

# Institutional Balance in the East African Community

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# The East African Community

- Challenges
  - Poor governance
  - Inadequate legal and institutional framework
  - Poor public participation
- Causes: Institutional imbalance
- Intergovernmental organisation vs. political federation

# Question

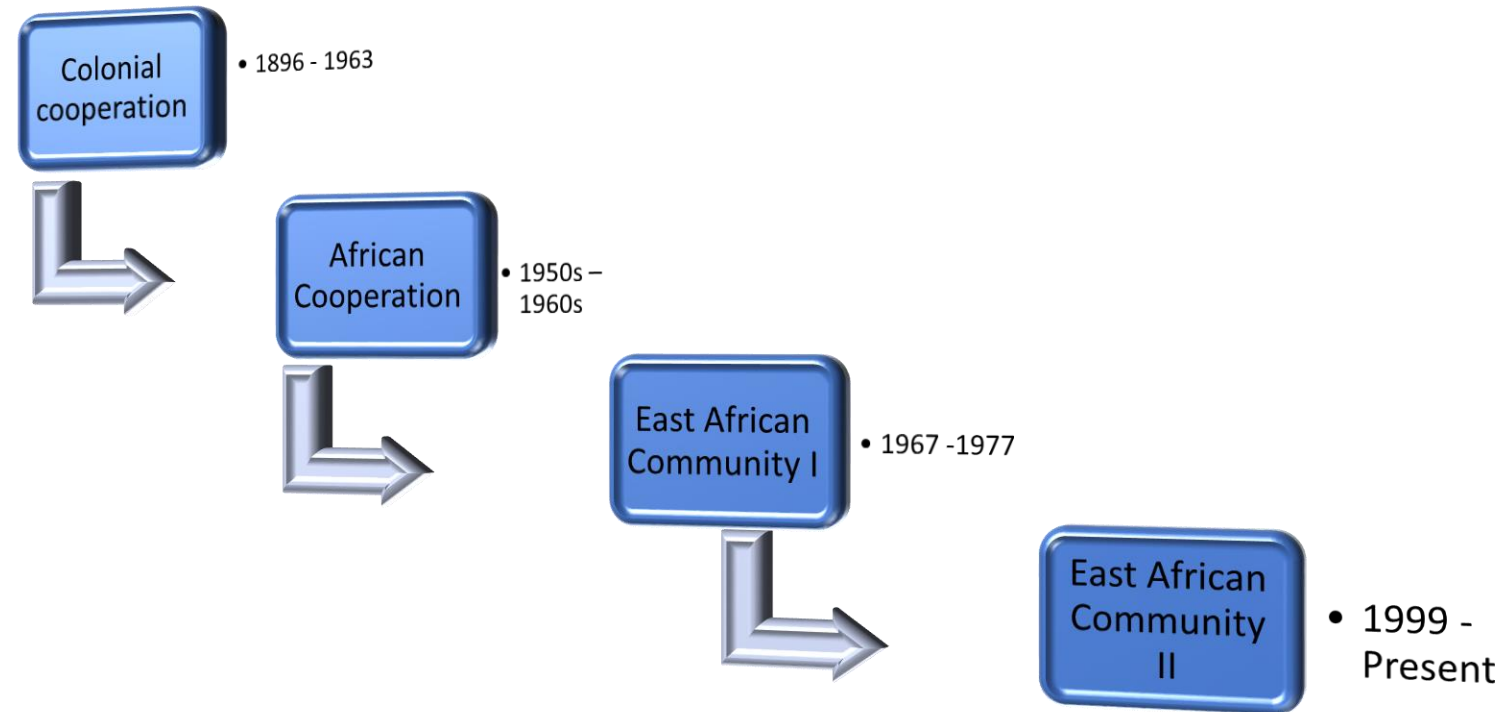
- What institutional modification is necessary to allow for a balance of powers between the executive and legislative organs of the Community to ensure effective political union?
- Structure: EAC Context, definition of concepts, EU-EAC institutional design, Lessons, Conclusion

# Partner States

- Uganda
  - Tanzania
  - Kenya
  - Rwanda
  - Burundi
  - South Sudan
- 1999
- 2007
- 2016



# History of East African Integration

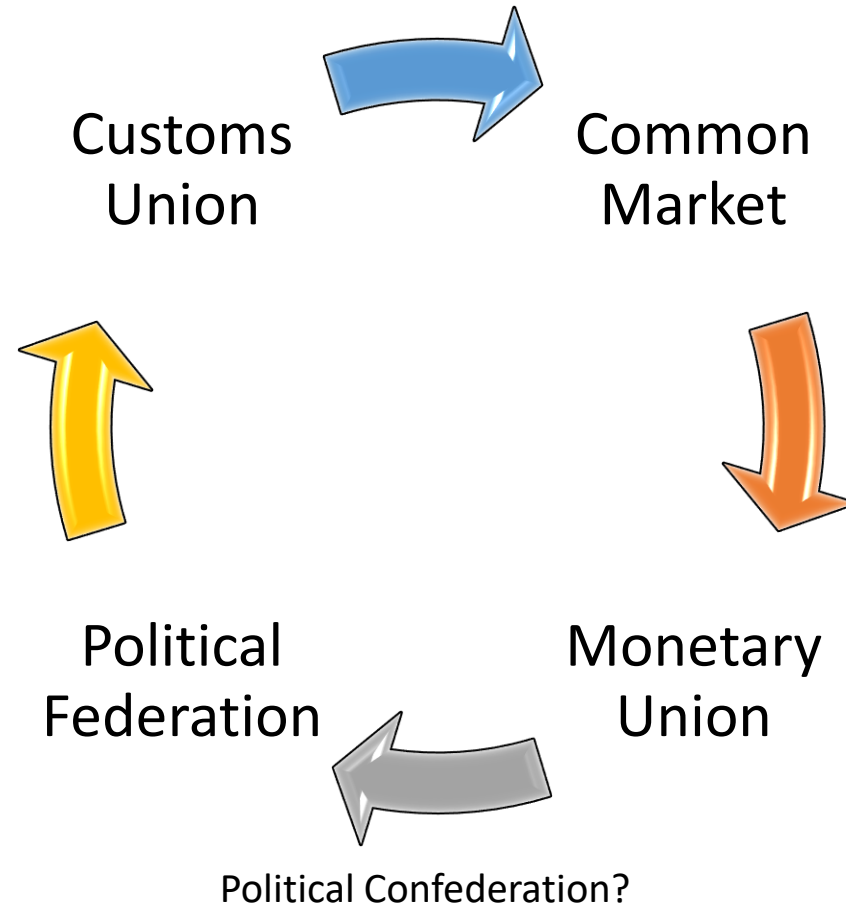


# Objectives of the EAC

- Art 5 (1)

“...to develop policies and programmes aimed at widening and deepening co-operation among the Partner States in political, economic, social and cultural fields, research and technology, defence, security and legal and judicial affairs, for their mutual benefit.”

# Objectives...



# Federal and Confederal Approach

- Federal political culture:

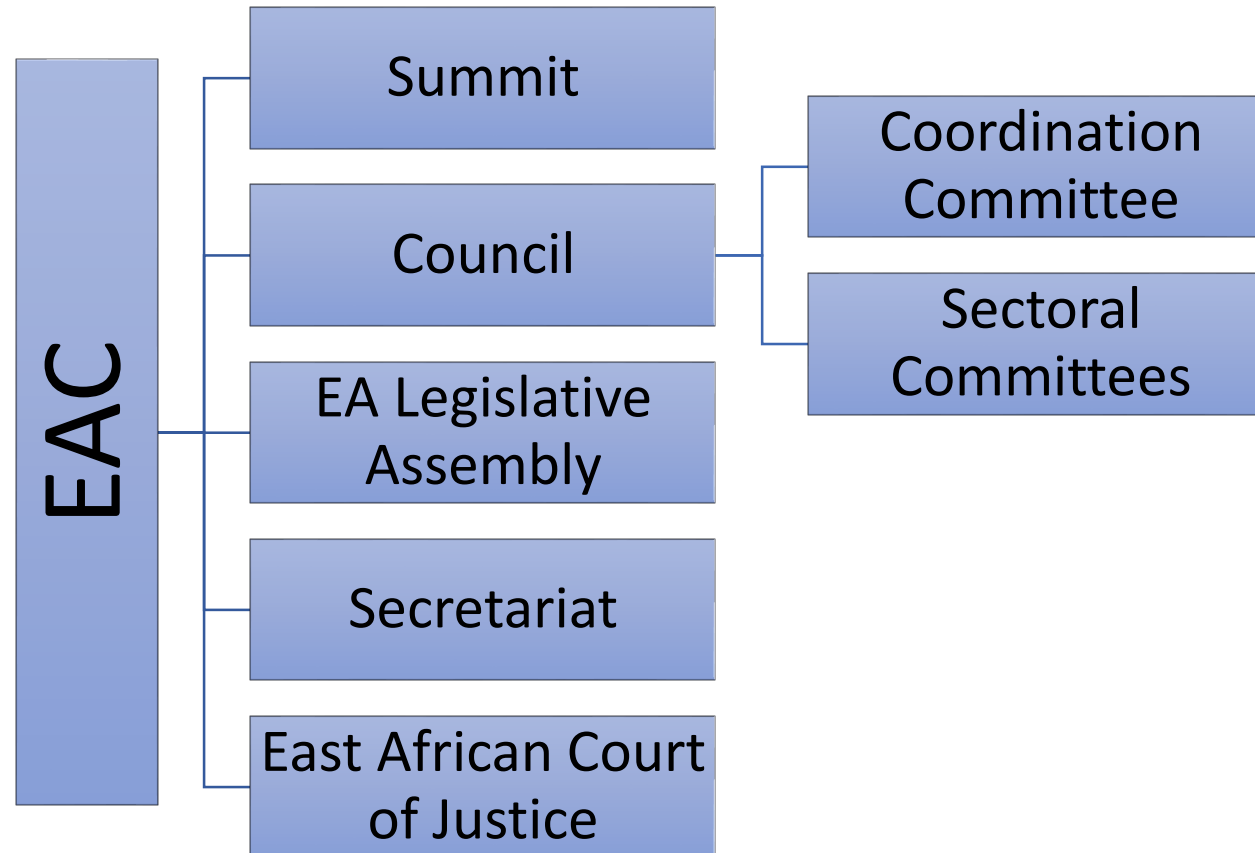
‘orientations toward the political processes based on a simultaneous loyalty to, respect for, and participation in **more than one order of government and more than one territorial community.**’

- Confederation:

‘a constitutionally structured union between states in which these **states transfer the exercise of significant public authority** wholly or partially **to a central authority, without taking away the core of the entities’ individual sovereign status.**’

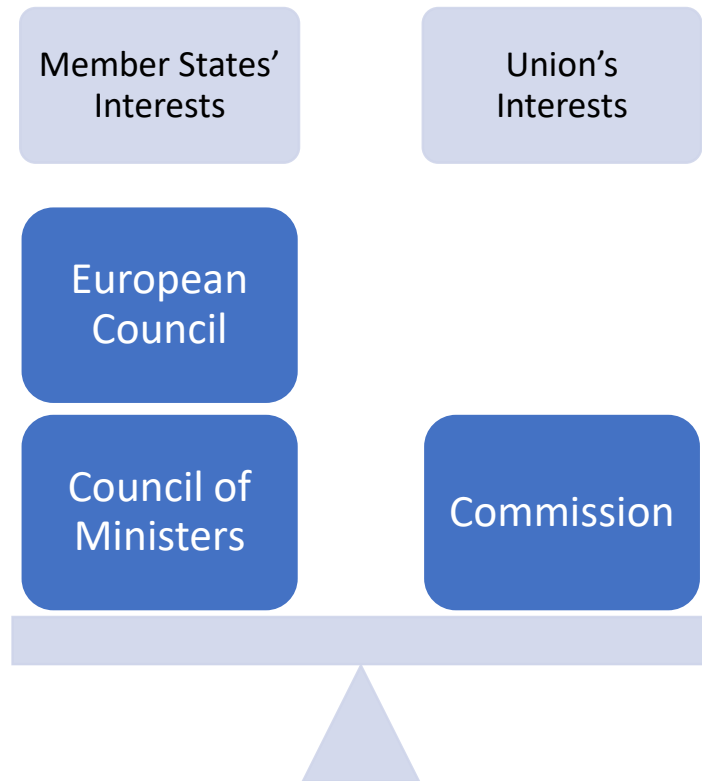


# Organs of the Community

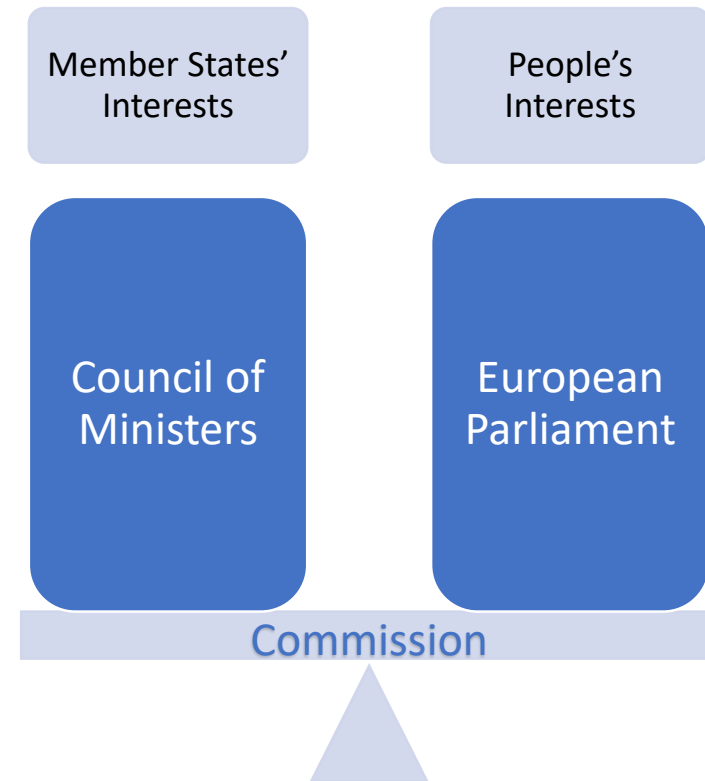


# European Union

## Executive

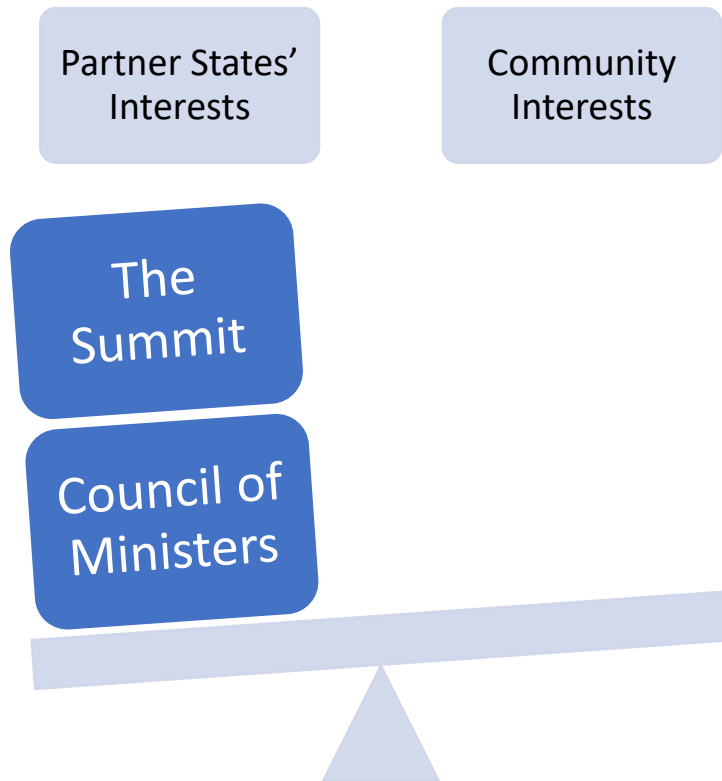


## Legislative

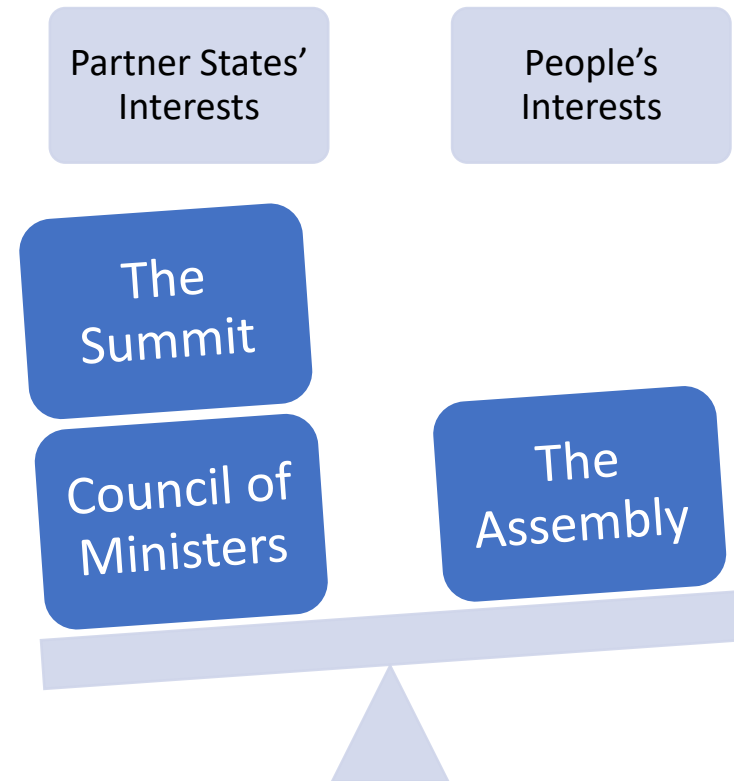


# East African Community

## Executive



## Legislative



# Conclusion

- Clarification on what the specific legislation should deal with.
- Increase role of the Assembly in secondary legislation passed by the Council.
- Addresses problems of visibility, indifference and lack of implementation in a confederation and federation.
  
- Elections and representation?
- Direct elections best suited for federation – direct exercise of power
- Confederation – representation of public opinion is still important though direct participation is not paramount.