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EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY



**SECOND REPORT ON THE ACTIVITIES OF THE
EAST AFRICAN LEGISLATIVE ASSEMBLY
(EALA)**

JULY 2002 – DECEMBER 2003

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**Clerk's Chambers
5th Floor Ngorongoro Wing
AICC Complex, Arusha.**

March 2004.

Introduction.

1. The first report on the on the activities of EALA covered the period November 2001 (when the Assembly was inaugurated) to June 2002. The selection of the reporting period was then meant to coincide with the Financial Year of the East African Community, which runs from July 1st to June 30th of the following year. However, to make the reports user-friendlier and to try as much as possible to cover each session of the Assembly, (which runs from November to November) the reporting period had to change. This reports covers the activities of EALA from July 2002 to December 2003, and subsequent reports will then be annual reports covering the periods January-December.

July-October, 2002.

2. The work and activities carried out by the EALA during the period between July – October 2002 were the sittings of the Standing Committees in October 2002 only.

The EALA reconvened in October 2002. The meeting was devoted to Committee sittings only. The Seven Committees held their sittings at the Assembly's seat in Arusha from October 16 – 25, 2002.

(i) Committee on Tourism and Natural Resources

The Committee received and deliberated on the brief by the relevant sectoral officers from EAC Secretariat on: the Lake Victoria Development Programme, including the status of safety of navigation on the lake; and the Tourism Marketing Strategy for the Region.

(ii) Committee on Legal, Rules and Privileges

The Committee reviewed its First Report on the Study and Review of the Dress Code and authorized the Clerk to contract renowned designers from East African

Universities and other institutions to make the necessary designs.

- (iii) Committee on General Purpose
The Committee considered and adopted the Report of the EAC/UNIFEM Workshop on Gender Mainstreaming.
- (iv) Committee on Accounts
The Committee received and deliberated on the Report on the EAC Audited Accounts for the fiscal year 2000/2001.
- (v) Committee on Regional Affairs and Conflict Resolution
The Committee received and deliberated on the brief from the relevant sectoral officer at the EAC Secretariat on the steps so far taken in the harmonization of disaster management policies, and the status of Co-operation in Defence matters in the EAC.
- (vi) Committee on Transport, Trade and Investment
The Committee received and deliberated on the brief from the relevant officers on the status of infrastructure development in East Africa.
- (vii) House Business Committee.

The Committee:

- Drew up a programme of work and activities of the EALA from November 2002 – June 2003;
- Discussed the recommendations of a Paper from the Clerk of the Assembly entitled "Towards Enhanced Operations of the EALA"; and
- Deliberated on the recommendation for creation of a specific Standing Committee to handle the relationship of the EALA and the Parliaments of the Partner States of EAC.

November, 2002.

3. (a) A delegation of three Members from the Committee on Communication, Trade and Investments represented the Assembly at the first East African Business Summit at the Mt. Kenya Safari Club, Nanyuki. The Summit brought together close to 100 CEOs from the leading East African business companies. The three-day Summit considered six major issues, namely; Trade, ICT, Governance, Finance, infrastructure and investments. At the end of it all, a business manifesto was adopted, which in part addressed the role of the East African Community in fostering business in the region.
- (b) On 29th November 2002, the EALA hosted the then outgoing Kenyan Head of State, H. E. Toroitich arap Moi at Arusha to bid him farewell and to commend him on his role he had played in the revival of the East African Community. H.E Daniel arap Moi called upon the Assembly to be at the forefront of the region's integration process by creating awareness among the general population on the objectives of the new integration process. (Details of the proceedings are available in the *Hansard* report of that day).

January 2003.

4. In January 2003, the EALA conducted a three-weeks' Kiswahili intermediate course for all Members from Uganda and two from Kenya at the Danish Volunteer Centre, Arusha. The course was intended to enhance their Swahili language skills with a special focus on the work situation of EALA Members.

February – May 2003.

5. In February, March and May 2003, the Assembly:
- (a) Received (from the Chairperson, Council of Ministers Hon. J.F.W. Wapakhabulo) and referred the Audited Accounts of the East African Community for the Financial Years ended 30th June 2001 and 2002 respectively to the Standing Committee on Accounts for scrutiny.
 - (b) Passed three Bills namely; The Community Emblems Bill 2003, The East African Legislative Assembly (Powers and Privileges), Bill 2003, and The East African Community Appropriation Bill 2002. The Heads of State have assented to the three Bills.
 - (c) Asked the Council of Ministers a total of fifteen Parliamentary Questions on a wide range of issues regarding the integration process and efforts towards the implementation of the Treaty. The Chairperson of the Council duly answered the Questions.
 - (d) Pursuant to the provisions of Article 60 of the Treaty and Rule 80 of the Rules of Procedure of the Assembly, adopted the report of the Standing Committee on Legal, Rules and Privileges on the proposed amendments to the Rules of Procedure of the Assembly. The amendments were thereafter adopted and incorporated to form part of the Rules of Procedure of the Assembly.
 - (e) On March 7, through the Hon. Speaker, concluded a three year co-operative programme with the Royal Norwegian Government (through its agency NORAD) for development assistance worth Norwegian Kroner five million. The programme is to run up to the end of 2005 and it is implemented by the Association of European Parliamentarians for Africa, AWEPA.

- (f) Adopted the following four Resolutions, namely: a Resolution seeking to establish practical working relations between the Secretariat, the Assembly and the Court; a Resolution setting up a Select Committee to investigate the circumstances that led to the resignation of Mr. Werunga, the former Clerk; a Resolution seeking the appointment of an East African Peace Committee for Uganda with the mandate to bring to an end the violence in Northern Uganda; and a Resolution seeking to enforce the directive of the Summit meeting of April 11, 2002 to the effect that matters pertaining to participation in WTO and ACP/EU, the Partner States should negotiate as a Bloc. The outcome of the first and the latter two Resolutions await the decision of the Council of Ministers.
- (g) Held seminars in relation to WTO, the Customs Union and the EAC Competition Policy. The seminars analyzed these themes in depth and Members acquired the necessary information that should prepare them to respond to the newly created regional context in which they must function, and to plan for the establishment of the Customs Union.
- (h) Pursuant to its earlier on adopted policy of getting to know its constituency, conducted a one-week tour of the Republic of Uganda from 23rd –30th March 2003. The tour covered the war affected northern region (Gulu district), through the central region and the western border districts of Kabarole and Kasese. In addition to meeting various local political leaders and the business community, the Assembly also had an opportunity to interact with H.E. President Museveni on the possible ways in which the conflict in the northern region could be resolved.

- (i) In accordance with the provisions of Article 49 (2) (f) of the Treaty, recommended to the Council the appointment of Mrs. Gloria Nakebu Esiku as Editor of the *Hansard* in the Service of the Assembly.
- (j) Through its committees, continuously received briefs from the EAC Secretariat and gave advice regarding the progress in the implementation of the Treaty.
- (k) The EALA was invited and participated at the 14th Plenary Assembly Session of the SADC Parliamentary Forum that was held from April 28th –May 3rd 2003 in Lusaka, Zambia. The Participation provided an excellent opportunity to reinforce regional ties and communication at a Parliamentary level, and to acquire knowledge on the functions and set up of other regional Parliaments.

June 2003:

- 6. (a) As part of the EALA-AWEPA-NORAD co-operative programme, six Members and the Acting Clerk undertook a study visit to Strasbourg (European Parliament), Copenhagen (Nordic Council and Danish Parliament) and Oslo (Norwegian Parliament and Nordic Council) from 1st –9th June. Besides exchanging relevant examples on concrete issues such as Customs Union and Committee work, the study visit was also used to inform the relevant partners on the process of regional integration in East Africa and the role of EALA as a new legislative body. An extensive network was created to follow-up on various issues of common interest.
- (b). The Assembly, again, in fulfillment of its policy of getting to know its constituency conducted a tour of the Republic of Kenya between June 15 – 28, 2003. This tour mainly covered the Central and Western parts of Kenya. The Assembly had the opportunity to interact with the population living along the common borders of

Kenya/Uganda and Tanzania especially with regard to the common problems associated with fishing on Lake Victoria and the menace of cattle rustling and the proliferation of small arms mainly along the Kenya-Uganda border.

- (c) During the same period, the Assembly held a three-day Seminar on the implications of past Treaties and Agreements regarding River Nile and the Lake Victoria Basin on the economic future of the people of the East African Region. At the end of the seminar, some draft resolutions were adopted recommending the way forward and the EALA is expected to formally adopt these resolutions and forward them to the Council of Ministers for appropriate action.
- (d) On June 27, 2003, at a sitting held in the Old Chamber of the National Assembly of Kenya, the EALA approved the Budget of the East African Community for the Financial Year 2003/2004 totaling USD 8,482,270 (US Dollars eight million four hundred eighty two thousand two hundred seventy only)

At the same sitting, the EALA authorized the Secretary General to spend that money out of the budget of the East African Community, by passing the "East African Community Appropriations Bill, 2003, which was tabled by the Chairperson of the Council of Ministers. The Heads of State have also assented to this Bill.

- (e) The Committee on Communication, Trade and Investments together with committees of similar mandate from the three National Assemblies of Partner States, participated in a workshop held at Mombassa organized by the Frederick Ebert Foundation (FES), Nairobi office that discussed ACP-EU Partnership Agreement and its implications to the East African Region.

At the close of the workshop, a number of resolutions were adopted. Thereafter, a Committee named the East African Parliamentary Liaison Committee on trade (EAPLC) was formed for the purpose of adequate participation and coordinated influencing of trade negotiations processes with the EU and in WTO. The EAPLC, chaired by Hon. Yona Kanyomozi, was also tasked with the duty of putting in place mechanisms for implementation of the resolutions and for linking up of the four Trade Committees.

July 2003:

7. (a) The Assembly passed two more Bills; The Acts of the Community Bill, 2003 and The Laws of the Community (Interpretation) Bill, 2003. The Heads of State also assented to the two Bills.
- (b) Adopted the Report of the Select Committee on the resignation of Mr. Werunga as Clerk of the Assembly.
- (c) Asked the Council of Ministers five Parliamentary questions on issues relating to the integration process. The Hon. Jakaya Kikwete on behalf of the Council duly answered the questions.
- (d) Held Committee sittings and received briefs from the Secretariat on the progress in the implementation of the Treaty.

August 2003

8. (a) One Member and the Acting Clerk attended the 34th Commonwealth Parliamentary Association (CPA) conference held in Nairobi from 1st-9th August. Once again the conference provided an excellent opportunity for informing other Parliamentarians about the functioning of

the EALA as a new legislative body and its role within the context of the Commonwealth Parliamentary Association.

- (b) The Assembly embarked on thematic Committee activities:
 - (i) The Committees on Regional Affairs and Conflict Resolution, and on Agriculture, Tourism and Natural Resources jointly undertook a study to investigate and find solutions to the current resource-based conflicts in the East African region occurring mainly on the shared Lake Victoria and territorial borders (cattle rustling and pasture-related conflicts). The preliminary findings were made but more work is still needed.
 - (ii) The Committee on Communications, Trade and Investments, in preparation for the launch of the Customs Union, conducted Public Hearings in the three Capitals regarding the planned operationalization and institutional structures for the Customs Union; Standards, Metrology and Testing; and Capital Markets Authorities and Stock exchanges. The report was tabled in October.

September and October 2003

- 9. (a) Six Members and the Sergeant-at-Arms undertook a study visit to Cape Town (Parliament of South Africa) and Gabarone (SADC Parliamentary Forum). The visit to Cape Town focused on the South African Parliament in the regional SADC context and its relations with the provinces, while in Gabarone, they held meetings with the SADC Secretariat and later participated in a Human Rights seminar on "Political Will for Health and Development: What can Parliaments Do?" The study visit was facilitated under the EALA-AWEPA-NORAD co-operative programme.

- (b) The Assembly attended and participated in the Second East African Business Summit under the auspices of the East African Business Council, held for the second year running at the Mt. Kenya safari club, Nanyuki.
- (c) Arising out of the report of the Committee on Communications, Trade and Investment on the Public Hearing Workshops regarding the Draft Protocol on Customs Union and the SQMT Protocol, the Assembly passed a Resolution that made specific recommendations, which were forwarded to the Council of Ministers for consideration.
- (d) Further, besides the Committee sittings, the Assembly held a three-day retreat jointly with the Executive staff of the Secretariat on matters of mutual interest in relation the operations of the two organs; a three day workshop on the basic principles in Accounting and Auditing; and in Conjunction with the International Labour Organization, a three-day Legislative Forum on Decent Work and Social Dialogue.

November/December 2003.

- 10. (a) Another Private Member's Bill entitled "The East African Trade Negotiations Bill, 2003" was introduced. It was referred to the Standing Committee on Communication, Trade and Investment for consideration and to report back after due consultations with the stakeholders had been made.
- (b) Under the provisions of Article 49(2) (f) of the Treaty, the Assembly resolved to recommend to the Council of Ministers the appointment of Mr. Justin Nthiri Bundi as Clerk and Mr. Samuel Bwana as Research Officer of the Assembly.

- (c) The Assembly considered and adopted the report of the Committee on General Purpose on the Report of the Council on the Annual Activities of the EAC for the period July 2000-June 2001.
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