



Critical Thinking For Better Service

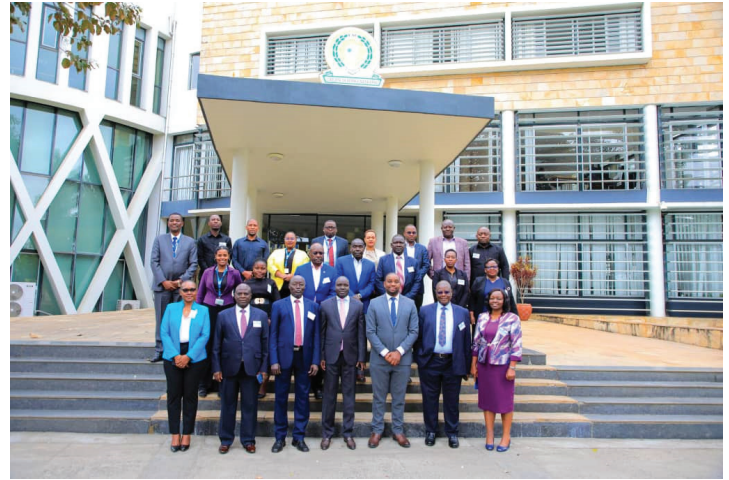
CMC - EAC2030



Increasing Awareness Campaigns For A United East Africa.

# CAN EAC COPE?

*From fast tracking political federation to introduction of transitional stage of confederation.*



POLICY INSIGHT

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## Introduction

East Africa community (EAC) is a regional intergovernmental organization of eight partner states, comprising of Kenya, South Sudan, Rwanda, Tanzania, Somalia, Burundi , Uganda and DR Congo with its headquarters in Arusha-Tanzania.

The political federation of EAC can be traced back in June 1963. Pursuing idea of Africa unity, president Julius Nyerere of Tanzania met with Kenyan president Jomo Kenyatta and Ugandan president Milton Obote in Nairobi, where they agreed on to unite their respective countries into single East Africa federation by the end of the year . This, however, never materialised due to uncertainty, jealousy and mistrust. It failed because none of them could ease the others doubts , "what is in it for me?". This was the first time leaders of the original member states tried to actualize the sense of unity, togetherness and the urgency to make the East African countries borderless.

In December 1963, Nyerere stresses that lack of unanimous agreement among us to unite was Africa's greatest disappointment of the year. If at all the EAC countries had united then, the economies of Uganda, Kenya, Tanzania mainland and Island Zanzibar would have become one and open to facilitate the free movement of goods and services, capital, labour and right of establishment of residence of the people of EAC who have enjoyed history of co-operation under successive arrangements of socio-economic development and culturally. The artificially created boundaries by the colonial masters would have automatically vanished to allow the opening of economies.

In the other hand, East African political federation would mean countries to surrender their sovereignty and individuals to surrender high positions in leadership of which some were not willing by that time. The disappointed leaders of the time failing to reach at the consensus and to define the type of federation where aiming at, led us to the birth of fully structured East African community in 1967 before its collapse in 1977, mainly due to lack of political will, lack of civil society organisations and private sector participation. These institutions would have played a big role to ease the cost of doing business among the partner states, awareness creation to ensure citizens participate and appreciate the integration processes.

Despite of differences in political and economic challenges, the spirit of wanting EAC to unite has never been lost to the minds of the people to achieve the desired dream. People of this region had realised that the only way to develop, compete and overcome challenging times is to trade freely without any hindrances and to exercise their interest in governance and democracy as a bloc.

1. [https://www.google.com/imgres?imgurl=https%3A%2F%2Fpbs.twimg.com%2Fmedia%2FF0cbzp8WcAMpSDa.jpg%3Alarge&tbid=nrdN4Y-bAqVfaM&vet=1&imgrefurl=https%3A%2F%2Ftwitter.com%2FKagutaMuseveni%2Fstatus%2F1677339970397261830&docid=cppFdLUyz\\_RMKM&w=1324&h=2048&itg=1&source=sh%2F%2Fim%2Fm4%2F2&kgs=f1456da37d57ea0c](https://www.google.com/imgres?imgurl=https%3A%2F%2Fpbs.twimg.com%2Fmedia%2FF0cbzp8WcAMpSDa.jpg%3Alarge&tbid=nrdN4Y-bAqVfaM&vet=1&imgrefurl=https%3A%2F%2Ftwitter.com%2FKagutaMuseveni%2Fstatus%2F1677339970397261830&docid=cppFdLUyz_RMKM&w=1324&h=2048&itg=1&source=sh%2F%2Fim%2Fm4%2F2&kgs=f1456da37d57ea0c)
2. <https://www.nytimes.com/1964/01/20/archives/east-africa-misses-its-chance-for-unity.html>
3. <https://www.eac.int/eac-history>

## EAC treaty

The reviving and establishment of East African community(EAC) was signed in Arusha - Tanzania on 30th November 1999.The treaty entered into force on 7th July 2000 following the conclusion of the processes of its ratification and deposit of the instruments of ratification with the Secretary general by the three partner states . Further more, The treaty is anchored on four pillars namely; customs union , is the first regional integration milestone and critical foundation of the EAC which has been in force since 2005, as defined in the article 75 of the treaty. Whose objectives is to promote efficiency in the production with in the community; To enhance domestic cross- boarder and foreign investment in the community and to promote economic development and diversification in industrialisation in the community.

The second pillar is common market, is to ensure non- discrimination of nationals of the partner states on the ground of nationality; Equal treatment to national of other partner states; Ensure transparency in the matter concerning the other partner states.

Monetary union, is the third pillar of the treaty that was adopted in accordance with the EAC treaty and signed on 30th November 2013, to allow the EAC partner states to progressively converge their currencies into single currency in the community.

Political federation ( shirikisho la afrika mashariki), is the last ultimate pillar of EAC integration process, it is provided for under article 5(2) of the treaty for the establishment of the East African community focusing on common foreign and security policies , good governance and effective implementation of prior states of integration.

It is worth noting that "attainment of the political federation is a process and not an event" .In 2004, the summit of heads of states were concerned about the slow pace the processes were moving this led to set up a committee (Wako committee) to fast track-EAC political federation.The committee further presented their findings to the summit on 29 November 2004, from the wider consultations. As a result of these consultatives, the office of the Deputy Secretary general responsible for political federation was established in 2006 to coordinate the processes.

A political federation can be defined as a form of government or a country where there's territorial distribution of power between one central or a common government and subornate or lower government. The elements of federation therefore include shared powers and responsibility defined by the law practice. For East African community to federate, federating units should be prepared to cede certain powers to one common center.

It is worth noting that once societies merge to form one large economic and political entities, issues related to tribalism , religious and other socio-economic problems tend to disappear. Federation will also remove any possibilities of fighting to each other as more countries later join. But for the case of EAC there are still some outstanding challenges, concerns and fears on the issues related to partner states losing sovereignty, disparities in the national constitution and practice of democracy, good governance and corruption and to some people it is still fresh in their mind the collapse of 1977 East African community.

These arguments possess a big question that there's a need to slow down to step by step for the entire processes so that can be addressed first.

The summit on the 19th April 2011, considered the report of team of experts and directed that to be reconstituted to further analysis and make concrete proposal on how to address the fears, concerns and challenges posed. Proposals were drawn from different aspects of political, economic and socio-cultural related, analysis on each aspect and recommendations were put forward for further considerations. For example on, Loss of sovereignty, it was recommended as follows;

The people of East Africa should be sensitized to appreciate that political federation involves ceding of some sovereignty and that benefits should be highlighted and disseminated.

The East African community should implement full stages of integration to realise the tangible benefits to build confidence in federation.

As transitional measures, before the establishment of political federation, to enable the gradual ceding of sovereignty to the regional some power of exclusive competence should be given to the secretariat, for example internal trade.

Partner states should be prepared to cede their international legal status in order to federate. Basing on the recommendations highlighted in the report, On May 2017, the 18th summit of heads of states of EAC adopted political confederation and directed the council of ministers to constitute a team of constitution experts for political confederation. Subsequently, the council appointed the constitution experts in January 2019, to take the task a head of them. The team of experts in the drafting the constitution of political confederation would need to first do member states consultations meetings with a view to enhance awareness on the ongoing constitution making processes the EAC into political confederation; To obtain stakeholders views on their interests and key issues to inform the drafting of a model confederation and subsequently a confederal constitution in line with principles of the people-centered regional community and to prepare the public in general to give their view in put into the draft constitution once it will be drafted. It was slightly change of policy by the community due to constitution differences in partner states, varied levels of economic development and mixed progress in the implementation of the customs union, common market and monetary union.

From the historical experience, political confederation characterised by the following.

The entities participating in the confederation (partner states) retains their sovereignty.

The federal government does not directly relate to the citizens of the participating entities, It only acts on them through the political institutions of the constituents.

The confederation has the right to suspend and expel constituent state that violent specified aspects of the confederal constituent.

The constituent states are guaranteed of the freedoms to join and withdraw from the confederation.

The operations of the confederal government depend greatly on the will of the constituents state government.

The decision-making at the confederal level is based on consensus and unanimity.

4. <https://www.eac.int/political-federation>

5. <https://www.eac.int/press-releases/1979-proposed-eac-political-confederation-meant-to-strengthen-integration-process>

6. <https://www.eac.int/press-releases/2810-national-consultations-for-drafting-the-constitution-for-the-eac-political-confederation-concludes-in-kenya>

## Analysis

East African community (EAC) to attain the ultimate goal of federation, will be determined by achievements registered through step-by-step implementation of confederal constitution among the partner states but also will depend on the leader's commitment and cooperation that will ably to catalyse the entire processes. First of all, it will take a bit of time and conscious since partner states have disparities in national constitution and practice of democracy and governance, but also how they deal with corruption and other related issues in their respective countries.

The citizens to integrate easily and to

appreciate the importance of East African community, civil society organisations, private sector and media have to play a big role in creating awareness clearly articulating the vision, mission, objectives and the benefits one would want to see in the community.

Maximum respect of human rights, cooperation and promotion of good governance from the leader's in the region should be the cornerstone to resolve both prolonged political and economic disputes and not to allow fresh disputes to jeopardize the entire implementation of the confederation.

## Conclusion

EAC Partners states, to begin with a confederation is a step forward in a keenly and conscious manner before coming together to form a single unitary government, one economy and one force which is necessary and big achievement to be made in the history of African continent in the 21st century at a time some countries are parting from each other to form single countries for their selfish interest.

The expansionism aim is to change the economy sizes, and to show maturity in the political landscape and guaranteeing strategic security of the region, Once it is done collectively will attract other regional economic blocs of Africa to improve their interrelationships to realize the spirit of brotherhood and working as one bloc.

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