EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY

**REPORT OF THE COMMITTEE ON REGIONAL AFFAIRS AND CONFLICT RESOLUTION**

**ON THE ASSESSMENT OF THE PROGRESS MADE BY THE COMMUNITY TOWARDS ACHIEVING POLITICAL FEDERATION, IMPLEMENTION OF THE REGIONAL PEACE AND SECURITY STRATEGY AND ISSUANCE OF THE EA E-PASSPORT AS A STANDARD TRAVEL DOCUMENT IN EAST AFRICA**

*(18th -22nd November 2023, Kigali, Republic of Rwanda)*

**Clerk's Chambers**

**EALA Headquarters, 3rd Floor**

**EAC Headquarters**

**Arusha – TANZANIA**                                             **December, 2023**

## LIST OF ACRONYMS

**AML**          Anti Money Laundering

**APSA**         African Peace Security Architecture

**CFT**          Counter Financing of Terrorism

**COMESA**       Common Market for Eastern and Southern Africa

**CPMR**         Conflict Prevention Management and Resolution

**CTC**          Council to the Community

**DRC**          Democratic Republic of Congo

**EAC**          East African Community

**EALA**         East African Legislative Assembly

**EAPCCO**       East African Police Chiefs Corporation Organization

**ICAO**         International Civil Aviation Organisation

**IGAD**         Inter-Governmental Authority Development

**INTERPOL**     International Criminal Police Organization

**LRA**          Lord's Resistance Army

**MASE**         Maritime Security

**MOU**          Memorandum of Understanding

**MV**           Motor Vehicle

**RECSA**        Regional Centre of Small Arms

**SALW**         Small Arms and Light Weapons

**SG**           Secretary General

**UN**           United Nations

**UNHCR**        United Nations High Commissioner for Refugees

**TABLE OF CONTENT**

## 1.0    INTRODUCTION

Political Federation is the ultimate pillar of EAC regional integration, it is provided for Under Article 5(2) of the Treaty for the establishment of the East African Community and built on the three pillars of Customs Union, Common Market and Monetary Union. As the East African Community implements the Common Market Protocol, the EA e-passport is a key component of the East African Community's efforts towards regional integration. It facilitates the movement of people within the member state, promoting trade, tourism and cultural exchange.

It's against this background that the Committee on Regional Affairs and Conflict Resolution undertook an oversight activity on the assessment of the progress made by the Community towards achieving Political Federation, implementing the Regional Peace and Security Strategy and issuance of the EA e- Passport as a standard travel document in East Africa.

## 2.0 OBJECTIVES OF THE ACTIVITY

The objectives of the activity include the follows:
  i.    To ascertain how EAC has implemented the Peace and Security strategy;
  ii.   Assess the progress made in the attainment of the Political Federation as the fourth pillar of the integration process;
  iii.  To evaluate the steps undertaken by Partner States in finalizing the issuance of the EA e- Passport as a standard travel document across the region; and
  iv.   To identify the gaps and challenges faced in implementing the above processes.

## 3.0 METHODOLOGY

While undertaking this oversight activity, the Committee;
  i.    Reviewed the Treaty for the establishment of the East African Community;
  ii.   Made reference to Council's and Summit directives; and
  iii.  Held an online interactive meeting with Mr. Stephen Niyonzima from the department of Labour and Immigration, Mr. Didacus Kaguta from the department of Peace and Security and Mr. David Onen from the department of Political Federation.

## 4.0 FINDINGS, OBSERVATIONS AND RECOMMENDATIONS

## 4.1 The progress made by the Community towards achieving Political Federation

Pursuant to Article 123 (6) of the Treaty, the Summit of the EAC Heads of state initiated the process towards the establishment of Political Federation by directing the Council of Ministers to undertake the process, in 2004. The Summit then established a Committee (The Wako Committee) to Fast-track the East African political federation to examine ways and means of expediting process of integration. This was followed by the National Consultative Process which aimed at establishing the level of awareness among the different stakeholders on key issues of the East African political federation.

In 2009 the Summit constituted a team of experts to make recommendations on how to address fears, concerns and challenges that had been raised by the different stakeholders towards fast tracking Political Federation. The secretariat was directed to formulate a model structure of political federation and the model was considered by the 14th Summit of Heads of States in 2012. Consultations were conducted in Partner States and convergence was on adopting Confederation as a transitional model to political federation. The Summit then directed the Council of Ministers to constitute a team of constitutional experts to draft the constitution for the Political Confederation.

The Council in its report to the 19th Summit of Heads of State in February 2018, reported on the progress of attaining political federation and presented the Concept Note, Road Map and Terms of Reference for Constitutional Experts. The Summit directed the Council to prioritize the constitutional drafting process and provide the required funding.

The 22nd Ordinary Summit of Heads of State held on 22nd July 2022, received an update on the progress of the national consultations on the EAC Political Confederation Constitution and directed the Council to expedite the process. Furthermore the 43rd Meeting of the Council of Ministers also observed that the process for drafting the Constitution for EAC Political Confederation was behind schedule as per the adopted Roadmap. The Council further noted that due to the Democratic Republic of Congo (DRC) joining the EAC, there was need to review the roadmap for the process with a view to include the DRC. In view of the foregoing the Council:

a) Directed the Democratic Republic of the Congo to submit three nominees to join the EAC Political Confederation Constitution Drafting Team (two Constitutional Experts and one Legal Drafter) by 30th March, 2023

b) Directed EAC Secretariat to coordinate preparations with the Republic of Kenya and conduct consultations in May, 2023; and

c) Directed EAC Secretariat to facilitate Constitutional Experts to review the roadmap for the drafting of the Constitution for the EAC Political Confederation during the period of consultations in the Republic of Kenya and submit to Partner States for planning purposes.

Pursuant to the above directives;

a. The Secretary General wrote to the Democratic Republic of Congo and requested it to submit three nominees to join the EAC Political Confederation Constitution Drafting Team (two Constitutional Experts and one Legal Drafter) by 30th March, 2023;

b. The EAC Secretariat coordinated preparations and facilitated the National Stakeholders Consultations in the Republic of Kenya from 8th -26th May, 2023;

c. The EAC Secretariat facilitated the Constitutional Experts to review the roadmap for the drafting of the Constitution for the EAC Political Confederation during the consultations in the Republic of Kenya in their meeting of 27th - 28th May 2023.

To date the constitutional experts have carried out National Stakeholder Consultations in Burundi, Uganda and Kenya as shown below:

In Burundi, Consultations were done in January 2020, hearings were done in cluster areas in Ngozi, Gitega, Makamba and Bujumbura Province;

In Uganda, consultations were done in April and May, 2021 in districts of Kabale, Mbarara, Mbale, Gulu, Arua, Entebbe, Mukono, Kamuli, Wakiso, Kyotera, Masaka, Buikwe, Mpigi, Buvuma, Lwengo and Jinja; and

In Kenya, Consultations were conducted in May 2023, in cluster of regions, North rift region, Central region, Garissa, Western region, Nairobi, South rift region, and Nyeri.

***However, the Committee was informed by the department of Political Federation that DRC have since submitted the names of two constitutional experts and consultations have taken place in the Republic of Kenya.***

**Status of consultation in other EAC partner states**
The committee was informed about the status of consultations in other Partner States

- **Republic of Rwanda;** The consultations were called off at the request of Rwanda.

- **United Republic of Tanzania, Republic of South Sudan and DRC;** The consultations have not yet been scheduled.

At a recent Summit held on 24ᵗʰ November 2023, a revised road map regarding undertaking national consultations in the above-mentioned Partner states was drawn and supposed to be concluded by 30ᵗʰ May, 2024.

## 4.2 OBSERVATIONS AND RECOMMENDATIONS OF POLITICAL FEDERATION

### 1. Slow progress of the Political Federation pillar

The Committee observed that the community appears to be diverting from the ultimate phase of Political Federation to Political Confederation. Even with this diversion, the process has been slow without a time line and with many challenges and if not properly addressed will delay the achievement of this milestone. It is worth noting that the process of consultations has taken long, three Partner States of Burundi, Uganda and Kenya have held consultations since 2019.

*Committee Recommendation*

*The Committee recommends to the Assembly to urge the Council of Ministers to;*

- *Fast- track the Summit directive to conclude the National Consultations by 30ᵗʰ May, 2024;*

- *Ensure diverse participation of key stakeholders including strong engagements with the National Parliaments, Civil Society Organizations, Local Governments, Private Sector, Non-Governmental Organizations, Media and other Critical Stakeholders for the process to be inclusive; and*

- *undertake a vital information and dissemination exercise aimed at ensuring that East Africans are constantly informed and updated on the East African integration process.*

### 2. Involvement of EALA Members in the Integration processes

EALA as a regional Assembly has not been involved in the processes of formulating the constitution of East Africa. Lack of EALA's participation does not only deny EALA as a people's representative the opportunity to contribute to the process, but also undermines EALA's statutory mandate of oversight on the integration agenda. This is contrary to the promotion of good governance including accountability and transparency as stipulated in Article 6 treaty.

*Committee recommendation*

- ***The Committee recommends to the Assembly to urge the Council of Ministers to ensure that the role of the Assembly through the Committee on Regional Affairs and Conflict Resolution is enhanced in the constitution making process to allow the legislative organ exercise its oversight and representative mandate.***

## 5.0 IMPLEMENTION OF THE REGIONAL PEACE AND SECURITY STRATEGY

Article 124 of the Treaty for the establishment of the East African Community recognises that peace and security are pre-requisites for social and economic development within the Community and vital to achieving the objectives of the Community. The article spells out wide-ranging approaches for implementation in order to have a stable and secure environment within the region. This kind of environment is geared towards promoting development and harmonious living of the people of East Africa.

The strategy goes a long way in enhancing the East African Community spirit of co-operation in regional peace and security. This brings into reality the collective responsibility in providing security by the partner state. In order to achieve the above the Community has developed twenty-three goals and a number of strategic objectives geared at fulfilling them. These goals are:

1. Enhance the exchange of criminal intelligence and other security information amongst partner states;
2. Enhance joint operations and patrols;
3. Installation of common communication facilities for border and interstate security;
4. Adoption of United Nation model law on mutual assistance on criminal matters;
5. Implementation of the protocol on combating illicit drug trafficking;
6. Undertaking exchange visits/ benchmarking by security authorities;
7. Undertaking exchange training programs for security personnel;
8. Establishing common mechanisms for the management of refugees;
9. Establishing regional disaster management mechanisms;
10. Formulating security measures to combat terrorism;
11. Establishing measures to combat cattle rustling;
12. Establishing measures to combat proliferation of illicit small arms and light weapons;
13. Developing mechanisms to combat security challenges on EAC shared Inland waters;
14. Developing mechanisms for Conflict Prevention Management and Resolution;
15. Developing mechanisms for Early Warning System;
16. Enhancing cooperation within Prisons/Correctional Services in the Region;

17. Prevention of Genocide;
18. Combating and Suppressing Piracy for Maritime Safety and Security;
19. Enhancing measures to Detect, Prevent and Combat Cyber Crime;
20. Enhancing measures to Combat Human Trafficking, Illegal migration and smuggling of migrants in the East African Community Region;
21. Enhancing Cooperation in Combating Environmental Crimes;
22. Strengthening Co-operation amongst Partner States on Anti Money Laundering and Counter Financing of Terrorism (AML/CFT) initiatives; and
23. Preventing, Controlling and Eradicating Motor Vehicle (MV) Theft in East African Community Partner States.

## 5.1 DEVELOPMENT OF THE STRATEGY FOR REGIONAL PEACE AND SECURITY

**1 Enhanced the exchange of criminal intelligence and other security information amongst partner states**:

- A harmonized criminal data reporting template / form, to help in populating the data base by the Trained Officers has been designed;
- Conducted two trainings already on criminal data collection, analysis and reporting, comprising Partner States Police Officers & other National Security personnel responsible for criminal data analysis with an exception of DRC;
- Contracted INTERPOL to Extend the **I/24/7 System** to all international National Police Headquarters, Airports and busy crossing points/borders, to supplement the Immigration Systems (PYCESS) to help in capturing internationally wanted criminals;
- Trained two groups to man the databases at national level and be responsible for regional information sharing;
- Border Community meetings and trainings are already taking place. Last year the meetings took place in Mugina and Manyovu OSBP 6th – 8th April 2022; and Isebania / Sirari OSBP 17th – 19th May 2022.

**2. Enhanced joint operations and patrols**

Some Partner States have cross border cooperation and conduct border operations jointly. These have taken place between Uganda - Kenya; Uganda -Tanzania, Kenya-Tanzania and Uganda-Rwanda, among others.

**3. Installation of common communication facilities for border and interstate security:**

Contracted INTERPOL to extend the **I/24/7 System** to all international National Police Headquarters, Airports and busy crossing points/borders, to supplement the

Immigration Systems (PYCESS) to help in capturing internationally wanted criminals. The exercise is ongoing and will be completed 30th September 2024.

**4.Adoption of United Nation model law on mutual assistance on criminal matters**:

- The EAC Chiefs of Police have resolved to domesticate two EAPCCO instrument: Agreement on Mutual Legal Assistance in Combating Crime; and
- The EAPCCO Agreement on Exchange of Fugitives and Extradition of Sentenced Criminals.

The 8th Sectoral on Interstate Security held on 11th November 2023 in Nairobi, has directed Secretariat to mobilise resources and convene a Joint Experts meeting which will have Police legal Officers, prisons and correctional services legal experts, including other key stakeholders; to align the proposed EAC Agreement on Mutual Legal Assistance to the Treaty for the Establishment of EAC and enrich the Instrument relating to the Extradition of Sentenced Criminals.

**5.Implementation of the protocol on combating illicit drug trafficking:**

- There are bi-annual joint meetings of directors of Criminal Investigations and Criminal Intelligence convened by the EAC and attended by also Regional Bureau of INTERPOL (RB) Nairobi;
- EAC conducts regular joint benchmark visits and Trainings of officers in both Anti-Narcotic Units and Anti Human Trafficking Units, together with Immigration and Customs Departments on rotational basis, facilitated by APSA Project.

**6.Undertaking exchange visits/ benchmarking by security authorities:**

- Joint benchmark visits of Police Ballistics and Forensic investigators have taken place in Mauritius Centre of Excellence for the Indian Ocean Commission twice.

- Similarly benchmark visits have also taken place twice for Prisons and Correctional Services with Mauritius Prisons Centre of Excellence.

**7. Undertaking exchange training programs for security personnel:**

- This is taking place especially in the Police intermediate and Senior Command trainings within national Academies of Partner States among them being: Rwanda National Academy Musanze which is also an EAC Centre of Excellence;
- Uganda Senior Command College Bwebaja, Entebbe Road;
- Police Regional Forensic Referral Centre Nagulu - Kampala, Uganda;
- Senior Command and leadership Courses in Karen, Nairobi Kenya. Plans are also high to have similar ones at the Kenya National CID Training College Nairobi.

8. **Establishing common mechanisms for the management of refugees**:

- There is a draft EAC Refugee Management Policy in place that has already been finalized by the national Chiefs of Refugee Management Entities;
- It has been considered by the 8th Sectoral Council on Interstate Security on 11th November 2023
- All Partner States are in agreement with it;
- The United Republic of Tanzania has asked for time to further consult on it internally and give feedback during the 9th Sectoral Council on Interstate Security due in the first half of 2024.

9. **Establishing regional disaster management mechanisms**:

The Committee observed that the disaster management Bill was introduced in 2023 and passed in 2016 but Kenya withheld assent.

10. **Formulating security measures to combat terrorism;**

- The EAC Council of Ministers have already adopted a Regional Counter Terrorism Strategy which was also supported by Summit;
- EAC in Process now to establish an EAC Counter Terrorism Institution;
- Most Partner States have established a National Counter Terrorism Centre that regularly share information on Terrorism and Terrorism Financing, Terror Cells and groupings;
- The Establishment and operationalization of the Regional Forensic Referral Centre was in line to enhance countering terrorism and strengthening investigations and prosecution;
- The EAC networks with the Counter Terrorism Centre in Nairobi on regular basis;
- EAC has bi-annual meetings of Heads of Counter Terrorism Agencies to share experience, strategies and intelligence information among the players.

11. **Establishing measures to combat cattle rustling**;
- This is a protocol to be implemented mainly by the Partner States
- Its interventional impact is being witnessed in North Eastern Uganda where government institutionalized an Anti-Stock Theft Unit (ASTU);
- Experience has shown that once States disarm concurrently, they make a significant impact.

12. **Establishing measures to combat proliferation of illicit small arms and light weapons (SALW):**

- The EAC has partnered together with the Regional Centre of Small Arms (RECSA) in Nairobi and developed an EAC SALW Policy;

- Previously EAC procured firearms marking machines with customized vehicles to transport the marking equipment, together with some arms under investigations as well as marking staff;
- A number of interventions including stockpile management have been extended by EAC.

13. **Developing mechanisms to combat security challenges on EAC shared Inland waters:** This is an activity solely implemented by Partner States but there is an established Police marine centre of in Mwanza.

14 **Developing mechanisms for Conflict Prevention Management and Resolution:**

- The Conflict Prevention Management and Resolution (CPMR) is already in place as adopted by the 28th Meeting of Council;
- The instrument establishing the sub ingredients that include the EAC Peace Fund - (EAC Peace Facility);
- The instrument establishing the Panel of Eminent Persons

15 **Developing mechanisms for Early Warning System**:

- The Early Warning Mechanism is in place adopted together with the CPMR;
- There is a conflict analyst who analyses conflict trends in the Region and submits a report to Secretary General;
- There is an equipped situation room that has provision for capturing all conflicts in the region and beyond;
- The process of establishing national early warning centres to feed into the Regional Early Warning Centre (EACWARN) is in place;
- Four Partner States: Uganda, Kenya, South Sudan and Burundi have already established the National early warning centres linked to Regional Early Warning Centre

16 **Enhancing cooperation within Prisons/Correctional Services in the Region**:

- Cooperation among Prisons and Correctional services is being strengthened through bi-annual meetings of EAC Chiefs of Prisons and Corrections;
- They have been supported to develop own regional strategy that has now been integrated into the EAC regional Strategy on Peace and Security;
- EAC has established Benchmark trainings for Prisons which has been operationalized;
- Developed a joint Prisons manual in Peacekeeping.

17 **Prevention of Genocide:** This is an activity to be implemented by Partner States. EAC Celebrates Genocide against the Tutsi Day. The Peace and Security

is also planning to have a regional symposium on these alongside other interventions in Regional Peace and Security.

18 **Combating and Suppressing Piracy for Maritime Safety and Security:**

- EAC has been jointly implementing an inter REC project with EAC, IGAD and COMESA. The project is called Maritime Security (MASE) Project under European Union funding;
- The projects supported rehabilitation of international cells section for international piracy suspects;
- Finances are being mobilized to strengthen this area further

19. **Enhancing measures to Detect, Prevent and Combat Cyber Crime**: Regional SOPs on Cyber-crime and digital forensics have been developed and Plans are underway to commence trainings on Cyber-crime investigations in conjunction with Commonwealth Security Group (CWSG).

20. **Enhancing measures to Combat Human Trafficking, Illegal migration and smuggling of migrants in the East African Community Region:**

- The intervention is implemented through the Protocol on combating Illicit Drug Trafficking in the region;
- EAC regularly conducts joint trainings with Police, Immigrations, Customs to strengthen skills of the investigative forces of Anti Human and Drug Trafficking in the region and share information on Barons, trafficking routes, and modus operandi in combating the vice;
- This intervention is also co-implemented with the EAC Labour Office and immigrations (frontline Officers).

21. **Enhancing Cooperation in Combating Environmental Crimes:**

- There are a number of interventions being done jointly through the EAC office on Environment and Climate change;
- The Secretariat had started on developing an environmental Policy in 2016 which was stopped in favour of an EALA Private Members Bill;
- The interventions on environment and climate change will be strengthened further once the EAC Disaster Risk Reduction Management Bill, 2013 is assented to into an Act relating to environment, Disasters and Disaster Risk reduction;
- EAC is in partnership with Partner States is developing a Disaster Risk reduction Exercise, code named" Kabiri *Maafa"* which target better environmental use and protection from disasters

22. **Strengthening Co-operation amongst Partner States on Anti Money Laundering and Counter Financing of Terrorism (AML/CFT) initiatives:** EAC has partnered with the Eastern and South African Anti Money

Laundering Group (ESAAMLG) to strengthen her capacities and all EAC Partner States are now members of ESAAMLG.

23. **Preventing, Controlling and Eradicating Motor Vehicle (MV) Theft in East African Community Partner States:** This is combated through joint Meetings of Directors of CID and Registrars of Motor Vehicles which is one of the strongest Thematic Group Meeting in EAC under Peace and Security and there is an EAPCCO Certificate which is being used as a must especially by the motor vehicle importers at national level in the Region to stamp out stolen vehicles from getting traded and registered in the region

## 5.2 OBSERVATIONS AND RECOMMENDATIONS FOR PEACE AND SECURITY

### 1. The EAC Disaster Risk Reduction Management Bill, 2013

Arising from the negative climate changes coupled with a number of disasters and disastrous occurrences The Committee of Regional Affairs and Conflict Resolution, drafted EAC Disaster Risk Reduction Management Bill, 2013 that was initiated by Hon. Patricia Hajabakiga a former EALA member from the Republic of Rwanda. The Bill sought to provide a legal framework for intervention for people affected by climate change and natural disasters and to protect the natural environment through integration of comprehensive disaster risk reduction and practices of the community. It is anchored-on Article 124(3) of the Treaty. This Bill was passed on 10th March 2016 but assent was withheld.

### Committee Observation

The Committee observed that the Republic of Kenya withheld assent because not enough consultation to enrich the Bill had been undertaken in Kenya.

### Committee recommendation

*The Committee recommends to the Assembly to urge the Council of Ministers to provide its inputs in the Bill so that it's resubmitted to Assembly for reconsideration.*

### 2. EAC draft protocol on good governance

Anchored on Article 6 (d) of the Treaty establishing the East African Community, the protocol on good governance was formulated on EAC principles that aim to promote transparency, accountability, respect for human rights, gender, equality and equal opportunities.  In the bid to operationalize this article, EAC developed a Protocol on good governance. The review of the protocol was occasioned by the decision of the 21st meeting of the Sectoral Council of Ministers responsible for EAC Affairs and planning after considering the draft protocol had been under negotiation. It was

observed that some of the policies contained in the protocol contravene national constitutions.

***Committee Recommendation***

***The Committee recommends to the Assembly to urge the Council of Ministers to revise the draft protocol on good governance and remove the provisions that are contravening the Partner states constitutions***

### 3. EAC draft protocol on prevention of anti-corruption and integrity

The 21st Meeting of the Sectoral on Legal and Judicial Affairs held 19th -21st July 2018 resolved that the protocol should be redrafted. The EAC Secretariat in particular the department of Political Affairs and office of the Council to the Community convene the Partner States Legislative Draftspersons and anti-corruption experts to consider the decision of the 21st Meeting of the Sectoral on Legal and Judicial Affairs. The meeting of drafters and experts commenced the redrafting of the protocol. However, due to budgetary constraints, the redrafting of the protocol has not been concluded.

***Committee recommendation***
***The Committee recommends to the Assembly to urge the Council of Ministers to:***
- ***direct the S.G, department of Political Affairs and the office of the CTC to fast-track redrafting of the Protocol for consideration; and***

- ***provide requisite funding that are needed to redraft the protocol so that it's concluded to address the challenges of corruption affecting the region.***

### 4. Management of Refugees

The Peace and Security department of EAC in conjunction with the department of Social Sectors worked with UNHCR to undertake a study in 2010 on the harmonization of Refugee Policies and Legislation in the East African Community which informed the development of the draft EAC Policy on Refugee Management. The study among others called for the development of a Common Refugee Management Policy to serve as a benchmark for harmonization of the national refugee policies and Laws.

In March 2010, the UNHCR and EAC signed a MOU for joint partnership and collaboration in refugee matters and interventions. The same MOU was renewed in 2023. The Committee of chiefs of Refugee Management entities did adopt the Draft Policy through regular regional validation meetings. National consultations that formed a key basis for the development of this draft policy were held in each of the Partner States.

**Accordingly, the draft EAC Refugee Management Policy has been considered by the 8th Sectoral Council on Interstate Security on 11th November 2023.**

*Committee observation*
*The Committee was informed that DRC was Part of the 8th Sectoral Council on Interstate Security that has deliberated on the ingredients of the Policy. As per now the Policy is well encompassing and it includes vital international provisions on refugees.*

*Committee recommendation*

*The Committee recommends to the Assembly to urge Council of Ministers to commence on development of the Draft Regional Action Plan for implementation of the Policy.*

## 5. Human Resource Challenges

The Committee was informed that one of the key challenges faced by the department are related to the human resources function. The entire department has three (3) staff members that handle the huge mandate of peace and security docket. 1. Peace and Security Officer, Conflict Analyst and a Situation Room Technical specialist. There are others who have retired; Peace and Security expert, Early Warning expert and substantive EAC Liaison officers to AU.  For the mandate of this department to be achieved, the staffing challenges need to be addressed.

*Committee recommendation*

*The Committee recommends to the Assembly to urge the Council of Ministers to urgently recruit more staff in the peace and security department.*

*The Committee further recommends to the Assembly to urge the Council of Ministers to reflect on their earlier adopted Comprehensive Peace and Security Structure during its 18th Meeting of the Council of Ministers and consider its operationalisation in view of the available resources.*

## 6. Financing of EAC Peace department

The Committee was informed that the EAC Peace and Security department is largely reliant on Development Partners for funding of its programmes under which the overall peace and security interventions are undertaken and implemented in line with the Regional Strategy on Peace and Security. Secondly donor funds are tilted towards the donor interests which doesn't make significant impact on the overall EAC peace and security agenda.

Whereas the Committee appreciates funding from development partners mainly the European Union, towards Peace and Security programs, the Committee is concerned that over depending on donor funds is unpredictable and not sustainable in case of donor withdrawal hence encouraging Partner States to own their Peace and Security agenda by increasing funding in the areas of EAC interests as provided for in the Regional Strategy on Peace and Security. Approximately 80% of the funding to the EAC Peace and Security is from the Development Partners.

***Committee recommendation***

***The Committee recommends to the Assembly to urge the Council of Ministers to explore avenues of increasing the funding of the peace and security department.***

## 6.0 ISSUANCE OF THE EA E-PASSPORT AS A STANDARD TRAVEL DOCUMENT IN EAST AFRICA

The Treaty for the establishment of the East African Community and the EAC Common Market Protocol provide the basis for co-operation in Labour or employment, immigration and in social security among the EAC Partner States in order to facilitate movement of citizens of the EAC Partner States within the community and beyond.

Consequently, the 9th meeting of the Council of Ministers held in November 2004 directed the Secretariat to convene a meeting of Immigration Experts to design a new generation East African Passport.

The e-Passport is the world standard travel document. As members of International Civil Aviation Organization (ICAO) the EAC Partner States have an international obligation to enhance the security of their travel documents. The issuance of e-passports allows each Partner State to offer world-class consular services to its nationals. Worldwide, countries have greater confidence and acceptance of the e-Passport since it is enhanced with biometric technology. Globally, the e-passports are already being used in more than 100 countries, including some EAC Partner States.

The meeting of the 20th Sectoral Council of Ministers responsible for EAC Affairs and Planning held on 14th July 2014, considered the report of the Chiefs of Immigration and among others, recommended to the Council to adopt the computer-generated EA e- Passport sample designs for the Diplomatic, Service and Ordinary e-Passport. The Sectoral Council also directed Partner States to: -
   (i)     standardize the establishment of the EA e- Passport by using minimum standard material such as Polycarbonate bio-data page in order to have high quality EA e- Passport with large portfolio of integrated security elements

(ii)    ensure that the EA e- Ordinary Passport is valid up to 10 years; while the Diplomatic and Service Passports be valid according to the specific term of service of the holder; and

(iii)    ensure that the EA e- Passport is affordable and accessible to the citizens.

The 29th Meeting of the Council of Ministers held on 20th September 2014, adopted the East African e-Passport sample designs for the Diplomatic, Service and Ordinary e-Passports. Later the 17th Ordinary Summit held on 2nd March 2016, launched the EA e-passport and directed Partner States to commence the issuance of the EA e-passport

The 38th Meeting of the Extra – Ordinary Council held on 30th January 2019 granted Partner States a two-year extension effective September 2019 for a phase out of the existing passports and issuance of the EA e-passport. The two years extension of time granted by the Council expired in September 2021

**The status of implementation of the Summit directive on the issuance of the EA e- Passport**

| **Partner State** | Date of commencement | **Date of Phaseout** |
|---|---|---|
| Republic of Burundi | 28th May 2018 | January 2023 |
| Republic of Kenya | 1st September 2017 | November 2022 |
| Republic of Rwanda | 28th June 2019 | 28th June 2022 |
| United Republic of Tanzania | 31st January 2018 | 1st January 2020 |
| Republic of Uganda | 18th December 2018 | 4th April 2022 |
| Republic of South Sudan | Yet to commence | NA |
| Democratic Republic of Congo | ……………………………… | NA |

## 6.1 OBSERVATIONS AND RECOMMENDATIONS OF EA E-PASSPORT

During the deliberations, the Committee identified the following observations, gaps and challenges that need urgent attention by the Council of Ministers: -

i)    Full implementation of the issuance of the EA e- passport by all Partner States were not honored as directed by the Summit. The Republic of South Sudan and Democratic Republic of Congo have not yet commenced the issuance of the EA e- Passport. The Committee was informed that Republic of South Sudan is still

establishing the policy, legal, infrastructure and systems to facilitate the issuance of the passport.

ii) Need for adequate sensitization and publicity on the implementation of the EAC Common Market Protocol and EAC integration generally;

iii) Lack of reliable and updated data on the status of implementation of all the freedoms and rights in the EAC Common Market Protocol;

iv) Limited awareness by the East African on the usage, availability, costing and benefits accruing from holding the EA e- Ppassport.

v) Need to consider the status of issuance of the EA e-Passport by the Republic of South Sudan and DRC and propose possible timeline.

vi) Need for all the Partner States to harmonize the classification of work permits forms, fees and procedures.

## *Committee Recommendation*

***The Committee recommends to the Assembly to urge the Council of Ministers to ensure that it brings on board the Republic of South Sudan and Democratic Republic of Congo such that like the other Partner States commences the process of issuance of the EA e- Passport.***

## 7.0 CONCLUSION

After reviewing the relevant documents and instruments, the Committee concluded that there is limited awareness on the 4th Pillar of the EAC integration among East Africans. There has not been clarification about Political Federation and Political Confederation and why the later was chosen as a transitional model. There is also limited progress in achieving EAC Peace and Security Strategy and need for Political commitment of countries that are yet to implement the issuance of the EA e-passport.

## 8.0 ACKNOWLEDMENT

The Committee on Regional Affairs and Conflict Resolution wishes to thank the Rt Hon. Speaker and the office of the Clerk for facilitating it to carry out its oversight function. The Committee further appreciates the facilitation provided by Mr. Didacus Kaguta the Peace and Security expert, Mr. Stephen Niyonzima from the department of Labour and Immigration and Mr. David Onen from the department of Political Federation.