



EAST AFRICAN COMMUNITY

EALA 10TH ANNIVERSARY SYMPOSIUM

CATALYZING THE EAC INTEGRATION PROCESS: A RECIPE FOR REALIZATION OF THE EAST AFRICAN POLITICAL FEDERATION

*Discussion Paper by Ambassador Dr Richard Sezibera, Secretary General,
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I am very pleased to have this opportunity to deliver this presentation on catalyzing the East African Political Federation process. I would like at the outset to thank their Excellencies Yoweri Kaguta Museveni represented by Rt Hon. Amama Mbabazi, Daniel arap Moi, and Al-Hajj Hassan Mwinyi, for their excellent presentations during the inaugural sessions which have contributed deep insights and inspirations to this high level discourse on East African Federation.

I would also like to thank my dear friends and brothers, the former Secretaries General of the East African Community, Ambassador Francis Muthaura, Honourable Amanywa Mushega and Hon. Amb. Juma Mwapachu. I appreciate their commitment to the cause of regional co-operation support to this important Symposium. I congratulate the East African Legislative Assembly on its 10th Anniversary of great achievements and contribution to the development of the Community and for this, most appropriately, themed Symposium.

In this presentation I will restrict myself to an exposition and justification of the need to prioritize the Political Federation in the EAC integration discourse. I am convinced that such a discourse is important, given the fact that the East African Federation has been the most enduring concern in the worldview of the East African people.

From time immemorial, the people of what are the modern States of Burundi, Kenya, Rwanda, Tanzania, and Uganda and beyond interacted and traded relatively freely, within the dictates of their socio-political formations. Historians have chronicled the free movement of the East African peoples that was characterized by free migrations, both forward and reverse migrations, across East Africa.

The Inter lacustrine polities of yesteryear sought to address the same challenges we seek to address today, namely, competition in a hostile environment, the threat of anarchy, as well as the need to protect and spread those values that underpinned their socio economic dispensations.

With the advent of the Colonial State, in particular the 1884 Berlin Conference, which arbitrarily partitioned Africa, this interaction was severely disturbed. The rude and brutal dismemberment of the East African territory, disruption of social and economic systems and introduction of conflicts and divisions among the people that had not existed before is a shared legacy of the people of East Africa.

It is significant that the colonial imposition was never, for any moment, accepted by the East African people. Indeed, the resistance to the colonial authority, rule and balkanization of the East African territory was kept up throughout the colonial occupation. The anti-colonial resistance, which peaked in the 1950's and 1960's was as much for Independence and reversal of the balkanization of East Africa as it was for the restoration of the pre-colonial status of movement without immutable borders.

Indeed, the Independence (*Uhuru*) demand was expressed in the same breath as the move to Federation (*Shirikisho*). We all recall the famous 1960s declaration by Mwalimu Julius Nyerere of his preparedness to delay the independence of Tanzania so that the East African countries would get independence at once and simultaneously move together back into the East African Federation. The rest is now history.

With the serialized "granting" of independence to the East African countries, one country after another, Tanzania in 1961, Uganda in 1962; and Kenya, Rwanda and Burundi in 1963, the colonial set up of partition of East Africa was preserved in tact. This was followed by enthusiastic preoccupation with national States formation as well as imposition and popularization of disparate ideologies, divisions along the East-West divide during the Cold War; and relegation of the popular demand to re-unite East Africa to the background.

A large number of our region's scholars have dedicated a lot of intellectual effort in lamenting this historical aberration and betrayal of the Federation cause. We might hear from some of them as this symposium progresses. East African scholars continue to bemoan "the existence of a conspiracy between the departing Colonial masters and the African elite and the new Political Class to perpetuate the Colonial links and patterns of economic marginalization and dependency".

It is pleasing to note however, that the popular demand for the restoration of East African Political Federation has refused to die. Just as with the famous Serengeti, the East African people have resolved that East African Federation shall never die.

We have observed therefore that the Independence transition of the East African countries coincided with the migration from the colonial East African Common Services Organization (1961), into the East African Community (1967).

The first East African Community (1967-1977) became the first formalized East African integration arrangement that was fashioned by the East Africans themselves. It was, in all but name, a Federal government. Touching almost every aspect of human life, it operated the common services of over thirty institutions, including the four major corporations - East African Railways, East African Harbours, East African Posts and Telecommunications and the East African Airways besides a formidable array of joint research and development institutions. Most significant was the establishment of the East African Court of Appeal that became the jurisdiction of last resort over the Court system in East Africa.

Replacing the former Colonial administration, the erstwhile Colonial "Governors Conference" and "East African High Commission" was the "Authority" constituted of the

East African Heads of State. The East African Legislative Assembly of the time, though not directly elected by the people, nevertheless articulated the people's views.

When the Community was threatened with collapse, with the rise of a military dictatorship in Uganda in 1971, it was the East African Legislative Assembly that put up a spirited fight to try and save the regional organization. It was also the Assembly which, in 1975 adopted its Select Committee's Report recommending the establishment of the East African Federation, barely two years of the Assembly's own disbandment along with the collapse of the East African Community.

Running through the East African integration movement has therefore been a continuous strand leading to Political Federation. If the Community can be said to have a reason for being, it is the expressed decision by the Partner States to establish among themselves, **ultimately, a Political Federation**. It is instructive to note that the Customs Union and Common Market while crucial are seen as **transitional stages to, and integral parts of the Community**.

The drafters of the 1999 Treaty, establishing the present East African Community could not have been more clear. They included significant and deliberate provisions enshrining East African Federation as the foundation and ultimate objective of the revived Community.

One development has led to another. During its very first sitting, which was held in Kampala in January 2002, the re-established East African Legislative Assembly launched the call for speedy movement towards the Political Federation of East Africa. The EAC Summit was also quick to step into the act. The deliberations and declarations of the Second Extra-Ordinary Summit of the EAC Heads of State held in Kampala, a few months later in April 2000, were dominated by the theme of Political Federation.

In re-launching the advocacy for Political Federation, the champions of EAC integration advanced strong arguments, challenging conventional wisdom. Whereas the provisions of the Treaty were clear in favouring, emphasizing, and indeed, prioritizing economic integration over Political Federation, the Federation enthusiasts have been of the deliberate opinion for a radical shift in the regional programme. They insisted that East African integration should lay emphasis on the political as well as the economic aspects of regional integration, if not prioritize Political Federation.

Whereas the provisions of the EAC Treaty and the intentions of the drafters of the Treaty are clear in providing that EAC integration would be progressive in the course of, first establishing the Customs Union, **subsequently** Common Market and Monetary Union and **ultimately** Political Federation, the Federation enthusiasts have been of the firm of the opinion that the Treaty provisions were subject to interpretation.

At any rate, the Treaty provisions do not preclude the re-ordering of the priorities in the interest of timely and effective realization of the ultimate objectives of the Treaty, i.e the Political Federation. It is also a more or less incontrovertible argument that the determination of regional issues and the pace of the integration process, including the negotiations and implementation of the various protocols on the programmes of the Community, would be more expeditious if they were conducted within an enabling, strong and viable political framework.

Indeed, the EAC Treaty establishes the Political Federation as both a means and an end to the realization of the aspirations of the people of East Africa. The Treaty provides that Political Federation would “strengthen and regulate the industrial, commercial, infrastructure, cultural, social, political and other relations of the Partner States to the end that there shall be accelerated, harmonious and balanced development and sustained expansion of economic activities, the benefit of which shall be equitably shared.”

I therefore believe that an effective approach to the regional integration process in East Africa should involve an emphatic political dimension with respect, to promotion of a common East African identity and deepening of the people’s awareness and involvement in the regional projects and programmes.

As we look back at EALA’s important role in legislating for the people of East Africa over the last ten years, and focus on a deepened and accelerated agenda for the future, we should never lose sight of this imperative. Institutions such as the East African Legislative Assembly, East African Court of Justice, as well as programs in defense, co-ordination of Foreign Policy, a fully functional Customs Union, a vibrant Common Market, investments into critical shared cross border infrastructure and co-ordination of Monetary and Fiscal policies leading to a monetary Union are critical building blocks towards our Ultimate goal as East Africans.

The demand for prioritizing East African Federation is also based on the assertion of the right of East Africans to develop their own paradigms and establish own priorities, including sequencing of the various milestones in the regional integration process according to the unique experience, circumstances and conditions in East Africa.

East Africans consider themselves as not beholden to the dictates of classical regional integration or the models that have been adopted by other regional integration arrangements. This is for precisely the reason that, of all the known regional integration models in the world, from EU to NAFTA, ASEAN and CARICOM, including the African continent, with 14 RECs, from SADC, COMESA and ECOWAS, only the EAC has solemnly bound itself in a Treaty to move into a Political Federation.

It is with taking all these circumstances and considerations into account that during their Special Summit, held in Nairobi in August 2004, the East African Heads of State, having reviewed broadly the status of the EAC integration process, in a historic and definitive declaration, “resolved to expedite the process of integration so that the ultimate goal of a Political Federation is achieved through a fast track mechanism”.

The Wako Committee and its Report which were the offshoots of the Special Summit’s deliberations and directives, have been instrumental in bringing about the series of consultations that have been held with the East African people in all the Partner States. The resounding returns from these consultations are clear.

Let’s face it. With some reservations here and there, the East African people want Political Federation. They have also given some very clear indications of the type and structures of the kind of Political Federation they want. They have expressed the fears, which, however, they pose, not as hindrances or rejection of Political Federation but as issues that they would like to see addressed in the movement to the direction of realizing sustainable Political Federation.

As former Tanzania President Benjamin William Mkapa has said, “East African Political Federation is achievable and inevitable, but East Africans must be prepared to work for it”.

I believe that this is the mission of the leaders of East Africa. It is incumbent upon each of us to embrace the cause and work towards the realization of the East African Federation.

Our Region’s abiding concern must remain the alignment of national political activities and trends with regional integration objectives as the region moves towards deeper integration and rapid socio-economic transformation. A major pre-occupation of the EAC in the period ahead will be in fostering friendly relations and sustainable management of common resources among the Partner States.

We should be determined to reinforce the political will behind regional integration process vis-à-vis immediate pressing national issues. We need to look at the issues of adequacy of resources, monitoring mechanism and reinforcement of integration objectives, the role of the Private Sector, civil society and other actors on the EAC integration process and ensure that we all work for the construction of a strong and viable East African State.

Above all, in moving forward, I am of the view that our mission today is to make sure that the Community works for the People of East Africa. That we work tirelessly to remove Internal borders, and facilitate the free movement of goods, people and capital within our region. The imperatives of a Political Federation require that we intensify our investments in Regional Peace and Security: Common Foreign Policy: Good Governance; Strengthening of Organs and Institutions of the Community, including the strengthening the policy initiative role of the Secretariat, the Court’s jurisdictional role and the Assembly’s representative role and putting our full confidence in them.

We can look forward to a vibrant and Exciting Community within the next decade. It is within our means to clearly demonstrate that in our Community, life is not “solitary, poor, brutish and short”. That indeed, we can become a strong, economically stable, socially advanced, federated microcosm of what Africa can be.

I wish the Symposium great success and I thank you for your kind attention.
