

This session, chaired by Hon. Catherine Kimura of EALA, benefitted from two presentations. The one sought to set the mood by making a recap of the conclusions and recommendations of EALA's 10th Anniversary Symposium held in July 2011 in Arusha while the other sought to provide strategies for addressing the fears and perceptions of the Political Federation. The highlights of these two presentations follow as below:

3.1 Presentation of the Report of the 10th EALA Symposium by Dr. Collins Odote, Seminar Moderator

In his presentation, Dr. Odote took the meeting through the outcome (conclusions and recommendations) of the 10th EALA Symposium that took place in Arusha, Tanzania between 29th June and 2nd July 2011 under the theme “: “ **A decade of Service Towards a Political Federation.**” . The conclusions arising from the 10th Anniversary Symposium included:

- **Progress Made in EAC Integration:** That since signing of Treaty to re-launch the EAC, the integration process had made great strides, from establishment of a Customs Union in 2005, a Common Market in 2010 to the current negotiations of a Monetary Union.
- **EALA's positive contribution to EAC integration:** That based on its roles of law making, representation and oversight, EALA had popularized EAC and deepened the integration process.
- **Addressing Challenges to a Political Federation:** While East Africans support a PF as the ultimate aim of the integration process, the symposium also noted that the people continue to raise issues that require resolution on the road to a Federation.
- **Key Challenges to a PF:** The symposium had elaborated the key challenges to a political federation to include:
 - internal governance challenges in member states spanning corruption and ethnicity;

- national sensitivities and sovereignty surrounding issues such as jobs and land;
 - character and content of the EAC Treaty on PF is weak and requires amendment to give the issues of PF serious consideration;
 - weaknesses in the functions and powers of the EAC organs and institutions;
 - lack of adequate involvement of the people, especially, women and youth;
 - low funding
- **Lessons from EAC-I:** The collapse of the previous EAC has portent lessons that should be borne in mind as the region moves towards a PF; candid discussions to determine solutions to the fears and challenges are essential;
 - **Involving Citizens:** It is imperative to move discourse on a PF beyond the political class to ordinary people of East Africa and other organised groups especially the civil society and private sector;
 - **Cross-border Impediments:** Ordinary East Africans decry the numerous obstacles hindering the integration process from delivering tangible benefits to them, including Non-tariff barriers(NTBs), border controls, bureaucracy.

Secondly, Dr. Odote enumerated the recommendations of the 10th Symposium as follows:

- **Develop clear road map towards a Political Federation:** EALA should propose roadmap with timelines and milestones and develop an EAC Constitution as basis of consultations on the PF;
- **Overcoming fears and perceptions to a Federation:** EALA should form multi-stakeholder group to candidly discuss and propose strategies for overcoming fears and perceptions. It was also recommended that there should be improved internal governance in partner states; encourage development of an East African identity and citizenship, especially through use of Kiswahili as the lingua franca, use of EA Passport, regional institutions, East African Flag and Anthem;
- **Enhance implementation of decisions:** So as to ensure citizens derive benefits from the integration process, EALA should step up its oversight and supervisory role on the implementation of EAC programmes and policies. In addition the EAC secretariat should be strengthened; eliminate NTBs and barriers to the freedom of the Common Market; and improve manufacturing capacity and quality of education;

- **Involve the people:** Suggestions made to enhance people's involvement and input include: organization of *Jumuia Cup* (EA cup of nations) competition, political parties to develop and share with public manifestoes and policies covering EAC integration, continuous and sustained awareness raising with involvement of legislators, and increased involvement of CSOs, media and Private Sector.
- **Improving EALA's Role towards a Political Federation:** The symposium called for enhancement of linkages with national parliaments; sustaining engagements by EALA with the people of EA through country tours, rallies and joint sittings with national parliaments and that EALA should use its powers under Treaty to deepen EA integration as well as move progressively towards direct elections for EALA members;
- **Reforms within National Parliaments:** The suggested actions include:
 - Minister for EAC to address national parliament once every sitting on progress within EAC
 - Establish committee dedicated to EAC issues in every national Parliament
 - Amend Rules of Procedure and Standing orders to improve reporting relationships
 - Require special sittings and debates on EAC reports in national parliaments
 - Present all laws passed by EALA to national parliaments for debate.

Finally, Dr. Odote explained the linkages of the seminar to the Nanyuki series of meetings. He explained that the Nanyuki series were a way of fulfilling the requirements of Article 65 and 49 of the Treaty of enhancing popular participation and contribution of parliaments in the integration process by providing a structured forum for consultations and sharing of ideas.

He further explained that the Nanyuki series, organised in the form of annual Seminars in conjunction with national parliaments, continues to provide members of EALA and national parliaments to discuss functional relationships of the Parliaments and existing structures of communication and information exchange. The Nanyuki series dialogue provides a platform to improve channels of reporting, communication, and joint efforts by the Parliaments to deepen and hasten the integration process within the Partner States. It was

because of this that the present seminar sought to provide members of Parliament an opportunity to discuss the role of EALA and National Assemblies on the road towards an EA Federation.

3.2 Catalysing the EAC Agenda and the Integration Process towards a Political Federation: Addressing the Fears and Perceptions of the Political Federation. Presentation by Amb. Dr. Richard Sezibera, Secretary General, EAC

This presentation sought to highlight ways of catalysing the EAC integration agenda by highlighting the fears and concerns and proposing possible ways of addressing them. Before venturing on the subject of his presentation, the SG commended EALA for organising the Seminar, noting that it had come at a time when the Community was faced with a big challenge of meeting the expectations of its people. The SG opined that it was possible to disagree on many things but not on the imperative for integration, asserting that the EAC Partner States could not afford to spend the next decade marking time and being indecisive on important integration processes. He proceeded to assert that there was no alternative but to federate because the pursuit of the EAC Political Federation was not only a colonial legacy but also a post-independence venture driven by the Pan Africanist vision and that EALA was one of the key institutions to drive that process.

He proceeded to explain four possible imperatives that have been identified as the drivers of integration namely, *affection, gain, threat* and *power*. He called upon MPs to debate the factors motivating the integration of EAC as such understanding would no doubt help to obviate some of the fears and concerns that have been expressed by East Africans on each stage of the integration.

The SG recalled the Treaty in Article 123(6) that tasked the Summit to initiate the process towards the Establishment of a Political Federation of the Partner States, underlining that it was now seven years since 2004 when the Summit expressed concern about the slow pace of the process towards Political Federation.

The gist of the SG's presentation underlined the point that while the so-called fears, concerns and challenges exist and were posing challenges to realizing a PF, most of them seemed to be the fear of the unknown, exacerbated by lack of awareness and sufficient information on the benefits and opportunities of integration and the achievements so far attained by the EAC. He said that one catalyst to drive out these fears and concerns could be a multi-pronged serious awareness campaign to explain the merits of Political Federation. He enumerated and explained the main fears and concerns to include the following:-

- **Loss of national sovereignty, which translates to the fear of a Partner State losing its ability to make independent national decisions.** On this point, the SG explained that what ought to be the question and focus of debate is how the proposed political federation would transform the sovereignty of the individual Partner States into a bigger, better and pooled sovereignty.
- **Prejudices against citizens of other partner states.** The SG explained that EA Citizens harbouring prejudices, feeling that with integration, their national languages, cultures and traditional norms may be diluted to the point of extinction once the Political Federation was achieved –a scenario that the SG decried would make the process of transforming East Africans into one identity difficult. His proposal was for the region to resurrect the regional centres of excellence, which, through the Inter-University Council for East Africa (IUCEA) would promote and enhance an understanding and appreciation of each other's cultures.
- **The Model of a Political Federation.** The SG also explained that in its present form, the Treaty was not sufficient to guide the process towards the PF as well as its outcome as it was not explicit on which model/type given that there are many types of PF. The lack of clarity about which powers or responsibilities would go to the regional level and which ones would be left at States' level was, therefore, a real fear of the unknown. He suggested the need for agreement on the principles that would underlie the EAC Political Federation, its structure, how it would be funded as well as function.
- **Disparity in governance systems and practices.** The SG explained that there were fears that some Partner States had struggled and achieved better governance records

than others and a PF could lead to spill-over of bad governance, likely to undo progress made by some countries in achieving peaceful, constitutional transfer of power or fighting corruption, protecting human rights, among others. His suggested opinion of allaying this fear was for the region to develop a set of minimum regional acceptable standards and principles of good governance, with clear benchmarks and an evaluation and enforcement mechanism for maintenance and sustenance to which all Partner States would subscribe. He noted that the EAC Protocol on Good Governance was a good starting point that would lay a firm foundation for political integration.

- Other aspects of fears and concerns, that the SG raised in his presentation, included **spread of insecurity and conflicts; economic imbalance** arising from the concern that stronger economies in the region would dominate weaker ones, thus causing imbalance and inequitable distribution of benefits arising out of integration; **impact of labour mobility on jobs** (the fear that increased labour mobility would disadvantage the less qualified and unskilled persons in the labour market); loss of land; environment and sustainable exploitation of natural resources; loss of national social cohesion; loss of national affirmative action policies; and, disparities in partner states' social protection systems.

Finally, the SG argued that to better deal with the fears, concerns and challenges (FCCs) related to the integration in the EAC and the implementation of policies and protocols from the Treaty, it was important to develop a sustainable programme to address the fears and challenges facing the federation of EA Partner States. In this vein, he recommended that the EAC leaders should set up a team of experts on political federation that would look at all the challenges, analyze them and propose solutions. He however cautioned MPs not to reflect so much on fears and perceptions because some of the fears, especially the fears of the unknown were genuine fears. The SG was categorical that the people of EA were in agreement that the *status quo* was untenable and their perception on a Political Federation was clear that they need it, except that their fears and concerns remain on how and when that can be achieved. What was important, therefore, is for EALA to institute a multi-pronged awareness-raising campaign to explain to the people of EA the merits of economic and political integration. He concluded his presentation by calling upon MPs to discuss,

identify and empower the drivers and champions of integration. He also urged MPs to adopt a scorecard mechanism not only to monitor implementations of regional agreements but also to enable the region to constantly evaluate itself.

3.3 Plenary Discussions and Responses

Following all the Speeches of the Special Sitting and presentations thereon, plenary discussion ensued from which very rich recommendations were made. The following section highlights the results of the plenary discussions.

The meeting underscored the need to take seriously and not gloss over the fears identified by the SG in his address. The necessity to undertake a political forensic audit of the fears and concerns was agreed but the SG clarified that the process was ongoing and a lot of ground had been covered with the Study commissioned under the Directive of the Summit and which was to be submitted during the Burundi Summit meeting. It was therefore agreed to refocus the debate away from fears and focus on establishing robust programmes of allaying such fears. The role of education in dispelling the fears and challenges came out prominently and the National Parliaments and EALA were urged to go beyond good governance campaigns to promoting regional education as a foundation for establishing and promoting an East African identity.

It also came to the attention of the meeting that during EALA's outreach missions across East Africa it was evident that the champions of EA integration are the people themselves while the leaders and bureaucrats were the main stumbling blocks. It was noted that the people were already involved in promoting integration through their trade activities and civil society associations, for instance, creation of a Vision East Africa Group was recognised and the SG invited MPs to join it. It was also suggested that rather than single out the specific drivers and champions of integration, it was important to recognise all the people of East Africa as being the champions of integration and they should be made aware of this important role.

Furthermore, it was recalled that the Treaty that re-established the EAC provides for the creation of a Political Federation. Furthermore, since the Treaty was finalised after long-drawn negotiations that involved Heads of States and Governments, there was no need to negotiate or even discuss the idea of a PF out of fear. MPs must guard against leaders who work to frustrate the dreams and visions of those who pioneered the EAC; they should demonstrate their commitment and support for the PF. The National Assemblies and EALA should work out Common Sitings programmes to try to understand, discuss and dissipate these fears, including setting up national action points for the same.

Many speakers sought to know what the progress was regarding the proposal to admit South Sudan to the EAC. The SG explained that this remained a prerogative of the Summit and while it would have been tabled in the agenda of the Summit scheduled ahead, it was not possible to do so due to procedural issues involved in doing so.

The need to establish strong supra-national institutions to fast-track and strengthen implementation of integration programmes was re-emphasised. The meeting also proposed that future discussions should seek to elaborate ways on how EALA could be remodelled to become a strong catalyst for the integration agenda.

While election of EALA Members through universal suffrage was agreed as a good idea that would increase EALA's visibility, the technicalities involved in implementing it, including prior establishment of regional institutions such as a regional elections commission, were seen as constituting enormous challenge.

It was also concluded that the provisions of the Treaty did not contain the Spirit and aspirations of establishing a PF and are therefore inadequate as a foundation for a Political Federation. It was suggested the MPs should to seek to discuss the matter with the Summit, asking the Heads of State whether and how they would want to federate. With this suggestion, it was recommended that the Summit find a way of establishing a Forum for discussions and interactions with the Community through the MPs.

Although it was recognised there are difficulties with the implementation of earlier phases of integration, it was agreed that it would be not be plausible to wait until all challenges had been addressed before moving into a PF. What would be important is to progressively implement and perfect the PF.

Other issues raised during the plenary discussions included:

- The need to fast track the establishment of the Customs Management Authority
- The remaining stages of the EA integration process should be repackaged and rebranded to enhance public support
- Members of Parliament should follow up on the implementation of the resolution arising from the Nanyuki series of meetings
- There is need to evaluate the cost of the integration process
- Article 65 of the EAC Treaty should be fully implemented as between EALA and national Parliaments and not just rely on the Nanyuki series for linkages
- The use of the East African passport within the region should be enhanced.