

East African Suswatch participants' Communiqué on EAC integration Course from 9th -13th, November, 2009, Nairobi, Kenya.

Preamble

Recognizing the efforts by the East African Countries with the key objectives to develop policies and programs **aimed at widening and deepening cooperation among the partner states political, economic, social and cultural fields, research and technology, defense and legal judicial affairs for the mutual benefits in Article 5 (1).**

Whereas the **enhancement and strengthening of partnerships with the private sector and civil society in order** to achieve a sustainable social and economic development in (Article 5 (3) (g))

Whereas the partner states agreed **to provide enabling environment for the private sector and civil society to take full advantage of the community.** To this end, the partner states undertake to formulate a strategy for the development of the private sector and to:

Promote continuous dialogue with the private sector and civil society at the national level and that of the community to help to create an improved business environment for the implementation of agreed decisions in all economic sectors as stated in (Article 127 (1)(a))

The partner states agreed to promote **enabling environment for the participation of civil society in the development activities within the community and the secretariat general shall provide the forum for consultation between the Private Sector, Civil Society Organizations, other groups interest groups and appropriate institutions of the community as stated in Article 127(3&4).**

The granting of observer status with respect to the community shall: In case of inter-governmental organizations, be the prerogative of the council as stated in Article 3(5)(b.)

Whereas the treaty emphasis participation of civil society, this is not yet achieved and we call for Observer status Civil society participation in Community affairs as provided for in the Treaty

Whereas there is institutional framework and structures we need to address the following gaps

1. **Observer status:** The observer status as in Article 3(8) Of the procedures for granting observer status in the EAC does not placed obligation on part of the community to process CSOs application on timely manner as no time limit specified in the Annex

Under Article 127 of the Treaty the importance of CSOs to participant in activities of community was not only acknowledged but in fact expected to play a role in the activities of the community. **Paragraph 3 in particular, oblige partner states to create enabling environment for the purposes and directs the Secretary General in paragraph 4 to provide a forum for consultation.** Our understanding is that **Civil Society Organizations** or the Secretary General can initiate the process; to date the Secretary General **has not done that, so it's in carpet upon as to initiate this process and call upon the Secretary General to provide the forum for consultation.**

2. **Legislative gap:** The assembly should play a more significant role in the strategic direction of the community. We don't feel then present Treaty provision makes this possible. We feel the amendments in this organ is required to enable it play that role. However, **increased responsibility of the assembly should find its legitimacy in the manner in which the members are elected. We therefore recommend that the Elections of members of the Assembly by universal suffrage as opposed to partner states electing members of the Assembly from among its members as stated in Article 50(1).**
3. **Institutional restructuring:** Institutions are not properly restructured to handle the common market we recommend for **institutional restructuring and reform in accordance with Article 76 (3) of the Treaty.**

Recommendations to Civil Society Organizations

1. More training of CSOs is needed at both Local, National and Regional level.
2. Start a process of consultation with Secretary General at our National level
3. Access to information and dissemination to a wider community
4. Form sub-committees to address EAC affairs in the in the Suswatch Network at National and Regional level.

We the undersigned

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