



**MINISTRY OF EAST AFRICAN COMMUNITY (EAC), LABOUR AND SOCIAL
PROTECTION
STATE DEPARTMENT OF EAST AFRICAN COMMUNITY INTEGRATION**

IN PARTNESHIP WITH



**East Africa Civil Society
Organisations' Forum**

*Strengthening Civil Society in the
Integration Process*

NATIONAL DIALOGUE COMMITTEE MEETING

DATE: 15TH MARCH 2017

VENUE: LAICO REGENCY HOTEL

SUPPORTED BY TMEA – KENYA COUNTRY PROGRAM



1.0 INTRODUCTION

The meeting was attended by dialogue parties from various sectors. The Private sector was represented by Shippers Council of East Africa (on Behalf of KEPSEA) and Association of Professionals in East Africa. The Civil Society were represented by EACSOF Kenya, East Africa Youth Network, Sauti ya Jamii, CUTS Kenya, Collaborative Centre for Gender and Development, and EAC Youth Ambassadors. The Government was represented by State Department of Gender Affairs, State Department of East African Community Integration, and Office of the Attorney General, State Department of Veterinary, State Department of Youth Affairs, State Department of Environment and the National Youth Council. The Chief Guest for the event was Ms. Betty Maina (Principal Secretary, State Department of East African Community Integration).

The **expected outputs** of the meeting included:

1. Documented strategies for enhancing inclusion of more citizens in the national dialogue
2. Documented strategies or mechanisms for implementation and monitoring of the CDF at the national level

1.1 Opening remarks

1.1.1 Director Social Affairs, Dr. Alice Yalla

In her introductory remarks, Dr. Yalla thanked the Principal Secretary Ms. Betty Maina for getting time out of her busy schedule to attend the 3rd National Dialogue Committee to support the initiative. She noted that Kenya has held two National Dialogue Forums to discuss national agenda geared for the Secretary General's Forum which have been successful.

She informed the meeting that, with devolution all policies being developed have to be domesticated for implementation at the county level hence the need to involve the county government. In this regard she advised EACSOF and other stakeholders to cascade their programmes to the grassroots level to

ensure adequate participation from the lower pyramid of the society. Strengthening the membership of EACSOFF should also target to ensure inclusion of several networks and organizations at the local level. She informed the meeting that the SDEACI has been engaging and will continue to engage the Council of Governors as one of the most important stakeholders in the EAC integration agenda to ensure the dialogue process get to the grass root level. In conclusion, she thanked Trademark East Africa for the continued support to the Dialogue process through EACSOFF.

1.1.2 Opening Remarks by the Principal Secretary State Department of EAC Integration, Ms. Betty C. Maina

She welcomed the Dialogue Parties to the meeting and thanks them for keeping the spirit of EAC integration alive and people driven and appreciated TMEA for its continued support to NDC Programmes and activities in Kenya and the region. The PS noted the major achievement of the CDF since inception in 2013, including 4 EAC Secretary General's forums in Dar es Salaam, Nairobi, Entebbe and Dar es Salaam in which key regional integration policy related recommendations were made. In particular she singled out as a major milestones the lobbying for the reduction of the roaming charges for mobile telecommunication which has resulted in the lowering the cost of doing business between Kenya, Rwanda and Uganda;

At national level the PS noted that NDC have held two National Dialogue forums which contributed greatly to the EAC Secretary's Forum agenda in 2015 in Kampala and 2016 in Dar es Salaam;

Besides the above, EACSOFF who are the current chair of the NDC has concluded a baseline study in Mombasa, Kwale and Kilifi counties which aims at identifying possible synergies among County Government, Private Sector and CSO in the implementation of the Port Community Charter and Port Reform initiatives; and has initiated a process to develop a framework for engagement between EALA and CSOs as well as a regional legislation on CSO operating space as a follow up to the recommendations of the 4th SG Forum.

On trade matters, the PS challenged to the Dialogue Parties to develop more innovative projects and programmes that have positive impact on the people they represent especially those who are involved in cross border and intra-EAC trade to ensure that they understand the EAC trade rules and regulations. She further emphasized the need for innovation and product diversification to

ensure Partner States do not continue dealing with traditional products and services that tend to create unhealthy competition. She called on the private sector to invest more in product development in order to keep a competitive edge.

The PS noted that it is instructive that the Dialogue Parties fully understand their roles so that they can execute them effectively and in so doing help to achieve Kenya's foreign policy objectives of projecting, promoting and protecting national and regional interests and image globally through innovative diplomacy, and contribute towards a just, peaceful and equitable world.

In her concluding remarks the PS appreciated the technical and financial support being given to two IIDEA projects so far approved for pilot in Kenya namely - ClinPesa by CreativeDNA Ltd and the women cross border on-line trade information platform by Sauti East Africa Ltd. she wished the meeting fruitful deliberations.

1.1.3 Remarks by the President of EACSOF, Mr. Morris Odhiambo

In his opening remarks, Mr. Morris Odhiambo appreciated the Principal Secretary State Department of EAC Integration Ms. **Betty Maina** for attending the NDC meeting and the ministry's continued collaboration with the CSOs and PSOs and also applauded the Director of Social Affairs Dr. Alice Yalla for the useful advice given to EACSOF and NDC since inception. He acknowledged that EACSOF Kenya has made substantial progress toward achieving its mandate by working closely with all the stakeholders and development partners. He noted that the idea of having the council of governors on the dialogue platform should be actualized as it has been discussed in other forums. He reported that CSOs had been engaging in discussions on matters to do with civic space with East African Community. A little bit of squeezing of civic space within the region has been experienced, therefore some of platforms that citizens have used before to express their concerns are going through turbulent times. He informed the meeting that discussions have been held on how citizens can positively engage with the Partner States in the region to

explore modalities arriving at a consensus. He further noted that civic space has been challenged due to slow uptake when it comes to resolutions and slow transitions from resolutions.

1.1.4 STATUS OF IMPLEMENTATION OF POLICY RECOMMENDATIONS OF THE SG FORUM

Civil Society (EACSOF Kenya Coordinator – John Owegi)

There have been several consultations around the CDF within East Africa secretary general forums whereby quite a number of items have been taken up as policy recommendations and been presented and adopted by the EAC SG's Forum. EACSOF Kenya in collaboration with SDEACI and supported by TMEA assisted with the operationalization of the NDC which was followed by the Launch of the NDF in 2015. In the presentation Mr. Owegi highlighted efforts made to develop a Regional CSO Bill to harmonize legislations on Civic Space whereby EACSOF with support from Westminster Foundation for Democracy (WFD) commissioned a policy focused research on the Legislative Environment for Civil Society Organizations in the East Africa region. EACSOF has recently concluded a study in Mombasa, Kwale and Kilifi, which aimed to identify among other things ways in which county governments, PSOs and CSOs can build synergies in the implementation of the Port Community Charter and the Port Reform Initiatives. EACSOF Kenya is also working with other Mombasa CSOs to ensure facilitation of citizen participation in the Port.

Challenges in implementation of the CDF that were presented included; limited resources to take up more initiatives and inclusion of more stakeholders in the national dialogue process, limited partnership between CSOs & PSO and among CSOs themselves to maximize on benefits, challenges in engagement with most government agencies, limited interest in EAC matters by key stakeholders and limited awareness by stakeholders in EAC opportunities. Proposed strategies include inclusion of CoG in the National Dialogue process so that during the next forum, they are at the centre of discussions, Work with existing Thematic

Networks to ensure adequate representation of different groups in the NDFs, building synergy with other Stakeholders to engage in annual Presidential Roundtable and holding annual consultative forums with EALA Kenya Chapter on regional issues. *See Annex 2 for details)*

2.1.2 Presentation on the Private Sector by Mr. Agayo Ogambi of KEPSA

Mr. Agayo Ogambi appreciated the role of the CDF in the EAC integration agenda and applauded the Development Partner who has continued to support the process by funding the SG forums since inception. He called on the CSOs to develop a blue print of issues that can be handled jointly with the Private Sector both at national and regional level. He further highlighted the need for instituting frame work for monitoring the implementation of CDF recommendations. Further proposed that the CDF dialogue be taken to a higher level of engagements to the Presidential Roundtable but with clear Key Performance Indicators be achieved by the CSOs.

He also highlighted the fact that EAC region constitutes the largest Kenya's export Market hence the need for Kenya to continue positioning itself as a preferred source of innovative products and services in the region. He however cautioned that Kenya's exports are facing challenges from imports from China and therefore Kenya needs to look on how to address this challenge. Companies are also relocating to the region affecting the market. Some of issues at last 4th EAC SGs Forum were also highlighted. Trade Issues of Concern were highlighted such as issues of NTBs, double taxation, dispute settlement mechanisms, tax administration, Single Customs Territory (SCT), Non-recognition of Standards and professional qualifications, Prevalence of illicit trade within the EAC region creating unfair competition.

Further, he reported that the analysis on implementation of the 1st, 2nd and 3rd SG's Forum reveal that out of the seventy six (76) recommendations on 22 (28%) were fully implemented, 36(48%) were partly implemented, 14(19%) were not implemented while 4 recommendations lacked update. He recommended that there is need to ensure at least 50% of the recommendations are implemented. The presentation went ahead to highlight some of the opportunities that exist for PSOs such as; Oil Discovery, One stop Boarder Posts, Strong Private Sector, With over 140million population and the fastest growing trade block after the European Union, The renewal of AGOA further offers the region ten more years to access the US market on duty free quota free basis, Infrastructure development – Port Expansion /Port Charter and the SGR. (See *Annex 3 for details*)

2.1.3 Consultative Dialogue Framework (CDF) implementation tools by – Joyce Kevina Abalo, Senior Advisor, support to the EAC Integration - GIZ East Africa -Arusha

Ms. Joyce Abalo thanked the Republic of Kenya for convening the NDC meeting and taking the EAC integration Agenda under the CDF very seriously. She noted that the Consultative Dialogue Framework (CDF) is anchored under Article 127(4) of the Treaty & provides a framework for a structured dialogue between the East African Community, its Organs & Institutions with the Private Sector, Civil Society Organizations and other Interest Groups. She informed the meeting that the principles enshrined in the Treaty for the establishment of the EAC under Article 128 and 129. The CDF aims at ensuring that the integration process proceeds with the involvement of the citizens of the EAC Partner States and is undertaken in the context of multi-stakeholder partnerships with the objective of widening and deepening co-operation among the Partner States in- political, economic, social, cultural,

health, education, science and technology, defence, security, legal and judicial affairs.

She noted that the activities of the CDF culminate to the Annual Secretary General's Forum which brings together stakeholders from the Civil Society, Private Sector, and other Interest groups. In addition, she reminded the participants of the key achievements of the CDF which includes the development and adoption of the EAC Youth Policy 2013, EAC Policy on Persons with Disabilities 2012 and the EAC Social Development Framework, enactment and advocacy for the EAC HIV/AIDS Prevention and Management Bill 2012, Establishment of the EAC Youth Ambassadors Platform, establishment of a women in Business Fund by the African Development Bank which was initiated by the East African Business Council (EABC).

She concluded by noting that lack of a structured financial support strategy to the implementation of the CDF by the dialogue Parties, poor dissemination of the CDF to all stakeholders, inadequate involvement of the PSOs and CSOs in the planning processes at national and regional level were some of the challenges with regards to CDF. *(The full presentation is attached as Annex 4)*

3.0 INCUBATOR FOR INTEGRATION AND DEVELOPMENT IN EAST AFRICAN (IIDEA) PROJECT

3.1 IIDEA project overview

The project concept was developed by the EAC Regional Dialogue Committee under the Consultative Dialogue Forum (CDF) in which Kenya is represented by SDEACI, KEPSA, the Youth and Civil Society Organization.

IIDEA incubates small-scale regional integration projects which are proposed and implemented by the Youth, Women, Civil Society, Private Sector, and other

interest groups in East Africa. It is cross border in nature, with projects expected to benefit citizens of at least two Partner States. Technical and financial support is provided for professional planning, implementation and marketing of IIDEA projects by GIZ, the lead development Partner. An innovative IIDEA project is one which puts to action and showcases the success stories of the implementation of the EAC Common Market Protocol provisions such as the free movement of persons, labour, goods, capital and the rights of establishment and residence in East Africa. The specific objectives of the IIDEA are:- to identify and incubate small scale innovative regional integration projects; to communicate integration opportunities resulting from the implementation of the EAC Common Market; and to establish a platform for sharing practical results and success stories of the EAC citizens on the Integration. *(The full presentation is attached as **Annex 5**)*

3.2 Sauti Africa IIDEA presentation

The presentation was done by Ms. Julia Lipowiecka, the CEO of Sauti East Africa Limited who informed the meeting that, Sauti Africa is an award winning social enterprise that recently emerged the best overall out of the 100 applications for the prestigious EAC-GIZ Incubator for Integration and Development in East Africa (IIDEA) competition. In this regard, Sauti will get financial and technical support from GIZ to implement the project in Kenya and Uganda jointly with East African Sub-Regional Support Initiative for the Advancement of Women (EASSI).

Sauti East Africa Limited have partnered with the East African Sub-Regional Support Initiative for the Advancement of Women (EASSI) to develop a mobile based trade information and social accountability platform for small and medium sized enterprises (SMEs) engaged in cross- border trade within the East African Community. The project is being supported by GIZ East African under IIDEA project. The project will be piloted between Kenya and Uganda

before being rolled out in the entire EAC region. *(The full presentation is hereto attached as **Annex 6**)*

4.0 PLENARY AND DISCUSSIONS

- ✚ The meeting expressed concerns over the need to involve the Council of Governors (CoG) in the Consultative Dialogue Forums. The State Department of EAC Integration responded and informed the meeting that it has initiated the process of engaging the CoG. The NDC underscored the importance of engaging the CoG to ensuring ownership of regional integration development agenda that requires implementation at county level. The meeting resolved that the NDC will work closely with the Secretariat of the CoG for coordination purposes;
- ✚ Issue of women representation in the dialogue meetings also rose as an important area to be considered during dialogue process since they understand challenges in their respective field of trade within EAC. In this regard, it was resolved that the NDC need to ensure that more institutions representing interests of women are brought on board for in the CDF;
- ✚ The youth ambassadors highlighted the need for the follow up on implementation of East Africa Youth Policy Action plan which was developed in 2015 since not much not been done to implement it ;
- ✚ The meeting noted that the EAC relies mainly on donor support to implement CDF since it does not have adequate funds. To this end the EAC was urged to develop a comprehensive resource mobilization strategy for implementation of the CDF to ensure sustainability;

- ✚ The Dialogue parties were urged to develop realistic and time-bound policy recommendations that have impact at the grassroots level. In addition, national-level parties need to agree on few annual agenda that all dialogue parties will direct all their resources to ensure adoptions and implementation. It was also agreed that there is need for evidence-based agenda with clear statement of the problem, and possible impact;
- ✚ There was a proposal to escalate the NDC up to Presidential Roundtable level. In response to the same the SDEACI informed the meeting that it has participated in other round table meetings through the three departments (Social Protection, Integration and Labour). In this regard, EACSOFF may identify thematic areas and engage through the available windows.

5.1 KEY RESULTS AND WAY FORWARD

No.	ACTIONS
1.	The NDC to engage the Council of Governors (through its National Secretariat) in all national dialogue forums for purposes of ensuring that all the 47 counties participate in the national agenda setting. Clear milestones and indicators of success will be developed for monitoring
2.	NDC to develop a framework for uptake of resolutions to be acted upon by Sectoral Councils
3.	GIZ East Africa will support the NDC to develop an implementation tool and framework for CDF at the national level
4.	CSOs to develop a short-term Blue-Print clearly indicating key issues/areas, expected results, and specific actors to be engaged. This will enable CSOs have organized way of engaging in policy advocacy at the national level
5.	NDC to carry out an Audit of the EAC Integration process (Treaty, Protocols, and Council Decisions and develop a comprehensive M&E framework to assess the status implementation of the same.
6.	Develop targeted messages for respective constituents (youth, Traders, CSOs, KEPSSA, Women on EAC integration process
7.	Dialogue parties need to identify and implement national level initiatives in their areas of interests.
8.	NDC should develop a comprehensive M&E framework to monitor implementation of programme

9.	The SG Forum Agenda should be inclusive and relevant to contemporary issues affecting the common person/Traders/professional etc.
10.	CDF should ensure the programmes are citizen centred for impact at grass root level