order to ensure full participation of youths in national and regional policy development.
- Tackle gender as a cross cutting issue.
- Undertake labour market surveys to inform policy making process.

Other recommendations that still need to be implemented include:

- Institute an East African Youth Council (this is still in draft form), and inclusion of people with disabilities into social development programs of EAC and the partner states.
- Mainstream youth policy issues into all national development programs of partner states.
- Ratification of the Africa Youth Charter by all partner states as per the resolution of the Council of Ministers.
- Adoption of employment creation and productivity enhancement strategies for youths within the EAC social development framework as directed by the Council of Ministers.
- The Secretariat needs to highlight all international days on gender, youth, children and community development and make a statement on the occasion of this day as directed by the Council of Ministers.

- Establish regional youth centers; to develop youth exchange programs, skills and entrepreneurship; establish an EAC youth award; conduct campaigns for prevention of HIV/AIDS, end prostitution and drug abuse among the youths and identify regional markets for women and youth products.

She observed that the EAC treaty is clear on the regional vision and the partner states should use this as a basis to begin a common and integrated pursuit of economic development by way of common and convergent youth policies, particularly in employment.

She pointed out that the initiatives for the youth policy are commendable, but only to the point of implementation by the partner states. That without clear implementation strategies, partner states risk losing harnessing the potential that the common market guarantees by way of freedom of movement of goods and persons.

The top priorities for the youths when it comes to employment include the following:

- Employability
- Equal opportunities for men and women
- Entrepreneurship
- Employment creation

Therefore, the task for both national and regional departments is to develop policies and strategies that are efficient and transparent in promoting youth mobility and employment.

She concluded by asking two key questions addressed to EALA:

- 1) Where is the youth desk at the EAC Secretariat?
- 2) Where is the platform for the youths in EALA? At least 2 places for EALA representatives should be reserved for youths.

#### i. General Emerging Issues

- The East African community will only be sustainable when it is built on the contributions and good will ideas of all the stakeholders. This means that there is need for a harmonious relationship among all the organs and institutions of the Community.
- In building a people-centered East Africa, it is important to reflect whether we have mechanisms for reaching out to the population. Does the Community have advocacy programs that reach out to the general populations, (the people on the islands and in small communities, etc). How are we reaching them? Have we reached out to the

people at the borders like in Namanga and Katuna/Gatuna to let them know what we are doing?

- If we have publications and advocacy programs, are they in the language they understand, are they user friendly?
- How are we involving the children who are the future of this Community? Is it in the school curriculum?
- If we are moving towards involving social interest groups, how do we plan to involve the rural population?
- Have we drafted programs to reach out to the East Africans who move in buses, so that they get to know what the EAC is all about and what they would want us to do?
- Given our tax regime, are we promoting import substitution even when it is not seen in our national strategies? The current tax regime is extremely prohibitive and oppressive to investors.
- If we are to have a market driven integration, we should also look at Black people as serious investors. As we give incentives to White investors, the same incentives should apply to our people (Black people)
- There should be a uniform political system among all the East African partner states in order to facilitate smooth integration as this will remove suspicions among partner states.
- Local governments and authorities in liaison with the EAC Secretariat should come up with a program to sensitize communities in the EAC integration process.  
The EAC in conjunction with partner states should come up with a comprehensive status of the recommendations of the Nanyuki series, work out modalities to ensure that past recommendations are incorporated.
- Develop standards for reporting where the Speaker can communicate to all partner states the recommendations and progress of the EALA.

#### **4. PLENARY DISCUSSION AND RESPONSES**

Plenary discussions were held after the Panel discussions. The following highlights ranging from proposals to required strategies to challenges and fears on the realization of the integration were raised:

- i. In any journey, it is important to ask if one is on the right path. There is need therefore to assess and monitor what has been the success and failures of EALA in the last 10 years?
  - Set up an adhoc committee to fast track the political federation.
  - Learn from China how it has managed amidst the challenges to keep on track.

- ii. Need to push for the domestication of the Bills passed by EALA and the harmonization of laws in the partner states. However, each partner state has passed some legislation on various aspects of integration and what is required is go further and deepen the socialization engagements' with a view to changing people's mindsets.
- iii. Partner states should undertake cooperation on security and human rights issues.
- iv. Need to harmonize the education curriculum in the community and university fees as an avenue for promoting the Integration process. The Community should also promote youth exchange programmes in schools.
- v. Engaging the private sector to attract investment and youth empowerment through provision of employment opportunities is the only way otherwise current youth training without employment is dangerous and risky to the integration process.
- vi. Need to form and have a functional youth desk. The Deputy Secretary General in charge of Political Federation noted that the youth desk is in place but that the only problem is insufficient capacity as a result of budgetary challenges e.g. currently, the youth desk is manned by only 2 staff. It was suggested that there is need to refocus the programmes and other empowerment packages targeting the youth. It was also suggested that some regular interface be organized in liaison with national parliaments.
- vii. Partner states are not implementing what has been agreed e.g. there is already Council decision to remove NTB but partner states are not implementing the agreed positions.
- viii. The EAC is one of the progressive communities because it recognizes and promotes several avenues for interactions e.g. The Secretary General's forum; Speakers' Forum; Nanyuki series; etc. It is recommended that the Nanyuki Series be synchronized with the Secretary General's forums so that the two can reinforce each other. Also there should be put in place a Speakers' Forum with the Business Community.
- ix. Fast track the operationalization of the Customs Union Protocols.
- x. The Speaker of EALA should communicate to all Speakers in the partner states about the Nanyuki recommendations and the need to have them adopted.
- xi. Next year's Nanyuki must come up with reports highlighting implementation status of the recommendations and these reports be used to evaluate progress.
- xii. As a way of promoting awareness, EALA meetings ought to be televised and not held in camera.
- xiii. Promote use of Swahili as an integration tool.