

**EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY**



**COMMITTEE ON AGRICULTURE, TOURISM AND NATURAL
RESOURCES**

**REPORT OF THE MOBILISATION AND QUALITY INFRASTRUCTURE
AWARENESS WORKSHOP FOR THE EAST AFRICAN LEGISLATIVE ASSEMBLY
(EALA) - EAST AFRICAN COMMUNITY (EAC)**

Hilton Hotel, Nairobi, Kenya, Friday 16 October 2015



Clerks Chambers
EAC Headquarters
EALA Wing, 3rd Floor
Arusha- TANZANIA

26th November 2015

LIST OF ACRONYMS

AFRIMETS	The Intra-Africa Metrology System
AFSEC	African Electro - technical Standardisation Commission
AFRAC	African Accreditation Cooperation
ARSO	African Organizations for Standards
AU	African Union
COMESA	Common Market for East and Southern Africa
EAC	East African Community
EALA	East African Legislative Assembly
FAO	Food and Agricultural Organization of the United Nations
FTA	Free Trade Area
GDP	Gross Domestic Product
MOU	Memorandum of Understanding
MRA's	Mutual Recognition Arrangements
NBS	National Bureau of Standards
NTBs	Non-Tariff Barriers
PAQI	Pan African Quality Infrastructure

QI Pillars	Quality Infrastructure
REC	Regional Economic Community
SADC	Southern Africa Development Community
SQMT	Standards, Quality Control, Metrology and Testing
UNECA	United Nations Economic Commission for Africa



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1.0 BACKGROUND

1.1 Introduction

The Mobilization and Quality Infrastructure Awareness Workshop for the Agriculture Tourism and Natural Resources Committee of the East African Legislative Assembly (EALA) was organized by the African Organization for Standards (ARSO), and the Pan African Quality Infrastructure (PAQI) with the financial support from PTB-Germany. The main objective of the workshop was to orient and induct the EALA Members on the role and benefits of the quality infrastructure in the continental integration agenda, Trade facilitation and Economic Development.

Being the most dominant sectors in the East African region, Agriculture contributes approximately 21 percent of the region's GDP (FAO, 1994:1), and Travel and Tourism Industry directly contributes an estimated 3.3 % to GDP and 2.5% to employment in Africa; it is envisaged that if well regulated, the Agriculture, Tourism and Natural Resources will form a basis for Africa's economic development towards attaining Agenda 2063.

1.2 Objectives of the Workshop

The objectives of the workshop were to:

- give the EALA Members an insight into the elements of Quality Infrastructure and how they inter-relate as well as how they benefit developing economies;
- create awareness of the existing Institutional arrangements and interconnectedness of the Quality Infrastructure in Africa from the national, regional, continental and international level;
- explain the role of the Pan African Quality Infrastructure both at the RECs level, with specific reference to EAC;
- form synergies and partnerships with EALA and explore avenues through which a unified legislation can be enacted across the legal regime across the East



African Community which is relevant at the EAC level that impacts positively on the Quality Infrastructure institutions, their developments, programmes and activities.

2. 0 OPENING SESSION

2.1 Welcome and Opening Remarks

The workshop was officially opened by Mr. Reuben Gisore, the ARSO Technical Director on behalf of the ARSO Executive Secretary, Dr. Hermogene Nsengimana.

In his opening remarks, Dr. Gisore noted that ARSO is an inter-governmental body established by the African Union (AU) and United Nations Economic Commission for Africa (UNECA) in 1977 with membership of 21 African Governments as founding members, which are mandated to promote standardization and related activities in Africa with the aim of facilitating intra-African trade and international trade in goods and services.

He informed the meeting that ARSO currently has a membership of 36 African Countries which include (Benin, Botswana, Burkina Faso, Cameroon, Cote d'Ivoire, Congo Brazzaville, Democratic Republic of Congo, Egypt, Ethiopia, Gabon, Ghana, Guinea Bissau, Guinea, Kenya, Liberia, New State of Libya, Madagascar, Malawi, Mauritius, Namibia, Niger, Nigeria, Rwanda, Senegal, Seychelles, Sierra Leone, Sudan, South Sudan, South Africa, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe). All the EAC Partner States except Burundi are members of ARSO.

2.2 Introductory remarks from EAC Secretariat Quality Infrastructure Officer

Mr. Willy Musinguzi, the EAC Secretariat Quality Infrastructure Officer highlighted the programmes and activities of the EAC Quality Infrastructure based on the EAC SQMT Protocol of 2001, the EAC SQMT Act of 2006 and the East African Standards Committee.

He noted that the above legal instruments recognize the significance of standardization, quality assurance, metrology and testing in the reduction of unnecessary trade barriers, the facilitation of interchangeability of products, the promotion of trade and investment, consumer protection and improved productivity, hence the advocacy for a better Quality Infrastructure within the EAC.

He informed the meeting, that a memorandum of understanding (MOU) has been signed between ARSO and EAC to guide a structured cooperation in the development, harmonization and implementation of African standards. He noted that the Workshop was a necessary forum for sharing experience in order to move forward at the continental level and he urged the Members to help in resolving the issues of overlapping functions of the Government bodies.

2.3 Introductory remarks from the Chairperson of the EALA Committee on Agriculture, Tourism and Natural Resources



In his introductory remarks, Hon. Christophe Bazivamo the Chairperson to the Committee thanked ARSO and PAQI for the partnership between ARSO/PAQI and the EAC institutions.

He noted the increased interest and participation from stakeholders in the EAC integration process as many stakeholders are beginning to realize the benefits of integration due to increased market volumes, and the benefits of economies of scale, and interconnectivity between Partner States and access to the major EAC coastal ports.

He informed the participants that as Members of EALA, it was within the interest of the Community goals to accommodate all the stakeholders in the process to spread the

accrued benefits of cooperation and the realization of the Customs Union, Common Market and the move towards a monetary Union.

He urged the participants and stakeholders to take a more prominent role in ensuring elimination of Tariffs and Non-Tariff Barriers to ease movement of people and goods not only in the EAC region but in the continent at large.

He expressed Members' expectations of understanding their expected role in the Quality Infrastructure programmes and how they could contribute favorably to the strengthening of the EAC and the continental Quality Infrastructure institutions and programmes.

3.0 KEY PRESENTATIONS AT THE WORKSHOP

3.1. The Role of EALA in Spurring a Coherent Continental Standardization and Technical Regulatory Framework: A Political Economy Perspective.

In his presentation, Reuben Gisore informed the meeting of the crucial role and vintage advantage of EALA in promoting and protecting standards. He highlighted the problem of overlapping mandates among EAC technical institutions and emphasized the coordination difficulties among EAC institutions reporting to different sectoral councils.

He noted that this calls for constructive engagement between the legislatures and the technical institutions emphasizing that the area of technical regulations in EAC requires higher-level cross-cutting mandate in policy direction and coordination.

Noting the increasing number of cases of Non - Tariff Barriers (NTBs) in the EAC, he informed participants that time has come for EALA to step and instill direction in the way technical issues are being addressed in the Community for purposes of creating efficiency and coherence.

3.2. Elements of the Quality Infrastructure (QI)

Dr. Chinyamakobvu made a presentation on the elements of the Quality Infrastructure where he highlighted the main pillars of a Quality Infrastructure which are Metrology, Standards and Technical Regulations development;

He informed the meeting that a standard is a document that describes important features of a product, service or system and, the essential requirements that it must meet and for which compliance is voluntary. On the other hand a technical regulation is a document issued by an authorized body (Government Ministries) that details product characteristics, production methods, including administrative provisions and for which compliance is mandatory. He explained that for the testing procedure to be complete it must comply with the following:

- Metrology which is a science of measurement. No testing can be possible unless the characteristics of the product or service in question can be measured in a way which compares them against physical or chemical reference of known values.
- Conformity assessment procedures are technical activities such as testing, verification, inspection, certification, and accreditation, which confirm that products or processes fulfill the requirements laid down in regulations and standards.
- Accreditation is the internationally accepted procedure that recognizes the competence of testing and calibration laboratories, product certification bodies, quality system certification bodies and inspection bodies. Accreditation schemes minimizes the duplication of re-testing and re-certification therefore reduces cost and eliminates non-tariff barriers to trade and market access.

He informed the meeting that in order to complete the interconnectedness of the QI Pillars, the following must be complied:

- Standards development is a main pillar in the QI as it provides the reference framework and basis for comparison of products. He noted that Standards are only effective if they are utilised, hence Conformity Assessment is a pillar that demonstrates compliance to standards, either in the voluntary or mandatory sphere hence providing the bridge between standards and the market.
- Conformity assessment helps businesses by improving competitiveness and facilitate trade to ensure that consumers have greater confidence and trust in goods and services purchased. The two pillars: Standards Development and Conformity Assessment depends on reliable measurement systems which fall under the discipline of Metrology.
- Accreditation services ensures that confidence and trust in the services offered by conformity assessment bodies are instilled.

He further highlighted that one of the main challenges facing African Countries in the intra-trade was the diverse conformity assessment practices and standards used in different countries leading to the problem of discriminatory, nontransparent, and unnecessary obstacles to trade.

He noted that there is need for a Mutual Recognition Agreements (MRA's) between countries where they agree to recognize the results of each other's testing, inspection, certification, or accreditation based on harmonized standards. He said that MRA's are an important step towards reducing the multiple conformity assessment that products, services, systems, processes and materials may need to undergo, especially when they cross borders.

He said that the present international concept and goal is "Certified Once, Accepted Everywhere". This is made possible through a network of Mutual Recognition Agreements (MRAs) among international accreditation bodies.

3.3 The Pan African Quality Infrastructure (PAQI) and the Level of Quality Infrastructure in Africa.

In another presentation, Dr. Chinyamakobvu noted that Chapter XI, Article 67 of the Abuja Treaty lays out a common policy on Standardization and Measurement Systems which has facilitated significant progress in the establishment of national (National Bureau of Standards) and regional (RECs) quality infrastructure systems across the Continent.

He informed the meeting that at continental level, progress has been made in the establishment of PAQI bodies, which are the African Organisation for Standardisation (ARSO - 1977), the African Electro technical Standardisation Commission (AFSEC), the Intra-Africa Metrology System (AFRIMETS-2006), and the African Accreditation Cooperation (AFRAC - 2010). He said that these bodies now form the main pillars of the PAQI architecture which was inaugurated in August 2013 in Nairobi, Kenya with the ultimate purpose of benefiting national, regional and continental economies, through their collaboration and envisaged synergy.

AFRAC has the responsibility of encouraging cooperation of African Accreditation activities and the Mutual Recognition Agreements (MRAs). AFRIMETS facilitates inter and intra Africa trade through use of accurate measurements and ensuring safety, health of consumers and environmental protection. AFSEC promotes the harmonisation of Electricity and Energy standards to enable the continent harness its energy resources for economic development.

Dr. Chinyakvobvu noted that PAQI's objective is to improve quality in Africa, promote regional integration and increase intra-Africa trade. PAQI aims to use quality as a driver towards achieving the common interests and goals of the continent in line with African Union integration agenda.

3.4 PAQI Contribution to the Economy of Africa

Dr. Chinyamakobvu highlighted the contributions of PAQI in the development of African economies and promotion of the African Continental Free Trade Area regime. He outlined the following objectives:

- i) Enhance competitiveness at all levels and more specifically at the industry and enterprise level through exploiting opportunities in the African economies hence reducing costs of doing business at the continental and global market and better reallocation of resources including development of trade-related infrastructure.
 - Once the PAQI regime is adopted, it will facilitate competitiveness of African products through collaborative promotion of the use of harmonized standards based on international standards, provision of internationally traceable measurement systems and accredited conformity assessment services;
 - PAQI will further facilitate trade through cooperation in the areas of technical regulations, standards, metrology, accreditation and conformity assessment.
 - Overcome dependence on exportation of primary products and promote social and economic transformation for inclusive growth, industrialization and sustainable development in line with Agenda 2063; PAQI will promote sustainable value addition to primary products through provision of appropriate management system standards for quality, environment and Climate Change and Energy.
- ii) Realization of the potential to expand and accelerate the growing diversification and dynamism of intra-African trade including the aim to increase by 50 % trade among African countries by 2022 through better harmonization, coordination and implementation of trade liberalization and facilitation regimes and instruments across RECs and across Africa in general;

- He informed the meeting that PAQI will facilitate trade through cooperation in the areas of technical regulations, standards, metrology, conformity assessment and accreditation in order to eliminate unnecessary and unjustifiable Technical Barriers to Trade; and mutual acceptance of conformity assessment results through an internationally recognized regional Mutual Recognition Agreement (MRA).
- iii) Boosting intra-Africa trade and realizing the transformational potential of increased trade among African countries, to create a freer market for goods and services, building upon the trade agreements within the regional economic communities and associated commitments and thus pave the way for accelerating the establishment of the Continental Customs Union;

PAQI institutions are founded on QI cooperation between relevant institutions in continental RECs and/or AU Member States. This cooperation is the basis of collaboration in the area of QI for the elimination of unnecessary TBTs and SPS measures in the RECs and indeed in the Tripartite FTA. The cooperation mechanisms will therefore be adopted for application at continental level as part of the process for establishing the Continental Free Trade Area (CFTA) and eventually a Continental Customs Union.

- iv) Resolve the challenges of multiple and overlapping memberships and expedite the regional and continental integration processes;
- PAQI will expedite regional and continental integration process by facilitating cooperation in the areas of technical regulations, standards, metrology, conformity assessment and accreditation and by coordinating QI capacity building programmes where necessary.

3.5 The Role of African Organisation for Standards (ARSO)

In his presentation, Mr. Gisore highlighted that ARSO is an intergovernmental body established by African Union (AU) and United Nations Economic Commission for Africa (UNECA) in 1977. It is mandated to promote standardization and related activities in Africa with the aim of facilitating intra-African trade and international trade in goods and services with the following objectives;

- (a) Harmonisation of national and/or sub-regional standards.
- (b) Initiation and co-ordination of the development of African Standards (ARS) with references to products which are of peculiar interest to Africa;
- (c) Encouraging and facilitation of adoption of international standards by member bodies;
- (d) Promotion and facilitation of exchange of experts, information and co-operation in training of personnel in standardisation activities;
- (e) Co-ordinating the views of its members at the ISO, IEC, OIML, Codex and other international organisations concerned with standardisation activities;
- (f) Creation of appropriate bodies in addition to the organs of the organisation for the purposes of fulfilling its objectives.

4.0 PLENARY DISCUSSIONS

4.1. Discussions

The following issues emerged from the plenary discussions;

- It was appreciated that harmonized standards, metrology, conformity assessment and technical regulations are necessary in facilitating increased Trade in the Region. This will go a long way in developing the local industries hence creation of employment.
- The Workshop observed that increasingly, African Countries and RECs are moving towards continental integration and they need to trade more with each

other both at the RECs and Continental level since the RECs and a continental platform offers the best opportunity for big market.

- The participants agreed that Quality Infrastructure will play a bigger role in the regional cooperation and integration in Africa in line with the objectives of the Treaty Establishing the African Economic Community, and the Abuja Treaty (1991, 1994) as demonstrated by planned strategies for the implementation of the EAC-COMESA-SADC Tripartite initiative and the fast-tracking of a Continental Free Trade Area (CFTA) by an indicative date of 2017.
- The participants also discussed and agreed that it was becoming a central political task for many African countries and institutions to initiate and create awareness on the need to discuss, compare and improve infrastructures in the context of a regional, continental and global economic efficiency, removal of technical barriers for improved market access for goods and services.
- The discussions appreciated the evidence that regional integration and development support organizations in Africa are becoming increasingly aware that the development of the continent hinges on embracing Quality Infrastructure,
- The discussions appreciated the role of ARSO and PAQI, noting that a sound Quality Infrastructure (QI) is a gateway for developing countries to improve their competitiveness and connect to global value chains and is a major requirement for African Integration and economic Agenda and for the expansion of inter-REC and Intra-African Trade.
- In appreciating the role of Parliamentarians, it was agreed that having effective policy directives is part of African countries' political tasks and agenda to assist the national and regional legislators play a better legislative role to ensure a better continental Quality Infrastructure. The case of the European experience was seen to be a good benchmark and inspiration to the African regional standardisation system.

- The challenges faced by many African Countries in the trade with fellow African Countries with regard to the variation in certification, testing, inspection practices, and standards used, the importance of harmonized standards, conformity assessment and establishment of mutual recognition agreements (MRAs) in both domestic and international trade were prominently noted and accepted as an issue which should be central in the Africa's trade policy.
- For Africa to gain from its abundant Natural and Agricultural resources, there is to free itself from dependence on primary products and diversify into manufacturing exports whose value addition translates into wealth and economic development.

5.0 OBSERVATIONS AND RECOMMENDATIONS

The Workshop observed and recommended the following;

1. Increased awareness on the importance of standards, conformity assessment and technical regulations as facilitators of trade and regional/continental integration and encouraging for the sharing of Information on the on-going programmes and activities both at the regional and continental levels among Stakeholders.
2. ARSO and PAQI to proactively continue engaging and organizing sensitization workshops for Members of Parliament at the National, Regional and Pan African (AU) levels highlighting their expected legislative roles in the Quality Infrastructure programmes in Africa, starting with Kenya National Assembly and the East African Parliament. This will ensure that the political Advocacy and goodwill in Africa for a sound continental regulatory framework is achieved.

3. The need for a joint ARSO-AUC-RECs and Stakeholder driven cooperation, including the Private Sectors, in the development of continental Quality Infrastructure Policies, Protocol and guidelines based on Africa's identified needs, interests and priorities as demonstrated by the experiences in the EU and Asia. European Union Parliaments Directives and Regulations form the rallying points around which European standards and conformity assessment are harmonized and implemented. In this regard, the Quality Infrastructure strategies should be integrated and domesticated into RECs and national economic development blueprints and bilateral donor Cooperation.
4. The African Countries should embrace standardisation as a tool for deep integration of Africa both at the RECs and Continental level and encouraged them to focus on the continental integration by implementing harmonised African Standards, conformity Assessment regimes and Quality Marks (in such key areas as Agriculture, Fisheries, Mining, infrastructure, Tourism and manufacturing) to facilitate the fast-tracking of the Continental Free Trade Area and the African fifty-year vision Agenda 2063.

In this regard, the Workshop appreciated the call by the AU for Quality institutions to celebrate the 2017 as year of Quality and all African Countries to join ARSO by 2017. The Committee thus took the initiative to call on EAC Partner States including Burundi to join ARSO.

Given the level of its integration and development of its Quality Infrastructure, the EAC is seen as a pillar REC in optimising the continental harmonisation infrastructure, implementation of African standards and the conformity assessment regimes to influence outcomes in African standards implementation in favour of continental market access.

5. The need to refocus on African manufacturing, value addition and the Regional Value Chains to help African Countries trade amongst themselves and promote cross border opportunities that allow countries to access each other's markets in line with the Continental Free Trade Area (CFTA).
 - In this regard, the Workshop reiterated the need for increased involvement of the African Standardisation stakeholders (ARSO, NSBs, RECs, PAQI) in the negotiations of the CFTA to position Quality Infrastructure in the CFTA 10 year strategic plan.
6. The East African Legislative Assembly is uniquely positioned to unlock the impasse that results from overlapping mandates of EAC institutions by enacting laws and making resolutions which address cross-cutting matters that ultimately have social, political and economic impacts.
 - In this regard, the workshop urged EALA to guide the ongoing reforms to position the EAC to integrate into the African integration agenda and to be used as a benchmark for other RECs. The EAC SQMT was to be a rallying model for other RECs.
 - This also calls for constructive engagement between legislatures and technical institutions with an operational and performance monitoring and evaluation strategies with EALA playing a guidance and oversight role.
7. ARSO and PAQI should organise workshops and seminars to mobilise and create awareness for EALA, all EAC National Parliamentarians, other Regional Economic Communities Parliaments and the Pan African Parliament.

6. Conclusion

African Countries cannot underestimate the importance of adopting and implementing Quality Infrastructure programmes which provide vital link to global trade, market access and export competitiveness as they contribute to consumer confidence in product safety, quality, quantity, health and the environment.


In the foreseeable future, the role of Pan African Parliament and the AU/AUC would be mirror the role of the EU/EUC in New Approach to standardisation in Europe where EU Legislators make legislations and directives on Standards, technical regulations and Conformity Assessment and their implementation. These directives and Regulations should form the supporting points around which African standards and conformity assessment are harmonised and implemented.



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RESOURCES ON MOBILISATION AND QUALITY INFRASTRUCTURE
AWARENESS WORKSHOP FOR THE EAST AFRICAN LEGISLATIVE
ASSEMBLY (EALA) - EAST AFRICAN COMMUNITY (EAC)**

FRIDAY 16TH OCTOBER 2015, NAIROBI, KENYA

1. Hon. Christophe Bazivamo
2. Hon. Isabella Ndahayo
3. Hon. Jeremie Ngendakumana
4. Hon. Leonce Ndarubagiye
5. Hon. Chris Opoka-Okumu
6. Hon. Mike Kennedy Sebalu
7. Hon. Susan Nakawuki
8. Hon. Bernard M. Murunya
9. Hon. Adam Kimbisa
10. Hon. Shy-Rose S. Bhanji
11. Hon. Dr. Odette Nyiramilimo
12. Hon. Patricia Hajabakiga
13. Hon. Judith Pareno
14. Hon. Mumbi Ng'aru
15. Hon. Saoli Ole Nkanae



Handwritten signatures of the 15 members of the Committee on Agriculture, Tourism and Natural Resources are provided next to their names. The signatures are written in black ink on a white background. The names and corresponding signatures are as follows:

- 1. Hon. Christophe Bazivamo
- 2. Hon. Isabella Ndahayo
- 3. Hon. Jeremie Ngendakumana
- 4. Hon. Leonce Ndarubagiye
- 5. Hon. Chris Opoka-Okumu
- 6. Hon. Mike Kennedy Sebalu
- 7. Hon. Susan Nakawuki
- 8. Hon. Bernard M. Murunya
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- 14. Hon. Mumbi Ng'aru
- 15. Hon. Saoli Ole Nkanae