

This session, chaired by Hon. Janet Mmari of EALA, provided participants the opportunity to listen to presentations and discussions on the role of the legislature in achieving political federation. The highlights of this session are captured below.

#### 4.1 Presentation on “the Role of National and Regional Assemblies in Realising the Political Federation” by Hon. Dora Byamukama, MP, EALA

In her presentation, Hon. Byamukama recalled the Treaty in Chapter 23 which provides that so as to promote achievement of objectives of the Community particularly with respect to the eventual establishment of a Political Federation, Partner States shall establish a Common Foreign and Security Policy whose objective include strengthening the security of the Community and Partner States in all ways and enhancing the eventual establishment of a Political Federation of Partner States. Hon. Byamukama further explained the motives driving Political Federation as being affection, gain, threat and power and asked the EAC to be clear on what were its motives for integration.

The presenter emphasized that the MPs were vested with power, position, privileges and potential to execute their cardinal functions. These functions are: *representative*, which include mobilizing people to understand and seize opportunities presented by integration; *legislative*, which include supporting the enactment of laws on good governance; *budget and oversight*, which include monitoring and evaluating implementation of programs, ensuring resource allocation to integration agenda and their translation of into practical reality; *leadership* to ensure the Community is sustainable and led by visionary and committed leaders; and, *linkages* – national, international levels.

She recalled the path that the discussions on a Political Federation had travelled within EAC starting with the 2004 Wako Committee on Fast tracking a Political Federation to the current expert group on FCCs. She then discussed the three common types of Political Federation as :holding together federations; putting together federation; and coming

together federation, and argued that the coming together federation was the most applicable to applicable to the EAC as it involved voluntary bargain by relatively autonomous units which come together to pool their sovereignty.

There are several steps that need to be taken to ensure achievement of a Political Federation within EAC. In this regard, Hon. Byamukama made a number of recommendations. One of the recommendations was to undertake a cost benefit analysis to understand the opportunity costs of integration, making sure that Partner States were clear on the imperatives for their integration so that the EAC PF was out of a strategic necessity.

Secondly, she emphasized the need for the region to build on benefits realized so far from integration and to continuously assess the level of attainment of EAC objectives in order to inform realistic plans for PF. Attached to this recommendation is the need to develop and implement a road map with benchmarks and an M&E mechanism including sanctions in cases of non-compliance.

Thirdly, Hon. Byamukama urged for the follow up on enactment of laws that underpin PF including the implementation of recommendations of the various Nanyuki series. She also urged EALA to stay steadfast in following up on the proposal seeking the establishment of supranational institutions which are building blocks for Federation.

She called upon the MPs to support comprehensive reforms of EAC Treaty, Organs and Institutions for effective decision-making and implementation. And more importantly, the Heads of State, MPs and leaders at all levels were called upon to give direction on the process of consolidating national sovereignty to become one international sovereign state.

As she concluded her presentation, Hon. Byamukama noted that the MPs were uniquely placed to execute their cardinal functions and it was upon the Members to establish a legacy of having proactively used their privileged status to realize a PF. All that would be required is for the leaders and Legislatures to send a clear signal of strong political will and

commitment to action in a consistent and concerted manner and the EA Political Federation would be attained in record time.

#### **4.2 Plenary Discussions and Responses**

Following the above presentation, plenary discussion ensued that spanned proposals of tangible strategies to overcome the fears, concerns and challenges as well as outlining the role MPs should play in the realisation of a PF. The following are the highlights:

- It is wrong to assume that the people of East Africa did not know what they want. The people are clear they would want to integrate deeply but it was the barriers that leaders have established that continue to hold back the benefits of integration. And, since the people of East Africa are clear that they need a PF, what was desirable would be to initiate national debates and survey on the question of the type of PF the people would want. In this regard, it was recommended to form an expert group to develop a Constitution detailing the type and content of the desirable Federation for East Africa as a basis for consultations and debate. It would also be important that this question is made an agenda for discussions at the respective National Assemblies, the report compiled and submitted to EALA for onward sharing with the Summit.
- The task of driving the PF agenda should not be the prerogative of EALA but a shared responsibility including for the leaders and the people themselves.
- If Partner States are truly passionate and committed to the EAC integration then this should be reflected in their National Constitutions. The meeting noted regrettably that Kenya's new Constitution that was widely debated and negotiated by Members of Parliament did not give the issue of integration any recognition.

## 5.0 CLOSING SESSION

### 5.1 Final Wrap Up: Dr Collins Odote, Moderator

Based on the discussions during the Nanyuli Vi series, Dr Collins Odote, the Seminar Moderator presented the overall wrap up for the retreat that were deliberated on and adopted with slight amendments by the Plenary. The highlights of the conclusion and recommendations are as below:

#### 5.1.1 Key Messages from Speakers of Various Parliaments

- **Right Honourable Abdirahin Abdi: EALA:** underscored the historic nature of the special sitting; and enumerated achievements of EALA since inception.
- **Right Honourable Pie Ntavyohanyuma, Burundi:** pointed out that road to a PF marked by fears and perceptions, exacerbated by the context of global economic crisis. Urged leaders starting with MPs at the meeting to propose mechanisms for overcoming the fears and achieving a PF.
- **Right Honourable Rebecca Kadaga, Uganda:** Emphasized the need to discuss strategies for sharing sovereignty to enable achievement of PF; reiterated the role of MPs at national and EALA level in deepening regional integration; and reported on the decisions of the last Speakers' Forum and Uganda's progress in implementation including proposals to establish a dedicated Committee on EAC affairs.
- **Right Honourable Rose Mukantabana Rwanda:** Recalled the conclusions and recommendations of 10<sup>th</sup> EALA celebration symposium and urged discussions on the "how and when" to implement PF. She also urged EALA to enhance linkages with national parliaments; national debates to focus on maintaining the Vision and build bridges towards a PF; and urged enhancement of an East African identity.
- **Right Honourable Kenneth Marende, Kenya:** Made a case for direct elections of EALA members, establishment of dedicated EAC committees in national assemblies; and urged Council of Ministers to generate Bills for debate before EALA instead of over-reliance on MoUs and Protocols.

- **Right Honourable Pandu Kificho, Zanzibar:** Pointed out that PF is a process and not event. PF should be based on democratic ideals and respect equality of Partner States and take into account historical, political, cultural and social peculiarities of the partner States.
- **Right Honourable Lt. General Daniel Awet Akot, South Sudan:** Pointed out that as a new state, Republic of South Sudan looked up to the EAC and requested for solidarity and support in, amongst others, admission into EAC and strengthening of capacity of its Assembly.
- **Right Honourable Ibra Diouf, ECOWAS:** Underscored the importance of Parliaments in a democracy and in regional integration. Based on ECOWAS experience, pointed out that PF can mean different things depending on country and ideological leanings hence importance of parliaments in dialoguing, harmonizing opinions and developing consensus on implementation of PF.
- **Right Honourable Lovemore Moyo, SADC PF:** Hailed the meeting as providing forum for exchange of best practices in improving quality of parliamentary administration; hailed the legislative role of EALA and looked forward as SADC PF to learning from EALA in their transformation process to a regional Assembly; and recommended that EAC borrows from EU and transform its Secretariat to a Commission as a basis for PF.
- **Right Honourable Musan Idriss Ndele, PAP:** Pointed out that PAP is pursuing transformation from a consultative body to a legislative organ, and seeks support of Heads of States and Parliaments. He hailed EALA as providing inspiration to PAP.

### 5.1.2 Conclusions

The following conclusions were reached during the deliberations at the Nanyuki series meeting in Bujumbura, Burundi.

1. EALA has made commendable progress and realized notable successes in deepening and widening EAC integration. Key of these include:
  - Enacted 38 pieces of legislation, 26 out of which by the current Assembly and more than half as Private Members Bills.

- Strengthened its role as voice and link between the people of East Africa and decision-making organs of the Community through public hearings, rallies, tours, and stakeholder seminars.
  - interrogated public policies and use of public funds including oversight over EAC budget and expenditure.
  - Spearheaded the establishment of an EA Speakers' Forum.
  - Established links with other regional assemblies such as ECOWAS, SADC and Pan-African Parliament.
  - Consulted National Assemblies through the Nanyuki Series.
  - Popularised EAC both within the region and beyond.
2. Integration process within EAC is half-way. Initial fears existed at the initial phases of the CU and CM stages. Despite these, tangible benefits have been realized in the implementation of the CU, even though outstanding challenges exist.
3. Fears and Perceptions exist as obstacles to realizing a PF. While real, some are based on fears of the unknown, exacerbated by lack of awareness and sufficient information on benefits and opportunities of integration; and achievements so far attained by EAC. Main fears include:-
- Loss of national sovereignty
  - Prejudices against citizens of and other partner states
  - Dilution of languages and cultures
  - Disparity in governance systems and practices (incl. Human Rights, constitutionalism, rule of law promotion and corruption levels)
  - Economic imbalances and inequitable sharing of benefits
  - Conflicts and insecurities
  - Differential levels of competitiveness
  - Impact of Labour mobility on jobs
  - Loss of land.

4. Political will is at the heart of overcoming fears and perceptions towards a PF. The Summit and Council of Ministers as important catalysts of the integration process, therefore, need to enhance discourse and support for EA political Federation.
5. Parliamentarians have important role to play in providing leadership and engaging citizens in discussing benefits of and nature of the desired Political Federation in EA.
6. There was support during the meeting for the Republic of South Sudan and commitment to collaborate with it in efforts to strengthen its democracy and parliament.

### 5.1.3 Recommendations

Based on the above conclusions and deliberations during the meeting, the following recommendations were adopted at the end of the meeting:

1. All National Parliaments should urgently establish a dedicated committee responsible for EAC Affairs.
2. EALA's mandate and representative character should be strengthened. Consideration of direct elections for EALA members emphasized.
3. Develop an East African identity through promotion of Kiswahili, encourage use of the East African Passport, establish Markets at border points and develop regional centres of excellence
4. Establish and strengthen more supra-national institutions including an East African Customs Management Authority as building blocks for PF.
5. Support comprehensive reforms of EAC Treaty, Organs and Institutions for effective decision making and implementation.
6. The fears and concerns that citizens have towards a PF should be candidly discussed and allayed. EALA and National Assemblies commit to forming a committee to spearhead this process, develop a harmonized message and roll out a media and awareness strategy and campaign
7. Drivers and champions of the EAC integration process should be identified and supported

8. Decision by EAC to develop and implement a score-card on implementation is laudable. Results should be shared widely with all stakeholders.
9. An expert group should be formed to develop a Constitution detailing the type and content of the desirable Federation for East Africa as a basis for consultations and debate and finally a referendum by the people of East Africa.
10. EALA and national Parliaments to urgently and fully implement the provisions of Article 65 of the Treaty on their relations.
11. Build on benefits realized and continuously assess level of attainment of EAC objectives to inform realistic plans for PF; Implement road map, use benchmarks and M & E mechanisms including sanctions for non-compliance.
12. Adopt and implement a Joint and comprehensive EAC security policy and strategy
13. All Speakers and national delegations to issue statements of support and commitments by parliamentarians to the process of political Federation.
14. Summit should provide a forum for debate with parliamentarians on the nature and progress of the EAC integration and future of Political Federation. Speaker of EALA to follow up on meeting.
15. Follow up on enactment of laws underpinning PF and implementation of recommendations of Nanyuki, through the relevant Committees responsible for EAC matters.
16. EAC Ministers in each partner state should address national parliaments on state of implementation of EAC, at least twice a year.

## 5.2 Closing Remarks by Rt. Hon. Abdirahin Abdi; Speaker of EALA

As the meeting came to a close, Hon. Abdi thanked all the participants who had honoured his invitation, the Regional Assemblies from other blocs and welcomed South Sudan to join the EAC. He also thanked Burundi as a country for having hosted twice one of the most special EALA functions –the Nanyuki Series. He also thanked EALA's staff for their dedicated support during the planning and execution of the Seminar. Finally, he thanked AWEPA for their generous financial support of the Seminar and called for sustained relationship.



### **5.3 Closing Remarks by Rt. Hon. Pie Ntavyohanyuma, Speaker of Burundi National Assembly**

Hon. Ntavyohanyuma thanked the national MPs for their participation and the Senate of Burundi for their dedicated support to the process. He also thanked the Speaker of EALA for the privilege to close the Seminar. Hon. Ntavyohanyuma also thanked AWEPA for their financial support and urged for continued collaboration. Although Hon. Ntavyohanyuma recognised the challenge for a PF was enormous, he also challenged the MPs that this was their time to demonstrate leadership and give their best to the challenges facing EAC integration.

Hon. Ntavyohanyuma urged for the efforts underway to be sustained. He was emphatic that the identity of East Africans was progressively being asserted and it was important for EALA to sustain the Nanyuki Series and expand the list of participants to include assemblies from other regions that achieved federation but also to go beyond Members of Parliament and invite civil society. His closing remarks was followed by presentation of gifts to all the speakers from National and Regional Assemblies who had participated in the Seminar.