



**EAST AFRICAN COMMUNITY SECRETARIAT**

**MEETING OF THE SUB-COMMITTEE  
ON THE FORMULATION OF  
A COMPREHENSIVE PROGRAMME OF ACTION  
ON POLITICAL CO-OPERATION**

**Nairobi, Kenya  
October 13<sup>th</sup> – 14<sup>th</sup>, 2003**

**BACKGROUND PAPER  
(Ref: EAC/BP/04/2003 (July – December))**

**EAC SECRETARIAT  
Arusha, Tanzania**

**September 2003**



EAST AFRICAN COMMUNITY SECRETARIAT

**MEETING OF THE SUB-COMMITTEE  
ON THE FORMULATION OF A COMPREHENSIVE PROGRAMME  
OF ACTION ON POLITICAL CO-OPERATION**

**Nairobi, Kenya  
October 13<sup>th</sup> – 14<sup>th</sup>, 2003**

**BACKGROUND PAPER**

**1.0 INTRODUCTION**

**1.1. Convening of the Meeting**

This meeting has been convened in accordance with the planning of EAC Activities for the period July – December 2003.

**1.2. Purpose of the Meeting**

The Meeting is expected to mainly:

- (a) consider the Report of the Task Force of Experts on the Formulation of a Comprehensive Programme of Action on Political Co-operation;
- (b) make proposals on the Comprehensive Programme to the Inter-Parliamentary Committee for East Africa.

## 2.0 BACKGROUND INFORMATION

### 2.1. Establishment of a Sub-Committee on the Formulation of a Comprehensive Programme of Action on Political Co-operation

At its meeting held on September 16<sup>th</sup> – 18<sup>th</sup>, 2002 in Dar es Salaam, Tanzania, the Inter-Parliamentary Committee exchanged views on, among other subjects, the formulation of its comprehensive implementation programme in accordance with its mandate under Article 21 of the Treaty for the Establishment of the East African Community and the establishment of linkages between the National Assemblies, in their respective roles, on one hand, and the Community and its organs, on the other.

The Committee, therefore, established a Sub-Committee (*initially comprising Honourables Dr Aman Kabourour, Kate S M Kamba, Dr Mukhisa Kituyi, David Musila, Dr A Nsaba Buturo, Dr William Shija and Ben Wacha*) to prepare a proposal on the Committee's comprehensive implementation programme in political co-operation. The Sub-Committee was also charged with addressing different aspects of inter-parliamentary co-operation and make proposals accordingly.

This Sub-Committee is expected to present a report on the proposals to the Committee in March 2003. It was required to hold its first meeting by October 15<sup>th</sup>, 2002. In this regard Uganda, as current chairperson of East African Community activities, was requested to convene the first meeting. Kenya undertook to host the meeting.

On account of the dissolution of Parliament in Kenya and the ensuing elections it was not possible for the Sub-Committee to constitute itself and meet. Upon consultation with the Offices of the Speakers of the National Assemblies the convening of the meeting was temporarily stayed pending the finalisation of the electoral process in Kenya. However, the Sub-Committee met in Nairobi on April 4<sup>th</sup> – 6<sup>th</sup>, 2003. At this meeting, the Sub-Committee noted the need for more preparatory work taking into account all relevant circumstances and developments. It, therefore, decided that a Task Force comprising experts from the offices of the Clerks of the National Assemblies and the East African Legislative Assembly meet first to agree on the most appropriate approach to handling this work.

The Task Force met on July 28<sup>th</sup> – 30<sup>th</sup>, 2003 and discharged this obligation. The report of the Task Force is enclosed herewith.

## 2.2. Role of the Inter-Parliamentary Committee for East Africa

The Treaty in its Articles 20 and 21, creates Sectoral Committees as organs of the East African Community. The Treaty also provides that:

*“Subject to any directions the Council may give, each Sectoral Committee shall:*

- (a) be responsible for the preparation of a comprehensive implementation programme and the setting out of priorities with respect to its sector;*
- (b) monitor and keep under constant review the implementation of the programmes of the Community with respect to its sector;*
- (c) submit from time to time, reports and recommendations to the Co-ordination Committee either on its own initiative or upon the request of the Co-ordination Committee convening the implementation of the provisions of this Treaty that affect its sector; and*
- (d) have such other functions as may be conferred on it by or under this Treaty.” (Article 21)*

At its Meeting held on July 7<sup>th</sup>, 2001 the Committee decided that its functions will be:

- to forge close co-operation between the National Assemblies and between them and the East African Legislative Assembly;*
- to provide impetus on the implementation of the Treaty;*
- to provide and sustain political will for regional integration and development in the Community;*
- to contribute towards the making of Protocols and strategies under the Treaty; and*
- to liaise with similar Committees established under other regional groupings such as the European Union.*

In this regard the Committee noted that its principal roles under the Treaty are the linking of the National Assemblies and the regional Assembly in accordance with the Article 49(2)(a) and the preparation and monitoring of a comprehensive programme on co-operation in political affairs in accordance with Article 123(4)(d). It noted that the effective discharge of such functions necessitated.

- a permanent sectoral role as opposed to a temporary role pending the establishment of the East African Legislative Assembly as earlier envisaged; and
- a system of continuity in the composition of membership.

Therefore the Inter-Parliamentary Committee for East Africa is expected to prepare and monitor a comprehensive implementation program on matters pertaining to Co-operation in Political Matters as outlined in Chapter Twenty three of the Treaty a copy of which is attached hereto as Annex I.

### 3.0 WAY FORWARD

The Sub-Committee is expected to discharge its responsibilities on the basis of:

- (a) the relevant provisions of the Treaty; and
- (b) a consideration of the proposals made by the Task Force.

The Sub-Committee will then prepare its own proposal for subsequent presentation to the Inter-Parliamentary Committee for East Africa.

## CHAPTER TWENTY THREE

### CO-OPERATION IN POLITICAL MATTERS

#### ARTICLE 123

#### Political Affairs

1. In order to promote the achievement of the objectives of the Community as set out in Article 5 of this Treaty particularly with respect to the eventual establishment of a Political Federation of the Partner States, the Partner States shall establish common foreign and security policies. 5.
2. For purposes of paragraph 1 of this Article, the Community and its Partner States shall define and implement common foreign and security policies. 6.
3. The objectives of the common foreign and security policies shall be to:
  - (a) safeguard the common values, fundamental interests and independence of the Community; 7.
  - (b) strengthen the security of the Community and its Partner States in all ways;
  - (c) develop and consolidate democracy and the rule of law and respect for human rights and fundamental freedoms;
  - (d) preserve peace and strengthen international security among the Partner States and within the Community; 1.
  - (e) promote co-operation at international fora; and
  - (f) enhance the eventual establishment of a Political Federation of the Partner States.
4. The Community shall pursue the objectives set out in paragraph 3 of this Article by:
  - (a) establishing systematic co-operation between the Partner States on any matter of foreign or security policies of general interest within the Community in order to define a common position to be applied by the Partner States; 2.
  - (b) the co-ordination of the actions of the Partner States and the upholding by them of such co-ordinated actions in international organisations and at international conferences; 3.
  - (c) the unreserved support of the Partner States of the Community's foreign and security policies and the avoidance by the Partner States of any action on their part which is contrary to the interests of the 4. T  
5. T

Community or is likely to impair the effectiveness of the Community as a cohesive force in international relations;

- (d) peaceful resolution of disputes and conflicts between and within the Partner States;
- (e) the co-ordination of the defence policies of the Partner States; and
- (f) the promotion of co-operation among the National Assemblies of the Partner States and also with the Assembly.

- 5. The Council shall determine when the provisions of paragraphs 2, 3 and 4 of this Article shall become operative and shall prescribe in detail how the provisions of this Article shall be implemented.
- 6. The Summit shall initiate the process towards the establishment of a Political Federation of the Partner States by directing the Council to undertake the process.
- 7. For purposes of paragraph 6 of this Article, the Summit may order a study to be first undertaken by the Council

## ARTICLE 124

### Regional Peace and Security

- 1. The Partner States agree that peace and security are pre-requisites to social and economic development within the Community and vital to the achievement of the objectives of the Community. In this regard, the Partner States agree to foster and maintain an atmosphere that is conducive to peace and security through co-operation and consultations on issues pertaining to peace and security of the Partner States with a view to prevention, better management and resolution of disputes and conflicts between them.
- 2. The Partner States undertake to promote and maintain good neighbourliness as a basis for promoting peace and security within the Community.
- 3. The Partner States shall evolve and establish regional disaster management mechanisms which shall harmonise training operations, technical co-operation and support in this area.
- 4. The Partner States undertake to establish common mechanisms for the management of refugees.
- 5. The Partner States agree to enhance co-operation in the handling of cross

border crime, provision of mutual assistance in criminal matters including the arrest and repatriation of fugitive offenders and the exchange of information on national mechanisms for combating criminal activities. To this end the Partner States undertake to adopt the following measures for maintaining and promoting security in their territories to:

- (a) enhance the exchange of criminal intelligence and other security information between the Partner States' central criminal intelligence information centres; 1.
  - (b) enhance joint operations such as hot pursuit of criminals and joint patrols to promote border security;
  - (c) establish common communication facilities for border security; 2.
  - (d) adopt the United Nations model law on mutual assistance on criminal matters;
  - (e) conclude a Protocol on Combating Illicit Drug Trafficking;
  - (f) enhance the exchange of visits by security authorities;
  - (g) exchange training programmes for security personnel; and
  - (h) establish common mechanisms for the management of refugees.
6. The Partner States undertake to co-operate in reviewing the region's security particularly on the threat of terrorism and formulate security measures to combat terrorism.

## ARTICLE 125

### Defence

1. In order to promote the achievement of the objectives of the Community as set out in Article 5 of this Treaty particularly with respect to the promotion of peace, security and stability within, and good neighbourliness among the Partner States, and in accordance with Article 124 of this Treaty, the Partner States agree to closely co-operate in defence affairs.
2. For purposes of paragraph 1 of this Article, the Partner States agree to establish a framework for co-operation.





**EAST AFRICAN COMMUNITY SECRETARIAT**

**Meeting of the Sub-Committee on the  
Formulation of a Comprehensive Programme of Action  
on Political Co-operation**

**Nairobi, Kenya  
October 13<sup>th</sup> – 14<sup>th</sup>, 2003**

**PROVISIONAL AGENDA**

- 1.0 Consideration of Report of the Task Force of Experts on the Formulation of a Comprehensive Programme of Action on Political Co-operation within the East African Community**
- 2.0 Formulation of proposals for a Comprehensive Programme of Action on Political Co-operation**
- 3.0 Consideration of a new date for the Meeting of the Inter-Parliamentary Committee for East Africa**
- 4.0 Any Other Business**



EAST AFRICAN COMMUNITY SECRETARIAT

Meeting of the Sub-Committee on the Formulation of a  
Comprehensive Programme of Action on Political Co-operation

Nairobi, Kenya  
October 13<sup>th</sup> – 14<sup>th</sup>, 2003

**PROVISIONAL PROGRAMME**

**October 13<sup>th</sup>, 2003**

- |                   |   |   |
|-------------------|---|---|
| 08.00 – 08.30 hrs | - | REGISTRATION AND DOCUMENTATION  |
| 08.30 – 09.00 hrs | - | PRESENTATION OF BACKGROUND PAPER<br>(Secretariat)   |
| 09.00 – 10.30 hrs | - | CONSIDERATION OF THE REPORT OF THE<br>TASK FORCE OF EXPERTS OF ACTION ON<br>POLITICAL CO-OPERATION WITHIN THE<br>EAST AFRICAN COMMUNITY             |
| 10.30 – 11.00 hrs | - | Tea/Coffee Break  |
| 11.00 – 13.00 hrs | - | CONSIDERATION OF THE REPORT OF THE<br>TASK FORCE OF EXPERTS OF ACTION ON<br>POLITICAL CO-OPERATION WITHIN THE<br>EAST AFRICAN COMMUNITY (Continued) |
| 13.00 – 14.30 hrs | - | Lunch Break   |
| 14.30 – 16.30 hrs | - | CONSIDERATION OF THE REPORT OF THE<br>TASK FORCE OF EXPERTS OF ACTION ON<br>POLITICAL CO-OPERATION WITHIN THE<br>EAST AFRICAN COMMUNITY (Continued) |

- 16.30 – 17.00 hrs - Tea/Coffee Break
- 17.00 – 18.00 hrs - **CONSIDERATION OF PROPOSALS FOR A  
COMPREHENSIVE PROGRAMME OF  
ACTION ON POLITICAL CO-OPERATION**
- CONSIDERATION OF A NEW DATE FOR  
THE MEETING OF THE INTER-PARLIAMENTARY  
COMMITTEE FOR EAST AFRICA**
- ANY OTHER BUSINESS**

**Tuesday, October 14<sup>th</sup>, 2003**

- 08.00 – 10.30 hrs - **PREPARATION OF A DRAFT REPORT  
(Secretariat and Rapporteur)**
- 10.30 – 11.00 hrs - Tea/Coffee Break
- 11.00 – 13.00 hrs - **CONSIDERATION OF THE DRAFT REPORT**
- 13.00 – 14.30 hrs - Lunch Break
- 15.00 hrs - **ADOPTION OF THE REPORT**