



EAST AFRICAN COMMUNITY

EAST AFRICAN LEGISLATIVE ASSEMBLY

**REPORT OF THE HOUSE BUSINESS COMMITTEE ON
THE STUDY TOUR TO GERMAN BUNDESTAG AND THE
EUROPEAN PARLIAMENT 22-27 JUNE 2008**



1.0 INTRODUCTION

The East African Legislative Assembly is established under Article 9 of the EAC Treaty as one of the Organs of the Community. Its functions are provided for under Article 49 and it is charged with working towards the attainment of the Treaty as specified in Article 5. These objectives include widening and deepening cooperation among Partner States through the establishment of a Customs Union, Common Market, Monetary Union and a Political Federation.

The House Business Committee is mandated under Rule 81 (3) of The Rules of Procedure of the Assembly to manage the affairs of the Assembly. In order to increase its effectiveness, a study tour was undertaken to understudy how other regional Parliaments, which have been in existence longer, operate.

A Delegation of the House Business Committee led by the Speaker visited the German Bundestag and European Parliament from 22-27 June 2008. The Delegation was composed of:

Hon. Abdirahin Haithar Abdi-Chair House Business Committee & Speaker of EALA

Hon. Dora C. Kanabahita Byamukama

Hon. Patricia Hajabakiga

Hon. Dr. Didas John Masaburi

Hon. Leonce Ndarubagiye

Hon. Clarkson Karan Otieno

Mr. Justin Bundi, Clerk

Mr. Alex Obatre, Senior Clerk Assistant



The delegation was accompanied by Mr. Collins Odote of Frederich Ebert Stiftung (FES)

2.0 OBJECT OF THE STUDY TOUR

The object of the study tour was to appreciate:

- linkages between national parliaments and the regional parliaments.
- How the legislative work of a regional parliament can be enhanced by various bodies;
- Relations between organs and institutions at the regional level and at Partner States level; and how to maintain links with various institutions.

The delegation also used the opportunity to inform Germany and the EU in general about the East African Community (EAC) and the East African Legislative Assembly (EALA) in particular.

3.0 ACTIVITIES UNDERTAKEN

The delegation undertook several activities, these included:

- Tour of Berlin
- Visit to the Bundestag
- Visit to the EU Parliament



The delegation met with several dignitaries, these included:

- The Deputy Speaker of Bundestag, to whom an invitation was extended;
- EAC Ambassadors to Germany and Brussels;
- Key FES Officers Members and former Members of the EU Parliament;
- EU Official in charge of EAC

The delegation was also treated to several luncheons and dinners hosted by FES.

Several topics were covered, these included:

- The European union and the Germany National Parliament
- European Integration in German National Politics
- Regional integration in East Africa and Europe

- The Rules of Procedures of the German National Parliament
- Promoting German Interests in Europe
- The German Bundestag and its operations
- The EU, European Parliament and lessons for EALA
- Promotion of Parliamentary Democracy and Institutions: The role of the Secretariat and the Committee on Constitutional Affairs within the framework of cooperating with national parliaments
- Establishments and operations of the Committee of the Regions
- FES Works



4.0 OBSERVATIONS

German Bundestag

Germany has two Parliamentary Chambers-the Bundestag or the Federal Senate and the Bundestag or the Federal Parliament.

The German Bundestag has an elaborate system of interlinking its operations with the EU Parliament. The following were institutionalized to realize this:

- extensive use of the internet to solicit and disseminate information;
- a specific Committee and Office which deals with EU issues
- an established liaison office at the EU Parliament; and staff at the Bundestag and EU Parliament whose role is to facilitate exchange of information.

Meetings with German Members of Parliament revealed keen interest:

- the Deputy Speaker of the Bundestag raised concerns about Kenya's political issues arising out of 2007 elections; the Zimbabwe elections; and HIV in the EAC.
- Issues on in women's rights, poverty and climate change were also raised.

The German Bundestag is also famous tourist site; its transparent structure and the possibility of visitors to walk to its dome while observing the Members debate and legislate signify ease of access to constituents and visitors and transparency in its operations. It attracts over 2 million visitors per year.

Interestingly, the European Parliament has a reflection or prayer space that has artistic designs to facilitate accommodation of all religions. This space is used by Members of Parliament when they need a place to reflect or pray.

European Parliament

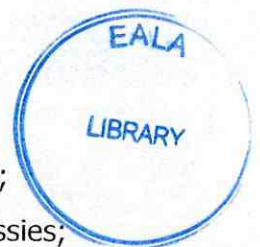
The European Parliament has officers who ensure linkage with national parliaments by working with caucuses who share the same political ideology;

The EU Parliament also has an entity known as a Committee of Regions. This is a very well established Committee; it houses officers from all EU states. This Committee has capacity to receive and disseminate information to all EU states.

Meetings with EAC Ambassadors

Meetings with EAC Ambassadors in Berlin and Brussels revealed that:

- there was already an informal network between the EAC Ambassadors;
- there was lack of communication between the EAC and the EAC Embassies;
- the embassies were not advised on important steps taken by the EAC Partner States to work together such as the East Africa Joint Trade Negotiations Bill.



Meetings with EU Members of Parliament and EU Officials

Meetings with EU Members of Parliament and Officials provided insight on how the EU operates. The delegation noted; inter alia the following key issues-

- the need for EAC Member states to rally around common interests such as issues on climate, environment; shared resources; and economic interests. This said in the context of lack of an apparent similar ideology.
- the Rules of Bundestag were customised to facilitate caucuses with similar ideologies; it was noted that some rules could be adopted by EALA.
- challenges the EU faced in trying to agree on the Lisbon Treaty otherwise known as the EU Constitution; it was noted that Ireland had through a referendum rejected the Lisbon Treaty because of misinformation. This one country therefore held back the process of agreeing on a Constitution for the EU.

- Members of the EU Parliament shared experiences on how some member countries shifted blame from their countries to the EU and the challenges they faced in trying reach out to the constituents.
- MPs also shared challenges of being elected by a very large geographical area and complexities of reaching out to the electorate.
- A key EU official shared very pertinent information on the Economic Partnership Agreements (EPAs) and how the EAC was interacting with the EU; it was observed that most activities of the EAC did not include EALA Members and that the Assembly did not have information on key meetings.
- Views on issues on consensus and variable geometry were exchanged, these discussions zeroed on common currency, immigration issues, time zones, inter alia

Meetings with Key FES Officials

FES officials introduced the delegation to EU operations, of notable interest was the EU Budget-which Budget allots a substantive proportion to subsidising agriculture and ensuring that all EU countries attain the same standards in key sectors such as infrastructure.

Meetings with key FES Officials enabled the delegation to appreciate the work of FES and possible areas of cooperation. FES expressed interest working with EALA on:

- the common market with particular emphasis on free movement of persons with specific emphasis on labour issues;
- good governance; and
- support for the East Africa Parliamentary Institute, especially on the area of political education.

5.0 LESSONS LEARNT

- (i) The need to establish a comprehensive system of inter-linkages with national parliaments, in particular the need to establish a liaison officer to facilitate this linkage.



- (ii) The need to use the internet more proactively in order to share information, keep members informed and to receive information from the public on issues of concern;
- (iii) The need to keep ambassadors appraised on EAC activities especially on laws that oblige them to work together. EALA was specifically requested to keep Embassies informed on its work via the Internet.
- (iv) The need to re-consider the EAC Budget in order to ensure that it serves the interests of the people especially in the areas of agriculture and infrastructure which areas have the potential to attract more countries in the region to aspire to join the community.
- (v) The need to establish a comprehensive system of representing East Africans in the Legislative Assembly bearing in mind that the EU took Years before initiating direct lections and the challenges of reaching out to a large and diverse constituency.
- (vi) EU officials were requested to furnish information to EALA on key issues such as Economic Partnership Agreements (EPAs) so as to facilitate information exchange and enactment of laws that would take into account regional and international agreements.
- (vii) Bearing in mind the stalling of the EU Constitution; the delegation noted the need to establish a mechanism of keeping constituents informed about benefits of being part of the EAC and common interest issues. The delegation also noted the need for initiating work on an EU Constitution in preparation for political integration. Lessons could be adopted from the Lisbon Treaty.
- (viii) Since the EAC is in the process of constructing Headquarters and in particular EALA chambers; it would be prudent to integrate fundamental principles in the

construction process and other features that would make such a structure educative and attractive to people of the EAC Community and beyond.

- (ix) EALA should keep all embassies posted on developments in the EAC; with particular focus on legislation that obliges them to work together.
- (x) The delegation exchanged information on the principle of variable geometry; its implementation in the EU has for example, allowed some countries to adopt usage of the Euros as a common currency whereas others like the United Kingdom still use the Pound Sterling and maintain a different time zone.

The principle of variable geometry is provided for Article 7 (1)(e) of the EAC Treaty:

"The principles that shall govern the practical achievement of the objectives of the Community shall include the principle of variable geometry which allows for progression in co-operation among groups within the Community for wider integration schemes in various fields and at different speeds".

This provides a way forward on matters of integration that cannot be concluded by consensus.

6.0 CONCLUSION

The EALA delegation was able to take some gifts in form of coffee and tea from the East Africa region; there is urgent need for EAC and EALA in particular to create a budget line that will facilitate production of memorabilia which in turn would assist in dissemination of information and creation of sustained visibility.

The delegation is grateful to FES for funding the tour and for ensuring that the tour included social activities such as watching the World Cup game between Germany and Spain in which Germany emerged as victor.

The delegation appreciates the role that EAC Ambassadors to Germany and Belgium played at short notice. On a sad note, Uganda's Ambassador to Germany who was



Chair of the EAC Ambassadors then passed away soon after the tour. May his soul Rest In Peace.

The delegation is also grateful to the staff of FES who ensured that everyone was healthy and in good shape. There was agreement that EALA and FES would work even more closely on areas such as the customs union and good governance issues. The study assisted in consolidating EALA, FES linkages further.

Finally, the delegation is grateful to Speaker for affording them an opportunity to learn; it our sincere hope that the lessons learnt will be proactively used to assist EALA scale to greater heights.



MEMBERS OF THE HOUSE BUSINESS COMMITTEE

NAME	SIGNATURE
1. Hon. Dora Byamukama	
2. Hon. Patricia Hajabakiga	
3. Hon. Didas Massaburi	
4. Hon. Jacqueline Muhongayire	
5. Hon. Abdullah Mwinyi	
6. Hon. Leonce Ndarubagiye	
7. Hon. Manasse Nzobonimpa	
8. Hon. Daniel Ogalo	
9. Hon. Clarkson Otieno Karan	_____
10. Hon. Reuben Oyondi	_____