



Vol. 9 | Social and development concerns in Africa (c)

Vol. 9 Article 7/10 | October 2019

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(An International Publisher for Academic and Scientific Resources)

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**EAST AFRICAN COMMUNITY INTEGRATION AND SKILLED LABOUR MOBILITY:  
ASSESSING RWANDA'S PROGRESS IN BRIDGING THE SKILLS GAP IN  
EDUCATION SECTOR 2010-2016**

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**Editing Oversight**

Impericals Consultants  
International Limited

**Abstract:** *The East African Community Common Market Protocol of 2010, is an integral part of the Treaty for Establishment of the East African Community that all partner states have committed themselves to implement. The protocol clearly provides labour mobility as one of its fundamental principles. Rwanda is one of the EAC Partner States that have opened its borders as well as its labour market to East African citizens, after having under gone a skills shortage of about 60% in all sectors. The purpose of this research is to establish whether skilled labour mobility from the EAC partner states has facilitated in bridging the skills gap in Rwandan education sector. Therefore free movement of skilled labour, is anticipated as a response to bridging the skills gap most especially in the Rwandan education sector.*

**Key terms:** *East African Community, Integration, skilled labor, mobility, education sector*

### **1.1 Study Background**

In a globalised world, the issue of skills should not be viewed as an individual concern; it must rather be seen as a global concern, put into action by nation States, which are globally seen as primary actors and implementers of most policies in the world. The African continent needs strong and well educated personalities to make it one of the most integrated region in the world.

African Union has been and still is struggling to achieve its goal of integrating the African continent so as to end fragmentation. African states, which are grouped into various regional economic communities, have always tried to achieve the same vision by putting in place an environment that enables free mobility of people as well as labour as one of the core strategies to accelerate regional integration. Labour mobility is one of the fundamental principles of most Regional Economic Communities in Africa. The EAC Common Market Protocol, in its article 10, provides for free mobility of workers across EAC region. It gives workers the right to apply for employment and consent to job offers, giving them unrestricted mobility across the region and non-discrimination in national labour markets, and outlines their entitlements within the borders of the Partner States for employment.

Rwanda became a member of EAC in 2007 after showing her interest to join the regional organization in 1996. By the time Rwanda joined the EAC, the Country was facing a critical skills shortage, an issue that prompted Rwanda to carry out a holistic skills audit in 2011 (MIFOTRA,, 2011). Following vigorous studies undertaken to identify the exact cause of the skills gap, Rwanda, further initiated a number of reforms which were meant to find a remedy towards bridging the skills shortage that was affecting all sectors in the Country. In trying to achieve all these, Rwanda quickly opened its borders and liberalized its labour market to external skilled labour from EAC and the rest of the world in conjunction with carrying out other vigorous law and institutional reforms to ensure the skills gap is critically addressed (IMF , 2016). As such, this study seeks to identify Rwanda's level of openness to EAC integration and skilled labour mobility as well as her progress towards bridging the skills gap.

## **1.2 Statement of the Problem**

Rwanda has an aspiration of becoming a knowledge based economy as enshrined in the vision 2020. However, much has been done to ensure the country is following the right track of development, but the Country is still facing a mismatch of skills to the labour market needs and entrepreneurial mind-set shift. This study, intends to identify the need to have a proper linkage between education policies on skills development and the labour market needs, which can create growth and development in all sectors of the Country.

## **1.3 Study Objectives**

- a) To identify the measures and policies that Rwanda has put in place to enable it become a destination country for skilled labour mobility from EAC.
- b) To establish the role of cross border mobility of labour in the Rwandan education sector.
- c) To establish the extent to which the skills gap has been bridged.

## **1.4 Justification and significance of the Study**

EAC Partner States have and still are doing their best to implement the provisions of the common market protocol which guarantees amongst other things, free movement of labour. Since 2007, EAC expanded from 3 to 6 partner states, the 3 being Rwanda and Burundi in 2007, followed by the entry of south Sudan in 2016. The findings of this study contributes to the available knowledge on the skilled labour mobility in EAC, especially how the same has facilitated the Rwandan education sector to deal with skills shortage. The contribution of this study is so significant to scholars in the areas of labour, migration and regional integration most especially how regional integration plays a vital role in ensuring free mobility of skilled labour from one country to another

in the same regional economic bloc.

## **1.5 Literature review**

### ***Theoretical framework***

This research is grounded on two common theories of regional integration. They are Neo functionalism and Intergovernmentalism theories. The two theories seem to be different but their end result is similar. Both of the theories have correlations to my chosen subject and both can also provide a scientific justification to the same. EAC is an intergovernmental organization of six countries of Burundi, Kenya, Rwanda, Tanzania, Uganda and South Sudan. The body of laws governing EAC is supposed to be domesticated into national laws of each Partner State so that various EAC goals and objectives can be implemented by Partner States. However, depending on the legal system adopted in each partner state as well as the will of the government to do so, domestication of EAC laws may remain a no achievable dream.

Inter-governmentalism theory, on the other hand provides that States have the power and capacity to integrate or not if they want. In other words, States control the level and speed of integration simply because they are the primary actors in regional integration and there is no one else above the state. Inter-governmentalists believe that even in case there is a supranational body i.e. EAC, its decisions cannot supersede those of national governments. The reason behind this belief is that the supranational organization was and is a creation of national governments (Nugent, 2006). Since the creation of supranational level is an outcome of direct decision by national government, the correlation between this research paper is that Rwanda joined the EAC and later opened its borders for EAC citizens to come in and compete with nationals on the national labour market as well as the rest of the EAC partner states to provide reciprocity to its nationals on the same. The political will of the national governments can move everything whereas lack of the same can stall everything.

### ***Empirical studies***

#### ***Skills and Labour Mobility as Core Factors for Integrating Africa***

Labour market is a very sensitive sector in regional integration arrangements and opening it up to allow its free mobility across borders has never been that easy in relation to other dimensions of regional integration such as goods, capital, and people. However, it is anticipated that regional integration can be the best driver for skilled Labour mobility but also Labour mobility further deepens regional integration (The World Bank, 2011). It is therefore, this dynamic interaction of mobility of different dimensions of regional integration, Labour inclusive, that can bring about real integration on the African continent. The African Union, as an umbrella of all African regional economic blocs, is in charge of spearheading and consolidating activities of regional economic blocs towards making Africa an integrated continent. On 21<sup>st</sup> March 2018, all African Union member countries launched the African Continental Free Trade Area Agreement (AfCFTA), which was massively signed at the 10<sup>th</sup> extra-ordinary session of the Assembly held in Kigali, Rwanda.

The AU labour migration framework for Africa is a program that is currently under implementation. Its implementation is in fulfilment of the Ouagadougou plan of action. Supported by development Partners such as the International Labour Organization (ILO) and others, the

labour migration framework, is being implemented by AU building blocks such as the Economic Community of West African States (ECOWAS), Southern Africa Development Community (SADC) and the East African Community (EAC) and others. This program is also collaborated with national social partners in member States of each regional economic community (RECs) (ILO, 2017).

Labour Mobility programs under the Umbrella of the African Union Commission are at three levels: the Continental Level, regional level and national level. At continental level, AUC oversees the implementation of labour mobility program as per the Ouagadougou declaration and plan of action. At regional level, it manifests in the free movement of labour whereby in regional economic blocs, it is a standalone dimension embedded in the common market protocol (ILO, 2017). In EAC, labour policies have been harmonized, mobility of labour free except some states which still maintain national legal provisions that act as barriers. The EAC e-Passport is expected to be launched by January 2018 and the process to internationalize it have been ongoing (EAC, 2016).

The concept of migration in East Africa may be drawn way back to the pre-colonial era. It was characterised by the non-existence of “borders” as known in the contemporary world. In East Africa, traditional societies by then had very strong interactions based on barter trade which further enhanced, free movement of persons and goods, cultural and tribal connections (Shaw &William, 2007). The cultural connections facilitated a relationship that is based on exchange of goods or barter trade between clans and tribes or kingdoms. The defunct EAC of 1967-77 embraced the free movement of persons within the region as one of the key elements of cooperation.

Today, the East African Community, within the context of regional integration, labour migration has become a key pillar for obtaining goals and objectives related to its economic integration and development. The East African Community has made further steps towards implementing the EAC Common Market Protocol, whose provisions provide for the free movement of labour. The Treaty for establishment of the EAC was signed in 1999 and came into force in 2000.

In its articles 76 and 104, the treaty provides for the establishment of the EAC Common Market under which falls the free movement of persons, labour, services, capital, right of establishment and residence (EAC, 2000). Article 151 of the Treaty, further grants power to Partner States to conclude protocols as per areas of cooperation. against this backdrop, that the EAC Common Market Protocol was concluded, signed in 2009 and came into force in 2010 (EAC, 2010).

The protocol for the Common Market (CM) provides for the free movement of factors of production such as people and capital, and the right of settlement and establishment of EAC citizens within the EAC states, among other things. The five freedoms, of people, goods, labour, services and capital, and two rights, of establishment and residence, are quoted as Area of Cooperation 7 in the EAC Treaty, but are in fact the core of the Common Market, which are in Area of Cooperation 1 (trade liberalisation and development) and 4 (investment and industry) (EAC, 2016).

Rwanda was the first EAC member to abolish working permits for citizens of the EAC to promote free movement of labour (The World Bank, 2012). When Rwanda decided to open its borders by lifting all legal and administrative barriers, her expected impacts were to strengthen economic and

trade relations among the Partner (IMF , 2016).

## 1.6 Research Methodology

This chapter introduces the research design and methodology, study and target population, sample and sampling techniques, research methods and instruments of data collection, data collection procedures, data analysis procedures, reliability and validity as well as ethical considerations of the study. This study targeted a group of population from the Ministry of Foreign Affairs and EAC, Ministry of Labour, teachers of primary and secondary school from Kenya, Uganda, Tanzania and Burundi working in Kigali and Universities lectures from Kenya, Uganda, Tanzania and Burundi. The total population of this study is composed of 340 respondents. Respondents at the ministries of EAC, Education and Labour are in most cases persons holding policy and expert positions that understand issues of policy related to skills gap, integration and labour mobility. As techniques, I used both probabilistic and non-probabilistic sampling techniques. From the existing probabilistic sampling techniques, simple random sampling technique and purposive sampling were used. Simple random sampling technique is applicable when all population have same chance of answering the questionnaires. Purposive sampling, also known as **judgmental, selective** or **subjective** sampling, is a type of **non-probability sampling technique**. Non-probability sampling focuses on sampling techniques where the **units** that are investigated are based on the **judgement** of the researcher. The sample size was determined using the formulas of Slovin's. Slovin's formula is applicable when the researcher knows nothing about the behaviour (s) of the population. It is always normal for a researcher to know a lot about the population, little about the population or nothing is known at all. In this case, the Slovin's formula is used when a researcher has no knowledge about the behaviour of the population size and it allows the researcher to sample the population with a desired degree of accuracy.

## 1.7 Findings and Discussions

**Table 1: Teacher Mobility to Rwandan Public Universities**

Lecturers from East Africa with teaching placements in public universities in Rwanda

Country	Number	Education Qualification			
		PhD	Masters	Bachelor	Diploma
Burundi	13	0	13	0	0
Kenya	100	18	72	10	0
Tanzania	21	18	3	0	0
Uganda	86	31	51	4	0
<b>Total</b>	<b>2,335</b>	<b>375</b>	<b>1,553</b>	<b>383</b>	<b>24</b>

Source: Higher Education Council (HEC) - Ministry of Education, 2017

The table above, shows that Kenya is the main EAC Partner State that sends labour to Rwanda. In all universities operating in Kigali, Kenyan lecturers amount to 100 out of which 18 are PhD holders, 72 with Master's degree whereas 10 have bachelor's degree. This is followed by Uganda with 86 lecturers of which 31 are PhD holders, 51 have masters whereas 4 have bachelor's degrees.

**Table 2: East African Teachers in Rwandan Public Secondary and Primary Schools**

SN	NATIONALITY	COUNT
1	Burundian	12
2	Ugandan	14
<b>Total</b>		<b>26</b>
<b>Secondary Schools</b>		
1	Burundian	16
2	Kenyan	8
3	Ugandan	211
<b>Total</b>		<b>235</b>

Source: Rwanda Education Board (REB), 2017

Table above, shows that across all primary schools which operate in Kigali, Uganda is the leading Country to send teaching staff in Rwanda followed by Burundi. As of today, there are 14 Ugandan primary teachers and 12 Burundian teachers in Kigali. Also, there are 235 high school from across East Africa with teaching placements in Kigali, whereby Uganda still leads in having the highest number followed by Burundi and lastly Kenya. Ugandan teaching staff in high schools amount to 211, followed by Burundi with 16 and finally Kenya with 8.

### ***Measures and Policies Attracting Skilled Labour Mobility to Rwanda***

#### ***Harmonization And Approximation Of National Laws Within The Eac Context***

The 11<sup>th</sup> Summit held on 20<sup>th</sup> November 2009 directed the EAC Partner States to review their domestic laws to ensure that they are consistent with the Treaty obligations arising from the Common Market Protocol. To implement this summit decision, a Sub-Committee on Approximation of laws in EAC Context was created to review existing laws of the EAC Partner States that have a direct bearing and impact on the implementation of the Common Market and Monetary Union Protocols. The committee has so far reviewed Companies, Insolvency and Partnerships laws. Gaps, differences, weaknesses in these commercial laws of Partner States have been identified and recommendations provided on the way forward. The Sub-Committee on Harmonization of National Laws within EAC Context is a Committee of the Sectoral Council on Legal and Judicial Affairs (SCLJA) mandated to undertake harmonization of laws as per article 126 (2) (b) of the Treaty on the Establishment of the East African Community. It has so far registered achievements and experienced challenges in carrying out its mandates as will be outlined later. As Member of East African Community, Rwanda entered into wide range of obligations under the EAC Treaty, protocols and other binding instruments, which require reforms to Rwanda's laws. It is against that background that, Rwanda Law Reform Commission (RLRC) has the core mandate of ensuring that Rwanda's legislative framework is compliant with Regional laws (EAC) and other international treaty obligations to which Rwanda is party. In fulfillment of this mandate the EAC Legislative Compliance Audit Programme was developed.

#### ***Achievements***

The Sub-Committee, between 2008 and 2010, developed two cyber-law Frameworks (Phase I and Phase II) which were approved by the EAC Council of Ministers in 2010. The Frameworks were

prepared as guidelines for Member States in amending or drafting cyber laws. The Frameworks contain recommendations that are designed to harmonize the law reform process between the EAC Partner States, as well as reflecting international best practice. Some Partner States have amended or enacted cyber laws in line with these frameworks.

The Sub-Committee on harmonization of laws identified, considered and finalized principles and other areas of harmonization of Partner States' laws governing Companies, Insolvency, Partnerships, Business Names Registration, Immigration, Labour, Employment, Contracts and Sale of Goods.

### *EAC Visa Regime to Facilitate Free Movement of Persons Across Eac*

**Table 3: Entry and Exit of EAC Citizens across Borders without Restriction for the Period July - December, 2013**

Article 7 (1) of the Protocol provides that the Partner States hereby guarantee the free movement of persons who are citizens of the other Partner States, within their territories.

<b>Burundi</b>	<b>Kenya</b>	<b>Rwanda</b>	<b>Tanzania</b>	<b>Uganda</b>
Kenya 17,500	Burundi	Kenya 54900	Kenya 193,078	Kenya 198,188
Rwanda 50,314	Rwanda	Burundi 21000	Burundi 34,873	Burundi 21,168
Tanzania 20,500	Tanzania	Tanzania 6500	Rwanda 46,637	Tanzania 43,078
Uganda 32,000	Uganda	Uganda 46800	Uganda 39,488	Rwanda 150,654
<b>120,314</b>	<b>No data</b>	<b>129,200</b>	<b>314,076</b>	<b>413,088</b>

*Source: Department of EAC Affairs, Rwanda*

Burundi enacted an administrative procedure that guarantees 6 months stay for EAC Citizens and also reported that the Immigration Act is currently under review so as to comply with the Common Market Protocol. Kenya enacted the following pieces of legislation to conform to the Common Market Protocol; Kenya Citizenship and Immigration Act 2011, Kenya Citizenship and Immigration Regulations, 2012, Kenya Citizens and Foreign Nationals Management Service Act 2011. Kenya further reported that a circular is in place directing immigration officials to automatically issue six months visitors pass to citizens of EAC Partners States.

Rwanda enacted a new immigration law that encompasses all provisions of the Common Market Protocol as far as free movement of persons, labour and services is concerned – Immigration Law N°. 04/2011 of 21/03/2011 and a Ministerial Order N° 02/01 of 13/05/2011 article 12. Citizens of Partner States who wish to visit Rwanda enter without restrictions and are automatically granted up to six months stay renewable upon justification. Tanzania reported that the Immigration Act of 1995 and the immigration Regulations 1997 are currently under review so as to comply with the Common Market Protocol. Tanzania further reported that a circular directing immigration officials to issue six months visitors pass to citizens of EAC Partners States has been issued.

Uganda reported that the Citizenship and Immigration Act is under review. Though the existing law does not guarantee six months stay for a visitor, but an administrative circular is in place to provide entry for visitors from EAC Partner States for up to 6 months.

**Table 4: Free Movement of Workers in Relation to Employment and Remuneration Without Discrimination (Work Permits Issued by Eac Partner States)**

EAC Partner States are in the process of amending their respective national laws to eliminate discriminatory provisions in relation to free movement of workers. The table below shows the number of work permits that were issued to citizens of Partner States in the community for the period July - December, 2013.

<b>Burundi</b>	<b>Kenya</b>	<b>Rwanda</b>	<b>Tanzania</b>	<b>Uganda</b>
Kenya 12	Uganda –	Kenya 1057	Kenya 390	Kenya - 201
Rwanda 12	Tanzania –	Uganda 1056	Burundi 0	Burundi - 6
Tanzania 0	Rwanda –	Tanzania 132	Rwanda 7	Tanzania - 24
Uganda 4	Burundi –	Burundi 406	Uganda 36	Rwanda 9
<b>28</b>	<b>0</b>	<b>2651</b>	<b>433</b>	<b>240</b>

*Source: Department of EAC, Rwanda (2019)*

**Burundi:** National review of the Labor code is underway to amend the Ministerial Ordinance N°. 660/08/92 of 17th February 1992 regulating foreigners working in Burundi – to pay 3% of their annual revenue in Tax. In the meantime, the Social Security Act has been amended and adopted but noted that there is lack of proper monitoring system and data collection in this sector.

**Kenya:** National Labour laws are not discriminatory. The Employment Act, N°.11 of 2007, Section 5 provides for equal treatment for all workers irrespective of sex, colour, race or nationality, among others. Kenya further reported that its laws are under review to re align them to the CMP and the new Constitution.

The number of Private Agencies registered by the relevant authority involved in collection and dissemination of information on job vacancies were 132 in 2011 and 149 by June 2013.

**Rwanda:** Citizens from other Partner States who secure employment are issued with resident/work permit of 2 years renewable upon application. Those with a lesser period are issued with a special pass in accordance with the provisions of the Protocol. All these documents are issued to EAC citizens free of charge.

**Tanzania: Claims it has** no laws discriminating against other Partner States. Nevertheless, Tanzania charges work permit fees on citizens of other EAC Partner States.

**Uganda:** There are several laws discriminating against citizens of other Partner State in relation to employment, remuneration and other conditions of work and employment.

**Table 5: Right of Residence (Residence Permits Issued by Eac Partner States)**

Article 14 (1) of the Protocol provides that the EAC Partner States hereby guarantee the right of residence to the citizens of the other Partner States who have been admitted in their territories in accordance with Articles 10 and 13 of this Protocol.



Burundi	Kenya	Rwanda	Tanzania	Uganda
Kenya –	Uganda –	Kenya 657	Kenya 453	Burundi 0
Rwanda –	Tanzania –	Uganda 580	Burundi 2	Kenya 15
Tanzania –	Rwanda –	Tanzania 89	Rwanda 10	Tanzania 6
Uganda –	Burundi –	Burundi 294	Uganda 49	Rwanda 2
<b>0</b>	<b>0</b>	<b>1,620</b>	<b>514</b>	<b>23</b>

Source: Department of EAC, Rwanda

**Table 6: The Number of Dependents Passes that were issued by EAC Partner States**

Burundi	Kenya	Rwanda	Tanzania	Uganda
Kenya –	Uganda –	Kenya 108	Kenya – 0	Burundi 5
Rwanda –	Tanzania –	Uganda 12	Burundi – 0	Kenya 169
Tanzania –	Rwanda –	Tanzania 24	Rwanda – 0	Rwanda 12
Uganda –	Burundi –	Burundi 84	Uganda – 0	Tanzania 31
<b>0</b>	<b>0</b>	<b>228</b>	<b>0</b>	<b>217</b>

Source: Department of EAC Affairs, Rwanda

**Kenya:** There is no known workers nor self-employed persons of other Partner States who were denied residence permits.

**Rwanda:** Both work and residence permits are issued within three (3) working days which substantially exceeds the requirement of issuing these documents within thirty (30) days as set out in the EAC CM Protocol.

**Uganda:** The right of residence is inherent to work permits in Uganda. In addition to work permits, residency is also issued in other circumstance e.g. marriage.

#### **Procedure for Issuance of Work and Residence Permits**

The following are the prevailing rates for Work/Residence Permits in the EAC Partner States:

**Burundi:** A work permit is offered by the orientation commission created by Ministerial Decree. It is issued by the Director of Labour Inspection. Work Permits are issued for a period of two years to foreigners with particular technical skills; for a period of five years to refugees and stateless individual officially recognized as such by competent officials and foreigners residing in Burundi for at least 20 years and permanently to foreigners born and living in Burundi, as well as those married to a Burundian nationals residing in Burundi and having kept the nationality of the country of origin. Work/Residence Permits in Burundi is not for free to citizens of EAC Partner States.

**Table 7: Residence/Work Permits fees in Burundi**

Visa/Permit	Validity	Fees per Year (\$)
Visa for establishment	2 years	500 USD
Undetermined visa	Undetermined period	600 USD
Permanent residence	Undetermined period	1200 USD

Source: Department of EAC Affairs, Rwanda

**Kenya:** Work/Residence Permits in Kenya are handled by the Department of Immigration which operates Kenya Citizenship and Immigration Act N°.12, 2011, Kenya Gazette Supplement Notice N°. 63 of 15th June 2012 on Immigration Regulations. Work permits are issued free of charge to citizens from EAC Partner States. Kenya has 193 classes of work /residence permits classified as follows:

**Table 8: Residence/Work Permits Fees in Kenya**

Class	Description	Processing Fees Kshs	Fees Kshs
A	Persons prospecting for mineral or mining	10,000	250,000
B	Investment in Agriculture and animal husbandry	10,000	100,000
C	Prescribed profession	10,000	100,000
D	Specific employment	10,000	200,000
F	Investors in manufacturing sector	10,000	100,000
G	Investors in trade or business	10,000	250,000
I	Missionary societies	1000	5000
K	Persons with assured incomes and should not accept paid employment	10,000	100,000
M	Conventional Refugees	Gratis	Gratis

*Source: Department of EAC, Rwanda*

**Rwanda:** Work/Residence permit are applied for at the Directorate General of Immigration and Emigration. The processing time is 1 to 3 working days depending on the class of permit. All classes of work/resident permit are issued to EAC citizens free of Charge. There are two categories of residence permits: temporary residence permit which has 18 classes with sub classes; and permanent residence permit which has 06 classes. The following laws have been enacted with regard to residence permits: Law 04/2011 of 21/03/2011; Ministerial Order 02/01 of 31/05/2011 and Ministerial Order 03/01 of 31/05/2011.

**Tanzania:** There are three classes of residence permits (Class A, B, and C). Currently Tanzania is charging a fee for Class A residence permits ranging from US\$ 3,000, 2500, 2,000, 1,000, and Tshs 10,000 depending on the category and sector engaged and the validity of the permit is 2 years which is subject to renewal. Fee for Class B permits is USD 2,000 for persons who have been offered specific employment and the validity of the permit is 2 years which is subject to renewal.

**Uganda:** All foreign nationals intending to take up employment for class G2 must apply for work/residence permits while still outside Uganda. Applicants for other classes may apply for residence/work permits while in the country.

**Table 9: Work Permits/Residence Permit Fees in Uganda**

Class	Fees (\$)	Class	Fees (US\$)
A1	Gratis	E	1000
A2	250	F	750
B	500	G1	250
C	500	G2	600
D	1500	DP (Marriage)	200
CR (Life)	1000	DP (Child)	100
CR (AGE)	250	Students Pass	100
Appeal	500		

Source: Department of EAC Affairs, Rwanda

### ***Mutual Recognition of Academic and Professional Qualifications (Mras)***

One of the major challenges facing the EAC Partner States is the lack of harmonized laws and policies. However, it was identified that there can be an alternative to harmonization of laws, whereby, institutions and professional bodies from Partner States can sign mutual recognition agreements, which would easily facilitate trade in services. At its 11th Meeting held on 3rd November 2011, the Sectorial Council on Legal and Judicial Affairs identified a number of outstanding legal issues including the following: The legal status of the MRAs that would be concluded by various Professional bodies in the Community; The applicability of the MRAs concluded by professional bodies and how they will bind the Partner States; The need to define the term “professional”; and Some municipal laws in the Partner States might prove to be a challenge to MRAs. In its conclusive recommendation, the Sectorial Council directed Secretariat to prepare draft regulations, identify outstanding legal issues and thereafter circulate the same to Partner States.

### ***Administrative Impediments to Eac Projects and Programs***

It is of significance importance to note that slow implementation of Council Decisions and Summit Directives is a choice of Partner States. When Partner States agreed from the word go to come together and integrate in all sectors of their respective Countries, then there shouldn't be any obstacle in implementing directives and decisions already passed at Council and Summit levels by Ministers and Heads of State respectively. The EAC is first of all a creation of Partner States through the initiative of the Heads of State; second, it is the Summit of the Heads of State that make decision for the Community; therefore, if the decisions cannot be implemented, then the very first personalities to blame are heads of state.

Lack of political will and the individual role of heads of State is another important factor that may or may not drive the Community towards achieving certain common goals and interests. A head of State has the power to direct in the interests of nationals to execute some projects and programs of the Community. An individual ordinary citizen of any Partner State cannot be blamed for having failed to implement any Council or Summit directive. Therefore, Heads of State have all it takes to instil the political will and power to implement the community directives, and this can be done through enacting an executive order compelling citizens to so.

Failure to comply with the ratification and domestication process of the EAC laws into national laws creates confusion in a way that it is in the interests of the Partner States to enact laws or even

harmonize the existing one with an objective of facilitating local citizens to enjoy the benefits and opportunities of integration. For any regional law or protocol to be ratified and domesticated, it must have been approved and signed either by the regional Assembly or by the Council of Ministers respectively.

### ***Impact of the National Skills Development Policy in Rwanda***

Following the 2017 survey on impact of training in Rwanda technical vocational education and training (TVET) and polytechnic schools, the Minister of State for Education Isaac Munyakazi disclosed that the Rwandan Government found it so indispensable to create an education system that is more relevant and linked to the labour market so as to spark the economic transformation that the Country had all along wanted to achieve. The survey further shows that the impact of training in Rwanda's technical, vocational education and training schools (TVET) in the job market is higher than expected. The satisfaction of graduates from TVET schools and polytechnics were 72.4 percent and 76.6 percent while that of employers was 78.2 percent, which means that the satisfaction rate by employers was higher than the graduates, said National Tracer Survey on TVET and higher education graduates employment and employer satisfaction.

### ***How Labour Migration has Promoted Rwanda's Labour Market Demands***

Labour migration has a triple win effect if properly managed. It has far reaching potential to enhance migrants' well-being, while contributing to the development of their communities, countries of origin and destination. Millions of people in East Africa are on the move, in search of skilled and non-skilled jobs. Rwanda joined the East African Community (EAC) in 2007, making it a five-member regional economic bloc that constitutes Kenya, Uganda, Tanzania, Rwanda and Burundi. The treaty establishing the EAC provides for free movement of people, recommending the partner states to ease border crossing by the EAC citizens and harmonize common employment/labour policies, programmes and legislation.

## **1.8 Conclusion**

In conclusion, the findings of the study show that free movement of workers in Rwanda is 100% free to all citizen of EAC Partner States. Articles 76 and 104 of the treaty guarantee the free movement of labour without any exception and or limitation. The provisions of the Protocol relating to the mobility of labour and the extent of their domestication and implementation in Rwanda have been comprehensively put into action. Rwanda embraces East African Community regional integration through implementing its policies. The labour market has been fully liberalized granting permission to all East Africans to transfer labour, innovations as well as skills to the Rwandan market without discrimination.

It is imperative to note that domesticating regional Labour policies, significantly enhances mobility and finally promotes human capital development hence contributing to national development. Regional integration is thus a contributing factor for safeguarding and protecting rights to skilled Labour mobility across the community. This would help achieve inclusive growth facilitated by the increased capability of all social groups by allowing them to participate equally in building national and regional wealth. An integrated community is the one that enhances social interaction as well as the dynamic cooperation based on transfer of innovations, skills, knowledge and mobility of persons.

## 1.9 Recommendation

The study recommends that Rwanda should maintain the openness and free movement of skilled labour from EAC to come and contribute to Rwanda's education sector. The Rwandan government should maintain high level negotiations with other EAC Partner States to ensure reciprocity on the implementation of EAC policies on free movement of labour such that Rwandan nationals can as well move and work in other EAC Partner States while getting equal treatment as their respective nationals. Rwanda abolished the work permit fees to all East Africans, and if there could be reciprocity to Rwandan citizens, then integration process would further hit a balance and bring equal benefits to the whole of EAC region. The study further recommends that the Rwandan government to promote skills development by enhancing competency based training as well as competency based assessment; matching the demand and supply of skilled labour while putting into consideration that skills needs are constantly shifting and or changing. In doing this, the government should ensure there is a proper financing mechanism in response to priority skills development needs in education sector. At regional level, the EAC should put in place an employment policy with actionable strategic points. Finally, the study recommends pushing for implementation of the EAC treaty provisions and Partner States commitments enshrined in different protocols such as the CMP which regulates labour mobility across the EAC Partner States.

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