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REPUBLIC OF KENYA



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THE NATIONAL ASSEMBLY
TWELFTH PARLIAMENT
SECOND SESSION

SELECT COMMITTEE ON REGIONAL INTEGRATION

REPORT ON EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)
PLENARY SESSION HELD

IN ARUSHA, TANZANIA

FROM 13TH TO 16TH MARCH 2018

PARLIAMENT
OF KENYA
LIBRARY

DIRECTORATE OF COMMITTEE SERVICES,
CLERK'S CHAMBERS,
PARLIAMENT BUILDINGS,

JUNE 2018

TABLE OF CONTENTS

Abbreviations	
Chairperson’s Foreword	4
1.0 PREFACE.....	6
1.1 Mandate of the Committee.....	6
1.2 Committee Membership.....	7
1.3 Committee’s Secretariat.....	8
2.0 BACKGROUND.....	9
2.1 The Mandate and functions of EALA.....	9
2.2 Meeting with the Speaker of EALA.....	11
2.3 Plenary Session and Swearing in of CS, Ministry of EAC and Northern Corridor Development.....	12
2.4 Plenary Session and Swearing in of Chief Administrative Secretary for EAC.....	13
2.5 Meeting with EALA Members – Kenya Chapter.....	13
2.6 Meeting with the Committee on Regional Integration Affairs and Conflict Resolution.....	14
3.0 OBSERVATIONS.....	15
4.0 RECOMMENDATIONS.....	16

ABBREVIATIONS

EALA	– East Africa Legislative Assembly
RIC	– Regional Integration Committee
PSC	– Parliamentary Service Commission
AU	– African Union
EAC	– East African Community
UN	– United Nations
CS	– Cabinet Secretary
CAS	– Chief Administrative Secretary
EAC	– East African Community
EAC RAIP	– Regional Agricultural Investment Plan
EAC CAADP	– Comprehensive Africa Agriculture Development Programme

CHAIRPERSON'S FOREWORD

The Committee on Regional Integration received an invitation from East African Legislative Assembly to attend the 3rd Meeting of EALA Plenary Session in Arusha and benchmark on operations of regional assembly and interact with the counterpart committee.

The Committee held consultative meetings to familiarize itself with the work of EALA and also attended plenary sessions. During the sessions, the Committee learnt that the relevant legislations passed by EALA strengthened the integration process and Parliaments as key stakeholders participate at public hearings prior to enactment of Bills. The Committee noted that Article 65 of the EAC for the Establishment of the EAC espouses the relationships between the Assembly and the National Parliaments of the Partner States.

The Committee made the following observations:-

- a. Mobilize resources towards the EAC subsequent budgets to facilitate the operations of the EAC Secretariat and other institutions;
- b. Increase the percentage of Kenyans employed at EALA, UN, AU offices in Tanzania respectively;
- c. Support a proposal of EALA Members to draft a welfare bill for inclusion in the Parliamentary Service Commission.

The Committee made the following recommendations:-

- a. The Ministry of EAC and Northern Corridor Development should liaise with the National Treasury in mobilizing resources towards the operations of the EAC Secretariat and its institutions;
- b. The Select Committee on Regional Integration and the Ministry of EAC and Northern Corridor Development should induct members of the Committee and EALA members to realize their respective mandates and areas of collaboration;
- c. The EALA Members – Kenya Chapter should draft a welfare bill for inclusion in the Parliamentary Service Commission;
- d. The Select Committee on Regional Integration and the Ministry of EAC and Northern Corridor should fast track the process of amending the EAC Treaty where necessary due to numerous flaws in the Treaty;
- e. The Select Committee on Regional Integration, the National Assembly and the Ministry of EAC and Northern Corridor should strengthen relationships for ease of communication and sharing of information in strengthening the integration issues;
- f. The Partner States should harmonize regional laws in conjunction with the EAC Laws; and
- g. The Select Committee on Regional Integration should benchmark in Uganda and learn from the Regional Integration Committee. The benchmark should include the EAC Institutions within the Partner States.

On behalf of the Committee on Regional Integration, it is my pleasant privilege and honour to present to the House, its Report of the 3rd Meeting – 1st Session, 4th Assembly of EALA Plenary Session.

On behalf of the Committee on Regional Integration, it is my pleasant privilege and honour to present to the House, its Report of the 3rd Meeting – 1st Session, 4th Assembly of EALA Plenary Session.

THE HON. NAISULA LESUUDA, OGW, MP,

1.0 INTRODUCTION

The Committee attended the 3rd Meeting of the East African Legislative Assembly in Arusha from 13th to 16th March 2018 to benchmark on operations of regional assembly.

1.1 Mandate of the Committee

The Committee on Regional Integration is one of the Select Committees of the National Assembly established under Standing Order 212 and is mandated to:-

- a. enhance the role and involvement of the House in intensification and development of the integration process in the East African Community and the greater African region;
- b. examine the records of all the relevant debates and resolutions of the meetings of the East African Legislative Assembly;
- c. examine the Bills introduced in the East African Legislative Assembly and Acts of the East African Community;
- d. examine the records of all the relevant debates and resolutions of the meetings of the Pan African Parliament, the African, Caribbean and Pacific-European Union Joint Parliamentary Assembly and other regional integration bodies;
- e. inquire into and examine any other matter relating to regional integration generally requiring action by the House.

1.2 Committee Membership

The Committee comprises the following members:

Chairperson	Hon. Naisula Lesuuda, OGW, MP
Vice Chairperson	Hon. Capt. Ruweida Mohamed, MP
	Hon. Kubai Iringo, MP
	Hon. Malulu Injendi, MP
	Hon. Sen. Janet Ong'era, MP
	Hon. Memusi Ole Kanchory, MP
	Hon. Ali Wario Guyo, MP
	Hon. Kassim Tandaza Sawa, MP
	Hon. William Kamket Kassait, MP
	Hon. Erastus Kivisu Nzioka, MP
	Hon. Christopher Nakuleu, MP
	Hon. Eve Obara, MP
	Hon. Geoffrey Omuse, MP
	Hon. Janet Teiyaa, MP
	Hon. Joyce Emanikor, MP
	Hon. Nasri Sahal Ibrahim, MP
	Hon. Rozaah Buyu, MP
	Hon. Geoffrey Odanga, MP
	Hon. Gideon Keter, MP
	Hon. Ndindi Nyoro, MP
	Hon. Ibrahim Mude, MP
	Hon. Mathias Robi, MP
	Hon. Gideon Ochanda, MP

1.3 Committee's Secretariat

Ms. Hellen L. Ekadeli	-	Clerk Assistant
Ms. Mary L. Lemerelle	-	Clerk Assistant
Dr. Kefa Omoti	-	Principal Research Officer
Ms. Christine Odhiambo	-	Legal Counsel

2.0 BACKGROUND

2.1 Mandate and Functions of EALA

Article 49 of the EAC Treaty establishes EALA as the legislative organ of the Community. Like most legislatures EALA has as its core functions legislating, oversight and representation. Article 49 further states that EALA:

- a. Shall liaise with the National Assemblies of Partner States on matters relating to the Community;
- b. Shall debate and approve the budget of the Community;
- c. Shall consider annual reports on the activities of the Community, annual audit reports of the Audit Commission and any other reports referred to it by the Council;
- d. Shall discuss all matters pertaining to the Community and make recommendations to the Council as it may deem necessary for the implementation of the Treaty;
- e. May for purposes of carrying out its functions, establish any committee or committees for such purposes as it deems necessary;
- f. Shall recommend to the Council the appointment of the Clerk and other officers of the Assembly;
- g. Shall make its rules of procedure and those of its committees.

The Assembly may also perform any other functions as are conferred upon it by the Treaty. As noted above, EALA is empowered to make its own Rules of Procedure and to constitute Committees. EALA maintains seven standing committees: Accounts; Agriculture, Tourism and Natural Resources; General Purpose; Commission; Legal, Rules and Privileges; Regional Affairs and Conflict Resolution; and Trade Communication and Investment. EALA may also appoint Select Committees as needed. The composition and leadership of each of these Committees is equally shared among the Partner States.

There are 45 Members of EALA indirectly elected for a five-year (renewable) term by their respective National Assemblies (although not from within the National Assemblies), and five ex-officio Members. Article 50 of the Treaty requires that EALA's Members "represent as much as it is feasible, the various political parties represented in the National Assembly, shades of opinion, gender and other special interest groups in that Partner State". As such, EALA members come from diverse backgrounds such as business, NGOs, retired civil servants and Members of the National Assemblies. Aside from the latter, most have little or no parliamentary (or political) experience. The current staff complement at EALA is 23, 13 at professional level and 10 in the general staff category.

- a. Currently committees are comprised of around 15 members with the exception of the business committee which has 12 members; Nine from each member state. Members can be re-elected for a second term;
- b. The ex-officio Members include one Minister from each partner state responsible for East African Community Affairs (currently there are five Ministers), the Secretary General of the EAC and the Counsel to the Community. They may participate in debates but have no right to vote in the Assembly. The Ex-officio Members report to EALA on the implementation of the Treaty and any other issues of interest to the Partner States;
- c. Article 50 of the Treaty also requires that an MLA is a citizen of that Partner State; is qualified to be elected a member of the National Assembly of that Partner State under its Constitution; is not holding office as a Minister in that Partner State; is not an officer in the service of the Community; and has proven experience or interest in consolidating and furthering the aims and the objectives of the Community.

2.2 Meeting with the Speaker of EALA

The Delegation of Regional Integration Committee paid a courtesy call to the Speaker of EALA, Rt. Hon. Martin Ngoga, for a consultative meeting to familiarize them with the work of EALA and also meet with different EALA Committees. The Hon. Capt. Ruweida Mohamed led the delegation comprising of 7 Members of Parliament and a Committee Clerk.

The Speaker of EALA, Rt. Hon. Martin Ngoga pledged that EALA will continue to collaborate with respective Partner States' Parliaments to bring integration closer to the people. The collaboration is not just an obligation as stipulated for under the Treaty for the Establishment of the EAC but a concomitant desire by the Assembly to ensure citizens fully embrace the economic bloc.

The Speaker informed Members that EALA had continued in its quest to pass relevant legislation that strengthen the integration process and said the Parliaments were key stakeholders to be consulted at the public hearings and prior to enactment of Bills.

The Delegation on the Committee on Regional Integration will also interface with the Committee on Regional Affairs and Conflict Resolution as well as consultation with the Deputy Secretary General, Political Federation.

The Speaker informed the members that Article 65 of the Treaty for the Establishment of the EAC espouses the enhanced relations between the Assembly and the National Parliaments of the Partner States.

2.3 Plenary Session and Swearing in of Cabinet Secretary, Ministry of East African Community and Northern Corridor Development

East African Legislative Assembly, Arusha, March 13, 2018 swears in two senior Minister in the region as *ex-Officio* Members of EALA. Uganda's 2nd Deputy Prime Minister and Minister for EAC Affairs, Republic of Uganda, Rt. Hon. Dr. Ali Kirunda Kivejinja and the Cabinet Secretary for EAC and Northern Corridor Development in Kenya, Hon Peter Gatirau Munya, took the oath administered by the Clerk of EALA, before the EALA Speaker, Rt. Hon. Ngoga K. Martin.

The Oaths of Allegiance to the House were administered in accordance with Rule 5 of the Rules of Procedure of the Assembly. The Rules of Procedure say in part that: "*No Member can sit or participate in the proceedings of the House until the Oath or Affirmation of Allegiance to the Treaty is taken*".

First to take the Oath of Allegiance was the Cabinet Secretary for East African Community and Northern Corridor Development in the Republic of Kenya, Hon Peter Gatirau Munya. The Cabinet Secretary was ushered into the House by Hon. Mpuru Aburi and Hon. Abdikadir Aden.

Hon. Peter Gatirau Munya was sworn in as Cabinet Secretary for EAC and Northern Corridor in the Republic of Kenya on February 16th, 2018 following his appointment by H.E. Uhuru Kenyatta. Prior to his appointment as Cabinet Secretary, Hon. Peter Munya served as the first Governor of Meru County, where he was credited with many firsts among them, encouraging investment in sectors providing stable market to the local farming, creating employment and provision of vital services to the local business community.

As Governor, Hon. Peter Munya also served as the second Chairman of the Council of Governors. He previously served as a Member of Parliament for Tigania East Constituency in Meru County (2002-2007) and as Leader of the Party of National Unity (PNU). In December 2007 while serving in his second term as MP, Hon. Peter Gatirau Munya was appointed the Assistant Minister, East African Community, where he called for expansion of roads, improvement of existing harbours and building of new ports.

Hon. Munya holds a Master's Degree in International Law (International Economic Integration Law) obtained from University of Brussels in 1995 and a second Master's Degree in Law (Public Law) obtained from the University of Georgia, USA. He is a holder of a Bachelor of Law degree (LLB Hons), from the University of Nairobi.

On his part, Hon. Dr. Ali Kirunda Kivejinja was led in by Hon. George Odongo and Hon. Rose Akol. He was appointed to cabinet by H.E. President Yoweri Kaguta Museveni in November 2015 and then re-appointed in June 2016 following the elections in the country. He is Uganda's 2nd Deputy Prime Minister and Minister for EAC Affairs, Republic of Uganda.

The Sitting was also attended by legislators from the Republic of Kenya and Uganda who were in Arusha familiarizing with the activities of EALA and deepening the relationship with the National Parliaments. Kenya's Regional Integration Committee was headed by Hon. Capt. Ruweida Mohamed while Hon. Hood Katuramu led the Committee on Commission, Statutory Committees and Public Enterprises (COSASE) from Parliament of Uganda.

2.4 Plenary Session and Swearing in of Chief Administrative Secretary for EAC

East African Legislative Assembly, Arusha, March 15, 2018: The Chief Administrative Secretary (CAS) for EAC and Northern Corridor Development, Republic of Kenya, Hon. Ken Obura Mirenga was sworn in as *ex-Officio* Members of EALA, a day after the CS, Hon. Peter Munya.

The Oaths of Allegiance to the House were administered in accordance with Rule 5 of the Rules of Procedure of the Assembly. The Rules of Procedure say in part that: "*No Member can sit or participate in the proceedings of the House until the Oath or Affirmation of Allegiance to the Treaty is taken*".

Speaker of EALA, Rt. Hon. Ngoga, congratulated the new *ex-officio* Member. Hon. Ken Obura was sworn in as Chief Administrative Secretary for EAC and Northern Corridor in the Republic of Kenya following his appointment by H.E. Uhuru Kenyatta. Prior to joining the Executive, Hon. Ken Obura was the immediate former Member for Kisumu Central Constituency. While in Parliament, Hon. Ken Obura, who is an Advocate of the High Court of Kenya, was a Member of the Defence and Foreign Relations Committee.

As Chief Administrative Secretary, Hon. Ken Obura shall be the alternate representative in the House in absence of the substantive Cabinet Secretary. In accordance with Article 48, an Assistant Minister, Deputy Minister or Minister of State may only participate in the meetings of the Assembly when the substantive Minister responsible for East African Community Affairs is for any reason unable to participate.

2.5 Meeting with the EALA members – Kenya Chapter

Hon. Simon Mbugua, MP – Chairperson Kenya Chapter

Hon. Dr. Oburu Oginga, MP

Hon. Aden Noor, MP

Hon. Wanjiku Muhia, MP

Hon. Aden Mohamed Noor, MP

Hon. Kennedy Musyoka, MP

Prof. Chriss Ackello Ogutu – RAIP Consultant

Mr. Kenneth Ayuko – RAIP Consultant

Dr. Phillip Musyoka – RAIP Consultant

The Chairperson Kenya Chapter called the meeting to order at 10.00 a.m. and thanked the delegation of the Regional Integration Committee for electing the EALA members and more importantly attending the 3rd Meeting – 1st Session – 4th Assembly of EALA Plenary Sessions. He further reiterated that, it was a great honour for them and promised to work hand in hand to represent the interests of the Country in EAC.

The Chairperson introduced the team developing the EAC Regional Agricultural Investment Plan (RAIP) for 2018 – 2025. Prof. Chriss Ogutu informed the meeting that the report of the RAIP was at its last stages of conclusion. The report has undergone extensive validation processes whereby stakeholders and policymakers have interrogated the document. Likewise, the interests of the pastoralists' community in animal husbandry have been considered alongside the agricultural areas of the EAC. Further, the report after adoption will be posted to the EAC website for public consumption.

The EAC RAIP is anchored on the EAC CAADP Compact, the EAC CAADP Results Framework and other key regional Agriculture Sector Instruments. The RAIP is aligned to Malabo Declaration goals and commitments. It is designed to facilitate coordination of regional and crosscutting programmes that are best handled regionally and those that compliment interventions in the National Agriculture investment Plans. The EAC RAIP seeks to catalyze the realization of the CAADP goals in the following five investment thematic areas:

- a. Increasing regional agricultural production and food supply;
- b. Enhancing food utilization;
- c. Promoting agribusiness, value addition and agro-industry;
- d. Promoting sustainable natural resource use and management; and
- e. Strengthening capacities of EAC regional agricultural institutions.

The EALA Kenya Chapter raised concerns over considerable issues affecting their welfare and environs of work including:-

- a. the mobilization of resources towards the EAC 2017/2018 budget;
- b. the small percentage of Kenyans employed at the EALA, UN, AU offices respectively;
- c. support EALA members proposal to employ a secretariat (Clerk Assistant, Driver, Body Guard and Office Assistant); and
- d. A proposal to draft a bill for inclusion in the Parliamentary Service Commission for further benefits in Medical Cover, Car Loan, Mileage Allowances and Retirement Scheme.

The meeting agreed to establish closer working relationships and resolved:-

- a. tasked the Regional Integration Committee and the Ministry of EAC and Northern Corridor Development to propose a date for the Induction of both members either in Naivasha or Mombasa;
- b. The Induction programme to include presentations from the EAC Secretariat e.g. Secretary General, Deputy Secretary General of EAC; National Intelligence Service, Foreign Affairs and Immigration department;
- c. The RIC to speed up the process of amending the EAC Treaty due to numerous imperfections in the Treaty;
- d. To strengthen the relationship between RIC, National Assembly and the Ministry of EAC and Northern Corridor to ease seamless communication and sharing of information to strengthen integration issues;
- e. Harmonization of Partner State laws in conjunction with the EAC laws vis a vis the regional laws of Partner States.

2.6 Meeting with the Committee on Regional Integration Affairs and Conflict Resolution.

The Regional Integration Committee and its counterpart in EALA, the Regional Integration Affairs and Conflict Resolution agreed to schedule a separate meeting during its induction retreat to be held in May 2018.

3.0 OBSERVATIONS

The Committee made the following observations:-

- a. Mobilize resources towards the EAC subsequent budgets to facilitate the operations of the EAC Secretariat and other institutions;
- b. Increase the percentage of Kenyans employed at EALA, UN, AU offices in Tanzania respectively;
- c. Support a proposal of EALA Members to draft a welfare bill for inclusion in the Parliamentary Service Commission.

4.0 RECOMMENDATIONS

The Committee made the following recommendations:-

- a. The Ministry of EAC and Northern Corridor Development should liaise with the National Treasury in mobilizing resources towards the operations of the EAC Secretariat and its institutions;
- b. The Select Committee on Regional Integration and the Ministry of EAC and Northern Corridor Development should induct members of the Committee and EALA members to realize their respective mandates and areas of collaboration;
- c. The EALA Members – Kenya Chapter should draft a welfare bill for inclusion in the Parliamentary Service Commission;
- d. The Select Committee on Regional Integration and the Ministry of EAC and Northern Corridor should fast track the process of amending the EAC Treaty where necessary due to numerous flaws in the Treaty;
- e. The Select Committee on Regional Integration, the National Assembly and the Ministry of EAC and Northern Corridor should strengthen relationships for ease of communication and sharing of information in strengthening the integration issues;
- f. The Partner States should harmonize regional laws in conjunction with the EAC Laws; and
- g. The Select Committee on Regional Integration should benchmark in Uganda and learn from the Regional Integration Committee. The benchmark should include the EAC Institutions within the Partner States.

SIGNED..........DATE 13/06/2018.....

**THE HON. NAISULA LESUUDA, OGW, MP
CHAIRPERSON,
COMMITTEE ON REGIONAL INTEGRATION**

**MINUTES OF THE THIRTY-THIRD SITTING OF THE SELECT COMMITTEE ON
REGIONAL INTEGRATION HELD ON WEDNESDAY 30TH MAY, 2018 AT ENGLISH
POINT MARINA HOTEL IN MOMBASA AT 9.00 A.M.**

PRESENT

1. Hon. Naisula Lesuuda, MP, OGW - Chairperson
2. Hon. Capt. Ruweida Mohamed, M.P – Vice Chairperson
3. Hon. Mathias Robi, M.P
4. Hon. Malulu Injendi, M.P
5. Hon. Joyce Emanikor, MP
6. Hon. Gideon Keter, M.P
7. Hon. William Kamket, M.P.
8. Hon. Ndindi Nyoro, M.P.
9. Hon. Memusi Kanchory, MP
10. Hon. Sen. Janet Onge'ra, MP
11. Hon. Eve Obara, MP
12. Hon. Kubai Iringo, MP
13. Hon. Abdi Mude Ibrahim, MP
14. Hon. Erastus Kivisu, MP
15. Hon. Kassim Tandaza, MP

APOLOGIES

1. Hon. Ali Wario Guyo, M.P.
2. Hon. Dr. Gideon Ochanda, M.P.
3. Hon. Geoffrey Omuse, M.P
4. Hon. Janet Teiyaa, MP
5. Hon. Nasri Sahal Ibrahim, MP
6. Hon. Rozaah Buyu, MP
7. Hon. Ezekiel Ombaki, MP

ABSENT

1. Hon. Christopher Nakuleu, MP

IN – ATTENDANCE

MINISTRY OF EAST AFRICAN COMMUNITY AND NORTHERN CORRIDOR DEVELOPMENT

- | | | |
|------------------------|---|--------------------------------|
| 1. Hon. Ken Obura | - | Chief Administrative Secretary |
| 2. Mr. Julius Mwabu | - | Deputy Director |
| 3. Ms. Winnie Cheserem | - | Principal State Counsel |
| 4. Mr. Mark Ogut | - | Senior Ass. Director |

SECRETARIAT

- | | | |
|---------------------------|---|-----------------|
| 1. Ms. Hellen Ekadeli | - | Clerk Assistant |
| 2. Ms. Mary Lemerelle | - | Clerk Assistant |
| 3. Ms. Christine Odhiambo | - | Legal Counsel |
| 4. Mr. James Kimiti | - | Audio Officer |

MINUTE NO.124/2018

PRELIMINARIES

The meeting was called to order at 9.30 a.m. by the Chairperson. A prayer was said by Hon. Malulu Injendi and the agenda of the meeting was adopted as consideration of the reports of inspection visits and foreign travels conducted by the Committee.

MINUTE NO.125/2018

CONSIDERATION AND ADOPTION OF ISEBANIA ONE STOP BORDER POST INSPECTION VISIT IN MIGORI COUNTY

The Committee examined the report and agreed on its recommendations as follows:-

- a. The Partner States should sensitize and encourage their citizens to embrace the EAC spirit of enhancing regional integration and reciprocity treatment in engaging with other Partner States. Kenya Presidential directive on free movement within EAC without requirement of passport is not reciprocated in Tanzania;
- b. The Partner States to implement uniform application of procedures at all border posts facilities along the Kenya/Tanzania borders in terms of clearing of goods and people at the entry/exit points. Procedures at Sirare Border Post are not similar with those at Namanga Border Post;

- c. The Partner States to lift the periodical ban on exports of fish and levies and fees imposed on the exports. There are numerous non-tariff barriers being imposed on exports out of Tanzania to Kenya. There is an export ban on Tilapia and un-processed Nile Perch from Tanzania to Kenya. High fees/levies for export permits of agricultural produce from Tanzania. These permits are only available at Dar es Salam as there are no local offices at Sirare to offer these services;
- d. The Department of Immigration through the Ministry of Foreign Affairs to harmonize the business visa and other related requirements. The business visa rates are higher in Tanzania;
- e. The Partner States to heighten security at the border areas and encourage joint border coordinating committee meetings to ensure structured engagement;
- f. The additional borders entry/exit points including Muhuhu Bay, Nyamtiro and Kopanga to be gazetted and a law enacted to create mobile border stations and manned by all border agencies. The distance between Isebania border area of control and the next border entry point is Namanga is 297 km. This leaves a vast stretch along the border that is un-manned and no record of activities happening in the various border crossings. This is both a security and revenue risk to the country; and
- h. The Committee recommended the removal of the barrier erected at the entrance of Isebania Border Post facility by the Migori County government.

The Committee adopted the report having been proposed and seconded by Hon. Mathias Robi and Hon. Malulu Injendi respectively.

MINUTE NO. 126/2018

**CONSIDERATION AND ADOPTION OF EALA
PLENARY SESSION IN ARUSHA**

The Committee considered the report and agreed to its observations as follows:-

- i. Mobilize resources towards EAC subsequent budgets to facilitate the operations of the EAC Secretariat and other institutions;
- ii. Increase the percentage of Kenyans employed at the EALA, UN, AU offices respectively; and
- iii. Support a proposal of EALA members to draft a welfare bill for inclusion in the Parliamentary Service Commission.

It further recommended that:-

- a. The Ministry of EAC and Northern Corridor Development should liaise with the National Treasury in mobilizing resources towards the operations of the EAC Secretariat and its institutions;
- b. The Select Committee on Regional Integration and the Ministry of EAC and Northern Corridor Development should induct members of the Committee and EALA members to realize their respective mandates and areas of collaboration;
- c. The EALA Members – Kenya Chapter should draft a welfare bill for inclusion in the Parliamentary Service Commission;
- d. The Select Committee on Regional Integration and the Ministry of EAC and Northern Corridor should fast track the process of amending the EAC Treaty where necessary due to numerous flaws in the Treaty;
- e. The Select Committee on Regional Integration, the National Assembly and the Ministry of EAC and Northern Corridor should strengthen relationships for ease of communication and sharing of information in strengthening the integration issues;
- f. The Partner States should harmonize regional laws in conjunction with the EAC Laws; and
- g. The Select Committee on Regional Integration should benchmark in Uganda and learn from the Regional Integration Committee. The benchmark should include the EAC Institutions within the Partner States.

The report was adopted having been proposed and seconded by Hon. Kubai Iringo and Hon. Memusi Kanchory respectively.

MINUTE NO. 127/2018

**CONSIDERATION AND ADOPTION OF EALA
PLENARY SESSION IN DODOMA**

The Committee discussed the report and recommends the following to the National Assembly:

- a. That the Council of Ministers should in consultation with respective Partner States Assemblies, develop an enforcement mechanism for the implementation of the commitments agreed by Partner States;

- b. That, the Ministry of EAC and Northern Corridor Development should intensify sensitization programs about the EAC Integration, its aspirations, its benefits and the role of ordinary Kenyan citizens;
- c. That, the Ministry of EAC and Northern Corridor Projects should ensure that all the projects implemented by the EAC Institutions in Kenya are well integrated into the local community development priorities;
- d. That, the Ministry of EAC and Northern Corridor Development to request the Council of Ministers to increase the funding of EAC Institutions for growth and execution of their mandate;
- e. That, the Ministry of EAC and Northern Corridor Development to liaise with the National Treasury to ensure timely remittance of Kenya's contribution to EAC budget and regularly brief the Select Committee on Regional Integration on the same;
- f. That, the Ministry of EAC and Northern Corridor should liaise with the Council of Ministers to direct Partner States to ensure effective interface of different Customs IT Systems for seamless operations;
- g. That, the Ministry of EAC and Northern Corridor Development should identify the Kenyan laws, policies and regulations that needs to be harmonized with other Partner States and share the same with the Select Committee on Regional Integration for fast tracking in facilitation of cross border trade within the region; and
- h. The State department of Immigration to facilitate adequate staffing and infrastructural development within the One Stop Border Post facilities and ensure free movement of persons particularly students from Partner States.

MINUTE NO. 128/2018

**CONSIDERATION OF NAMANGA ONE STOP
BORDER POST INSPECTION VISIT IN KAJIADO
COUNTY.**


The Committee examined the report and conclusively agreed to invite the Kenya Revenue Authority CEO to address the issues which were raised by the local community concerning the operations and management of the Namanga Border Post facility. The primary issues touched on

unemployment of the locals, treatment of women traders, tendering and allocations of tenders to non-locals, use of facilities within the Border Post including the operations of the canteen and corporate social responsibility of the facility towards the locals.

MINUTE NO. 129/2018

ADJOURNMENT

There being no other business, the meeting was adjourned at thirty minutes past one o'clock.

SIGNED..........

(Chairperson)

DATE.....5/06/2018.....



SELECT COMMITTEE ON REGIONAL INTEGRATION

ADOPTION OF REPORT ON THE 3RD MEETING – 1ST SESSION – 4TH ASSEMBLY OF
EALA PLENARY SESSION HELD IN ARUSHA, TANZANIA

S/No	NAME	SIGNATURE
1.	Hon. Naisula Lesuuda, OGW, M.P	
2.	Hon. Capt. Ruweida Mohamed, M.P	
3.	Hon. Mathias Robi, M.P	
4.	Hon. William Kamket, M.P	
5.	Hon. Eve Obara, M.P	
6.	Hon. Ali Wario, M.P	—
7.	Hon. Ndindi Nyoro, M.P	
8.	Hon. Geoffrey Omuse, M.P	—
9.	Hon. Rozaah Buyu, M.P	—
10.	Hon. Janet Ongera, M.P	
11.	Hon. Nasri Ibrahim, M.P	—
12.	Hon. Memusi Ole Kanchory, M.P	
13.	Hon. Dr. Gideon Ogolla, M.P	—
14.	Hon. Iringo Cyprian Kubai, M.P	
15.	Hon. Moses Injendi, M.P	
16.	Hon. Gideon Keter, M.P	
17.	Hon. Kassim Tandaza Sawa, M.P	
18.	Hon. Abdi Mude Ibrahim, M.P	—
19.	Hon. Joyce Emanikor, M.P	—
20.	Hon. Erastus Kivasu, M.P	
21.	Hon. Ezekiel Ombaki, M.P	—
22.	Hon. Christopher Nakuleu, M.P	—
23.	Hon. Janet Teyiaa, M.P	—

REPUBLIC OF KENYA



TWELFTH PARLIAMENT
(SECOND SESSION)

REPORT OF THE SELECT COMMITTEE ON REGIONAL INTEGRATION

ON

PARTICIPATION IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)
SITTINGS AT DODOMA FROM 17TH TO 25TH APRIL, 2018

Directorate of Committee Services

National Assembly

Parliament Buildings

NAIROBI

JUNE, 2018



TABLE OF CONTENTS

TABLE OF CONTENTS.....	ii
1.0 INTRODUCTION.....	8
1.1 Committee Membership.....	9
1.2 Committee Secretariat.....	10
2.0 CONSIDERATION OF EALA BILLS.....	11
2.1 The East African Monetary Institute Bill 2017.....	11
2.2 The East African Community Oaths Bill, 2017.....	12
3.1 Report of Assessment of EAC Corridors and Projects.....	13
3.1.1 FINDINGS ON NORTHERN CORRIDOR PROJECTS.....	13
3.1.1.1 Kenya Ports Authority (KPA).....	13
3.1.1.2 Kenya Revenue Authority (KRA).....	15
3.1.1.3 Taveta/Holili One Stop Border Post.....	16
3.1.1.4 Namanga One Stop Border Post.....	17
3.1.1.5 Lake Victoria Basin Commission (LVBC).....	19
3.1.1.6 Lake Victoria Water and Sanitation (LVWATSAN) Project.....	20
3.1.1.7 Malaba One Stop Border Post.....	21
3.1.1.8 Lake Victoria Fisheries Organisation (LVFO).....	22
3.1.1.9 East African Development Bank (EADB).....	23
3.1.1.10 Inter-University Council for East Africa (IUCUEA).....	24
3.1.1.11 Civil Aviation Safety and Security Oversight Agency (CASSOA).....	25
3.1.1.12 Katuna/Gatuna One Stop Border Post.....	26
3.1.1.13 East African Science and Technology Commission (EASTEKO).....	27
3.2 FINDINGS ON THE SOUTHERN CORRIDOR ACTIVITIES.....	28
3.2.1 The Kiswahili Commission.....	28
3.2.2 East Africa Health Research Commission.....	29
3.2.3 Regional Rusumo Falls Hydroelectric Power Project (RRFHP).....	31
3.2.4 Rubwa One Stop Border Post.....	31
3.2.5 Malindi Port and the New Cargo Port Project in Maruhubi.....	31
3.2.6 The Muruhubi Port Project.....	32
3.2.7 Dar Es Salaam Port.....	32

3.2.8 Tanzania Revenue Authority (TRA)	33
3.2.9 Vigwaza Weighbridge	34
3.2.10 Kabanga One Stop Border Post (OSBP)	35
3.2.11 Kobero One -Stop Border Post	36
3.2.12 Rusumo One Stop Border Post	37
4.0 OBSERVATIONS	39
5.0 RECOMMENDATIONS	40

LIST OF ABBREVIATIONS

CASSOA	Civil Aviation Safety and Security Oversight Agency
CFAs	Clearing and Forwarding Agents
EAC	East African Community
EADB	East African Development Bank
EAKC	East African Kiswahili Council
EALA	East African Legislative Assembly
FMO	Netherlands Development Finance Company
ICAO	International Civil Aviation Authority
IUCEA	Inter University Council for East Africa
IT	Information Technology
KPA	Kenya Ports Authority
KRA	Kenya Revenue Authority
LVBC	Lake Victoria Basin Commission
LVFO	Lake Victoria Fisheries Organization
LVWATSAN	Lake Victoria Water and Sanitation
OSBP	One Stop Border Post
RECTS	Regional Electronic Cargo Tracking System
RIC	Regional Integration Committee
RSS	Republic of South Sudan
SBIC	Small Business Investment Companies
SCT	Single Customs Territory
SDG	Sustainable Development Goal
SGR	Standard Gauge Railway
TRA	Tanzania Revenue Authority
URT	United Republic of Tanzania
WHO	World Health Organization

CHAIRPERSON'S FOREWORD

The Committee on Regional Integration sent a delegation to the EALA plenary session held in Dodoma between 17th and 25th of August 2018.

The delegation participated in plenary and select committee sittings as observers. The delegation also held side meetings with the Cabinet Secretary for East African Community and Northern Corridor Development, Hon. Peter Munya and Kenyan EALA Members. The Committee notes with appreciation the achievements made by EALA in establishing itself as a strong and effective regional legislature, capable of carrying out its legislative, oversight and representation roles. The matters canvassed during the EALA committee stages and plenary resonate well with the mandate of our own committee and have the potential to fast track the realization of the EAC treaty objectives

The EALA sittings focused on engagements between the Council of Ministers and Assembly especially on annual reports published by the Council of Ministers that require to be tabled in the Assembly. Such reports include the common foreign policy and security reports, establishment of the peace and security directorate and the Northern Corridor development reports. The Assembly also considered bills including the East African Community Oaths Bill, 2017 and the East African Monetary Institute Bill, 2017.

The Committee made the following observations and recommendations:

Observations

- a. That, the implementation of commitments by EAC Partner States is slow thus slowing down the integration process;
- b. That, there is a general low level of awareness among citizens and institutions of Partner States with regard to the integration process;
- c. That, delays in remitting country contributions meant for financing of EAC operations and capacity building for critical institutions is likely to frustrate the integration process and delay the EAC Federation dream;
- d. That, projects implemented by EAC such as Lake Victoria Basin projects are not adequately impacting on local communities;
- e. That, despite the fact that most One Stop Border Post have tremendously reduced the cost of doing business in EAC, they are poorly resourced with critical infrastructural facilities such as firefighting equipment, ambulance, storage and quarantine, testing and laboratory equipment, adequate facilities for people leaving with disabilities, accommodation for staff, health services, livestock area at the border posts, among others;

- f. That, different customs management IT systems operated by the Partner States frustrated the implementation of the SCT regime;
- g. That, there is a plethora of un-harmonized laws, policies and regulations within the Partner States that disorganize the implementation of the Customs Union and Common Market;
- h. That, some weigh bridges within Partner States at times don't give the same weight for the same cargo, which frustrates the business community;
- i. That, students experience challenges in obtaining study permits across the EAC region.

Recommendations

- a. That the Council of Ministers should in consultation with respective Partner States Assemblies, develop an enforcement mechanism for the implementation of the commitments agreed by Partner States;
- b. That, the Ministry of EAC and Northern Corridor Development should intensify sensitization programs about the EAC Integration, its aspirations, its benefits and the role of ordinary Kenyan citizens;
- c. That, the Ministry of EAC and Northern Corridor Projects should ensure that all the projects implemented by the EAC Institutions in Kenya are well integrated into the local community development priorities;
- d. That, the Ministry of EAC and Northern Corridor Development to request the Council of Ministers to increase the funding of EAC Institutions for growth and execution of their mandate;
- e. That, the Ministry of EAC and Northern Corridor Development to liaise with the National Treasury to ensure timely remittance of Kenya's contribution to EAC budget and regularly brief the Select Committee on Regional Integration on the same;
- f. That, the Ministry of EAC and Northern Corridor should liaise with the Council of Ministers to direct Partner States to ensure effective interface of different Customs IT Systems for seamless operations;
- g. That, the Ministry of EAC and Northern Corridor Development should identify the Kenyan laws, policies and regulations that needs to be harmonized with other Partner States and share the same with the Select Committee on Regional Integration for fast tracking in facilitation of cross border trade within the region; and
- h. The State department of Immigration to facilitate adequate staffing and infrastructural development within the One Stop Border Post facilities and ensure free movement of persons particularly students from Partner States.

May I take this opportunity to thank the Speaker and the Clerk of the National Assembly for facilitating the delegation to participate in the East African Legislative Assembly sittings in Dodoma. It is therefore, my pleasant duty and privilege, on behalf of the Select Committee on Regional Integration to present this report to the House for consideration.

HON. NAISULA LESUUDA, OGW, M.P

1.0 INTRODUCTION

The Select Committee on Regional Integration is established under Standing Order 212 and mandated to carry out the following functions:

- i. Enhance the involvement of the National Assembly in intensification and development of the integration process in Africa;
- ii. Examine records of relevant EALA debates and resolutions;
- iii. Examine EALA Bills and EAC Acts;
- iv. Examine records of relevant debates and resolutions of Pan African Parliament;
- v. Inquire into and examine any matter relating to regional integration requiring action by the House.

1.1 Committee Membership

The Committee was constituted in December 2017 and comprises of 23 Members who will serve for the life of the 12th Parliament as listed below:

Chairperson	The Hon. Naisula Lesuuda, M.P, OGW
Vice Chairperson	The Hon. Capt. Ruweida Mohamed, M.P
	The Hon. William Kamket, M.P.
	The Hon. Kubai Iringo, M.P
	The Hon. Ndindi Nyoro, M.P.
	The Hon. Abdi Mude Ibrahim, M.P
	The Hon. Nasri Sahal Ibrahim, M.P
	The Hon. Kassim Tandaza, M.P
	The Hon. Ali Wario Guyo, M.P.
	The Hon. Memusi Ole Kanchory, M.P
	The Hon. Janet Ong'era, M.P.
	The Hon. Dr. Gideon Ochanda, M.P.
	The Hon. Mathias Robi, M.P
	The Hon. Janet Teiyaa, M.P
	The Hon. Geoffrey Omuse, M.P
	The Hon. Joyce Emanikor, M.P
	The Hon. Gideon Keter, M.P
	The Hon. Rozaah Buyu, M.P
	The Hon. Ezekiel Ombaki, M.P
	The Hon. Christopher Nakuleu, M.P
	The Hon. Eve Obara, M.P
	The Hon. Malulu Injendi, M.P
	The Hon. Erastus Nzioka, M.P

1.2 Committee Secretariat

- | | |
|---------------------------|----------------------------|
| 1. Ms. Hellen Ekadeli | Clerk Assistant III |
| 2. Ms. Mary Lemerelle | Clerk Assistant III |
| 3. Ms. Christine Odhiambo | Legal Counsel |
| 4. Dr. Kefa Omoti | Principal Research Officer |

The East African Legislative Assembly is established under Article 9 of the Treaty for the Establishment of the East African Community (EAC) as one of the key organs and institutions of the Community. The Assembly plays a critical role in the furtherance of the EAC objectives such as:

- a. Liaising with National Assemblies of partner states on matters relating to the community;
- b. Debating and approving the budget of the Community;
- c. Considering of annual reports on the activities of the community, annual audit reports and any other reports referred to it;
- d. Discussing all matters referred to it regarding the community and making recommendations as it may deem necessary for the implementation of the community treaty.

The Assembly has proven itself as a strong and effective legislative body and registered a number of achievements towards the realization of the Community objectives. Between the 8th and 25th of April 2018, the Assembly held its plenary sittings in Dodoma, Tanzania where Members of National Parliaments of Partner States were invited to attend for familiarization and general information. In light of this, Parliament of the Republic of Kenya was represented by an eight member delegation comprising Members of the Committee of Regional Integration. The delegation attended various EALA committee and plenary sittings between the 17th and 25th of April, 2018.

1.3 Delegation Composition

The delegation comprised of the following:

1. **Hon. Ndindi Nyoro, M.P - Leader of Delegation**
2. Hon. Abdi Mude Ibrahim, M.P
3. Hon. Nasri Sahal Ibrahim, M.P
4. Hon. Geoffry Omuse, M.P
5. Hon. Dr. Gideon Ochanda, M.P.
6. Hon. Mathias Robi, M.P
7. Ms Mary Lemerelle - Clerk Assistant
8. Dr. Kefa Omoti - Research Officer

The Committee took note of the progress made by the EALA and Council of Ministers in furtherance of the East African Community (EAC) dream and urges partner states to fast track the implementation of EALA recommendations on various aspects highlighted in this report.

2.0 CONSIDERATION OF EALA BILLS

The delegation observed debate and approval of two bills namely the East African Monetary Institute Bill 2017 and the East African Community Oaths Bill, 2017.

2.1 The East African Monetary Institute Bill 2017

The delegation attended to deliberations on the above bill at Committee stage on 18th of April, and noted that the Bill was meant for the establishment of the East African Monetary Institute as an institution of the Community responsible for preparatory work for the EAC Monetary Union. The Bill is expected to provide for the functions, governance and funding for the Institute as well as other related matters in accordance with Article 23 of the Protocol on the EAC Monetary Union.

The East African Monetary Institute Bill, 2017 had been introduced to the assembly by the council of Ministers on 8th February 2018 in Kampala, Uganda during the 2nd meeting of the 1st session of the 3rd assembly and the house referred it to the committee of general purpose for consideration. During deliberations, the General purpose committee, Chaired by the Hon. Omar Abdikadir noted the following:

- a. that the year 2017 was not valid given the date of tabling of the bill before the assembly and its subsequent consideration. Therefore, the committee recommended replacing it with the year 2018;
- b. that republic of south Sudan was not included under the definition of the partner state in clause 2. The committee therefore amended the definition 'partner states' by adding the republic of south Sudan;
- c. that the bill does not provide for transition provisions that reflect the interim status and dissolution of the institute whose mission will be completed as shown by the roadmap for the realization of the monetary union. The committee therefore proposed that a new clause relating to dissolution and transitional provisions be added to the Bill;
- d. that there was no clarity in the bill on observance of Gender balance in the appointment of officers of the institute. The committee was of the view that gender balance be taken into account in appointment of the director general and the two Deputy directors general. The committee proposed that clause 11 be amended to that effect; and
- e. that the requirement for appointment of deputy directors under clause 11 (6) was more comprehensive with a wider scope of qualifications in addition to banking, economics and finance and 'any other relevant field'. Therefore, sub clause (6) (c) was adopted and maintained providing separately but uniformly for the positions of deputy director general and the two deputy directors general.

2.2 The East African Community Oaths Bill, 2017.

The delegation witnessed the debate and enactment of the East African Community Oaths Act, 2017. The legislation, had earlier been scrutinized by the committee on legal, rules and privileges chaired by MP Amb. Fatuma Ndangiza. The law aims to provide for the taking and administering of oaths in relation to specific persons appointed to serve in the organs or institutions of the EAC or required to take oath before giving evidence in the East African Court of Justice. It is meant to bridge the law that allowed Member states to administer oaths in different ways a situation that called for harmonisation.

Affirmation implies that you can take oath but you don't have to hold a Bible, or Quran In the past, those who were not comfortable to take oath on religious basis were not catered for the need for the same in the new law. The law is very important in advancing the bloc's integration agenda since taking oath is a declaration of commitment to the aspirations of the Community and a pledge to abide by the rules and procedures and the integration agenda. It also goes a long way to ensure discipline in execution of functions and duties.

3.0 CONSIDERATION OF EALA COMMITTEE REPORTS

The delegation witnessed the scrutiny of reports prepared by EALA Select committees on a wide range of regional integration matters such as the assessment of the EAC central corridor, EAC northern corridor, the EAC institutions, projects and facilities.

3.1 Report of Assessment of EAC Corridors and Projects

A select committee of EALA toured the EAC corridors and projects between 11th and 23rd February 2018 and tabled a report during the Dodoma sittings. The objectives of the EALA tour included:

- a. to appreciate the operations of the EAC Institutions and Authorities/Agencies that provide services that facilitate EAC integration;
- b. to create awareness to the East Africans on the role of the EALA in the integration process, on the benefits of integration and to experience the challenges of the EAC integration;
- c. to enhance mutual relationships and sustainable networking between the EALA and the people of East Africa; and
- d. to get feedback and recommendations from the citizens on their perception of the EAC integration efforts so far.

The EALA subcommittee identified specific challenges for each of the three corridors and institutions of the EAC including the Kiswahili Commission, the partner states revenue authorities, ports and weighbridges such as the Malindi and Dar es salam ports.

3.1.1 FINDINGS ON NORTHERN CORRIDOR PROJECTS

3.1.1.1 Kenya Ports Authority (KPA)

The KPA was established in January 1978 under an Act of Parliament and mandated to manage and operate the Port of Mombasa and all scheduled seaports along Kenya's coastline that include Lamu, Malindi, Kilifi among others. The Port of Mombasa is the gateway to East and Central Africa and is one of the busiest Ports along the East African Coastline.

The Port provides direct connectivity to over 80 ports worldwide and linked to a vast hinterland comprising Uganda (82.4%), Southern Sudan (7.8%), East DRC (4.2%), Tanzania (3.1%), Rwanda (2.1%), Burundi (0.3%) and others (0.2%). Sub-committee Members were further informed that KPA employed automated technologies in all its operations and has become paperless in its linkages with the Kenya Revenue Authority (KRA) and clearance of cargo is on-line/automated.

The sub-committee learnt that Kenya has an active Anti-Counterfeit Agency in place, which has been in operation since 2010. Counterfeit goods that are discovered at the Port are impounded and destroyed. Members were informed that the Kenya Ports Authority had over 500 cameras on

sight installed on the port perimeter wall, both on sea and land. All port users are expected to obtain digitalized security cards to gain access to the port. The Committee noted that KPA offers capacity building programs for students from the Republic of Burundi.

In order to remain responsive to the maritime opportunities and demands, KPA had laid down the following development strategies:

- a. expansion of the Mombasa Container Terminal to handle 1.5 million Twenty Foot Equivalent Units (TEUs) per annum;
- b. development of a new Crude Oil Handling Facility with a capacity to accommodate four and bigger tankers up to 200,000 dead weight tonnage (dwt);
- c. Dongo Kundu Special Economic Zone and Freeport, which is located west of the Port of Mombasa,
- d. development of small Ports such as Shimoni Port in the South Coast;
- e. development of Kisumu Port and other Lake Victoria Port into a modern commercial Lake Port to serve the growing trade in the EAC region;
- f. development of a comprehensive master plan to expand across the lake;
- g. Capital Dredging to accommodate the development of various upcoming projects such as the Dongo Kundu Freeport, among others;
- h. adoption of a Green Port Policy to address the environmental impact of port activities and operations;
- i. construction of Port at Lamu and LAPPSET Transit Corridor to provide a reliable access to the sea for Northern/Eastern parts of Kenya, South Sudan and Ethiopia, which hitherto remained without direct access to the sea;
- j. Bandari College will serve as a maritime institution of excellence. This Institution will serve the whole of East Africa;
- k. Construction of the first three berths has begun. The first berth will be ready by August 2018; and
- l. The Standard Gauge Railway will also contribute to the reduction of time for transport of cargo as well as the cost to import and to export.

It was revealed that KPA experienced the following challenges:

- a. security and safety incidents such as loss of containers;
- b. greater operational complexity as a result of much bigger ships bringing in congestion thus high cargo traffic coming in and not going out;
- c. transshipment of loose cargo from Mombasa to Zanzibar island or Pemba where over 200 ships stay for six days without clearance;
- d. implementation of rigid rules and regulations leading to increase of storage charges; and
- e. Incurring double storage charges on the same cargo in the same period of time.

The EALA Committee made the following recommendations:

- a. The Government of Kenya should ensure enough security at the port and along the Northern Corridor;
- b. The Council to direct the Republic of Kenya to undertake continuous sensitization programs to create awareness among the port;
- c. The KRA should consult with the Revenue Officials of the country of destination of the goods to be auctioned and advertise the auctioning in the country of destination of the goods;
- d. Kenya Ports authority should create more space at the port to address issues of congestion;
- e. Kenya Ports Authority in consultation with the Port users should review the storage charges at the port;
- f. Transshipment of loose cargo between Mombasa and Zanzibar should permanently be resolved to avoid loss of revenues; and
- g. The Council to direct Partner States to harmonize their Laws on counterfeits.

3.1.1.2 Kenya Revenue Authority (KRA)

The Kenya revenue Authority facilitates full implementation of the SCT clearance procedures since 2013. The SCT aims at clearing of goods at first port of entry which reduces the cost of doing business by eliminating duplicating of processes under several laws including:

- a. national laws such as Customs and Excise Act, VAT Act CAP 476, the Agency Act and Road Maintenance Levy (RML) among others;
- b. regional laws such as the Treaty for the establishment of East African Community, the East African Customs Union Protocol, the East Africa Customs Management Act, 2004, the EAC Common External Tariff Act, and COMESA Agreements; and
- c. Global Agreements such as Revised Kyoto Convention, World Customs Organization and World Trade Organization.

The following challenges were identified in relation to KRA:

- a. Insecurity of cargo due to the lack of a Regional Electronic Cargo Tracking Systems
- b. Transshipment of loose cargo. This encourages smuggling since goods do not reach their destination.
- c. Systems interface to facilitate trade in the region is not integrated. These are considered as some of the non-tariff barriers and they limit business transactions.
- d. Work permits for staff from other Partner States take too long to the extent that one is not even able to get a simple document like a driving license to facilitate work at the Port.
- e. Revenue authorities keep increasing penalties, which are beyond the capacity of traders. This usually encourages corruption.
- f. Single Customs Territory has not been fully implemented and has also not been embedded in the EAC Customs Management Act, 2004.

- g. Lack of sensitisation of the users on the required documents of importation for cargo.
- h. Restricted Movement of people and goods.
- i. Lack of systems to ensure implementation of the Single Customs Territory.
- j. Lack of public participation during law making processes.
- k. The RSS is not integrated in the Single Customs Territory; this makes it difficult to use the Regional Electronic Cargo Tracking System (RECTS) and leads to smuggling of goods.

EALA recommended as follows:

- a. The KRA should put in place appropriate measures to address smuggling issues;
- b. The Government of Kenya should fast track the issuance of works permits to staff from other Partner States;
- c. Partner States should invest more to avail the RECTS for goods in transit;
- d. Joint operation should be carried by both KPA and KRA;
- e. The Council should fast track the integration of South Sudan into the SCT; and
- f. KPA and the EAC Secretariat should carry out Continuous Sensitisation activities among the users with regard to operations and legislation.

3.1.1.3 Taveta/Holili One Stop Border Post

The Holili/Taveta OSBP was the first facility to be constructed as a pilot case within the EAC. The construction was completed and handed over to TRA on 3rd February, 2011 while the Taveta side in the Republic of Kenya completed the pilot operation as OSPB from 4th May 2015. The facility was officially launched as Holili/Taveta OSBP on 27th February 2016.

The construction of the OSBP was based on the need to offer an alternative route to Northern Tanzania from Kenya with a view to reducing the amount of time to transport goods to and from Mombasa port because initially, the only route to transport goods from Mombasa port to Arusha and the Northern part of Tanzania, was through Namanga Border, which makes a distance of 613.4 Km. With the new route of Mombasa-Holili- Arusha, the distance is 379.7 km. The construction has led to significant increase in cross border movement of goods and people. It however, faces the following challenges:

- a. The original structure of the building did not put into consideration holding areas for Animals/quarantine.
- b. Lack of a thermo scanner for early detection of Viral Hemorrhagic Fever (VHF) diseases.
- c. Lack of designated areas/ground to accommodate large groups of people in case of pandemics and asylum seekers.
- d. Inadequate water supply.

- e. The route has been used for human trafficking for citizens of Ethiopia and Somalia because they consider it convenient.
- f. Un-harmonized laws and regulation on the immigration and custom legal frameworks within the two countries.
- g. Limited of awareness about the operations of the OSBP.
- h. Porous and illegal routes along the border.
- i. Passport is still the only required document for identification of persons at Taveta/Holili OSBP, thus making free movement of persons a challenge. The reason given to this, is that Tanzania has no National Identity Cards yet.
- j. The destruction of chicks from Kenya which was due to the lack of harmonised phyto-sanitary standards.

Recommendations

- a. The Council of Ministers should direct Partner States to harmonize the phyto-sanitary standards as well as immigration and custom laws.
- b. The Council to direct all Partner States to establish EAC focal office at the border.
- c. EAC Secretariat should conduct regular sensitization activities for the boarder communities about the better understanding of OSBP, common market and customs protocols.
- d. The Governments of Kenya and Tanzania should fast track the process of supplying water at the border.
- e. The OSBP Authorities should make provisions for enough space to accommodate quarantine and other designated areas.

3.1.1.4 Namanga One Stop Border Post

Namanga OSBP was constructed with the financial contributions from the African Development Bank and Japan International Cooperation Agency (JICA). The OSBP operates on a 24-hour basis and clearing of cargo takes a maximum of 2-3 hours to obtain the approval for further transportation. It has registered the following successes:

- Has led to enhanced information sharing between other Government Agencies;
- a. interagency cooperation and creation of Border Management Committee and Joint Operations Centre, which leads to, coordinated border management;
- b. electricity connectivity to both sides of the border point;
- c. improved security and safety at the border due to the establishment of a joint operation centre;
- d. improved infrastructure such as trucks parking yard, all weather verification area, adequate customs warehouse, well-ventilated offices;
- e. seamless process flow;
- f. improved working environment;

- g. increased simplification and harmonization of procedures led to a reduction in clearance time for both passengers and goods, which resulted in increase in business between Kenya and Tanzania;
- h. employment of local communities;
- i. capacity building on management, laws and procedures for officers, stakeholders and the border community.

The Namanga OSBP however faces the following challenges:

- a. Lack of non-intrusive inspection tools for cargo such as scanners, laboratory equipment among others.
- b. Inadequate budgetary allocation to run the OSBP.
- c. Low staffing levels in government departments operating at the OSBP.
- d. There is need for mindset change of the officials at the OSBP as far as facilitation of free movement of people and goods is concerned.
- e. Porous /unmanned borders which are used by smugglers.
- f. Incomplete harmonization of immigration laws as per the EAC protocol.
- g. Failure by some exporters/importers to fully utilize the pre-clearance module prior to cargoes arrival at the border.
- h. Animal/livestock holding area is lacking within the infrastructure since it's a cattle corridor.
- i. Lack of interconnectivity of the systems within the border which has led to non-uniform operations.
- j. Difference in the axle weight between Tanzanian and Kenya, which poses high cost of doing business due to penalties.
- k. No space was provided to the local Masai women within the community to carry out hand craft trade.
- l. It was said that Tanzanians are allowed to carry out business in Kenya while Kenyans are not allowed to do the same in Tanzania, thus leading to conflicts between small traders at the border.
- m. Un-harmonised taxes and other hidden charges levied at departmental levels by Government agencies at the border, for example cereals such as maize are tax-free but still incur unseen taxes or charges.

Recommendations

- a. The OSBP authorities should ensure multi-stakeholder collaboration and partnership amongst border communities and other relevant agencies.
- b. Council to direct the Partner States to fast track efforts to harmonise policies in order to facilitate cross border trade within the region.
- c. Council to direct the Partner States to introduce attitudinal development, continuous monitoring and mentoring of the officials of the OSBPs, in respect of fast- tracking free movement of people, goods, services and implementation of integration programmes.

- d. The EAC Secretariat should undertake regular sensitization activities to Border Agencies and other relevant stakeholders on the EAC projects, policies and regulations.
- e. The Governments of Kenya and URT should enhance the public private dialogues between Governments and business community.
- f. The Partner States should harmonise the laws on phyto-sanitary standards.

3.1.1.5 Lake Victoria Basin Commission (LVBC)

The Lake Victoria Basin Commission (LVBC) is a specialized Institution of EAC established by the Protocol for the Sustainable Development of the Lake Victoria Basin, pursuant to Art.114 2 (b) (vi) of the Treaty for the establishment of the East African Community. The Protocol was ratified by the Partner States in December 2004 and became operational in April 2006.

The Commission is mandated to coordinate the sustainable development and management of the Lake Victoria Basin in the Partner States. The EAC designated lake Victoria Basin as an area of high economic interest and a regional economic growth zone to be developed jointly by the Partner States. The basin faces the following challenges:

- a. Introduction of Nile Perch and over-fishing has depleted lake resources.
- b. Urban and Industrial effluent, fluctuating water level, invasive weeds, over release/abstraction from rivers/lake.
- c. Construction and farming in shoreline
- d. Deforestation, sediment loads, poor land use practices.
- e. Atmospheric deposition of Nitrogen and Phosphorous
- f. Climate change leading to floods and severe droughts
- g. Population Explosion (human and livestock population).
- h. Oil/toxic chemical spills.
- i. Weak enforcement of laws/regulations.
- j. Slow uptake of regional laws and policies (e.g. the regional effluents standards).
- k. Delayed or limited allocation of resources from Partner States;
- l. Disparity in privileges and immunities for LVBC Staff. The Staff of the Commission are treated differently from the staff of the EAC Secretariat.
- m. Weakness in the Legal framework of the Lake Victoria Basin Commission. The Commission is established by a Protocol with limited legal powers and therefore faces a lot of problems for example when the Commission has to sign a financing agreement, the same has to first be taken to the Secretary General and a subsidiary agreement has to be written between the LVBC and the EAC Secretariat;
- n. Delayed construction of the Headquarters: The Kenya Government has donated land for construction of the LVBC Headquarters. However, the Commission has no funds for construction;
- o. Limited scope in management of trans boundary ecosystems;

3.1.1.6 Lake Victoria Water and Sanitation (LVWATSAN) Project

This is a project under LVBC. The objective of the project is to contribute to the improvement of the livelihoods and health of communities in the basin, by reversing the pollution of the lake through improvements in sustainable water supply and sanitation infrastructure. The project has five main components including:

- a. water supply;
- b. sanitation;
- c. solid waste management;
- d. storm water drainage; and
- e. capacity building and training.

The interventions of LVWATSAN project are implemented in phases. It was reported that the implementation of the first phase (LVWATSAN I) focused on 10 towns within the founding Partner States of Uganda, Kenya and Tanzania, with the support of UN-HABITAT. The beneficiary towns include Kisii, Homa Bay and Bondo in Kenya, Nyendo/Ssenyange, Bugembe and Kyotera in Uganda, as well as Bukoba, Bunda and Muleba in Tanzania, and the border town of Mutukula.

The second phase was expanded to cover 15 towns including three from each of the five Partner States. The activities of the Phase II Program were undertaken in the following focal towns in the Partner States: **Burundi:** Ngozi, Muyinga and Kayanza; **Kenya:** Keroka, Kericho and Isebania; **Rwanda:** Kayonza, Nyagatare and Nyanza; **Tanzania:** Geita, Sengerema and Nansio and; in **Uganda:** Mayuge, Buwama-Kayabwe-Bukakata and Ntungamo.

The project boasts of various achievements such as:

- a. 16 Boreholes have been drilled mainly in Tanzanian and Uganda and the citizens in the targeted districts are getting clean water for domestic use.
- b. 5 Treatment Plants have been rehabilitated and currently operational in Kenya and Tanzania while construction for 14 treatment plants is ongoing except Kericho where rehabilitation was done under Short Term Interventions.
- c. 2 Water treatment plants have been constructed in Uganda while the construction for 11 plants is ongoing.
- d. 20 Public water Fountains have been constructed under short term interventions and others are under construction through longer term interventions in the 5 EAC Partner States.
- e. 88 public toilets have been constructed to ensure hygiene and sanitation in the East African Community Partner States.
- f. 423.4 km of new water pipe have been constructed.
- g. 1190 water connections have been made.

- h. 2562 peers & facilitators trained in Hygiene and Sanitation, about 50% are women.

The programme faces the following challenges:

- a. Resistance by the local citizens because water pipe line from Nyangori to Keroka passed through their land.
- b. Nyang'ori Project consumes a lot of water; therefore alternative source of water needs to be sourced for the sustenance of the project.
- c. Weak implementation mechanism of the project as a result of lack of monitoring and evaluation.
- d. Low levels of awareness by the project beneficiaries.
- e. Absence of Community User Committees for improved visibility of the project and its impact to the communities.
- f. Poor action plans for sustainability of projects.
- g. It was observed there is no distribution and supply of water to the communities, yet the water is leaving the source and there is some revenue paid for water by undisclosed customer.

Recommendations

The EALA sub committee recommends as follows:

- a. EAC should allocate more resources to LVBC to execute its programs
- b. The project should ensure efficient distribution and supply of water
- c. Council should streamline privileges and immunities of staff
- d. LVBC should mobilize funds for the construction of its Headquarters.
- e. EALA should make a follow -up to ensure compliance and value for money.
- f. EALA should make regular visits/missions to organs and institutions
- g. The LVBC should come up with a plan for sustainability of its projects.
- h. The county governments should fully participate at all stages of the project put in place to ensure continuity and impact to the communities.
- i. EALA should enact a law that captures all water bodies in the Partner States.
- j. Communities should be educated on matters related to the exploitation of resources to accumulate wealth.

3.1.1.7 Malaba One Stop Border Post

Malaba OSBP is located between Uganda and Kenya. It has revolutionised traffic management since all the traffic coming from Kenya only stops at the Ugandan side for joint inspection by Ugandan and Kenyan Customs and other border officials. People crossing the borders only stop once at the country of destination where they are cleared by immigration and other border officers from both countries. It has enabled attainment of the following benefits:

- a. the average time taken to clear a long-haul truck carrying goods across the border had reduced to an average 5-10 minutes
- b. Better co-ordination and co-operation between government agencies and the traders
- c. Better risk management and enhanced security through Joint operations.
- d. Increased integrity and transparency.
- e. Increased revenue yields (Before it was UGX 600bn but now UGX1.620bn per annum).
- f. Investigation made easy on both sides.
- g. Improvement in infrastructure and information sharing
- h. Improved relationships between the border officials of the two Countries.
- i. Damages to goods reduced due to joint handling.

EALA noted that the above benefits came with challenges such as:

- a. Incomplete road infrastructure within OSBP
- b. Unreliable network inter-connectivity, pending installation of air-condition system affecting work-environment
- c. Persistent lack of water due to inadequate supply from the borehole.
- d. Constant power outage mostly caused damaged cables.
- e. Limited awareness of the EAC programs and policies.
- f. Un-harmonised Customs Systems between URA and KRA.
- g. Loss of income to local community as a result of reduced procedures.
- h. Non-Tariff Barriers affecting revenue collection at the border and along the corridor.
- i. Roads are in bad condition resulting in long queues at the border.

EALA Recommendations

- a. The Council to direct the two Partner States (Uganda and Kenya) to expedite the completion of the infrastructure facilities and equipment (road, bridge, cable.) to ease the congestion at the OSBP.
- b. EALA should constitute a Committee to fast track and ensure that the infrastructure and other facilities are completed at the OSBP.
- c. The customs authorities should consider the possibility of opening public markets on gazetted days to enhance the free flow of goods from one end of the border to another.

3.1.1.8 Lake Victoria Fisheries Organisation (LVFO)

LVFO is a specialized institution under the East African Community (EAC). The convention for the establishment of LVFO was signed by the Republics of Uganda, Kenya and Tanzania on 30th June 1994 and amended on 29th January 2016 by the Council of Ministers. LVFO is mandated to

coordinate the management and development of fisheries and aquaculture resources in the EAC region. It experiences the following challenges:

- a. Under funding and donor dependency syndrome, this leads to projects implementation according to the Development Partners' interests.
- b. Weak enforcement of fisheries regulations and lack of mechanisms to enforce compliance at national level.
- c. Incomplete harmonization processes for policies, regulations and guidelines at regional level and this exacerbated by weak fisheries governance.
- d. Limited capacity building programs and limited knowledge and applications in aquaculture practices.
- e. Poor communication strategies and limited collaboration and linkages.
- f. Limited research and extension linkages and the results are not implemented.
- g. Local and regional trade on undersize fish.
- h. Pollution.

EALA Recommendation

- a. The Council should rename the institution as the East African Fisheries Organization. This is because the institution deals with all matters fisheries in the East African Region.
- b. EALA should enact a law to protect and manage fisheries resource in the region.
- c. The Council to provide the necessary resource to address the donor dependency syndrome.
- d. Council should direct the Partner States to harmonise Fisheries' policies, regulations and laws and undertake joint operations to protect the fish reserves.
- e. The Council should direct the Partner States and the EAC Secretariat to enhance capacity building programs on fisheries.

3.1.1.9 East African Development Bank (EADB)

EADB was established in 1967 under the Treaty of the defunct East African Community. It was intended to promote sustainable socio-economic development in East Africa by providing Development Finance, Support and Advisory Services. Since inception, the roles and responsibilities have evolved with the changing economic landscape. In the 1970's, the bank was a sole provider of equity and long-term capital, while in the 1980's it began supporting small and medium enterprises in East Africa. In the 1990's the bank pioneered in issuance of bonds in the region and in the 2000's it extended frontiers of development banking into new products and services.

EADB has two categories/classes of shareholders: Class A is made of shareholders made up of four East African Community Partner States including Kenya, Uganda, Rwanda and Tanzania. EADB is in dialogue with the Republic of Burundi through the Ministry of Finance to bring the country on board as shareholder. Class B is comprised of Shareholders of Development Finance

Institutions such as the African Development Bank, FMO (Netherlands), DEG (Germany) and Commercial Banks like the Commercial Bank of Africa (Nairobi), SBIC Africa Holdings (Johannesburg), Nordea Bank (Stockholm), Standard Chartered Bank (London) and Barclays Bank PLC (London).

The bank shareholding is made up of 12% (Class B shareholders) and 88% (Class A shareholders) The sub-committee noted that the Bank provides wide range of financial products and services which include long term loans, asset leasing, short term/working capital loans, trade finance facilities, equity investments, agency for donor funds, real estate and property development loans and long-term loan guarantees.

The report documented EADB involvement in productive sectors of the regional economies such as forestry and paper, agro marine and food processing, construction, building materials and real estate, oil and gas, electricity and water among others. The Bank boasts of the following achievements:

- a. Enjoys Preferred Creditor Status in all its Member Countries.
- b. Credit Rating of Baa3 with stable outlook from Moody's Investor Service.
- c. Rated the best performing Development Finance Institution (DFI) in Africa by Association of African Development Finance Institution (AADFI) in 2015.
- d. Balance Sheet size: USD 394.15 million.
- e. Loan Portfolio: USD 190.06 million.
- f. Shareholder's Equity: USD 251.17 million.
- g. Net income: USD 7.58 million.

The bank however faces the following challenges:

- a. Difficulties in mobilizing resources due to the wide range of clientele and providing lines of credit to Commercial Banks.
- b. Volatile financial environment which affects the bank's profitability.

EALA Recommendations

- a. Council to direct Partner States to increase funding to EADB in order to improve its liquidity.
- b. Council to review the structure of EADB for it to have closer links with the EAC.

3.1.1.10 Inter-University Council for East Africa (IUCUEA)

It was reported that IUCEA was originally established in 1970 as a Committee to coordinate university education for three institutions in the region that were the University of Nairobi,

Makerere University and University of Dar es Salaam. IUCEA is recognized as one of the surviving institutions of the defunct EAC and in 1980, it was transformed from interuniversity Committee to the Interuniversity Council for EAC.

The delegation learnt that in 2002, the IUCEA was re-established using a protocol ratified by Uganda, Kenya and Tanzania as provided for under the Treaty and later, the IUCEA Act was enacted in 2009. IUCEA Membership includes National Commissions and Councils for higher education to develop standards and guidelines, benchmarks in various fields, which include business education, agriculture and engineering. Currently, IUCEA faces challenges such as:

- a. The IUCEA Act does not capture the extended mandate of the Institution in common higher education area. This makes it difficult to implement the fees structure model across East African Universities.
- b. Delays in the Amendment of the Protocol establishing IUCEA of 2002 and IUCEA ACT,
- c. Staff encountered discrimination in offering diplomatic number plates of vehicles to different categories of staff at IUCEA.
- d. Limited awareness of the existence of IUCEA and its benefits to the Community.

EALA Recommendations

- a. Council to expedite the process of amending the Protocol establishing IUCEA of 2002 and IUCEA ACT, 2010.
- b. The IUCEA should undertake sensitization aimed at making East Africans aware of its existence and how it benefits the Community.
- c. The IUCEA should ensure that all Universities in the region effectively implement the fees structure model.
- d. The IUCEA, in collaboration with National Commissions and Councils, should urgently develop a regional harmonized examination system.

3.1.1.11 Civil Aviation Safety and Security Oversight Agency (CASSOA)

CASSOA was established under the CASSOA Act, 2009 and the CASSOA Protocol of 2007 pursuant to Article 92 of the EAC Treaty. It is headquartered in Entebbe, Uganda and carries out the mandate of safety and efficiency in air transport services amid common policies for the development of civil air transport in the region. It is expected to harmonise civil aviation rules and regulations and coordinate measures for high security. The agency boasts of the following achievements:

- a. Capacity building: CASSOA has organized and coordinated trainings in the region in order to address the ever-increasing safety demand in the aviation sector.
- b. CASSOA has been on the forefront in harmonising the Civil Aviation Regulations and Procedures in the Partner States to ensure compliance with ICAO standards

- c. CASSOA is ranked the second to EASA (European Aviation Safety)
- d. At the regional level, the Agency has undertaken a project for automatic validation of personnel licenses.

CASSOA is currently struggling with the following challenges:

- a. Lack of sustainable funding mechanism.
- b. Non implementation of the budget management system (BMS), as developed and installed in all EAC institutions,
- c. Understaffing due to high turnover of the existing staff
- d. Inadequate expertise in the region.
- e. Low Quality/standards of Aircrafts flown in the region.

EALA Recommendations

- a. CASSOA should undertake continuous capacity building for staff on Budget Management System (BMS) so that they can execute their operations effectively.
- b. Council to improve the staffing levels and offer adequate remuneration to ensure staff retention at CASSOA.
- c. CASSOA should make sure that the quality and safety of the aircrafts flowing the EAC airspace are of update standards.

3.1.1.12 Katuna/Gatuna One Stop Border Post

Katuna/Gatuna OSBP is a border between Uganda and Rwanda that operates on a 24-hour basis. The OSBP infrastructure is still under construction and both Governments have agreed to ensure earlier completion despite delays on the Ugandan side to facilitate seamless movement of goods, people and services. The following challenges were identified in respect the border post:

- a. Delays in completing the construction of the OSPB infrastructure due to low funding
- b. Existence of a swamp that hinders the construction of the road.
- c. Un-harmonised policies and regulations that hinder free movement
- d. Delayed clearance at immigration desks because it is not integrated in the OSBP

EALA Recommendations

- a. The Council should direct the Republic of Rwanda and Uganda to expedite the delayed construction of the OSBP.
- b. Border agencies should collaborate with other relevant stakeholders to sensitize traders on the EAC policies and regulations.
- c. The EAC Secretariat should undertake capacity building and sensitization activity of the border communities on OSBPs operations.

3.1.1.13 East African Science and Technology Commission (EASTEKO)

East African Science and Technology Commission (EASTEKO) is a semi-autonomous Institution of the EAC, which was established by a protocol signed on 18th April 2007. EASTCO is based in Kigali Rwanda, and the headquarters agreement between the EAC and the Government of Rwanda was signed on 25th February 2014. EASTEKO commenced its operations in July 2015. The Commission is mandated to facilitate and coordinate the development and implementation of policies and strategies for integrating Science, Technology and Innovation (STI) into their respective national development processes. The following challenges were noted:

- a. Inadequate funding.
- b. Understaffing and lengthy recruitment process.
- c. Delays in disbursement of contributions by Partner States.
- d. Inadequate and costly rented office space.
- e. Slow process of amending the EASTEKO Protocol.

EALA Recommendations

- a. The Council should ensure that EASTEKO gets enough funds and staff for its institutional growth and sustainability.
- b. The Council to fast track the process of amending the Protocol establishing EASTEKO

3.2 FINDINGS ON THE SOUTHERN CORRIDOR ACTIVITIES

3.2.1 The Kiswahili Commission

The East African Kiswahili Commission (EAKC) is an Institution of the Community established by a Protocol (The Protocol for the Establishment of the East African Kiswahili Commission) signed on 18th April 2007. The Commission is expected to advise the Partner States on research, teaching, learning and development of Kiswahili through policy formulation, knowledge generation, and curriculum review, standardization of terminology and to promote Kiswahili as the *lingua franca* of the Partner States. The EALA subcommittee noted as follows:

- a. That the offices of the Kiswahili Commission are located in a historical building, which was formerly the office of the East African Centre for Research on Oral Traditions and African National Languages. The Management of the Commission had renovated and preserved not only the building, but the historical value of site in general and Kiswahili culture and language in particular.
- b. The Commission has managed to develop its first Five Years Strategic Plan (2017-2022). The plan charts the direction of the Commission in the next five years, including priority activities, projects, key stakeholders and a framework for monitoring and assessing progress of the Commission towards achieving its objectives.
- c. The Commission's Strategic Plan (2017-2022) is presented in both English and Kiswahili languages.

It was reported that the Commission experienced the following challenges:

- a. **Funding** .The subcommittee observed that the Commission does not have enough resources to implement its Strategic Plan for 2017-2022. For the financial year 2017-2018, for example, the Commission annual budget was USD 4.5M but it only received approximately 30% of it. **Staffing** .The Commission is heavily understaffed with only six (6) staff against the establishment of 31 according to its Human Resource Manual and Structure.
- b. **Legal Framework**. The Commission is operating under the Kiswahili Protocol instead of an Act of the Community.
- c. **Absence of Kiswahili Councils in most of the Partner States**. The Protocol requires that Governments put in place Kiswahili Councils across the Partner States coordination, formulation and promotion of Kiswahili in the Partner States.
- d. **Fraudulent Transfers from the EAKC Bank Account**. The EALA sub-committee was informed that there was a fraudulent transaction on the EAKC's KCB bank Account where USD 38,000 was transferred.
- e. **Residence and Work Permits for Staff of the Commission**. Due to the institutional structure of the URT, staff of the EAKC face some challenges in processing their residence and work permits. Immigration authority in Zanzibar requires them to seek

residence permit in Zanzibar while at the same time, they have been granted residence permit in the United Republic of Tanzania.

The EALA Committee made the following recommendations:

- a. The Council of ministers should be directed to work with URT to resolve the issue of work and resident permit of the staff of the Commission.
- b. EALA Committee on Accounts to follow up the matter of the fraudulent bank account transaction and report to the Assembly.
- c. The Council to urgently amend the Protocol for the Establishment of Kiswahili Commission in order to make it effective
- d. The Council to direct all Partner States that are yet to establish Kiswahili Councils to establish them.
- e. The Council to provide adequate human and financial resources to enable the EAKC discharge its mandate.

3.2.2 East Africa Health Research Commission

The East African Health Research Commission (EAHRC) is an Institution of the EAC established by a Protocol (the Protocol for the Establishment of the EAHRC), signed by the Partner States in 2008. It is headquartered in Bujumbura, in the republic of Burundi.

The Commission is mandated to coordinate and promote the conduct of health research, source, gather and disseminate the findings for the purpose of policy formulations, which can be applied towards the enhancement of the health of the people in the region and in order to fulfil the mandates as spelt out in Article 118 of the Treaty for the establishment of the Community.

Since its establishment, the Commission have made the following achievements:

- a. development of the strategic plan 2016-2021;
- b. establishment of database on Health-related research findings accessible via the website of the Commission; and
- c. launch of health research journal.

The Commission however experiences the following challenges:

- a. **Delayed Headquarters procurement processes.** The subcommittee was informed about the procurement
- b. process for the Commission's offices which had been initiated before 2015 but failed until 1st February 2018 when the Commission started the process of relocation from the EAC Secretariat in Arusha. So far, 60% of the staff is operating in the new Headquarters in Bujumbura.

- c. Problems affecting the land allocated by the Government of Burundi to the Commission. In 2015, the Government of Burundi granted the Commission land of approximately 0.8Ha. The land is registered in the name of Burundian Health Institution yet the Commission is expected to pay USD 68000 for it. The land is located in a residential area, which renders it not suitable for scientific research purposes.
- d. **Limited Budgets and overdependence on Donations** .The budgets allocated to the Commission are not sufficient to carry out the planned activities under the approved strategic plan of the Commission.
- e. **Understaffing** .The Commission staffing levels for 2016-2021 has been approved with a structure for implementation. A staffing plan has been approved but the recruitment process takes much time and this has resulted into delays in implementing the mandate of the Commission.
- f. **Delay in Amending the East African Health and Research Commission (EAHRC) Protocol**. The 12th Ordinary Meeting of the Sectoral Council of Ministers of Health directed the EAHRC Secretariat to prepare and submit a draft amendment of the Protocol establishing the East African Health Research Commission to rationalize the number of members of the Governing board which is too big as per article 9 of the protocol establishing the Commission. The draft amendments to the Protocol were submitted to the Partner States, but there is a delay in the process of the amendment.
- g. **Delayed process of enactment of the EAHRC Bill**. The East African Health Research Commission Bill 2011 adopted by the 6th Meeting of the Sectoral Council on Health in April 2011 and updated in 2015 is yet to be considered and passed by the EALA.

EALA Recommendations

- a. The Council of Ministers should direct the Republic of Burundi to find an alternative land suitable for health research in accordance with the WHO standards.
- b. The Council should also expedite the process of recruitment to fill the vacant positions at the Commission.
- c. The Council to explore more alternative funding mechanisms for the Commission in order address the funding gaps.
- d. The Council to direct the Partner States to amend the Protocol establishing the EAHRC and subsequently initiate a regional Research Bill to regulate research in the East African Community region.
- e. The Council to direct the Commission to fast track the process of integrating the RSS into its programs and activities including redesign of the Commission logo to integrate South Sudan colors.

3.2.3 Regional Rusumo Falls Hydroelectric Power Project (RRFHP)

The Regional Rusumo Falls Hydroelectric Project (RRFHP) is located along the Kagera River, a shared water resource by Burundi, Rwanda and the URT. The main objective of the project is to increase supply of electricity to the national grids of the three countries. The Rusumo Power Company Limited (RPCL) was formed by the three States to manage the project, which is implemented by Nile Equatorial Lakes Subsidiary Action Program (NELSAP) on behalf of the RPCL. The Company is registered in Rwanda though more than 80% of the project activities are carried out on the side of Tanzania.

The implementation of the project has been subject to an Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP), which were finalized in 2013. They resulted in the plans to mitigate the Environmental, Social, Health and Safety (ESHS) impacts, the Livelihood Restoration Programme (LRP) and the Local Area Development Plan (LADP).

The project is expected to generate the capacity of 80 MW to be equally shared among the three States, create job opportunities for about 400 skilled, non-skilled and casual workers drawn from the three countries, in addition to improving the livelihoods of 7,000 households of the beneficiary districts under the development programme and another 188 households directly affected by the project through the livelihood restoration programme. It faces the following challenges:

- a. Governance and implementation challenges related to free movement of Workers and Services.
- b. **Conflicting Laws.** The company managing the project was registered in Rwanda, while the majority of the land on which the project is being implemented on is under the jurisdiction of Tanzania. The project operations are guided by both Rwanda and Tanzanian laws that sometimes conflict.

3.2.4 Ruhwa One Stop Border Post

Ruhwa is an OSBP between Burundi and Rwanda. The OSBP was established in 2013. The delegation observed that the OSBP has provided for enough and decent accommodation for the officials of the two Partner States. It serves as the shortest, safest and most efficient link between the central corridor and the largest Lake city in the Eastern DRC-Bukavu. Travel time from Kabanga/Kobero border between the URT and Burundi is between 5-6hours covering a distance of 344 kilometers as compared to Rusumo where it takes 11-12 hours covering a distance of 372 kilometers. The challenges facing this facility are comparable to those listed for similar facilities.

3.2.5 Malindi Port and the New Cargo Port Project in Maruhubi

Malindi Port is located in the west of Stone Town. It was originally built in 1925 and reconstructed in 2005- 2008. It is currently the largest port in Zanzibar with approximately

160,000 tons of general cargo and 25,000 tons of liquid bulk cargo annually, handling more than 90% of Zanzibar's cargo. The port faces the following challenges:

- a. limited wharf length, poor condition, lack of effective handling equipment and lower terminal;
- b. limited berthing capacity which cannot accommodate large-scaled vessels;
- c. insufficient stacking yard and stacking capacity;
- d. its location is not compliant to the tourism-related activities' development orientation of stone town,
- e. strong siltation which results in the higher maintenance dredging fees and danger to accommodate large-scaled vessel.

3.2.6 The Muruhubi Port Project

Due to the aforementioned challenges that constrain the performance of the Malindi port, it became necessary for Revolutionary Government of Zanzibar to undertake the construction of a new cargo port in Maruhubi. The proposed port will include container terminals, multi-purpose terminals, dry dock, dhow basin and industrial zone and city area, the total of which cover an area of 375ha.

3.2.7 Dar Es Salaam Port

Dar es salaam Port is a major economic infrastructure not only for the URT but also for the EAC region. The port handles over 90% of the Tanzania seaborne trade and serves eight (8) land-linked countries namely the Republic of Burundi, the Democratic Republic of Congo (DRC), Malawi, Mozambique, the Republic of Rwanda, the Republic of Uganda, Zambia and Zimbabwe.

Dar es Salaam port is a starting point for the two major transport corridors:

- a. The Central Corridor served by Tanzania Railway Line (1.0m gauge) to Mwanza & Kigoma, thus connecting the port with Burundi, DRC Congo, Rwanda and Tanzania Northern hinterland
- b. The Dar es Salaam Corridor served by TAZARA railway line (1.067m gauge) and connecting the port with Zambia, Malawi and Tanzania Southern hinterland.

Dar es Salaam port faces the following challenges:

- a. Cargo delivery by rail has decreased from 1% of cargo take off to 0.1% from 2012 to 2017 due to poor infrastructure such as unreliable locomotives and wagons;
- b. congestion;
- c. Cases of Maritime fraud
- d. Delays in cargo clearance

3.2.8 Tanzania Revenue Authority (TRA)

The sub-committee learnt that Partner States were operating on different customs management Information and Technology (IT) systems. For instance, Burundi, Rwanda and the Uganda use ESCUDA World, while Kenya and URT use SIMBA and TANCIS respectively.

The EALA sub-committee was informed that the Commissioners General (CGs) of the Revenue Authorities of the Partner States had agreed to harmonise domestic taxes and address the issue of double taxation, through the Committee of Customs under the EAC. While Kenya, Rwanda and Uganda have ratified the EAC Double Taxation Agreement, Burundi and the URT are yet to ratify it. It was further observed that the Republic of South Sudan (RSS) is not yet integrated in the EAC Single Customs Territory.

The following challenges were noted in relation to the functioning of the SCT:

- a. ineffective interface of the customs management IT systems operated by the Partner States;
- b. delays in clearance of goods due to erroneous declarations lodged by the customs clearing and forwarding agents (CFAs);
- c. CFAs complained over the provisions of sections 147-148 of the EAC Customs Management Act, 2004 relating to penalties for wrong customs declarations.
- d. CFAs also mentioned that the provisions of the EAC Customs Management Act, 2004 relating to customs warehouse rent cause a lot of difficulties in their implementation;
- e. CFAs further complained of the short duration of their license (only one year as opposed to the five years requested);
- f. non-ratification of the EAC Double Taxation Agreement by Burundi and the URT;
- g. lack of harmonization of domestic taxes.

The EALA Committee made the following recommendations:

- a. The Council of Ministers should direct the Partner States to ensure effective interface of their customs management IT systems to facilitate the smooth functioning of the Single Customs Territory.
- b. The Council of Ministers should fast-track the process of integrating the Republic of South Sudan into the Single Customs Territory.
- c. The Council to initiate a review of Sections 147 and 148 of the EAC Customs Management Act, 2004 to address the issue of penalizing clearing and forwarding agents for wrong declarations and to clarify the provisions relating to customs warehouse rent.
- d. The Council of Ministers should direct the Republic of Burundi and the URT to ratify the EAC Double Taxation Agreement.
- e. The Council to direct the Partner States to harmonise their domestic taxes.

- f. EALA Committee on Trade and Investment to further engage the representatives of freight shipping lines and customs agents on the challenges facing the sector and the laws that require review.
- g. the EAC Secretariat to conduct training and sensitization of clearing and forwarding agents on the functioning of the EAC Single Customs Territory and its implications on their customs operations.

3.2.9 Vigwaza Weighbridge

The Vigwaza weighbridge is among the three stations constructed under the East Africa Trade and Transport Facilitation Project. It is a One Stop Inspection Station constructed in 2014. Once completed, it will amalgamate the services of Police, TRA and the weighbridge. However, apart from the weighbridge, the infrastructures for those other services are yet to be constructed. The weighbridge experiences the following challenges:

- a. unstable connectivity caused by poor functioning of the CCTV system;
- b. fluctuations of the electric power that causes unexpected damage of electrical and electronic equipment;
- c. lack of rest center for drivers where all the transit trucks must stop after travelling 12 hours a day;
- a. the delegation interacted with some drivers who complained of payments for stickers to enable them get facilitated to stop on few weighbridges for inspections;
- b. the delegation was also informed by some drivers that the different weighbridges in Tanzania do not give the same weight results for the same cargo.

EALA Recommendations

- a. The Council to direct the URT to ensure that all the weighbridges are standardised to produce similar weight results for the same cargos.
- b. The Council to direct the URT to implement the EAC Vehicle Load Control Act 2014.
- c. The Council to direct the URT to set up adequate infrastructure for other stakeholders like the police and TRA at the Vigwaza weighbridge since their services are complimentary.
- d. The Council to direct the URT to improve on the functioning of the CCTV system;
- e. The Council to direct the URT to set up rest centers for drivers.
- f. The EAC Secretariat to conduct awareness among the users, especially the drivers and other road users on the importance of the road safety and usage.
- g. The Council to direct the URT to address the issue of fluctuations of the electric power for the safety of electrical and electronic equipment at Vigwaza weighbridge.

3.2.10 Kabanga One Stop Border Post (OSBP)

The main objective of all OSBP is to enhance trade facilitation, through efficient movement of goods, persons and services between two countries and adjoining regions. Specifically, the OSBP concept aims at:

- a. minimizing the number of required stops during the cross-border trade;
- b. amalgamating the activities of agencies operating at the border points of the two countries, with simple procedures, for a shared process, as well as for inspections and;
and
- c. minimizing the time used for clearing the goods and passengers at the border post

Opened in 2015, Kabanga OSBP stands at the border between Burundi and the URT. It houses immigration and customs officials from both countries occupy and facilitate the clearance process by customs officials at the entrance of each side of the border. There are a number of Government agencies and private stakeholders operating at the OSBP such as health services, immigration services, customs services, warehouses, clearing and forwarding agents. Certificates of origin are issued by the private sector (Tanzania Private Sector Federation) in the URT while for Burundi, the customs officers at Kabanga OSBP are allowed to issue the same.

In respect of the free movement of goods and people, the sub-committee learnt that under the Foreign Vehicles Transit Charges Act 2006, the URT charges 6\$ or its equivalent in convertible currency for every 100km on motor vehicles which does not exceed 8 axles and \$16 for motor vehicles exceeding 3 axles for every 100km as transit charges. In addition, every foreign vehicle entering the URT is given a maximum of 7 days stay in the Country. Any overstay is charged \$ 20 per week. The sub-committee noted that this charge hinders the movement of East Africans who are likely to travel within the Community for longer periods such as business people, persons attending burials, weddings or seminars. Since inception, the OSBP has achieved the following results:

- a. reduced clearing time for passengers and goods;
- b. facilitation of free movement of the border communities due to the implementation of the “*Ujirani mwema*” policy;
- c. limited escapes because the clearance is done at one stop point; and
- d. Strengthened cooperation among the different agencies operating at the border.

However, One Stop Border Posts face the following challenges:

- a. The border is manned by only three immigration officials who are not enough to provide prompt and fast services for the travelling passengers.
- b. There are acute housing challenges for staffers on both sides of the border
- c. Only one vehicle is allocated to this post for surveillance

- d. There a number of national laws that are not harmonized with the EAC Customs Management Act, 2004 and the EAC One -Stop Border Posts Act, 2016 and consequently still hamper the smooth functioning of the OSBP and the SCT
- e. Lack of enough parking yard to accommodate goods and motor vehicles at the OSBP.
- f. Lack of enough knowledge by business communities, transporters, CFAs Agents on border operations and applicable EAC laws and regulations.
- g. Lack of common body/organization to issue certificates of origin in each Partner State.
- h. Some drivers and transporters have reported to the OSBP authority security issues and roadblocks along the central corridor.
- i. Lack of a common customs management IT systems between Burundi and URT.
- j. Difference in official languages as customs documents from Burundi are written in French while those from URT are in English.
- k. Lack of adequate facilities for persons with disabilities, such as toilets

EALA Recommendations

- a. The Council of Ministers to direct the Partner States to harmonise all national laws that are hampering the smooth functioning and operations of the Single Customs Territory and the OSBPs.
- b. The Council of Ministers should direct the Partner States to harmonise their customs management IT systems.
- c. The Council of Ministers to direct the EAC Secretariat to carry out a sensitization campaign for transporters, Clearing and Forwarding Agents, and border communities on OSBP operations and applicable EAC laws and regulations.
- d. The Council to direct the Republic of Burundi to also use English language for all customs documents communicated to the other EAC Partner States.
- e. The Council to direct the Republic of Burundi and the URT to address the transport and accommodation challenges for the staff working at the Kabanga / Kobero OSBP.
- f. The Council to direct the Republic of Burundi and the URT to address the issue of parking yard and provide adequate facilities for persons with disabilities, ambulance, firefighting equipment, quarantine, testing/laboratory equipment, staff accommodation and transport and armoury at Kabanga / Kobero OSBP.
- g. The Council to direct the Republic of Burundi and the URT to increase personnel at Kabanga/Kobero OSBP.

3.2.11 Kobero One -Stop Border Post

Kobero OSBP was opened at the same time and for the same objectives as for Kabanga OSBP. Regulatory services operating at Kobero OSBP are similar to those at Kabanga OSBP. It faces the following challenges:

- a. unstable and unreliable internet connectivity;

- b. lack of a software for scanning the passports of the passenger;
- c. duplication of customs verification process;
- d. language barrier to communicate with non-French and Kirundi speakers;
- e. lack of appropriate testing equipment and facilities at the border which entails that samples have to be taken to Bujumbura capital (4 hours' drive);
- f. lack of enough accommodation and transport facilities for the officials operating at the border;
- g. limited staff, particularly for the standards and the phytosanitary departments;
- h. lack of enough parking facilities to accommodate goods and motor vehicles;
- i. alleged cases of corruption on the part of Tanzania.

The sub-committee recommended the following to the Council of Ministers:

- a. to direct the Republic of Burundi to urgently address the issue of internet connectivity;
- b. to direct the Republic of Burundi to address the issue of software for scanning passports;
- c. to direct the Republic of Burundi to simplify/streamline the customs verification process;
- d. to direct the Republic of Burundi to equip Kobero OSBP with enough staff, laboratory, parking, staff accommodation, staff transport, storage and quarantine facilities;
- e. to direct the Republic of Burundi to address the issue of language barriers for some users at the OSBP; and
- f. to direct the URT to verify and address the issue of alleged corruption practices of its officials at Kabanga OSBP.

3.2.12 Rusumo One Stop Border Post

Rusumo OSBP started its operations on 1st March 2016 before the Heads of State of the Republic of Rwanda and the URT officially launched it on 6th April 2016. The OSBP co-locates exit and entry controls of both countries in one common facility combining the activities of both countries' border organizations at a single location with simplified procedures and joint controls. Unlike the other OSBP visited by the EALA delegation, the Rusumo OSBP is equipped with a Real Time Monitoring System/Cargo Control System, which facilitates border operations. Likewise, the OSBP health services are equipped to provide yellow fever vaccine for travelers without yellow fever vaccination cards. The challenges noted in this facility include:

- a. lack of holding facilities for passengers suspected with contagious diseases;
- b. lack of an armoury for weapons on the Rwanda border;
- c. lack of an ambulance to transport emergence cases;
- d. lack of a health centers to take care of the border community which keeps growing following the construction of the Hydroelectric Project on Rusumo River;

- e. lack of firefighting equipment at the border yet it is in the proximity of the Rusumo Hydroelectric project in addition to being a transit for many trucks to Kigali and DRC with highly inflammable products;
- f. lack of enough housing facilities for staff working at Rusumo OSBP; and
- g. some drivers alleged that there are cases of theft on the two hilly parts of the road near the Rusumo River on the way to Kigali when they travel at night. They however indicated that the police was already informed and has taken measures to address it.

4.0 OBSERVATIONS

The Committee on Regional Integration notes as follows:

- a. That, the implementation of commitments by EAC Partner States is slow thus slowing down the integration process;
- b. That, there is a general low level of awareness among citizens and institutions of Partner States with regard to the integration process;
- c. That, delays in remitting country contributions meant for financing of EAC operations and capacity building for critical institutions is likely to frustrate the integration process and delay the EAC Federation dream;
- d. That, projects implemented by EAC such as Lake Victoria Basin projects are not adequately impacting on local communities;
- e. That, despite the fact that most One Stop Border Post have tremendously reduced the cost of doing business in EAC, they are poorly resourced with critical infrastructural facilities such as firefighting equipment, ambulance, storage and quarantine, testing and laboratory equipment, adequate facilities for people leaving with disabilities, accommodation for staff, health services, livestock area at the border posts, among others;
- f. That, different customs management IT systems operated by the Partner States frustrated the implementation of the SCT regime;
- g. That, there is a plethora of un-harmonized laws, policies and regulations within the Partner States that disorganize the implementation of the Customs Union and Common Market;
- h. That, some weigh bridges within Partner States at times don't give the same weight for the same cargo, which frustrates the business community;
- i. That, students experience challenges in obtaining study permits across the EAC region.

5.0 RECOMMENDATIONS

The Regional Integration Committee makes the following recommendations:

- a. That the Council of Ministers should in consultation with respective Partner States Assemblies, develop an enforcement mechanism for the implementation of the commitments agreed by Partner States;
- b. That, the Ministry of EAC and Northern Corridor Development should intensify sensitization programs about the EAC Integration, its aspirations, its benefits and the role of ordinary Kenyan citizens;
- c. That, the Ministry of EAC and Northern Corridor Projects should ensure that all the projects implemented by the EAC Institutions in Kenya are well integrated into the local community development priorities;
- d. That, the Ministry of EAC and Northern Corridor Development to request the Council of Ministers to increase the funding of EAC Institutions for growth and execution of their mandate;
- e. That, the Ministry of EAC and Northern Corridor Development to liaise with the National Treasury to ensure timely remittance of Kenya's contribution to EAC budget and regularly brief the Select Committee on Regional Integration on the same;
- f. That, the Ministry of EAC and Northern Corridor should liaise with the Council of Ministers to direct Partner States to ensure effective interface of different Customs IT Systems for seamless operations;
- g. That, the Ministry of EAC and Northern Corridor Development should identify the Kenyan laws, policies and regulations that needs to be harmonized with other Partner States and share the same with the Select Committee on Regional Integration for fast tracking in facilitation of cross border trade within the region; and
- h. The State department of Immigration to facilitate adequate staffing and infrastructural development within the One Stop Border Post facilities and ensure free movement of persons particularly students from Partner States.

SIGNED.....

HON. NAISULA LESUDA, OGW, MP
CHAIRPERSON

SELECT COMMITTEE ON REGIONAL INTEGRATION

DATE.....

MINUTES OF THE THIRTY-THIRD SITTING OF THE SELECT COMMITTEE ON
REGIONAL INTEGRATION HELD ON WEDNESDAY 30TH MAY, 2018 AT ENGLISH
POINT MARINA HOTEL IN MOMBASA AT 9.00 A.M.

PRESENT

1. Hon. Naisula Lesuuda, MP, OGW - Chairperson
2. Hon. Capt. Ruweida Mohamed, M.P – Vice Chairperson
3. Hon. Mathias Robi, M.P
4. Hon. Malulu Injendi, M.P
5. Hon. Joyce Emanikor, MP
6. Hon. Gideon Keter, M.P
7. Hon. William Kamket, M.P.
8. Hon. Ndindi Nyoro, M.P.
9. Hon. Memusi Kanchory, MP
10. Hon. Sen. Janet Onge'ra, MP
11. Hon. Eve Obara, MP
12. Hon. Kubai Iringo, MP
13. Hon. Abdi Mude Ibrahim, MP
14. Hon. Erastus Kivisu, MP
15. Hon. Kassim Tandaza, MP

APOLOGIES

1. Hon. Ali Wario Guyo, M.P.
2. Hon. Dr. Gideon Ochanda, M.P.
3. Hon. Geoffrey Omuse, M.P
4. Hon. Janet Teiyaa, MP
5. Hon. Nasri Sahal Ibrahim, MP
6. Hon. Rozaah Buyu, MP
7. Hon. Ezekiel Ombaki, MP

ABSENT

1. Hon. Christopher Nakuleu, MP

IN – ATTENDANCE

MINISTRY OF EAST AFRICAN COMMUNITY AND NORTHERN CORRIDOR

DEVELOPMENT

- | | | |
|------------------------|---|--------------------------------|
| 1. Hon. Ken Obura | - | Chief Administrative Secretary |
| 2. Mr. Julius Mwabu | - | Deputy Director |
| 3. Ms. Winnie Cheserem | - | Principal State Counsel |
| 4. Mr. Mark Ogut | - | Senior Ass. Director |

SECRETARIAT

- | | | |
|---------------------------|---|-----------------|
| 1. Ms. Hellen Ekadeli | - | Clerk Assistant |
| 2. Ms. Mary Lemerelle | - | Clerk Assistant |
| 3. Ms. Christine Odhiambo | - | Legal Counsel |
| 4. Mr. James Kimiti | - | Audio Officer |

MINUTE NO.124/2018

PRELIMINARIES

The meeting was called to order at 9.30 a.m. by the Chairperson. A prayer was said by Hon. Malulu Injendi and the agenda of the meeting was adopted as consideration of the reports of inspection visits and foreign travels conducted by the Committee.

MINUTE NO.125/2018

CONSIDERATION AND ADOPTION OF ISEBANIA ONE STOP BORDER POST INSPECTION VISIT IN MIGORI COUNTY

The Committee examined the report and agreed on its recommendations as follows:-

- a. The Partner States should sensitize and encourage their citizens to embrace the EAC spirit of enhancing regional integration and reciprocity treatment in engaging with other Partner States. Kenya Presidential directive on free movement within EAC without requirement of passport is not reciprocated in Tanzania;
- b. The Partner States to implement uniform application of procedures at all border posts facilities along the Kenya/Tanzania borders in terms of clearing of goods and people at the entry/exit points. Procedures at Sirare Border Post are not similar with those at Namanga Border Post;

- c. The Partner States to lift the periodical ban on exports of fish and levies and fees imposed on the exports. There are numerous non-tariff barriers being imposed on exports out of Tanzania to Kenya. There is an export ban on Tilapia and un-processed Nile Perch from Tanzania to Kenya. High fees/levies for export permits of agricultural produce from Tanzania. These permits are only available at Dar es Salam as there are no local offices at Sirare to offer these services;
- d. The Department of Immigration through the Ministry of Foreign Affairs to harmonize the business visa and other related requirements. The business visa rates are higher in Tanzania;
- e. The Partner States to heighten security at the border areas and encourage joint border coordinating committee meetings to ensure structured engagement;
- f. The additional borders entry/exit points including Muhuhu Bay, Nyamtiro and Kopanga to be gazetted and a law enacted to create mobile border stations and manned by all border agencies. The distance between Isebania border area of control and the next border entry point is Namanga is 297 km. This leaves a vast stretch along the border that is un-manned and no record of activities happening in the various border crossings. This is both a security and revenue risk to the country; and
- h. The Committee recommended the removal of the barrier erected at the entrance of Isebania Border Post facility by the Migori County government.

The Committee adopted the report having been proposed and seconded by Hon. Mathias Robi and Hon. Malulu Injendi respectively.

MINUTE NO. 126/2018

CONSIDERATION AND ADOPTION OF EALA
PLENARY SESSION IN ARUSHA

The Committee considered the report and agreed to its observations as follows:-

- i. Mobilize resources towards EAC subsequent budgets to facilitate the operations of the EAC Secretariat and other institutions;
- ii. Increase the percentage of Kenyans employed at the EALA, UN, AU offices respectively; and
- iii. Support a proposal of EALA members to draft a welfare bill for inclusion in the Parliamentary Service Commission.

It further recommended that:-

- a. The Ministry of EAC and Northern Corridor Development should liaise with the National Treasury in mobilizing resources towards the operations of the EAC Secretariat and its institutions;
- b. The Select Committee on Regional Integration and the Ministry of EAC and Northern Corridor Development should induct members of the Committee and EALA members to realize their respective mandates and areas of collaboration;
- c. The EALA Members – Kenya Chapter should draft a welfare bill for inclusion in the Parliamentary Service Commission;
- d. The Select Committee on Regional Integration and the Ministry of EAC and Northern Corridor should fast track the process of amending the EAC Treaty where necessary due to numerous flaws in the Treaty;
- e. The Select Committee on Regional Integration, the National Assembly and the Ministry of EAC and Northern Corridor should strengthen relationships for ease of communication and sharing of information in strengthening the integration issues;
- f. The Partner States should harmonize regional laws in conjunction with the EAC Laws; and
- g. The Select Committee on Regional Integration should benchmark in Uganda and learn from the Regional Integration Committee. The benchmark should include the EAC Institutions within the Partner States.

The report was adopted having been proposed and seconded by Hon. Kubai Iringo and Hon. Memusi Kanchory respectively.

MINUTE NO. 127/2018

CONSIDERATION AND ADOPTION OF EALA
PLENARY SESSION IN DODOMA

The Committee discussed the report and recommends the following to the National Assembly:

- a. That the Council of Ministers should in consultation with respective Partner States Assemblies, develop an enforcement mechanism for the implementation of the commitments agreed by Partner States;

- b. That, the Ministry of EAC and Northern Corridor Development should intensify sensitization programs about the EAC Integration, its aspirations, its benefits and the role of ordinary Kenyan citizens;
- c. That, the Ministry of EAC and Northern Corridor Projects should ensure that all the projects implemented by the EAC Institutions in Kenya are well integrated into the local community development priorities;
- d. That, the Ministry of EAC and Northern Corridor Development to request the Council of Ministers to increase the funding of EAC Institutions for growth and execution of their mandate;
- e. That, the Ministry of EAC and Northern Corridor Development to liaise with the National Treasury to ensure timely remittance of Kenya's contribution to EAC budget and regularly brief the Select Committee on Regional Integration on the same;
- f. That, the Ministry of EAC and Northern Corridor should liaise with the Council of Ministers to direct Partner States to ensure effective interface of different Customs IT Systems for seamless operations;
- g. That, the Ministry of EAC and Northern Corridor Development should identify the Kenyan laws, policies and regulations that needs to be harmonized with other Partner States and share the same with the Select Committee on Regional Integration for fast tracking in facilitation of cross border trade within the region; and
- h. The State department of Immigration to facilitate adequate staffing and infrastructural development within the One Stop Border Post facilities and ensure free movement of persons particularly students from Partner States.

MINUTE NO. 128/2018

CONSIDERATION OF NAMANGA ONE STOP
BORDER POST INSPECTION VISIT IN KAJIADO
COUNTY.

The Committee examined the report and conclusively agreed to invite the Kenya Revenue Authority CEO to address the issues which were raised by the local community concerning the operations and management of the Namanga Border Post facility. The primary issues touched on

unemployment of the locals, treatment of women traders, tendering and allocations of tenders to non-locals, use of facilities within the Border Post including the operations of the canteen and corporate social responsibility of the facility towards the locals.

MINUTE NO. 129/2018

ADJOURNMENT

There being no other business, the meeting was adjourned at thirty minutes past one o'clock.

SIGNED..... 

(Chairperson)

DATE..... 5/06/2018



SELECT COMMITTEE ON REGIONAL INTEGRATION

ADOPTION OF ADOPTION OF REPORT ON THE 4TH MEETING – 1ST SESSION – 4TH ASSEMBLY OF EALA PLENARY SESSION HELD IN DODOMA, TANZANIA

S/No	NAME	SIGNATURE
1.	Hon. Naisula Lesuuda, OGW, M.P	
2.	Hon. Capt. Ruweida Mohamed, M.P	
3.	Hon. Mathias Robi, M.P	
4.	Hon. William Kamket, M.P	
5.	Hon. Eve Obara, M.P	
6.	Hon. Ali Wario, M.P	—
7.	Hon. Ndindi Nyoro, M.P	
8.	Hon. Geoffrey Omuse, M.P	—
9.	Hon. Rozaah Buyu, M.P	—
10.	Hon. Janet Ongera, M.P	
11.	Hon. Nasri Ibrahim, M.P	—
12.	Hon. Memusi Ole Kanchory, M.P	
13.	Hon. Dr. Gideon Ogolla, M.P	—
14.	Hon. Iringo Cyprian Kubai, M.P	
15.	Hon. Moses Injendi, M.P	
16.	Hon. Gideon Keter, M.P	
17.	Hon. Kassim Tandaza Sawa, M.P	
18.	Hon. Abdi Mude Ibrahim, M.P	—
19.	Hon. Joyce Emanikor, M.P	—
20.	Hon. Erastus Kivasu, M.P	
21.	Hon. Ezekiel Ombaki, M.P	—
22.	Hon. Christopher Nakuleu, M.P	—
23.	Hon. Janet Teyiaa, M.P	—

