

EAC political federation

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The quest for the establishment of the East African Federation is not only a colonial legacy but, more significantly, a post-independence venture. The current EAC Treaty, unlike the 1967 one, provides for a Political Federation as the final stage of EAC integration.

The Treaty in article 123 (6) provides that the Summit shall initiate the process towards the establishment of a Political Federation of the Partner States by directing the Council to undertake the process.

Article 123 (7) states that “For purposes of paragraph 6 of this Article, the Summit may order a study to be first undertaken by the Council”

Pursuant to this provision, at a special summit held in Nairobi in May 2004, the heads of state expressed concern about the slow pace of the integration process, and agreed to explore ways of expediting the process towards an East African Political Federation. The committee on fast tracking political federation was established on 28th August 2004 to examine ways and means to expedite and compress the process of integration, so that the ultimate goal of a Political Federation is achieved through a fast tracking mechanism.

The committee went around East Africa, collected views from stakeholders and submitted its report at the 6th Summit meeting held on 29th November 2004. The report of the committee contained recommendations, milestones and the way forward. Though timeframes were assigned to the recommendations, some of them were overtaken by events while others were subsumed in the programmatic activities of the EAC and are under implementation. Subsequently the Extra Ordinary Summit of Heads of State held in Dar es Salaam in May 2005 directed the Council to form National Consultative Mechanisms to collect views of the East Africans on the East African Political Federation and the need to fast track it.

The national consultations on fast tracking the East African Political Federation were undertaken in all the five partner states between 2006 and 2008. The objectives of the consultations were to:

- (i) Establish the level of awareness among different constituencies on key issues of the East African Political Federation
- (ii) Establish people’s attitude on important issues of the East African integration process in general and political federation in particular

- (iii) Obtain people’s opinions on pertinent issues of the East African Political Federation and
- (iv) Seek views on fast-tracking the East African Political Federation.

The committees’ composition in all the partner states was representative of a wide range of stakeholders. They were drawn from the media, youth organisations, women organisations, religious organisations, civil society organisations, private sector, informal sector the academia, politicians, labour unions as well as serving and retired public servants. The scope of the consultations varied from country to country taking into account total population, gender, age groups, income levels and economic engagement and administrative structures. The National Consultative Committee reports were expected to show the levels of awareness about the EAC and the EAC Political Federation, support for integration and the political federation and support to fast track the political federation. Detailed findings, covering the scope, numbers and percentages are contained in the reports of the NCCs that are provided for reference.

It is worth noting that the period for national sensitisation and the resources were inadequate and therefore, the outcome was based on a representative sample. In addition, the method of data collection did not reflect the level of understanding on what the political federation would entail. Therefore, though the support for the proposed political federation was quantitatively high, perhaps the result would have been different, had the populations been explained to what the political federation entail. The process showed that the people of East Africa support integration and appreciate the benefits of a federation. In the same vein, the support for fast tracking was varied. The process brought out peoples’ concerns that need to be addressed during the integration process before the political federation. The process enhanced the peoples’ awareness and understanding about the various stages of integration including the benefits and opportunities that accrue at each stage.

The findings of the national consultations also revealed that the people of East Africa need continuous sensitisation and awareness creation on the EAC integration and processes towards the political federation. Although some concerns and fears have corresponding programmatic initiatives to

address them, concerns pertaining to the model of the federation, distribution of power at various levels and political participation, constitutional making process are yet to be addressed.

The Summit at its meeting in November 20th, 2009 considered the recommendations of Council and directed that an in-depth study be undertaken on the fears, concerns, and challenges identified on the EAC political federation with a view to determining the extent to which some have been addressed and those not yet addressed and proposing ways and means of addressing. A team of 15 experts from all the partner states was constituted to undertake the assignment.

The experts concluded the study in August 2010 and will be considered by the summit of heads of state in December 2010.

Strengthening the pillars of political integration

One area that EAC has emphasised on, to promote smooth political integration is that of good governance. The broad areas covered by the EAC programme on good governance include combating corruption and enhancing ethics and integrity, protection and promotion of human rights and access to justice, democracy and democratisation processes, constitutionalism and rule of law, and conflict prevention. Good governance and democracy have cause and effect implications for peace, stability and development of the region.

Equally, the development of the protocol on good governance, intended to entrench democracy, the rule of law, accountability, transparency, social justice, equal opportunities, and gender equality is undergoing stakeholders' consultations.

Noting that elections are a key factor in democratisation, the council established the EAC Forum of Electoral Commissions within the structures of the community. The main purpose of this forum is to enable national electoral commissions have a platform for sharing experiences, challenges and best practices in conducting democratic, free, fair and credible elections in the partner states. EAC has developed

an Elections Observation, Monitoring and Evaluation Manual and is developing a mechanism for sharing of electoral materials as well as discussing issues related to financing and the cost of elections.

In order to enhance harmonisation of protection and promotion of human rights, the EAC has developed a draft EAC Bill of Rights. Once enacted, it will ensure that the partner states advance in the recognition, promotion and protection of human and people's rights in accordance with the provisions of the African Charter on Human and Peoples' Rights. It also examines national constitutions and other international instruments with the ultimate aim of standardising and adopting of best practices.

All EAC Partner States have embraced democracy through the holding of regular elections and it is encouraging to note the increasing participation of political players in the electoral processes. However, this is not fully matched by expected standards and quality of electoral processes and climate, evidenced by the low rate of acceptance of electoral results. There is need to nurture the culture of democracy, and embracing electoral competition in a mature, consensual and non-adversarial spirit. There is need to expedite the conclusion of the EAC Elections Monitoring, Observation, and Evaluation Manual.

The partner states have made progress towards according the basic human rights to their people. However, the full enjoyment of human rights requires that the citizens have socio-economic. There is need for the EAC to invest more in people's welfare. Observing human rights by governments will go hand in hand with the mobilisation of the people to meet their responsibilities. Enhancing the protection of human rights will strengthen peoples' commitment and interest in the community.

While all partner states espouse prevention of corruption and have made progress in establishing anti-corruption institutions, policies and laws, the follow-through on enforcement of legislation is sometimes held back by internal and external challenges, thereby making corruption a significant threat to the good

The process showed that the people of East Africa support integration and appreciate the benefits of integration

	Awareness Levels (%)	KENYA	TANZANIA	UGANDA	RWANDA	BURUNDI
1	Awareness about EAC	-	80.2%	82.1%	94.1%	75%
2	Awareness about EAPF	-	57.9%	74.2%	91%	87.2%
3	Support for Integration	85.8%	66.5%	88.2%	95.6%	71%
4	Support for Political Federation	69.9%	74.4%	77.6%	91.2%	63%
5	Support Fast Tracking by 2013	64.9%	25.4%	56.3%	87%	63.4%

◀ governance in most of the partner states in the region. Partner states should therefore widen the multi-stakeholder involvement and political commitment to effectively combat corruption. The protocol on combating corruption has been negotiated and is in the final stages of its conclusion.

The partner states have taken steps towards convergence of foreign and security policies. The Treaty requires the conclusion of common foreign and security policies. However, the partner states have chosen to coordinate rather than integrate their foreign policies contrary to the treaty provision. The upgrading of the Memorandum of Understanding on Foreign Policy Coordination into a protocol is in its final stages. The draft protocol still provides for cooperation in diplomatic activities, multilateral cooperation and capacity building for the pursuit of the partner states' foreign policy objectives. There is need to move fast towards fulfilling the commitments under the treaty.

Providing a peaceful, secure and stable environment is an imperative for EAC integration given the eastern Africa region is conflict-prone. A number of regional policies and instruments have so far been developed to implement coordination of security matters. To this end, a Regional Peace and Security Strategy was adopted by the EAC Council of Ministers in 2001. To operationalise the strategy, EAC has negotiated a Protocol that covers:

- a) East Africa Community Early Warning System
- b) Conflict Prevention, Management and Resolution

- c) Prevention and Resolution of Genocide
- d) Counter Terrorism
- e) Peace Support Operations
- f) Disaster Management and Crisis Response
- g) Management of Refugees
- h) Proliferation of Small Arms and Light Weapons
- i) Trans National & Cross Border Crimes; Drug & Human Trafficking, Money Laundering; Cyber Crime & Motor Vehicle Thefts
- j) Cattle Rustling
- k) Negative effects of globalisation that impacts on Peace and Security
- l) Counterfeiting and intellectual property piracy and
- m) Any other areas which may be mutually agreed upon.

Conclusion

It is important to understand that attainment of the EAC Political Federation is a process as opposed to being an event. The pillars of political federation are recognised as common foreign policy, peace, security and defence, and good governance. Achieving political integration, therefore, means deeper form of integration that requires these pillars to be strengthened to lay a firm foundation for the envisaged political federation. This calls for stronger policy platforms that go beyond cooperation in the conduct of security and foreign policy matters and a transformation of regional policies, institutional arrangements and capacities to support the deeper goal. It also recognises that integration is ultimately intended to achieve social, economic and political development for East Africans. E

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The EAC Heads of State sign the Common Market Protocol, Arusha, November 2009