**ASSESSMENT OF THE IMPLEMENTATION OF THE EAST AFRICAN COMMUNITY (EAC) PEACE AND SECURITY ARCHITECTURE**

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**A DISSERTATION SUBMITTED IN PARTIAL FULFILMENT OF REQUIREMENTS FOR THE DEGREE OF MASTER OF ARTS IN INTERNATIONAL COOPERATION AND DEVELOPMENT (MICD) OFTHE OPEN UNIVERSITY OF TANZANIA**

**2019**

# CERTIFICATION

The undersigned certifies that he has read and hereby recommends for acceptance by the Open University of Tanzania a dissertation entitled, **An Assessment of the implementation of the EAC Peace and Security Architecture.** In partial fulfillment of the requirements for the award of Degree ofMaster of Arts in International Cooperation and Development (MICD).

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Date

# DEDICATION

Firstandforemost,tomydearlylovedparentsMr. RichardMutalindwaandMrs. Georgia Mukajuna for their rearing and nurturing roles. In the second place, to my beloved wife Lucia and my four children Renatha, Liberata, Lucius and Honoratha for their encouragement, patience and calmness that made the academic achievementpossible.

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# ABSTRACT

This study sought to examine the challenges encountered in the implementation of the peace and security architecture for the EAC Region. To this extent the study examined how the architecture evolved, mechanisms adopted to operationalize the same and their effectiveness. Further, the study explores the challengesassociatedwiththecomplianceandimplementationmechanisms,and ultimately suggesting measures intended to address the identified challenges for effective implementation. The study considered various instruments adopted to fast track the process of implementing the said peace and security architecture. Three theories were involved to guide the study: Realism, Neo- liberal institutionalism and Constructivism. The research took a cross-sectional approach involving both primary and secondary approaches and was conducted at the EACHeadquartersinArusha. Questionnairemethodwasusedin collecting datafromrespondents.Inthefinalanalysis,the following were thefindings of the study: lackofshared visionandmissionamongtheEACpartnerstates,financialimplications,pursuit for national interest, lack of commitment by partner states in terms of political will to fulfill joint commitments, mutual suspicion andmistrust, internal division among EAC Partner States, sovereignty concerns, porous borders,andtheabsenceofresponsemechanismwithmandatetorespondduring times of crisis.

Keywords: *East African Community, Assessment, Peace and Security Architecture, Implementation.*

|  |  |
| --- | --- |
|  | LIST OF ABBREVIATION |
| AMISOM | African Union Mission in Somalia |
| AfDB | African Development Bank |
| APSA | African Peace and Security Architecture |
| Art. | Article |
| AU | African Union |
| COMESA | Common Market for Eastern and Southern Africa |
| CPMR | Conflict Prevention, Management and Resolution |
| EAC | East African Community |
| EACWARN | East African Community Early Warning Mechanism |
| EALA | East African Legislative Assembly |
| EASF | Eastern Africa Standby Force |
| ECOSOC | Economic and Social Council |
| ECOWAS | Economic Community of Western African States |
| EU | European Union |
| ICGLR | International Conference on Great Lakes Region |
| NCPRSP | Nyerere Centre for Peace Research Strategic Plan |
| IGAD  MoU | Intergovernmental Authority for Development  Memorandum of Understanding. |

|  |  |
| --- | --- |
| PEP | Panel of Eminent Persons |
| PSC | Peace and Security Council |
| RECs | Regional Economic Communities |
| RECSA | Regional Centre on Small Arms |
| REWC | Regional Early Warning Center |
| SADC | Southern African Development Community |
| SALW | Small Arms and Light Weapons |
| UN | United Nations |
| UNICEF | United Nations Children’s Fund |

TABLE OF CONTENT

[CERTIFICATION ii](#_Toc57008464)

[COPYRIGHT iii](#_Toc57008465)

[DECLARATION iii](#_Toc57008466)

[DEDICATION iii](#_Toc57008467)

[ACKNOWLEDGEMENT iii](#_Toc57008468)

[ABSTRACT iii](#_Toc57008469)

[**LIST OF ABBREVIATION iii**](#_Toc57008470)

[CHAPTER ONE 3](#_Toc57008471)

[1.0 INTRODUCTION 3](#_Toc57008472)

[1.1 Introduction and Background to the study 3](#_Toc57008473)

[1.2 Statement of the Problem 3](#_Toc57008474)

[1.3 Objectives of the Research 3](#_Toc57008475)

[1.3.1 General Objectives 3](#_Toc57008476)

[1.3.2 Specific Objectives 3](#_Toc57008477)

[1.4 Research Questions 3](#_Toc57008478)

[1.4.1 Specific Research Questions 3](#_Toc57008479)

[1.5 Relevance of the Research 3](#_Toc57008480)

[CHAPTER TWO 3](#_Toc57008481)

[2.0 LITERATURE REVIEW 3](#_Toc57008482)

[2.1 Introduction 3](#_Toc57008483)

[2.2 Conceptual Definitions 3](#_Toc57008484)

[2.3 Theoretical Analysis 3](#_Toc57008485)

[2.3.1 Realism 3](#_Toc57008486)

[2.3.2 Neo – Liberal Institutionalism 3](#_Toc57008487)

[2.3.3 Constructivism 3](#_Toc57008488)

[2.4 Empirical Analysis of Relevant Studies 3](#_Toc57008489)

[2.4.1 General Studies 3](#_Toc57008490)

[2.4.2 Studies in East Africa 3](#_Toc57008491)

[2.5 Conceptual Framework 3](#_Toc57008492)

[2.6 Conclusion 3](#_Toc57008494)

[CHAPTER THREE 3](#_Toc57008495)

[3.0 RESEARCH METHODOLOGY 3](#_Toc57008496)

[3.1 Introduction 3](#_Toc57008497)

[3.2 Research Strategies 3](#_Toc57008498)

[3.3 Survey Population 3](#_Toc57008499)

[3.4 Area of Research 3](#_Toc57008500)

[3.5 Sampling Design and Procedures 3](#_Toc57008501)

[3.6 Methods of Data Collection 3](#_Toc57008502)

[3.7 Data Analysis Methods 3](#_Toc57008503)

[3.8 Limitation of the Study 3](#_Toc57008504)

[CHAPTER FOUR 3](#_Toc57008505)

[4.0 RESEARCH FINDINGS AND ANALYSIS 3](#_Toc57008506)

[4.1 Introduction 3](#_Toc57008507)

[4.2 Discussion of the Findings 3](#_Toc57008508)

[4.2.1 Regional Mechanisms on Peace and Security 3](#_Toc57008509)

[4.2.2 How the Mechanisms Operate 3](#_Toc57008510)

[4.2.3 Adequacy of the Mechanisms 3](#_Toc57008511)

[4.2.4 Partner States’ commitment 3](#_Toc57008512)

[4.3 Conclusion 3](#_Toc57008513)

[CHAPTER FIVE 3](#_Toc57008514)

[5.0 CONCLUSION AND RECOMMENDATIONS 3](#_Toc57008515)

[5.1 Conclusion 3](#_Toc57008516)

[5.2 Recommendations 3](#_Toc57008517)

[REFERENCES 3](#_Toc57008518)

[ANNEXTURE 1 3](#_Toc57008519)

# CHAPTER **ONE**

# INTRODUCTION

# Introduction and Background of the Study

The EAC is the intergovernmental regional body composed of the Republics of Uganda, Kenya, Burundi, Rwanda, South Sudan and the United Republic of Tanzania. It emanated from theTreatyforEastAfricanCo-operation signed in 1967 by the three founding Partner States namely:the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, and it was by then known as the East African Co-operation. The establishment of the said Co-operation was prompted by two main factors:strengthening close commercial, industrial and colonial ties enjoyed by the three pioneer countries,and secondly,ambition to jointly control and administer certain matters and services of mutual significance to those three countries (Art. 2 of the Treaty for the East African Cooperation, Rev. Ed.1970).

In the year 1977 about ten years after its establishment, the East African Co- operation collapsed due to various reasons particularly: lack of strong political will, lack of strong participation of the private sector and civil society in the co-operation activities, the continued disproportionate sharing of benefits of the Co-operation among the partner States due to their differences in their levels of development and lastly, lack of adequate policies to address the aforesaid challenges (Paragraph 4 of the Preamble to Treaty for the Establishment of EAC, 1999).

ThedefunctEastAfricanCo-operationwasre-establishedon30thNovember 1999, following the ratification of the EAC Treaty by the original three partner States named above and it changedthenametoEAC.Later,theRepublicsofRwandaandBurundiacceded to the Treaty on18thJune 2007andsubsequentlybecamefullMembers of the Community with effect from 1st July 2007. The Republic of South Sudan became the sixth member of the EAC upon depositing the instruments of ratification on the Accession to the EAC Treaty on05th September2016 in Arusha, Tanzania.

Much as the research topic deals with the concepts peace and security as a combined term, likewise throughout this study the two terms will be treated as symbioticallylinkedand inseparable, despite thefactthetwoconceptsdiffer in meaning when dealt with separately. This approach is compatiblewiththatusedintheTreatyfortheEstablishmentof the EAC, 1999 (the mainfoundationofthisstudy)andtheUnitedNations (UN) Charter, 1945; both the Treaty and the Charter use the terms peace and security almost synonymously as a combined formula, notwithstanding theirdifferent substantive conceptual values.

When the East African Co-operation was being established in 1967, it never contemplated peace and security among the aspects that required common attention of the three Partner States. The Treaty categorically stipulated the objectives for establishing the Co-operation namely: strengthening and regulating trade relations with specific regard to common customs and excise tariffs, the abolition of restrictions between Partner States, the inauguration of a common agricultural policy, the establishment of the East African Development Bank, the co-ordination of economicplanning andtransportpolicy,andtheapproximation of the commercial laws of the Partner States (Art. 2 of the East African Co-operation Treaty).The same trend was later adopted by other Regional groupingsinAfricasuch as theIntergovernmentalAuthorityonDevelopment(IGAD), andtheEconomicCommunityofWesternAfricanStates(ECOWAS).

The ECOWAS, exclusively since its establishment in 1975, devoted its efforts to economic integration among its members. This was reflected in the founding Treaty of Lagos also known as the Treaty of the ECOWAS (Art. 2 of the Treaty) did not mention about peace and security; however, due the rampant engagement in civil wars by most of its members the organization was unable to attain its desired integration objectives. Consequently, it learned how closely intertwined development and security are, and hence compelled torevise its Treaty so as to encompass issues of regional peace, stability, security and conflict management (Minja, 2002).

The concepts of peace and security are now reflected in Art. 4 (e) & (f) of the Revised Treaty of ECOWAS of 1993.IGAD’s main objective at the time of its formation in 1986 was regional developmentandeconomicintegration,thoughtheIGADAgreementhighlighted goals to promote peace and stability (Møller, 2009).

Programmes for promoting peace and security effectively took place later in 1996, in response to the UN’s 1992 Agenda for peace that laid down a broad international consensus requiring regional organizations to take partin the conflict management and resolution endeavors (Healy, 2009).

The EAC Treaty on the contrary, since its inception recognized peace and security as a cornerstone to social and economic development within the community and very essential towards the fulfillment of the community’s objectives (Art.124 of the Treaty).

By the time the EAC Treaty was being adopted in 1999,the state of insecurity within the region brought by both conventional and non-conventional security challengeswas very alarming.For that reason, the Community felt that themain economic objectives, forwhichitwasestablished,could hardlybeachieved unless peace and security initiatives are guaranteed through entrenched provision in the Treaty. (Kiraso, 2009)

As a way of realizing Art. 124 of the EAC Treaty, EAC took further steps to create its peace and securityarchitecture knownastheEACRegionalPeaceandSecurityStrategy. The architecture cameintoforcein the year 2006 after its adoption by the 13thEAC Council of Ministers of Ministers Meeting.

The Strategy initially listed 15 goals aimed at fostering regional peace and security, in the areas of common foreign and security policies.To make its Strategy for Peace and Security operational, in the year 2009, EAC set up mechanisms pursuant to Art. 123 (5) of the EAC Treaty,for the operationalization of the goals enlisted on the strategy. These constitute establishment of the following Sectoral Councils in line with Art.123 (5) of the EAC Treaty: the Sectoral Council on inter-state Security, the Sectoral Council on Cooperation on Defense, the Sectoral Council on Foreign Policy Coordination, the Joint Sectoral Council on Defense, Inter State Security and Foreign Policy Coordination.(Wafubwa, 2014).

Another mechanism established to operationalise the peace and security strategy is the Protocol on Cooperation in Defense of 2012, which requires defense forces of relevant partner states to cooperate on joint training, counter-terrorism, disaster relief and peace support operations, as well as carrying out a number of joint field exercises (Art. 2(2) of EAC Protocol on Cooperation in Defense Affairs).

Further, EAC felt that effective implementation of the strategy required a legal framework and for that reason, the Protocol on Peace and Security was signed by the EAC Council of Ministers on the 15thFebruary 2013 to provide for a regional legal framework within which the strategy would operate(Preamble to the EAC Protocol on Peace and Security, 2013) which provides that; *“… Partner States are determined to establish a regional mechanism for effective implementation of the decisions made in the areas of peace and security….”*

Alongside with the measures to implement the EAC Peace and Security Strategy, EAC and the African Union (AU) have an agreement for the implementation of the African Peace and Security Architecture (APSA) at the Regional level which was signed in 2008; the Agreement provides for the establishment and operationalization of Early Warning System for the anticipation of conflicts, the establishment and operationalization of Media Capacities to carryout preventive diplomacy and conflict resolution and measures to deal with Disarmament, Demobilization, Reintegration, Security Sector Reform, Post Conflict Reconstruction Development, Counter-terrorism, Piracy, SALW, Money Laundering Drugs and Human Trafficking(EALA Report, 2017).

# Statement of the Problem

This study generally aims at finding out the challenges encountered in implementingthe peace and security strategy for the East African Community Region; in particular it seeks to find reasons why member states have shown little enthusiasm in implementing peace and security objectives spelt out in the EAC Treatyandotherinstitutionalmechanisms,thusrenderingthepeaceandsecurity architectureinoperative.

The adoption of the EAC Regional Peace and Security Strategy, the EAC Protocol on Peace and Security, the EAC Protocol on Cooperation in Defense Affairs, and the establishment of Sectoral Councils on peace and security, were considered long-term responses to the East African peace and security challenges as enlisted in the EAC Strategy on Regional Peace and Security. On the contrary, since the year 2006 when the Strategy on peace and security was adopted, the EAC Region has continued to increasingly succumb to peace and security threats mainly: maritime piracy, proliferation of SALW, terrorism, and cattle rustling.

For the purpose of this study, the researcher particularly focused on terrorism and proliferation of illicit SALW, given the fact the two have emerged the most leading and ominous threats of the time, whose impact in terms of encumbering social and economic development has been experienced in most parts of the EAC Region (Regional Centre on Small Arms, 2018).

The Report of the EAC Council of Ministers, among others recognized terrorism as the single potent security threat that required counter strategy in terms of prevention, protection, disruption and response (EAC Council Report , 2018).

Moreover, the proximity existing between the proliferation of SALW and terrorism is another reason for the researcher, to particularly focus on two threats to guide the study. SALW continue to be the primary tools used by terrorists in various regions of the world. Terrorism can be prevented if access to weapons is strictly and effectively controlled; as such therefore, arms control is the most fundamental way to counter terrorism since it restricts the root means of terrorists, namely, illegal weapons in illegal hands (Inoguchi, 2002).

Terrorismhas taken a lead among the challenges posing insecurity withinthe region:There have been serial terrorist attacks between 2013 and 2019by the al- Shabaabterrorgroupinvariousparts of Kenya: the Westgate Mall attack in September 2013 which left behind 67 people dead, the Mandera attack in November 2014 which claimed the lives of 28 non-muslims, the attack in Garissa University College in 2015 living behind148dead, and the recent attack in January 2019 at the Nairobi Hotel, have raised security concerns over the whole of East Africa (Aljazeera, 2019).

The brutality of this extremist group has not only affected parts of Kenya, but also felt by the countries of Uganda and Burundi, when the military camps of the Armed Forces from the two respective countries serving under the African Union Mission in Somalia (AMISOM), were attacked by al-Shabaab terrorists. The two attacks led to significant loss of both the soldiers and ammunitions (Mugisha, 2018).

Tanzania as well, has not been immune from the effects of terrorism; from the year 2011 up to the mid of 2016, Tanzania experienced a number of terrorist attacksin Arusha, Mwanza, and Zanzibar. During that range of time Tanzania has had an increase in crime involving the use of explosives and bombs which have led to serious damage such as death, injuries and properties (Regional Centre on Small Arms, 2018).

The proliferation of illicit SALW still poses threat to peace and security in the EAC Region, despite all EAC Partner States being signatories to the Nairobi Protocol for the Prevention, Control and Reduction of SALW in the Great Lakes, Horn of Africa and Bordering States. The Protocol criminalizes illicit trafficking, manufacturing, possession and misuse of small arms and light weapons. Much progress has been made by Partner States to implement the Nairobi Protocol; the establishment of National Focal Points within Partner States to deal with activities such as marking of SALW to allow better tracing of weapons in cases of diversion, disarmament and destruction of illicit firearms, is a clear vindication of such efforts taken to curb proliferation of illegal weapons (Wille, 2012).

The efforts made by EAC in the area of control of proliferation of SALW can be vindicated as follows:

In 2019, it was noted that over 400,000 tons firearms and more than 2000 tons of unexploded weapons collected from various parts of the East African Region, have been destroyed since the year 2009. In addition to the destruction measures, EAC through RECSA has adoptedthe following measures to control the civilian ownership of guns, in order to ensure fire arms do not fall into the hands of wrong elements: supported voluntary civilian disarmament initiatives, developed and disseminated regional guidelines on practical civilian disarmament, the marking of civilian firearms, carried out civilian disarmament campaign in Burundi, Kenya, South Sudan and Uganda (EALA Report, 2019).

Despite such efforts, peace and security challenges brought about by the proliferation of small arms and light weapons have not been eliminated. East African countries are actively attempting to reduce the impact of SALW in the area, but such efforts are inhibited by lack of control over the borders. Within the EAC, the borders are still open and traffickers find it easy to move weapons into and out of the conflict areas. (Nganga, 2008)

The state of insecurity brought about by the proliferation of illicit firearms has been witnessed in various parts of the EAC Region for instance: the Burundi, (UNICEF) officeslocatedwithintheBujumburaCityestablished,over200,000Burundians have been killed since 1993 as a result of small arms proliferation, while some 110,000 are unable to attend school because of killed and displaced family members. Further, following the political tensions brought by the controversial third term presidential election in 2015, quite a big number of civilians and security forces have been killed by gunmen (Small Arms Survey, 2001).

The control of the flow of SALW is critical to combating the easy availability and misuse of weapons; however, this is not an easy task since SALW can sometimes find their way into the society through many diverse routes: diversion, theft, misuse by government military or police forces and arming of civilians or militias by governments (Muller, 2012).

While the intervention made by EAC along with Partner States to eliminate SALWs cannot be denied, various reports have revealed that most of these

SALWs are still in the wrong hands mainly through diversion, looting and arming of civilians during civil wars. On the other hand, the disarmament process of illegal firearms in the Great Region and Horn of Africa has also not beenmucheffectiveduetolackofwell-plannedpeacekeepingoperationsleading to the largest number of weapons, falling into the hands of terrorists and insurgents (Second MPOME Report, 2018).

In September and October 2011, when the al-Shabaab terrorist group launched an attack to the Burundian and Ugandan military troops respectively, a large number of firearms and large quantities of ammunitions were captured by the terrorists (Mugisha, 2018).

In April 2008, a train carrying supplies intended to support the AU/UN Operation in Darfur was intercepted by insurgents, leading to the looting of 12 tons of ammunition. In2015, a shipment of arms delivered to guard units assigned to protect the unarmed members of the EU Border Assistance Mission to Libya was stolen from an airport in Tripoli (Brehm, 2018).

Illegal arms and ammunitions so diverted or rooted from conflict prone areasof NorthAfricalikeSudanandLibyafindtheirwaytoEastAfricanRegionthroughSomalia and Ethiopia to Northern part of Kenya (Kimaita, 2019).

The persistence of these security threats within the Region, despite the existence of the Regional strategy on peace and security, supplemented by other institutional mechanisms, raises questions about the adequacy and effectiveness of the Strategy and its operational mechanisms in addressing identified peace and security challenges. It further raises questions about what needs to be done to make the strategy and the implementation machinery more effective. These questions form the core of the purpose of thisresearch.

## Objectives of the Research

# 1.3.1 General Objectives

The Research generally aimed at finding out the challenges that hamper the effective implementation of peace and security architecture within the EAC Region.

# 1.3.2 Specific Objectives

The specific objectives of the study have been the following:

1. To examine different mechanisms set up to implement the peace and security Architecture for the EAC Region.
2. To examine partner states’ commitment in terms implementation of peace and security objectives.
3. To propose effective measures intended to address the identified challenges for effective implementation.

# Research Questions

# 1.4.1 Specific Research Questions

1. WhatmechanismshasEACsetuptooperationalisepeaceandsecurityobjectives?
2. To what extent are EAC partner states committed to implement the objective of peace and security architecture with particular regards to the identified challenges of terrorism and proliferation ofSALW?
3. What measures should EAC adopt to ensure effective implementation of EAC Peace and Securityarchitecture?

# 1.5Relevance of theResearch

The end result of this study will come up with appropriate solutions that can be usefultothe EAC partner statestoenhancethespiritof cooperation in regional peace and security. This will ultimately bring into reality the collective responsibility in provision of security, hence guaranteeing a secure and conducive atmospherenecessary for a fruitful integration.

Further,researchersinterestedinconductingastudyontheprogressmadeinthe implementation of the EAC Regional peace and security strategy mayuse the study at hand as their kick off point.

In terms of academic benefit, building from the knowledge gap identified education and research institutions may be able to update their literatures on regional multilateral peace arrangements.

# CHAPTERTWO

# 2.0 LITERATUREREVIEW

# 2.1 Introduction

This chapter is organized in the following order: The first part covers Conceptual Definitions in which main concepts used in the study are defined, followedby Theoretical Analysis comprising different theories used in the analysis of the study, and lastlyEmpirical Analysis of Relevant Studies complementing previous studies on what has not been addressed.

# 2.2 Conceptual Definitions

This part contains definitions of the following main concepts used in this study:

***Peace and Security***

The term ‘peace and security’ is defined (in *Contemporary India: Issues and Goals, Module -4, Lesson 27*) as: “a condition where individuals, institutions, regions and the world move ahead without threat.”

On the other hand, *Krause and Williams, (as cited in Tavares, 2007)* maintain that: “afundamentalcharacteristicofpeaceandsecurityisthefactthatbothterms arerelationalinthesensethattheyarenotconceptuallyself-sufficient. They are derivative concepts; meaningless in themselves. To have any meaning security and peace necessarily presuppose something to be secured or to be in peace, as a realm they cannot beself-referential.”

*Fast, (as cited in Marquardt, 2009)*, maintains that: “the phrase peace and security is an oft-used one in common parlance.” She defines peace and security as implying:“synergy, a complimentary state that is not present when violence and conflict pervade a society.”

Traditionally, peace and security were mostly related to the military threats and armed conflict, whereby one nation threatens to wage a war or is being suspected of taking military action against the other. This is referred to as, state centered conception of peace and security. In modern times the concept peace and security is more extensive as it goes beyond military action and covers wide range of dangers and threats to human existence such as diseases, natural calamities, poverty, to mention but a few. Unlike the traditional State centered security, the new conceptualization of peace and security is not only concerned with regions and nations, but also individuals. This non-traditional conception of peace and security accepts the fact that a military action is necessary evil to safeguard people from foreign attacks, but at the same time it considers peace and security within the socio – economic context. .

Throughout this study, the concept peace and security will be taken to reflect the modern or non- traditional conception largely because Art.124 of the Treaty establishing EAC, corresponds with the modern understanding of peace and security

## 

***Early WarningMechanism***

The term is defined by *the International Peace Support Centre (2014)* as: “the mechanism for data collection, analysis and communication of information aboutathreattotherelevantauthorities.Earlywarningisaspecificaspectofthe wider concept of conflict prevention which refers to situations in which conflicting goals are controlled so as to avoid the development ofhostilities”.

Early Warning Mechanism is also defined in the publication *Towards Political Federation in the East African Community: Achievements and Challenges (2014)* as: “the mechanism that facilitates the anticipation, preparedness and earlyresponsestoprevent,containandmanagesituationsthatarelikelytoaffect peace andsecurity”.

***EAC Peace and Security Architecture/ Strategy***

The EAC peace and security Architectureconnotes a structural and long- termresponse mechanism thatwasadopted by the 13thMeeting of the Council of Ministers in2006, to address peace and security challenges facing the East African Region.

***Regionalism***

The term Regionalism refers to, the practice whereby the world is organized in terms of regions or geographical areas to enable members to cooperate in certain areas for their mutual benefit. Examples of such arrangements include European Union (EU), AU and EAC.

***Security dilemma***

This is a situation whereby, States become apprehensive of military preparations on the part of one state; such preparations start creating a fear when construed by those other States as defensive. This state of affairs poses mistrust among States such that, each one feels another state might become more powerful and jeopardize its security and consequently, all states start competing among themselves over security measures, but they end up in a dilemma since in spite of such competition no state feels more secure.

***Political Federation***

*Harelimana (2011*), defines Political Federation as: “a form of government or country where there is territorial distribution of power between one central or a common government and subordinate or lower governments. The elements of a federation include shared powers and responsibilities defined by law and practice, and in order to federate, federating units should be prepared to cede certain powers to one common centre.”

***Terrorism***

According to the definition by EAC: “terrorism means any act which is a violation of the criminal laws of a Partner State and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, any member or group of persons or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage and is calculated or intended to: intimidate, put in fear, coerce or induce any government, body or institution, the general public or any segment of any of these, to do or abstain from doing any, or to adopt or abandon a particular standpoint, or to act according to certain principles; or disrupt any public services, the delivery of any essential service to the public or to create a public emergency or create general insurrection in a Partner State; any promotion, sponsoring, contribution to, command, aid, incitement, encouragement, attempt, threat, conspiracy, organizing and procurement of any person, with the intent to commit any referred to above (Art. 1 of the EAC Protocol on Peace and Security)

***Small arms and Light weapons***

The terms ‘small arms and light weapons’ according to the definition in the *Small Arms Survey (2001)*, cover military-style small arms and light weapons as well as commercial firearms including both handguns and long guns.

The *Small Arms Survey (2001)*, categorizes ‘Small arms’ as: “revolvers and self-loading pistol, rifles and carbines, sub-machine guns, assault rifles, and light machine guns”. ‘Light arms’ are categorized in the same publication as: “heavy machine guns, grenade launchers, portable anti-aircraft guns, recoilless rifles, portable anti-tank missile and rocket launchers, portable anti- aircraft missile launchers, and mortars of under 100 mm caliber.

# 2.3 Theoretical Analysis

This part introduces and describes theories whose basic assumptions provide guidance to the research problem under study. The researcher made use of the theories of Realism, Neo- liberal institutionalism and Constructivism to guide the analysis of the study at hand.

## 2.3.1 Realism

Generally, realism is based on the assumption that the sovereign state is the key actor in the international system and that there are other actors like international institutions whose role is insignificant.

According to realists, states are always concerned with safeguarding their national interests, a fact which further motivates them towards increasing their power and security. This means that, realist consider military capability as an important tool for a given state to guarantee security of its people against threats posed by other states.

Further, realist holdthat the internationalstate system isone of anarchy, and that in order to survive under this anarchical system, states resort to a self- help strategy by creating international alliances as a bid to protect themselves. In so doing, efforts to increase the security of one state tends to undermine the security of another, resulting into a securitydilemma.

The theory of realism has been discussed in a number ofliteratures in a manner that reflects the studyproblem:

*Jervis (1976; 1978)* maintains that: “a military build- up by one state, even for purely defensive reasons, will trigger a sense of insecurity on others. The outcome of this insecurity in the long run impedes cooperation”.

*Mearsheimer (2002)*, expounds his realistic thoughts in relation topower competition and war among states: according to him, the international system is characterized by the absence of the authority that is superior to sovereign states hence, this absence of hierarchy in the state system creates a situation called anarchy. This anarchic situation leads to power dominance tendency among states and in turn attracts power competition.

The research problem corresponds with the realist assumption regarding states beingdriven by power and pursuit of their national interest. Moreover, the research problem is also linked with the realist assumption that the probability for mutual cooperation under conditions of anarchy is very slim leading to a security dilemma which ultimately, prompts sense of insecurity. The two assumptions are a clear reflection of the current situation in EAC where national interests prevail over integration agenda and where, Partner States worry about each other’s’ intention for joining the bloc thereby creating a sense of mistrust, and hence impeding the possibility of mutual cooperation.

However, in totality the foregoing literature on realism hold a narrow view of security based on a traditional conception also referred to as State centered security, which overlooks the role of other non-state actors. Moreover, the said literature overlooks the fact that it is still possible for states to cooperate even under the system of anarchy in the situations like the prisoner’sdilemma.

## 2.3.2 Neo – LiberalInstitutionalism

The theory focuses on the fundamental role of international institutions in contemporary global politics. It shares the realists’ assertions that states are critical actors but goes far to recognize the importance of non-state actors such as international institutions and NGOs. The theory highly considers institutions asveryinstrumentalinpromotingsecuritybyproviding guaranteed framework ofinteractions.

The theory of Neo-Liberal institutionalism has been discussed in the following literatures:

*Keohane (1989),* argued that the formation of institutions guarantee security of states into two main ways namely: through promoting cooperation between states, and secondly through providing a flow of information between member states of such institutions, thereby ensuring that each state is aware of what another state is doing. According to *Jackson and Sorensen (2010:108*), this flow of information further helps to create trust and confidence among states.

Despite its contribution in understanding the role of institutions in the area of cooperation, Neo- liberal institutionalism as discussed by foregoing scholars is flawed for having put much emphasis on institutions in that, it suggests, institutionswhenestablishedtheyautomaticallyguaranteecooperation.This is not always the case since,at times institutions can also fail to achieve security as a collective outcome. A good example is EAC, whose Partner States have not been able to date to fully implement some agreed commitments on different areas of cooperation including peace and security largely due mutual mistrust amongthem.

## 2.3.3 Constructivism

Constructivism is the theory that attempts to compliment the inadequacies of the theories of realism and neo-liberal institutionalism hereinafter termed as rationalist-systemic theories.

*Franke (2009),*argued that constructivism compliments the neo-liberal institutionalism and realism theories in that, the two put much emphasis on international state system and neglect social constructed factors. According to Franke, both realism and neo-liberal institutionalism fail to appreciate the importance of inter- subjective factors including ideas, norms and beliefs and their role in the emergency and deepening of security cooperation.

*Wendt (1992),* on the other hand builds his theory on the criticism of neo-realism by rejecting the realist structural belief based on power competition. Realists believe that states go into competitive power politics because of anarchy.

On the contrary, Wendt argued that anarchy is not an immutable structure that determines states’ behavior but a condition whose meaning is itselfdependent upon state relations. For Wendt, international relations cannot be studied on the basis of the distribution of power alone since, anarchy is not something given, it is socially constructed and mediated by ideas, norms and practices. For Wendt also, anarchy does not come from nature of states and international system but emerged when the players in international arena started interacting with each other.

Constructivism as explained above is very significant to explain that conflicts among EAC Partner States are not a result of Anarchy alone, but is also caused by some other social constructed factors.

# 2.4 Empirical Analysis of Relevant Studies

There is limited literature on the EAC Peace and Security Architecture. Most of the Literature merely provides a framework of the institutional mechanisms set up for the implementation of the said Architecture. This study therefore serves to complement the previous studies/or literature on what has not been addressed.

# 2.4.1 General Studies

This part is relevant to the present study for providing a comparative analysis on how other Regional Economic Communities (RECs) have approached the problem of peace and security:

*Bayeh (2014)*, provides that the EASF was formed as a regional body mandated to intervene during the times of insecurity but on the contrary, IGAD and EAC have continued to take their own actions in the areas of peace and security. The literature is very significant to show how different RECs have succeeded in implementing peace and security objectives through interventions made by IGAD to deploy forces in various occasions; however, there is a knowledge gap in that EAC has no mechanism to respond during the time of crisis,“and” at no point in time has EAC deployed forces to conduct joint combat operations.

*Hull et al. (2011)*, provide a comprehensive analysis on how the overlapping mandatesandmembershipofEACandotherRECsincluding IGAD, the Common Market for Eastern and SouthernAfrica(COMESA)andtheInternationalConferenceonhowtheGreat Lakes Region (ICGLR) weaken the ability of a harmonized approach towards peace and security for Eastern African States. According to the authors: “membership in more than one REC has prevented one nationto take a lead in peace and security efforts due to duplication of resources and conflicting goals and policies since, economic incentives seem to have higher priority in regionalization than peace and security issues.” However,asfarasEACisconcerned,Art.30(1)&(3)of the Treaty establishing the same, anticipatedrisks associatedwithoverlapping membership ofregionalorganizationsandallowed such multiplicity of membership,insofarastheactivitiesofother regional organizations have a bearing and do not have adverse impact on the objectives of theCommunity.

*Njenga (2008),* associates the Rwandan Genocide with the shortcomings of the Continental Early Warning Mechanism (CEWARN) and the Regional Early Warning Mechanisms of ECOWAS, IGAD and SADC. The literature reveals an obvious knowledge gap since the Early Warning arrangements in Africa originated with the APSA. The Early Warning Mechanism is one of the main pillars of APSA. The Rwandan Genocide was in 1994; while the APSA which gave rise to the Early Warning System in RECs of Africa was adopted by the African Union (AU) six years later in 2002. EAC signed the APSA agreement in June 2008.

*Elowson and Albuquerque (2016)*, analyze the main challenges to peace and security in Eastern Africa and how regional organizations have addressed. According to the authors: “the EAC has been mandated by the AU to act as a mediator in the Burundi political crisis that escalated in 2015 following the determination by President Nkurunziza to stay in power after the end of the constitutional presidential term. The situation in Burundi has been a first test of the organization’s ability to ensure its peace and security mandate, a test that many observers claim it has failed. Internal divisions between EAC member states have prevented the organization from carrying out mediation in a concerted and determined way. Member states appear to want to use the EAC framework as a means of keeping control of any action to be taken in the region and of preventing states outside the region from interfering, but have in reality not been eager for the EAC mandate on peace and security to evolve.

When taking stock of the engagement of IGAD, EAC and Eastern Africa Standby Force (EASF) in peace and security in the last five years preceding 2016, quite a few developments can be noted. The EASF project is essentially operational. However, alongside with logistical, financial and political challenge, the mandating procedure for EASF leaves room for interpretation. The hierarchy between the AU, the regional organizations and the EASF is unclear as to what organization has the right to deploy the standby force. Technically, the AU hosts the decision making apparatus related to the African Standby force.”

The literature is useful in so far as it explains reasons why the EAC has failed to implement the agreement signed between EAC and AU for the implementation of the African Peace and Security Architecture (APSA) but the same literature reveals a knowledge gap in so far as it does not suggest measures to deal with such challenges hence, necessitating this study to fill in the gap.

# 2.4.2 Studies in East Africa

The problem of peace and security in EAC Region has been addressed by a number of literatures within East Africa which are similar to the study under research:

*Bigirimana (2013)*, analyzes the EAC Peace and Security framework in terms of the EAC Treaty, the Strategy on Regional Peace and Security, the Protocol on Peace and Security, the Memorandum of Understanding (MoU) on Defense, the Early Warning Mechanism, the Panel of the Eminent Persons (PEP) and the Mechanism on Conflicts Prevention, Management and Resolution (CPMR);

However, most of the information provided in the literature needs to be updated by this study in order to reflect the existing status since, there is much development in the area of EAC legal and institutional framework on peace and security, for instance the MoU in Defense was replaced in 2012 by the EAC Protocol on Defense, the Protocol on Peace and Security which was not operational is now fully operational having been fully ratified by all Partner States in 2018.

*Kimunguyi (2011)*, provides factors which make EAC region susceptible to terrorist attacks: inter - regional conflicts, religious beliefs based on extremism, poor leadership and governance, failed states and porous borders giving way to movement of illegal immigrants and weapons. The literature helps in explaining causes of terrorism in the East African Region; however, it describes terrorism within state-centric security conception based on traditional understanding of security and does not reflect the new and potential forms of terrorism such as Bio – terrorism and Eco – terrorism. According to *(Mihyo, 2014),* EAC has not been able to address new potential forms of terrorism including Eco – terrorism and Bio – terrorism and therefore needs to address the same through strengthening common Bio – safety system and building knowledge systems.

*Kamau (2013),* addresses the issue of Regional Integration and Security. For him: “regionalism among others shapes policies geared towards harmonization of security and peace regime. According to the author*,* EAC Regionalization adopts the principle of asymmetry and this has posed a challenge in evolving common security architecture. This originates from the partner states’ different colonial heritage, political and security agenda, incompatible vision coupled with uneven political and economic development”. The literature is relevant on how the principle of asymmetry hampers Regional integrations like EAC in developing common security architectures. However, the literature reveals a knowledge gap in terms of insufficient information since, by the time the researcher was submitting his project paper in 2013, EAC already had its peace and security architecture which came into force since the year 2006.

*Rwengabo (2014),* discusses on how EAC Partner States cooperate on some security issues and not others. According to him: “partner states of the EAC cooperate on some transnational security issues but not on armed rebellions yet these too are not only transnational but regional security implications. The EAC seems to insist that a rebellion remains a concern of the Partner State.It considers rebellions to be sensitive internal security issues of a political nature that have yet to feature on the Regional intergovernmental organizations ‘security agenda. Hence, so far no country has come up to say, we should cooperate against armed rebellions.” The literature serves to explain the extent to which EAC partner states cooperate on security but seems to focus on traditional conception of security which is based on military capability. It is not disputed that EAC has never deployed troops to intervene in various regional armed rebellions; however, the literature falls short of recognizing the role of the EAC Conflict Prevention, Management and Resolution (CPMR) Mechanism which provides a framework for prevention, management, peaceful resolution and transformation of conflicts in the EAC Region. Through the said mechanism, the EAC Summit of Heads of States appoints a panel of eminent persons to ensure peaceful resolution of disputes within and between partner states by means of good offices, mediation, conciliation and facilitation based on dialogue, negotiation and arbitration. Efforts made by the Facilitator to the Burundi Dialogue His. Excellency William Benjamin Mkapa in bid to resolve the Burundi civil unrest through Mediation, Conciliation and Conflict Resolution cannot be overemphasized.

In the publication *Small Arms and Light Weapons in EAC (2012)*, Rwanda is recognized as the sole EAC Partner State with a fully developed legal framework to address SALW that complies with the Nairobi Protocol on SALW; however, the literature needs to be complemented by the study at hand since, Tanzania as well, has a law regulating SALW known as the Firearms and Ammunition Control Act of 2015, which is also compliant with the Nairobi Protocol on SALW; nevertheless, the publication does not mention what that legal framework regulating SALW in Rwanda is; hence this study compliments that gap by mentioning the law as Law No. 33/2009 of 18 November, 2009.

*Njoroge (2015),* acknowledges the collective approach to operationalization of the EASF as tool for security stability within the EAC Region. According to him: “the Region’s collective will towardsstabilizationofSomaliareaffirmsthedepthofEAC’s partnership during timesoftragicevents.”Theliteraturerevealsanobviousgapthatneedstobe addressed by this study. The participation of some of the EAC Partner States in the fight against terrorism in Somalia is not related to any arrangement by EAC as bloc, but rather undertaken in accordance with the agreement between AU andagivencountry.OfthesixEACPartnerStates,onlyKenya,Burundi and Uganda have deployed armed forces in Somalia under the AMISOM arrangement.

The Protocol on Cooperation in Defense Affairs of 2012 which is the legal instrument in EAC, that regulates the extent of the operations of the Armed Forces of the respective Partner States provides that, Armed Forces of the Partner States shall cooperate in joint operations as stipulated in Art. 7 of the Protocol; nevertheless, the said Article does not provide that Armed Forces shall participate in joint armed operations, but obliges them to cooperate in joint formulation of mechanisms for the operationalisation of Peace Support Operations.

*The Report of the EAC Conference on Peace and Security (2009)*,recognizes the need for architecture as the appropriate means to address peace and security challenges. The report provides that: “the strategy for regional peace and security is elaborate with 15 goals, objectives and activities to foster peace and security in the region, there is need for support of an implementation plan for the EAC Strategy for Regional Peace and Security. The implementation of the work plan has big financial implication which requires urgent attention and commitment of all the Partner States.”The report though significant in explaining causes for failure to implement the peace and security Architecture for the EAC Region, still it needs to be updated by this study since, the goals elaborated in the EAC Strategy on Regional Peace and Security are no longer 15 but were increased to 23 in the year 2014 when the said strategy was reviewed.

*Hitimana (2004),*discussed on the improvement of the benefitsof regional integration: “the member countries have managed to improve their security and stable approach towards conflict resolutions. The impact of EAC as integration organization is big in terms of peace and security.” The literature is relevant in that it recognizes the attempts made by EAC in establishing mechanism to address peace and security challenges but the same does not ponder on the weaknesses of such mechanisms in reacting to peace and security challenges for instance: despite the existence of the mechanism for conflict prevention, management and resolution in EAC known as the Conflict Prevention Management and Resolution mechanism, the political and diplomatic tensions between Rwanda and Burundi have remained unresolved since the year 2015 which implies that, the said mechanism is still wanting. Moreover, of recently Rwanda and Uganda have been in conflicts over the alleged arrest, torture and detention of Rwandese citizens which almost culminated into warfare between the two Partner States but EAC has never intervened.

*The Report of the Official Proceedings of East African Legislative Assembly,(2017)* provides that: “some of the EAC partner states are yet to ratify the EAC Peace and Security Protocol. The proposed protocol has identified at least 20 objectives for fostering peace and security in the region. Its full implementation will, among other things, see the setting up of the EAC Peace and Security Council, the stand-by force, thePanelofthewiseandrelated institutional capacities and structures.” The literature is significant isexplaining thestatusofratificationofthepeaceandsecurityprotocol,butthesameneedsto be updated by this study since as of now, the EAC Peace and Security Protocol hasbeenratifiedbyall partner statesandis fullyoperational.Ontheotherhand the literature reveals a knowledge gap in that it associates the EAC Peace and SecurityProtocolwiththesettingupoftheEACPeaceandSecurityCounciland the stand-by force. The EAC peace and security protocol has something to do withtheimplementationofEACPeaceandSecurityStrategyandhasnothingto do with either the setting up of the EAC Security Council or the stand-by force; these are dealt with under a different arrangement between EAC and APSA.

*Wafubwa (2014)*, links the existing EAC peace and security institutional frameworkwiththechallengesresponsibleforthe lowpaceinimplementing theEAC peace and security architecture: According her:“the framework follows the EAC hierarchy that has a complex nature in terms of its composition. This state of affairs slows down the decision-making process, but also is an impediment in the implementation process in the sense that, by the time decisions are brought to bear the dynamics of the emergent situation, things would have changed necessitating a relook on the decisions already passed and toaddressthisloophole.”Theauthorproposesthat,toavoidsuchacumbersome decision-making process, EAC should establish the Peace and Security Council (PSC) akin to the African UnionPSC.

The literature is very useful in explaining how the EAC institutionalframework affects the decision – making process; however, the author overlooks the fact that decision–making process challenges cannot be eliminated by establishing the EAC PSC alone, but with the establishment of the Political Federation capableofpoolingofsovereigntyintoastrongerpoliticalentitywithcapacityto coordinate policies and addressing challenges affecting the region as awhole.

# 2.5 Conceptual Framework

The study was guided by the Conceptual Framework as devised by the Researcher **(See Figure 2.1)** below. The Goals of a Strategy are the outcome being measured. The achievement of the outcome is dependent upon the effective implementation of the institutional mechanism. However, the effectiveness of the institutional mechanisms may be constrained by the institutional challenges hence, rendering the achievement of the outcome impracticable.

**Dependent Variable**

Goals of a Strategy

* Combating Cross border crimes
* Implementation of Nairobi Protocol on SALW
* Criminal intelligence sharing
* Joint security cooperation
* Implementation of APSA pillars
* Adopt UN model on mutual assistance in criminal matters

**Independent Variabl**

**Intervening Variable**

Institutional Challenges

* Porous borders
* Internal conflicts
* Civil unrest
* Sovereignty concerns
* Inward looking
* Financial constraints
* Mutual suspicion and Mistrust

**Independent Variable**

Institutional Mechaniss

* Protocol on Peace and Security
* Sectoral Councils
* Protocol on Defense
* CPMR
* Nairobi Protocol on SALW
* Inter-Religious Council on Countering terrorism

# Figure 2.1: Designed by the Researcher in 2020

# 2.6Conclusion

Theliteraturereviewed is extensive on the institutional set up and challenges of different mechanisms, which were adopted to operationalisetheEAC Regional Peace and Security Strategy. Little is said about how those challenges are going to be alleviated. This study therefore, attempts to fill in those identified gaps and complement what has not been addressed.

# CHAPTER THREE

# 3.0 RESEARCHMETHODOLOGY

# 3.1 Introduction

The study essentially involved two categories of respondents from the East African Community Headquarters in Arusha: Peace and Security experts “at the EAC Secretariat, Early Warning Experts. Another category consisted of the AU-EAC Liaison Officer working under APSA Program in Addis Ababa, Ethiopia.

The three categories were approached through haphazard sampling and administered questionnaire as shown in **Figure** 3.1 below

The East African Community Headquarters was the case study for obvious reason that it is a place where the EAC Strategy on Peace and Security originated.

# 3.2 ResearchStrategies

Given the category of respondents involved in the study, in order to achieve the objectives, the researcher used the following designs:

* 1. **Exploratory Design -** This is a valuable means of finding out what is happening, to seek new insights and to ask questions. There are three principle ways of conducting exploratory research which are namely: literature search, interviewing experts about the subject and group interviews. The design has been chosen due to the abundance of literature regarding the study. The possibility of havingan opportunity to talk to experts on peace and security and early warning experts is also another reason for choosing this ResearchDesign.
  2. **Explanatoryresearch-**Explanatoryresearchfocusesonwhyquestions.This is relevant to the study as it will help in answering the question why the implementation of peace and security strategy has been an uphill struggle.

# 3.3 SurveyPopulation

The study targeted the following population:

Peace and Security experts at the EAC Secretariat, Early Warning Experts at the EAC Secretariat; these are not only crucial as relevant sources of information but their academic expertise is relevant in making the intended research a scientific one and therefore capable of being tested. To avoid biased information, AU Liaison Officer to EAC working under the APSA Program in Addis Ababa, Ethiopia was also reached. Individual citizens of the five East African Community Headquarters were targeted with a view to obtain relevant information on how the EAC peace and security Architecture is implemented back home to their countries.

# 3.4 Area of Research

The study was conducted at the EAC Headquarters due to the following main reason:The EAC Secretariat with its seat at the EAC Headquarters is the Executive Organ of the Community and the driving engine for the Regional integration processes (Art. 66 of the EAC Treaty, 1999). As such, all originating processes pertaining to programmes, projects, studies, research and any other aspect to do withtheintegrationagenda,areinitiatedbytheSecretariatitselfthroughstrategicplanning, co-ordination, management and monitoring, and then submitted to the policy organs ofthecommunityforsubsequentadoptionanddecisionmaking(Art.71EACTreaty, 1999).

Forthatmattertherefore,choosingtotheEAC as the area of research was proper, due to the possibility of accessibility of data concerning the problem and the easy of reaching experts on peace, security and early warning. These two categories of experts not only pioneered the EAC Peace and Security Architecture launching process, from its initial stage of formulation to its subsequent adoption and implementation, but are also staff of the Community under the SecretariatOrgan.

# 3.5 Sampling Design andProcedures

For the purpose of collecting data and considering the nature study topic, the targeted population was approached through the **Convenience sampling (haphazard sampling)** processwhich consists of the selection of the units that are most convenient for the researcher. This was employed to extract information from Peace and Security experts at the EAC Secretariat and the Early Warning Experts at the EAC Secretariat. The method of data collection due to time limitation of the respondents was Questionnaire.

The total number of the targeted respondents was 59**(See figure 3.1),** and all received the questionnaires but only 4 respondents from the EAC Peace and Security Department and 1 respondent working under APSA programme in Addis Ababa,were able to respond to the questionnaire, given the nature of the study topic.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Department** | **Category of Respondents** | **Gender** | | **Total** |
| **M** | **F** |
| Office of the Secretary General | Defense Liaison Officer – Tanzania | - | - | - |
| Defense Liaison Officer- Kenya | - | - | - |
| Defense Liaison Officer – Uganda | - | - | - |
| Defense Liaison Officer – Rwanda | - | - | - |
| Defense Liaison Officer – Burundi | - | - | - |
| Political Federation | Peace and Security Experts | **2** | - |  |
| Early Warning Experts | **2** | - |  |
| AU Liaison Officer | **1** | - | - |
| Finance and Administration | Tanzanian Staff | - | - | - |
| Kenyan Staff | - | - | - |
| Ugandan Staff | - | - | - |
| Rwandan Staff | - | - | - |
| Burundian Staff | - | - | - |
| Productive and Social Sectors | Tanzanian Staff | - | - | - |
| Kenyan Staff | - | - | - |
| Ugandan Staff | - | - | - |
| Customs and Trade | Tanzanian Staff | - | - | - |
| Kenyan Staff | - | - | - |
| Ugandan Staff | - | - | - |
| Rwandan Staff | - | - | - |
| **Total** | | **5** | **0** | **0** |

* + 1. **3.5.1 Sampling Frame**

**Figure 3.1:** Survey Population

# 3.6 Methods of Data Collection

In order to get reliable data the researcher made use of both **primary** and **secondary** data.

3.6.1 Sources ofData

**Primary data** was collected through questionnaire. In ordertoallowflexibilitytotherespondentstoair out their views, the questionnaires comprised of open-endedquestions.

**Secondary data** was mainly collected from the EAC Information Resource Centre Repository. Secondary data was also collected from documents such as books,journals,andpublishedandunpublishedresearchmaterials.Mostofthese documents are found at the EAC Information Resource Centre Repository located within the EAC Headquarters.TheEACWebsitewasalsoresortedtoobtainsecondarydataconsistingofReportsofEAC Council of Ministers, in so far as they relate to the problem under study. Moreover, the EALA Website was also importantincollectingdataonOfficialParliamentaryProceedingsregardingthe status of implementation of EAC Peace and Security Architecture. In addition the Nyerere Centre for Peace and Research which is situated within the EAC Headquarters was also an important site for obtaining secondarydata.

# 3.7 Data Analysis Methods

Information gathered from questionnaire was analyzed with a view to obtain results. Given the nature of the study problem, the information collected was in its entirety qualitative which prompted the researcher to summarize the data so obtained in a narrative form.A narrative analysis is a useful method for uncovering the underlying ideas embedded in stories and the larger culture that creates the narratives (Stokes, 2003).

The researcher used Narrative analysis approach because, it is the most widely used method in peace studies. It is a flexible approach in understanding conflict resolution and peace. It enables researchersto interprete story telling within the context of the research. Narrative stories provide an accessible way to understand the social context of conflict resolution (Breheny, 2015).

The researcher summarized the data collected through interpretation ofresponses from the questionnaires,in a manner that provided answers to the issues raised in the research questions which guided this study.

# 

# 3.8 Limitation of the Study

The major challenge of this study was that, most of the targeted population was unable to respond to the questionnaires owing to the nature of the study topic, only respondents from the EAC peace and security Department and the respondent under APSA programme in Addis Ababa, could be able to respond and as such, these were of much significance to this study.

Another challenge relates to Art. 20 of EAC Protocol on Cooperation in Defense Affairs, which provides that any classified information obtained under the operation of the Protocol shall be kept confidential and shall not be disclosed, consequently, the researcher could hardly obtain any information from the six DefenseLiaisonOfficerwhoareattachedtotheOfficeoftheSecretaryGeneral by their respective PartnerStates.

# CHAPTER FOUR

# 4.0 RESEARCH FINDINGS AND ANALYSIS

# 4.1 Introduction

This chapter focuses on the assessment of the findings pertaining to the challengesencounteredbytheEACpartnerstates,inimplementingthepeaceand securityarchitectureforthe EAC Region. The analysis of the data collected is also given under this chapter. The findings were assessed focusing on the research questions which guided thisstudy.

# 4.2Discussion of the Findings

The findings hereunder, are a result of the data collected entirely from the respondents:

# 4.2.1 Regional Mechanisms on Peace and Security

The study revealed that, apart from the EAC Strategy on Regional Peace and Security of 2006, within the EAC, there are several mechanisms put in place to address peace and security challenges facing the Region: the Treaty for establishment of EAC Arts. 5(f), 123(5), 124, the EAC Protocol on Cooperation in Defense Affairs of 2012, the EAC Peace and Security Protocol of 2013 which came into force in November 2018, the CPMR of 2012, the Nairobi Protocol for the Prevention, Control and Reduction of SALW in the Great Lakes Regions, the Horn of Africa and Bordering States of 2004, and thethe EAC Inter-Religious Council (IRC) which was formed on September, 2014 in Kigali.

In addition to the above established mechanisms on peace and security, the study also revealed that, EAC is also in the process of developing other peace and security initiatives which as of now are at the draft stage: the EAC Draft Transboundary Security Framework and the EAC Draft Governance Protocol.

# 4.2.2 How the Mechanisms Operate

*Treaty for the Establishment of EAC:*the study revealed that Art.5 (f) of the Treaty recognizes peace and security among other objectives of the Community; whereas Art.124 of the Treaty provides that peace and security are pre-requisites for the achievement of other objectives of the Community. On the other hand, Art.123 (5) of the Treaty is the enabling provision for the institutional mechanisms set up for the implementation of peace and security objectives. Pursuant to Art.123 (5) of the EAC Treaty, EAC has established various Sectoral Councils to provide for policy guidance regarding cooperation in areas of Inter–State Security, Defense and Foreign Policy Coordination, hence, enhancing peace and security programs. Those Sectoral Councils include; Sectoral Council on Inter-State Security, Sectoral Council on Defense, Sectoral Council on Foreign Policy Coordination, Joint Sectoral Councils on Defense, Inter – State Security and Foreign Policy Coordination.

*TheEACStrategyonRegionalPeaceandSecurity*: the study revealed that, itwasadopted tooperationaliseobjectivesasstipulatedinArt.5 (f)and124oftheEACTreaty. It developed as a result of both conventional security challenges and emerging securitythreatswhichbecameastumblingblockfortheintegrationprocess,whose mainaimhasbeen opening up borders to factor of production. The Strategy is a very comprehensive document consisting of 23 goals intended to address both conventional and new generation peace and securitychallengesaffectingtheRegionasawhole.However,theStrategyisjust a framework tool and therefore ineffective to operate in isolation, hence the need to be supplement by other instruments both legal and policy. Besides, despite combating terrorism being mentioned as one of the goals of the EAC Strategy on Regional Peace and Security, EAC Summit of Heads of States in 2014 went further to adopt a separate strategy on counter-terrorism known as the EAC Regional Strategy on Countering, since terrorism was considered the most alarming security threat within the region that required a separate mechanism toaddress.

*The EAC Peace and Security Protocol:* the study revealed that, itwas adopted to supplement and operationalisethe EAC Strategy on Regional Peace and Security thatis why,the objectives of the protocol are aligned with the goals listed in the strategy. Essentially, the Protocol is the legal framework through which the Strategy operates.

*The CPMR:*the study revealed that, it provides for two major structuresnamely the EAC Early Warning Mechanism (EACWARN) and the Panel of Eminent Persons (PEP). The EACWARN was established to facilitate the anticipation, preparedness and early responses to prevent, contain and manage situations likely to impact on regional peace and security. It comprises a Regional Early Warning Centre (REWC) also known as Situation Room which is located at the EAC Headquarters within the Department of Peace and Security, and is supposed to be linked to the National Early Warning Centers (NEWC) in all Partner States. The EACWARN is based on open source meaning it makes use of field reports, media reports and structural attribute data. The PEP on the other hand consists of highly respected persons of high integrity, who have made significant contribution to peace and security at national, regional and international, and whose appointment is done by the EAC Summit. The main role of the PEP is to advise the Summit, the Council and the EAC Secretary General on issues pertaining to the promotion and maintenance of peace, security and stability through preventive diplomacy and peaceful resolution of conflicts in the Community.

*The Nairobi Protocol for the Prevention, Control and Reduction of SALW in the Great Lakes Regions and the Horn of Africa of Africa:*the study revealed that it is the primary legal instrument which EAC use to combat SALW. All EAC Partner States being signatories to the protocol are required to implement various commitments set out therein to reduce the illicit proliferation of SALW which have impacted adversely on peace and security of the EAC Region.

*The EAC Inter-Religious Council (IRC):*the study revealed that it was which was formed on September, 2014 in Kigali. It is a forum that brings together, civil society, religious leaders, youth, academicians, politicians, religious organizations, to deliberate on the ways revert beliefs such as extremism which have been a catalyst to the increasing rates of terrorist attacks within the Region.Given such a forum, the common assumption regarding Islamic values and religious doctrines as a root cause of terrorism can be refuted since, proper religious teachings can help provide a feeling of moral responsibility.

# 4.2.3 Adequacy of the Mechanisms

In terms of adequacy to address regional peace and security challenges the study revealed the following:

First, the study revealed that the *EAC Regional Strategy on Countering Terrorism* if fully implemented is adequate enough to deal with terrorist threats affectingtheregionsince,unliketheEACStrategyonPeaceandSecuritywhich only calls Partner States to formulate measures to combat terrorism, the Regional Strategy on Countering Terrorism is based on Prevent, Protect, Disrupt and Respondinitiatives.

Secondly, whether the *EAC Peace and Security Protocol* is adequate enough to make the Regional Peace and Security Architecture operational; the study revealed that, the protocol is part of a spectrum of several instruments and mechanisms which if implemented would largely contribute in addressing most to the peace and security challenges facing the region. Further, the adequacydepends not only on Partner States commitment to fulfill the 23 goals stated therein, butalsoparticipationofotherthirdpartiessuchasneighboringcountries and the international community since, some challenges are beyond the reach of the community itself. Of the 23 goals, only few have been so far implemented: exchanging visits by security authorities, exchanging training programmes for security personnel, establishing measures tocombat proliferation of illicit Small Arms and Light Weapons (SALW), formulating security measures to combat terrorism, developing mechanisms for conflict management and resolution, developing a conflict early warning mechanism, The rest of the goals are either partially implemented or not implemented at all.

Third, the study revealed that, the *EAC Protocol on Cooperation in Defense*providescategoricallythatPartnerStatesshallcooperateindefenseaffairsand collaborate with international and regional organizations to promote peace, securityandstabilityintheCommunity,butonthecontrarymorethanonceEAC asablochasfailedtointerveneoncivilunrestinthecountriesofBurundi, Ugandaand South Sudan for fear to interfere with other States’ sovereignty. Moreover, through the EAC Protocol on Cooperation in Defense, Partner States defense forces have been cooperating in military training, offering technical support, visits and exchange of information. However, Partner States have not been successful in the area of cooperating in joint operations like combating terrorism because of the absence of response mechanism with full mandate to respond to peace and security challenges. This is the reason why the EASF has never responded to the terrorist attacks in Kenya.

Fourth, the study revealed that, *the Regional Early Warning Centre* located at the EAC Headquarters played a critical role in warning the EAC decision makers in the likelihood of escalation of the Burundi crisis. However, the said EACWARN facility faces challenges in terms of both functionality and operation. As for functionality, the Regional Early Warning Centre is supposed to link with the National Early Warning Centers of the respective Partner States but, to the moment none of the EAC Partner States has been able to establish the Early Warning Centre, consequently, information gathering at the Regional Early Warning Centre in Arusha is merely open source/ internet based. In terms of operation, due to political pressure from some of the Partner States, experts employed in the Department of peace and securities have a very limited space of operation. For instance, in the year 2016 the EAC peace and security Department was about to be shut down, among others, following the information shared from the Early Warning Centre about the security situation in a given PartnerStates.

The PEP through the information gathered from the EACWARN on the likelihood of civil turmoil in Burundi following the determination by the incumbent President to contest for presidency after the end of his presidential term, timely managed to intervene by bringing together the ruling party and the other stake holders like the opposition parties and religious leaders Burundi forestall before it escalated in 2015, although the parties never reached a consensus.

Last but not least, the study observed that much progress has been made by Partner States to implement the *Nairobi Protocol for the Prevention, Control and Reduction of SALW* in various areas through the establishment of National Focal Points within Partner States to deal with activities such as marking of SALW, disarmament and destruction of illicit firearms. However, the study revealed that despite such progress, the disarmament process in some of the post conflict EAC Partner States has not been so much effective and thus, the weapons are still present in the wrong hands. This is because some of the EAC Partner States who are the key implementers of the peace and security instruments still have active and ongoing armed conflicts and consequently, the players in such conflicts reach out to acquire arms. Further, the issue of porous border has rendered the efforts by EAC Partner States to curb the proliferation of SALW futile.

Lastly the study also revealed that the *Sectoral Council in Interstate Security* is partly effectivesinceitisapoliticalbodywhosedecisionsdependonpriorconsultation with the Partner States. Peace and Security matters at EAC are coordinated by the Department of Peace and Security and the Office of the Defense Liaison Officer but implementation is done at the Partner States’ level.

# 4.2.4 Partner States’ commitment

Intermsof commitments topeaceandsecurityobjectives,the study revealed thefollowing:

Despite the commendable steps taken to honor the agreement on fostering Regional peace and security as reflected under Art. 124 of the Treaty establishing East African Community, yet, EAC Partner States have not done enough in fulfilling this obligation. Admittedly, EAC partner states have not gone to war notwithstanding the existence of the conflicts between them, they do consult and try to cooperate as evidenced by joint steps taken to deal with cross border crimes, exchanging visits, joint operations and joint trainings, among others; however, Partner States’ financial contribution is so limited to effectively facilitate on the implementation of ambitious measures outlined in the strategy. Consequently, EAC largely depends on donors to finance implementation of peace and security initiatives as well as operations of the department of peace and security. Besides, there is lack of full commitment by partner states in terms of political will which is witnessed by the inward looking or nationalism tendency of Partner States when dealing with integration matters.

# 4.3 Conclusion

This Chapter was reflecting on the study findings pertaining to the adequacy of the EAC Regional Peace and Security Strategy as well as various institutional mechanisms in addressing peace and security challenges facing the region.

Generally, the findings revealed that the strategy and mechanisms are adequate enough to accomplish the peace and security goals; however they are constrained by both compliance and implementationchallenges.

# CHAPTER FIVE

# 5.0 CONCLUSION AND RECOMMENDATIONS

# 5.1 Conclusion

This research was about assessing the challenges encountered in the implementation of Peace and Security Architecture for the EAC Region. The study was guided by five main assumptions: The first assumption was whether the East African Community Partner States are duty bound to cooperate in peace and security matters in order to create conducive environment for socio-economic development within the region. The second assumption was whether, narrow conception of peace and security accounts for the challenges encountered in implementing the obligations to cooperate on peace and security matters. The third assumption was concerned with whether the lack of political framework hampers the effectiveness of the peace and security architecture so developed. The fourth assumption was that mutual suspicion and mistrust on the part of EAC partner states leads to weak mechanism for intelligence sharing and hence posing a challenge in implementing the objectives of the peace and security strategy. The last assumption was whether lack of shared vision and mission on peace and security aspects among EAC Partner States is linked to the challenges encountered in implementing the regional peace and security architecture.

Given the above assumptions, the researcher was able to formulate research objectives and questions which ultimately gave the focus of the study.

At the end of this study, the researcher has been able to come up with the following observations in support of the assumptions:

It was observed that, pursuant to Art.124 of the Treaty for the Establishment of the EAC, partner states are duty bound to cooperate in peace and security matters in order to pave way for socio – economic development within the region.

It was also further observed that, the EAC Partner States have taken some steps towards the fulfillment of the obligation to cooperate in matters of peace and security as required under Art. 124 of the Treaty for the Establishment of the EAC, but they have not done enough to honor such obligation not due to narrow conception of peace and security but due to some other reasons including; lack of full commitment by partner states in terms of politicalwillandallocationofadequateresources,dependencyon donors’ funds up to about 95% to finance peace and security initiatives as well asemoluments of personnel in the peace and security department, contribution of funds being too limited to facilitate on the implementation of ambitious measures favorable to individual partner states, and different views and understanding about peace and security among partnerstates.

As for the ineffectiveness of the peace and security framework within EAC, it was observed that: The peace and security strategy is a very comprehensive document which covers almost all aspects of peace and security sector and that, if properly funded and fully implemented, peace and security challenges facing the EAC Region would be reduced, thereby enabling the region to pursue its development agenda with fewer obstacles. Suffice it to say, the study findings revealed that, the EAC Regional Peace and Security Strategy is very elaborate with 23 goals for fostering regional peace and security, and it clearly identifies strategies for the fulfillment of each of these goals. The main challenge hampering the effectiveness of peace and security framework has something to do with financing and implementation problems.

With regard to the weak intelligence sharing mechanism, it was observed that, EAC depends on the Regional Early Warning Mechanism (EACWARN) located at the EAC Headquarters in Arusha as the source of information gathering and sharing. However, the said EACWARN facility faces challenges in terms of both functionality and operation.

The Regional Early Warning Centre is supposed to link with the National Early Warning Centers of the respective Partner States but, all EAC Partner States are yet to establish the Early Warning Centre in their respective countries. According to the findings of the research, each individual Partner State is worried about the other Partner State’s intention and hence hesitant in sharing intelligence information. This poses a great challenge in terms of intelligence information sharing. As a matter of fact, the Regional Early Warning Centre in Arusha remains the sole information gathering Centre. Yet, the Early Warning Centre at the EAC Headquarters merely employs open source/ internet based mode in gathering and disseminating information, which normally consists of past events hence, defeating the essence and meaning of Early warning which is essentially about early responses to prevent, contain and manage situations that are likely to affect peace and security in the region.

Lastly, regarding the challenges in implementing the EAC Peace and Security Architecture, it was observed that lack of shared vision and mission is among the challenges hampering the implementation of the Architecture but that, it is not the only challenge. Other challenges which the study pointed out include;

financial implications including (over dependency on donor’s funds to finance peace and security matters and inadequate allocation of resources run the peace and security department), pursuit for national interest, lack of commitment by partner states in terms of political will to fulfill joint commitments, mutual suspicion and mistrust among partner states, absence of response mechanism with full mandate to respond to peace and security challenges, internal division among EAC Partner States, porous borders and sovereignty concerns.

# 5.2 Recommendations

In view of the above identified challenges, the researcher calls for the adoption of the following measures:

The EAC to expedite the process of establishing the EAC Peace and Security Council which is similar to the AU Peace and Security Council since EAC Sectoral Councils by their very nature and composition cannot order the deployment of Forces during peace and security breaches. This will help address the challenge to do with absence of response mechanism to respond during times of crisis.

Further, alongside with the establishment of the Peace and Security Council, EAC should see to it that the process of attaining the Political Federation is fast tracked since, the PSC despite its being effective in terms of its normative character, its effectiveness can still be hampered by sovereignty concerns of the individual PartnerStates. With the Political Federation in place, all Partner State would as such forgo their sovereignty into a single Federal government, which is capable of pooling of sovereignty into a stronger political entity with capacity to coordinate policies and addressing peace and security challenges affecting entire region. On this regard and in the light of the security challenges affecting the region, the Summit of the EAC Heads of States should evoke its mandate to create the Directorate of Peace and Security to be able to coordinate security services and fasten the processtowardsrealizationofPoliticalFederation.ThePoliticalFederationwill see to it any possibilities of Partner States fighting each other are removed thereby enhancing the political stability of theregion. With the Partner States’ sovereignty pooled together into one centre, Partner States will no longer be driven by pursuit of their national interests but rather their mutual regional interests.

Donor dependency is one of the revealed potential problems likely to affect the implementation of peace and security initiatives of the EAC Region should the donors decide to withdraw from funding. International donors have a role in helping Eastern African countries deal with peace and security challenges, but permanent engagement with donors in solving regional problems reduces the ability of regional actors to build their own local capacities. It is therefore recommended that international engagement be strategic, limited and time- bound to afford space for endogenous processes of regional problem-solving through regional capacity building incentives.

The EAC peace and security institutional framework has been pointed as one of the challenges affecting decision making process and hence, implementation of peace and security matters. The study findings revealed that, the decision-making process is a political one based on prior consultation between EAC policy decision makers and partner states. To this end therefore, EAC partner states need to rethink of the pattern of institutional building in order to move away from the institutions multiplicity inherited from past decades, towards narrow-focused and functional institutions. Hence, it is recommended that EAC establishes an enabling institutional framework in the form of a Directorate for Peace and Security which is central to coordinating the implementation the Protocol and Strategy on Peace and Security.

Lastly, the researcher suggests for further Research on the progress made in the implementation of EAC Regional Peace and Security Architecture, with specific regard to measures recommended by the researcher.

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# ANNEXTURE 1

**THE OPEN UNIVERSITY OF TANZANIA**

**OUESTIONNAIRE**

**A: INTRODUCTION**

Dear Respondent, I am Renatus Richard Mwemezi, a Student of the University of Fernando Pessoa & the Open University of Tanzania pursuing a Masters in International Cooperation and Development (MICD). I am doing a research on; “**An assessment of the challenges encountered in the implementation of Peace and Security Architecture for the East African Community Region”** as part of the fulfillment of my Master Degree award. May you please dedicate your precious, valuable and limited time to respond to the questions hereunder to the best of your knowledge?

Thanks for your continued cooperation.

**B: IDENTIFICATION OF THE RESPONDENT**

1. Name………………………….
2. Gender………………………..
3. Age……………………………
4. Occupation……………………
5. Address……………………….

**C: QUESTIONS**

1. Are there mechanisms in place within the East African Community that address peace and security challenges facing the East African Community Region? What are they and how do they operate?

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1. How did the EAC Regional Peace and Security Strategy evolve?

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1. Do you think the EAC Regional Peace and Security Strategy can help in eliminating peace and security challenges in the East African Community region? If Yes explain how and if No, give reasons why?

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1. If the answer in (3) above is yes, why does the East African Community region still experience peace and security challenges?

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1. Do you think, the East African Community member states have done enough to honor their agreement on fostering Regional peace and security as reflected under Article 124 of the Treaty establishing the East African Community? Give reasons for your answer.

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1. Is the EAC Protocol on Peace and Security signed by the East African Community member States adequate enough to address development challenges brought about by insecurity and lack of peace? If yes, explain how

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1. If the answer in (6) above is yes, why do some of the East African Community partner states hesitate in reacting to peace and security threats especially terrorist attacks that have been the order of the day in one of the partner states?

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1. Does East African Community have any legal mechanism for the Prevention, Control, and Reduction of Small Arms and Light Weapons? If yes, why does the region still experience increasing number of threats perpetrated by illicit owners of Small Arms and Light Weapons?

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1. How is the Sectoral Council in interstate security effective in addressing peace and security challenges within the East African Community Region?

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1. Is the EAC Protocol on Defense adequate enough to address security challenges facing the East African Community as a whole?

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1. Is there any mechanism within the EAC Region for the Conflict Prevention, Management and Resolution? Do you think that mechanism plays any role in containing and managing situations likely to compromise peace and security in the region?

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