Critical Appraisal Of The East African Community (EAC): Challenges In Its Operationalization Functions And Key Reforms Necessary For Its Effective Functioning

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DECLARATION

I, Ammar Abubakar declare that "Critical Appraisal Of The East African Community (EAC): Challenges In Its Operationalization Functions And Key Reforms Necessary For Its Effective Functioning" is my work, that it has not been submitted for the grant of any academic award or examination in any other university or academic institution, and that all the sources I have quoted or used herein have been acknowledged and indicated by complete references.

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Abstract

Regional integration has long been recognized and practised in East Africa. The main aim of this study is to analyze the effects of the various prospects and challenges in the East African Community Regional Integration Process (2001-2009). This study also seeks to discuss the various measures adopted by members of the East African Community have adopted during the four-step regional integration process to address the hereinabove subject, recommend policy alternatives for effective regional integration in East Africa, and examining the processes of the development of regional integration in East Africa.

Before its fall in 1977, Kenya, Tanzania and Uganda were included in the Eastern Africa Community (EAC). In 1999, the EAC Treaty re-signed efforts of integration in the East African region and, as a Member State, it eventually opened Rwanda and Burundi up to join the EAC and further Southern Sudan. The incorporation of the EAC is composed of four pillars: The Customs Union, Political Federation, Common Market and Monetary Union. This study aims at examining the impact on East Africa's integration of Member States ' regimes because of the revived EAC. The results show that the kinds of government in the Eastern African countries have a significant negative and positive impact on regional integration. On the other side, it is evident that ethnicity has an adverse effect on the inclusion of East Africa, although the political class has not yet utilized racial jingoism to overcome assimilation.

This study concludes by recommending that maximum support by all the EAC stakeholders is essential in ensuring the regional integration process will be fully realized. As the member states stride towards regional integration, they ought to assume common regional approaches, develop common regional public goods, adopt common investment, foreign and infrastructural, and take cognizant of essential roles of the other member states.

Table of Abbreviations

ACP	African Caribbean and Pacific
AGOA	African Growth Opportunity Act
ANC	African National Congress
APSA	African Peace and Security Architecture
AU	African Union
CET	Common External Tariff
CID	Criminal Examination Office
COMESA	Common Market for East and Southern Africa
CPMR	Conflict Prevention Management and Resolution Mechanism
EAC	East African Community
EACSO	East African Common Services Organization
EACWARN	EAC Early Warning Mechanism
EADB	East African Development Bank
EADS	East African Development Strategy I and II
EAHC	East African High Commission
EALA	East African Legislative Assembly
EAPCCO	East African Police Chief Cooperation Organization
ECA	Economic Commission for Africa
ECSC	European Coal and Steel Community
EEC	European Economic Community
ESAAMLG	Eastern and Southern African Anti-Money Laundering Group
EU	European Union
IC/GLR	International Conference on the Great Lakes Region
IGAD	Intergovernmental Authority on Development
IUCEA	Inter-University Council for East Africa
MASE	Maritime Security
NEPAD	New Partnership For African Development
NCPR	Nyerere Peace Research Center
OAU	Organization of African Unity
PTA	Preferential Trade Area
REC	Regional Economic Communities
RISP	Regional Integrations Support Programs
SACU	Southern African Customs Union

SALW	Small Arms and Light Weapons
SCC	Sectorial Cooperation Council
SWAPO	South West Africa People's Organization
TRA	Tanzania Revenue Authority
USA	United States of America
WTO	World Trade Organization
ZANU	Zimbabwe African National Union

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CHAPTER ONE: INTRODUCTION

1.1 Background

In the history of collaboration under consecutive regional integration schemes: Kenya, Uganda and Tanzania and Uganda region have had a long-standing partnership. These arrangements included; Kenya-Uganda Customs Union in 1917, which was later joined by Tanganyika in 1927, the High Commission (1948-61) of East Africa; and the Organization for East African Common Services (1961-67); and the East African Union (1967-1977); and East African Co-operation (1993-2000).

In 1984, after a split of the defunct East African Group in 1977, the Member countries reached a Settlement Deal on the Desire for Assets & Liabilities.[1] However, one of the Mediation Convention provisions provided for opportunities for future collaboration with the three Member States (and tangible arrangements for this cooperation. The respective heads of State's subsequent conferences resulted to the signature on 30th November 1993 of the Agreement establishing a Permanent Tripartite Committee on East African co-operation.[2]

Full East African Co-operation began on 14th March 1996, with the launch, by the EAC headquarters in Arusha, Tanzania, of a Secretariat of a Permanent Tripartite Commission.[3] Given the importance of strengthening regional co-operation, at its 2nd Summit on the 29th April 1997 in Arusha, the East African Member States Heads instructed the Permanent Tripartite Committee to begin a process for upgrading into a treaty the Tripartite Permanent Co-operation Commission Agreement. The Treaty process, which entailed negotiations between the Member States and broad public participation, was concluded effectively in three years.

On 30th November 1999 in Arusha, the treaty establishing the East African Community was signed. The treaty came into force on 7th July 2000 after all the original three-member states had concluded the process of ratification and had the ratification instrument deposited by the Secretary-General.[4] Therefore, the EAC was created after

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[1] Lily N Njenga, 'The Legal Status of the East African Community (EAC) (December 2018) Rudn Journal of Law 22(3) 370-384.

[2] Ibid.

[3] Sebalu, P., The East African Community (1972) 16(3) Journal of African Law 345–363.

[4] Ibid.

the Treaty was entered.[5] Burundi and Rwanda later joined the EAC in 2007. In 2010 the EAC Common Market Protocol was signed to establisha **common** currency and eventually leading to a complete political federation. In 2013 the Protocol of Monetary Union was signed which. South Sudan became the new member of the EAC in 2016.

1.2 Literature Review

Paul R. Viotti and Mark V. Kaupi noted that David attempted wanted to explore the possible consequences of global integration, the decrease of extreme nationalism, and improve a stable global peace. Mitrany argued that modern society has created myriad technical problems, which experts can solve rather than politicians. The non-political issues should therefore be allocated for the resolution to non-political specialists from the nations concerned. Mitrany asserted that good technical areas or functional areas would result in further cooperation in other associated technical areas or functional areas.[6]

Peter Anyang ' Nyong'o suggests that collaboration and regional integration between African states is still a goal worth pursuing if the African continent, in its industrialization phase is to reap benefits from the economies of scale.[7] Integration is a political and socio-economic method and is therefore brittle. Consultations and negotiations take time in achieving regional integration because of many conflicting issues relating culture, economy and politics. Consequently, it should be performed with care to strengthen the process of inclusion in the consolidation of the Common Market and the Customs Union and letter the place-specific foundation to move towards monetary union.

Challenges are primarily related to the economic resources required to help the community. Earlier in 2009, owing to delay in the transfer of funds from the partner countries, the EAC was financially deficient. If not, many EAC projects and programs have been introduced for financing from developing partners. This gives rise to concern that external financing for key projects and programs is increasingly used. The efficiency of the regional integration process might be affected by this economic dependence on donors. Minister Mukaruliza says that approximately 70% of development partners have committed support to the EAC whereas, in the Regional Integrations Support Programs (RISP), the EAC has the capability of absorbing 74% of funds owing to the delays in

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[5] Ibid.
6 Paul R Viotti and Mark V Kauppi, *International Relations Theory* (Macmillan 1990).
7 P. Anyang' Nyong'o, *Regional Integration in Africa: Unfinished Agenda* (Nairobi: Africa Academy of Sciences, 1990) 12.

absorption capacity disbursements, which is 82%.[8] While support should therefore be appreciated, partner countries must recognize that partners themselves should fund priorities and programs implementing to enhance ownership. Partner countries, however, have budgetary limitations, while donor assistance declines because of the global financial crisis.

The Migingo Border question, which caused a conflict between Kenya and Uganda whether Migingo is in Kenya or Uganda, relates to politics and safety.[9] The Migingo Island conflict exposed the essence of achieving regional integration and governance in the region.[10] The inadequate financing for the programs, a significant challenge for the East African Legislative Assembly (EALA), needs financing for building capabilities to operate efficiently.[11] The Minister further stated that retards in the endorsement of protocols by states have resulted in the Council of Ministers redefining the subject matter of the said protocols so that they are translated more easily in legislation.[12]

The enlistment of large resources, both inside and outside the region, is essential for operative regional integration. For example, capital expenditure of $9 billion was anticipated in the East African Road Network Project in1998. Likewise, market access is becoming increasingly hard for tiny and weak countries because of globalization. The EAC further aims at forging partnerships with international organizations, such as the European Union (EU) and other regional institutions', such as Common Market for Eastern and Southern Africa (COMESA) Southern African Development Community (SADC), African Growth and Opportunity Act (AGOA), and several others. However, despite the existence such partnerships, what emerges as critical is the vital need to strengthen EADB's (East African Development Bank) funding for regional projects, with particular focus on small and medium-scale enterprises (SMEs).

The scheme of national inclusion should not only be between the government and the apex of our community. Common people should contribute to this activity to be able to own it and gain from the economic growth and of increasing possibilities. Only in this manner can a sustainable EAC be constructed. The Secretariat of the EAC takes the opinion unlike the defunct EAC, which ceased to exists by its 10th anniversary, the

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8 East Africa Community Budget Speech 2009/2010 Financial Year (Bujumbura, Burundi, 21st May 2009) para. 56
[9] Ibid (n 1).
10 Business Journal Africa: Empowering Entrepreneurs, (May 2009) Issue No. 113.
11 Ibid (n 8).
12 Ibid.

second EAC Treaty has survived several challenges. Since 1ˢᵗ January 2005, the EAC Customs Union is in service.[13]

Mr David Nalo said:

> "[W]e are involved in operations to overcome certain difficulties by disseminating data and coaching ministries on what a full customs union impacts Kenya in aspects of the trade, transport, taxes, and the production of data kits."[14]

> Amazon Kingi, EAC Minister for Kenya, said:

> "[S]low application of the EAC protocols is partially responsible for restricted entry to data."[15]

The inclusion method faces difficulties that can resist regional integration unless they are resolved. An illustration is a fear of the loss of sovereignty by East African people.[16] The governments of Busia and Malaba are not pleased about losing income because some traders have been closed down following computerized frontier crossing to remove all the loopholes tax evaders used. The two cities receive 90% of their inner tax revenue.[17] Its officers and businesses have opposed regional integration by stating that both towns can become exhausted by opening up borders to free trade considering the two towns have developed into commercial hubs as a result of the constraints on cross-border trade since independence. Busia Mayor John Ojiolo claims that the City has an estimated Sixty-Million plan, with the state similarly agreeing to double immediate financing (such as Latif) to pay for the anticipated sales gaps when the frontier is accessible. The city is supported by the national initiative.[18]

In recognizing the strides made in the Community's Customs Union at the Arusha, EAC Deputy Secretary-General, Beatrice Kiraso stated that one of the greatest challenges to the regional integration system was the absence of key political power. Kiraso said:

> "[W]e have no system but to ask each country themselves to report what they have accomplished about their signed contracts.''[19]

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13 Jumuiya News, A Newsletter of the Ministry of the East African Community, (October-December 2009) Issue No. 16, 24.
14 David Nalo, 'Industries Lose State Support in EA Trade Row' *Business Daily* (24 February,2010) 15.
15 Luke Anami, 'EAC Marks Second Anniversary of Common Market' *The East African Standard*, (Thursday, February 25, 2010) 32.
16 Ibid.
17 Donaid Kaberuka, President of African Development Bank, Business Daily, (Friday, February 26, 2010) 15.
18 George Omondi, *Business Daily*, Monday, (March 1, 2010) 8.
19 Ibid (n 13) p.9.

In the boundary of Namanga products coming from Kenya into Tanzania were duty-bound. An official at the Tanzania Revenue Authority (TRA) declared that no tax was being imposed. The exporters were obliged before their products could cross the boundary to file papers indicating duty payment. The same goes for Kenya-Uganda's Malaba and Busia borders.

Korwa G. Adar and Mutahi Ngunyi stated that the integration policies in the East African region may be argued correctly by stating that the integration policy in East Africa is based on distribution axis from the previous EAC period to the late EAC. In the EAC Summit of Heads of State and Government, the current EAC must focus on deepening the centralization of authority. The legislative process would be flexible under such a structure.[20]

Naoyuki Shinohara argued about global prospects.[21] Shinohara said that the worldwide outlook was dwindling and the dangers rose significantly. In the Euroraum, which is anticipated to be in a slight recession in 2012, worldwide growth is under threat, specifically, from the spillover of elevated sovereign lending expenses, speeding down bank loans and tighter fiscal policy. The prospect of developed economic development remaining within the 1 to 2 per cent spectrum for 2012–13 with a fragile eurozone rebound scheduled for 2013 alone. This decreases from over 3% in 2010 thus, the dangers stay at the bottom.

1.3 Problem Statement

The phase of EAC incorporation faced longstanding obstacles and prospects. Nevertheless, the six partner states' political and socioeconomic institutions are not adequately funded and, regardless of the difficulties faced in the new integration process, development strategies are required for the rational management of the limited resources within the region.

Regional cooperation and integration will therefore be strengthened to foster joint ventures, joint understanding and peaceful global relations. The development strategies of the EAC thus create the systematic ways to achieve regional integration between the six leaders of the communities in, economic, political, socio-cultural, security and legal, and field research and technology[22]In 1999, the EAC Treaty for the re-establishment of

20 Korwa G. Adar and Mutahi Ngunyi, '*The Politics of Integration in East Africa since independence' in* Oyugi. W. O, (ed.) *Politics and Administration in East Africa* (Nairobi: East Africa Educational Publishers Ltd, 1994).
21 IMF's Deputy Managing Director 1 March 2010-Present.
22 The Second East African Community Development Strategy (2001-2015), p. VIII.

revenue, immigration, infrastructure programs and other policy issues was concluded. The second EAC Strategy (2001 -2005) for development consisted of the establishment of more unified EAC, customs union, common market, currency union and, lastly, a political federation. Conversely, the bargain set up of the initial Customs Union and besides a Common Market, there are difficulties challenges recognized in the finish of the conventions, among them socio-social, political and financial issues. In like manner, the third Development Strategy (2006-2010), like the first, addresses the appropriation of advantages and expenses, and awkward nature emerging from the basic market or the traditions association conventions. The fourth EAC Development Strategy (2011–16) not just signals the section of the EAC into the new period of extending the joining procedure yet additionally denotes a watershed in the advancement of the network to the concretization stage, requiring, in addition to other things, that it would be nothing new as the EAC moves to the following stage.[23] But, despite the presence of that treaty and subsequently of the development strategies, weak socio-economic structures, general mistrust in trading and doubtful political will are still present,

An important issue for the EAC stakeholders is how will the EAC transition impact regional integration? Why does the economic hegemony of Kenya trigger constant fear and mistrust between the other partner countries? Such concerns have been as a result of the public after lengthy negotiations on the EAC Treaty. The relatively developed Kenyan economy is thus an obstacle to regional integration rather than a catalyst. One more question is whether regional leaders and citizens in supporting regional integration will still to accept the economic imbalance among the member states? However, as the regional integration process continues to serve as the subsequent aim for the political federation, measures to address the high reliance on foreign aid and trade, and poor infrastructure are essentially called for. In this scenario, the integration of trade will continue to favour Kenya, the economic giant of the region. The remaining member States will oppose this and eventually constitute another significant obstacle to regional integration. The complex aspects of the integration process will be included in the analysis as stakeholder's address questions about the challenges and prospects.

1.4 Theoretical Framework

The research will explore the financial and political difficulties posed by the EAC regional integration method, such as monetary union, the common market, growth

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23 Secretary General of EAC, Richard Shezibera's speech.

policies, political union and customs union. Different inclusion concepts are appropriate for this research, but functionality is preferable. The principal proponent of functionality was David Mitrany, who favoured building an international system to address the safety issue following World War II. Mitrany asserted that specific collaboration regions would be defined which could benefit States immediately. He, therefore, did not support the institutionalized supranational regime as desired by the federalists. He thought in the gradual growth of the transnational networks of financial and cultural organizations while assuming that the political and financial roles of a State could be detached from each other which, because of the fragile class formation and the restricted position of interest groups, is impossible in most developing countries.[24]

Ernest B. has subsequently changed Mitrany's functionality by developing neo-functionalism concept at the moment of the establishment of the European Coal and Steel Community.[25] When specialized industries merge after the political impact from inclusion in functional regions, leaders will take the phase of monitoring the fresh scheme while community organizations tend to operate at the regional staged which serves their needs more than at the domestic level.

The degree to which functionalists centralize and delegate power should be removed from the country-a state of a supranational framework. They emphasize the financial and political determination of the leaders to pursue results while the environment and technologies generate requirements and stresses on current political organizations and decisions— forcing them to embrace more innovative strategies and negotiating abilities. Therefore, the six EAC Member States are trying to accomplish a political federation but are aware of socio-economic and political problems which make it hard to execute inclusion initiatives and on-the-ground programs more quickly. The hypothesis is assessed against the organization's values and analyzes why EAC inclusion method is hard to monitor quickly. The research will examine whether EAC as an organization can be interpreted through operational glasses as regards the postal system, prevalent business procedure, currency system and ambitions of the political federation.

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24 David Mitrany, *The Prospects of Integration: Federal or Functional?* (Boston: Little Brown and Company, 1968).

25 Jeannette Edbled, 'The Political Economy of Regional Integration in Developing Countries' (1996) Regional Dimensional Working Paper No. 3, Centre for Regional Science, Cerumunea University, 17.

Globalism is the second hypothesis. Globalism relates to different schemes with a global reach. In its more particular use as the dominant ideology and subjectivity of distinct, historical-dominant types of world expansion, Paul James describes globalism. Thus, the concept means that soon before the pushing power of capitalists attempted to colonize each part of the globe, for instance, Guipure modern or traditional types of globalization exists.[26]

Manfred Steger differentiates between various globalizations such as judicial globalization, jihad globalization and business globalization. The neoliberal ideology encompasses market globalization. In certain ways globalization has been reduced to the single concept of business globalization and neoliberalism, leading to misunderstanding. Canadian philosopher John Ralston Saul, for example, treated globalism as a joint actor of neoliberalism and neoliberal globalization in his book, *The Collapse of Globalism*.[27] In the case of modern globalism, the proposal for financial and political inclusion in nations and regions was linked to that of the first individual in the United States to adopt in its current sense the word economic integration (i.e. integrating the different economies in larger economic regions): one John S. De Beers, an economist in the Department of Treasury at the end of 1941.[28]

By 1948 there were more and more American papers and presentations about economic integration. .[29] In his speech to the Organization, Paul Hoffman, the then Face of the Administration for Economic Cooperation, created the most significant use of the term in 1949. The New York Times said that; fifteen or almost one hundred phrases of his address, Mr Hoffmann used the term ' inclusion.' This is a term that European statesman scarcely ever used to define what should occur to Europe's markets in connection with the Marshall Plan. It was established that the obligations given by the European countries in their Marshall Plan were not covered by such terms or purpose. Therefore, the Europeans felt "inclusion" was an American doctrine superimposed on shared commitments at the start of the Marshall Plan. Thus globalism helped the EAC with the better understanding politically and economically since modern globalism is the idea of financial and political inclusion. Additionally, there is business globalization, the

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26 James, Paul, *Globalism, Nationalism, Tribalism: Bringing Theory Back In*. London: (Sage Publications 2006).
27 John Ralson Saul, *The collapse of Globalism* (Atlantic Books Ltd 2018)
28 Machlup, Fritz , *A History of Thought on Economic Integration*. (New York, NY: Columbia University 1977)
29 *Supra* note 23.

colonies when they went back to their country, they left behind public facilities that were to be adopted by the Africans. East Africa, since they wanted the bodies and companies to work and provide better they decided to come together and run it.

The other theory is idealism. Foreign idealism requires a State to turn its inner political ideology into an international policy target. The former defender of idealism, President Woodrow Wilson, his idealism was a predecessor of the concept of liberal international relations that would emerge among the post-World War II "institution builders."[30]

Michael W. Doyle defines idealism more broadly, based on the conviction that the excellent wishes of other countries have been expressed; while Realism believes that excellent motives are in the lengthy-term the safety issue that John H. Herz defines. Idealism helps the EAC in various ways one of it can be political. It can make the head of the governments in the six-member countries come together to plan on how to improve trade, infrastructure and many other important aspects that will help with the growth of the Countries. They can even be able to be of aid when one of the partner state's countries is suffering from country violence into solving the violence's without causing big casualties.

1.5 Research Questions

1. Whether all the six countries work together fairly while Kenya tends to feel superior because most of the companies are from Kenya or were first established in Kenya?
2. What are the agendas the EAC had in motion and are they helping in the efficient running of the EAC?
3. How best can the East African Community solve the financial problems that they are facing?
4. How appropriate can the EAC nature trade between the partner states and how they can be able to implement or put in-force their agendas?

1.6 Research Objectives

1. To analyze the social-economic and political challenges and opportunities of the regional reform process for the EAC.
2. To build a fresh understanding that will help policymakers to execute the EAC regional integration process harmoniously.

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30 John Milton Cooper, John Milton Cooper, Jr., Cooper John Milton, *Woodrow Wilson and the Fight for the League of Nations* (Cambridge press, first publish 2001) 51-56.

3. Propose alternatives strategies for East African economic integration, which will help the EAC prosper.

4. To assess the effects of the signing of the EAC Customs and Common Market Protocols of the EAC Treaty.

1.7 Justification of The Study

Regional integration is a significant area of global financial affairs in the post-Cold War era in particular. Learners have frequently concentrated on the financial side of state-led regional integration. The research aims at illustrating their impact on the system given the reality that political and socio-economic variables drive the method of regional integration. The research will also analyze the interaction in national inclusion between the socio-economic and political elements of EAC. The research will undoubtedly lead to further literature on and how to solve challenges to an efficient regional integration in East Africa.

Regional integration remains important for East African states' concerns. It is essential for decision manufacturers, with educated decision action and decisions, to understand and address the issues encountered. In the search for a single, open trade region and unification, this research will add to the accomplishment of EAC by providing additional alternatives to nature the methods in a better way.

1.8 Hypothesis

This study is premised on the below-working hypotheses:

1. EAC assists its member states in development.

2. The unequal levels in growth and development among the member states hamper the effective regional integration in East Africa.

3. The EAC helps politically in that it helps or enhances coordination between the partner states.

1.9 Methodology and Data Collection

The findings in this study have been drawn from both primary and secondary resources. Secondary information has been gathered through, book studies from outlets such as academic articles, academic publications, libraries. On the other hand, primary information was gathered from interviews of various experts within the respective East African Community Ministries of information and communication services, foreign affairs, the public and the corporate fields. The descriptive layout or survey layout is adopted in this study

1.10   The Scope and Limitations of the Study

The stages in developing the region of East Africa, presenting the Customs union, the entry point of the Community, the common markets and later a monetary union, are as set out by the Treaty on the Establishment of the EAC. Additional information to be discussed include strategy and organizational growth structure, initiatives and programs, national infrastructure growth, growth cooperation and national economic inclusion. The limits of the analysis would be classified data and financial resources because it would be too expensive to fly to the other four Member States outside their embassies for key data

1.11   Chapter Breakdown

CHAPTER ONE: Introduction

This chapter will entail declaration of the issue, the aims of the research, reasoning, assumptions, literature, theory and methods.

CHAPTER   TWO: Historical   Background   of   the   Regional   Integration Processes in t h e East Africa Community.

(This chapter will give a general overview of the development progress of the East African Community (EAC)since its establishment through analyzing its various components. A critical analysis of regional integration from when it was created to date.

CHAPTER   THREE: An Assessment of the Achievements and Challenges Faced by EAC

Gives an in-depth study of the issues and the challenges that the EAC is facing such as on the agricultural sector, economic sectors and various other areas.

CHAPTER   FOUR: Political and Socioeconomic   Dimensions   Present in the Regional Integration Processes.

A critical study of East African's socio-economic and political problems and how they act as a catalyst and roadblock for the Eastern African Federation.

CHAPTER FIVE: Summary, Conclusions and Recommendations

The sections are summarized in a summary. This is the study summary. It also provides results and recommendations for potential studies, apart from the thesis.

CHAPTER TWO: HISTORICAL BACKGROUND OF THE REGIONAL INTEGRATION PROCESSES IN EAST AFRICA COMMUNITY

2.1 Introduction

The British colonial administration roots East African integration, while the British claimed that integration could produce a positive regional development. In 1895, formal East African collaboration was initiated on the Uganda Railway between Mombasa and Kampala. The White Settlers' dominance over Kenya's economy occasioned in the growth and development of the first Mombasa and Dar salaam tariff-raising agreement, which is 1900 raised tariffs on all Uganda's bound goods.

It was founded in 1905 as an Eastern African currency board and in 1911 a postal union. The 1914 report on the East African Union of Onnsby-Gore Commission resulted in the formation Governors ' Conference in 1926. It enabled the management of all of the traditional East African issues such as customs, common currency, the tribunal of appeal, posts and telegraphs as including the common market.

However, the commission supported improved economic cooperation by the East African Union and proposed that territorial governors' conferences take place to accomplish this. It established that the federation was rejected since it was costly and since African and Indians experienced strong opposition.[31] The issue of the colonial union remained a matter of controversy. As the people of Kabaka in Buganda and the Lukiko (Buganda Parliament) were prepared to construct the Nairobi Federal capital to minimize British control over the area, since they feared relations with Tanganyika and Kenya and would threaten their specific position under the 1900 Agreement with the British and expose its citizens to self-destruction and whim.[32] The decision of the 1928 Hilton – Young Commission which concluded that time is not right for the union was another matter that undermined hope for the Federation. The Commission recommended that basic services, such as tax collection, be institutionalized.

In 1948, the East African High Commission (EAHC), the East African Post & Telegraph, the East African Railways and Harbors, Revenue Collection Mechanisms, the East

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31 Arthur, Hazlewood, *Economic Integrations: The East African Experience*, (London: Heinemann, 1975) 29-30.
32 W.P. Lineberry, *East Africa* (New York: Penguin Books, 1964) 40.

African Revenue Tax and the Makerere School, was created.[33] The High Commission and the Central Legislature were the central bodies of the EAHC (the intention was to provide joint service to the British-administered Kenya, Tanganyika and Uganda). The High Commission consisted of Governors of Kenya, Tanganyika and Uganda. They were granted powers to legislate on the advice given and through of the Senate and enact legislation with the help and approval of all three member state legislatures.[34] A central Legislative Assembly comprised 7 ex-officio members, 3 elected (one from each member state), 13 informal members, one of the Indian and the other being of decent African.[35] The High Commission was the main entity. Before the adoption by the High Committee, the Status of the Legislative Assembly was the focus of attention.[36]

In 1960, the Raisman Committee was formed to review the EAHC's operations and ongoing issues. The Commission suggests that the EAC have its profits independent of its territories. It also recommended that benefit be fairly distributed in East Africa via formula for Uganda and Tanganyika.[37] In 1960, the EAHC had been abolished and replaced by the General Services Organization of EACSO. This is because, in 1961, Tanganyika became independent. The EACSO was known as a precursor to an East African federation because it was involved in important activities such as transport and communications infrastructure, foreign trade, university education and training, and fiscal and monetary policies.

In 1960, Mwalimu Julius Nyerere suggested that Tanganyika's independence be maintained until Kenya and Uganda became independent, enabling the 3 East African countries to establish a federation and achieve independence simultaneously. Nyerere later claimed, "[W]e shall sit down and federate tomorrow when Kenya says' yes' to the Federation".[38] "The efforts of Nyerere were fruitless because the British Colonial Governor, White Hall, did not share the same dream. Once again, Kenyan nationalists like Jomo Kenyatta have been arrested and leading nationalists in Uganda having an

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33 Korwa Adar and Mutahi Ngunyi," *The politics of integrations in East Africa since Independence*," in Walter O. Oyugi (e.d), "*In Politics and Administration in East Africa,"* (East African Educational Publishers 1994) 397.
34 Delupis I. D, *East African Community and Common Market*, (Longman group Limited 1970) 28
35 ibid
36 ibid pg. 29.
37 ibid (n) 8 pg. 398.
38 James F. Scotton, Tanganyika's African Press, 1937-1960: A Nearly Forgotten Pre-Independence Forum (April, 1978) 21(1) African Studies Review.

ambiguous vision for East Africa. Without a common vision, the East African member states achieved independence. Tanganyika on 9th December 1961, Uganda, for East African cooperation.

The colonial power at Tanganyika yielded Tanganyika to the British in line with the1919 Peace Treaty, after the First World War ended with the defeat of Germany. Despite economies that have mainly agricultural and weak manufacture, Tanzania and Uganda did not export much to East Africa, although Kenya's largely agricultural economy was able to export considerably to the East African market, although it had considerable manufacturing capacity. Kenya's lopsided advantages are also attributed to the economic systems characterized by the predominance of the primary exports, which posed a difficult area for regional integration in East Africa.

2.2 Post - Independence Strides

"We, the representatives of the people and the governments of the East African region, met in Nairobi on the 5th day of June 1963 and pledged ourselves to the democratic union of East Africa," announce President Nyerere, Premier Kenya and Uganda's Dr Milton Apollo Obote in June 1963.[39]

In the three countries, this assertion triggered a heated debate. The idea of federation was accepted by KANU and KADU in Kenya, however, due to regionalism (majimboism) and individual ambitions in contrast to the essential move towards the East African unity, were not acceptable. The government in Uganda had approved the federation proposal. Nevertheless, the Kingdom of Buganda was opposed to the concept of a Federation, and Uganda's independence as a single state was enshrined in Uganda's federal constitution in an autonomous role. Uganda was argued to change its stage towards the Nairobi declaration by this internal opposition.[40]

The Federation's leadership in Tanganyika endorsed the issue of reform in the three countries ' economic disparities.[41] Due to the changing political positions of the 3 nations, the Union did not start continuously. Nevertheless, Tanganyika desired an immediate union, while Kenya and Uganda were hindered by their interests. Kenya, the most developed one of the 3 member states, had the most of the advantages of any probable regional integration in East African region, while Uganda and Tanzania and protested that the distribution of advantages was unfair, and therefore the Distributive Pool Fund was formed to fix imbalances. A one half of the

39 J. Hughes, *East Africa: The Search for Unity, Kenya, Tanganyika, Uganda and Zanzibar* (Baltimore; Penguin Books, 1963), 265
40 Joseph S. Nye, *Pan Africanism and East African Integration*, (Cambridge: Harvard University press, 1965) 185.
[41] Ibid.

revenue was kept by the national service authority and the remainder of the balance shared in equal proportions among the Member States was.[42]

It is clear, for many integration schemes, the unequal allocation of benefits and costs was a major obstacle to the well-known fall of the defunct East African Community. Concerns over inequality in the labour market contributed to the 1964 Kampala-Mbale Accords. It addresses five ways of remedying inter-territorial trade imbalances. These include arranging for territorial sales to be moved to several organizations operating in two or more member states (such as the East African Tobacco Company, and the Bata Shoe Company), the allocation between countries of specific major industries(such than pneumatic goods, bicycle parts and fertilizer companies in Uganda and Tanzania), quotas for producing products.[43]

2.3 The East African Cooperation Treaty

The 1967 Treaty establishing the East African Post-colonial governments for the EAC was just an additional step towards the colonial attempts of the British authorities to endorse political integration in East Africa.[44] In 1967, it was signed to deal with the economic activities in the area. The countries agreed to cooperate in various fields of the economy, politics and cultures, in their desire and interest for broader unity.[45]

The treaty aimed to strengthen, control and share the benefits of collaboration reasonably in developing the three countries (industry and trade). It allowed the EAC to conclude treaties with other international organizations. In the event of disputes between the Member States, the Convention did not provide a mechanism for conflict-resolution.[46]

The Treaty was intended to assist Tanzania and Uganda in countering Kenya's perceived positive position in the region. It has therefore developed a tax-transfer system to protect Tanzanian and Ugandan industries from those in Kenya. It was thought that this would allow both countries to protect competition from Kenya's industries.[47]

The Treaty also made provisions for the establishment of the East African Development Bank with provisions. It was meant to maximize EAC investment distribution. Instead of

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42 O. Ojol, Regional Co-operation and Integration, in O. Ojo et al, African International Relations (London: Longman Group, 1985), 157

43 A. Hazelwood, African Integration and Disintegration (London: Oxford University Press, 1967), 96

44 Ibid (n 38).

45 Korwa Adar and Mutahi Ngunyi," *The politics of integrations in East Africa since Independence*," in Walter O. Oyugi (e.d), "*In Politics and Administration in East Africa,*" (East African Educational Publishers 1994).401

46 Arthur Hazzlewood," *The End of the East African Community: What are the lessons for Regional Intergration schemes?"* in R. I. Onwuka and Amaddu Sesay (eds), The future of Regionalism In Africa (London: Macmillan Publishers, 1985) 176.

47 ibid

comprising of the main component of industrial investment, it was to serve as a facilitator of complementary industrial growth.[48] The Treaty also established that some of Nairobi's common services would have to be relocated from the headquarters. Nairobi, Kenya was the headquarter of both the East African Railways and the East African Airways headquarters. On the other hand, Arusha, Tanzania was made the headquarters of the Harbors Company and the offices of the East African Community whereas Kampala, Uganda was made the headquarters of the East African Post and Telecommunications and the East African Development Bank. Such relocations have not, however, impacted the economic performance of Kenya, as Kenya has still had many common services.[49]

The treaty also provided for three heads of state jurisdiction. The authority controlled, propagated and protected the community's operations. The three Presidents' harmonious relations were the key to the success of the Treaty arrangement. The climate for the 3 heads of state decreased the lower levels of government's ability in the state's activities and the centralization of power was a restricted factor in the activities of the community.[50]

2.4 Regional Integration in (1967- 1977)

When the EAC Treaty was signed in 1967, EASCO began to drift apart. Tensions started to emerge between the Eastern African countries following the collapse of the federation. The Kampala Agreement of 1964 on the sharing of industries in East Africa was not ratified by Kenya. Kenya thought that its two neighbours wanted to reduce its size instead of ensuring a fair distribution of industry. The Treaty has defined a single structure for the common market and services. It also developed a framework to tackle cost and profit allocation for organizing operations and offering executive guidance.

The Treaty created a transfer tax system which was planned to protect some Tanzanian industries. The transfer tax regime provided for up to 15 years that taxes on Kenyan goods could have been imposed to promote industrial development in countries with a deficit. The East African free trade idea was thus restricted. The treaty further provided for the establishment of the East African Development Bank (EADB). This was to boost the distribution of investments in East Africa undertaken by EAC. Its key function was not to make a significant part of industrial developments itself, but to provide guarantees and loans and guarantees for an

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48 ibid
49 Arthur Hazzlewood," *The End of the East African Community: What are the lessons for Regional Intergration schemes?"* in R. I. Onwuka and Amaddu Sesay (eds), The future of Regionalism In Africa (London: Macmillan Publishers, 1985) 402.
50 ibid

effective and efficient industrial growth.[51]

The transfer of the headquarters of the different companies from Kenya was another process. Kenya was made the headquarters of the East African Airways and the East African Railways under the treaty. The East African Harbors and EAC secretariat have been relocated to Tanzania. Uganda was home to EADB Telecommunications and East Africa. The benefits of Kenya have not diminished these realistic efforts. The bulk of economic activities related to shipments have been in Kenya.[52] For instance, Kenya had a 57 per cent stake on the investments undertaken by the East Africa Community, and in 1977 it was reported that 80 per cent of the company's activities came and ended in Kenya.

The authority comprising the Heads of State managed the society and ensured its efficient and effective activity. The development of the East African group therefore depended on the three presidents ' harmonious relationship. The EAC institution was given the course by the Authority as the supreme decision-making body. A limiting factor was the majority of the authority eventually (composed of Heads of State). In reality, the Authority has become deadlocked, and worse still, the implications have been apparent throughout the whole scheme.

Any failure of the Authority therefore affected the operation of the EAC automatically. The personalization of the authority, for example, increased the threat of chaos and personal rivalries turning into national and interregional conflict, the individualization of the authority's power and the mechanism of decision-making allowed head of State to decide the destinies of the society through actions the of its own citizens' whim and caprice. President Nyerere, for example, can only be clarified in those terms and is practically impossible under bureaucratic power terms since he does not want President Idi Amin Dada to summon a meeting of the Authority.

2.5 The Collapse of the EAC

The traditional services collapsed by 1977. The border between Kenya-Tanzania has been closed, halting all trade between countries. A full-scale war with Uganda took place between 1978 and 1979. Consequently, EAC has been disbanded due to administrative, political and economic factors interrelated.

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51 Arthur Hazzlewood," *The End of the East African Community: What are the lessons for Regional Intergration schemes?"* in R. I. Onwuka and Amaddu Sesay (eds), The future of Regionalism In Africa (London: Macmillan Publishers, 1985) 176.
52 A.G. Liebenow, *"The Quest for East African Unity: One step Forward: Two Steps Backwards"*, in M.W. Delancesy (ed), Aspects of International Relations in Africa (Blaomington: Indiana University Press, 1979) 151.

Among these was a major unequal degree of growth. As a result of thoughtful colonial policies, Kenya became an economic and political power among the EAC countries. The economic growth in the services and trading sectors was widespread in addition to the manufacturing sector. The Commission of Ormsby-Gore of 1925 and the Commission of Hilton Young of 1929 posed a contentious question on this in-producing asymmetry. The problem was not resolved yet when the EAC was formed in 1967 by the eastern countries of Africa. In Kenya, for example, exports to the EAC have continued to rise since 1969 and 1978 and nearly half of all EU trade is regulated.[53] History was the secret to national integration's progress in Uganda politically as in 1972, Idi Amin Dada was expelled from the Asian community and was instrumental in the industry of the country. Whilst corrective action could have been taken to correct the skewed distribution of benefits, there was no political will to do so due to politicians in the three countries' misgivings. The Group was extending the pre-independence cooperation in Tanzania and Uganda, where these benefits did not redistribute the corrective strategies used by the EAC with regards to the Treaty[54] Kenya was the national lynchpin in the colonial set-up while Kenya's strategic vassals remained in Tanzania and Uganda. Some of the major factories have been in Nairobi in Kenya. The markets for organizations located in Kenya and owned by foreigners were ready in Tanzania and Uganda. In particular, to socialist Tanzania, that was unacceptable. The regional institutions that could not play a competitive and mediating role in harmonizing the national interests of partner states have also been affected by institutional deficiencies because they lacked independent decision-making powers. This is essential to the success of any regional integration scheme because the goals of the integration units must be vivid from the beginning.[55]

The EAC's weakness is partial as a result of the political-ideological conflicts. Throughout East Africa, Tanzania pursued nationalism through the Common Man Charter throughout 1969, while Uganda was heading towards socialism. Nevertheless, the military coup in 1971 disrupted this, and the subsequent economic downturn did not reflect a distinct philosophy. Kenya's imperialist path. While in the 1965 Session Paper No 10 on African socialism and its application to planning and development, Kenya emphasized the duties

53 Korwa Gombe, Adar and Mutahi Ngunyi," The Politics of Integration in East Africa since Independence,", in W. O. Oyugi (ed), Politics and Administration in East Africa, (East African Educational Publishers Ltd, 1994) 412-414
54 ibid
55 Domenico. Mazzeo," *The Experience of EAC: Implications for Theory and Practice of Regional cooperation in Africa*", in D. Mazzeo (ed.), African Regional Organization (London: Cambridge Press, 1984) 154.

of the foreign investment in its development process, in the Arusha 1967 Declaration, it de-emphasized the duties of foreign investment during economic development. Their influence is illustrated by Kenya. With most investors preferring Kenya, the EAC has been successful in able to taking advantage of the opportunities provided by investors as opposed to Tanzania.

The economic dependency of East African countries has led to investments in different directions. This led to different conditions concerning various tax benefits, patent regulations, foreign exchange rights, working conditions, and inefficient duplication of the industry in the region. That infringes the full realization of economies of scale, which is one of the main reasons behind the formation of the Customs Union should be established. The whole process of national integration was largely based on the economic advantages of the EAC. The justified assumption was that Kenya structurally has the best economic advantage in integration and is not adequate to compensate for the difference in the indemnification or sharing structures between the 3 member states.[56]

2.6 East African Cooperation in the 1980s

The notion of intervention had been abundant since 1977. New economic development efforts, as opposed to political integration, have been driven by the UN (via its Economic Commission for Africa) and OAU, respectively.

This contributed to the Lagos Action Plan of 1981 to initiate a variety of regional economic policies with the hope that eventually they would combine into an African Economic Community. This contributed to the development and perpetuation of Kenya-Tanzania rivalry in the Preferential Trade Region (PTA) and the SADCC. Therefore, economic integration and cooperation have been the original and instantaneous post-independence obligations of the East African Federation, but not the political federation. In the following citation of Yoweri Museveni, President of the Republic of Uganda, the goal of a proposed East African Federation best described as "The balkanization Africa into 53, mostly sub-optimal states, meant that under one single political authority Africa will not be able to have a large internal market and also has no powers to negotiate with other regions of the world. It must avoid this balkanization."[57]

Mwai Kibaki, President of Kenya, stated:

"[I] firmly believe that regional integration is not an option but is an essential

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56 The East African Community," Towards an Integration by Default? In MAMBO (The Newsletter of IFRA) Vol. 1 No. 1, July- September 2000.
57 East African Community, Report of the Committee on Fast Tracking East African Federation, para.8.

cultural development strategy and that regional integration consolidates the union between individual countries with shared histories, culture and language"[58]

The three countries ' relations were at their lowest level, particularly in Kenya-Tanzania and Kenya-Uganda. The downfall of the EAC has interfered with the trade-in Kenya with the countries of South Africa, which was forced to close the Kenyan-Tanzanian border. Kenya has had trouble reaching Malawi, Zambia, Tanzania and Kenya have been engaged in an unhealthy regional hegemony rivalry that has redirected critical resources into the region.

Yet Kenya was also affected by the start of political volatility in Uganda which lead to the distribution of Kenya's trade with Burundi, Rwanda, South Sudan and the DRC(then Zaire).[59] The NRM government came to power in 1986 and adopted economic policies to protect its infant factories at the expense of Kenya's goods. Then relations between Uganda and Kenya deteriorated. Three-day skirmishes in December 1987 occurred at the border security forces. That led Kenya to close its borders, resulting in fuel rationing and food scarcity on both sides of its border with Uganda. The two-week dispute was resolved between and President Moi (Kenya.

Uganda opted to transfer its dependence on the port of Mombasa to Dares-Salaam and Tanga ports. More than 20% of Uganda's products used Dares-Salaam and Tanga harbours by 1988. But relationships improved at the beginning of the 1990s and Kenya succeeded in regaining its traditional consumer goods market in Uganda and in pushing the development of cooperation in the EA to inspect southern African products. Since Kenya is a major benefit of successful integration with East Africa, the poor partners must be encouraged to do so. South Africa has opted to take on a larger role in South African countries like Lesotho and Swaziland which are more relaxed than South Africa, taking the experienced of South Africa Customs Union.

Tanzania saw the future after the fall of the EAC secure by politically promoting states/groups in Southern Africa. After they came into power, the support and cooperation given to the various liberation groups were designed to expand into economic areas. For example, the Zimbabwe African National Union (ZANU), the African National Congress (ANC), Tanzania provides training grounds in the various guerrilla movements.

South West Africa People's Organization (SWAPO), It offered its soldiers to protect

58 ibid, pg. 9.
59 M, Katumanga, "Politics of Regime Consolidation and Entrenchment: Moi's Foreign Policy 1978-1994", (Working Paper (IFRA). 1995) 16.

Mozambique. For example, when Tanzania allowed some of its troops to assist in defending Mozambique, the rivalry between Tanzania and Kenya continued unabated. The resistance movement against the FRELIMO government was also supported and reinforced by Kenya.[60]

The establishment of the PTA however revised integration policies in the countries of East Africa. The PTA Treaty took effect on September 1983 and was fully adopted on 1 July 1984, despite inconsistencies and uncertainties which led to the PTA between eastern and southern African countries. Its active role in SADC indicated Tanzania's unwillingness to fight PTA and its battle against it. The SADC opponent was Kenya's front PTA. Finally, in March 1985, although Tanzania signed the Treaty and joined PTA, it resigned in 2000, not noticing any gain from the organization. In terms of economic integration, the 1980s was a dead decade for the three countries of East Africa.[61] There was the closure of the Kenya-Tanzania border due to Tanzania's 1979 invasion of Uganda.

The opposed policies followed in the region by Kenya and Tanzania. For example, in Mozambique's civil war they took different sides. When Kenya became an Eastern / Southern African cooperation platform in the 1980s, it became a SADCC front in Tanzania. Uganda could not play a significant part in regional projects at that time, since it was in political chaos.

2.7 Regional Integration from 1993 to date

In July 2000 an East African Strategic Development Partnership (1997-2000) was established and implementation and the draft Treaty forming the East African Group entered into force. The Summit of Heads of Slate of Partner states, of the Council of the Group of Ministers for National Cooperation of the respective partner countries. Coordinating Committee consisting of permanent regional cooperation secretaries of each member state, a sectoral commission, an East African Legislative Assembly (EALA), an East African Community Court as the legal entity to ensure compliance in interpretation and application of the regional Treaty, and a Secretariat the Regional Cooperation Committee

a) **The Summit**

The Summit of Heads of Governments or States has absolute control. It offers general direction and encouragement to the advancement and accomplishment of the community's

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60 Weekly Review 8ᵗʰ February, 1991, para 25.
61 M, Katumanga, "Politics of Regime Consolidation and Entrenchment: Moi's Foreign Policy 1978-1994", (Working Paper IFRA) 1995) 21.

objectives.[62] The progress reports are reviewed periodically and the Council sends additional reports in agreement with the Treaty. For example, the Supreme Council reappointed the Federation's "Fast Track Committee" in 2004, to review the state of the Community's peace, good governance, safety and to examine progress towards a democratic partner country federation.

In compliance with any conditions which it considers necessary, the Summit may delegate any of its responsibilities to the Summit President, the Councilor or the Secretary-General. The Secretary-General delegation can offer powers, including legislative powers, to the summit either through the Treaty or through the Community Act. The acts of the Summit and the Summit resolution shall be published in accordance with all Community acts under the control of the Secretary-General or any Community serving officer who approves the act on behalf of the Summit. It shall make public all orders and rules made available to the Summit in the Gazette under the Treaty and any of them will come become effective on the publication date unless otherwise stipulated in the orders or. Other areas include the appointment of judges to East Africa, admission of new Member States and granting compliance status to non-member states, and approval bills.[63]

b) **The Council**

The Council is composed of each partner State's Minister for national cooperation and the Partner State Ministers that may be decided by each partner State.[64] Their capabilities include being the network's approach organ. The Committee promotes, controls and tracks the execution of the network projects and ensures the proper functioning of the contract. As the network's arrangement body, the Board shall establish a develop a strategic choice for the effective, enjoyable promotion and work of the Network, offer headings for accomplices, initiate and submit bills to the meeting, and all other network bodies and foundations other than the Meeting, Court and Summit. Guidelines, directives, recommendations, plans and suggestions according to the settlement agreements.

Think about the network issue, steps to be taken by accomplices of states to advance the Network's goals, develop staff rules and guidelines, the Network's financial standards and guidelines, send to the Summit annual progress reports, set up sectoral advisory groups decided on the negotiation process, carry out summit elections and agreements as may be carried on. Try to identify matters, exercise different powers and perform the

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62 *The Treaty for the Establishment of East African Community* (Arusha: EAC publication 1999) Article.
63 Ibid.
64 ibid.

different functions that are conferred on the arrangement or focused on it. As per the agreement, the committee can request notice from the court. The committee shall administer to the newspaper all of its guidelines and directives under the arrangements made or issued by the Committee and, except as otherwise provided for in it, these guidelines or instructions are in effect at the date of publication.

c) **The Coordination Committee**

The Coordination Committee is composed, as agreed by the State, of Regional Secretaries for Cooperation responsible for of country and other National Secretaries. These duties include the implementation of decisions of the Council, as ordered by the Council. Submit reports, findings and recommendations to the Council, on its motion or upon application of the provision of the treaty or the motion of the Council. It shall obtain and approve reports and coordinate its operations. The Sectoral Committee shall sign up for a Sectoral Committee to answer particular questions. Exercise other positions as evident in the Treaty.

d) **The Sectoral Committee**

On the advice of the coordinating committee of the Council, the Sectoral Committee shall be formed in accordance with the specific objective of the Treaty on the functions, structure and composition of the Sectoral Board. Subject to any order of the Council, the Sectoral Committee shall prepare the detailed plan and develop profiles relating to their sector. Community programs are being tracked and continuously checked for their business. Submitted reports, suggestions and updates on the application of the provisions of the, whether on their account or by request of the Coordinating Committee occasionally concerning their own business. Other functions that can be given by the Treaty.

e) **The East Africa Court of Justice (EACJ)**

The East African Community was revived on 30 November 1999 when the Treaty for its resettlement was signed.[65] This was introduced on 7 July 2000, 23years after the complete collapse of the fallen community and its organs. The re-integration phase was initiated by three partners in 1993, in the fields of social, cultural, economic, political and economic matters, technology, science, security and defence, legal and justice matters.

With a view to globalization, the framework provided for in the Treaty should foster

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[65] Possi. A, The East African Court of Justice: Towards Effective Protection of Human Rights in the East African Community (2013) 17 *Max Planck Year book of United Nations Law* (2013) 173–195.

stability and regional security while ensuring that economic development and productivity are addressed effectively. One of the Eastern African Community bodies formed according to Article 9 of the Treaty on the Establishment of the Eastern African Community Court of Justice (the Court). In both civil and criminal cases, a dead East African Court of Appeal preferred to issue judgements in the national courts, except for Tanzania's Constitution, and the treason. The East African Court of Justice has a different framework and skills. In contrast to the recent East African Court, it is an international court that deals with appeals from national courts.

The Court is solely responsible for the implementation, regulation and compliance of the Treaty in accordance with the constitution. After the completion of the summit, and the swearing of judges and registrars on 30 November 2001, the East African Court of Justices became operational. Until the Council considers that its operations are sufficient, the transitional activities of the Court shall be ad hoc. That is, judges must not remain indefinitely in Arusha where the court is temporarily sitting but may only conduct the matters of the Court if necessary.[66]

The East African Court of Justice consists of 6 judges. It is the legal entity which ensures the law is complied with when interpreting the Treaty, implementing it and respecting it. As determined in the correct future by the Council, the Court has another original, human rights, appeal, and other expertise. The constitutions of the 3 members indicate that any other legal provisions which do not comply with these national constitutions, their supremacy within their nations, is void. In order to enable the efficient implementation of the provisions of the EAC Treaty) as intended, a revision of national constitutions is needed to make the domestic laws subject to the provisions of the Treaty. [67]

f) The East African Legislative Assembly

EALA is composed of 27 elected members, 5ex-Officio Members from each member state and of the Secretary-General and Council of the Ministers of the Community responsible for efficient inter-state and domestic cooperation.[68] Its capacities incorporate; being the administrative institution of the network. The Assembly will; cooperate with the respective National Assemblies of the member states on issues affecting the region, will discuss and support the spending plan of the network, think about yearly reports on the exercises audits of the Community, some other reports to it made by the

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66 East African Court Of Justice http://eacj.org/?page_id=19 accessed on 18th April 2020
67 *The Treaty for the Establishment of East African Community* (Arusha: EAC publication 1999) Article 17.
68 ibid; Article 46.

chamber, will examine all issues relating to the network and make suggestions to the Council as it might be essential for the implementation of the settlement, set up any committee(s) for similar reasons esteems important, prescribe to the gathering the arrangement of the agent and different officials of the Assembly, make its standards of method and those of its boards of trustees, play out some other capacities as are presented upon it by the Treaty. The method of election to be adopted for the National Assembly will d be that of the respective member state, not nine members of the National Assembly who represent the diversity of the national assembly.

CHAPTER THREE: AN ASSESSMENT OF THE ACHIEVEMENTS AND CHALLENGES FACED BY EAC

3.1 Political Affairs

Article 123 of the Treaty refers to the command of the EAC Division for the combination of the system of the majority rules, the standard of law and respect for human rights and freedoms, and the improvement of the inevitable foundation of political organizations.[69] The Office advances the basic components of the EAC mix as laid down in Article 6(d), (good governance including respect for the transparency, accountability, rule of law, the principles of democracy and social justice). Accomplice States are attempting to comply with principles of good management, majority governance, constitution, human rights and social justice in compliance with these arrangements.[70] The projects being attempted by the division incorporate starting or potentially planning approach improvement and harmonization, just as sorting out meetings and studies that inspect the basics for the visualized Politcal Alliance. The office additionally completes refinement and preparation of different partners to advance and upgrade mindfulness about the incorporation procedures to gather support for the EAC Political League.

3.1.1   Achievements

The part of Political Undertakings in the EAC comprises of several key achievements in the previous ten years, regardless of the conversations on a future East African Political Organization. The dread of the obscure in relationship with political coordination has to a great extent been demystified. There is kept comprehension and energy about political reconciliation as a necessary piece of monetary incorporation. This comprehension has prompted arrangement choices for the improvement of different local instruments whose end is normal soon. The area has been produced by media involvement and sharpening exercises with different characters and partners on the screen. These include affable communities, academic groups, private factions, young people, religious groups and fringed network.[71]

3.1.1.1.EAC Programmer on Good Governance

Effective governance is recognized as a basic concept guiding the achievement of Group goals in the EAC Treaty. Thus, the good governance system forms one of the foundations

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69 The EAC Treaty
70 ibid
71 Isabelle Wafubwa , "Towards Political Federation in the East African Community: Achievements and Challenges", http://eacgermany.org/wp-content/uploads/2015/03/Achievements-and-Challenges-Towards-EAC-Politcal-Federation.pdf accessed 25th March 2020.

of democratic integration, rendering it necessary to place the new federal government.[72] The plan relies on the need rule of law equality, and regard for human rights and basic freedoms to develop and stabilize. Such values form the criteria in compliance with Article 3 of the EAC Treaty for the admittance of new member states of the Community. The project, for the creation of regional norms, has provided a forum for national governance entities to exchange knowledge, share perspectives, and debate. This covers global civil rights, anti-corruption, political, judiciary and legislative bodies and organizations.

3.1.1.2 Human Rights and Social Justice

It is necessary for East Africa to support human rights and to defend the same. The realization of the EAC will become more critical with the implementation of the standard business protocol. The Protocol provides for person, workers, company and property privileges and freedoms, as well as for residence and establishment privileges. This calls for systematic measures to safeguard and secure those freedoms and rights, with regional standards, requirements and productive structures.

The Council set up an EAC Forum of National Human Rights Institutions to promote the work of the sector. This forum allows for the sharing of views, thoughts, knowledge, challenges and practices. This also reports the progress achieved at the national level in the introduction of human rights and freedoms policies to improve regional cooperation. The Forum undertook an overview of national constitutions of the respective member states and other international legislation, among its accomplishments, with the overall goal of standardizing and implementing best practice. For instance, in 2012 EALA adopted an EAC Bill of Rights to create a regional framework of human rights promotion and security law. The bill aims to harmonize the bills of rights present in the domestic constitutions of the member partners. The Bill is yet to be assented into laws assent by the respective EAC Heads of States. Further, it was recommended by the Summit that the Secretariat create an additional EACJ concept paper in order to include crimes against humanity.

3.1.1.3 Electoral and Democracy Processes

Consolidation of democracy and its values is one of the main ingredients of sustainable peace, stability and development. To ensure the advantages of integration it is essential to strengthen the democratic culture and accept elections outcome in an inclusive and

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72 Waffubwa I & Birunji J. C (eds.), *The drive towards political integration in East Africa. A book in honor of Hon. Beatrice Kiraso*. (2012,) 79.

non-adversarial, and mature spirit. The lesson learned is that government continues to be involved in most conflicts in East Africa. (Overall, on close review of how elections are being held, the lesson learned from most countries of East Africa is that conflict/ violence is a traditional norm). The EAC Forum of Electoral Commissions; It was established as a regional forum to exchange, best practices experiences and challenges for national election commissions in the organization and conduct of democratic, credible and fair elections and in order to enhance the harmonization of processes for democratization. The platform formulates policies to foster the culture of democracy, discussion and production of policies about democratic legitimacy and justice.

EAC Principles on Election Observation and Evaluation; The sector established the Election Observation and Assessment Principles which were accepted by the Council. This legal instrument is often adopted directing election monitoring among the member states to improve electoral legitimacy. The policy structure was also developed and adopted for the EAC Electoral Commissions Platform. The sector has described the rising election costs as a problem and suggested the creation of a system for exchanging electoral materials to reduce election costs. Supporting Missions to execute joint election observation missions have been assigned to the electoral management bodies so far. The Joint IGAD Observatory for the 2010 National Elections in Uganda and the 2013 General Elections in Kenya, has been deployed. The EAC deployed its first independent observer mission to the parliamentary elections in September 2013, in reaction to the invitation from the Rwandan Government and the National Electoral Commission.

3.1.1.4 Fighting and Preventing Corruption and Promoting Ethics and Integrity

Corruption is viewed as a structural threat to effective national integration. Corruption is considered to be a non-tariff trade barrier for, the movement for goods and services within the East Africa region. Corruption and other transitional organized crimes cannot be easily separated. The need to foster anti-corruption, transparency, ethics and dignity cannotbe overestimated in EAC integration. Instigating policies and leading the implementation of the Council's related decisions, the Council formed the Sectoral Committee for Prevention and Fighting Corruption. It is composed of heads of the national anti-corruption agencies, ministry members for counter corruption, ethics and honesty, prosecutorial units and other anti-corruption regulatory and surveillance bodies.

The sector has initiated the creation, in its final steps of conclusion and adoption, of the Protocol on Corruption Prevention and Control. The Protocol lays down national preventive steps and the prosecution of crimes arising from corruption. This guarantees the recovery of and confiscation of assets, transfer of criminal cases, the implementation and the harmonization of policies and national legislation and financial intelligence units. In addition, the 18th Sectoral Council of Ministers responsible for the EAC has implemented a three-year EAC Action Plan with Strategic Engagement and Implementation Preparation to tackle corruption prevention and combating.

3.1.1.5 EAC Forum of Chief Justices

The EAC Chief Justice Forum has been set up to help to formulate policy in order to maintain the rule of law, strengthen access for the EAC to justice and promote its jurisprudence. The Forum introduces initiates national judicial policies, establishes mechanisms and actions for good governance and oversees the essential principles of EAC in accordance with Article 6(d) of the Treaty, which provides: good governance, including respect for democracy, equality, rule of law, transparency, accountability, and social justice between men and women. Additionally, the Forum encourages exchanges and capacity development initiatives, leading policy and strategic harmonization to develop common standards and best practices for productive and effective judicial management. Since judicial authorities are an independent entity in every system of governance, the political context is needed to explain for the EAC political bodies the roles, role and institutional structure of the Forum.

3.1.1.6 Upholding Constitutionalism, Rule of Law and Access to Justice.

In determining the role of the EAC in relation to the development of constitutionalism in the are, due attention must be paid paid to the activities and works of various institutions and organs of the Community over the years.[73] in policies or within governments in general have an effect on the laws as contained in the various constitutions, as viewed to be constitutional developments. Some of these developments

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[73] K J Alter, J Gathii & L R Helfer, 'Backlash Against International Courts in West, East and Southern Africa: Causes and Consequences' (2016) 27(2) The European Journal of international Law, 293- 328.

originate from within rhe respective Member Sates, whereas others are adopted after the respective country joins or commits an regional or international organization.[74]

The East African Community Treaty is rightly viewed as the 'Constitution' of the EAC since it consists of provisions relating to the creation of a defined structure, defined power limits of each of its organs etc. just like any other constitution.[75] Aditionally, the EAC depends on the rule that all people, organizations and substances, open and private, including the member state, are responsible to a pre-set upset of laws which are freely proclaimed, broadly acknowledged, similarly implemented and autonomously arbitrated. In case, this is the regularization position at the domestic level, most likely, the equivalent ought to be strengthened and supported at the provincial level.[76]

The Treaty adds to the harmonization of legislations, arrangements and methodologies on access to equity and maintaining the standard of within the locale.[77] It directs the Member States respect and promote fundamental principles such as good governance, which includes adherence to the rule of law, principles of democracy, transparency, accountability, equal opportunity, social justice, and the protection and promotion of human rights, in accordance with internationally set standards. All these constitutionsl elements, which the Member States and the EAC's institutions are to be strictly followed in the process of achieving the Community's objectives.

Whereas the Summit is the top-most institution within the EAC, granted mandate to issue general directions in relation to the development and accomplishment of the goals of the EAC, the Council of Minister is the policy institution tasked with the continuous review and maintenance of various imlimentation programs.[78] While the Summit and the Council are the main administrative institutions of the EAC, the Secretariat is the executive organ and is tasked with main duty of formulating recommendations and the general planning, implementation and monitoring of programmes.[79] In the other hand, the EACJ acts as the judicial organ of the EAC with the mandate to ensure that all its organs and Member States ensure the adherence to the provisions of the EAC Treaty.[80] Additionally, it ensures the efficient realization of the regional integration process

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[74] Ibid.
[75] Ibid.
[76] Ibid.
[77] Ibid.
[78] Ibid.
[79] Ibid.
[80] Ibid.

through administering justice. All these organizations ensure that the member states and the respective organozations adhere to the principles of constitutionalism.

3.1.1.7 Development of the EAC Protocol on Good Governance

The creation of the Good Governance protocol was motivated by the belief that integration benefits can be felt only in a setting in which governance processes are effectively controlled because of the principles of good. The key objective of the protocol is the reinforcement in integration processes democracy, rule of law, responsibility, openness, social justice, equal rights and gender equality. The foundations of good governance comprise the following parts: Upholding rule of law, constitutionalism, protection of human rights and freedoms, access to justice and promotion of equality of democracy and electoral processes, ensuring the principle of separation of powers is upheld, preventing and fighting corruption, preventing, managing or preventing conflicts, economic governance corporate governance. and private sector development

The draft Protocol has an institutional structure to set up a governance review process with a robust system for follow-up and monitoring. The sector continues to establish regional strategies and policies, formalize processes and establish instruments to promote principles of good governance.

3.1.1.8 Ongoing Periodic Events

The EAC Annual Conferences on Good Governance**;** One of the signing activities for the road of democratic integration has been the EAC Annual Good Governance Conferences. They put key stakeholders together to address and debate key issues in different parts of good governance during the regional integration process. The Council also considers and implements suggestions made at these activities in both policymaking and programming.

Regional Consultative Meeting for Political Parties; With the advancement of EAC integration, various key actors were introduced and had to be involved. The EAC held consultations at the national level with political parties in 2008. The goal was to make them more aware of EAC integration and to highlight its significance and role in political processes. One of the essential results of the discussion involved the need for a global forum which would bring the political parties together to promote their recognition

outside national boundaries. The notion of sustainable democracy has been based on the idea that it is important to have well-functioning political parties.

In 2011in Nairobi, Kenya, the first EAC Consultative Group Meeting was held with the underlining theme being '*Exploring the role of political parties in integrating the EAC*.' The meeting's main objective was to bring together all the political parties found within the member states to a consultative forum to encourage dialogue and share an understanding of their roles in the EAC political integration process of political integration. Further, the meeting provided political parties with an opportunity to discuss their demonstrations, develop areas of meeting and suggest various means of preparing for participation in the regional political agenda in ways that inspire the identity of the EA. The need for the direct election of members of the EALA universal suffrage has been highlighted as one of the ways of improving representation, transparency and accountability among the recommendations. The conference is held after every two years

EAC Dialogue on Political Integration; The creation of a national union includes the participation of other important players during the democratic integration process. The transition into a democratic union includes concerted efforts to guarantee that all groups of East Africans are incorporated and engaged to be consistent with the concept of a society based on citizens and the private sector. The involvement of key players should also be relevant and realistic based on the same concept.

The EAC University Students Debates; Two series of student debates have been launched at the Nyerere Peace Research Center (NCPR) EAC to facilitate an ongoing dialogue between EAC young people who raise their awareness of the advantages and disadvantages integration. The first discussion on national integration by EAC University students took place in Arusha, Tanzanian August 2012. The students are debating the advantages and drawbacks of EAC integration. The discussion aimed mainly at fostering ongoing dialogue amongst young people and encouraging proposals on regional integration. The EAC Youth Ambassadors and Best Debates, designated as peer-to-peer sensitizers for universities located within the country, were one of the main results of the event. The second university student debate was conducted in Dar es Salaam in September 2013 with the young people and named youth ambassadors again being enthusiastic and encouraging new initiatives. The discussion of EAC University Students will start once a year.

<u>Research and publication of EAC Occasional Papers</u>; The process of achieving political integration includes ongoing discussion and dialogue on essential matters that are foundations of political integration. The EAC commission's reports released as regularly available EAC papers concerning this. The goal is to facilitate continuous dialogue, within the framework of political integration, on key and emergent issues. The findings and recommendations of the studies are conducive to democratic processes and support informed Council decisions.

3.1.1.9 Nyerere Center for Peace and Research

The Nyerere Centre for Peace and Researches a functional branch within the office of Deputy Secretary-General, in charge of the political federation, at the EAC Secretariat which was formally established in July 2007. The Late Mwalimu Nyerere's mandate was focused on the legacy of stability. The objective of the Centre, as it is important for social and economic change within the society and necessary in achieving the goals of this institution, is to promote peace, political stability and security.

The Centre's strategic vision is to increase capacity for secure and prosperous environs for improved human health, regional integration and growth. The ultimate aim of the Center is to provide the EAC with appropriate and timely studies, training and knowledge which contributes to increasing integration in policy areas, such as peace, stability, governance and coordination of foreign policy. Work has been undertaken in the field of conflict resolution and prevention, such as capacity and skill development for the policy and lawmakers, and the practitioners. A research strategy established in cooperation with the IUCEA, academia and state officials direct the Center's research programmers.

At its 26th meeting in Kampala, the Council agreed to its five-year strategic plan to support the integration process. The Center promotes dialogue and understanding between students on regional integration intending to increase their participation in the integration strategy. The centre has developed a niche where students have been educated and discussed with East African students on topics of stability, good governance and regional integration.

3.1.2   Challenges

While the architecture of EAC decision-making mechanisms in many fields was intended to promote policy taking, the absence of a separate Sectoral Affairs Council was a bottleneck in political policy-making. The lack of a particular Sectoral Council results in the delays or implementation of the findings and the recommendations, so that the EAC processes may not include the sector-specific agencies or ministries at the domestic level. This issue is compounded by the fact that several industrial sectors protected by legislation comprise separate and semi-autonomous entities or agencies concerning the national governments ' constitutional entities. They include the Commissions on Human Rights, Anti-Corruption Organizations, Elections and Judicial Affairs Committee. Whereas lack of control and monitoring system for enforcing Council decisions is an obstacle, it may turn matters around from the 15th summit of EAC Heads of State to a permanent agenda. However, it has no discretionary authority to implement government orders and decisions, along with its institutional weakness. Inadequate resources and financial constraints impede even in non-controversial issues the promotion of democratic integration[81]. Integration was usually very eventful in constitutional matters. It has provided the basis for ongoing dialogue on the international federation.[82]

3.2   Peace and Security

In a democratic union, it is important to safeguard stability and safety in East Africa (EA), as only a stable EA that can carry out democratic federal decisions and implement them. That is why the leaders of EA have recognized the interconnections between growth and security and agreed that without peace and protection there is no sustainable development. They realized that regional peace and security solution would guarantee stability and growth in the region. Consequently, the Member States have delegated the EAC with a specific political directive in the field of conflict prevention, resolution and management and establishing peace. The EAC is required to participate in matters of peace and security as provided for under Article 5(3) of the Treaty. Provided that as one of the objectives of the Group the fostering of security peace and stability within and between member states. Article 123 of the EAC Treaty provides that through 'the peaceful handling of conflicts within and between the Member States, the Community

81 Isabelle Wafubwa," Towards Political Federation in the East African Community Achievements and Challenges." http://eacgermany.org/wp-content/uploads/2015/03/Achievements-and-Challenges-Towards-EAC-Politcal-Federation.pdf > accessed on 20th April 2020.
82 Ibid (n 8).

will be pursuing one of its objectives.' The presence of peace and stability and social and economic growth and consequently the achievement of Collective goals are enshrined in Article 124.[83]

By April 2006, the Department of peace and protection was moved to the Office of the Council of the Community. After the formation of the Office of the Political Federation in April 2006. In March 2008, the Sectoral Security Council was formed to assistance guidance to the sector. The 3rd meeting of the Inter-State Security Sectoral Council held in April 2011 formed following specialist thematic groupings, to promote the work of sub-sectors in the security and peace sector, the police chiefs, intelligence chiefs, the chiefs of the jails, heads of disaster risk reduction organizations and the management boards; and the heads of the counter-terrorist organizations.

The Heads of State Summit together with the Council of Ministers are considered as being the main security and political regional cooperation bodies. In the fields of security and peace, the EAC Treaty, the Protocol to Peace and Security and the National Peace & Security Strategy constitute the essential policy structures for direct decision making. Under Article 123(5), through the development of multiple Sectorial Councils and Committees, the EAC has established an organizational background for cooperation in the fields of defence, foreign policy and inter-state security and to promote security, peace, and management initiatives. Which include: Sectorial Defense Cooperation Council; Sectorial Inter-State Security Council; Sectorial Coordinating Council on Foreign Policy, and Joint Sectorial Defense Councils; Inter-State Security; and Foreign Policies Coordination.

3.2.1 Achievements

3.2.1.1 EAC Peace and Security Strategy

A global strategic proposal on maintaining peace and security was adopted in November 2006 at the 13th conference of the Council of Ministers, which was letter developed into a comprehensive and long-term solution to Eastern Africa peace and security issues. In 2010, the Council approved a policy implementation plan. The strategic plan told implementation for the EAC Development Strategy 2011-2016 of the security sector growth priorities. The strategy was now developed eight years ago and was revised to

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83 Treaty for the Establishment of the East African Community

comply with the objectives laid down in the peace and security protocol in February 2014 (approved in 2013). The revised policy involves a new wave of threats to security in EA, including genocidal and genocide, piracy, maritime protection and safety, trafficking in human beings, environmental crime (including forest crime and wildlife) and cyber-crime. A significant achievement was accomplished with the establishment of the Sectoral Council on Security, to achieve the objectives of the strategies and strengthen cooperation in the peace and security strategy.

3.2.1.2 EAC Peace and Security Protocol

The EAC started drafting the Peace and Security Protocol in 2007. After the five-year negotiations, a meeting of the Security, Inter-Safety and Foreign Policy Coordination Joint Sector Cooperation Council was adopted in November 2012 and signed on 16 February 2013. In the process of political integration, the Protocol is a crucial milestone as it sets a binding mechanism for sustainable peace, security and stability in the EA region. It sets 20 priorities for regional peace and security support. This includes exchanging criminal and other security information, improving cooperation and coordination between inter-agency and security organizations, such as the establishment of common cross-border management and common communication facilities, borders and intergovernmental defence, etc. [84] The Protocol also provides an administrative framework-the Peace and Security Directorate responsible for enforcing the Protocol and all peace and security problems in the region. The Protocol is being ratified in the Member States. So far, Uganda and Rwanda have ratified the Protocol.

3.2.1.3 EAC Protocol on Defense

The EAC Memo Random Agreement on Defense Cooperation in a Protocol was equally essential. The Member States signed the Protocol in April 2012. In the framework of disaster relief, counterterrorism and peacekeeping operations, the partner States ' Defense Forces have been carefully coordinating and participating in many specific field exercises. The Protocol is underway by the Member States for ratification.[85]

3.2.1.4 Operationalization of the African Peace and Security Architecture

In September 2011, the African Union (AU) and the EAC agreed to implement the African Peace and Safety treaty at the Regional level. Through its foundations and its consequent strategy, African Peace and Security Architecture the APSA Supplemental

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84 Provisions of the EAC Peace and Security Protocol
85 Ibid (note 72).

port System, EAC implements APSA through its Capacity Building Project that is demonstrated below:

a) Establishing and operating the Regional Economic Communities (REC)liaison offices from the AU and AU Liaison Officers to the RECs.

b) Establishing and operating the Early Warning Systems in anticipation of any possible conflicts or civil unrest such as the Regional Early Warning Center (REWC).

c) Establishing and operating the Mediation Capacities in carrying out conflict resolution and preventive diplomacy.

d) Other issues relating to Peace and Security such as Post Conflict Reconstruction Development, Security Sector Reform, (Disarmament Demobilization Reintegration, Small Arms and Light Weapons (SALW), Counter-terrorism, piracy, Money Laundering, Drugs and Human Trafficking, etc.

e) Conflict Prevention Management and Resolution Mechanism (CPMR); The CPMR framework was reviewed and adopted in January 2012 and accepted in August 2012 by the Joint Sectoral Council for Defense Cooperation, National Security and Foreign Policy Coordination. The CPMR aims at providing a framework for efficient management and prevention of conflict, and peaceful settlements and transformation, such as precautionary diplomacy, peacebuilding and peace-building within the member states.

f) EAC Early Warning Mechanism (EACWARN); To facilitate preparedness and prompt reactions to avoid, contain and handle situations that could affect security and peace within the member states region, the EAC has established an early warning system. The EACWARN operation system includes a REWC at the Secretariat of the EAC and regional Early Warning Centers(NEWC) across all five-member states in the Department for Peace and Security. The mechanism has been developed in conjunction with the CPRM mechanism to link early alerts to the early reaction. EACWARN relies on open sourcing, verification, research, distribution and knowledge sharing (media coverage, field reports and structural characteristics data). The EACWARN's core role is to collect data, evaluate conflict surveillance and create responses or policy alternatives. A road map was developed including an early warning centre implementation plan and an Early Warning System Indicators Structure. A road map was produced. The plan stipulates that resources will be prioritized and allocated for a successful

implementation of EACWARN. A four-year pilot process was being suggested (October 2011-October 2015). The capacity to follow-up, evaluate and develop tailor-made and timely reactions and policy options to threats to stability, security and the region was strengthened earlier. The Joint Sector Cooperation Council for Security, Intergovernmental Protection & Foreign Policy in 2012, adopted a System of Indicators.

g) The panel of Eminent Persons; Another modality for application under the CPMR system is the Panel of the Eminent Person (PEP). The Panel's key duties are to advise the Conference, the Council and the General Secretary, by conducting preventive diplomacy and constructive conflict resolution within the Group, on matters associated with to fostering and maintaining peace, protection and stability. The panel shall be composed of one eminent individual from each Member State who is highly respected and has an astute personality and has made an important contribution domestically, regionally or internationally peace and security. In February 2012, the EAC Member states in Bujumbura, Burundi, approved the draft model. The Presidents of the Member States will nominate the PEP during the EAC Summit once approved. The Modality requires an EAC Panel of Excellence sponsored by a Mediation Unit at the EAC Secretariat to be set up and run to promote conflict avoidance, transformation and by Ensuring peaceful resolution and management of disputes and Conducting.[86]

h) Peace Facility; For Section VII of the CPMR System which has as its foundations under Articles 2(2) and 4(1) of the EAC peace and safety protocol, the specific mandate to set up the peace organ will be vided. The purpose of the peace organ is to fortify the EAC's capacity for peace and security to enforce the CPMR smoothly and to boost program ownership. The ultimate aim of the Peace Facility is to assist the EAC Secretariat financially in organizing and providing assistance to its Member States with joint peace and security activities. Currently, there are insufficient funds for peacekeeping operations in the EAC and this is largely contingent on international support. The Peace Facility intends to raise the budget for peace and stability, raise control and strengthen decision-making. More specifically, the Peace Facility will act as the East African crisis emergency fund.

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[86] Section V of the Modality of the Establishment and Functioning of the Panel of Eminent Persons.

A Joint Sectoral Council on Defense Cooperation, Inter-State Stability and Integration of Foreign Policy in February 2013 adopted the Peace Project.

3.2.1.5 Establishment of the Directorate for Peace and Security

In September 2009, the 6th Joint Council of Sectorial Councils, depended on a directive given by the Council for Defense, Inter-State Security, and Foreign Affairs Collaboration. Once the partner countries have ratified the peace and security protocol of the EAC, the Directorate will be formed formally

3.2.1.6 Control of Small Arms Light Weapons

Interventions were launched with help of the EU and the German External Cooperation Agency in six months in the field of Small Arms and Light Weapons (SALW).[87] The EAC Secretariat and the alliance States have always been at the vanguard of promoting the UN SALW Action Program through their participation and backing for an African shared place. A project for observing the Peace and Security Sector Cooperation within and between the Member States was initiated in mid-2006by the EAC-GIZ Small Arms and Light Weapons.

3.2.1.7 Harmonization of Police Standard Operation Procedures

As part of the standardization and professionalization processes in the region, the Third Sectoral Security Council formed an exercise group to begin work on harmonizing of standing procedures for police operations.

Harmonization of Criminal Investigation – Specialized Policing**;** With an end goal to quick track the harmonization process in the policing capacity, the analytical arm of the police – Criminal Examination Office (CID) - has embraced a major walk-in study trade curriculums for the officials responsible for Enemies of Opiates and Hostile to Human Dealing Units. Up until now, a one-week joint investigation trade program was finished in Nairobi, Dar-es-Salaam and Kampala in December 2011, December 2012 and December 2013 respectively; and the program will proceed until each of the 5 Accomplice States has facilitated this program by end 2015.[88] From that point, preparation of coaches' program will be directed for all CID staff at Accomplice State level to build up an orchestrated educational plan on this segment is regarded to reinforce the insightful limits of the Cops in Opiates and Human Dealing over the EAC District.[89] Right now, the benchmark practice is introduced on sharing difficulties in the two fields

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[87] Frederick Onyango Ogola & Others, A profile of the East African Community (15th December 2015) Africa Journal of Management 333-364.
[88] Ibid.
[89] Ibid.

of examinations, distinguishing holes and imperatives and bundling together the recognized/recommended answers for harmonization.

EAC Regional Forensic Referral Center; The coming of newly refined wrongdoing typologies has included accentuation the requirement for a cutting edge territorial referral office. Such an office is not just ready to take advantage of particular human asset needs inside a wide region yet additionally sets models for provincial measurable practices just as for authorizing of legal experts and accreditation of the Accomplice States' Police Criminological Research facilities. It additionally gives explore - based data and consistent preparing to the staff of National Measurable Focuses. Considered as a need, the gathering has endorsed the foundation of a common Provincial Referral Legal Center (RRFC) to give the necessary limit. The fourth sectoral gathering on interstate security guided specialists from accomplice states to survey their appropriateness of facilitating an RRFC in Walk 2012. The evaluation report was viewed by the gathering of the head of police in August 2012 and after their suggestion, the fifth gathering of the sectoral chamber on interstate security granted the Republic of Uganda the option to have the inside. Physical offices are as of now set up and the board modalities were created in December 2012 and submitted to the third gathering of the EAC Head of Police held in Kampala Uganda on October 2013 for thought and reception.[90] The Head of police pondered and embraced the proposed administration modalities whose operationalization is considered to begin from July 2014.

In 2012, the EAC Police chiefs coordinated that an appraisal will be attempted over the locale to recognize police foundations that will give administration in the accompanying territories of the policing departments: police aviation, police marine, traffic management, community policing, training at various levels and counter-terrorism which is already consigned to Kenya by the East African Police Chief Cooperation Organization (EAPCCO).[91]

A group from the Secretariat and Territorial Police Administrations/Powers embraced the appraisal exercise to distinguish the reasonableness of EAC Accomplice States in facilitating the Police Places of Greatness somewhere in the range of second and 26th June 2013 and assembled a Report that was issued to the third gathering of the EAC head of police for thought and selection.[92] The evaluation missions report, watched the

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[90] Kipkoech, Joseph K, Challenges and prospects of East African community regional integration process (2001-2009) (Masters Theses, University of Nairobi, 2010).
[91] Ibid.
[92] Ibid.

requirement for all the proposed Focuses of Greatness to create capacities with regards to a single stop place that is exhaustive sufficient to take a central role in managing rising security issues in the area and set out on improvement of the local standard working strategies for the predefined Focuses.

3.2.1.8 Maritime Security (MASE) Project

A National Maritime Safety Policy and Action Plan were decided in 2010in the Eastern and Southern Africa - Indian Ocean Region (ESA-IO).[93] The EU also agreed to fund a five-year initiative to incorporate the Action Plan's medium-term components. The Project Finance Agreement was concluded in June 2013 and proceedings for establishing the first Operational Program Estimate the EAC Regional Forensic Referral Center will be established in Kampala with significant project funding.

3.2.1.9 Anti-Money Laundering and Combating Financing of Terrorism

The free movement of individuals and resources under the EAC Common Market Protocol is severely challenged by terrorism financing and money laundering.[94] The sector must work with the Eastern and Southern African Anti-Money Laundering Group (ESAAMLG) to guarantee that the commendations from the Task Force on Terrorism are enforced in a timely and proximate manner.[95]

3.2.2 Challenges

a) <u>Funding</u>

Eastern Africa is widely regarded as a' safe haven' amid past, emerging and current peace and security problems in the region. It remains thus the insufficiently funded department in the EAC budget whilst the field plays an essential role, in regards to human capital and finances, in other regional economic communities (RECs such as ECOWAS and SADC).[96] The budget allocation for internal EAC is limited. To date, the EU and German International Cooperation (GIZ), make 95% of the Peace and Security Sector's financial requirements, and the 2 other Departments are co-funded by the Secretariat,i.e. International Relations and Political Affairs.[97]

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[93] Ibid.
[94] Ibid.
[95] Ibid.
[96] Ibid.
[97] Ibid.

b) Decision Making

The peace and security organizational framework align with the EAC hierarchic framework: summit, the council of ministers, sectoral council on interstate security, sectoral council on cooperation in defence, the joint meeting of the sectoral councils on cooperation in interstate security, foreign policy coordination and defence, secretary secretary-general, deputy secretary-general political federation and director-general peace and security.[98]

Due to their hierarchical existence, the decision making processes of the Sectoral Councils are impeded. The Sectoral Cooperation Council (SCC), for example, gathers its officers from the ministries responsible for Defense, Security, Internal Affairs, Foreign Affairs, Finance, Justice and EAC Relations, and also from the ministries responsible for foreign policy, protection and intelligence.[99] This also includes professional inputs at military intelligence, police chiefs and security secretaries. This composition makes it impossible for others to take decisions in due course and relay them to other main security bodies. Not only does it delay the decision-making process, but the execution process is also hampered. Once a decision was made which would have affected the nature of the evolving circumstances, a review of the decision already taken will be essential.[100] It leads to a scenario where the Group cannot efficiently and rapidly encompass security threats.[101]

The Council considered the creation of the EAC Peace and Security Council (PSC) similarly with the AU PSC in its meeting in August 2013 to tackle the loophole.[102] The 28th Council meeting in November 2013 reviewed the draft modalities and decided principally on the formation of the new Peace and Security Council and made recommendations that the resolution is formed at the 15th Summit of Heads of State (EAC / CM 28/ Decision 32).[103] The Secretariat is aimed at completing research on modalities for Peace and Security Council operationalization on evolving peace and security challenges.[104] Furthermore, the Council resolved that the EAC Secretariat for

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[98] Ibid (n 53).
[99] Ibid.
[100] Ibid.
[101] Ibid.
[102] Ibid.
[103] Ibid.
[104] Ibid.

the 2014/2015 Fiscal Year, to incorporate an incremental review of US$ 500,000 of its current Partner States commitments to fund the EAC peace facility.[105]

c) <u>Establishment of the Directorate for Peace and Security</u>

In order to coordinate the security services and strengthen policy union processes, in view of the security issues facing this area, the institution of the Directorate for Peace and Security must be called for.[106] The political federation's achievement will continue to be a vision in the sense that peace and security remain unconsolidated within and between the Member States.[107] The challenges in implementing the African Peace and Security Framework, in particular developing the EAC Early Warning System, consist in their slow implementation, due to the constraints of their personnel and their heavy reliance on volatile external funds, along with the implicit contractual rigidities affecting the preparation and execution of activities.[108]

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105 *Ibid.*
106 Stephen M Magu, Dilemmas of East African Cooperation: Domestic Audience and Prisoner's Dilemma Approaches on Regional Integration (17th September 2015) 74 (3) African Studies.
107 Ibid.
108 Ibid.

CHAPTER FOUR: SOCIO-ECONOMIC AND POLITICAL DIMENSIONS PRESENT IN THE REGIONAL INTEGRATION PROCESS

4.1 Introduction

This chapter focuses on the socio-economic and political aspects that have emerged or are likely to emerge from the regional integration process and these are crucial elements for the growth and development of the proposed East African Political Federation. This chapter will analyze the internal political, cultural and socio-economic of the diverse inclinations regarding regional integration procedures to extract the political and the socio-economic dimensions. This chapter also addresses the socio-economic and political dimensions established to contribute to the regional integration process.

4.2 The EAC Customs Union, Common Market and Monetary Union

To permit the customs union to function smoothly, macroeconomic policies must be harmonized, interest rates liberalized, currency regimes must be harmonized, investment opportunities, taxation and fiscal policies must be harmonized. To eliminate unfair and unequal taxation practices, tax harmonization in the EAC must be -increased.[109]

The fairly advanced condition of the Kenyan economy and the supremacy of its exports among the Member States have been one of the main concerns for the intervention.[110] The customs union is a shared market. A common competition policy in conjunction with harmonized export promotion policies and cooperation in improving international competition capacity and the ability to negotiate on an international level will be developed to operationalize a common market that is crucial during the process of regional integration. The EACCA has promoted and protected effective market competition and prevented unequal and misleading market behaviour; and provided government advisory services and liaise with regulatory bodies, including COMESA and EAC that harmonized competition law and trade policies within the EAC. [111] Competition policy is essential in preventing abuse likely to arise from a market-based economy. The common market also encourages collaboration on the promotion of exports and trade in a single block with other countries.[112] This will allow partners states to jointly develop the ability of EAC to recognize and express their interests as a bloc as it is more cost-effective and solidary employing joint negotiations.

The shared EAC market will allow partner states to boost their international

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[109] Ibid (n82).
[110] Ibid.
111 The Second EAC Development Strategy, 2001-2005; EAC Secretariat, Arusha, 2001.
[112] Ibid.

competitiveness by recognizing areas of comparative benefit and concentrating on building capacity in those areas. The Member States are also going to take measures on factors likely to infringe competitiveness among themselves and develop programmes, such as reliability, cost and quality improvement for export activities, the promotion of the infrastructure investment and monitoring and, the advancement of technologies.[113] Monetary and fiscal policies harmonization must be accelerated, customs data are exchanged, and that other states are lobbied to accept it as a travel document.[114] The five Member States can issue visas in with regards to the travel facilitation which significant. The financial situation in East Africa can be improved and promoted by the provision of banking facilities in all partner countries. In light of this, the EAC will create an East African central clearinghouse, which will speed up the regional transition, and explore how sovereign assessment can be conducted to reduce the costs of fund-raising from outside the country.[115] The introduction of anti-money laundering legislation that would encourage trading on a single Southeast African Stock Exchange with consistent forex control in East Africa would promote this.

4.3 Economic and Administrative challenges in the Regional Integration Process

4.3.1 Trade Imbalance in Customs Union and Common Market Protocols

The Tanzanian population is regarded as the EAC's key issue and threat since it is the Country in the EAC community with the largest population. In the opinion of the Tanzanian industrialists, the imposition of null domestic tariffs would lead to trade and trade divergence effects in favour of Kenya which would expand the trade deficit in favour of Kenya.

4.3.2 Obstacles and Hurdles

The momentum of the EAC integration process towards a single market and investment area has been slow due to several obstacles and hurdles.

   a) ***The lengthy decision-making process and budgetary constraints***; In several occasions the partner countries have not even provided their contribution in good time, thus slowing the delivery of projects and programs in the region. Several partner countries are currently in arrears in their contributions to the Community. For example, Uganda, which relies heavily on donor funding for its budget, has pending charges against the EAC Secretariat, which make it more challenging for

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113 Treaty of the Establishment of East African Community, EAC Secretariat, Arusha. 1999. Article 89 to Article 101.
[114] Ibid.
[115] Ibid.

Uganda to fulfil its EAC obligation.[116] In cases involving donor funds, procurement procedures are overly complicated and time-consuming. Priorities of donors also change and sometimes such support will be withdrawn from the midstream. Sources include the Electronic Telecommunications Program and the Eastern African Railway Network concession.

Instead of adjusting national positions to international norms or criteria, it was suggested that the Secretariat is now a forum for technocrats from neighbouring countries to negotiate to harmonize their national policies/interests. This method has taken time to extend capital with limited returns. Again, the regular shifts of technocratic workers erode the incentives for continuity of institutional memory.

b) *Lack of adequate enforcement mechanism machinery and sanction procedures;*
The dilemma is that it is up to officials to enforce joint decisions in partner countries. However, at times there are dominant political priorities and administrators are not enforcing neighbourhood services. The delays in the adoption of protocols, division of allegiance between normative and regional pressures and eventually lack of executing strategies and plans, implicit deadlines for executing decisions, are also factors that have hindered their implementation.

c) *Administrative and legal capacity constraints and handicaps*; Decisions by the EAC Committee requiring changes to the national law remain pending over a long time. Meanwhile, attempts have been made to enforce decisions beyond the legal system by administrative compromises. That is incorrect and contradicts decisions taken within the EAC culture. Despite the reciprocal expansion of the skilled staff structure, the Secretariat's role has evolved to increase those staff's capability to the extent that the service is inefficient.

d) *Establishing a transitional fund to accelerate the regional integration process*; In the monetary incorporation, a transitional store ought to be set up to remunerate the washouts of the combination. On the unlikely event, this does not work rare assets for monetary advancement would be squandered. At long last, the reserve may prompt lease looking for exercises and to an expansion in debasement and hence hurt monetary exercises in the East African Member States. The EAC Member States ought to likewise consider building up the EAC

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116 Kayunga, Sallie Simba, "Deepening Political Integration of the EAC Countries: The Uganda Case', in Mohiddin, Ahmed (ed), *Deepening Regional Integration o f the East African Community,* (Addis Ababa: Development Policy Management Forum, 2005) 222.

improvement store to upgrade the undertaking usage.[117] Through the proposed finance, all the accomplice states ought to activate assets for provincial infrastructural advancement together. Upon the foundation, the EAC establishments must be fortified by giving them solid orders like checking, assessment and oversight, for example, the EACJ as dependable discretion difficulties of managing cross fringe questions.

4.4 Political Constraints in the East African Political Federation

Other governmental branches exist in East Africa and are fairly poorly regulated. The regional integration mechanismfaces difficulties sovereignly concerning these issues as it is difficult to grant regional institutions any powers in the five Member States. This has led the EAC Arusha Secretariat to wait in Nairobi, Kampala, Dar es- Salaam, Bujumbura and Kigali to obtain signals from the riding elites before its able to decide in favour of the Community's interests.

It suggests a lack of supranational authority and the discretion of national governing powers (elites of national governments) in modern regional bodies such as the: EALA, EACJ and the EAC secretariat. This means that the regional integration process is slowed down as the ruling classes seek domestic interests even if against integration.[118] Although the political elite of the state and the business community continue to strive towards a neo-functionalist solution, the EALA people of East Africa are seeking an immediate federation.[119]

But these positions limit regional identity growth. It is unlikely that States with their distinctive authority, depending on the priorities and regime at control, are deeply committed to enforcing those policies. In Tanzania, political will is most important to facilitate the process of regional integration. Tanzania, while eliminating tariff barriers, calls for the eradication of imported bananas in intra-regional trade such as quantitative enforcement limits on administrative legislation, import customs, and the transport of hold-ups.[120]

The main aim of the EAC Treaty is to create a constitutional union. But some work

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[117] Ibid (n 82).
[118] Ibid.
119 Katumanga, Musambayi 'Security Concerns and Lateral Pressures as a Basis for Enhanced Integration: The Case of North Western Kenya' in Mohiddin, Ahmed (ed), *Deepening Regional Integration of the East African Community,* (Addis Ababa: Development Policy Management Forum, 2005) 281.
[120] Ibid.

against the international union has been ongoing in the basic principles of international cooperation outlined in the EAC Convention (friendship, unity and good neighbourliness, reciprocal respect for domestic sovereignty and dignity, non-interference in domestic matters, peaceful coexistence and dispute and conflict resolution, peacekeeping, stabilities and security). However, respect for domestic sovereignty and dignity, non-interference, all work to preserve the nation-state and the current status quo.[121] A critical study of political federations reveals that worldwide federations allow the federal government to be granted a certain level of political authority. For example, it is difficult for the federal government to inform the Federal government at the moment whether or not the East African Member States will give over the federals of Arusha, Tanzania, jurisdiction in this regard, while other functions will fall within the federal regional states.[122]

Changes in the democratization of Member States would help the transition to a democratic federation. The way institutions are built should be taken into consideration when constructing society. The elections of 9 EALA members for each partner state, instead of permitting them to do so, were for example against democratic requirements for respective domestic parliaments, as in 1957, when the Member States elected their representatives directly to the legislature.

In the context of Uganda, nationalism has already undermined any attempts to achieve regional integration, particularly in the form of Buganda's quest for autonomy. In order to ensure ethnic and gender equality in the election of its representatives to the EALA, Uganda did better than Tanzania and Kenya

4.4.1 EAC Treaty Promotes Regional Integration Process

The Treaty lays the constitutional basis for fostering political and economic integration, however, it fails to enable appropriate institutions to achieve political and economic integration within the EAC through the human and natural resources required for them.[123] The Convention has also provided a welcoming atmosphere for the private sector, civil society organizations and other stakeholders in partner countries to facilitate integration in the EAC.[124] Nevertheless, the private sector denounces the highest

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121 Mukandala, Rwekaza, 'Political Cooperation,' in *Perspectives on Regional Integration and Cooperation in East Africa* (Arusha: EAC Secretariat, 2000) 102.
122 Ibid.
123 Ibid.
124 Kayunga, Sallie Simba, "Deepening Political Integration of the EAC Countries: The Uganda Case',

business cost in East Africa worldwide, although little has been done to promote intra-regional exchange and movement of individuals and services between the countries.[125] The success and consistency of the EAC would therefore rely primarily on the cooperation of the people. Therefore, it is essential to remember. People should be well educated to engage in EAC affairs at all levels in their absolute, effective and meaningful way.[126]

Nevertheless, cooperation between the EAC member countries remains limited by the lack of communication facilities, shared fear and lack of accountability in the exchange of information. Mr Nalo's Permanent Secretary also supports Kenya's East African Community.[127] The first EAC failed because of "miscommunication" and was confident that the government would be able to communicate efficiently with Kenyans and a broader EAC with the newly-launched communications policy handbook of his ministry. He added, however, that critical issues of integration, such as hegemony, Kenya's regional supremacy and the fate of the poor economic Members State need to be settled.[128] The former EAC Minister of Kenya Mr Kingi also shared similar opinion regarding the role played by access to information during the integration process The trusted knowledge on the integration agenda will broaden and deepen citizens 'understanding of EAC issues, promote confidence, build trust, create shared solidarity and identity among citizens of the East African Member States, and promote the integration process.[129]

The Partner States have initiated community and partner states 'public sensitization programmes, fostering regional integration and benefiting the business community which is across borders for companies, income workers and the border agencies which lack the knowledge on custom union and the common market Protocols, according to Mr Paul Ogaro, senior public relations assistant at Kenya Ministry of EAC.[130] It is difficult to disregard the fact that stabilization of East Africa's regional intervention would require addressing economic mechanisms that hinder the project. Agriculture is the main

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in Mohiddin, Ahmed (ed), *Deepening Regional Integration of the East African Community,* (Addis Ababa: Development Policy Management Forum, 2005) page 18.

125 Ibid pg. .223.

126 Ibid.

127 Ibid.

128 Jumuiya News, 'A Magazine of the state department of East African Affairs, Commerce and Tourism' (January-March 2014) http://meac.go.ke/wpcontent/uploads/2017/03/jumuiya_news_issue_29.pdf accessed on 22nd May 2020.

129 Ibid.

130 An interactive interview with Paul Ogaro, Senior Assistant Director of Public Communications, Kenya's Ministry of EAC, 9th September, 2010, Nairobi.

economic driver in East Africa, while the manufacturing industry is still small. Due to the differing rates of industrial growth, economic structure and various revenue consequences in the region, it was difficult for partner countries to reach agreement on a CET.[131]

Kenya has a larger and diversified manufacturing market, a more mature farm market and agro-processing industry, as well as advanced capitalist and business skills, in comparison with its neighbours. This explains Tanzania's inability to accelerate the integration process and choose a pragmatic approach. Tanzania' contribution to the SADC is marginally higher than to the and so is its exports.[132]

Kenya's dominance in East Africa has been a long-standing subject of integration starting with the colonial era, the immediate aftermath of independence and now the current EAC project[133]. The EAC remains a key challenge in how the five countries take advantage of the benefits. It is also necessary to remember that the Member States must reform their political and economic structures to advance regional integration. Alongside other branches of government, al Member States have more the same political and economic structures, which have a relatively opened up both the political and economic space.

The regional institutions represent the same trends. The EALA is just an advisor and the summit and council have real control. The secretariat is not able to accept an agreement that binds all the states. Though the EAC agreement provides the democratic union with the ultimate aim of consolidating the status quo, the basic principles of cooperation. Instead of incremental power transfer from the state at national to the regional level, the hegemony of the state is being proclaimed. Thus in international partnership, the union must be anchored.

4.4.2   The Uneven Development Levels hinder Regional Integration

The six partner states are established at different rates. Intra-regional trade and industrialization vehave been dominated by Kenya since the colonial era. Tanzania, Uganda, Rwanda, Burundi and Southern Sudan have limited manufacturing potential in their predominantly agricultural economies.[134] The question of developmental asymmetry dates from the 1920s. The former EAC declined to such a degree that Tanzania and Uganda were turned into their captive markets, partially due to Kenya's economic supremacy.

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[131] Ibid.
[132] Ibid.
[133] Ibid.
[134] Wafula Okumu, Resource and Border Disputes in Eastern Africa, (28th June 2010) 4(2) Journal of Eastern African Studies.

Economic integration is about the well-being of neighbouring countries and the need for a fair distribution of benefits to counter the broad trade and investment disparities. Tanzania is consistent in saying clearly that an abominable continuation of the old EAC. The EAC's fundamental concepts for sustainable regional integration and cooperation in fact equality and balanced growth. Given the inclusive phase of regional integration, EAC members need to discuss additional relevant alternative strategies addressing shared services, investment and foreign policies and shared regional public goods.[135] As a process, regional integration is dynamic. Therefore, a radical reorientation is required, if the Member States want to fully maximize the benefits of regional integration. For example, organizations may perform research together and share their results on can regional public goods. Joint energy and supply ventures will have an essential role in the improvement of region-centred economic triangles of development in which similar regional public goods can be exchanged.[136] It will lead to spill-over effects that will encourage technological cooperation, trade and investment.

The convergence of shared security and foreign policy interests between the region, the state and social forces is also necessary. The point is that increased cooperation relies on mutual concerns, enemies and problems. The partner states can sign a non-aggression pact on mutual defence and security-driven integration process based on a regional developed state by means of defined security cooperation.[137] or the money used in the war to be diverted to development industries, the EAC must be in a position to settle disputes in North Uganda and to strengthen its ties to Sudan. Rivalry in market and exclusion is being limited in regional public goods. This is the foundation for interdependence.

On regular territorial methodologies, the accomplice states could participate in joint agricultural undertakings and endeavour advancement among others to make reliance that will develop the Member States relationship and lessen possibilities for strife among them.[138] Notwithstanding, Tanzania centre around SADC locale undermines the EAC venture. Even though sketched out in the settlement, normal international strategies, have never been found by and by. By having joint international strategy fronts, they can improve their dealing power in global relations. The EAC should concentrate on streamlining the vehicle found in the locale. Joint interests in the framework for instance correspondences, force and water have substantial advantages with regards to the fact that

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135 Ibid.
136 Ibid.
137 Ibid.
138 Ibid.

in these exercises economies of scale, outer economies and relationship are possibly going to be huge. Coordination of key ventures can be attempted beneficially for the territorial market whenever conveyed at the same time while in seclusion none would attainable.[139] By harmonizing their investment policies, the EAC Partner States may benefit more. As a core country in the region of East Africa, Kenya needs to forget certain advantages for the least developed members so that conditions are right that are at their advantage. The contributions of each member of the Economic Strength to the national institutions should also be focused on the equal contribution of Kitty to the EAC Secretariat.

There must be primary movers in virtually any effective regional integration program. As Abangwu puts it,

> "[t]he prospective integrative region needs to have a dynamic centre of gravity, a nation, or group of countries ready to bell the cat and lead the integration process.".[140]

France and Germany were the major powers for European integration. Kenya will play a key role as a business and market leader and a major recipient of EAC integration without coercing other partner states automatically since most of the companies are situated in Kenya. [141]

4.4.3   Lack of Political Will Affects Regional Integration   P r o c e s s

COMESA, SADC and EAC through the 'tripartite process,' have joined hands to explore the prospects for further promotion and growth in Africa. There are, however, contentious problems in the project. The double membership of some partners needs shrewd leadership and political will for Kenya in the EAC and COMESA, Tanzania in the EAC and SADC, among others. In order to resolve the situation quickly.[142] The case of Tanzania could affect the integration of EAC, as it is more pro-SADC than COMESA and EAC. The president made remarks at the political level in Uganda that were very welcoming of the Union of East Africa and other national blocs. President Museveni borrowed a leaf of other integration schemes and called on EAC to rapidly become the federation for the citizens of East Africa, which would refer to the federation as the insurance policy.[143] Rwandan President Kagame has also expressed similar sentiments. Kenya and Burundi, while

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139 P. Robinson, Economic Integration (Evanston; North West University Press, 1968) 56
[140] Ibid.
141 G. C. Abangwu, "Systems Approach to Regional Integration in West Africa", in Journal of Common Market studies, (Vol. 13) (1975) 131
[142] Ibid (n 82).
143 Kayunga, Sallie Simba, "Deepening Political Integration of the EAC Countries: The Uganda Case', in Mohiddin, Ahmed (ed.), *Deepening Regional Integration of the East African Community,* (Addis Ababa: Development Policy Management Forum, 2005) 220

major players are conceived as those of Uganda and Rwanda for their political statements.

SADC Executive Secretary Tomas Salomao challenges EAC political authority to initiate the provincial joining process with the earnestness it merits so the coalition could join with SADC and SADC inside the structure of mainland incorporation.[144] The monetary alliance would help the countries to enter the developed market, which will allow the consumer to select products more, to reduce prices because of extended competition, increased product quality and companies. The district's inability to include it means disillusionment in order to appreciate huge internal exchanges, increased risk openings, aggregate trading power in the world, better and better vehicle systems, and the largest free development of product and business.[145]

4.5 A Critical Analysis of the Socio-Economic and Political Dimensions

At best, after reviewing progress made in the regional integration process, it has been identified as successful in the growth of the EAC. However, the mechanism has been plagued with many variables. In terms of flexibility, the theory that the advantages and lessons learned in one field can be extended to other areas when collaboration effectively takes place, thus providing cooperation with a range of areas of activity. If this lasts for a time, the impetus of the first performance will conglomerate and eventually lead to very successful results. Step-by-step integration. Reviewing the steps in t h e r e g i o n a l integration process, measures of success are there but the member states should also anticipate frustrations.

Functionality is leading through the assumption that success in one region leads to success in other fields. It supports the four-phase method of national integration. However, the emphasis on cultural, social and political problems is weak in nearly every step simultaneously. This theory can be mediocre in that it goes against the basic concepts of functionalism. The neo-functional theory recognizes the position of politics that cannot be distinguished from that of functionalism.[146] Politics is central to the process of incorporation – a matter that previous functionalists have ignored. Neo-functionality recognizes pluralism as important to the success of the regional integration process, among other factors (economic equilibrium, complementary elite interest and members 'willingness to accept and respond).[147]

The presence of pluralism in the different integration units improves the likelihood of A

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[144] Ibid.
145 John Baxier, SADC Spearheading Economic Unity, in African Business, (May 2010) 41
[146] Ibid.
[147] Ibid.

successful integration which enhances the level of pluralism in the Member States and improves the conditions for the integration process.[148] The absence of the idea of convergence between the elites reduces awareness.[149] The conflict element undermines the process of regional integration as the regional project's commitment is weakened. Long- conflicts have meant that large resources and political tension have been deployed to the detriment of regional development in northern Uganda, Rwanda and Burundi. For example, in Uganda, the war uses a great deal of money to promote growth in the region.

It is characterized by integration theorists as a consensus process which results in the creation of standard, values, interests or goals. The process leads to the condition of the political community. Ernest B. Haas defined integration as entailing the process where political actors are convinced to move their expectations, loyalties, expectations activities to a new centre in different national contexts, whose institutions lose or call for competence over pre-existing domestic interests.[150] Growing step of the integration process is potentially too complex. Specific areas of cooperation must therefore be established, applied and effectively accomplished in these fields, thereby breaking new ground for cooperation and eventually achieving the ultimate aim.

The progress of the common market protocol and customs union would spill over into the monetary union and the creation of the democratic federation of East African nations. Issues, such as political and economic engagement, need to be enhanced, leading to the creation of specific peace and security initiatives, as well as the large involvement of stakeholders such as women and the private sector.[151] The four-stage regional integration strategy is a positive idea, but it is very difficult to execute each stage since it is not feasible to execute the areas covered at each stage simultaneously. Nevertheless, regional integration in the East African region has reported limited success, despite the existence, with its members, of economic frameworks and political systems. The economies of the six partner countries are weak, have various degrees of development and strong export dependency on primary commodities. There is a lack of proper infrastructure and a high dependency on advanced market economies.

No tariff decrease and trade liberalization alone will promote integration unless issues with the economic systems of the region are dealt with appropriately. Whether regional integration can be maintained defines the essence of policy. Regional convergence in the culture of authoritarianism does not flourish. Chama Cha Mapinduzi of Tanzania (CCM) has virtual control of policy space and is the main source of opposition.[152] The democratic

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[148] Ibid.
[149] Joseph S. Nye. "Comparing *common Markets: A perished Neo-functional model*" in L. Lindberg and S. Scheingold (eds.), Regional Integration: Theory and Research, (Cambridge: Harvard University Press, 1965) 28-70.
[150] Ibid.
[151] Ibid.
[152] Ibid.

process is clouded and divided into Rwanda, Burundi and Uganda as regards the transition of power. Kenya's democratization process in the region is ahead with a new constitutional exemption.

CHAPTER FIVE: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Summary

This chapter summarizes the previous chapters with detailed and systematic conclusions based on the findings from the research on EAC's regional integration process challenges and opportunities. In summary, chapter one of this research addressed the key aims of the paper, the opportunities and obstacles present in the regional integration process of the East Africa Community, and the dimensions are the basis of the research. Chapter two explores the historical background since the colonial period of the process of Eastern African national integration. Chapter three assesses the achievements and challenges faced by EAC from the colonial period to date. Chapter four analyzed the financial and political measurements (points of view) rising out of the provincial joining procedure and how they go about as significant achievements towards the production of East Africa political league. This chapter recognizes that there exist significant angles in the local incorporation process that has either helped the assurance. The exploration discoveries indicated that a few angles in the new EAC either helped or brought down the assurance of the 5 accomplice states in the reconciliation procedure. The chapter has additionally perceived that the territorial coordination process clings to the hypothetical suspicions of functionalism thus the provincial joining process has not lost its contemporary imperativeness since its execution is conceivable. It addresses and examines the measurements in detail.

Chapter five offers a review, findings and recommendations on socio-economic and political issues including vital prospects for the regional integration process. It addresses also the effect of the process of regional integration on the EAC's overall objective. The study identified several major dimensions and perspectives that emerged from the implementation of the New EAC (2001-to date) four-phase regional integration processes. It also notes that the implementation of the EAC Treaty, Customs Union, Monetary Union, Common Market, and the political federation had a significant impact on such political, socio-economic and cultural dimensions. The study provides the EAC with a robust theoretical framework to enable the efficient understanding how the regional integration process contributed to the implementation of the Convention and how it has impacted on both the regional integration process pillars and others.

5.1.1 Lessons Learnt Based On the First General Objective i.e. to Examine the Effects of the Provisions of the EAC Treaty on the Implementation of the EAC Market Protocols and Customs Union

It has been discovered from various from the research that new grounds have been broken by the process of

regional integration, with new characteristics that have been concentrated directed towards the growth and development of the Community. It exposed that the customs union set the framework laid for the development of the political federation, monetary union and common market in the first pillar or the regional integration process, and improved its success.

5.1.2 Lessons learnt Based on the Second Objective i.e. to Examine Socio-economic Political and Cultural Issues and Prospects Originating from the EAC Regional Integration Process.

The implementation of the Customs, Common Market, Immigration and Work Policies were shown as significant milestones in the regional integration process, as developed by the Treaty. The pillars were established to move integration to another stage of development but it was also perceived that they were challenging to implement. The Member States were able to deal with the impact in the finest way. The research shows that the best tools were an integration strategy. The partner states have adapted and knowledge success is inevitable if it is implemented in the best possible way.

5.1.3 Lessons Learnt from the Third Objective i.e. to Propose Policy Options for E A C Regional Integration Process

The regional integration process was recognized to be important but implementation was the final step of all undertakings. The Commission also noted that the preaching of security and peace among partner countries is extremely important and considers that broad participation in the implementation of policies by women need be conducted as soon as possible by the stakeholders from the civil society and the private sector to encourage cooperation. Partner countries acknowledge the role of women in sustainable growth and socio-economic transformation. Therefore, they support effective integration, empowerment and the participation, particularly in the formulation and execution of policies, relating to women at all levels of the political, cultural and socio-economic development.

The research found that the regional integration process failed to take into account other important aspects, such as the member states belonging to different cooperation groups, as well as some countries' absence of a political will. As is the case, EAC has helped advance the implementation of the provisions of the treaty with the 4 pillars of the New EAC Integration Process. Once implemented, the four-stage process of regional integration meets the EAC's main objective. The overall aim of this study was to examine the impacts of the EAC regional integration process challenges and prospects. This study showed that East African partner states were unable, despite their repeated efforts, to integrate effectively. At various levels of development, the six partner States rely heavily upon primary commodity exports, poor

infrastructure, backward industrialization, and high foreign trade dependent. The region's lack of infrastructural links has frustrated trade.

The research has illustrated that for the EAC project to effectively realized sustained, all the Member States need to be prepared to concede their powers to the respective regional organs. Challenges relating to constitutionalism need to be promoted at both the domestic and regional levels.[153] A key test because the Member States are different in resources, capacity and size capacity is how this EAC addresses the issues relating to uneven development levels and the unequal distribution of benefits among the Member States. This requires the development and deliberate policies of a fair and acceptable distribution of the benefits. While the EAC adopted the asymmetry principle, its success is questionable. EAC issues must also, as a matter of urgency, be handled at the domestic level to enable domestic organizations such as government departments and ministries to articulate any issues properly regarding the community.[154] This will have allowed EAC to shift towards a more decentralized system where the EAC operations are decentralized from Arusha and are m adequately visible at the borders and the ports of entry and therefore form regional integration centres in all the Member States. In essence, EAC integration created a more attractive tourist attraction. The citizens of Eastern Africa are called to think about Tanzania's sincerity, Kenyans' never-die spirit and Uganda's humility. Rwandans and Burundians, together with the region's unique tourist attractions.[155] Consequently, Partner States should implement the following alternatives to hasten of the regional integration process. Recognizing Kenya's role as the core State in EAC regional integration, building common regional government infrastructure, pursuing infrastructural common external policies, and investing in areas such as health and education, and taking common regional tactics.

5.2 Conclusions

The ups and downs were a feature of national development in east Africa. The old EAC came to nothing in 1977, when the new EAC phase of regional integration is still being confronted by the same political economy that declined to establish cooperation. Partner countries ' economic structures are anti-integration. Economic centralization has not transferred authority to supranational institutions. The economies remain western-oriented; since independence, output systems have not changed significantly.

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[153] Ibid (n 82).

[154] Ibid

155 The Accountant, Journal of the Institute of certified Public Accountants of Kenya, August - September, 2010, April- May, 2010., February -March 2010.

Despite the issues recognized by the Member States, its strategic interest in being integrated have not been. Instead of the presently led integration which creates divergences, radical reorientation is required in its methodology. The reduction or elimination of tariffs cannot create a lasting stimulus to regional integration alone. The challenges range from insufficient integrated infrastructure to an economic one. Visa regulations and rules are also major obstacles to integration. However, the six partner countries have had tremendous results in achieving some of the EAC's objectives. Every May, they have eased the licensing of commercial banks and pre-budget ministry consultations and post-budget consultation every August. It facilitated the transmission and communication between States and removed police road corridors and roadblocks connecting the Member States.[156]

Additionally, they are involved as a shared resource in the Lake Victoria Development Program and have industrial policies which promote trade.[157] Lake Victoria is one of the 5 EAC Member States' cross-border resourcing and most significant common resource. The basin is around 194,000 kilometres with the market probability of over 40 million with an estimated GDP of over 40 million dollars and a wealth of potential for economic resources.[158]To make them sustainable and foreseeable, political systems have to be reorganized. The future must not be the refuge of political leaders' whims and benevolence. Regional integration itself is a political process and the regional political leaders need to be safe at home in order to establish regional bodies with authority to make their grip on power complicated. Beyond policies and institution-building measures, the partner states should marshal public opinion, which should be generated ultimately for the benefit of the Member States citizens, to support regional integration promotion.

In the post-independence region of East Africa, the notion of democratic union is nothing new. Eclectic burdens of the regional integration and breakdown exhibited in many respects, from time to time. There's a great need for harmony and an appreciation of the nature of the federation in East Africa. Regional integration is a gradual process that depends on the joint efforts of the Member States, the private sector and the citizens of the East African Member States.

5.3 Recommendations

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[156] Ibid.
157 Kayunga, Sallie Simba, "Deepening Political Integration of the EAC Countries: The Uganda Case', in Mohiddin, Ahmed (ed), *Deepening Regional Integration of the East African Community,* (Addis Ababa: Development Policy Management Forum, 2005) 221
158 The Standard (Thursday, September 9, 2010). 32.

The research desires to propose the following suggestions and recommendations following the conclusions arrived at, First of all, the study takes into account the fact that the regional integration process is very optimistic and that the EAC Treaty, the political federation, the common market and the customs union have sought to develop more effectively. Secondly, drafters of the regional integration process need to develop ways of resolving the difficulty of membership issues for the Member States in numerous regional organizations. Today East African Member States countries are part of various organizations. The Republic of Kenya. Rwanda, Burundi and Uganda are EAC and COMESA members, while Tanzania is EAC and SADC members. COMESA and SADC are both in readiness for a customs union and will establish a way of solving the issue soon respectively. Such organizations must be associated with all three countries.

Thirdly, there are several every stage) problems to be effected in the regional integration process and not fully realized over that period. It is therefore time the draftsmen of the region's integration process learned to tackle a few problems at once. Fourthly, in order to address financial problems caused by loss of customs income by the Member Partners of the EAC due to the liberalization in the process, it is necessary to create the appropriate modalities for the regional integration process and to further to try and direct the development partners in developing a budget provision to deal with any possible loss of income.

Fifth, regional integration has the probability of guaranteeing the sustainability of the 5 member countries in East Africa. However, before an integration model is adopted, a thorough grasp of the region's economy is necessary. Sixth, the EAC would progress if it adopts specific public goods policies to promote interdependence, prevention and management of conflict between partner countries. Work by a country is costly but feasible if the different technologies and resources are combined. Cooperation areas, such as hydroelectric power generation ventures, would encourage cooperation in other areas and therefore encourage regional integration.

Seventh, EAC countries will make advantageous compromises in international fora by working together in the fields of mutual interest as they do as a single body. For example, sanctions as a block against a single country are taken seriously. Poor infrastructure is in poor condition, particularly in the road and rail networks. In order to enable the efficient movement of goods and services in the region at an affordable price, the transport infrastructure must be improved. As it stands, transport infrastructure in comparison to

other developing countries is not competitive.

In order to attract investment, EAC countries must have a common platform. Foreign investors will benefit more than the country because of much concessions from the desperate efforts by individual countries to engage in cuts in competition to attract foreign investment. In the intraregional trade, Kenya is the leading study. Kenya should begin by stating that this position has the responsibility as the core state in the region. This requires more integration cost support in itself because it is the greatest loss should the process stop or fail.

5.4 Suggestions for Further Research

This study covers the process of regional integration from2001- to date and the various socio-economic and political aspects resulting from this process. It has been realized from the debate on the findings, that progress so far has helped the EAC to achieve certain of its objectives as outlined in the Treaty in implementing the Regional Integration Process. The four-step regional integration process has had a real effect on the EAC's overall performance. The information acquired should be very valuable for those involved in implementing the EAC regional integration process in its four steps. To obtain additional information on how EAC development has been affected by the regional integration process, research into these areas should be carried out: to identify ways to further improve the four-phase regional integration process and to turn what is going on into ventures that can be effectively realized, to explore a political environment that can facilitate and maintain the mutual benefits of regional integration, and to use the available knowledge prudently to promote integration efforts.

BIBLIOGRAPHY

Abangwu G C, "Systems Approach to Regional Integration in West Africa", in Journal of Common Market Studies, (Vol. 13) (1975) 131.

Adar K G & Ngunyi M, ' *The Politics of Integration in East Africa since independence'* in Oyugi. W. O, (ed.) *Politics and Administration in East Africa* (Nairobi: East Africa Educational Publishers Ltd, 1994).

Alter K J, Gathii J & Helfer L R, 'Backlash Against International Courts in West, East and Southern Africa: Causes and Consequences' (2016) 27(2) The European Journal of international Law, 293- 328.

Anami L, 'EAC Marks Second Anniversary of Common Market' *The East African Standard*, (Thursday, February 25, 2010) 32.

Anyang' N P, *Regional Integration in Africa: Unfinished Agenda* (Nairobi: Africa Academy of Sciences, 1990) 12.

Baxier J, SADC Spearheading Economic Unity, in African Business, (May 2010) 41.

Business Journal Africa: Empowering Entrepreneurs, (May 2009) Issue No. 113.

Delupis I D, *East African Community and Common Market*, (Longman Group Limited 1970) 28

East African Community, Report of the Committee on Fast Tracking East African Federation, para.8.

East Africa Community Budget Speech 2009/2010 Financial Year (Bujumbura, Burundi, 21st May 2009) para. 56.

East African Court Of Justice http://eacj.org/?page_id=19 accessed on 18th April 2020

Edbled J, 'The Political Economy of Regional Integration in Developing Countries' (1996) Regional Dimensional Working Paper No. 3, Centre for Regional Science, Cerumunea University, 17.

John P, *Globalism, Nationalism, Tribalism: Bringing Theory Back In*. London: (Sage Publications 2006).

Hazlewood A, *Economic Integrations: The East African Experience*, (London: Heinemann, 1975) 29-30.

Hazelwood A, African Integration and Disintegration (London: Oxford University Press, 1967), 96

Hazzlewood A, '*The End of the East African Community: What are the lessons for Regional Integration schemes?'* in R. I. Onwuka and Amaddu Sesay (eds), The future of Regionalism In Africa (London: Macmillan Publishers, 1985) 176.

Hughes J, *East Africa: The Search for Unity, Kenya, Tanganyika, Uganda and Zanzibar* (Baltimore; Penguin Books, 1963), 265

Jumuiya News, 'A Magazine of the state department of East African Affairs, Commerce and Tourism' (January-March 2014) http://meac.go.ke/wpcontent/uploads/2017/03/jumuiya_news_issue_29.pdf accessed on 22nd May 2020.

Jumuiya News, A Newsletter of the Ministry of the East African Community, (October-December 2009) Issue No. 16, 24.

Kaberuka D, President of African Development Bank, Business Daily, (Friday, February 26, 2010.

Katumanga M, "Politics of Regime Consolidation and Entrenchment: Moi's Foreign Policy 1978-1994", (Working Paper IFRA) 1995) 21.

Katumanga, Musambayi 'Security Concerns and Lateral Pressures as a Basis for Enhanced Integration: The Case of North-Western Kenya' in Mohiddin, Ahmed (ed), *Deepening Regional Integration of the East African Community,* (Addis Ababa: Development Policy Management Forum, 2005) 281.

Kipkoech J K, Challenges and prospects of East African Community regional integration process (2001-2009) (Masters Theses, University of Nairobi, 2010).

Liebenow G A," The *Quest for East African Unity: One step Forward: Two Steps Backwards*", in M.W. Delancesy (ed), Aspects of International Relations in Africa (Blaomington: Indiana University Press, 1979) 151.

Lineberry W P, *East Africa* (New York: Penguin Books, 1964) 40.

Machlup F, *A History of Thought on Economic Integration*. (New York, NY: Columbia University 1977).

Magu S M, Dilemmas of East African Cooperation: Domestic Audience and Prisoner's Dilemma Approaches on Regional Integration (17th September 2015) 74 (3) African Studies.

Mazzeo D, '*The Experience of EAC: Implications for Theory and Practice of Regional cooperation in Africa*", in D. Mazzeo (ed.), African Regional Organization (London: Cambridge Press, 1984) 154.

Milton J C, *Woodrow Wilson and the Fight for the League of Nations* (Cambridge press, first published 2001) 51-56.

Mitrany D*, The Prospects of Integration: Federal or Functional?* (Boston: Little Brown and Company, 1968).

Mukandala, Rwekaza, 'Political Cooperation,' in *Perspectives on Regional Integration and Cooperation in East Africa* (Arusha: EAC Secretariat, 2000) 102.

Nalo D, 'Industries Lose State Support in EA Trade Row' *Business Daily* (24 February 2010) 15.

Njenga N L, 'The Legal Status of the East African Community (EAC) (December 2018) Rudn Journal of Law 22(3) 370-384.

Nye J S. "Comparing *common Markets: A perished Neo-functional model"* in L. Lindberg and S. Scheingold (eds.), Regional Integration: Theory and Research, (Cambridge: Harvard University Press, 1965) 28-70.

Nye J S, *Pan Africanism and East African Integration*, (Cambridge: Harvard University Press, 1965) 185.

Ogola F O & Others, A profile of the East African Community (15th December 2015) Africa Journal of Management 333-364.

Ojol O, Regional Co-operation and Integration, in O. Ojo et al, African International Relations (London: Longman Group, 1985), 157

Okumu W, Resource and Border Disputes in Eastern Africa, (28th June 2010) 4(2) Journal of Eastern African Studies.

Omondi G, *Business Daily*, Monday, (March 1, 2010) 8.

Possi. A The East African Court of Justice: Towards Effective Protection of Human Rights in the East African Community (2013) 17 *Max Planck Year book of United Nations Law* (2013) 173–195.

Robinson P, Economic Integration (Evanston; North-West University Press, 1968) 56

Saul J R, *The collapse of Globalism* (Atlantic Books Ltd 2018).

Sebalu, P., The East African Community (1972) 16(3) Journal of African Law 345–363.

Simba K S, "Deepening Political Integration of the EAC Countries: The Uganda Case', in Mohiddin, Ahmed (ed), *Deepening Regional Integration of the East African Community,* (Addis Ababa: Development Policy Management Forum, 2005) 221.

Scotton J F, Tanganyika's African Press, 1937-1960: A Nearly Forgotten Pre-Independence Forum (April 1978) 21(1) African Studies Review.

The Accountant, Journal of the Institute of Certified Public Accountants of Kenya, August – September 2010, April- May, 2010., February -March 2010.

The East African Community," Towards an Integration by Default? In MAMBO (The Newsletter of IFRA) Vol. 1 No. 1, July- September 2000.

The Second EAC Development Strategy, 2001-2005; EAC Secretariat, Arusha, 2001.

Treaty of the Establishment of East African Community, EAC Secretariat, Arusha. 1999. Article 89 to Article 101.

Viotti R P & Kauppi V, *International Relations Theory* (Macmillan 1990).

Wafubwa I, "Towards Political Federation in the East African Community: Achievements and Challenges", http://eacgermany.org/wp-content/uploads/2015/03/Achievements-and-Challenges-Towards-EAC-Politcal-Federation.pdf accessed 25th March 2020.

Waffubwa I & Birunji J. C (eds.), *The drive towards political integration in East Africa. A book in honour of Hon. Beatrice Kiraso*. (2012,) 79.