

Regional Integration amidst a Pandemic: Covid-19 and the East African Community

By Assoc. Prof. Kasaija Phillip Apuuli¹

The 2019 United Nations Economic Commission for Africa's (UNECA) Africa Regional Integration Index (ARII) ranked² the East African Community (EAC) as the most integrated Regional Economic Community (REC) in Africa with a score of 0.537 out of 1. The integration dimension in which the EAC excelled most was in the free movement of people.³ Since the late 19th Century, the East African region has undertaken measures to enhance integration. Integration has been defined as 'a process by which the actors concerned begin to voluntarily to give up certain sovereign powers and evolve new techniques for tackling common problems and resolving mutual conflict'.⁴

Four distinct phases can clearly be discerned in East Africa's integration process.⁵ First, was the building of the Uganda Railway beginning in 1896. The second phase involved the creation of the East African Common Market which started in 1900 culminating in the formation of the East African Common Services Organization (EACSO) in 1961. The third phase which started in 1961, culminated in the signing of the East Cooperation Treaty in December 1967, thus establishing the East African Community (EAC) that collapsed in 1977 due to

inter alia ideological differences between the three partner states of Kenya, Tanzania and Uganda. The fourth and final phase began with the 1984 signing by Kenya, Tanzania and Uganda of the 'Mediation Agreement for the Division of Assets and Liabilities of the former Community' under which the parties agreed to explore areas of future cooperation and to work out concrete arrangements for such cooperation.

The revival of the current EAC that began in October 1999, culminated in the signing of the Treaty for the establishment of the EAC on 30 November 1999. Since then, institutions such as the Secretariat, the East African Legislative Assembly (EALA) and the East African Court of Justice (EACJ) among others have been set up and are functioning. The EAC Treaty declares that 'the partner states undertake to establish among themselves a customs union, common market, monetary union and ultimately a political federation'.⁶ Thus, the Customs Union and Common Market Protocols came into force in 2005 and 2010 respectively. The introduction of the Customs Union and Common Market has led to the expansion of intra-regional trade, although at 20% it is still low compared with other RECs like the South African Development Community (SADC) which is at 46 percent.⁷ According to the International Monetary Fund (IMF), between the years 2000–2010, intra-regional exports between Burundi, Kenya, Rwanda,

¹ Associate Professor Kasaija Phillip Apuuli (DPhil, Sussex), Department of Political Science, Makerere University Kampala.

² See UNECA, Africa Regional Integration Index Report 2019, <https://www.uneca.org/sites/default/files/PublicationFiles/arri-report2019-fin-r39-21may20.pdf> (accessed 29 September 2020).

³ Ibid.

⁴ E.B. Haas, *The Uniting of Europe* (2nd edtn.), Stanford: Stanford University Press, 1968, p. 11.

⁵ See EAC, *Perspectives on Regional Integration and Cooperation in Africa*, Proceedings of the 1st Ministerial seminar on East African Cooperation, Arusha, 25-26 March 1999, pp. 21-22.

⁶ Article 5(2).

⁷ EAC, *Intra-EAC Trade still very low*, says EAC Official, Arusha, 6 December 2018, <https://www.eac.int/press-releases/157-trade/1316-%20intra-eac-trade-still-very-low,-says-eac-official>

Tanzania, and Uganda tripled—from nearly \$700 million to nearly \$2 billion.⁸ Also, tariffs for EAC members in general have fallen substantially being cut from an average of 26.1 percent in 1994 to an estimated 9.2 percent in 2011.⁹ The Protocol on the Establishment of the East African Community Monetary Union (EAMU), was signed in 2013, and envisages the use of a common currency by the partner states by the year 2024. It is against this background that the COVID-19 pandemic struck the region.

COVID-19 pandemic

The World Health Organization (WHO) declared the Corona Viruses Infection Outbreak a public health emergency of international concern on 30 January 2020. Subsequently, it declared it a pandemic on 11 March 2020. By the end of March 2020, the EAC region had reported 172 cases of COVID-19.¹⁰ As a result, the EAC Secretariat drafted a regional COVID-19 response plan. This was in recognition of the EAC Treaty (1999) (as amended) provision which provides that ‘partner states shall cooperate in health matters including ... taking joint action towards ... the control [of] pandemics ... that might endanger the health and welfare of the residents of the Partner States ...’ The regional response plan aims at inter alia ‘ensuring a joint and well-coordinated mechanism to fight COVID-19 in the region; facilitating the movement of goods and services; minimizing the number of people who become infected or sick of COVID-19; minimizing morbidity and mortality from the COVID-19; ensuring that the region has adequate capacity for surveillance, case detection and management; and mitigating fundamental impacts of the pandemic on the vital economic and social sectors of the EAC region, including sufficient supply of essential food, keeping businesses afloat especially Micro, Small and Medium Enterprises (MSMEs), maintain employment, adapt and re-orient businesses, promote and utilize locally made products as much as possible, as part of the response plan.’¹¹

As part of the practical measures to respond to the pandemic regionally, the EAC undertook a number

of activities including, training of EAC laboratory experts (1 from each partner states); procured 9 mobile laboratories for the partner states; provided each partner state with 100 test kits for COVID-19; and developed EAC administrative guidelines to facilitate the movement of goods and services in the region.¹² Notwithstanding these measures however, each partner state adopted its own national strategy to combat the pandemic. For example, while Uganda and Rwanda imposed total lockdowns, Kenya and South Sudan went for partial lock-downs. On the other hand, life in Burundi and Tanzania continued as normal. In fact, Burundi held general elections in May 2020. The question is: Why have the partner states not adopted a common strategy to combat the pandemic? The fact is that in recent times, the COVID-19 pandemic has only highlighted the existing cracks in the EAC integration process. Two examples will suffice: the worsening relations between some partner states due to unresolved grievances; and the implementation of protocols relating to free movement of goods, persons and services.

Relations between partner states

Before the COVID-19 pandemic struck the region, several partner states were at loggerheads due to unresolved grievances. For example, the Rwanda and Uganda relations hit rock bottom at the start of 2018. Kigali leveled several accusations against Uganda including: Ugandan security agencies targeting for deportation Rwandans living in Uganda, and Rwandan rebel outfit called Rwanda National Congress (RNC) led by renegade General Kayumba Nyamwasa recruiting in Uganda with the aim of destabilizing Rwanda.¹³ Uganda in turn accused Rwanda of meddling in its internal affairs including infiltrating its security.¹⁴ Both countries have denied accusations against them. Several meetings including summit meetings between Presidents Kagame and Museveni under the mediation of Angola, are yet to resolve the issues. Meanwhile, the common border between the two partner states remains closed.

Burundi-Rwanda relations began to sour in 2013 when Rwanda accused Burundi of hosting the Democratic Forces for the Liberation of Rwanda

8 IMF, Trade in East Africa: Finance & Development, vol. 48, no. 4 December 2011, <http://www.imf.org/external/pubs/ft/fandd/2011/12/data.htm>

9 Ibid.

10 See EAC, EAC COVID-19 Response Plan, Arusha, 27 April 2020, p. 6. The breakdown was as follows: 70 (Rwanda); 50 (Kenya); 33 (Uganda); 19 (Tanzania) and 2 (Burundi).

11 Ibid. pp. 7-8.

12 Ibid. pp. 8-9.

13 Charles Mwanguhya Mpagi and F. Musisi, ‘Rwanda, Uganda relations souring amidst claims of arrests, deportations’, The East African, 1 September 2018, <http://www.theeastafrican.co.ke/news/ea/Rwanda-Uganda-relations-sourcing/4552908-4738872-p7pm93/index.html>

14 A. Green, ‘Renewed tensions between Uganda and Rwanda will ripple across East Africa’, World Politics Review, 7 May 2018, <https://www.worldpoliticsreview.com/articles/24678/renewed-tensions-between-uganda-and-rwanda-will-ripple-across-east-africa>

(FDLR) insurgents who hitherto had been based in DRC.¹⁵ Relations worsened following the late President Nkurunziza's decision to run for a third term leading to many of his critics in Burundi to flee to Rwanda.¹⁶ In June 2018, it is alleged the Burundian security forces and their proxies launched an armed attack in Nyabimata Sector of Rwanda's Southern Province.¹⁷ Rwanda also accused Burundi of imposing a blockage of the movement of goods and passenger vehicles across the border, which it says violates the EA Common Market Protocol.¹⁸ Statistics from the Rwanda Institute of Statistics shows that neither Rwanda nor Burundi has imported or exported to the other for several years.¹⁹

Implementation of economic protocols

Article 104 of the EAC Treaty provides for the free movement of persons, labor, services and right of establishment and residence. This article has been buttressed by Article 7 of the Common Market Protocol which spells out the details of these rights. Due to the fear of the spread of COVID-19, partner states tightened controls of their borders. For example, with regard to the free movement of services, Tanzania and Kenya banned each other's airlines from operating in their territory although the issue seems to have now been resolved. Nevertheless, the problem surrounding the implementation of the Common Market, is for example highlighted by the issues of the free movement of labor and goods. The Common Market allows workers from any partner state to accept

employment, including social security benefit, within any other EAC country without being discriminated against on the basis of their nationality.²⁰ However, it has been observed that 'some partner states have put in place stringent measures-and fees- that make it difficult for the free movement of both skilled and unskilled labor'.²¹

Conclusion and recommendation

Whilst the EAC region has been declared as the most integrated in Africa, the COVID-19 pandemic has exposed the hollowness of this assertion. The COVID-19 pandemic has widened the cracks in the integration arrangement which already existed before, in the areas including the implementation of the economic protocols. To bridge the cracks, the region needs to reset the integration agenda by for example, doing the following:

- Resolve their political differences that have hitherto stymied cooperation; and
- Implement the EAC Treaty and the Protocols concluded in various areas in good faith, including the EAC COVID-19 Response Plan.

In the end, the Corona virus pandemic does not respect national boundaries, and thus provides an opportunity for the partner states to evolve a regional solution to the problem. This is exactly what the framers of the EAC had in mind when they embarked on the regional integration journey.

¹⁵ The Conversation, 'Burundi and Rwanda: a rivalry that lies at the heart of Great Lakes crises', 15 August 2016, <http://theconversation.com/burundi-and-rwanda-a-rivalry-that-lies-at-the-heart-of-great-lakes-crisis-63795>

¹⁶ Ibid.

¹⁷ I.R. Mugisha, 'No end to Rwanda-Burundi spat', The East African, 25 August 2018, <http://www.theeastafrican.co.ke/news/ea/No-end-to-Rwanda-Burundi-spat/4552908-4728838-huhf8w/index.html>

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Article 10.

²¹ Dicta Asiimwe, 'Partner states sabotaging spirit of Common Market', The East African, 9 October 2018, <https://allafrica.com/stories/201810100555.html>