



**OFFICE OF THE
LEADER OF THE OPPOSITION**

**MINISTRY OF EAST AFRICAN COMMUNITY AFFAIRS (MEACA) ALTERNATIVE
STATEMENT FY 2022/2023**

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Executive Summary

The East African community is the only economic block aspiring for a political federation as their number one objective with Article two of the treaty aiming at a customs union and a common market as a transitional stage for a political integration and federation.

The above dream has been challenged by many issues rotating on political, social, economic and cultural .They include among others; the escalating boarder tensions between member states for example Rwanda and Uganda, Uganda and Democratic Republic of Congo and Uganda and South Sudan. Partner states are faced and still locked with Economic Imbalances in addition to inadequacy of a coordinated security plan and strategy to cover the collaboration on cross boarder crimes, auto theft, drug trafficking, terrorism, money laundering and other crimes.

Worse still, member states are still faced with uncontrolled environment and sustainable exploitation of Natural wealth and resources amongst partner states .The community is still faced with ever unwanted trade barriers amongst partner states. The most common barrier to trade is a ban or tax on imports.

Noting that the community is still faced with unpleasing deteriorating democracy and rule of law in addition to inadequate and poor physical infrastructure and utilities. There is still a problem of land and disparities in the tenure systems amongst partner states. The limited awareness by nationals of East Africa about the East African Community is still a big challenge to the integration in addition to the problem of Labour and Competitiveness.

The alternative policy statement has analyzed some of the key measures and policy interventions mainly in political, legal, economic as well as cultural issues to make the East African Integration a reality and they included among others; enhancing the Protocol on Good Governance and establish a strong implementation mechanism to strengthen the public and private regional institutions.

Member states and the people of East African community should be sensitized and educated to appreciate that political federation encompasses surrendering some sovereignty and benefits. There should be surveys on all partner states lands so as to provide basic instruments that provide security of tenure to the people. There should exist a strategy in the implementation of the EAC protocols on Environment and Natural Resources Management.

Member states should address the fear of loss of employment with immediate and short term measures like facilitating nationals of Partner States who know East African top languages like Kiswahili, English and French take up teaching positions in education institutions. Member states should expedite the finalization of the study on the equitable sharing of costs and benefits of the Partner states integration and to develop Industrialization and Investment Promotion Strategy for East African Member states

List of Abbreviations and Acronyms:

MEACA Ministry of East African Community Affairs

EAC East African Community

DRC Democratic Republic of Congo

GDP Gross Domestic Product

COMESA Common Market for East and Southern Africa

IGAD Inter Governmental Authority on Development

SADC South African Development Community

ADF Allied Democratic Forces

ISIS Islamic State of Iraq and Syria

LVBC Lake Victoria Basin Commission

LGs Local Governments

NTBs Non-Tariff Barriers

IPOA Independent Policing Oversight Authority

EACIRC East African Community Information Research Centre

E-Library Electronic Library

EACJ East African Court of Justice

SIPO Strategic Indicative Plan of the Organ

ECOWAS Economic Community of West African States

SMEs Small and Medium Enterprises

EAMU East African Monetary Union

CHAPTER 1: BACK GROUND TO THE ALTERNATIVE STATEMENT

1.1 Legal Provision;

The authority to present this Alternative Policy Statement is derived from Section 6E (2) of the Administration of Parliament (Amendment) Act, 2006, which requires and empowers various Shadow Ministers to present Alternative Policy Statements on the floor of the House for consideration and possible Implementation. Section 6E Under Section 6E(4) of the Administration of Parliament Act, 2006, "the Leader of the Opposition is Mandated to study all policy statements of government with his or her Shadow Ministers, attend committee deliberations on policy issues and give their party's views and opinions with possible alternatives".

1.2 Over view of the Sector

Whereas the Strategic mandate of MEACA is to widen and deepen economic, political, social and cultural integration to improve the quality of life of the people of East Africa¹ through increased competitiveness, value added production, trade and investments with in 6 Partner States; the Republics of Burundi, Kenya, Rwanda, South Sudan, the United Republic of Tanzania, the Republic of Uganda and the ongoing processes to admit Democratic Republic of Congo (DRC) in high gear²; the community is still faced with challenges that included, poor governance, inadequate legal and regulatory framework, insecurity, poor physical infrastructure among others.

The EAC constitutes to 463 million citizens as per United Nations Estimates equivalent to 5.71% of the total world population³, of which more than 60million (2018) live in urban areas. Given a land area of 2.5 million square kilometers, the Gross Domestic Product (GDP) is still reported at only US\$ 193 billion ⁴(2019) that has hindered full realization it bears as great strategic and geopolitical significance it portrays.

Even when the community is one of the fastest growing regional economic blocs in the world, the widening and deepening co-operation among the Partner States in various key spheres for their mutual benefit is still inadequate due to the

¹ Ministry of East African Community Affairs

² East African Community/Negotiations/Democratic Republic Of Congo

³ Population of East Africa(2022)-World meter

⁴ East African Statistics Abstracts 2019

different spheres in political, economic, cultural and social set ups of the East African Countries.

At the moment, there is a minimal regional integration progress of the East African Customs Union, the Common Market establishment of 2010 and the implementation of the East African Monetary Union Protocol. Two of the three states are members of the Common Market for Eastern and Southern Africa (COMESA), Kenya and Uganda are members of the Inter-Governmental Authority on Development (IGAD)⁵ while Tanzania is a member of the Southern Africa Development Community (SADC). The three states also subscribe to the common vision of African unity as stipulated in the Charter of the Organization of African Unity and the Constitutive Act of the African Union.⁶

CHAPTER: 2 Budget Analysis

The total Budget for the year 2020/2021 amounted to Ushs.45.17billions as seen in the table below but despite the effects of Covid 19 including the restricted movements in the great lakes region, at the end of FY 2020/2021, almost 104% of the approved budget had been released to MEACA for Expenditure.

It should also be noted with concern that the Ministry budgeted for Arrears worth 6.01 billion but an unclear 13.88billions was passed as supplementary.

2.1: Budget Allocation

Shillings(Billions)	Proposed Budget 2022/2023	Approved Budget 2020/2021	Budget Released	Expenditure	Release Perf.	Absorption
Wage	1.235	1.13	0.95	0.90	83.9%	94.1%
Non-Wage	30.087	37.101	31.54	31.40	85.0%	99.5%
GoU Development	0.425	0.92	0.64	0.64	70%	100%
Arrears	0.00	6.008	13.88	7.08	230%	51.0%
Ext. Fin	-	-	-	-	-	-
Total	31.747	45.172	47.01	40.02	104.1%	85.1%

Source: PBO Computations based on Annual Budget Performance Report 2020/2021,MPS 2022/2023

There are unfunded arrears like the gratuity arrears for the former staff of the defunct EAC, there's need to know the current situation and position of the

⁵ Intergovernmental Authority on Development(IGAD)

⁶ Ministry of Foreign Affairs Ugandaj

current Country's arrears to the EAC Organs and the strategies for the clearance of the same.

The budget provisions for the sensitizations and awareness campaigns to the nationals is not well put.

Budget Performance at Program level, FY2020/2021

By end year 2021 release performance under regional integration and Administration program was 91.6% and 84.3% respectively, while Budget absorption was 98.05% and 99.46% respectively.

	Approved Budget	Release Budget	Spent by June 2021	Release Perf (%)	Absorption (%)
Regional Integration	1.68	1.54	1.51	91.67%	98.05%
Administration, Policy & Planning	37.48	31.6	31.43	84.31%	99.46%
Total	39.16	33.14	32.94	84.63%	99.40%

Source: PBO Computations based on Annual Budget Performance Report 2020/2021

2.2 Emerging Issues Affecting the Community and possible Alternatives;

1. **Partner states are faced and still locked with Economic Imbalances.** The fear that big economies will dominate the smaller and weaker economies through entrepreneurship, competitiveness in for example manufacturing and provision of services has caused imbalance and equitable distribution and allocation of resources in the region for full realization of integration. Worth to note is that even the differences in the levels of wealth within the same nation enhances political tensions and pressure that erodes peace and security of any country. Even when the EAC Council of Ministers had directed the EAC Secretariat to commission a study on the equitable sharing of costs and benefits of the EAC integration and to develop an EAC Industrialization and Investment Promotion Strategy, less has been realized.

Alternative;

Member states should expedite the finalization of the study on the equitable sharing of costs and benefits of the Partner states integration and to develop Industrialization and Investment Promotion Strategy for East African Member states⁷. Member states can also expedite in the establishment of the EAC Development Fund that will devise concrete alternative mechanisms of financing of a selected community Projects and Programmes as per the road map of the East African Monetary Union (EAMU)⁸.

2. **Member states are still faced with uncontrolled environment and sustainable exploitation of Natural wealth and resources⁹.** It's a great concern amongst member states on the management and exploitation of natural wealth like oil and gas and other minerals. Despite member states being members of the Great Lakes Region and so making them the very custodians of the internationally important eco-resources and other systems such as the Lake Victoria Basin, not all the provisions of the Treaty in chapter 19 are implemented. The protocols of East African Community for example on Environment and Natural Resources Management for example the Lake Victoria Basin Commission (LVBC)¹⁰ have been negotiated but their implementation is weak even when the programs 1

⁷ East African Community Industrialization Strategy 2012-2032

⁸ East African Monetary Institute, Plans to put in place EAC single currency by 2024

⁹ EAC's Environment Agenda; A healthy Natural Environment for Present and Future Generations

¹⁰ Lake Victoria Basin Commission Secretariat ,Kisumu ,Kenya 1st March 2019

and 11 under Lake Victoria Management . Little was addressed on the roles and responsibilities and even rights of LGs, Local communities in respect to ownership and share of costs and benefits of natural resources.

Alternative;

There should exist a strategy in the implementation of the EAC protocols on Environment and Natural Resources Management. It can also be done through the strengthening and implementation of the oversight role through Agencies of the member states at all inland water bodies. Member states can also establish policy framework at regional level to deal with matters in relation to ownership, management, and sharing of costs and benefits of other natural resources across the region putting into account negotiations on the same in these treaties for the establishment of a good East African Community and federation

3. The unpleasing deteriorating democracy and rule of law among partner states. The community risks becoming irrelevant and meaningless because it focuses and prioritizes development whereas leaders violate their citizen's human rights with impunity¹¹. In almost all summit sittings ,leaders always unveil comprehensive plan towards political integration without taking corresponding measures to strengthen democracy amongst partner states .This is in total violation of the core founding principles of EAC in 1967 by Jomo Kenyatta of Kenya, Milton Obotte of Uganda and Julius Nyerere of Tanzania for good governance, Democracy, Rule of Law, Respect to Human Rights & Social Justice¹² .For example in Uganda the Uganda Communications Commission through an instrument passed on September 7 banned freedom of expression and Assembly ,we continue to see arrest ,harass and imprisonment of Opposition political members and supporters and a continuous abuses by Security forces. In Kenya, even with the March 2018 handshake between President Uhuru Kenyatta and main opposition leader Laila Odinga to ease political tensions, authorities have not taken any significant steps to ensure political reforms, police killings have remained largely unaddressed with Independent Policing Oversight Authority (IPOA), investigating over 2000 incidents of police killings currently on its file.

¹¹ Africa in the World 2021

¹² Human Rights Watch

Alternative;

Member States should enhance the Protocol on Good Governance and establish a strong implementation mechanism¹³. This among others involves harmonization of member states constitutions' to include presidential term and limits, election and electoral processes and cycle management. In addition, member states should empower the EACJ to make it a strong regional institution that guarantees compliance on agreed regional standards and good governance including extending the jurisdiction to cover human rights and abuses among member states. This can also be done through developing a regional monitoring and evaluation mechanism on issues of constitutionalism and good governance for example reviewing and redefining EAC peer review mechanism¹⁴. On comparison SADC's Strategic Indicative Plan of the Organ (SIPO) makes ambitious provision for accountable governance and for regional responses to political challenges in the region, based on the SADC's vision of a 'shared future in peaceful environment'¹⁵. This will solve and stop the fear that poor governance practices that include corruption, human rights abuse and violations and failure to observe rule of law and constitutionalism spillover to partners with better governance records

4. The Sector is still faced with inadequate and poor physical infrastructure and utilities .Whereas the community obliges the Partner States to ensure coordinated and complementary transport and communications policies and to improve and expand the existing transport and communication links and establish new ones as a means of furthering the physical cohesion of the Partner States, the latter is still inadequate. The physical infrastructure are aimed at facilitating movement of traffic and to promote greater movement of persons, goods and services within the Communities. It, therefore, provides for aspects of integration in roads and road transport, railways and rail transport, civil aviation and civil air transport, maritime transport and ports. With a land area of 2.5 million square kilometers and a combined Gross Domestic Product of US\$ 193 billion¹⁶, its realization bears

¹³ EAC Priorities 2022/26 Enhancing domestication and implementation of regional commitments in line with the EAC Common Market Protocol

¹⁴ Human Rights in the Context of Deepening Integration of East African Community(EAC)

¹⁵ P Ramsany, Good Governance in the South African Development Corporation 2002

¹⁶ EAC Statistics for 2019

great strategic and geopolitical significance and prospects for the renewed and reinvigorated EAC.

Alternative;

Partner states should strengthen the public and private regional institutions¹⁷. This in addition to formation of a strong and enhanced support for harmonization of laws and procedures will facilitate the exchange of ideas and experience and capacity building among partner states for example in fields of research, tourism, energy , trade ,education among others. On comparison for example, ECOWAS in 2016 launched the strategic framework for public-private sector and enterprise promotion 2015-2020 with a main theme of inclusive growth, innovation and competitiveness .This resulted into increased intra trade amongst partner states averaging at \$208.1 billion with exports at approximately \$137.3billion while imports totaled to about \$80.4billion in 2020¹⁸ .If well implemented, can help overcome the inadequate infrastructure development amongst partner states that constrains economic growth. Infrastructure investments like roads, railways, schools, hospitals are drivers and accelerators to the much needed growth amongst partner states and reduces income disparities.

5. Member states are still faced with loss of land and disparities in the tenure systems. There are different land and law policies on land that are modeled against both Traditional and colonial systems of independence for example customary ,communal, freehold , mailo and lease hold¹⁹ .This has been brought about by the free movements and the right to establishment with in the partner states, the ever increasing population growth rates and the weak land management systems. The ever increasing competition on land and the unfairness in accessing the same has had a security threat especially to those whose livelihood entirely depending on land.

Alternative;

Member states should do surveys on all their land so as to provide basic instruments that provide security of tenure to the people. They should work towards an equitable distribution of land within individual partner States. They can

¹⁷ World Bank 2014,EAC Opportunities in Public –Private Partnership Approaches to Regional Infrastructural Needs

¹⁸ Economic Community of West African States(ECOWAS),Intra-Trade performance /trade 2020

¹⁹ Wilsoncentre.Org, Land Tenure and Property Policies in East Africa

also initiate actions towards harmonization of land policies and laws, and work towards eventual convergence and initiate socio-economic transformation programs in order to minimize the subsistence use of land for sustainability amongst all partner states

6. There's still limited awareness by nationals of East Africa about the East African Community. Even when the EAC Information Resource Centre (EACIRC) was established in 1993²⁰ to manage and maintain an electronic Library (e-Library) to avail access to diverse and rich information and knowledge on the EAC Regional Integration agenda. However, due to limited access and penetration to internet given its high cost in many parts of East Africa, it has affected integration. The internet use and penetration among East African member states is still at only 24%²¹.

Alternative;

Member states and the people of East African community should be sensitized and educated to appreciate that political federation encompasses surrendering some sovereignty and benefits. This information should be disseminated amongst all people of member states through an established secretariat for example Political secretariat, External trade secretariat among others. This is very governed by the Vienna Convention of State Succession to Treaties and the Vienna Convention to Succession of Debts, State Property and Archives²². This and the enhancement of the East African Information Resource Centre will increase awareness by nationals of East Africa about the East African Community

7. The inadequacy of a coordinated security plan and strategy to cover the collaboration on cross boarder crimes, auto theft, drug trafficking, terrorism, money laundering and other crimes²³. These has limited peace to flourish, security of persons and property not guaranteed to foster development. For example on 16 November, a trio of suicide bombers targeted Kampala²⁴, one detonating his vest outside police headquarters and two more blowing themselves up near parliament. The attacks killed at least 40 other people, and wounded 37 more, 27 of whom were police officers. The attacks have direct links to ADF and ISIS all operating in Democratic Republic of Congo. The attacks added on the already existing threat of Somalia's Al-shabab movement that swears allegiance to Al-Qaeda that

²⁰ East African Information Library

²¹ Internet penetration Report Africa 2021

²² Vienna Convention on Succession of States in respect of State Property, Archives and Debts

²³ Interpol international

²⁴ Uganda Police Force Media Briefs

once attacked Kenya and Uganda respectively. This has retarded growth and affected East African Integration.

Alternative;

- 1. Member states should address the fear of loss of employment with immediate and short term measures like facilitating nationals of Partner States who know East African top languages like Kiswahili, English and French take up teaching positions in education institutions. Partners can also develop specific programs for unskilled labour and SMEs and also Strategizing for Skills and Competitiveness Development so as to enhance productivity through vocation training, science and technology. Expediting the harmonization of East Africa's curriculum and certifications across the region can also positively address the loss of employment amongst partner states. In the long term, partner states can develop a comprehensive Human Development and Deployment Policy, incorporating, amongst others, programmes and innovations for economic empowerment of unemployed youths and women; Member states can also reform and standardize the curricula of all East African education and training institutions, based on the three pillars of values, knowledge and skills.***