

ACHIEVEMENT
East African Court of Justice
turns ten

STRATEGY
Where the Community
wants to be in 2016

INFRASTRUCTURE
Region agrees on uniform
axle load limits

IN FOCUS
One Stop Border Posts to
boost trade



THE COMMUNITY

ONE PEOPLE. ONE DESTINY

THE OFFICIAL MAGAZINE OF THE EAC

ISSUE 15

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LAKE TANGANYIKA BASIN

Unlocking the Potential

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ONE PEOPLE. ONE DESTINY

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FROM THE SG

REACHING FOR FOR THE DREAM



AMB. DR. RICHARD SEZIBERA
EAC SECRETARY GENERAL

One of the greatest comforts it gives me is to note the trend in our region for the people and leadership to think, plan and act more and more East African. We have certainly come a long way.

It is dawning on our people that small, standalone, fragmented African markets can neither sustain industrialisation nor foster meaningful development within the globalised world economic system. Progressive and foresighted African leadership and institutions, today speak of regional integration and good governance in the same breath.

Indeed, today's smart public and private organisations in East Africa are dynamic and fluid organisations. They are invariably outward and forward looking and embrace the progressive principles of social responsibility, transparency, integrity and accountability. This dynamic posture of the modern East African leadership and vision establishes the region as a competitive market and investment destination.

While this potential is recognised, there is, however, need to take decisive action to turn this potential into gains through rigorous implementation of the agreed regional projects, programmes and mechanisms. There still exists a gap between the promise and the performance. Factors such as the prevalence of NTBs, despite the establishment of a Customs Union since 2005, have slowed the progress. Over 50% of our population lives below the poverty line while the gap between the poor and rich is widening at an alarming rate.

With this appreciation, we are determined to hold steadfast on regional integration. We are taking proactive measures and collective response to deliver tangible benefits of regional integration. Already, most of our region's development Master Plans have progressed and are currently under implementation, particularly under infrastructure and other development projects.

There is need for more political and corporate transparency as well as dealing with corruption, which is a major concern. We know that there is a definite link between corruption and poverty. To combat this enemy of progress, the EAC is working through a forum established by the anti-corruption agencies and authorities of the Partner States to develop mechanisms to stamp out corruption from the region.

The implementation of the region's procurement laws and regulations in accordance with international standards is one of the steps that the EAC is undertaking. Related measures, which we shall be pushing, include a Competition Policy and Authority for the region as well as anti-Counterfeit, anti-Piracy and anti-Money Laundering legislations that are due to be tabled in the East African Legislative Assembly.

Under the Social Sectors co-operation, we are paying close attention to the social dimensions of development, encompassing issues of equity and social justice.

Above all, we should be steadfast in the implementation of the 4th EAC Development Strategy (2011-2016). The 4th EAC Development Strategy, with its theme, "Accelerating and Deepening EAC Regional Integration", is by far the most ambitious and points to the way which we are going. 🇰🇪



LVBC PROJECT TO BOOST SAFETY ON LAKE VICTORIA

The Lake Victoria Basin Commission has instituted a project to improve safety of navigation and security on Lake Victoria. One of the main components of the Maritime Communications for Safety on Lake Victoria Project is the establishment of search and rescue facilities on the lake, which will benefit communities that depend on it for their livelihood as well as commercial shipping. About 5,000 people die each year in marine accidents, according to LVBC Executive Secretary Dr Canisius Kanangire.

The project also aims to bring efficient and affordable communication to Lake Victoria Basin communities by providing for a wireless communication system that is specifically adapted to meet maritime requirements by allowing two-way contact between boats in distress and emergency rescue coordination centres.

The project -- to cost \$20 million over four years -- will involve setting up the telecommunications network, maritime search and rescue coordination centre in Mwanza and 10 rescue stations in Kenya, Tanzania and Uganda up to 2012. The implementation of medium term search and rescue facilities in the same countries will then follow between 2012 and 2014. 🇰🇪🇹🇿🇺🇬



SG VISITS EAC HEADS OF STATE

The EAC Secretary General Amb. Dr. Richard Sezibera between June and August this year embarked on a series of working visits to the State Houses of the EAC Partner States to brief their Excellencies the Presidents on the areas he intends to focus on during his tenure of office.

Amb. Dr. Sezibera made the first of his five trips to the Republic of Rwanda on 2 June 2011 to meet President Paul Kagame and followed that with a courtesy call on President Jakaya Kikwete of the United Republic of Tanzania in Dar es Salaam on 3 June.

The Secretary General made subsequent trips to Bujumbura where he met the Summit Chair and President of Burundi, His Excellency Pierre Nkurunziza on 4 June and to Uganda to meet President Yoweri Museveni on 14 July. He then concluded with a visit to President Mwai Kibaki's Harambee House office on 10 August.

The Secretary General briefed the Heads of State on five key priority areas that he intends to pursue in the next five years which include: the establishment of a Single Customs Territory; the operationalisation of the EAC Common Market Protocol; development of robust regional infrastructure to facilitate trade; conclusion of the negotiations for the Monetary Union Protocol; and the involvement of the private sector, women, youth and the ordinary citizens of East Africa in the EAC integration agenda. 🇰🇪🇹🇿🇺🇬



7 INSTITUTIONS GRANTED IUCEA MEMBERSHIP

Inter-University Council for East Africa has admitted seven institutions from Burundi, Kenya and Rwanda as members. Catholic Institute of Kabayi; Polytechnic Institute of Byumba; Kigali Independent University; Institut d'Enseignement Supérieur de Ruhengeri; Institute of Agriculture, Technology and Education of Kibungo (all Rwanda); and Pan African Christian University (Kenya) were all admitted as associate members, while Ecole Normale Supérieure (Burundi) was granted full member status.

Full Membership status is granted to a public university or a private university in possession of a Charter or Act of Parliament, while Associate Member status is reserved for private universities in possession of a Certificate of Provisional Registration or university colleges which are constituents of fully-fledged universities.

The IUCEA is one of the autonomous institutions of the East African Community and is an umbrella body that brings together universities in Burundi, Kenya, Rwanda, Tanzania and Uganda. Currently its membership stands at 87 universities.

As of September 2011, IUCEA membership stands at 87 universities. 🇰🇪🇹🇿🇺🇬



EADB RECORDS SECOND YEAR OF PROFITS

The East African Development Bank (EADB) recorded profits for the second consecutive year in the year ended 31 December 2010, netting \$2.2 million, Hon. Hafsa Mossi, the (then) Chairperson of the EAC Council of Ministers announced in May. The EAC development finance institution's return for 2010 represents a 22% growth in profitability after it yielded \$1.85 million in 2009.

The Council Chairperson noted that the Bank had adopted a robust response to the developmental needs of the region underpinned by its five year strategic plan (2011 - 2015) whose formulation is at an advanced stage.

EADB is an autonomous institution of the EAC that plays a threefold role of lender, advisor and development partner. The bank provides a range of products and services made for the region's development requirements. Its membership comprises of Kenya, Rwanda, Tanzania and Uganda.

Originally established in 1967 under the treaty of the then East African Cooperation, the Bank survived the breakup of the Community in 1977, and was re-established under its own charter in 1980. 🇰🇪🇹🇿🇺🇬



REGIONAL ASSEMBLY PASSES KEY BILLS IN KIGALI

The East African Legislative Assembly in September passed two key bills -- the EALA Elections Bill 2011 and the EALA Parliamentary Institute Bill 2011 -- during a sitting held in Kigali, Rwanda. The EALA Elections Bill 2011 aims at providing a framework for the laws, regulations and procedures relating to elections of Members to the EALA.

The Parliamentary Institute Bill 2011 on the other hand aims to establish a parliamentary institute to provide training on parliamentary procedures and practices, thereby widening and deepening co-operation among Partner States. The Bill further envisages establishment of a forum which fortifies linkages with lawmakers in the African region and globally.

During the two-week plenary Members also adopted reports of the Committee on Accounts on Oversight Assessment on Internal Audit Systems of EAC Organs and Institutions; as well as that of the Workshop on Policies and Strategies on Education, Research, Science and Technology in East Africa.

EALA further debated and approved the Report of the Committee on Communication, Trade and Investment on Capital Markets Regionalisation. 🇰🇪🇹🇿🇺🇬



AUDIT PROPOSES REGIONAL SOLUTION FOR AVIATION

An EAC Inspector Technical Skills Audit has recommended that the Partner States pool resources to counter glaring capacity challenges. A draft final report of the Audit, carried out in all five EAC countries this year concludes that most of the Partner States do not have adequate aviation activities that could generate the necessary resources individually to be able to respond to the challenges that range from personnel shortages to difficulties in recruiting and retaining staff.

The report however proposes a regional solution -- by providing access to the necessary expertise through the sharing and pooling of resources -- as one of the effective means of assisting Partner States in discharging their safety oversight obligations and at a reduced cost.

Major air operators and representatives of airport authorities and board members of the East African Community Civil Aviation Safety and Security Oversight Agency (CASSOA) reviewed the draft report at a workshop held in August in Entebbe, Uganda. The workshop also sensitised participants on the Agency's activities and proposed funding mechanisms. 🇰🇪🇹🇿🇺🇬

DEVELOPMENT STRATEGY

...Where EAC wants to be in 2016

It is 2016, and the EAC is a region flush with Export Processing Zones; movement of goods across countries is seamless, because One Stop Border Posts abound; commercial aquaculture is a fully fledged economic activity; flights from one Partner State to the next are treated as domestic—meaning lower air fares, thanks to a liberalised airspace; and the Common Market is steadily gaining momentum.

On the social front, education systems are harmonised; access to safe, affordable and quality medicines is much improved; and regional culture and sports festivals are all the rage.



And yes, the bloc is a much safer place too—proliferation of small arms and light weapons has been contained; a regional platform to share crime intelligence is in place; EAC has developed and is implementing a regional policy on good governance; and the region now has a common foreign policy.

Ambitious? Maybe. But the EAC Development Strategy 2011-2016, which outlines the course the region intends to chart in the next five years, is ambitious by design, as the EAC is set on consolidating the gains of the Customs Union, fully implementing the Common Market, negotiating and implementing the Monetary Union Protocol, and strengthening the foundation for the Political Federation.

STRATEGY FOCUS

The Strategy, which the Summit launched during their 13th Ordinary Meeting in Bujumbura in November sets out the implementation of major master plans in the key productive sectors of agriculture and food security, industry, manufacturing and tourism as well as major transformations and deepening of integration in the social and political areas.

It also addresses the serious deficits in energy and transport infrastructure at national and regional levels and places major focus on the development of the Lake Victoria Basin, which is arguably the region's most precious shared economic resource of the greatest potential, as well as other basins, including the Lake Tanganyika Basin.

The Strategy identifies key drivers for the realisation of the EAC integration agenda in the next five years as the creation of a strong legal framework; strategic selection and harmonisation of prioritised programmes at national and regional levels; application of common policies and gradual elimination of all barriers to trade; devolution of power and authority to EAC Organs and Institutions commensurate with the integration agenda; and establishment of regional institutional frameworks among others.

IMPLEMENTING THE STRATEGY

The 4th EAC Development Strategy will focus on those projects and programmes that are feasible in the next five years and which have tangible and immediate impact to the people of East Africa.

These include activities carried forward from the 3rd EAC Development Strategy. The bulk of these activities will be implemented at the national level alongside the national development agenda while a limited number will be implemented through inter and intra-regional frameworks.



The implementation of the 4th Development Strategy will be built on the achievements of the first decade while prioritising consolidation of the two integration phases entered into; while laying the foundation for the other two.

The Strategy also places emphasis on expansion of productive capacities to facilitate diversification, and infrastructure network development for enhanced connectivity within and without the region.

Additionally, the mandates of various EAC Organs and Institutions and related facilitating institutions are to be reviewed and developed to take account of the expanded regional agenda.

Successful implementation of the Strategy—which has been costed at approximately \$1.3 billion over five years—is expected to stimulate investments, promote employment and growth and lead to increased diversification and major transformation of the region's economy.

THE PRIORITIES

- Consolidation of the benefits of a fully fledged Customs Union;
- Full Implementation of the Common Market;
- Establishment of the East African Monetary Union;
- Laying the Foundation for a Political Federation;
- Development of Regional Infrastructure;
- Development and Strengthening of the Regional Productive Sectors;
- Strengthening of EAC Organs and Institutions;
- Wide Stakeholder Participation; Public and Private Sectors and Civil Society Organisations. 

The 4th EAC Development Strategy is available for download at <http://www.eac.int>



WE ARE ON COURSE, BUT LET'S DO MORE

In November 2011, Burundi had the undivided attention of the EAC. Bujumbura, the country's capital, was playing a central part in a number of EAC firsts, none bigger than hosting the 13th Ordinary Summit of EAC Heads of State – for the first time – on 30 November 2011.

Attended by their Excellencies, President Pierre Nkurunziza of the Republic of Burundi, President Mwai Kibaki of the Republic of Kenya, President Yoweri Kaguta Museveni of the Republic of Uganda, Dr. Mohammed Gharib Bilal, Vice President of the United Republic of Tanzania and Rt. Hon. Pierre Damien Habumuremyi, Prime Minister of the Republic of Rwanda, the Summit also witnessed a change of leadership, with the Kenyan President taking over from President Nkurunziza as Chairman.

The EAC leadership, as expected, had a loaded agenda, from consideration of various reports; to the application for admission to EAC by the Republic of Sudan; the question of Somalia; the launch of the EAC Development Strategy (2011/12-2015/16), and the litigation involving the East African Development Bank, among others.

And as the 13th Ordinary Summit wound up, EAC Heads of State were united in their call for the expeditious removal of existing barriers to deepen integration in the EAC bloc.

The new Summit Chairman was categorical in emphasising the need to remove Non Tariff Barriers if the bloc wanted to drive the integration process forward.

“There is need to eliminate Non Tariff Barriers that continue to raise the cost of doing business in East Africa significantly.

“We also need to fast-track the establishment of one-stop border posts at the key border points. These measures will no doubt facilitate trade in the region,” he asserted.

President Kibaki also added that there was urgent need to facilitate small and micro-enterprises to do business in the regional arena and for greater emphasis to be placed on development of efficient infrastructure systems; including roads, railways, airports, ICT and energy.

The Kenyan President called for a concerted regional effort to pacify Somalia, observing that the success of the EAC is linked to the state of affairs in the entire region, currently threatened by instability in Somalia that continues to spill over to the whole region.

“Indeed, our economies continue to face serious challenges arising from the breakdown of rule of law in Somalia,” the Summit Chairman noted.

Let's do more, urges President Nkurunziza

Host President HE Pierre Nkurunziza on his part observed that while there was much to celebrate, much more re-

mained to be done. He was full of praise for the trends international trade and Foreign Direct Investments in the EAC region were taking, noting that these had grown by over 60% in operations of the Customs Union, while EAC intra-region trade has risen to 23% of total value exports, the highest of all the African Regional Economic Communities.

Nevertheless, for the outgoing Summit Chairman, there is lots of work still to be done.

“The above facts are, however, not enough. We need to be more ambitious, not less,” the Burundian Head of State asserted.

“Our combined economies are not still strong enough to be competitive in the global arena. When we are fragmented, we are weak. When we integrate, we are collectively stronger”.

President Nkurunziza also decried the continued existence of barriers to free movement of goods and persons as provided for by the Customs Union and Common Market protocols and challenged all stakeholders to “make further efforts to remove the barriers that still hamper our peoples from living and working as East Africans”.

At their 13th Ordinary Meeting, the Summit among others considered the Annual Report of the Council of Ministers for the period November 2010 to November 2011; the report of the Council of Ministers on the proposed attainment of a Single Customs Territory; a report of the Team of Experts on fears, concerns and challenges on the Political Federation; and the application by the Republic of Sudan to join the East African Community, which it declined on the premise that the country did not meet the criterion on geographical proximity to the Community.

The EAC leaders also approved the EAC Industrialisation Policy and Strategy; launched the 4th EAC Development Strategy (2011/12-2015/16); received a report on the operations and achievements of the East African Court of Justice; and received a report on the East African Development Bank/Blueline litigation, directing the Partner States' Attorneys General and the Counsel to the Community to prepare a legal position on the matter before the end of the year.

I urge all member states to play their respective roles in ensuring that our resolutions are implemented for the common good of the people of E. Africa – H.E. Kibaki

SUMMARY: SUMMIT DELIBERATIONS

APPROVED

- The EAC Industrialisation Policy and Strategy
- The Protocol on Prevention and Combating Corruption and;
- The Protocol on Immunities and Privileges for East African Community, its Organs and Institutions for Conclusion
- The Protocol on Co-Operation in Defence subject to amendment of Article 17 to provide that the Partner States shall negotiate and conclude within one year hence a Mutual Defence Pact

ADOPTED

- The Report of the Team of Experts on Fears, Concerns and Challenges on the Political Federation

LAUNCHED

- The EAC Development Strategy (2011/12-2015/16) whose theme is Deepening and Accelerating Regional Integration

DIRECTED

- The Council of Ministers to verify the application by the Republic of South Sudan and submit recommendations to the summit at its 10th Extraordinary Meeting

COMMENDED

- The East African Court of Justice on its achievements during the period 2001-2011

ON SUDAN

- Observed that the application by the Republic of Sudan does not meet the criterion on geographical proximity and contiguity and cannot therefore be considered at this point in time

ON SOMALIA

- Expressed support for the Republic of Kenya's intervention in Somalia to safeguard the former's peace, security and stability of the Republic of Kenya.

Download the communique at <http://www.eac.int> 



WOMEN TO THE FORE

EAC Conference on Women

How does the EAC get women to fully participate in the regional integration process? That was the key question that policy makers, academicians, women entrepreneurs, name all, from the entire region trooped to Kigali, Rwanda, 5-6 August 2011, to proffer answers for. The first-ever EAC Conference on the Role of Women in Socio-economic Development and Women in Business would provide the platform.

There would have been few places better suited to host such a forum, if any at all. Rwanda is the world standard when the subject is involvement of women in governance. Not a single country boasts a better percentage of women representatives in a national assembly than the land of one thousand hills.

It was as such, a good place to debate how the region could unlock business opportunities for women within an EAC Common Market—which was the chosen theme of the Conference. Rwandan President Paul Kagame, who officially opened the event, arrived armed with an impressive collection of statistics to justify the praise he would lavish on the African woman, whose productive capacity he described as “staggering”.

Women, he stated, constitute 70-80% of the total agricul-

tural force in Africa, a third of the global manufacturing labour force, and a third of the micro and small scale enterprises business population. Ironically however, he observed, “women still struggle with low incomes, unemployment, unequal access to financial resources and legal obstacles that impede them from maximising their full potential as entrepreneurs”. How then were East African women to be brought to the fore?

The Rwandan President had very useful ideas: investment in training to equip women; greater involvement by women leaders in such areas as formulating trade facilitation and other business-related policies; policies that specifically seek to empower women in business, such as gender responsive budgeting; and encourage women to move into finance, banking and mining sectors, which are areas of high growth potential but remain male-dominated.

The EAC Secretary General Amb. Dr. Richard Sezibera submitted that women’s empowerment constitutes the philosophical underpinning of the EAC regional integration and development. And that the Conference was proof of the EAC’s preparedness to march to the attainment of “our objective to place a critical segment our population at the forefront of the regional integration and development effort”. 🇷🇺



TALKING GOOD GOVERNANCE

GOVERNANCE & INTEGRATION

The first Good Governance Conference was held in Dar es Salaam, Tanzania, in January 2009 under the theme “Promoting Good Governance for Regional Integration”.

Nairobi, Kenya, hosted the second Good Governance Conference in August 2010 under the theme “Good Governance for Sustainable Integration, Stability and Development”.

For a regional bloc that ultimately aspires to become a political federation, it is only natural that its constituent states seek harmony in as far as their governance processes are concerned. One place the EAC Partner States have chosen to have discourse on this subject is the annual Good Governance Conference.

In its third year since inception, the conference was held in Kampala with the theme: “Upholding the Rule of Law and Constitutionalism for the Promotion of Regional Integration”. The main objective of the conference was to promote continuous debate and advocacy at the highest levels of political leadership to underscore the importance of good governance in regional integration.

Uganda’s Vice-President, Dr. Edward Ssekandi, who opened the forum, noted that the discussion on constitutionalism and administration of justice in the regional context, was a manifestation of EAC Partner States’ determination to take the integration process to its logical conclusion—the Political Federation.

He also lauded the decision by the EAC Council of Ministers to conclude a Protocol on Good Governance that would bind Partner States to the minimum acceptable standards towards principles of Good Governance, underlining “that it would go a long way to ensure peace and stability in the region”.

A rich array of participants, drawn from, among others, ministries responsible for Good Governance, Internal and Home Affairs, Justice and Constitutional Affairs; Parliaments; Courts; Agencies and Commissions; as well as various international bodies over a two-day period shared experiences, discussed and then recommended, that what the EAC needed to do most urgently was to empower the East African Court of Justice (EACJ) with wider jurisdiction and capacity to handle issues of human rights, international crimes, promotion of good governance.

The conference also noted that there is need for the development of regional instruments, as well as establishment and/or strengthening of the institutions and mechanisms that monitor implementation of these policies, and to boot a strong regional evaluation, monitoring and enforcement mechanism to foster compliance with good governance principles as outlined in the Treaty.

And, observing that conflict in the Horn of Africa is transboundary and associated with high levels of poverty, famine, proliferation of arms, human and drug trafficking and piracy among others, the conference called for enactment of laws, development of policies and creation of mechanisms and strategies that both address the various structural challenges and which have applicability beyond national borders. 🇷🇺

FOR EAC TRANSPORTERS, THE LOAD IS LIGHTER NOW

Transporters in the region have reason to be cheerful. Soon, they won't have to fret over different axle load limits among EAC Partner States.

The application of disparate regulations on vehicle weight limits has for years stood out as one of the major factors impeding efficient transport within the region.

In August 2011 all the Partner States agreed to adopt a maximum Gross Vehicle Mass (GVM) limit of 56 tonnes on seven axles – an agreement that was critical as it will now lead to efficient logistics for transit transporters previously burdened with the costs of differentiated axle load limits.

Prior to the landmark agreement, Kenya permitted a maximum of 48 tonnes (on six axles), Burundi and Rwanda 53 tonnes while Tanzania and Uganda had a 56-tonne limit, which is also applicable in the COMESA and SADC regions.

This harmonisation, when effected and complemented by initiatives such as the One Stop Border Post and the single window platform, has the potential to reduce logistics costs by up to 50%.

A uniform axle load limit for the region means faster clearing of cargo at weighbridges, ultimately lowering cost of transportation, and crucially, helping to deal with a persistent Non Tariff Barrier (NTB).

Critically too, Partner States agreed to the use of inter-linked vehicles (truck-trailer combinations) in the region's gazetted transit corridors without the requirement for special permits. This type of vehicle is popular with transporters because it gives them flexibility in loading and allows for optimisation on costs of operations. It is also convenient for high volume but light-weight goods (like paper rolls) which can be loaded on longer containers on vehicles of up to 22m in length.



Cross-border transport is reported to be 3-5 times more expensive in Africa than in Asia and Latin America and truck transport from Mombasa to Kampala, for example, over a distance of 1,100 km takes five days, of which 19 hours is spent crossing borders and weighbridges.

Furthermore, experts from PADECO, a Japanese consulting firm, suggest that the region could save as much as \$7 million per year with a one-hour reduction in transit

times. PADECO is the firm that conducted the study on the harmonisation of axle load control laws and regulations in the EAC, which was funded by Japan International Cooperation Agency (JICA).

The firm identified 23 issues that needed to be harmonised and agreement had been recorded in 21 areas

covering aspects such as legal instruments, calibration of weigh bridges, computerised scales, and standardisation of technology. The two outstanding issues that had frustrated the harmonisation process were the use of gross vehicle mass on seven axles and use of inter-linked vehicles.

What remains now is for the Sectoral Council on Transport, Communication and Meteorology to approve the strategy for the implementation of vehicle overload control in the EAC before the process moves to the next stage—where scrutiny of a proposed Regional Vehicle Overload Control Bill will be done at various levels, including the EAC Council of Ministers. Ultimately the Bill will be forwarded to the East African Legislative Assembly for debate and enactment into Community law. This process is targeted to be completed by April 2012.

DEALING WITH AN NTB

- The application of different procedures on axle load control had been raised as a major challenge at past Council meetings hence the former mandating the EAC Secretariat to undertake a study on harmonisation of axle load control laws and regulations.

- Against this background the EAC approached JICA to assist in developing a harmonised framework for axle load and gross vehicle mass limits in the region. A study was subsequently launched in December 2010.

- The study was executed as a sub-component of the Transport component of the East Africa Trade and Transport Facilitation Project (EATTFP).

Additional information:
<http://www.eac.int/infrastructure>



MILITARY GAMES

THE REGION PLAYS TOGETHER, TO STAY TOGETHER

Every time the teams lined up pre-match at the various sports venues in Bujumbura, Burundi, you'd never imagine they were poised to do battle in a matter of minutes. While a fierce competitive spirit simmered beneath, it was always easily subjugated by an overwhelming sense of camaraderie. And there was nothing pretended about that. That's what years of mutual cooperation, and confidence building, yields.

In August 2011, more than 500 men and women from the Defence Forces of the EAC Partner States checked into Burundi for the EAC Military Sports and Culture Event, the

first time the country was hosting the affair that had already gone to Kenya, Rwanda, Tanzania and Uganda between 2005 and 2009. In Bujumbura, they would square off in disciplines ranging from handball (men), football (men), netball (women), cross-country marathon (men and women) and basketball (men).

In opening the Games, Burundi President and EAC Summit Chairman His Excellency Pierre Nkurunziza had reaffirmed the importance of collaboration in defence, noting that "more than ever, military cooperation in our Community is a must".



For Secretary General Amb. Dr. Richard Sezibera, the EAC's strategic vision for a common security future is best guaranteed by the moulding of an East African soldier and a unified territorial defence system, and the annual EAC Military Sports and Culture events provide the platform to mould that soldier and for the Partner States Defence Forces to build confidence among themselves.

"Our strategic vision for a common security future is best guaranteed by the moulding of an East African soldier and a unified territorial defence system" – Dr. Sezibera

Dr. Sezibera also reckons that so long as the countries of the region are cooperating among themselves, they will have neither reason nor cause to resort to violent conflict among them.

Plus, he notes, groupings of nations such as EAC are the most reliable safeguard against security threats originating from outside the region.

When the curtains fell on the 2011 edition of the Military Games and Culture Event, Kenya with three gold medals and three silvers finished as the most decorated team, but the entire EAC left Bujumbura triumphant,

reminded yet again that when the region that plays together, it stays together.

CATEGORY WINNERS

Basketball	Burundi
Cross Country (M)	Kenya
Cross Country (W)	Kenya
Football	Uganda
Handball	Kenya
Netball	Tanzania

MEDALS TABLE

Team	G	S	B
Kenya	3	3	0
Uganda	1	2	1
Burundi	1	1	1
Tanzania	1	0	2
Rwanda	0	0	1

ABOUT THE GAMES

The EAC Military Sports and Culture Events have been held on a rotational basis since 2005 when the first edition was held in Kampala, Uganda. Subsequent editions were held in Nairobi, Kenya (2006), Zanzibar/Tanzania (2007), Kampala (2008) and Kigali, Rwanda (2009).

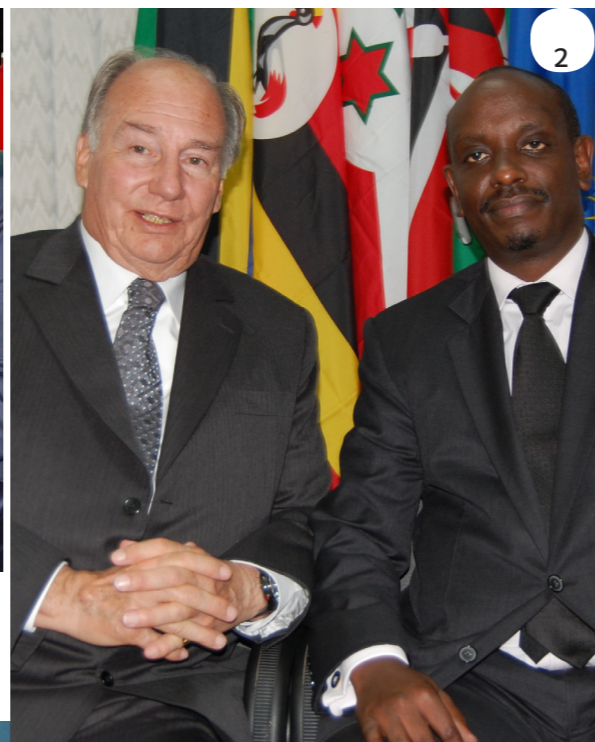
The Military Sports and Culture Event is held within the framework of the Memorandum of Understanding on Cooperation in Defence, which was signed in 1998 and revised in 2001. The MoU has specific provisions for areas of cooperation that include exchange of visits and regular meetings of the Defence Chiefs and other cadre of the defence forces; joint training; joint exercises and promotion of various joint sports and cultural activities.

The primary objective of the Military Sports and Culture Event is not competition, rather, it aims to contribute to confidence building and nurturing a spirit of sportsmanship among the EAC Partner States' Defence Forces and provide a platform for individual soldiers to demonstrate their immense talents and diverse cultures.





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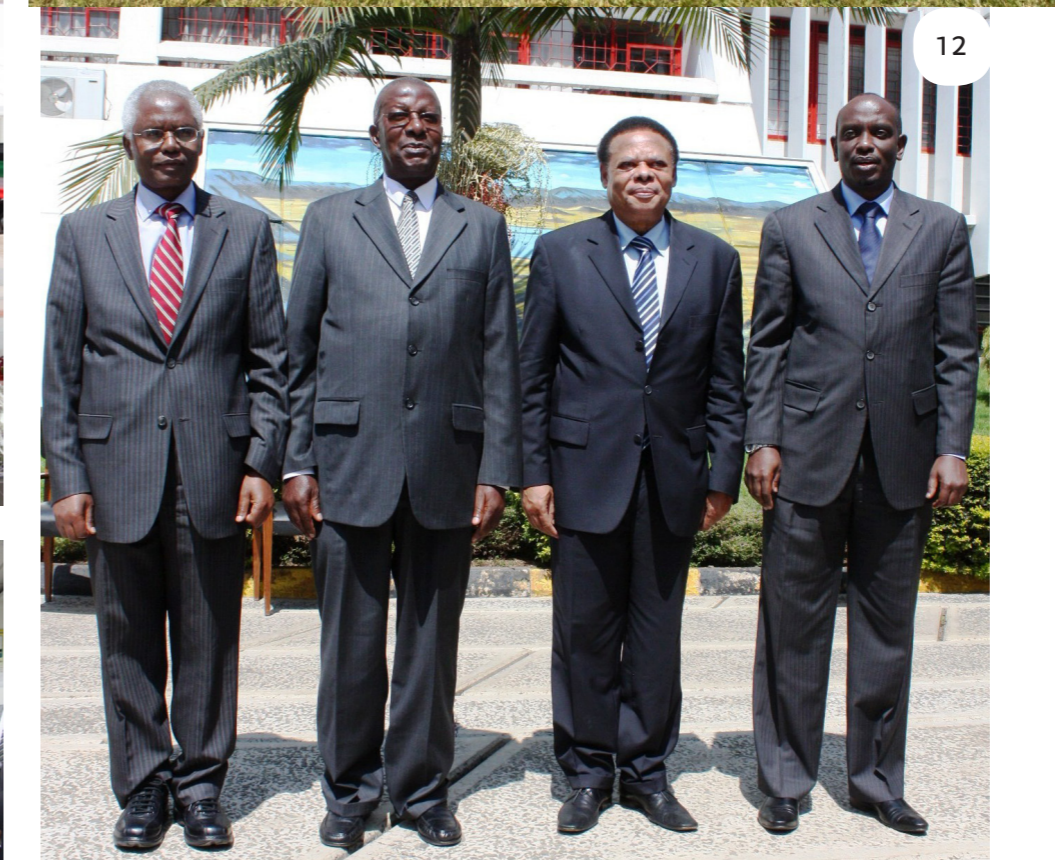
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- 1. **ROYAL CALL:** His Majesty King Otumfuo Osei Tutu II of Ghana's Ashanti Kingdom chats with Amb. Dr. Richard Sezibera during his visit to the EAC Secretariat in July.
- 2. **EMINENT GUEST:** Also in July, the EAC Secretary General hosted His Highness the Aga Khan at the Secretariat.
- 3. **SAY "CHEESE":** President Pierre Nkurunziza of Burundi and Amb. Sezibera share a light moment during the EAC Summit in Bujumbura in November 2011.
- 4. **THAT'S INTERESTING!** Rwanda's President Paul Kagame and EALA Speaker Hon. Abdirahin Abdi find there's a lot to smile about during the regional assembly's session in Kigali.
- 5. **HERE'S WHERE YOU STAND:** World Bank Operations Officer, Ms. Maria Miller hands over a copy of the 2011 Doing Business in the EAC Report to the EAC Deputy Secretary General in charge of Planning & Infrastructure, Dr. Enos Bukuku.
- 6. **HONOURING A FALLEN HERO:** EAC Secretary General Amb. Dr. Richard Sezibera pays his respects at the mausoleum of John Garang during South Sudan's independence celebrations.
- 7. **WELCOME YOUR HONOUR:** The EACJ Judge President, Hon. Mr. Justice Harold Nsekela (L) during a courtesy visit to the EAC Secretary General Amb. Dr. Richard Sezibera.
- 8. **SHINING STARS:** EAC Director for Social Affairs Ms Mary Makoffu leads a group of the best five students in the EAC Essay Competition 2011 to their moment of glory -- receiving their prizes from the EAC Heads of State.
- 9. **TOOLS FOR SHARING KNOWLEDGE:** An EAC Secretariat officer illustrates the operation of equipment during the launch of an information center at Tanzania's Ministry Of EAC.
- 10. **WHAT HAVE WE GOT HERE?** Uganda's 1st Deputy Premier and Minister for EAC Hon. Eriya Kategaya examines a product at the 12th Jua Kali/Kazi Nguvu Exhibition in Kampala.
- 11. **SPEAKERS UNITED FOR INTEGRATION:** (L-R) Rt. Hon. Rebecca Kadaga (Uganda); Rt. Hon. Pie Ntavyohanyuma (Burundi); Rt. Hon. Abdirahin Abdi (EALA); Rt. Hon. Anne Makinda (Tanzania) and; Rt. Hon. Rose Mukantabana (Rwanda). Extreme right is EAC Secretary General, Amb. Dr. Sezibera.
- 12. **PAST MEETS PRESENT:** EAC Secretaries General; (L-R) Amb. Francis K. Muthaura [1996-2001]; Hon. Amana Mushega [2001-2006]; Amb. Juma V. Mwapachu [2006-2011] and Amb. Dr. Richard Sezibera [current] in a group photo.



OSBP: A CONCEPT TO BOOST TRADE, INTEGRATION

Kambale Katembo, in his forties, possesses encyclopaedic knowledge of the difficulties that lie in wait for a trucker operating on the Northern Corridor. He has driven trucks from Mombasa to eastern DR Congo for just about his entire adult life. But he is glad one complication is now out of the way.

Five years ago, he needed four days to clear his truck at Malaba, a border post on the Kenya-Uganda border. In 2011, he needs just three hours. It is a transformation that has been made possible by the One Stop Border Post (OSBP) concept.

The EAC is adopting the use of OSBPs as a trade facilitation concept to minimise delays at cross border points on major transport corridors in the region, often as a result of poor facilities, manual processes, lengthy and unintegrated procedures and poor traffic flow.

It entails combining two stops into one and consolidating functions in a single public facility for exiting one country and entering another. The effect is reduced travel time for passengers and freight vehicles.

In these early days of the OSBP's implementation, the con-

cept's application has mostly been limited to clearance of goods and freight vehicles at border posts, with Customs tasks executed under one roof by Kenyan and Ugandan officers at border posts such as Malaba. Many more border posts are earmarked for conversion into fully-fledged OSBPs, and a wider range of services – encompassing customs, standards, sanitary and phyto-sanitary and immigration – is envisioned to be provided.

Malaba OSBP is by no means the finished article. But it is a useful indicator of the amazing prospects that lie ahead.

Even World Bank president Robert Zoellick couldn't help gushing about the positive impact the OSBP concept has had on transport efficiency on the Northern Corridor.

At an Aid for Trade Review Conference in Geneva in July, he told his audience how transit time on the Corridor "has now been reduced from 19 days in 2006 to 9 days today", partly owing to the increased efficiency at Malaba border. The World Bank is one of various partners helping EAC to actualise the OSBP plan.

When fully operational, OSBPs in the region will accelerate the clearance of goods and persons through simplified and harmonised clearance procedures, increased cooperation and coordination of controls between and among

border agencies.

In addition, by facilitating the sharing of data and intelligence information OSBPs will help improve compliance and enforcement and make it possible to share administrative costs. Border posts earmarked for transformation into OSBPs in the region include: Malaba, Busia, Namanga, Taveta/Holili, Isebania/Serari, Rusumo, Kobero/Kabanga, Lunga Lunga/Horo Horo, Gatuna/Katuna, Mutukula, Nemba/Gisenyi 2, Ruhwa, Akanyaru, Mirama Hills/Kagitumba and Tunduma/Nakonde.

WHO STANDS TO BENEFIT

The implementation of OSBPs promises benefits for travellers, shippers, consumers and border agencies alike. For the traveller, the OSBP means less time spent crossing borders, and simpler clearance procedures. For businesses/shippers, efficient clearing procedures mean time savings and reduced costs which they can then pass on to an ordinary East African in the form of lower retailer prices for products.

But border agencies stand to gain as well, in the form of improved information sharing and risk management – leading to more effective controls and time savings through joint inspection/verification.

WORK STILL TO BE DONE

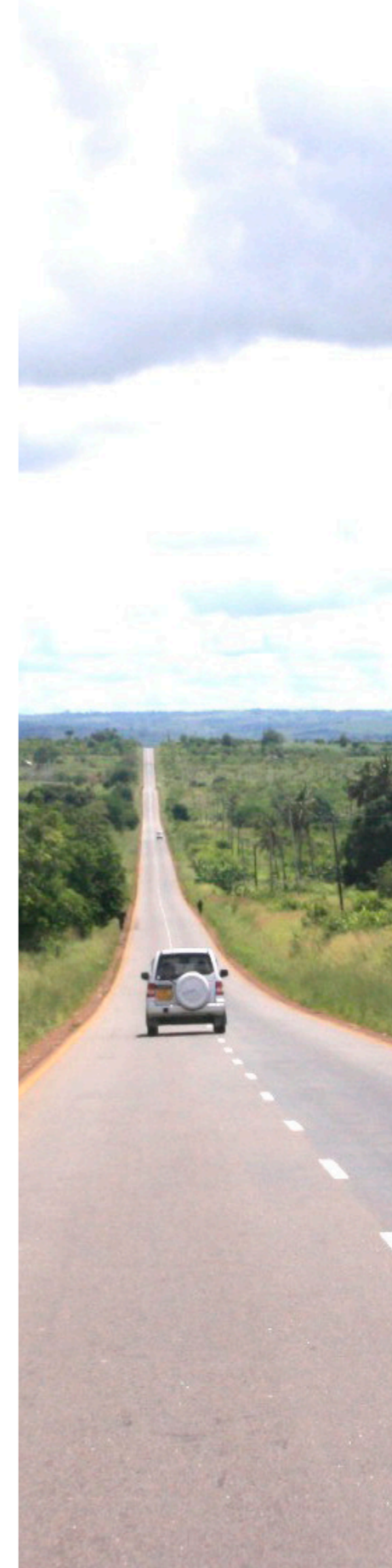
For the OSBP dream to be realised, border facilities (physical infrastructure) need to be built or upgraded, and control/clearance systems computerised. Work is at various stages for the different earmarked border posts.

Similarly, border control procedures for goods and persons alike have to be harmonised, while legislation has to be enacted to govern OSBP op-

erations. In this regard the EAC has developed a draft OSBP Bill which is expected to be tabled in the East African Legislative Assembly before the end of this year. 🇰🇪

THE CONCEPT

- Under the OSBP concept all traffic stops once in each direction of travel, and border control laws of one country fully apply in a "common control zone" between two states.
- Exit and entry procedures are undertaken in the country of entry from a single location, and border control officers from the two states managing a One Stop Border Post are empowered to conduct joint inspection.
- OSBPs will facilitate freedom of movement for persons and goods and potentially reduce costs as shippers will pay less to transport goods when the clearing systems are made more efficient.
- The first fully-fledged OSBP in Sub-Saharan Africa was opened at Chirundu on the Zambia-Zimbabwe border in 2009.
- EAC is undertaking the OSBP project with support from Trade Mark East Africa (TMEA), World Bank, DfID, JICA and the Africa Development Bank among others, working in close collaboration with respective governments in the Partner States.





EALA CELEBRATES A DECADE OF SERVICE

THIS WAY YOUR EXCELLENCY: EALA Speaker, Rt. Hon Abdirahin Abdi leads H.E. Pierre Nkurunziza, President of the Republic of Burundi to the venue of the sixth Inter-Parliamentary Relations Seminar (Nanyuki) held in Bujumbura in November. President Nkurunziza opened the seminar and hailed EALA for its commitment to the integration process.

This year, the East African Legislative Assembly marked its 10th anniversary since its establishment in November 2001. It was established under Article 49 of the EAC Treaty as the legislative organ of the Community. Like most legislatures EALA has as its core functions legislating, oversight and representation. A variety of events to celebrate the Assembly's anniversary were held throughout 2011, climaxing in a series of activities in Bujumbura in November. Here are the highlights:



FOREFATHERS RE-UNITED: The founding presidents of the revived EAC, H.E. Daniel Arap Moi (Republic of Kenya), H.E. Al-Hajj Hassan Mwinyi (United Republic of Tanzania and Rt. Hon Amama Mbabazi (representing H.E. Yoweri Museveni) pose with the EALA Speaker and distinguished delegates at the EALA 10th Anniversary Symposium held in Arusha in July 2011. EALA held a number of activities in the Partner States in the year long celebrations.



MURAKOZE CANE! President Pierre Nkurunziza presents a gift to EALA Speaker, Rt. Hon Abdirahin Abdi after the Assembly participated in Community work (Ibikorwa Rusangi) held in Ngozi District, 140 kms, north of Bujumbura.

CONSERVING THE ENVIRONMENT: Hon Jacqueline Muhongayire assists a pupil to plant a tree at the Nadosoi-to Primary School in the outskirts of Arusha. EALA has committed to planting trees in the region over the next one year.



HEADED FOR GOAL: Players from Bunge FC—Kenya (in green) and Parliament of Uganda in action during the Inter-Parliamentary Football tournament 2011 held in Bujumbura. Parliament of Uganda were crowned champions after beating Parliament of Burundi 4-1 in the final.

For more information on EALA, visit <http://www.eala.org>



SOON, A HARMONISED EDUCATION SYSTEM FOR EAST AFRICA

In their resolve to establish a viable East African Community, the Partner States made an explicit decision to cooperate in various spheres of socio-economic and political development including education.

Emphasis has been placed on capacity building and sharing joint efforts to develop specialised training facilities and the division of responsibilities in training and research as well as harmonising of qualification frameworks in education within the Partner States.

This desire is more specially driven by the shared vision which is articulated in the EAC Treaty, Articles 5 and 102. Article 102 states that the Partner States agree to undertake concerted measures to foster cooperation in education and training.

In this respect, the Article requires Partner States to coordinate their human resource development policies and programmes and develop such common programs in basic, intermediary and tertiary education, harmonise curricula, examination, certification and accreditation of education and training institutions through the joint action of the relevant national bodies charged with the preparation of such curricula.

The development objective of the harmonisation programme is to ensure that a completely harmonised East African Education system for the enhancement of a productive human resource is in place.

In March 2009, a study was carried out by the Inter-University Council for East Africa with a view of comprehensively analysing the education systems of the Partner States. This was to help facilitate the process of harmonisation of the Partner States education systems and provided a general, uniform and agreeable understanding of “harmonisation”. The study was completed in November 2009.

Harmonisation was taken not to denote uniformity, congruency or the development of a singular education system for the five Partner States. Neither was it understood to imply the glorification or recommendation of one country system and the vilification of others.

The study considered harmonisation of the curriculum not to mean the homogenisation of previously autonomous, functionally differentiated systems in favour of a system having a regional character.

Rather, it means an increasingly networked and interre-

lated group of curriculum and examination systems, linked in such a way that these systems possess overlapping, interconnected and comparable logics that are capable of influencing each other across the Partner States

In 2010, the Report was subjected to thirteen workshops involving multiple stakeholders and education experts which were held in each of the Partner States to give views on the Report. The views given in these workshops were consolidated into an EAC Regional Report on the Harmonisation of the EA Education System and Training Curricula.

The 23rd Ordinary Meeting of the Council of Ministers in September approved the Report and the establishment of a Technical Committee to negotiate and operationalise the harmonisation process through the development various strategies, namely: the EAC Pre-Primary, Primary and Secondary Education Strategy; the EAC Teacher Education Strategy; the EAC Technical and Vocational Education and Training (TVET) Strategy; and the EAC Adult and Non Formal Education Strategy.

It is envisaged that when this harmonisation process is actualised, the Partner States will have a common

framework to promote equal access to education opportunities, harmonious quality assurance and accreditation systems by:

- Harmonising Partner States’ school curricula for primary schools to include Integrated Production Skills (IPS);
- Reforming and harmonising Partner States’ secondary school curricula to include IPS;
- Reforming and harmonising Partner States’ TVET;
- Harmonising primary and the secondary schools examinations;
- Re-establishing a reformed East African Examinations Council;
- Harmonising certification and accreditation of education and training institutions;
- Establishing East Africa as a Common Education Area

SOME OF THE RECOMMENDATIONS


• The establishment of a Regional Committee on the Harmonisation of the East African Education System and Training Curriculum which will be mandated to take charge of the recommendations of the Report on Harmonisation.

• The study emphasises that the harmonisation of the curriculum does not mean harmonisation of the existing structures in the Partner States but rather an increased networked and inter-related group of curriculum and examination systems linked in such a way that they are capable of influencing each other. Core subjects and Elective subjects are also recommended;

• Whereas harmonisation is given not to mean homogenisation, there will be need to have uniform structure of education and core subjects. The basis of harmonisation will be hinged on the duration of learning and comparability of content in terms of depth and scope rather than the form it takes structure wise;

• Focus will be on competencies to be achieved at each level rather than specific subjects to be taught. This will form the basic principle harmonisation of the curriculum. Examinations also will be geared towards the achievement of minimum competencies and learning outcomes;

• Mother tongue, English, French and Kiswahili are recommended as languages of instruction for Early Childhood Development;

• Recommendations were made on the quality of education and equity of the systems, gender disparity, management, administration and good practices of education and financing education. 



UNLOCKING OPPORTUNITIES IN THE LAKE TANGANYIKA BASIN

The lake basins in the East African Community possess significant potential for investment, even if much of this potential has remained largely untapped. To reverse this status quo, in 2010, the first-ever Lake Victoria Basin Investment Forum was held in Mwanza, Tanzania.

Following the success of that conference, the EAC Summit in April this year recommended that a similar conference is organised for the Lake Tanganyika Basin (LTB) to highlight its investment potential.

A year since the Lake Victoria Basin Investment Forum was held, the 1st Lake Tanganyika Basin Development Conference was held in Bujumbura, Burundi, from 28-29 November.

Themed Unlocking the Overflowing Trade and Investment Opportunities in the Basin, the two-day event aimed to showcase the LTB's potential for trade and investment.

The opportunities, according to the EAC Secretary General Amb. Dr. Richard Sezibera, obtain in the areas of transport and communication infrastructure; tourism and market-

ing development; agri-business and fisheries; trade and industry; investment-led research and development; and environment and natural resources.

While opening the conference, Burundi's President Pierre Nkurunziza noted that the Lake Tanganyika Basin is inhabited by a population of over twenty million, and has a huge potential in water from the Lake Tanganyika that could be exploited to efficiently produce electrical energy needed to ensure industrial development in the region.

The President added that the Basin is also an area of high agricultural potential, producing palm oil, sugar, fruits and vegetables of high quality, and noted that the creation and improvement of port infrastructure in the Basin would boost transport and open up the region and accelerate integration.

After two days of discussions the conference recommended various policy, funding and infrastructural interventions to address the challenges to natural resource management; promote agriculture and ensure food security; address energy deficits; promote the tourism sector and

promote women and youth development.

The EAC Secretariat in collaboration with the Republic of Burundi as the host country and Lake Victoria Basin Commission (LVBC) organised the conference with the support of the EAC Partner States, Lake Tanganyika Authority (LTA), the East African Business Council (EABC), United Nations Development Programme and Trade Mark East Africa.

Business communities from EAC-SADC-COMESA countries; development partners; banking industry; local and foreign investors; research institutions and universities participated in the conference.

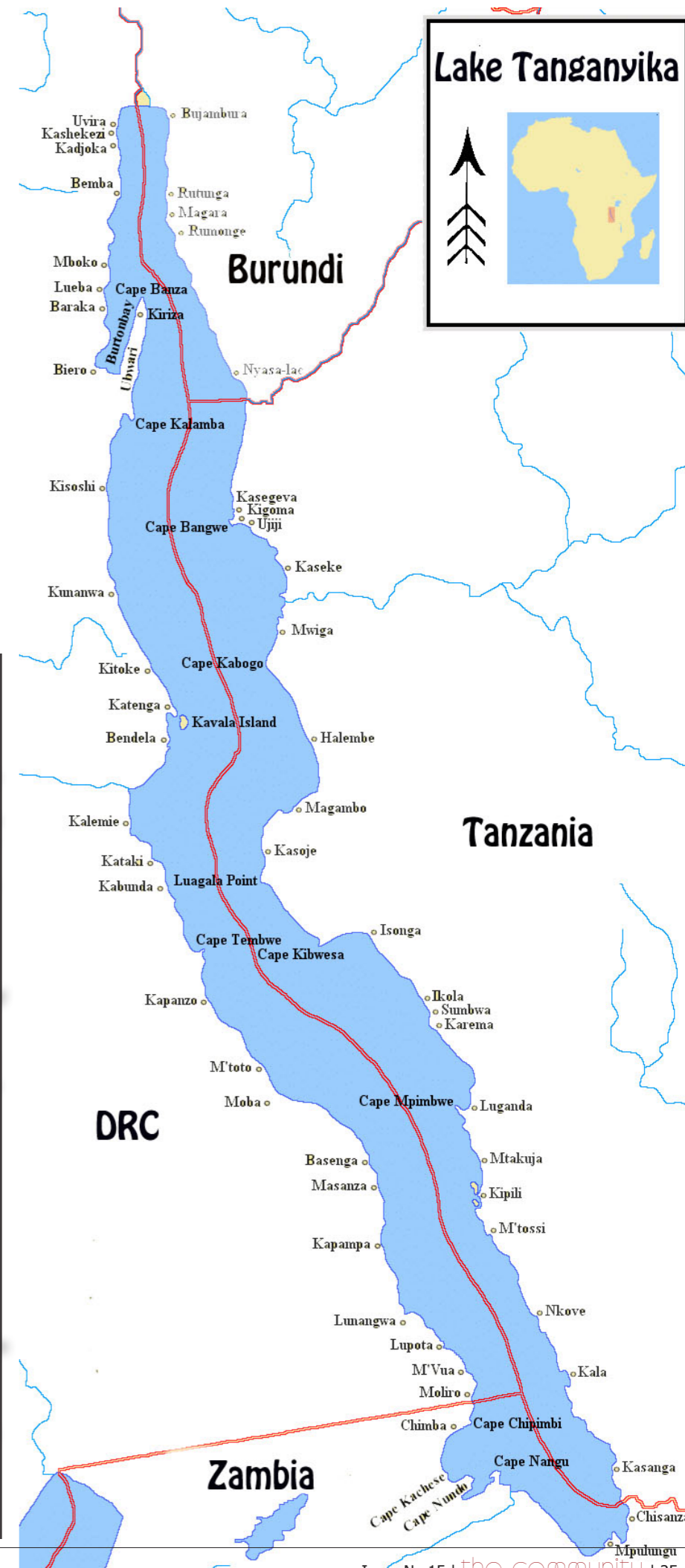
FAST FACTS

Lake Tanganyika is the longest lake in the world with 677 km long and 50 km wide. The drainage area for the basin is 223,000km². Lake Tanganyika is also the seventh largest freshwater lake in the world at 32,900 km². It is the largest Rift Lake in Africa and the second largest lake by volume in the world (19,000km³).

It extends for approximately 676 km in a general north-south direction and averages 50 km in width. It has an average surface temperature of 25°C and an acidity averaging between 8.6 and 9.2. The length of the shoreline is about 1,900km.

The Lake Tanganyika basin is a part of the East African Community heritage as three of the countries that share the basin are EAC Partner States namely: Burundi, Rwanda and Tanzania. The other countries that share this resource are Zambia and the Democratic Republic of Congo.

One of the greatest assets of the basin is Lake Tanganyika which covers on its own 33,850 km. It is the second largest lake in Africa after Lake Victoria. It is also the second deepest lake in the world with a maximum depth of 1470m after Lake Baikal in Russia.





THE COURT AT 10: MUCH TO CELEBRATE, BUT CHALLENGES REMAIN

This year, the East African Court of Justice (The Court) marks its 10th anniversary since its inauguration on 30 November 2001. EACJ Registrar Dr. John Eudes Ruhangisa takes stock of the Court's performance, highlighting its successes and noting some of the challenges.

During the period it has been in existence, the Court has made remarkable headway in various areas of its mandate as a judicial arm of the East African Community. Such achievements include the following:

Rules of Procedure and Arbitration

Formulation of the Rules of Procedure and the Rules of Arbitration was the first activity that the Judges embarked on immediately after being sworn in. In formulating the Rules governing litigation in the Court, due regard was paid to the provisions of the Treaty, the international character of the Court itself, the need to make the rules user friendly and to avoid common problems facing litigation in national courts. It was against this background that these Rules were circulated to a wide range of stakeholders for comments which comments were taken into consideration before the Court adopted them.

Opening of Sub-registries

In tandem with the philosophy of accessibility and desire to bring services near the people, is the room in the Rules of Procedure to establish sub-registries of the Court at such places in the Partner States as the President of the Court may from time to time direct, and a proviso that:

“where the Court is sitting or about to sit in any place other than the seat of the Court, then, for the purposes of any application to be heard in that place, the Registry shall be deemed to be situate in that other place”.

This kind of arrangement has proven to be very efficient with the Caribbean Court of Justice and in November 2010 the Council of Ministers approved the Court's request to establish the Sub-registries, one in each capital of the Partner States. The process is actively under way.

Arbitration

The East African Court of Justice uniquely can constitute itself into an arbitration tribunal. This arbitration power is vested in the Court by the Treaty, and in order to discharge this mandate, the Court formulated the rules to govern arbitration proceedings along with the rules of arbitration.

We are gratified to hear that the Republic of Uganda has made a bold step to convince the Company to which Uganda Railways was concessioned and included an arbitration clause in the agreement to the effect that in case of dispute the two sides will submit themselves to the East African Court of Justice for arbitration. We look forward to seeing lawyers doing the same by advising their clients accordingly.

Development of Regional Jurisprudence

The EACJ as the judicial Organ of the Community is playing the crucial role of interpreting the Treaty and other Community laws and in ensuring respect for the founding principles of

the Community. As at end of September 2011 the Court had rendered 14 Judgments, 29 rulings and one Advisory Opinion thereby contributing directly and significantly to the Community law and regional jurisprudence.

CHALLENGES

Even with all the successes enumerated above, various challenges still abound. The fact that the Court works on an *ad hoc* basis is an element that undermines its efficiency. None of the ten (10) judges composing the Court resides at the seat of the Court, including the President.

In order to manage the increasing workload the Court has had to resort to planning hearings by way of Sessions whereby Judges of the First Instance Division come to Arusha to hear cases every last week of the month, taking into account the fact that these same judges still serve in the judiciaries of their respective Partner states. This in turn occasions delay in the disposal of cases and hinders efficiency.

Limited Jurisdiction

Delays in the process of adoption of the Protocol extending the Court's jurisdiction to appellate and human rights have not helped the EACJ's cause either.

The decision of extending the jurisdiction of the Court to include appellate and human rights jurisdiction was taken in November 2004, but a Protocol that is meant to be the legal framework for this extension is yet to be concluded.

This denies the Court opportunity to play an important role in addressing the violations of human rights in East Africa at regional level. It should be noted that a regional jurisprudence in human rights is required as the Court will be called upon to decide on common market related matters such as free movement of people, right of establishment, etc, which have human rights elements.

Parallel Dispute Resolution Mechanisms

Much as the EACJ is the main judicial Organ of the Community that has been tasked with the resolution of disputes arising out of the Treaty and other Community laws, the EAC continues to establish other quasi-judicial bodies or mechanisms with the same mandate as the EACJ. The Customs Union and Common Market Protocols are an example where such parallel mechanisms have been established with potentialities of making EACJ redundant or a cause for conflicting and confusing decisions in the region.

“No Jurisdiction” and “Sovereignty” syndromes

It has increasingly become a standard practice and routine

matter in the Court whenever a matter is filed against any of the EAC Partner States that the Attorneys General raise preliminary objections on the jurisdiction of the Court to entertain the matter, so much so that at one time, the Court's ruling that it had jurisdiction led to an amendment of the Treaty to “clip” the EACJ's wings.

It appears that the Partner States still wish to remain sovereign while they subscribe to the integration objectives that require them to cede a certain amount of their sovereignty. This state of uncertainty being expressed by the Partner States is not healthy to the integration agenda.

Combined Role of a Court of Justice and Human Rights

One of the major challenges of the EACJ is that it combines the role of a Court for the East African Community as well as a human rights and appellate Court. There is need to ensure that the totality of the provisions of the Treaty as well as the Protocol encompass these various jurisdictional roles.

Concurrent Jurisdiction with the African Court on Human and Peoples' Rights

Whereas under AU there is another dispute settlement organ, the African Court on Human and Peoples' Rights established by the Protocol to the African Charter on Human and Peoples' Rights, the Treaty also vests in the EACJ jurisdiction on human rights. The Draft Protocol comes in to operationalise this particular jurisdiction on the part of East African Court of Justice. In effect, it means therefore, that the citizens of East African Community Partner States have option to take their human rights cases to any of the said two Courts which have concurrent jurisdiction on human rights.

This is an abridged version of a paper presented by Dr. Ruhangisa during an EACJ sensitisation workshop in Kampala in November 2011. Download the unabridged version from <http://www.eacj.org>

ABOUT EACJ

The East African Court of Justice (EACJ or ‘the Court’), is one of the organs of the East African Community established under Article 9 of the Treaty for the Establishment of the East African Community.

The Court's major responsibility is to ensure the adherence to law in the interpretation and application of and compliance with the EAC Treaty. Arusha is the temporary seat of the Court until the Summit determines its permanent seat.

For more information visit <http://www.eacj.org>

JUSTICE SERVED; AT A LOCATION NEAR YOU

The EAC integration has steadily gained momentum in the last decade since the Community was revived but a rosy recent past and a bright emerging future are not without challenges.

Progress on the Customs Union front and the commencement of the Common Market stage of integration mean more commercial, social and political transactions. That unfortunately, is also a signal for a potential increase in the number of regional disputes.

These were inevitabilities that EAC was alert to in creating a regional dispute resolution mechanism in form of the East African Court of Justice. Yet impediments for the EACJ persisted and fresh ones emerged all the time. The Court needed an answer. Enter the EACJ Strategic Plan 2010-2015.

Launched in July 2010, the Strategic Plan is an important compass for the Court which, despite its accomplishments, faces many challenges, among them: operating on an *ad hoc* basis; relying on a lean staffing and enjoying limited visibility.

Launched in July 2010, the Strategic Plan is an important compass for the Court as it tackles challenges such as operating on an *ad hoc* basis; relying on a lean staffing and enjoying limited visibility.

A comprehensive strategic analysis for the Court highlighted four strategic issues: design of the Court under the Treaty; appreciation of the Court by various stakeholders; visibility of the Court and its capacity to deliver on its mandate.

To surmount these stumbling blocks, the EACJ aims to have its jurisdiction extended as envisaged under Article 27(2) of the Treaty, in part addressing the issue of the design of the Court under the Treaty.



In addition, the Court intends to initiate consultations with the relevant EAC Organs and other stakeholders so that its *ad hoc* nature is reviewed by the Council; enhance its human and material capacity and; engage with the EALA, Council and other Organs and Institutions of the Community to ensure that the trend of creating parallel dispute resolution mechanisms is stopped.

In the lifetime of the Strategic Plan, EACJ will also work towards the establishment of a permanent seat; open sub-registries in the Partner States, and hold Court Sessions in the Partner States as a matter of policy (where all parties in a case come from the same Partner State).

This intervention to raise the EACJ's visibility has already been successfully undertaken—in 2010 the Court determined a case outside its Arusha seat for the first time; in a legal tangle between Anyang Nyong'o (and 10 others) and the Attorney General of the Republic of Kenya.

That landmark case was decided at the Milimani Commercial Courts in Nairobi, fulfilling an ambition of taking justice to the doorstep of the East African people for the first, but certainly not last time. 🇰🇪

EAC RULES OF ORIGIN EXPLAINED...

The EAC Rules of Origin, which are cited as the EAC Customs Union Rules, facilitate the implementation of provisions of Article 14 of the EAC Customs Union Protocol. Article 14 delineates the eligible tariffs for goods that originate from the Community. The effective and uniform implementation of the provisions of the EAC Rules of Origin by Partner States facilitates Customs operations and helps in strengthening the EAC trade regime.

WHICH GOODS QUALIFY

Goods are considered to originate from a Partner State if they have been produced in that State as a whole or partially from materials imported from outside the Partner State.

The products which are regarded as wholly produced in a Partner State include: mineral products or sea-bed, vegetable, live animals born and raised in a Partner State. Hunting or fishing, manufactured goods in a factory, electrical power, fuel, machinery and tools used in the production of goods are also regarded as wholly produced within the Partner States.

In the case of imported goods the application of percentage applies for the materials where the origin of any material cannot be determined, the material then is deemed to be imported from outside the Partner States and its value is the earliest ascertainable price paid for the material in the Partner State where the material is used in a process of production.

PROCESSES NOT CONFERRING ORIGIN

Processes that are not considered to confer origin include packaging, mixing of ingredients imported from outside, operations to ensure the preservation of merchandise during transportation and storage such as drying, freezing, screening, sorting, washing, painting and slaughter of animals. However, each item in a consignment is considered separately.

SEPARATION OF MATERIALS

For products or industries where it is not practicable for the producer to physically separate materials of similar character but different origin used in the production of goods, such separation may be replaced by an appropriate accounting system which ensures that no more goods are deemed to originate in the Partner States than would



have been the case where the producer had been able to physically separate the materials.

TREATMENT OF PACKING

For purposes of assessing customs duties, a Partner State may treat goods separately from their packing and may in respect of its imports consigned from another Partner State, determine separately the origin of such packing.

PROOF OF ORIGIN

The claim that goods originate from a Partner State, has to be supported by an EAC Certificate of Origin by the exporter or exporter's representative in the form prescribed in the Third Schedule to the Rules, and should be authenticated by a competent authority.

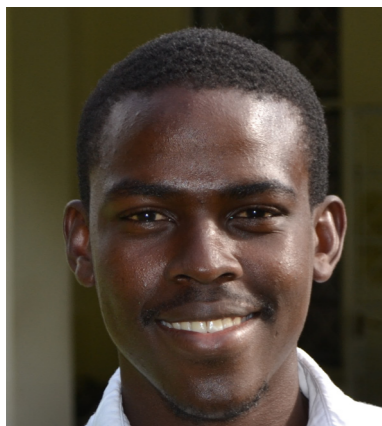
INFRINGEMENT AND PENALTIES ON RULES OF ORIGIN

The EAC has enacted legislation to penalise persons who furnish false documents in support of claims conferring origin of goods in other Partner States. In addition, the Secretariat regularly develops/review manuals and issues directives to improve execution of the provisions of these Rules in accordance with Article 14 of the Treaty. 🇰🇪

For additional information visit: <http://www.eac.int/customs>

UNDERSTANDING THE INTEGRATION: Picking a Young Mind

In July 2011, the EAC Nyerere Center for Peace Research in collaboration with Arcadia University conducted training on Human Rights and Capacity Building in Africa. 18 students from the USA and four from East Africa participated in the five weeks training. One of the students, Robert Aine from Uganda shared his perspectives on EAC integration.



What inspired you to join this course?

I selected this course to gain more knowledge about human rights perspectives in East Africa and how human rights are being integrated into the policies and laws in the region.

What were your impressions of the EAC before coming to Arusha?

My impression about the East African Community was that it was a good plan on paper but not practical because of the economic, social and political differences.

How have your impressions been altered, if at all?

My impressions have changed slightly. I believe the plan is taking root but still a lot has to be done in order for the process to become a reality.

Has your time in Arusha fostered your understanding of the region?

Yes it has, especially with regard to human rights violations and the similarities in all constitutions across East Africa.

How can the youth be involved in the integration process?

There will have to be a provision for Youth MPs from all East African countries in the regional parliament, plus all the integration issues have to be included in our various education systems.

TALK TO THE EAC

Find us on: **facebook**

...On harmonising EA education systems

Andrew Othieno Excellent...!!!
July 17 at 12:46pm · Like

Allen Ifunya That means kenya would adopt education system of 7-4-2 like Uganda and Tanzania?
July 17 at 6:25pm via Facebook Mobile · Like

Stephen Jairo Am a bit sceptical on that.... maybe a trial should be carried out first.
July 21 at 1:29pm · Like

...Should South Sudan join the EAC?

Gis Fred Why not? Its about their choice- to me its an advantage than a disadvantage- Let's EAC be ready to welcome any one based on mutual interests!
July 9 at 3:39pm · Like

Lenny Van de Ven Think it would fit in the EAC, but it should develop as an independent country first, before becoming a full member. But I think the EAC could be of great help and assistance for this new country! Keep talking and work together
July 9 at 4:58pm · Like

Freedom Be yes and it will! we want to join
July 10 at 1:18am · Like



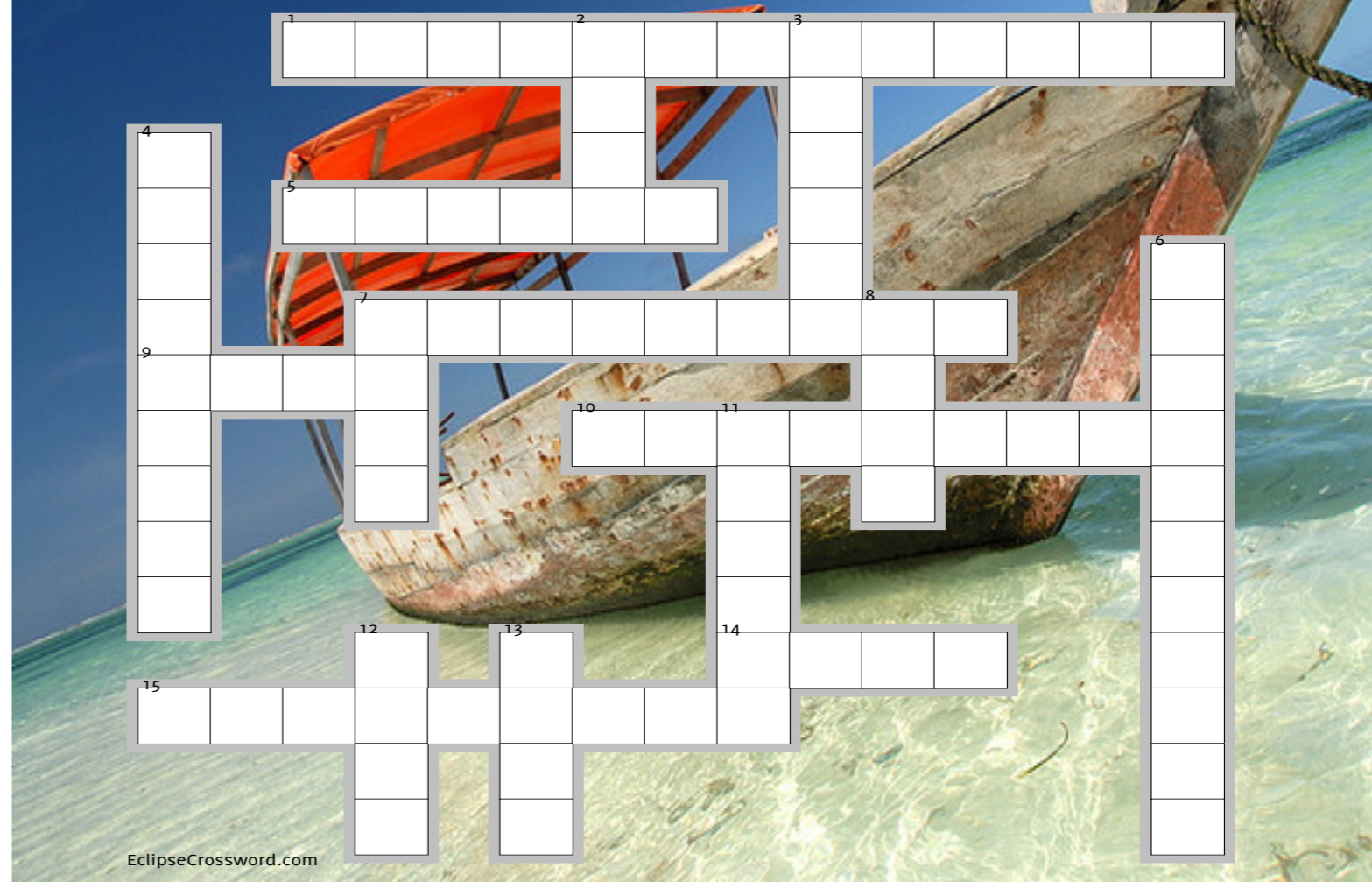
agnesbinagwaho Agnes Binagwaho
Leaders of the #EastAfricanCommunity met today to discuss the state of women's soc & econ devlpmnt; #Rwanda proud to be part

womenineac EAC Women Conference
Leaders make things happen, institutions makes them last when @womenineac are involved both happen at the same time H.E @PaulKagame @jumuiya
5 Aug

womenineac EAC Women Conference
Leaders make things happen, institutions makes things last - Hon. #Haffsa #Mossi #EAC @jumuiya @womenineac speaking after Amb. @sezibera
5 Aug



Test your knowledge of EAC



TEIM IABINRAHD IVEF UAUJRUBMB AWAEDN IKIWILSHA ELSA IFIYTSFX SENDWE
EAAALSSDAMR INRA EBAC AEBD LUOESS CAIJ GRILTUREACU

ACROSS

1. First Information Resource Center on the EAC integration was launched in this city in 2011 (3-2-6)
2. Country noted as leading in carrying out economic reforms in 'Doing Business in the East African Community 2011 Report' (6)
3. Gross Vehicle Mass (GVM) agreed upon by EAC Partner States (5-3)
4. Surname of former EAC Secretary General (1974-1977) (4)
5. Lingua franca of the East African Community (9)
6. Formed in 1995, it is the premier regional Bar Association in East Africa (4)
7. First name of current East African Legislative Assembly Speaker (9)

DOWN

1. EAC Institution to receive support to enable it increase funding to Small and Medium-size Enterprises (SMEs) (4)
2. At roughly 50,000Km squared its sits as East Africa's largest

Game Reserve (6)

3. Host town of the 2011 EAC Military Games & Culture event (9)
4. About 80% of the EAC's rural-based population depends on this activity for its livelihood (11)
5. Current membership of East African Community (4)
6. Middle East country appointed H.E. Mohsen Mowahedi Ghomi as its representative to the East African Community (4)
7. Country signed a four-year agreement with EAC worth an equivalent of US\$ 4 Million to support the EAC Partnership Fund (6)
8. Japanese organisation financing construction of a new Mombasa container terminal (4)
9. Institution at the forefront of facilitating private sector participation in EAC integration (4)



Destination East Africa

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