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EAST AFRICAN COMMUNITY  
EAST AFRICAN LEGISLATIVE ASSEMBLY



**REPORT OF THE 4<sup>TH</sup> EALA  
ON THE SENSITIZATION ACTIVITY HELD IN  
THE EAC PARTNER STATES**

(1<sup>ST</sup> - 6<sup>TH</sup> FEBRUARY 2019)

THEME: "EAC Integration Agenda: Accessing the Gains and  
Assessing the Challenges"

**THE NATIONAL ASSEMBLY  
PAPERS LAID**

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## **LIST OF ACRONYMS**

<b>CM</b>	Common Market
<b>COMESA</b>	Common Market for Eastern and Southern Africa
<b>CU</b>	Customs Union
<b>CUP</b>	Customs Union Protocol
<b>DRC</b>	Democratic Republic of Congo
<b>EA Radio</b>	East African Radio
<b>EAC</b>	East African Community
<b>EACSO</b>	East African Civil Society Organisation Forum
<b>EALA</b>	East African Legislative Assembly
<b>EATV</b>	East African Television
<b>GIZ</b>	German International Cooperation
<b>GoU</b>	Government of Uganda
<b>ICT</b>	Information, Communication and Technology
<b>IUCEA</b>	The Inter-University Council for East Africa
<b>JAMAFEST</b>	East African Community Arts and Culture Festival
<b>MDAs</b>	Ministries Department and Agencies of Government
<b>MRA</b>	Mutual Recognition Agreement
<b>NTB</b>	Non-Tariff Barriers
<b>OBR</b>	Office Burundi Des Recettes
<b>OSBP</b>	One Stop Border Post
<b>RAs</b>	Revenue Authority
<b>RECs</b>	Regional Economic Communities
<b>RoO</b>	Rules of Origin
<b>SACCO</b>	Saving and Credit Cooperative Organisation
<b>SADC</b>	Southern African Development Community
<b>SCT</b>	Signal Customs Territory
<b>TAFFA</b>	Tanzania Freight Forwarders Association
<b>TATOA</b>	Tanzania Transport Owners Association
<b>TBS</b>	Tanzania Bureau of Standard
<b>TFA</b>	Trade Facilitation Agreement
<b>TFDA</b>	Tanzania Food and Drugs Authority
<b>TFTA</b>	Tripartite Free Trade Area
<b>TMEA</b>	Trade Mark East Africa
<b>TPA</b>	Tanzania Ports Authority
<b>TRA</b>	Tanzania Revenue Authority
<b>UCC</b>	Uganda Communications Commission
<b>UNBS</b>	Uganda National Bureau of Standards
<b>URA</b>	Uganda Revenue Authority
<b>VAT</b>	Value Added Tax



## **1.0 INTRODUCTION**

The East African Community (EAC) is a regional intergovernmental organization of six Partner States: the Republics of Burundi, Kenya, Rwanda, South Sudan, the United Republic of Tanzania and Uganda.

The Treaty for the Establishment of the EAC, which entered into force on 7th July 2000, informs the mandate of the EAC. Article 49 of the Treaty establishes the East Africa Legislative Assembly as one of the organs of the Community whose mandate is to legislate, represent and oversight over all matters within the scope of the EAC.

In carrying out its representative role, the Assembly serves as a link between the Organs and Institutions of the EAC and the people of East Africa. EALA is the people's voice as regards the commitments and policies of their governments to the EAC. This, the Assembly does through public hearings, workshops, seminars as well as sensitisation rallies on the status of the integration process.

## **2.0 BACKGROUND**

Article 5(2) envisages four major stages towards full integration, namely; the establishment of a Customs Union, followed by a Common Market, a Monetary Union, and ultimately a Political Federation.

In widening and deepening co-operation of the Partner States for their mutual benefit, the EAC countries established a Customs Union in 2005, a Common Market in 2010 and the Protocol for the Establishment of a Monetary Union was signed in 2013 to lay groundwork for a Monetary Union within 10 years. The process to establish a Political Federation was kick started by the 20<sup>th</sup> Ordinary Summit of the EAC Heads of State that sat in Arusha, Tanzania on 1<sup>st</sup> February, 2019.

Since the establishment of the EAC, several achievements have been registered in the political, economic and social spheres. However, there are also challenges existing to the success of the integration process.

The Assembly therefore considers the citizens of the Community as key stakeholders to the integration process. This is because citizens' understanding and appreciation of the driving factors behind the integration is critical to the success of the process. It is the mandate of the EALA to sensitise the citizens of East Africa on their roles in the integration process and to garner commitment for the process by routinely updating citizens on the achievements, challenges and opportunities of the EAC. This report, therefore, focuses on the first phase of the sensitisation activity which was held in Partner States from 1<sup>st</sup> to 6<sup>th</sup> February, 2019.

## **3.0 JUSTIFICATION FOR THE SENSITISATION**

The EALA Strategic Plan (2013 – 2018), whose theme is anchored on a people-centered approach, envisages sensitisation of the citizens of the EAC region on the EAC

integration progress. A people-centered approach and a market-driven approach is similarly inferred to under Article 7 (1) (a) of the Treaty for the re-establishment of the EAC.

As part of its Work Plan in the Financial Year 2018/19, EALA is desirous to sensitise citizens of East Africa on the issues involved in the integration process. The sensitisation activities were earmarked to take place from February to April 2019.

The Assembly therefore ordinarily engaged with various key stakeholders including institutions of higher learning, Members of National and local Parliaments, Civil Society, the Private Sector and Media in order to establish awareness, gaps, identify challenges/purpose about the EAC integration process.

#### **4.0 OBJECTIVES OF THE SENSITISATION**

- i. Sensitization of EAC Citizens on the overall integration process,
- ii. Promotion of liaison with EAC National Assemblies and Key Stakeholders,
- iii. Creation of awareness among the EAC populace on the gains and challenges of integration,
- iv. Enhancement of mutual relationships and sustainable networking between EALA and EAC populace,
- v. Informed EAC populace on the role of EALA in the integration process

#### **5.0 METHODOLOGY OF THE SENSITISATION ACTIVITY**

The EALA undertook the sensitisation programme under the theme; **“EAC Integration agenda: Accessing the Gains and Assessing the Challenges”** revolving on the achievement and challenges involved in the implementation of the various EAC pillars of integration.

The first phase of the sensitisation activity for the Fourth Assembly was carried out from February 1<sup>st</sup> to 6<sup>th</sup> 2019 where Members met various stakeholders within Partner States targeting government institutions, institutions of higher learning (such as universities, colleges, secondary schools), the media, private sectors and legislators. The EALA worked closely with the respective ministries of EAC in the Partner States, to coordinate the activities through focal persons to identify and access the targeted stakeholders.

The Chapters employed the following approaches while undertaking the sensitisation activities:

- i. Chapters held planning meetings to deliberate on the modalities of how and where to conduct the sensitisation.

- ii. Chapters held press conferences to inform the public on the objectives of the sensitisation.
- iii. Chapters conducted radio and television talk shows with different media houses.
- iv. Chapters distributed copies of the Treaty for the Establishment of the EAC, brochures on EAC Integration process, the EAC flag and anthem to the stakeholders.
- v. Chapters conducted interactive sessions with Partner States' legislators, civil society organisations, youth and the private sectors among other stakeholders.
- vi. Conducted sensitisation programmes in the institutions of higher learning.
- vii. Chapters conducted field visits;
- viii. Chapters made courtesy calls to different government officials and held roundtable meetings.
- ix. Chapters reviewed and internalised related literature such as the Treaty for the Establishment of the EAC and the Rules of Procedure of the Assembly.

## **6.0 EXPECTED OUTCOMES**

- i. Sensitization of EAC Citizens on the overall integration process,
- ii. Promotion of liaison with EAC National Assemblies and Key Stakeholders,
- iii. Creation of awareness among the EAC populace on the gains and challenges of integration,
- iv. Informed EAC populace on the role of EALA in the integration process

## **7.0 FINDINGS OF THE SENSITISATION ACTIVITY**

### **7.1. REPUBLIC OF BURUNDI**

#### **7.1.1. Interaction with the Media**

The delegation interacted with the media and the following issues were raised:

- i. How the integration process will influence the Burundi culture.
- ii. The process of clearing goods at the Dar es Salaam Port is lengthy and bureaucratic.

- iii. The delay in the construction of a railway line in Burundi to connect to the other EAC countries.
- iv. The wide economic gap between Burundi and other Partner States and how it affects Burundi in the integration process.
- v. The official language at the EAC is English. This limits Burundi nationals from participating fully in the integration processes of the EAC including seeking employment opportunities.
- vi. There are challenges in exchange of Burundi currency in the other Partner States, which affects its progress in the integration process.

#### **7.1.2. Interaction with the private sector**

The delegation interacted with private sector and the following issues were raised:

- i. The vehicles entering the United Republic of Tanzania including those used by tour operators are required to pay extra fees before they are allowed into the country and yet this is against the spirit of the integration of EAC.
- ii. Although the single tourist visa was agreed upon among EAC member states, it is yet to be applicable to the Republic of Burundi and this constitutes an obstacle to the development of the tourism sector.
- iii. Exporters of goods from Burundi to other EAC countries are exempted from paying VAT. This should be extended to the tourism sector, which is currently not enjoying this exemption so as promote tourism in Burundi.
- iv. The cost of air travel within the region inflates the cost of doing business. Air tickets are very expensive in Burundi.
- v. There is need to implement the use of national identity cards as travel documents to allow free movement of persons across the borders.
- vi. There have been cases of Certificate of Origin of goods from the Republic of Burundi being rejected in Kenya and the United Republic of Tanzania. The goods have been regarded as not being genuine causing delays and extra costs in doing business. This is against the EAC integration agenda.
- vii. Use of different information technology and communication systems by EAC Partner States, which are not compatible with the ones used by Burundi Revenue Authority hence causing delays during clearing of goods.
- viii. There are multiple weighbridges in the United Republic of Tanzania like Arusha-Longido, Babati-Singida, Kahama-Nyakanazi and this is contrary to the EAC Vehicle Load Control Act, 2016. This has resulted to high costs of doing business.



- ix. The Tanzania Government gave Burundi transporters a very short notice to replace super single tyres on their Lorries with two tyres. Transporters are now obliged to reduce the load in Dar es Salaam before starting their journey to avoid the US\$15,000 fine.
- x. There is evidence that Burundi transporters are not treated fairly when their vehicles are not located in the Tanzania Revenue Authority (TRA) system. For example, in Tanga, Burundi transporters have to pay Tshs35, 000 despite the fact that the Lorries are transporting transit goods. Receipts of the transactions are also not provided.
- xi. There should be sensitisation campaigns to create awareness to local transporters about the dangers of exceeding the recommended tonnage.
- xii. The liberalisation of the coffee sector has attracted many investors. However, the bureaucracies encountered at the Dar es Salaam and Mombasa ports pose a challenge escalating the export costs.
- xiii. Lack of awareness on matters regarding cross-border trade among business people.
- xiv. Lack of Information regarding the East African Development Bank to the citizens for the country. This has limited them from benefiting from funding for investment projects in the country.
- xv. Different Partner States apply different charges to commercial road users. For instance, in the Republic of Uganda, the fees varies from US\$50 to US\$100 depending on the day and place while in the Republic of Kenya, the charges are US\$200. There is need to harmonise the road usage fees in the EAC.

### **7.1.3. Outreach targeting the provinces of Rumonge, Makamba, Rutana and Ruyigi.**

Members divided themselves into three (3) groups to cover the four (4) targeted provinces for the outreach activities.

#### **a. Rumonge and Makamba provinces**

At Rumonge province, Members met and interacted with the Governor and other local authorities from Office *Burundais des Recettes-OBR-* (Burundi Revenue Authority), Maritime Authority and police immigration department.

During interaction with the residents at Rumonge Port, the following concern was raised;

- i. Reduction in number of boats carrying goods from United Republic of Tanzania due to high tax varying between US\$227 and US\$230 while the tax imposed on boats operating from Democratic Republic of Congo (DRC) is USD 60, and yet DRC is not a Member of the EAC.

At the Mugina Border Post and Kabonga Port in Mukamba Province the following concerns were raised;

- i. Boats at Kabonga port carrying goods from the United Republic of Tanzania are obliged to pay US\$165.
- ii. There is a need to harmonise and to reduce taxes for boats from the United Republic of Tanzania docking at Rumonge and Kabonga Ports.
- iii. There is a need to fast track the construction of a One Stop Border Post at Mugina in Makamba Province and Rumonge Port.

#### **b. Rutana Province**

The team visited Giharo in Rutana Province. The meeting was attended by representatives of the administration, Purity, OBR (Burundi Revenue Authority), immigration and the Business Community.

During interaction with the participants, the following concerns were raised;

- i. There is need to enhance security for persons and property.
- ii. There is need to create continuous awareness on trade-related regulations, guidelines, customs manuals among others procedures.
- iii. There is need to open an immigration post on Tanzanian side to ease movement of people. For example, passport applicants are forced to travel to Mabamba where they have to pay F20000 for transportation.
- iv. There is an urgent need to streamline the acquisition of Certificates of Origin for the commercial products since the traders in the area are facing difficulties in obtaining them.
- v. Absence of immigration offices has made access to immigration services difficult, which limits free movement of people.
- vi. The NR11 connecting Rutana-Ngomante and Tanzania is not in good condition.

#### **c. Ruyigi Province**

The third team visited Gisuru commune in Kibondo District which borders the United Republic of Tanzania.

During interaction with the Governor of Ruyigi Province, the following concerns were raised;

- i. The need for increased cooperation, communication and sharing of information on security matters to between Burundi authorities in Ruyigi and their Tanzanian counterparts in Kigoma Province.

- ii. The need to allow Tanzanian and Burundi registered motorcycles to operate in Burundi and the need to reduce theft cases of motorcycles vice versa.
- iii. There is a need to facilitate free movement of persons and along the borders to promote trade.
- iv. Speedy completion of a market being built at the border side of United Republic of Tanzania where Burundians women have been promised space to sell their products.
- v. The residents urged the authorities from both sides of the border revitalise the sports events between the two countries in order to strengthen social cohesion.

**d. Visit to Gisuru Border**

The team was received by the administrator of Gisuru together with other Senior District Officers including the Chief Immigration Officer and the Chief Police Officer in Gisuru.

During interaction with the residents of Gisuru, the following concerns were raised.

- i. There is no free movement of persons within the border and there are reported cases of Burundians being denied entry into the United Republic of Tanzania.
- ii. The poor state of roads does not facilitate the free movement of goods.
- iii. In order to facilitate trade and free movement of persons, the residents requested the border post to be in operation on a 24 hours basis.
- iv. High entry stamp fees being levied for travellers seeking or holding temporary travel documents, which cost BIF10, 000 for one month and BIF30, 000 for three months.
- v. That chief immigration officers of Tanzania and Burundi should meet regularly to discuss the issues at hand and inform local residents about their rights and obligations related to the movement of persons across the border.

**7.1.4. Interaction with Civil Society, Youth and Women Organisations**

During interaction with Civil Society, Youth and Women Organisations, the following concerns were raised:

- i. The incident in Nairobi they were discriminated against during the last annual meeting of the East African Civil Society Organisation's Forum held in Nairobi and sponsored by GIZ.
- ii. Invitations to persons participating in the forums within East Africa should be dispatched early enough.

- iii. Republic of Burundi citizens should be issued with biometric IDs, which allow them to move freely within the region.
- iv. Burundi National Youth Council and Information Exchange Forum for the Youth, Civil Society and religious groups should be at the forefront in choosing young ambassadors to EAC.
- v. EALA should hold frequent sensitisation activities about the integration processes within EAC.
- vi. There is need for exchange programmes where women and youth have an opportunity to visit Partner States and learn best practices on self-employment.
- vii. The EAC should integrate the newly adopted education system in the Republic of Burundi for the benefit of all the EAC Countries.
- viii. While the Burundi National Youth Council is made of elected members from all political parties, the Council are rarely informed about regional activities affecting the youth in the EAC Partner States.
- ix. The Government of Burundi or the EAC Secretariat should facilitate the youth to participate in the annual EAC Youth Leadership Summit.

#### **7.1.5. Courtesy call on the Minister in Charge of EAC Affairs**

The delegation paid a courtesy call on the Minister in charge of EAC Affairs and the following issues were discussed:

- i. Lack of sensitization/ awareness about the EAC.
- ii. Existence of corrupt practices taking place especially at border posts which pose serious threats to the integration process.
- iii. There is slow dissemination of EAC protocols and other legal instruments enacted by EAC.
- iv. The unequal sharing of benefits among Partner States in general and particularly jobs at EAC organs and institutions. The Inter-University Council for East Africa (IUCEA) has not been giving Burundi students equal opportunities for scholarships like other EAC Partner States. The unequal sharing of job opportunities in the EAC organs and institutions was affecting the citizens of Burundi.

#### **7.1.6. Interaction with Management of OBR (Burundi Revenue Authority)**

During interaction with the management of Burundi Revenue Authority (OBR), the following concerns were raised.

- i. EAC Partner States' revenue authorities use of different automated systems by EAC Partner States for customs data, which slows down the exchange of documents leading to, delays and increase in cost of doing business between Partner States.
- ii. Lack of disclosure by OBR to traders on different custom tariffs and high fee charges at Mombasa and Dar es Salaam Ports.
- iii. OBR does not charge the same docking fees at the port of Rumonge and Kabonga leading to loss of revenue since most boats opt to dock at the Democratic Republic of Congo (DRC) for cheaper rates.
- iv. Lack of basic amenities at Gicharo and Kobero Border posts such as washrooms, electricity and furniture thus affecting the services being rendered to the public.
- v. The Government of Burundi should consider construction of weighbridges as a way of protecting its roads and as a source of income.

#### **7.1.7. Interaction with Focal Persons in charge of EAC:**

##### **a. Ministry of National Defence and Former Combatants**

During interaction with the focal person from Ministry of Defence, the following issues were raised:

- i. Joint military trainings have enhanced military cooperation.
- ii. They are conducting Joint operations in areas of conflict
- iii. Technical assistance from various Partner States within EAC and.
- iv. Exchange programmes with some Partner States have been carried out.

##### **b. Ministry of Environment, Agriculture and Livestock**

During interaction with the Ministry of Agriculture and Livestock, the following issues were raised:

- i. EAC strategic interventions and programmes have allowed the Republic of Burundi to participate in enhancing food security and supply of livestock within the Community.

- ii. The regional Food Balance Sheet has allowed quick movement of food products to places where it is most needed.
- iii. Importation of fertilisers has helped in improving agricultural produce though EAC Partner States should invest in the local manufacturing of fertilisers to reduce on cost of production.
- iv. There is need to develop an EAC Regional Plans against Trans-boundary Animal Diseases;
- v. It was observed that the EAC did not assist Burundi in the recent campaigns against small ruminant diseases. Therefore, the EAC should start funding regional programmes on agriculture and livestock;
- vi. Laws to protect parks and reserves are in place. There is need for coordinated effort from all government institutions to protect the parks and reserves.
- vii. EAC should ensure that all Partner States benefit from Green Climate Fund to support emission reduction projects in developing countries.

**c. Ministry of Commerce, Industry and Tourism**

During interaction with the focal person from Ministry of Commerce, Industry and Tourism, the following issues emerged:

- i. There is need to increase funding to sensitise factories on cleaner production methods.
- ii. Language barrier is affecting the full participation of Burundi since few Burundians understand the language.

**d. Ministry of Public Works and Equipment**

During interaction with the focal persons, the following issues emerged:

- i. That, so far many regional projects have been carried out although some are ongoing and others are yet to start. This includes the construction of a regional railway line, roads, ports, airports and airstrips.
- ii. There is urgent need to construct weighbridges in order to protect the roads.
- iii. All EAC Partner States have benefited from the construction of One Stop Border Posts (OSBP). However, some of the projects undertaken by the Republic of Burundi have not benefited from GIZ and the EU since their policy states that Burundi is not among the beneficiaries.

- iv. Transportation of almost all goods to and from Burundi is carried out by foreign companies. There is need to invest in this sector to help stimulate the economy of the country.
- v. Most regional meetings on infrastructure are represented by three ministries namely; the Ministries of Transport and Public Works, the Ministries of ICT and the Ministries of Energy and Mines. However, during these meetings, only one delegate represents Burundi from one single Ministry while other countries have delegations made up of seven or even 12 persons.
- vi. The Maritime Authority charges huge fees to boats operating from Tanzania leading to a loss of revenue due to decrease in number of boats docking.
- vii. The construction of Rutana – Kinyinya road (RN11) was not completed by the previous contractor but plans are underway to find funding for this road.

**e. Ministry of Youth, Posts and ICT**

During interaction with the focal person from Ministry of Youth, Posts and ICT, the following issues emerged.

- i. Since Burundi joined the EAC, the Ministry has benefited a lot and the Kiswahili language is widely used by the media.
- ii. There is improved movement of journalists across the EAC borders and exchange of radio/ TV programmes and even news items among Partner States is now a reality.

**f. Ministry of Higher Education and Scientific Research**

During interaction with the focal person from Ministry of Higher Education, the following issues emerged.

- i. That, the integration process has brought many benefits to Burundians in the field of education and the country is trying to harmonise its teaching curricula with those of other Partner States.
- ii. During the 15<sup>th</sup> Summit held in November 2013, the Summit directed the Council to study modalities of including French as a language of the Community alongside English and Kiswahili.
- iii. Since Burundi is, the only French speaking country in the region EALA Members encouraged Burundians to improve their English and Kiswahili language skills to align with other Partner States to fully enjoy the fruits of integration.

#### **g. Ministry of Public Health and Fight Against HIV/AIDS**

During interaction with the focal person from Ministry of Health, the following issues emerged:

- i. That, the integration process has brought about many benefits to Burundians as far as the health sector is concerned. For instance, hosting of regional conferences (6<sup>th</sup> Health and Scientific Conference) and participation in the operationalisation of Regional Network of Public Health Reference Laboratories for Communicable Diseases. Other benefits include laboratory projects in Muyinga, Kayanza, Rumonge and Makamba provinces and hosting of the East Africa Community Health Commission (EACHC).
- ii. East African Integrated Disease Surveillance Network has enhanced and strengthened cross-country and cross-institutional collaboration through regional coordination of activities in prevention and control of both human and animal diseases.
- iii. Three vehicles have been distributed in the country and Euros550,000 will be given to each Partner State in the fight against Ebola.
- iv. East Africa Cross Border Health Services programme should be implemented in the country and like other Partner States, Burundi should have its own Regional Centre of Excellence for Healthcare.
- v. Republic of Burundi is about sign a law to introduce National Food and Drug Authority to oversee the regulations of food and medicinal products coming in from other EAC Partner States.

#### **h. Ministry of Culture and Sports**

During interaction with the focal person from Ministry of Culture and Sports, the following issues emerged.

- i. Burundi has participated in sports tournaments organised at the regional level and is appealing to EAC to finance sports clubs in the country to participate in sporting events in other Partner States.
- ii. Need to expedite the intellectual property and copyright legislators in EAC Partner States.

#### **GENERAL OBSERVATIONS:**

- i. From the interactive sessions with various stakeholders, Members observed the following:
- ii. Existence of non-tariff barriers, bureaucracies and other trade discriminatory practices are affecting trade in EAC.



- iii. There should be increased sensitisation activities and interactions with EALA Members.
- iv. Language barrier has hampered Burundians from seeking opportunities in the EAC since English and Kiswahili languages are commonly used in the EAC.
- v. Non-recognition by some Partner States of Certificates of Origin for exported goods originating from Burundi.
- vi. Less transformation with regard to trans-border trade and free movement of people and goods since Burundi joined the EAC.
- vii. Lack of access to information about integration process by various stakeholders and citizens in general.
- viii. Weak participation of the private sector in the EAC integration process.
- ix. Existence of nationalistic and protectionist tendencies in Partner States where trade barriers exist.
- x. Non-application of the EAC migration and labour policies and regulations by some immigration officers in some Partner States.
- xi. Existence of cross-border insecurity that affects ordinary Burundian citizens when travelling to Tanzania.
- xii. Lack of joint initiatives to promote and enhance tourism in all Partner States.

#### **7.1.8. Recommendations:**

- i. There is urgent need to harmonise national laws and regulations in respect to transport and control of vehicles.
- ii. There is need to promote EAC as a single tourist destination and apply a single tourist visa for all Partner States.
- iii. Sensitisation and awareness to allow relevant stakeholders to realise opportunities and articulate the benefits drawn from EAC integration and to develop positive thinking of the same.
- iv. There is need for implementation of the Common Market Protocol to increase trade within Partner States.
- v. Involvement of all stakeholders, especially the youth, women, private sector and civil society in EAC integration process.
- vi. Respect of fundamental and operational principles of the Community by all Partner States as stated by Articles 6 and 7 of the Treaty for the Establishment of the EAC.

- vii. Implementation of the East African Community Laws on Elimination of Non-Tariff Barriers Act, 2017;
- viii. Establishment of more OSBPs to enhance trade and free movement of persons and goods as envisaged by the EAC One Stop Border Posts Act, 2016;
- ix. Enhanced Cooperation and collaboration between revenue authority agencies within EAC Partner States
- x. There is need for implementation of the East African Community Vehicle Load Control Act, 2016, by all Partner States.

## **7.2. REPUBLIC OF KENYA**

The Kenyan delegation adopted the field visits method of reaching out to the citizenry. The members would first give presentations and thereafter allow members of the public to ask questions. The team also reached out to the public through media briefings.

### **7.2.1. Interaction with Political Leadership and Residents of Nairobi County**

The first public meeting was attended by various categories of leaders including; village elders, peace committee members, *Nyumba Kumi* elders, businesspersons, Chiefs, Assistant Chiefs, Legislators, Members of the Security Committees and the Youth. The attendees were drawn from the following Nairobi County constituencies; Njiru, Kasarani, Kibra, Langata, Starehe and Westlands.

During the interaction with political leadership and the residents of Nairobi County, the following issues emerged:

#### **i. Slow Issuance of E-Passports**

The process of issuing passports by the Department of Immigration and Registration of Persons is quite slow. This process should be expedited.

#### **ii. Access of Identification Documents**

Challenges of accessing birth certificates and identity cards for adults and children born through intermarriages of persons originating from EAC Partner States.

#### **iii. Auctioning of cows and burning of chicks from Kenya**

The residents reported that they were not given an opportunity by the Tanzanian Government to redeem their cows and chicks.

#### **iv. Lack of sensitisation and awareness on the processes, the integration agenda from EAC to the grassroots.**

v. **Measures in place to prevent collapse of the Community**, and safeguards in place to ensure the equitable distribution of the Community resources in case of the collapse of the Community as it was the case in 1977.

vi. **Women Empowerment Programmes**

Women stakeholders wanted to know whether there are any programmes initiated by the EAC to provide them with any support to undertake trade activities within the EAC and other Regional Economic Communities (RECs) such as COMESA.

vii. **Security**

On matters security, residents of Nairobi were concerned about Somalia becoming a Partner State of the EAC and what measures have been put in place for the country to operate within the laid down procedures considering that nationals from that country have often been associated with aiding terrorist attacks especially on Kenyan soil.

viii. **Safety of Kenyan truck drivers in South Sudan**

The safety and security of Kenyan truck drivers operating the Republic of South Sudan and measures the EAC has put in place to address them.

ix. **Health**

The health measures that have been put in place by EAC regarding cross border and free movement of persons which is likely to lead to the transfer of communicable and non-communicable diseases.

x. **National Health Insurance Fund (NHIF)**

NHIF is Kenyan Government State Corporation with a mandate to provide health insurance to Kenyans over the age of 18. The core business and mandate for NHIF is to provide accessible, affordable, sustainable and quality health insurance for all Kenyan citizens who have attained the age of 18 years and a monthly income of Kshs1, 000 and above.

With the free movement of persons across the region, residents were concerned about health insurance covers that are affordable across the EAC countries and whether there was a likelihood of integrating the NHIF organisations in all the EAC Partner States so that citizens of EAC can access affordable healthcare whenever they travel within the region.

xi. **Flooding of poultry products** from Uganda into the Kenyan market, which have made the Kenyan products less competitive.

xii. **The high cost of used cars**

The issue of used cars being expensive in Kenya as opposed to some EAC Partner States was discussed. Disjointed policies on age limits among the EAC member states have caused flooding of regional markets with old cars and stifling the growth of new car manufacturing. The clear lack of policy on age limits has been identified as a factor contributing to increased imports of used vehicles, while also posing adverse impact on environment, safety and health.

Proposals have been made by the EAC to harmonise the age limits for used car imports at eight years by 2019. This limit would then be lowered to five years by 2021.

xiii. **Work Permits**

Considering the high rate of unemployment in Kenya, residents of Nairobi were concerned that the Government has continued to grant work permits to foreigners and especially EAC citizens yet the Kenyans citizens are unemployed.

**7.2.2. Public Meeting in Murang'a County**

i. **Work Permits**

Residents reported difficulties in accessing work permits by Kenyans who seek employment in the United Republic of Tanzania.

ii. **Sale of *Khat* or *Miraa* in Tanzania**

*Khat* farmers in the region were concerned that Tanzania had not opened its market for this product and the authorities in Tanzania have arrested a number of Kenyans dealing in it.

iii. **Establishment of Businesses in EAC countries**

Residents reported the difficulties they had encountered while attempting to establish and set up businesses in other EAC Partner States, which contravenes the Common Market Protocol and the spirit of the EAC integration.

iv. The issue of flight tickets within the region being very expensive as opposed to those required to travel outside the EAC region was raised. This has hindered the movement of traders. Kenya Airways should revise its ticket prices and facilitate people to travel within the region in a more cost-effective manner.

**GENERAL OBSERVATIONS:**

i. Any child born in Kenya is a Kenyan citizen and they have the right to access a birth certificate.

- ii. Article 14 of the Kenyan Constitution states: A person is a citizen by birth, whether or not the person is born in Kenya, either the mother or father of the person is a citizen. Article 14(4) of the Kenyan Constitution states: A child found in Kenya who is, or appears to be less than eight years of age, and whose nationality and parents are not known, is presumed to be a citizen by birth.
- iii. Article 15 of the Constitution talks about citizenship by registration.
- iv. 15(1) A person who has been married to a citizen for a period of at least seven years is entitled on application to be registered as a citizen.
- v. On the issue of the chicks that were set ablaze and the cows that were auctioned, EALA Members urged the participants to abide by the law and to respect the rules and regulations of carrying out cross border trade. They should always ensure that they have proper documentation before embarking on such a venture. However, in case of issues that can be sorted out, traders were advised to visit the Regional Integration Office at the Namanga border. It was also recommended that traders should focus on doing businesses where there is already a signed Mutual Cooperation Agreement between countries.
- vi. The Department of Immigration and Registration of persons should fast track the issuance of the East African passports to Kenyans who want to trade within the region.
- vii. EAC citizens who are married to Kenyans should be granted identification documents as long as they meet the requirements enshrined in the Kenyan Constitution.
- viii. With regard to auctioning of cows and the burning of chicks from Kenya, Members noted that anyone who wants to trade within the region must comply with the laws of the country they intend to trade with. EAC countries, on the other hand, should strive as much as possible to eliminate the Non-Tariff Barriers and allow free movement of persons within the region.
- ix. EAC citizens are still not aware about the initiatives that have been put in place by the Community to enhance trading among women and the youth. For instance, very few women are aware about the 50 Million African Women Speak Networking Platform Project (50MWS). Awareness should be created in this area.
- x. For EAC to fully realise the four pillars of integration, peace and security for all EAC citizens is paramount. Under Article 124 of the Treaty Establishing the EAC, Partner States agreed that peace and security are prerequisites to social and economic development within the Community and vital to the achievement of the objectives of the Community.
- xi. On matters NHIF, it is envisioned that other EAC countries will adopt the health insurance policy and provide accessible, affordable, sustainable and quality health

insurance to their citizens. Once that is accomplished, agreements will be reached regarding what ailments can be treated across borders.

- xii. Kenyans who are facing difficulties registering their businesses in other Partner States should contact the Ministry of East African Community and Regional Integration for assistance. Despite making this contact, they should ensure that they have complied with the laws of the country where they wish to do business.
- xiii. The issue of a Kenyan truck driver being harassed while in South Sudan is absurd and should be addressed.
- xiv. Residents of Murang'a were encouraged to visit EALA Headquarters in Arusha to present petitions on pressing issues they want addressed. They were also informed that EALA is there to legislate on their behalf. They should always present issues that they feel that the Assembly should legislate.
- xv. Kenyans should improve on the quality of the coffee that they produce to access the larger EAC market.
- xvi. The EALA should organize meetings with the East African Business Council (EABC) and at ways of convincing Kenya Airways to lower the cost of travel within the region.

### **7.2.3. Recommendations:**

- i. There is urgent need to fully implement the Common Market Protocol to allow free movement of persons, good and services among the citizens of EAC.
- ii. There is need to address issues of work permit so as to facilitate citizens of EAC who wish to work and trade in other Partner States.
- iii. The delegation recommends the implementation of Article 24 of the Common Market Protocol by establishing the Committee for Trade and Remedies. It oversee and ensure trade barriers within the region are amicably resolved.
- iv. Partner States should ensure complete elimination of NTBs, which negatively hinder trade within the EAC region.
- v. There is need for regular cross border community meetings with key offices such as customs, revenue and border security personnel, cross border business stakeholders, cross border associations among others to deliberate issues arising from the implementation of Customs Union and Common Market Protocol.

### **7.3. REPUBLIC OF RWANDA**

#### **7.3.1. Interaction with the Staff of the Ministry of Foreign Affairs and EAC Cooperation (MINAFFET)**

Members visited the Ministry of Foreign Affairs and East African Cooperation and interacted with the staff in charge of areas of EAC Cooperation to familiarise themselves with the progress, benefits and challenges of EAC integration.

The areas of cooperation include; Agriculture and Food Security; Education, Science and Technology; Environment and Natural Resources Management and Legal and Judicial Affairs, Cooperation in EAC Political, Peace and Security; Health and Community Development; Trade, Goods and Services, Industry and Investment; Cooperation in Infrastructure and Cooperation in Tourism and Wildlife Management.

#### **SPECIFIC ACHIEVEMENTS ON THE AREAS OF EAC INTEGRATION**

- i. Four Mutual Recognition Agreements (MRAs) have been signed to allow movement of professionals across the region.
- ii. Rwandan students have benefited from scholarships offered by the Inter-University Council of East Africa (IUCEA). However, more opportunities should be extended.
- iii. Increased research and dissemination of research findings in science, technology and innovation.
- iv. Establishment of Center of Excellence for promotion of science, technology and innovation.
- v. Increased participation of Rwandan students in the EAC Essay writing competition in Secondary Schools and EAC Debate competition in Universities.
- vi. Participation in JAMAFEST festivals to promote Rwandan Culture and heritage.
- vii. Participation in East Africa Games, which fosters regional integration and solidarity among the people of East Africa.
- viii. Free Movement of persons by use of identity cards in the Northern Corridor.
- ix. Kiswahili has been accorded the status of official language in Rwanda, and is now being taught in schools. There is also emphasis in training of cross border traders to facilitate communication.

## DURING THE INTERACTION, THE FOLLOWING ISSUES EMERGED:

- i. Partner States are implementing independent registration procedures for agrochemicals and pesticides thus resulting in long delays in the registration of exports of pesticides in the regional market.
- ii. The agriculture docket at the EAC Secretariat is donor funded and more often, project implementation is affected by late remittances. The EAC should allocate resources to agricultural activities from Partner States contribution so as to make the sector self-reliant.
- iii. It was noted that the Regional Food Balance Sheet is not functioning because it was funded by Development Partners and whenever funds are used up, the programme ends.
- iv. It was also noted that Universities in the United Republic of Tanzania charges more fees to non-Tanzanians compared to nationals yet there should be uniformity in tuition fees for East African students.
- v. The Mutual Recognition Agreements, which allow movement of professionals across the region, are not being implemented in some Partner States.
- vi. Non-harmonisation of education standards, academic qualifications and curriculum. The delegation observed in EAC the study for alignment is finalised but not implemented.
- vii. The Republics of Rwanda and Uganda have submitted comments on the revised Protocol on Environment and Natural Resources Management while the Republics of Kenya, Burundi and the United Republic of Tanzania requested more time to further consult stakeholders at the national level on the revised Protocol.
- viii. It was also noted that a Regional Agency responsible for regulating drugs and medical devices is lacking in the region to harmonise the National Drug Authorities.
- ix. The implementation of regional activities in the area of gender, youth, children, disability, social protection and community development has been affected by irregular Sectoral Council meetings.
- x. Lack of weighbridges in Rwanda to facilitate the implementation of the EAC Vehicle Load Control Act, 2016.
- xi. There is no regulation to facilitate the implementation of the EAC Vehicle Load Control Act, 2016. Out of the five regulations developed to support the implementation of the Act, three were approved by the Sectoral Council on Legal and Judicial Affairs (SCLJA) in February 2017 and were adopted by the Council at its 35<sup>th</sup> Meeting held in April 2017. Two regulations were deferred for further amendments before re-submission to the SCLJA. Need for speedy review to implement the EAC Vehicle Load Control Act, 2016.



- xii. It was observed that some provisions of the EAC Vehicle Load Control Act, 2016 are due for amendment to accommodate new developments in the industry which are already agreed at the regional level such as allowable maximum vehicle height of 4.6m from the current 4.3m and other parameters.
- xiii. There is lack of EAC Road security policy and road traffic regulations.

### **7.3.2. Interaction with the Private Sector Federation**

Members interacted with Rwanda Private Sector Federation (PSF), which among others promotes and represents the interests of the Rwandan business community.

The meeting was attended by clearing agents, transporters, cross border traders, women in business, management and staff of the private sector federation.

#### **THE FOLLOWING ACHIEVEMENTS WERE RECOGNIZED:**

- i. The private sector commended the introduction of IDs as a travel document and removal of roaming charges in the Northern Corridor. These initiatives have eased the movement of people and facilitated communication and doing business.
- ii. Under Single Customs Territory, the private sector appreciated the introduction of OSBP, the reduction of weighbridge and roadblocks from 17 to 4 in Kenya, 13 to 5 in Uganda and from 20 to 3 in the United Republic of Tanzania. This has reduced the cost of doing business in terms of time and money.

#### **CHALLENGES RAISED:**

- i. Challenges related to issuance of work permits still exist in Kenya and United Republic of Tanzania
- ii. It is challenging to register a company in United Republic of Tanzania
- iii. Transport of chemical products in some Partner States is difficult even when transport certificates are issued.
- iv. Transportation of heavy machines in Central Corridor roads is prohibited while in Northern the Corridor it is allowed when you have a licence.
- v. Women claimed that the standards of their production in arts are not recognised at EAC the market
- vi. It was also observed that the forum for EAC women in cross border business is not communicating to the stakeholders.
- vii. Rwandan clearing agents cannot access customs systems of other Partner States such as Simba of Kenya and Tancis of United Republic of Tanzania

viii. Transporters use COMESA insurance to carry goods along both corridors because of lack of an EAC insurance that would reduce the cost of doing business.

ix.

It was observed that the United Republic of Tanzania does not implement the EAC Vehicle Load Control Act, 2016; she rather applies its national law which is more restrictive to the movement of goods along the Central Corridor;

x. It was observed that the private sector, in particular truck drivers, needed more awareness of the EAC Vehicle Load Control Act 2016 to better understand maximum height, width and loading changes for vehicles and other parameters.

### **7.3.3. Courtesy call to Rwandan National Parliament**

EALA members paid a courtesy call to the Parliament of Rwanda, Chamber of Deputies and held discussions with the Speaker and the two Deputy Speakers.

The Speaker of the Parliament of Rwanda, Chamber of Deputies, the Rt. Hon. Mukabalisa Donatille and the two Deputy Speakers; Hon Mussa Fazil Harerimana in charge of Finance and Human Resources and Hon. Edda Mukabagwiza in charge of Legal Affairs and control of government actions. The meeting focused on the following:

- i. Enforcement of Article 65 of the Treaty for Establishment of East African Community.
- ii. Sharing information at all stages of EALA legislation process. The Bureau committed to help in the mobilisation on ratification and implementation of EAC laws through parliamentary diplomacy through engagement with other national parliaments of other Partner States.
- iii. The Bureau promised to revise the regulations the national parliament to compromise with the provisions of Article 65 of the Treaty.
- iv. The Bureau of Chamber of Deputies pledged to strengthen EAC sensitisation activities.

The Speaker of the Parliament of Rwanda, Chamber of Deputies pledged continued commitment and strengthening of the working relationship with EALA in a bid to promote the EAC Integration agenda.

### **7.3.4. Meeting with the Committee on Foreign Affairs, Cooperation and Security**

Members interacted with the Committee on Foreign Affairs, Cooperation and Security. During the discussion the following issues were raised;

- i. There is need to strengthen the working relationships through regular engagements; meetings and sensitisation activities with the National Assembly.

- ii. Members agreed to work on a concept note highlighting a framework for working together.
- iii. It was noted that sharing of records and Bills of the Assembly for information and laying on the Table as provided for in Article 65 of the Treaty is not enough. National parliaments should go beyond tabling of reports and Bills and consider having limited debate that can culminate into recommendations.

### **7.3.5. Interaction with the Youth**

Members interacted with youth in the programme dubbed “*Youth Connekt Hangout*” under the theme of “Nurturing/promoting standards, seizing opportunities existing in EAC”. The interaction was conducted at the University of Tourism, Technology and Business Management (UTB) by way of video conferencing and relayed at two sites located in the University of Rwanda, College of Agriculture and Veterinary Medicine and the University of Technology and Arts of Byumba (UTAB) respectively. At each site youth from different categories including young entrepreneurs, students innovators, youth in agribusiness, interacted with the panel composed of EALA members, Ministry of Youth, Rwanda Standard Board, and the National Industrial Research and Development Agency (NIRDA).

Youth were briefed by members of EALA on different opportunities available in the East African community with regard to education, trade and employment as they are anchored in the Treaty, protocols and acts of the Community.

The interaction was followed by about 2500 individuals and mainstreamed on YouTube.

During the interaction, the following observations were made:

- i. The Minister for Youth emphasised on the benefits and opportunities available for youth in the EAC integration process such as education, trade and employment.
- ii. The Minister encouraged youth to be active, exploit available opportunities in the region and create quality products and services to compete in the regional and the global market.
- iii. The youth were briefed by members of EALA on different opportunities available in East African community in relation to education, trade, employment and social as they are anchored in different protocols and agreement already signed
- iv. The youth hailed EALA, Rwanda Chapter, for reaching out to them and sensitising them about EAC integration and opportunities.

### **7.3.6. TV talk show at the national television, Rwanda Broadcasting Agency (RBA)**

In collaboration with Rwanda Broadcasting Agency (RBA), a TV talk show on EAC integration was organised. The panel included the representatives of EALA, Private

Sector and the Media. EALA members utilised that platform to raise awareness on integration process, the milestone undertaken so far, challenges and opportunities available for Rwandan citizens and East African Community in general.

The private sector on its part shared practical examples of benefits and opportunities, especially Single Customs Territory. These includes, reduced NTBs in both Northern and Central Corridor and increased Intra-EAC trade.

Despite the above-mentioned achievements, it was observed that there still exist some NTBs and new ones keep emerging; they also highlighted the issue of slow implementation of Customs Union and Common Market protocols, and small cross border traders are also not well informed about the available opportunities and EAC laws.

#### **GENERAL OBSERVATIONS:**

- i. Rwandan citizens in general have low awareness about the EAC integration process, its projects and opportunities. Stakeholders commended EALA for engaging various stakeholders on the gains and challenges of integration. They urged them to continue undertaking sensitisation programmes in the EAC Partner States and sensitise them about the benefits of integration and the role of EALA.
- ii. The NTBs have significantly decreased since the coming to effect of the Customs Union Protocol. However, they still exist and new ones are being introduced.
- iii. It was further observed that there has not been harmonisation of education standards, academic qualifications and curriculum across the EAC, although the study to align has finalised but not implemented.
- iv. There is a need to establish a formal framework of relationship between EALA and the national parliaments to implement Articles 49(2) (a) and 65 of the Treaty Establishing the East African Community.

#### **7.3.7. Recommendations:**

- i. There is an urgent need to harmonise pesticides registration procedures to enhance export of pesticide products to regional markets.
- ii. There is need for the restoration of the Regional Food Balance Sheet since it is an important tool for monitoring food security and production trends in the EAC region.
- iii. Need to fast track the implementation of harmonisation of education standards, academic qualifications and curriculum.
- iv. The Republics of Burundi, the Republic of Kenya and the United Republic of Tanzania should expedite the finalisation of the Protocol on Environment and Natural Resources Management so that the region is able to address challenges of sustainable development at the national and regional levels through sound environment and natural resources management.

- v. The Council of Ministers should establish a regional body responsible for regulating medicines.
- vi. There is urgent need to eliminate NTBs that hinder the full implementation of the Common Market Protocol.
- vii. There is need to address issues of work permit to facilitate to allow the free movement of persons and labour;
- viii. There is an urgent need to harmonise insurance laws and establish an EAC Insurance to address challenges encountered in the transport sector
- ix. Custom's systems of Partner States should be harmonised to facilitate access to clearing agents and reduction of the cost of doing business.
- x. There should be amendment of the two deferred regulations to facilitate the implementation of the EAC Vehicle Load Control Act, 2016.
- xi. There is need to establish a formal framework of relationship between EALA and the national parliament to implement Article 49(2) (a) and Article 65 of the Treaty for the Establishment of the East African Community.
- xii. There is need implement the EAC Vehicle Load Control Act, 2016 in all EAC Partner States
- xiii. The EAC should allocate resources to agricultural activities from Partner States' contributions.

## **7.4. REPUBLIC OF SOUTH SUDAN**

### **7.4.1. Ministry of Trade, Investment and EAC**

The delegation met with the Ag. Under Secretary and staff members of the Ministry. The following issues of concern were identified:

- i. There is lack of information and documentation about the EAC, its organs and institutions.
- ii. The laws of EAC have not been harmonised to the laws of the Republic of South Sudan. This has made it difficult for the ministry to coordinate and facilitate of activities of integration with other stakeholders in the country.
- iii. Lack of sufficient knowledge on the Certificate of Origin as one of the most important documents to facilitate cross-border trade within East Africa.
- iv. The traders continue to encounter internal non-tariff barriers, which has increased the cost of doing business in the country.

- v. Inadequate funding to facilitate EAC integration process.
- vi. The video conference equipment, which is very important in linking the ministry to other EAC institutions, has not been re-installed in the directorate of EAC Affairs.

#### **7.4.2. Talk shows with Radio Miraya, Eye and Bakhita FM's**

Members conducted Radio talk shows with Radio Miraya, Eye and Bakhita FM's and as a result, the following concerns were raised.

First, the members enlightened the citizens on the stages of EAC integration process. These includes the four pillars such as:

Customs Unions particularly the framework of Single Customs territory and OSBP

- i. Common Market particularly the need for free movement of goods, people, services, labour and capital.
- ii. The Monetary Union particularly the plan to establish the Monetary Institute and Statistics Bureau as part of the institutions required before achieving single currency.
- iii. The political Federation particularly the recently signed protocol on Peace and Security and the process of EAC constitutional development involving the participation of all member states.
- iv. The members also highlighted achievements of EAC, benefits of integration and opportunities that exist in the regional bloc.

Secondly, the members had an interactive session where the messages about EAC were conveyed and opportunity was given to the listeners to comment or ask questions. As a result, the following issues were noted and responded to.

- i. Whether the Republic of South Sudan has become a full member of EAC.
- ii. The benefits that South Sudanese accessed from EAC.
- iii. The fears that citizens of other partner states will take over the business in the Republic South Sudan.
- iv. The fears that citizens of other Partner States will take over the job market in the Republic of South Sudan.
- v. The obligations of the Republic of South Sudan as a member of EAC and if these obligations are met.
- vi. The need to have a sensitised South Sudanese about the integration agenda before the Republic of South Sudan could become a full member of EAC.

### 7.4.3. Stakeholders Interactive Session

The team held an interactive session with the Civil Society Organisations, University Students' Leadership, Women groups, Media, Chamber of Commerce, farmers, Business Forum and religious leaders. The following issues were noted.

- i. There is limited knowledge on the laws and regulations guiding the operations of the EAC integration pillars. For example, the women group said that they produce a lot of local products like *simsim* and *lulu* which are on high demand within the Partner States. However, they were not aware about the regional law that can necessitate them to explore the regional market.
- ii. There was fear expressed about the loss of employment opportunities due to differences in the competitiveness of the labour force. Stakeholders expressed fears that free movement of labour would result in an influx of qualified persons into South Sudan from other Partner States.
- iii. Limited infrastructural development to link South Sudan with other Partner States.
- iv. Limited involvement of the youth in the EAC programmes.
- v. Communication gap between the population and EAC coordinating office.
- vi. There was limited participation of the citizens of South Sudan during the negotiation period of the country to join the Community.
- vii. Participants were concerned about the country's manufacturing capacity for export.
- viii. Inadequate structures and policies that can improve business environment in South Sudan.
- ix. There was concern about Kiswahili becoming an official language of the Community since most citizens of South Sudan do not understand the language.
- x. The participants also raised concerns related to the E-passport that has eased movement of persons.
- xi. Participants also challenged EALA Members to also engage the grassroots citizens if they are to make an impact.
- xii. Stakeholders were further concerned about the linkages between the Transitional National Legislative Assembly and EALA in terms of their working relations.

- xiii. Payment for visa fees to access other Partner States, which is costly thus affecting their movement within Partner States.
- xiv. The youth were concerned about the withdrawal of hosting the Inter Parliamentary Games that were to be held in Juba in December 2018.

#### **7.4.4. Interactive Session with the Transitional National Legislative Assembly**

The meeting was attended by the Speaker of the Transitional National Legislative Assembly, Rt. Hon. Anthony Lino Manaka, the Government Chief Whip, Ag. Speaker of the Council of States and Chairpersons of Committees of both Houses.

The Speaker assured the delegation Parliament's commitment to consolidating and further strengthening working relations with EALA in a bid to promote the EAC integration agenda. He promised to send the Committee on Regional Affairs to interact with the Assembly.

The Speaker further undertook to direct the Committee on Legislation and Justice to work with EALA Members to harmonise the laws that need to be ratified or domesticated as a matter of agency.

Members of the Transitional National Legislative Assembly expressed concern about the border conflict between Kenya and South Sudan that has emanated cattle rustling.

Concerns were also raised on illegal logging within the country that has led to divested deforestation.

They urged the Assembly to formulate legislation that will ensure participation of South Sudanese Refugees who are scattered in EAC.

It was further observed that there should be continuous engagement between EALA and Transitional National Legislative Assembly as well the entire population of South Sudan for update on the integration matters.

#### **7.4.5. Ministry of Finance and Economic Planning**

At the Ministry of Finance and Economic Planning, the EALA Members met the Deputy Minister, Hon. Goc Makuac and Director of Planning. The following issues were discussed:

With regard to South Sudan's obligations and responsibilities towards contributing to the Community, where the country is in arrears of up to US\$15 million. Failure to make the remittance may result the application of Article 143 and Article 146 of the Treaty for the Establishment of the East African Community.

The Minister informed the Members that the country is going through tough economic times, which was caused by the internal conflict. However, he assured Members that with



a revitalised peace process ongoing, the economy will recovery and the country will meet all its obligations and responsibilities to the Community.

#### **7.4.6 Observations**

- i. The citizens of the Republic of South Sudan are not well informed about EAC integration process.
- ii. The laws of EAC have not been disseminated despite the fact that citizens are enthusiastic about EAC integration.
- iii. The roadmap for fast-tracking the Republic of South Sudan into the EAC integration process has not been accelerated.
- iv. South Sudanese are very keen to know more about the EAC integration process.
- v. There are concerns about how South Sudanese benefit from the EAC integration process.
- vi. There is a tendency to confuse the roles of EALA members with roles of the national parliament and the government.

#### **7.4.7 Recommendations**

- i. The EAC Affairs Coordination Office, South Sudan, should carry out more sensitisation activities among the youth groups and civil society organisations;
- ii. There should be continuous engagement between EALA Members and the Transitional National Legislative Assembly;
- iii. The Transitional National Legislative Assembly of the Republic of South Sudan should expedite the harmonisation of the South Sudan laws to be in tandem with laws that have been passed by the EALA.
- iv. The Government of South Sudan should endeavor to meet its obligations as enshrined in the Treaty for the Establishment of the East African Community;
- v. In future, the Assembly should consider increasing the budget for sensitisation to accommodate for grassroots participation.
- vi. The Government of South Sudan should include studies related to EAC in its curriculum.
- vii. There is need to develop an EAC strategy for skills development to enhance productivity through vocational training, science and technology.
- viii. There is need to develop specific programmes for unskilled labour and small-scale entrepreneurs.

- ix. The EAC Secretariat should expedite the rebranding processes of the emblems to include South Sudan.

## **7.5. UNITED REPUBLIC OF TANZANIA**

### **7.5.1. Press Conference**

The sensitisation exercises started in the United Republic of Tanzania with a press briefing in Dar es Salaam.

The Chapter Chair underscored the importance of media in disseminating the objectives of East African Community integration such as economic, social and political benefits. The delegation urged the media to publicise widely the sensitisation programme.

After the presentation from EALA the following questions arose:

- i. On the issue of trade dispute between Kenya and Tanzania, regarding burning of chicks and confiscation of cattle, the Chapter Chair informed the press that the issue of trade barriers is between not only Kenya and Tanzania but affects other Partner States. However, Partner States have continued to seek awareness of solving the trade disputes.

EALA recommends to the EAC Secretariat to implement Article 24 of the Customs Union Protocol by establishing the Committee for Trade and Remedies. This committee will be responsible to oversee and ensure trade barriers within the region are resolved.

It was also noted that with regard to burning chicks at the Namanga Border, export regulations require that animals and animal products crossing the border must have vaccination certificates. Those crossing with the animals must have an export license. The burnt chicks did not meet those requirements.

- ii. On the issue of Tanzania delaying the implementation of the EAC integration agreements and policies, EALA Members informed that Tanzania has been on the forefront in implementing EAC agreements on time. EALA passed the EAC Monetary Institute Bill of which the United Republic of Tanzania has already assented to.
- iii. Regarding the political instability in some of the EAC Partner States and measures EALA was undertaking to address the issues, Members informed the press that one of the objectives of the EAC is to ensure peace and security in the region. During the Summit Meeting held on 1<sup>st</sup> February, 2019, Heads of State agreed to ensure there is peace and harmony in the whole region.
- iv. On the issue of delayed remittances by Partner States, which cause the Community to face liquidity challenges, Members informed the media that during the February Summit, the issue of remittances was top on the agenda and it was

agreed that each Partner State should abide by the regulations by submitting their remittances on time.

### **7.5.2. Field Visit at Tanzania Port Authority (TPA)**

The delegation conducted a field visit to the Tanzania Ports Authority and met with the management of the port and its stakeholders including the Tanzania Freight Forwarders Association (TAFFA), the Tanzania Revenue Authority (TRA) and Tanzania Transport Owners Association (TATOA).

The management presented to Members a presentations on the role of TPA in Single Customs Territory (SCT) – Import Cargo and the role of TPA in Single Customs Territory (SCT) – Export Cargo. Members thereafter conducted a field visit to the port development project on the construction of a roll-on, roll-off (ro-ro), a terminal which is meant to deepen the port's berths from one to seven are being undertaken. Construction of three berths has been completed and the depths expanded from 8 meters to 14.8 meters deep. This will enable the port to accommodate larger vessels, which can carry up to 19,000 containers.

The Port management informed the delegation that Dar es Salaam Port handles approximately 90 per cent of Tanzania's seaborne import and export volume. It is the gateway to global trade and serves as a transit port for Burundi, Democratic Republic of Congo, Rwanda, Uganda, Zambia, and Malawi.

The role of TPA in Single Customs Territory (SCT) to facilitate trade and cargo movement through water was explained.

After a presentation from the TPA and Members interaction, the audience made the following observations:

- i. There is a need to harmonise and have a common Freight Forwarding System (FFS) for the Single Custom Territory within the region. Each country has its own different freight forwarding systems. Fragmentation of these systems within the EAC Partner States creates a challenge to the freight forwarders to link together and ensure that freights are delivered on time. Rwanda is using Scuda Plus Plus, Kenya uses Simba Nex while Tanzania uses a tailor-made system. These systems do not interlink to each other. There is need to urge EAC Member States to harmonise and come up with a common freight forwarding system.
- ii. Clearing Freight Agents have to pay TPA charges through the E-Payment System. The Cargo Agents are registered in TPA Systems. However, it was revealed that the current E-Payment system delays the operation of clearing cargo from the port. The system delays issuing of invoice and corridor levy which results to the delay of clearing cargo.
- iii. There is lack of proper communication linkages between the EAC Partner States Revenue Authorities and the Port Authorities. The TPA serves as first

point of entry for import cargo and last point of exit for export cargo into EAC Partner States.

- iv. There is a problem of language barrier in clearing freight. Some documents are in French whereas others in English or Swahili this affects the time for clearing the cargo.

#### **7.5.3. Engagement with Government and Private Sectors: National Monitoring Committee on elimination of Non-Tariff Barriers (NMC) and National Implementation of EAC Common Market (NIC)**

Members of EALA met with government agencies which include; the Tanzania Food and Drugs Authority (TFDA), Tanzania Bureau of Standard (TBS), Ofisi ya Rais Tawala za Mikoa na Serikali za Mitaa (TAMISEMI), Energy and Water Utilities Regulatory Authority (EWURA) and Tanzania Trade Development Authority (TAN TRADE) which are the members and stakeholders of the National Monitoring Committee on Elimination of Non-Tariff Barriers (NMC).

The following issues emerged, the audience made the following observations:

- i. The Proliferation of Regulatory Bodies and Agencies are among the major NTBs frustrating trade. For instance, there have been double charges between TFDA and TBS when checking the quality of standard of products (the two agencies have the same function to ensure trader adhere to international food safety and quality standards). And yet the two regulatory bodies of working together to harmonise the standards and quality of products produced within the Country.
- ii. Existence of many traders who deal in different agricultural produce. Traders have to seek different import and export licences for each commodity. Members were informed about two bodies that carry out this mandate. They were also informed that there was a Blue Print underway to combine all the licences of agricultural products and to establish a single licence that will be subject to all agricultural produce.
- iii. Members were informed that plans are underway to establish country border hubs to assist traders from land locked countries not to travel long distances to get commodities.

#### **7.5.4. Courtesy Call on the Trade Mark East Africa (TMEA) - Tanzania Office**

The delegation paid a courtesy call to the Office of Trade Mark East African in Dar es Salaam and appreciated the role of TMEA. TMEA aims is to support national level implementation on the EAC integration process. Their strategy is to increase trade in East Africa by increasing physical market access, enhance trade environment and increase business competitiveness within the EAC Region.

## **EMERGING ISSUES:**

- i. Members were informed that TMEA has been supporting the Tanzania Bureau of Standards in terms of standards development, harmonisation and enforcement. This has reduced the overall testing costs by 54 per cent in the region. The cost has reduced from US\$500 to US\$205, where 170 standards relating to 40 per cent of the key top 20 products traded across the EAC region have been harmonised.
- ii. Most NTBs (resolved and unresolved) covered between 2016-2018 fall under the Customs and Administrative Entry Procedures category. Few or no NTBs have been recorded under Sanitary and Phytosanitary measures, specific limitations, charges on imports and other procedural problems categories.
- iii. There were persistent NTBs in 2016 and 2017 including non-harmonised road and user charges, lack of coordination among the numerous institutions involved in testing and clearance of goods at borders, existence of several weighbridge stations and roadblocks in the Central and Northern corridors. These NTBs were reported as resolved in 2017 and have not reappeared.
- iv. Lack of complementarity between intra EAC Imports and exports. The development of economic integration is determined by the presence of complementary economic structures. The EAC regional integration intra-trade is challenged by lack of complementarities of exports and imports as well as the relative competitive position of East African potential export suppliers.

### **7.5.5. Engagement with Staff and Students of the University of Dar es Salaam**

Members gave a background of Inter-University Council for East African Community (IUCEA) and explained to academicians the objectives of the Council, which is to facilitate networking among universities in East Africa

- i. After a presentation by the Members, the audience made the following observations:
- ii. They wish to see tangible gains resulting from the membership of Tanzania in EAC with regard to education opportunities and employment.
- iii. They needed more clarification on harmonisation of school fees.
- iv. They asked if South Sudan and Somalia were members of EAC and how the Community handles conflict that is ongoing in these two countries.

### **7.5.6. Engagement with Civil Societies and Private Sectors Organisations**

EALA Members met with members of the civil societies. Members gave an overview of the EAC Persons with Disabilities Bill and added that the EAC Partners States have policies in place to mainstream issues concerning people with disability both the national

and regional level. The EAC recognises the need to empower Persons with Disabilities, Women, Youth and Elderly in line with the provisions of Article 120(c) of the Treaty.

#### **7.5.7. Radio and Television Shows**

EALA Members interacted with the media including the EATV, EA Radio, Mlimani Radio, Mlimani TV, Azam TV and Deutsche Welle Radio (DW) and conducted talk shows to inform the public about process of EAC integration.

#### **7.5.8. Recommendations:**

- i. The EALA as one of the main organs of the Community recommends to the EAC Secretariat to implement Article 24 of the Customs Union Protocol by establishing the Committee for Trade and Remedies. This committee will be responsible to oversee and ensure trade barriers within the region are resolved.
- ii. There is a need to harmonise and have a common Freight Forwarding System for the Single Custom Territory within the region.
- iii. There is a need for TPA to establish a system that is fast and which can accommodate several numbers of request especially on issuing invoice and corridor levies.
- iv. There is a need to develop a proper communication linkage among the EAC revenue authorities that can facilitate the smooth running of the import and export cargo within the region.
- v. There is a need to encourage EAC Partner States to adopt the official EAC language as per Article 137 of the Treaty.
- vi. There is a need to create a single window EAC electronic system to act as a single one stop custom agency, which can accommodate all the agency requests within the region and the clearing and forwarding processes.
- vii. Tanzania Freight Forwarders Association (TAFFA), a key stakeholder recommended to EALA Members to voice their concerns on the challenges encountered to ensure all policies are beneficial to Tanzania and all the other Partner States.
- viii. Tanzania Food and Drugs Authority (TFDA) and Tanzania Bureau of Standard (TBS) signed an MoU where TFDA should use TBS laboratory results in issuing approval/license and vice versa. There is need to fast track the harmonisation and implementation of the MoU.
- ix. The United Republic of Tanzania should complete the blue print of license harmonisation on agriculture products and fast track the process in order to elucidate this problem.

- x. The issue of work permits is still a major challenge. Therefore, there is a need for the EAC to clarify on this issue.
- xi. The United Republic of Tanzania should improve on the bureaucratic policies of issuing licences and permit to traders exporting agricultural products.
- xii. Stakeholders urged the EAC and its Partner States to implement Article 24 of the Common Market Protocol on the Elimination of Restrictions on the Free Movement of Capital and to establish the Committee on Trade and Remedies.
- xiii. The EAC was urged to consider coming up with laws that do not conflict with the Southern Africa Development Community (SADC) policies when establishing EAC laws and Protocols to avoid conflict of interest between EAC and SADC.
- xiv. There is a need to recreate infrastructure that enhances intra-EAC trade and further regional integration agenda.
- xv. The EAC Secretariat should fast track the process of enacting the EAC Youth Council Bill to allow better representation of the youth in the society.
- xvi. There is need for EAC to have a special version of the EAC Treaty for people with visual impairment and a forum for people with disabilities that allows them to fully participate in the integration process.
- xvii. Tanzania youth should engage in agriculture and modernise the old systems of farming.

## **7.6. REPUBLIC OF UGANDA**

### **7.6.1. Ministry of Finance, Planning and Economic Development**

The delegation held an interactive engagement with agencies and ministries, which are performing a lead role in the integration process.

The issues raised include:

- i. The full implementation of Customs Union and the Common Market Protocols, which are critical prerequisites to the success of an East African Monetary Union (EAMU), are yet to be realised pending the complete elimination of all NTBs. The EAC Common Market Score Card of 2016 revealed existence of 20 per cent of NTBs still in existence among Partner States.
- ii. The attainment and maintenance of macroeconomic convergence targets is lagging which is likely to delay the implementation of a Monetary Union.

- iii. Weak surveillance and compliance mechanisms on the attainment of convergence criteria.
- iv. An unsustainable financing mechanism for the EAC. Many Partner States are not making timely remittances to the EAC. This poses a challenge to the efficient and effective implementation of the EAC mandate.

#### **7.6.2. Ministry of Trade, Industry and Cooperatives**

Ministry of Trade briefed the Delegation and Members about steps it had undertaken in minimising NTBs. These include:

- i. The Ministry is implementing a 2008 directive by the EAC Sectoral Council of Ministers on Trade, Industry, Finance and Investment (SCTIFI) in developing a Time Bound Programme for Elimination of NTBs in line with CUP.
- ii. The Ministry has complied with EAC Sectoral Council directive to ensure that the National Monitoring Committees (NMCs) are in place to facilitate trade activities and regularly attend EAC quarterly meetings for the elimination of NTBs.
- iii. The ministry reported that although Elimination of NTB Act 2017 came into force in July 2017, it has continued to face challenges of a weak enforcement mechanism and there is existence of lags in the policy and legislative framework. This became difficult to enforce sanctions for non-compliance by Partner States. The Ministry has put in place following measures
- iv. A National Response Strategy on Elimination of NTBs (NRSE-NTBs)
- v. Has established an NTB Reporting System, which was launched on 31<sup>st</sup> July 2014.
- vi. Re-aligned National Laws and Regulations to comply with NTB Act 2017.
- vii. Developed and implemented an NTB Elimination Communication and Advocacy Strategy.

It however reported the following challenges towards the elimination of NTBs;

- i. Mutating form of NTBs among Partner States;
- ii. Non-harmonised road user fees among Partner States;
- iii. Non-recognition of rules of origin by some Partner States;
- iv. Weak publication and appreciation of the NTB Reporting and Monitoring System;
- v. Non-harmonised reporting codes in the region that have made the timely receipt of some complaints difficult;



### 7.6.3. Ministry of Education and Sports

The Ministry of Education and Sports (MoES) informed the delegation and Members that they are implementing the EAC Common Higher Education Area, which is a geographic area that brings together sovereign States with mutual interest and common goals. It has the following specific objectives:

- i. Adoption of a system of easily readable and comparable qualifications;
- ii. Facilitation of a system of credits as a proper means of promoting students mobility;
- iii. Promotion of mobility by overcoming obstacles to the effective exercise of free movement;
- iv. Promotion of cooperation in higher education, particularly with regard to curricular development and harmonisation of academic programmes, inter-institutional co-operation, mobility schemes, training systems and research.

The Ministry informed the delegation that it has attained the following achievements towards implementation of EAC Common Higher Education;

- i. Has developed a Higher Education Qualification Framework for the EAC through IUCEA. This means that qualifications attained within the EAC are recognised in Uganda.
- ii. In collaboration with the National Council of Higher Education (NCHE), it has developed a number of benchmarks in support of the IUCEA guidelines for a competency driven curriculum.
- iii. Has maintained a database of qualifications obtained within the EAC through its verification and equating process, which enables the EAC Ministry in Uganda to determine the students' movements.
- iv. It has continued to support IUCEA on peer-assessment of both the institutional and programmatic structures to provide confidence in the EAC Common Higher Education Area.
- v. It regularly participates in the joint inspections of academic facilities together with its sister agencies within EAC to assess and determine the convergence on the trainings within the EAC Common Higher Education Area.
- vi. It is actively supporting the students and staff exchange programmes within EAC institutions of learning and.
- vii. It has undertaken measures to harmonise fees charges in higher education institutions for all East African students.

However, the Ministry reported the following challenges in implementing EAC common higher education programme;

- i. Private universities are still reluctant to charge uniform fees;
- ii. Harmonisation of fees is still a challenge given the varying status of the Partner States;
- iii. Students from other Partner States benefit from subsidised fees in Uganda but Ugandan students do not get that benefit given that fees in some Partner States are based on market forces.

#### **7.6.4. Uganda National Bureau of Standards**

The delegation interacted with the Uganda National Bureau of Standards (UNBS)'s whose mission is to provide standards, measurements and conformity assessment services for improved quality of life.

UNBS informed the delegation about the achievement attained in harmonising standards within EAC region; UNBS reported that they have recorded the following.

- i. Harmonisation of 1400 standards of which Uganda has domesticated and adopted 75 per cent of the total number.
- ii. They have implemented mutual recognition marks for certification in each Partner State.
- iii. They have Simplified Trade Regime (STR) for border communities to facilitate small traders who regularly transact in low value consignments.
- iv. They have developed EAC Information Sharing Portal through which Partner States are sharing information on certification status of goods and other issues related to standards.
- v. They have established and eased cooperation among Partner States' authorities in ensuring compliance.
- vi. However, the delegation was informed of some of the following challenges;
- vii. Limited number of staff, which in turn limits UNBS's capacity for inspection.
- viii. Inadequate laboratory facilities.
- ix. Delays in clearance of goods, which impedes smooth trade.
- x. High quality assurance costs amid limited funding and.
- xi. Lack of capacity for frequent and extensive sensitisation programmes on standards.

### **7.6.5. Uganda Communications Commission**

The delegation interacted with Uganda Communications Commission (UCC), a government regulatory body mandated to licensing, regulation, communications infrastructure development and the expansion of rural communications services.

UCC informed the delegation that they have attained the following achievements in enhancing communication within EAC Partner States;

- i. It is harmonising EAC roaming framework to ensure that it only applies to traffic originating and terminating within EAC Partner States;
- ii. It is ensuring that traffic originating and terminating within the EAC should be exempted from international traffic surcharges.
- iii. It has established and maintained systems to prevent traffic fraud and illegal call termination.

The delegation was informed that the implementation of One Area Network (ONA) has encountered the following challenges:

- i. Tax harmonisation disadvantage countries originally with higher taxation regimes.
- ii. Creation of permanent roamers due to zero tariffs on received calls, which reduces revenues for MNOs.

### **7.6.6. Uganda Revenue Authority**

Uganda Revenue Authority (URA) informed the delegation and Members the steps made in implementing the Single Customs Territory (SCT) at a tripartite level. They further informed the delegation that the SCT aims at removing all restrictive regulations and minimising internal border controls on goods moving between the Partner States with an ultimate realisation of free circulation of goods.

In its efforts to implement the SCT, URA has undertaken the following;

- i. Drafted the business processes;
- ii. Put in place systems interfaces with Partner States' revenue authorities and other key stakeholders;
- iii. Established URA offices in Kenya and Tanzania;
- iv. Partnered in the mutual recognition of agents in the region;
- v. Held stakeholder engagements including Kenya Port Authorities (KPA), importers, exporters, agents, Banks and transporters which has led to realisation of the following benefits to EAC stakeholders;

- vi. Single Lodgment of Customs Declarations at first point of entry (5-6 declarations reduced to one declaration).
- vii. Reduced cost of doing business by eliminating duplication of processes e.g. costs of documentation and transport costs.
- viii. Reduced transit time (18 to 2-3 days for Kampala and 21 to 4-5days for Kigali).
- ix. Enhanced compliance to customs procedure.
- x. Enhanced application of Information Technology and data collection at the regional level.
- xi. Removal of cash bonds.
- xii. Faster decision making due to improved working relationships between the revenue authorities and other cargo interveners.
- xiii. Efficient revenue management.
- xiv. Payment of port charges at country of destination.
- xv. Facilitation of Ugandan exports especially coffee.
- xvi. Improved support of Ugandans and other citizens at the port.

URA reported the following challenges in implementation of SCT:

- i. Non-adherence to agreed procedure by other Revenue Agencies such as mutual recognition of clearing agents, fall back mechanism among others
- ii. High road user costs.
- iii. Limited funds to support adequate deployment and;
- iv. Poor data exchange systems between Revenue Authorities.

#### **7.6.7. Members of Parliament of Uganda**

The delegation interacted with the Members of Parliament of Uganda who expressed the following concerns on the integration process of EAC;

- i. The urgent need for a sustainable funding mechanism for EAC this is hindering the progress of integration agenda. Lack of a sustainable funding mechanism for EAC is affecting the integration process.
- ii. There is lack of streamlined coordination mechanism between EAC and the National Parliaments and other local MDAs implementing EAC programmes and

activities. For example, official reports on integration hardly reach the relevant stakeholders.

- iii. Lack of sensitisation and awareness of EAC on the mandate, activities, plans and institutional structures of the East Africa Community. They expressed their dissatisfaction at the infrequent and limited outreach and scope of EALA sensitisation campaigns on the progress of the EAC integration.
- iv. Slow implementation of EALA resolution and Summit directives. It was noted that whereas the Summit and EALA had issued a number of directives in form of protocols to guide the Community towards the envisaged political federation, a number of these had not been implemented by different Partner States.
- v. Mixed Partner States' commitments towards a successful integration process. It was noted that whereas the GoU executive seemed to be fully committed to a federated East Africa, some Partner States seemed to lag behind. It was noted that Uganda is extending a number of originally citizen-reserved privileges to all East Africans, which other Partner States had not done. Whereas other non-Ugandan East Africans were able to buy and own land in Uganda, Ugandans were unable to do the same in other Partner States. This is in addition to other freedoms East Africans enjoy in the country that Ugandans cannot enjoy in other Partner States.
- vi. Failure to fully implement the Customs Union and Common Market Protocols. The Members expressed concern that whereas there were benefits accruing to all Partner States as a result of the integration process, the decision to embark on realizing a political federation was rash given that Partner States have not fully implemented earlier critical protocols like CU, CMP and NU.
- vii. Continued existence of NTBs in the region. Members noted that whereas Partner States had resolved to eliminate NTBs in the region, these barriers to free trade persist in different forms within the region. Particularly highlighted were non-harmonised road user fees, cases of harassment at border posts against women traders and the multiple roadblocks encountered by other citizens moving across borders within the region in which they alleged to having been fleeced of bribes. There were also reports of Ugandan importers being required to pay SACCO fees for transporting goods from Kenya to Uganda despite not being members.
- viii. The need to harmonise interest rates within the region. Members pointed out that cheaper credit in other Partner States have presented a disadvantage to Ugandan traders especially those trading around the borders.
- ix. The need to fast track the Cross-Market Border Programme. Members observed that Ugandans doing cross-border trade were being unduly targeted as smugglers. This is due to the lack of regional Revenue Authority bodies' official pronouncements and public sensitisation on which volumes and category of goods

qualify for import classification and those volumes and categories allowed for the cross-border market.

- x. Lack of an integrated database and insufficient data on key regional integration areas. The members pointed out that there was insufficient data to guide planning for the region in key areas of trade, immigration and security.
- xi. Work permits and visa fees, members were disappointed at the failure of the EAC to enforce its earlier protocols and commitments towards the abolition of work permits and visa fees.
- xii. Members expressed concern that whereas Kiswahili has been chosen as one of the region's official language, efforts to popularise the language through trainings and adoption in Uganda's communication infrastructure were still minimal. A number of Ugandans still do not speak the language let alone have an interest in learning the dialect despite the existence of the East African Kiswahili Commission (EAKC), an EAC institution created and mandated to ensure that the language is taught and used as an official language in the region.
- xiii. **East African E-passport**, Members noted the non-uniform fees charged in the different Partner States and the seemingly long and bureaucratic process leading to the acquisition of the passport.

#### **7.6.8. Recommendations:**

The Delegation recommends to the Assembly to urge Council to:

- i. Increase sensitisation activities about the progress of the integration and the EAC mandate to gather commitment and appreciation of regional efforts among the citizens, who are key stakeholders to the process. More emphasis should be put on deepening the Private Sector contribution towards integration. The business communities, the professional bodies and the civil societies, farmers and education institutions should be stronger champions of the integration process.
- ii. Strengthen and regularise cross border community meetings combining the Customs Departments, Revenue Authorities and Border Security personnel. The business stakeholders at the border including women business associations, clearing and forwarding agents and transporters should also be mobilised, then dialogue on emerging issues and resolution of any conflict between them.
- iii. To increase coordination avenues between the EAC Secretariat, its Organs and institutions; and the local legislating bodies of the different Partner States. This is to empower local legislature in the oversight of EAC projects and programmes taking place in the region. This should be done through regular briefs, reporting and constant communication to fast track the implementation of EAC programmes and to ensure that integration is people-centered.

- iv. EALA should explore mechanisms to ensure amicable relationships between Partner States' borders authorities at all times and allow for increased trade across the region. Local leadership like Commissioners, Resident leadership and MPs along border constituencies should form stronger communication systems to facilitate faster and smooth movement of goods and traffic along the borders.
- v. EAC should consider instituting a more sustainable funding mechanism that could include charging an import levy of say 0.01 per cent on imports into the region to facilitate financing the EAC.
- vi. An audit of the EAC protocols and their evaluation, and the production of compliance reports to determine the provisions which are the actual implementation in the different Partner States to chart ways of ensuring full compliance by all Partner States.
- vii. There is need to Institute more practical and binding mechanisms to remove the remaining 20 per cent of NTBs to allow for more trade, which will increase taxes, incomes and other benefits.
- viii. The Council should urge Summit to fast track the signing of the pending protocols and the implementation of Summit objectives in their respective States.
- ix. Embark on the design of an EAC Integrated Database to act as a centrally coordinated hub for critical data needed in the planning process for trade, immigration and security in the region.
- x. Liaise with Partner States' immigration authorities to harmonise fees for the East African e-passport to make it affordable for all East Africans to ensure efficient movement of the Community's citizens within and without the region.
- xi. Fast track the adoption of Kiswahili as the region's official language by integrating trainings into Partner State' curricular as well as ensuring that Partner States adopt its use in their official communication systems.
- xii. Put more emphasis to deepen the private sector driven integration (the business communities, farmers organisations, students' bodies, the religious and ecumenical institutions the professional bodies and the civil societies) to ensure that the private sector takes a leading role to champion the integration matters.

## **8.0 GENERAL FINDINGS**

1. There is limited awareness and visibility about the EAC integration processes and programmes.
2. Un-harmonized road user fees making transport in some Partner States uncompetitive.
3. Un-harmonized domestic taxes such as those on dairy products.

4. The trade remedies committee has never been operationalized to handle trade related challenges among the Partner States.
5. Un-harmonized working hours at border posts. Some borders do not operate on 24/7 basis.
6. Lack of interconnectivity of systems. The port and the customs systems are not synchronized with some Partner States.
7. Non-recognition of Rules of Origin for originating goods when transferred within the EAC region such as edible oil, sugar and rice.
8. There is inadequate participation and lack of involvement of key stakeholders in the process of integration and yet Article 7 obligates Partner States to adopt the principle of subsidiarity with emphasis on multi-level participation and involvement of wide range of stakeholders in the process of integration.
9. Existence of unharmonised Education system and Fees structures in all Partner States.

Article 126 (b) of the Treaty directs all Partner States to harmonise their national laws pertaining to the Community as one of the critical steps required to facilitate regional integration. However, a number of critical legislation necessary for integration agenda are yet to be harmonised. It was further noted the process of assent of laws passed by EALA is slow.

10. Article 137 (2) of the Treaty directs Partner States to develop Kiswahili as a lingua franca of the Community. However, the delegation observes the growing interest of participants and other key stakeholders in embracing and learning Kiswahili besides promoting unity among EAC populace, Kiswahili is a medium of communication that will facilitate trade and enhance integration in the region.
11. Article 75 (1, c) obligates the Partner States to establish a custom union among which the details included in the protocol the elimination of Non-Tariff Barriers among other. However, the existence of NTBs in the region has persistently affected the trade flows and reduction of the benefits to be gained in regional integration process. The EAC NTB Act is not being implemented thus continued imposition of NTBs in the region.
12. Article 132 (4) of The Treaty compels all Partner States to Fund the budget of the Community by equal contribution and resist from regional and international resources as may be determined by the Council. It is apparent that the delayed or non-remittances by Partner State contribution has affected the implementation of EAC integration agenda.
13. Article 76 (1) of the Treaty stipulates that there shall be free movement of labour, goods and services However, it was observed that there is still existence of trade



dispute and disharmony among the Partner States regarding access of markets within Partner States.

## **9.0 RECOMMENDATIONS OF THE ASSEMBLY TO THE COUNCIL:**

### **9.1. Recommendations on matters of Common Market Protocol**

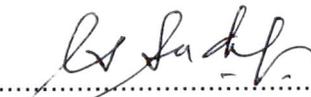
- i. There is need for robust sensitisation programmes targeting schools, institutional high learning, private sector, civil society, religious organizations, to drive the message of integration across all the stakeholders.
- ii. The Assembly recommends to the Council to fast track the implementation of harmonisation of education standards, academic qualifications and curriculum.
- iii. There is urgent need to fully implement the common market protocol to allow free movement of persons, good and services among the citizens of EAC.
- iv. There is need to address issues of work permit so as to facilitate citizens of EAC who wish to work and trade in other Partner States.
- v. Custom's systems of Partner States should be harmonised to improve communication and facilitate access to clearing agents and reduction of the cost of doing business.
- vi. Partners States should undertake deliberate and concrete measures geared towards complete elimination of NTBs, which negatively affect regional trade programmes.
- vii. There is need for regular cross border community meetings with key offices such as customs, revenue and border security personnel, cross border business stakeholders, cross border associations among others to deliberate issues arising from the implementation of Customs Union and Common Market Protocol.
- viii. The Assembly recommends to the EAC Secretariat to implement Article 24 of the Customs Union Protocol by establishing the Committee for Trade and Remedies. This committee will be responsible to oversee and ensure trade barriers within the region are resolved.

## **10.0 ACKNOWLEDGEMENT**

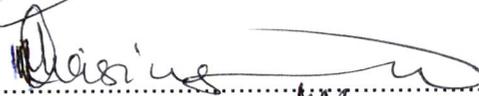
The respective Chapter delegations would like to thank the Office of the Speaker and the Office of Clerk for all the support extended to undertake this very important exercise.

**REPORT OF FOURTH EALA ON THE SENSITISATION ACTIVITY HELD  
WITHIN EAC PARTNER STATES FROM 1<sup>ST</sup> TO 6<sup>TH</sup> FEBRUARY, 2019.**

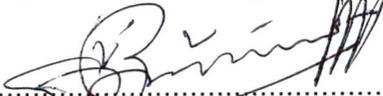
1. Hon. Odongo George Stephen

  
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2. Hon. Gasinzigwa Oda

  
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3. Hon. Burikukiye Victor

  
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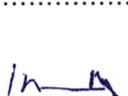
4. Hon. Dr. Makame Abdullah

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5. Hon. Mbugua Nganga Simon

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6. Hon. Deng Dut Thomas

  
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