



EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY

RESOLUTION OF THE EAST AFRICAN LEGISLATIVE ASSEMBLY TO THE COUNCIL OF MINISTERS TO CORRECT THE RECORD ON EALA'S POSITION ON THE EPA FUNDING AS USED TO SEEK A SUMMIT DIRECTIVE DURING THE 9TH EAC SUMMIT OF HEADS OF STATE

By Hon. Dr. James Ndahiro and adopted by the Assembly on Thursday, 26th May 2011

WHEREAS the East African Legislative Assembly is fully committed to ensuring that the EAC team of EPA negotiators engage in pursuing a comprehensive and favourable position on EPAs during the negotiation process of the EAC-EU, EPA framework, and therefore has previously come up with two Resolutions, a Position Paper and some recommendations all pointing to the need for a more robust mechanism both in the framework agreement and in the mode of funding the team of negotiators using our own resources rather than from our competitors;

AND WHEREAS the Council of Ministers introduced a request for a supplementary budget as presented except for the component of EPA negotiations amounting to USD1,083,590 on account of its potential to negatively influence the EAC team of negotiators;

AWARE that undertakings were made between the Council of Ministers the General Purpose Committee and the Committee on Communications, Trade and Investments, during the 2nd, 3rd and 4th Meetings of the Assembly to seek for funds directly from the EAC Partner States to support the EAC team of EPA negotiators; a position which was to be reviewed at the 5th meeting of the 4th Session, in May 2011, Arusha, Tanzania. The reason being that, the Council would update the two Committees about the efforts of raising or not raising the funds from the Partner States upon which the two Committees would make the appropriate recommendation to the Assembly;


FURTHER AWARE that the Council by-passed the set out measures that it had agreed upon with the two Committees preferring to refer the matter to the 9th Summit of the EAC Heads of State; notwithstanding the fact the Council had indeed at its 22nd Ordinary Meeting of April, 2011 provided funds for EPA negotiations in the draft budget for financial year 2011/2012 which was done following a rationalisation exercise that slashed budgets of EAC Organs and Institutions to yield the funds for the EPA negotiators;

CONCERNED THEREFORE that the Council's decision to proceed to the Summit all along were premised on insufficient, unbalanced information and recommendations from its lower decision making structures to the Summit which, translated into a Summit directive mandating the Secretariat to seek from SIDA, direct transfer of the funds to the respective Partner States;

NOW THEREFORE, this Assembly;-

- (1) Informs all concerned that there was gross misrepresentation of facts to the Summit such as, that the supplementary budget proposal was re-tabled and rejected twice by EALA yet the issue was still being discussed at Committee level and had not been tabled to the whole House for the final decision;
- (2) Reminds all that EALA was exercising its mandate bestowed upon it by Articles 49 (2) (b) and 132 (2) of the Treaty in so far as approval of the EAC budget is concerned;
- (3) Forwards this resolution to the Council of Ministers to put the record straight on EALA's position in as far as the supplementary budget for the EPA negotiations is concerned; and
- (4) Urges the Council to take full responsibility to safeguard the interests of the EAC region during the negotiations and to pay close attention to what the Assembly has several times advised.

CERTIFIED BY:



DATE:

2ND JUNE 2011

**KENNETH MADETE
CLERK**