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COMMUNIQUE OF THE 19TH ORDINARY SUMMIT OF THE EAST AFRICAN COMMUNITY HEADS OF STATE



THEME: Enhancing Socio-Economic development for deeper integration of the Community

1. THE EAST AFRICAN COMMUNITY HEADS OF STATE, THEIR EXCELLENCIES PRESIDENT YOWERI KAGUTA MUSEVENI OF THE REPUBLIC OF UGANDA, PRESIDENT UHURU KENYATTA OF THE REPUBLIC OF KENYA, PRESIDENT SALVA KIIR MAYARDIT OF THE REPUBLIC OF SOUTH SUDAN, PRESIDENT DR. JOHN POMBE JOSEPH MAGUFULI OF THE UNITED REPUBLIC OF TANZANIA, FIRST VICE PRESIDENT GASTON SINDIMWO OF THE REPUBLIC OF BURUNDI, HON. JAMES MUSONI, MINISTER OF INFRASTRUCTURE REPUBLIC OF RWANDA REPRESENTING PRESIDENT PAUL KAGAME HELD THE 19TH ORDINARY SUMMIT OF THE EAST AFRICAN COMMUNITY HEADS OF STATE AT THE SPEKE RESORT, MUNYONYO, REPUBLIC OF UGANDA ON 23RD FEBRUARY, 2018. THE HEADS OF STATE AND THE GOVERNMENT OFFICIALS MET IN A CORDIAL ENVIRONMENT.

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COMMUNIQUE OF THE 19TH ORDINARY SUMMIT OF THE EAST AFRICAN COMMUNITY HEADS OF STATE

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2. THE SUMMIT RECEIVED THE REPORT OF THE COUNCIL OF MINISTERS COVERING THE PERIOD 19TH MAY, 2017 – 22ND FEBRUARY, 2018 AND COMMENDED THE COUNCIL FOR PROGRESS MADE IN THE IMPLEMENTATION OF THE PROGRAMMES AND PROJECTS OF THE COMMUNITY.
 3. THE SUMMIT CONSIDERED A REPORT OF THE COUNCIL ON THE IMPLEMENTATION OF PREVIOUS DECISIONS OF THE SUMMIT AND EXPRESSED CONCERN OVER THE SLOW IMPLEMENTATION OF DECISIONS. THE SUMMIT DIRECTED THE COUNCIL TO IMPLEMENT ALL OUTSTANDING DECISIONS AND REPORT TO THE 20TH SUMMIT.
 4. THE SUMMIT ASSENTED TO THE EAST AFRICAN COMMUNITY CUSTOMS MANAGEMENT (AMENDMENT) BILL 2016, THE EAST AFRICAN COMMUNITY SUPPLEMENTARY APPROPRIATION BILL, 2016, THE EAC APPROPRIATION BILL 2016, WHICH HAD BEEN PARTIALLY ASSENTED TO. THE SUMMIT ALSO ASSENTED TO THE EAC APPROPRIATION BILL 2017 AND THE EAC SUPPLEMENTARY APPROPRIATION BILL 2017.
 5. THE SUMMIT NOTED AND ENDORSED NINE KEY INVESTMENT PRIORITIES AREAS FOR HEALTH AND DIRECTED THE PARTNER STATES TO MOBILIZE RESOURCES REQUIRED TO SUPPORT THE IMPLEMENTATION. WITH REGARD TO INFRASTRUCTURE, THE SUMMIT DIRECTED THE COUNCIL TO MOBILIZE RESOURCES REQUIRED FOR IMPLEMENTATION OF NEW AND ON-GOING PRIORITY INFRASTRUCTURE PROJECTS IN THE REGION.
 6. THE SUMMIT GAVE IMPETUS TOWARDS ACHIEVEMENT AND OBJECTIVES OF THE EAC BY DIRECTING THE COUNCIL AND PARTNER STATES TO FULLY IMPLEMENT THE SINGLE CUSTOMS TERRITORY BY ROLLING OUT ALL PRODUCTS AND ALL CUSTOMS REGIMES. THE SUMMIT DIRECTED THE PARTNER STATES TO EXPEDITE THE AMENDMENT OF THEIR NATIONAL POLICIES, LAWS AND REGULATIONS TO COMPLY WITH THE COMMON MARKET PROTOCOL.
 7. CONCERNING THE MONETARY UNION, THE SUMMIT DIRECTED THE COUNCIL TO EXPEDITE THE ESTABLISHMENT OF THE MONETARY INSTITUTE AND OTHER INSTITUTIONS ACCORDING TO THE ROADMAP OF THE EAST AFRICAN MONETARY UNION. THE SUMMIT DIRECTED THE UNITED REPUBLIC OF TANZANIA AND THE REPUBLIC OF BURUNDI TO RATIFY THE EAC DOUBLE TAXATION AGREEMENT AND DEPOSIT THE INSTRUMENTS OF RATIFICATION BY JULY 2018.
 8. THE SUMMIT NOTED THE REPORT OF THE COUNCIL ON THE IMPLEMENTATION OF THE EAC INSTITUTIONAL REVIEW AND DIRECTED THE COUNCIL TO EXPEDITE IT.
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9. THE SUMMIT NOTED THE REPORT ON THE REVIEW OF THE EAST AFRICAN DEVELOPMENT BANK (EADB) CHARTER TO STREAMLINE IT INTO THE EAC MAIN STRUCTURE. THE SUMMIT DIRECTED THE COUNCIL OF MINISTERS TO FOLLOW UP ON THE MATTER AND REPORT AT THE NEXT SUMMIT.
 10. THE SUMMIT RECEIVED A REPORT ON THE ON-GOING INITIATIVE OF THE COUNCIL ON A SUSTAINABLE FINANCING MECHANISM FOR THE EAST AFRICAN COMMUNITY.
 11. THE SUMMIT NOTED A REPORT OF THE COUNCIL ON FAST-TRACKING THE INTEGRATION OF THE REPUBLIC OF SOUTH SUDAN INTO THE EAST AFRICAN COMMUNITY AND DIRECTED THE COUNCIL TO FINALISE THIS WORK AND REPORT TO THE NEXT SUMMIT.
 12. THE SUMMIT NOTED THE REPORT OF THE COUNCIL THAT THE VERIFICATION EXERCISE FOR THE ADMISSION OF THE REPUBLIC OF SOMALIA INTO THE EAC HAS NOT BEEN UNDERTAKEN AND DIRECTED THE COUNCIL TO CONCLUDE THIS MATTER AND REPORT TO THE NEXT SUMMIT.
 13. THE SUMMIT RECEIVED A REPORT OF THE COUNCIL OF MINISTERS ON THE PROGRESS OF THE CONSTITUTION-MAKING PROCESS OF THE EAC POLITICAL CONFEDERATION AND DIRECTED PARTNER STATES TO NOMINATE CONSTITUTIONAL EXPERTS AND DIRECTED THE COUNCIL TO FUND THE PROCESS OF THE CONSTITUTIONAL MAKING.
 14. THE SUMMIT TOOK NOTE OF THE PROGRESS ON THE DEVELOPMENT OF THE AUTOMOTIVE INDUSTRY IN THE EAC REGION TO REDUCE IMPORTATION OF USED MOTOR VEHICLES FROM OUTSIDE THE REGION AND TO MAKE THE REGION MORE COMPETITIVE AND DIRECTED THE COUN-

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COMMUNIQUE OF THE 19TH ORDINARY SUMMIT OF THE EAST AFRICAN COMMUNITY HEADS OF STATE

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CIL TO EXPEDITE THE PROCESS AND REPORT TO THE 20TH SUMMIT.

15. THE SUMMIT, WITH REGARD TO PROMOTING THE COTTON, TEXTILE, APPAREL AND LEATHER INDUSTRIES IN THE REGION, TO MAKE THE REGION MORE COMPETITIVE AND CREATE JOBS, DECIDED TO PRIORITIZE THE DEVELOPMENT OF A COMPETITIVE DOMESTIC TEXTILE AND LEATHER SECTOR TO PROVIDE AFFORDABLE, NEW AND QUALITY OPTIONS OF CLOTHING AND LEATHER PRODUCTS TO EAC CITIZENS. THE SUMMIT DIRECTED THE COUNCIL TO IMPLEMENT THIS DECISION AND PUT IN PLACE A MECHANISM THAT SUPPORTS TEXTILE AND LEATHER MANUFACTURING IN EAC AND REPORT THE 20TH SUMMIT.
16. THE SUMMIT LAUNCHED THE 5TH EAC DEVELOPMENT STRATEGY 2016/17-2020/21 AND DIRECTED THE COUNCIL OF MINISTERS TO MOBILIZE RESOURCES FOR ITS IMPLEMENTATION.
17. THE SUMMIT DECIDED THAT THERE SHALL ONLY BE TWO DEPUTY SECRETARIES GENERAL AT THE EAC WHO SHALL BE RECRUITED COMPETITIVELY ON ROTATIONAL BASIS. THE SUMMIT DIRECTED THE COUNCIL TO FOLLOW UP THIS MATTER AND FAST-TRACK THE RESTRUCTURING.
18. THE SUMMIT, PURSUANT TO ARTICLE 24 OF THE TREATY FOR THE ESTABLISHMENT OF THE EAC, APPOINTED HON. MR. JUSTICE CHARLES AYAKO NYACHAE FROM THE REPUBLIC OF KENYA AS A JUDGE IN THE FIRST INSTANCE DIVISION OF THE EAST AFRICAN COURT OF JUSTICE AND WITNESSED THE SWEARING-IN INTO OFFICE.
19. THE SUMMIT DESIGNATED HON. DR. JUSTICE FAUSTIN NTEZILYAYO AS THE DEPUTY PRINCIPAL JUDGE OF THE EAST AFRICAN COURT OF JUSTICE WITH EFFECT FROM 1ST JULY, 2018.
20. THEIR EXCELLENCIES THE EAC HEADS OF STATE COMMENDED HON. JESCA ERIYO OUTGOING DEPUTY SECRETARY GENERAL AND HON. JUSTICE ISAAC LENAOLA OUTGOING JUDGE OF THE FIRST INSTANCE DIVISION OF THE EAST AFRICAN COURT OF JUSTICE FOR THEIR OUTSTANDING SERVICE TO THE EAST AFRICAN COMMUNITY.
21. THE SUMMIT RECEIVED A REPORT ON EUROPEAN ECONOMIC PARTNERSHIP (EU-EAC EPA) FROM H.E. YOWERI KAGUTA MUSEVENI AND DECIDED THAT THE EAC CONTINUES TO ENGAGE WITH THE EU FOR SATISFACTORY CLARIFICATION OF CONCERNS OF SOME PARTNER STATES ON THE EPAs. THE CHAIR OF SUMMIT WAS MANDATED TO FOLLOW UP ON THIS MATTER AND IN THE EVENT THAT AN ACCEPTABLE WAY FORWARD IS NOT REACHED, THE COMMUNITY SHALL EXPLORE THE USE OF VARIABLE GEOMETRY IN THE IMPLEMENTATION OF EPAs.
22. THE SUMMIT APPRECIATES THE WORK DONE BY THE FACILITATOR, H.E. PRESIDENT BENJAMIN MKAPA, FORMER PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA, AND THE MEDIATOR H.E. PRESIDENT YOWERI KAGUTA MUSEVENI IN THE INTER-BURUNDI DIALOGUE. THE EAC WILL UNDERTAKE AS MUCH AS POSSIBLE TO FUND THE DIALOGUE PROCESS. THE EAC SHOULD CONTINUE LEADING THE PROCESS OF ENSURING CONVERGENCE IN THE REPUBLIC OF BURUNDI. THE SUMMIT CALLS UPON ALL THE BURUNDI PARTIES TO EXPEDITIOUSLY CONCLUDE THE DIALOGUE UNDER THE FACILITATOR AND MEDIATOR. THE SUMMIT APPRECIATES THE SUPPORT OF PARTNERS AND INTERNATIONAL ORGANISATIONS.
23. THEIR EXCELLENCIES PRESIDENT UHURU KENYATTA OF THE REPUBLIC OF KENYA, PRESIDENT SALVA KIIR MAYARDIT OF THE REPUBLIC OF SOUTH SUDAN, PRESIDENT DR. JOHN POMBE JOSEPH MAGUFULI OF THE UNITED REPUBLIC OF TANZANIA, FIRST VICE PRESIDENT H.E GASTON SINDIMWO OF THE REPUBLIC OF BURUNDI, AND HON. JAMES MUSONI, MINISTER OF INFRASTRUCTURE REPUBLIC OF RWANDA, REPRESENTING PRESIDENT PAUL KAGAME, THANKED THEIR HOST FOR THE HOSPITALITY EXTENDED TO THEM AND THEIR DELEGATIONS DURING THEIR STAY IN KAMPALA.

DONE AT KAMPALA, THIS 23RD DAY OF FEBRUARY, 2018.

COMMUNIQUE: JOINT EAC HEADS OF STATE RETREAT ON INFRASTRUCTURE AND HEALTH FINANCING AND DEVELOPMENT



THEME: "DEEPENING AND WIDENING REGIONAL INTEGRATION THROUGH INFRASTRUCTURE AND HEALTH SECTOR DEVELOPMENT IN THE EAC PARTNER STATES"

1. THE EAST AFRICAN COMMUNITY HEADS OF STATE, THEIR EXCELLENCIES PRESIDENT YOWERI KAGUTA MUSEVENI OF THE REPUBLIC OF UGANDA, PRESIDENT UHURU KENYATTA OF THE REPUBLIC OF KENYA, PRESIDENT SALVA KIIR MAYARDIT OF THE REPUBLIC OF SOUTH SUDAN, PRESIDENT DR. JOHN POMBE JOSEPH MAGUFULI OF THE UNITED REPUBLIC OF TANZANIA, 1ST VICE PRESIDENT HIS EXCELLENCY GASTON SINDIMWO REPRESENTING PRESIDENT PIERRE NKURUNZIZA OF THE REPUBLIC OF BURUNDI, HON. MUSONI JAMES, MINISTER OF INFRASTRUCTURE REPRESENTING PRESIDENT PAUL KAGAME OF THE REPUBLIC OF RWANDA, HELD THE JOINT EAC HEADS OF STATE RETREAT ON INFRASTRUCTURE AND HEALTH FINANCING AND DEVELOPMENT ON 22ND FEBRUARY, 2018 AT SPEKE RESORT MUNYONYO, KAMPALA, UGANDA.

2. THE JOINT RETREAT WAS ALSO ATTENDED BY SEVERAL HIGH RANKING PARTICIPANTS INCLUDING: HONOURABLE MINISTERS/ CABINET SECRETARIES; MEMBERS OF PARLIAMENT; AMBASSADORS AND HIGH COMMISSIONERS; REPRESENTATIVES OF UN AGENCIES, THE AFRICAN UNION COMMISSION; REGIONAL ECONOMIC COMMUNITIES, COOPERATING AND DEVELOPMENT PARTNERS; THE PRIVATE SECTOR; CIVIL SOCIETY; AND EAC ORGANS AND INSTITUTIONS.

3. THE HEADS OF STATE AND GOVERNMENT MET IN A WARM AND CORDIAL ATMOSPHERE.

4. THE HEADS OF STATE RECEIVED OPENING REMARKS FROM AMB. LIBERAT MFUMUKEKO, SECRETARY GENERAL OF THE EAST AFRICAN COMMUNITY.

5. THE HEADS OF STATE RECEIVED ADDRESSES FROM DR. MUKHISA KITUYI, SECRETARY GENERAL OF UNCTAD AND DR. DELANYO DOVLO, THE AFRICA REGIONAL DIRECTOR FOR HEALTH SYSTEMS AND SERVICES CLUSTER FOR THE WORLD HEALTH ORGANIZATION. DR. KITUYI EMPHASIZED THE IMPORTANCE OF RESILIENT INFRASTRUCTURE AND ENERGY SYSTEMS IN ACCELERATING EAC'S INDUSTRIALIZATION DRIVE, WHILE DR. DOVLO URGED PARTNER STATES TO INVEST IN.

6. THE HEADS OF STATE RECEIVED PRESENTATIONS ON THE OUTCOMES OF THE INFRASTRUCTURE AND HEALTH SECTOR ROUNDTABLES. THE PRESENTATIONS NOTED THE STATUS OF IMPLEMENTATION OF THE HEADS OF STATE PRIORITY INFRASTRUCTURE PROJECTS, HIGHLIGHTING SUCCESSES AND CHALLENGES AND OUTLINED THE HEALTH SECTOR INVESTMENT PRIORITIES.

6.1 ON INFRASTRUCTURE, THE HEADS OF STATE:

I. RECEIVED UPDATES ON THE IMPLEMENTATION OF DIRECTIVES OF THE 3RD RETREAT AND THE PRIORITY PROJECTS;

II. CONSIDERED AND APPROVED NEW PROJECTS FROM THE REPUBLIC OF SOUTH SUDAN;

III. CONSIDERED AND APPROVED NEW PROJECTS INCLUDING PROJECTS UNDER CIVIL AVIATION AS DIRECTED DURING THE 3RD RETREAT;

IV. CONSIDERED AND APPROVED 17 FLAGSHIP PROJECTS FOR CHAMPIONING AT THE HEADS OF STATE LEVEL; AND

V. NOTED WITH CONCERN THE POOR STATUS OF ROAD

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COMMUNIQUÉ:

Joint EAC Heads of State Retreat on Infrastructure and Health Financing and Development

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SAFETY IN THE PARTNER STATES AND THE URGENT NEED FOR DELIBERATE AND CONCERTED EFFORTS TO ADDRESS THE CHALLENGES;

6.2 ON HEALTH, THE HEADS OF STATE CONSIDERED AND APPROVED THE FOLLOWING INVESTMENT PRIORITIES:

I. EXPANSION OF ACCESS TO SPECIALIZED HEALTH CARE AND CROSS BORDER HEALTH SERVICES;

II. STRENGTHENING THE NETWORK OF MEDICAL REFERENCE LABORATORIES AND THE REGIONAL RAPID RESPONSE MECHANISM TO PROTECT THE REGION FROM HEALTH SECURITY THREATS INCLUDING PANDEMICS, BIO-TERRORISM AND COMMON AGENTS;

III. EXPANSION OF CAPACITY TO PRODUCE SKILLED AND PROFESSIONAL WORK FORCE FOR HEALTH IN THE REGION BASED ON HARMONIZED REGIONAL TRAINING AND PRACTICE STANDARDS AND GUIDELINES;

IV. INCREASE ACCESS TO SAFE, EFFICACIOUS AND AFFORDABLE MEDICINES, VACCINES, AND OTHER HEALTH TECHNOLOGIES FOCUSING ON PREVALENT DISEASES SUCH AS MALARIA, TB, HIV/AIDS, NON-COMMUNICABLE DISEASES (NCDS) AND OTHER HIGH BURDEN CONDITIONS;

V. UPGRADING OF HEALTH INFRASTRUCTURE AND EQUIPMENT IN PRIORITY NATIONAL AND SUB NATIONAL HEALTH FACILITIES/HOSPITALS;

VI. ESTABLISHMENT OF STRONG PRIMARY AND COMMUNITY HEALTH SERVICES AS A BASIS FOR HEALTH PROMOTION AND DISEASES PREVENTION AND CONTROL;

VII. EXPANSION OF HEALTH INSURANCE COVERAGE AND SOCIAL HEALTH PROTECTION;

VIII. IMPROVEMENT OF QUALITY OF HEALTHCARE, HEALTH SECTOR EFFICIENCY AND HEALTH STATISTICS; AND

IX. STRENGTHENING OF HEALTH RESEARCH AND DEVELOPMENT

7. ON INFRASTRUCTURE, THE HEADS OF STATE DIRECTED THE COUNCIL TO:

A. ENHANCE CAPACITY IN INFRASTRUCTURE PROJECTS COORDINATION, PREPARATION AND DEVELOPMENT AT THE NATIONAL AND REGIONAL LEVELS TO ACCELERATE THE REALIZATION OF PRIORITIZED PROJECTS;

B. MOBILIZE RESOURCES REQUIRED FOR IMPLEMENTATION OF NEW AND ONGOING PRIORITY INFRASTRUCTURE PROJECTS;

C. MAINSTREAM INNOVATIVE FINANCING OPTIONS INCLUDING LEVERAGING PRIVATE SECTOR FINANCING, TO SUPPLEMENT AVAILABLE PARTNER STATE BUDGETARY ALLOCATIONS FOR IMPLEMENTATION OF INFRASTRUCTURE PROJECTS;

D. FORMALIZE REGULAR AND STRUCTURED ENGAGEMENT COORDINATED BY THE SECRETARIAT BETWEEN THE PARTNER STATES, DEVELOPMENT PARTNERS AND INVESTORS TO ENHANCE THE ROLLOUT OF THE HEADS OF STATE PRIORITY INFRASTRUCTURE AND ENERGY PROJECTS;

E. ESTABLISH REGIONAL FRAMEWORKS TO CONSISTENTLY AND EFFECTIVELY ADDRESS ROAD SAFETY CHALLENGES BOTH AT NATIONAL AND REGIONAL LEVELS INCLUDING BUT NOT LIMITED TO HARMONIZATION OF ROAD SAFETY LAWS AND REGULATIONS, ENHANCEMENT OF ROAD SAFETY DATA COLLECTION AND MANAGEMENT SYSTEMS, DRIVER TRAINING AND POST TRAUMA MANAGEMENT SYSTEMS ; AND

F. INCLUSION IN THE HEADS OF STATE PRIORITY PROJECTS OF SOFT INFRASTRUCTURE COMPONENTS UNDER INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.

8. ON HEALTH, THE HEADS OF STATE DIRECTED THE COUNCIL TO:

A. MOBILIZE RESOURCES TO SUPPORT IMPLEMENTATION OF THE HEALTH SECTOR INVESTMENT PRIORITY PROJECTS;

B. STRENGTHEN THE REGION'S CAPACITY TO EFFECTIVELY PREPARE AND IMPLEMENT THE PRIORITY PROJECTS;

C. DEVELOP COMPREHENSIVE STRATEGIES TO COMBAT CROSS-BORDER HEALTH CHALLENGES; AND

D. CONVENE HEADS OF STATE RETREATS ON HEALTH EVERY TWO YEARS.

9. THEIR EXCELLENCIES, PRESIDENT UHURU KENYATTA OF THE REPUBLIC OF KENYA, PRESIDENT SALVA KIIR MAYARDIT OF THE REPUBLIC OF SOUTH SUDAN, PRESIDENT DR. JOHN POMBE JOSEPH MAGUFULI OF THE UNITED REPUBLIC OF TANZANIA, 1ST VICE PRESIDENT HIS EXCELLENCY GASTON SINDIMWO REPRESENTING PRESIDENT PIERRE NKURUNZIZA OF THE REPUBLIC OF BURUNDI AND HON. JAMES MUSONI, MINISTER OF INFRASTRUCTURE REPRESENTING PRESIDENT PAUL KAGAME OF THE REPUBLIC OF RWANDA THANKED THEIR HOST, PRESIDENT YOWERI KAGUTA MUSEVENI OF THE REPUBLIC OF UGANDA, FOR THE WARM HOSPITALITY EXTENDED TO THEM AND THEIR RESPECTIVE DELEGATIONS DURING THEIR STAY IN KAMPALA AND THE EXCELLENT FACILITATION OF THE JOINT RETREAT.

DONE AT KAMPALA, THIS 22ND DAY OF FEBRUARY, 2018

Kampala Hosts 36th Ordinary Meeting of the EAC Council of Ministers



The EAC Council of Ministers, the Policy Organ of the Community consisting of the Minister responsible for East African Community affairs of each Partner State; such other Minister of the Partner States as each Partner State may determine; and the Attorney General of each Partner State, met in Kampala, Uganda for their 36th Ordinary Meeting on 20th February 2018.

Among its functions, the Council promotes, monitors and keeps under constant review the implementation of the Programmes of the Community and ensures the proper functioning of the regional organization.

During the Kampala meeting the Council in its mandate, pronounced it's self of some of the following key issues:

A. Key Priority Areas for the FY 2018/19

The Council adopted the following Global Priority Areas for the Community for the FY2018/2019

1. Enhanced free movement of goods in the region and further liberalization of free movement of labor and services;
2. Improved cross-border infrastructure to ease doing business in the region;
3. Enhanced regional agricultural productivity, industrial development through investment in key priority sectors including leather and textile; skills development, technological advancement and innovation to stimulate economic development;
4. Implementation of the Roadmap for the attainment of the EAC Monetary Union;
5. Strengthened Peace, Security and Good Governance and Institutional Framework for EAC Political Confederation;
6. Improved socio-cultural welfare of the people in the region;

and

7. Institutional transformation.

B. Institutional Review

The Council, among others, directed the Secretariat to establish the minimum requirements for the Secretary General (SG) and Deputy Secretaries General (DSGs) to guide the Summit in appointing the persons to hold the posts and report to the 37th Meeting of the Council. The Council also directed that the positions of Deputy Secretaries General (DSGs) be limited to two who will be recruited competitively on a rotational basis, a framework to this effect shall be developed and agreed upon by March 2018.

C. Finance and Economic Affairs

The EAC Council of Ministers considered and adopted the EAC Tax Treaty Policy and the EAC Model Tax Treaty and directed the EAC Partner States to adhere to the EAC Tax Treaty Policy and the EAC Model Tax Treaty when negotiating tax treaties with third parties.

The EAC Tax Treaty Policy sets out the recommended policy positions that should be pursued in tax treaties negotiated by EAC countries. These policy positions reflect EAC countries' current economic status as developing countries and net importers of foreign capital, as well as the need to protect their revenue bases without deterring foreign investment. The EAC Tax Treaty Policy seeks to identify areas where EAC Partner States consider critical to preserve source-taxing rights.

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Council directs Republic of South Sudan to grant visa free entry to EAC citizens

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D. Fiscal Institutions for an EAC Monetary Union

The meeting was informed that Partner States are required to develop their fiscal risk statements annually and submit to the Secretariat for compilation in order to provide an early warning system and fulfill the requirements of Article 10(3)(a) of the EAMU Protocol. It was noted that the Republic of Burundi and the Republic of South Sudan are yet to conform to the provision of the EAMU Protocol. The Council therefore directed **the Republic of Burundi and the Republic of South Sudan to develop their fiscal risk statements annually and submit to the Secretariat by May 2018 for compilation in order to provide an early warning system and fulfill the requirements of Article 10(3)(a) of the EAMU Protocol.**

E. Pensions

The Council considered and approved the draft EAC Retirement Policy and the implementation strategy. The policy highlights issues that need to be considered in the EAC pension sector taking cognizant of the different levels of Partner States pension sector development.

F. Agriculture and Food Security - Aflatoxin Prevention and Control

The Council considered and adopted the EAC Aflatoxin Prevention and Control Strategy, Action Plan and Results. The instruments aim at contributing to food and nutrition security as well as protect human, animal and plant health in the EAC. The Council further **directed Partner States to mainstream EAC Aflatoxin Prevention and Control Strategy priorities in their national budgets and investment plans.**

G. Agriculture and Food Security - Harmonized EAC Seed Regulatory Framework

Under Agriculture and Food Security, the Council also **adopted the framework to guide development of harmonized EAC Seed Guidelines and Regulations.** The guideline and regulations focus on the need to promote intra-regional trade and enhance access to quality seed by farmers. To this end, the Council **directed the Partner States to invest in infrastructure required to facilitate growth and development of the seed.**

H. Industry and SME Development

The EAC Council of Ministers **considered and adopted the EAC Regional Pharmaceutical Manufacturing Plan of Action, 2017-2027.** The new plan sets four high level targets for the development of the EAC pharmaceutical sector as follows: (i) Reversing dependency on pharmaceutical imports from outside EAC from more than 70% to less than 50%; (ii) supporting the expansion of product portfolio of EAC firms to cater for more than 90% of disease conditions; (iii) at least 50% of purchases by EAC national medicines procurement agencies is sourced from EAC

pharmaceutical manufacturers; and (iv) at least five (5) companies to produce more advanced pharmaceutical formulations such as delayed release formulations, small volume injectable, double layered tablets, among others.

I. Implementation of the Single Customs Territory (SCT)

The full roll out of all imports and exports cleared under the Single Customs Territory was agreed to take effect on 1st December 2017 and 20th February 2018 respectively on both the Northern and Central Corridors. To facilitate the full rollout, customs automation across the region was enhanced in all Partner States, with upgrades of the customs systems and migration to more advanced and robust systems. At the regional level, an interconnectivity platform was developed to address the current weaknesses in customs valuation and monitoring of goods across the region. **The Council took note that all imports were rolled out under the Single Customs Territory in December 2017 and directed Partner States to ensure full roll-out of all exports under the SCT by end of February 2018.**

J. Budgetary Contributions to EAC Organs and Institutions

The budget of the EAC for the financial year 2017/2018 adopted by the Council and approved by EALA is US\$ 113 million, 52% of which is funded by Partner States Contributions and the remaining 48% by support from Development Partners. Regulation 23(5) of the EAC Financial Rules and Regulations (2012) requires Partner States to disburse their contribution in full within the first six months of the financial year. At the end of November 2017, only 43% of the expected contributions from Partner States had been received by the Secretariat. Further, a substantial amount from the contribution for the financial year 2016/2017 is still outstanding. **The Council directed the Partner States to always remit their full budgetary contributions by 31st December in line with Regulation 23 of the EAC Financial Rules and Regulations (2012).**

K. Travel by EAC Citizens to South Sudan

The Meeting urged the Republic of South Sudan to resolve visa issues and facilitate EAC citizens conducting business in South Sudan. The meeting also noted that the Republic of Uganda, the Republic of Kenya do not grant visa-free access to citizens of the Republic of South Sudan. The Council therefore directed **the Republic of South Sudan, to grant visa free entry to EAC citizens; and Republic of Uganda, the Republic of Kenya to grant citizens of the Republic of South Sudan visa-free entry.**



Efficient Border Crossing to Boost Trade Between Kenya and Uganda with Launch of Busia One Stop Border Post



H.E. Uhuru Kenyatta, President of the Republic of Kenya and H.E. Yoweri Kaguta Museveni President of the Republic of Uganda joined by Amb. Liberat Mfumukeko, East African Community Secretary General, officially launched the Busia One Stop Border Post (OSBP) located on the Kenya/Uganda border, on 24 February 2018.

Construction of the Busia OSBP was carried out with funding of US\$11.7 million from the United Kingdom through the Department for International Development (DFID) while the systems and other related soft infrastructure equivalent to US\$1.2 million was funded by Global Affairs, Canada.

The OSBP investment includes office buildings, roads and parking yards, cargo verification bays, scanner shed, passenger sheds, targeting booths, warehouse and canopies, ICT networks and hardware, furniture, and institutional support to the border agencies.

The OSBP ensures effective border control mechanisms are in place. It will boost trade by cutting the time taken to clear

goods between the two nations, thus contributing to a reduction in transport cost, whilst increasing volumes of transshipment cargo through the Central Corridor. It is expected that time to cross the border will reduce by at least a third.

An OSBP is a "one stop" form of border crossing point jointly managed by adjoining Partner States, where multiple border agencies cooperate and collaborate with each other, and effectively coordinate their activities to maximize their operational efficiency.

OSBP arrangement brings together under one roof, all the Government agencies performing border crossing controls procedures, doing away with need for motorized traffic and persons to undergo clearance twice at both sides of the border. This arrangement expedites movement, release and clearance of goods and persons across borders, by streamlining border procedures, automation of the border processes and simplification of trade documents.

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... Surveys indicate that since operationalization of the OSBP, the average time to cross the Busia border has reduced by 84%.

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Speaking at the event, Uganda president H.E Yoweri Museveni said, "I want to thank the British government who have supported us through TMEA, in the construction of the one stop border post making it easy to cross the borders and to do business with Kenya. Trade is a means that will help us create prosperity for the people. My government is committed to creating wealth and jobs for the people through creation of enabling environment for services, Information Communication Technology, commercial agriculture and industries."

Addressing the crowd, Kenyan President H.E Uhuru Kenyatta commended TMEA for its support to the government and underscored the importance of the OSBP saying, "This facility is an important link for ease of trade between our two countries. Uganda continues to be an important trading partner for Kenya. Opportunities for increased trade and investment have been created. I am happy to hear that because of this OSBP here in Busia, our revenue authority has been able to collect more revenues, a clear indication of increased trade flows"

EAC Secretary General, Amb. Liberat Mfumukeko "Much as the One Stop Border concept may look new to some people, the framers of our integration instruments envisioned the need for these facilities and embedded them in the EAC Customs Union Protocol at the time of its negotiation. The first OSBP operations was at Malaba railway station between Uganda and Kenya over ten years ago. At the same time Customs Departments having realized that multiple examination of goods at our internal borders was wasteful and caused unnecessary costs to business, started joint examination of cargo of which Busia Border was a pioneer. These pilot programs provided a practical justification for upscaling the One Stop Border program in the entire region."

UKAID has provided over US\$ 52 million to the East African Transit Improvement Programme (EATIP) through TMEA, as a contribution to the World Bank's East Africa Trade and Transport Facilitation Project (EATTFP).

The Head of DFID Kenya, Pete Vowles said, "The UK government is proud to have made such an important contribution to improving regional trade in East Africa through our establishment and leadership of TradeMark East Africa. By cutting red tape, reforming customs processes and improving roads, ports, and border posts, the UK is supporting the creation of an environment essential for businesses to grow and trade with each other. The completion of the Busia border post marks an important milestone towards our goal of reducing by a third the time to import from the EAC and the rest of the world."


Over the years, delays in cross border clearance were attributed to duplication of handling procedures on either side of the border, poor institutional arrangement and cargo management systems inadequate physical infrastructures and services and immigration management.

The new established OSBP has already addressed some of these challenges. Surveys indicate that since operationalization of the OSBP early this year, the average time to cross the Busia border has reduced by 84%.

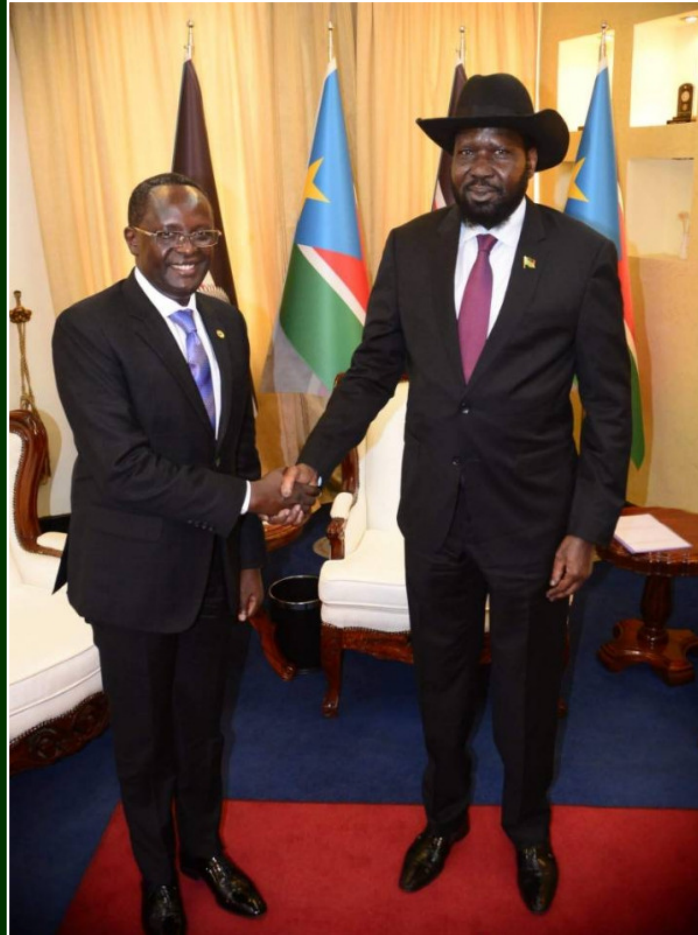
TradeMark East Africa (TMEA) CEO Frank Mutsaers, said, "The completion and operationalization of the Busia OSBP is a crucial milestone in increasing access to markets and the facilitation of the movement of cargo along the Northern Corridor. When initially investing US\$ 12 million with our donors, the United Kingdom and Canada, greater access to markets, increased efficiency that would reduce costs by reducing time and improved infrastructure were just a few of our end goals. Ultimately, our projects in physical infrastructure and automation of key government trade processes like customs, have complemented each other to reduce the cost of doing business and boost trade volumes, increasing both Kenya's and Uganda's overall trade competitiveness. Most importantly, they have contributed to governments being businesses being able to expand thus creating jobs."

TMEA through its donors and in partnership with the East Africa Community has since 2010 to date supported 15 OSBPs in East Africa including South Sudan and has invested about US\$ 117 million in OSBPs and access roads.

They are:

- Kenya and Uganda's Busia/Busia,
- Kenya and Uganda's Malaba/Malaba,
- Rwanda and Uganda's Kagame/Mirama Hills,
- Tanzania and Uganda's Busia border happens to be one of the busiest in East Africa handling transit to and from Great Lakes region of Rwanda, Burundi, DRC and South Sudan. Based on recent TMEA independent Time and Traffic Survey, total weekly traffic count Busia Kenya is 3,324 vehicles and 1,784 for Busia Uganda. Most importantly, this border handles the largest number of informal cross border traders in the EAC.
- Mutukula/Mutukula,
- Kenya and Tanzania's Holili/Taveta,
- South Sudan and Uganda Nimule/Elegu,
- Burundi and Tanzania's Kobero/Kabanga and lastly
- Tunduma on the Tanzanian side. 

President Kiir Receives EALA Speaker in Juba



President of the Republic of South Sudan, H.E Gen Salva Kiir Mayardit received the Speaker of EALA, Rt Hon Ngoga K. Martin in the Presidential Palace in Juba, on 15 February 2018.

President Salva Kiir re-affirmed his Government's commitment to the revitalization talks in Addis Ababa, Ethiopia saying peace and stability were the essence and cornerstone of development. The discussions further centered on strengthening of the bloc and how the Republic of South Sudan can accrue benefits of the integration process.

On his part, Rt Hon Martin Ngoga said the EALA was closely monitoring the peace talks, urging all sides to put the interests of the country first. The Speaker reiterated the regional Assembly's moral support to the Republic of South Sudan as the Addis talks continue.

He remarked that EALA would at an appropriate occasion hold its Sittings in the country as part of its rotational principle and was keen to sensitise the citizens of the country on the bene-

fits of integration. "We look forward to this, Your Excellency. My counterpart (Rt Hon Anthony Makana) and I are already in discussions on the same", Rt Hon Ngoga said.

In attendance was the Speaker of the Transitional National Legislative Assembly of South Sudan, Rt Hon Anthony Makana, EALA Members, Hon Thomas Gatkek Dut and Hon Kim Gai and the Minister for Industry, Trade and EAC Affairs, Republic of South Sudan, Hon Moses H.A. Tiel.

Earlier on, the EALA Speaker also paid a brief courtesy call on the 2nd Vice President, H.E Gen James Wani Igga in the Office of the Vice President. Rt Hon Ngoga concluded his three-day tour of duty that included courtesy calls on the 1st Vice President, Lt. Gen Taban Deng Gai, the Minister for Industry, Trade and EAC Affairs, Hon Moses H.A. Tiel, Rt Hon Joseph Chan, Speaker of the Council of States and Rt Hon Anthony Makana, Speaker of the Transitional National Legislative Assembly of South Sudan. ●

Monetary Union Bill and another Piece on Statistics Management in the Offing



Two key Bills critical to the Monetary Union were on 7 February 2018 tabled for the First Reading in Kampala, Uganda.

The EAC Monetary Institute Bill 2017 and the EAC Statistics Bureau Bill 2017 tabled by the Chair of the Council of Ministers, Hon Julius Wandera Maganda, sailed through the First Reading and were committed to the respective EALA Committees.

The object of the EAC Monetary Institute Bill, 2017, is to provide for the establishment of the East African Monetary Institute as an institution of the Community responsible for preparatory work for the EAC Monetary Union. In accordance with Article 23 of the Protocol on the EAC Monetary Union, the Bill is expected to provide for the functions, governance and funding for the Institute as well as other related matters.

Closely related to the EAMI Bill is the EAC Statistics Bureau Bill, 2017, which also seeks to establish the Statistics Bureau as an Institution of the Community under Article 9 of the Treaty and Article 21 of the Protocol on Establishment of the EAC Monetary Union. The Bill provides for the functions, powers, governance and its funding with a view to establishing an institution responsible for statistics in a bid to support the East African Monetary Union.

The EALA Committee on Communications, Trade and Investment is to hold public hearings on the EAC Statistics Bureau while the EAC Monetary Institute Bill will be handled by the General Purpose Committee.


The Speaker, Rt Hon Ngoga Karoli Martin said though the bills were tabled by the Council of Ministers, they were coming to the House close two years late. He therefore urged the Assembly to give both Bills the due attention deserved.

Meanwhile, Hon Amb Dr Augustine Mahiga, Minister for Foreign Affairs and East African Co-operation in the United Republic of Tanzania was sworn in as an ex-officio Member of EALA.

Hon Amb Dr Mahiga was led in to the House by Hon Josephine Lemoyaan, Hon Abdulla Makame and Hon Happiness Elias Lugiko.

In his maiden speech immediately thereafter, the Minister registered appreciation to EALA and congratulated the Speaker and Members for their election. He further congratulated the Members of the Republic of South Sudan for joining the Assembly and noted the region looked forward to ensuring it (South Sudan) maximizes the benefits of integration.

The Minister remarked that EALA had made major contribution and remained a significant player in the process of integration. "You are the custodian of the Treaty and the one that oversees Government – speaking without fear or favour on where we need to improve", Amb Dr Mahiga said.

"You are the indispensable link to the people of East Africa, he added saying EALA was essential in bringing people behind the integration process", the Minister added. 

EAC to Eliminate HIV/Aids and Preventable Maternal and Child Deaths by 2030

The Chairperson of the EAC Sectoral Council of Ministers of Health and Minister of State Health in the Republic of Uganda, Hon Sarah Opendi, has said that the region is committed to eliminate HIV/AIDS and preventable maternal and child deaths by 2030.

Hon. Opendi urged stakeholders to work diligently to build consensus in the health sector in order to build the health of the EAC population.

Hon Opendi was speaking during the official opening of the 1st EAC Roundtable on investing in Health Infrastructure, systems, services and research for the accelerated attainment of Universal Health coverage and sustainable development at the Speke Resort Munyonyo, in Kampala, Uganda, on 21 February 2018.

The Minister underscored the importance of investing in health, which is the most direct route of creating wealthy nations.

"Poor health hinders our ability to realize national and global socio-economic aspiration set out in the national development plans, Common Market Protocol, the EAC vision 2050 and SDGs," she said.

She said the roundtable comes at time when the region was still facing major challenges of emerging and re-emerging diseases which calls for increased investment in human financial and technological resources by various stakeholders

"It is my sincere hope that this roundtable dialogue shall come up with concrete proposals and build consensus on priority health infrastructure systems, services and research investments with the highest potential to accelerate progress towards Universal Health Coverage and the health related sustainable development goals," said Hon. Opendi.

She disclosed that the EAC Partner States were currently expanding the regions capacity to deliver high quality specialized health services through EAC Regional Centre of Excellence for higher medical education and research with the support from the African Development Bank.

On his part, the EAC Deputy Secretary General in charge of the Productive and Social Sectors, Hon Christophe Bazivamo on behalf of the EAC Secretary General, Amb. Liberat Mfumukeko, underscored the importance of regional cooperation in health within the context of EAC Common Market Protocol to be buttressed on harnessing the comparative advantage of all stakeholders including Public, Private and Civil Society.



"Through collaborative actions the region will reposition health as a key driver of economic growth and contribute to the attainment of the other pillars of regional integration," said Hon. Bazivamo.

The Deputy Secretary General informed stakeholders at the roundtable that the region had made significant progress in many areas including expanding the capacity for delivery of high quality health services, training and research with the support of development Partners such as AfDB who financed the regional Centres of Excellence to facilitate access to specialized health care and cross border health services.

Hon Bazivamo called upon the stakeholders to use roundtable discussions to consolidate regional partnership in order to strengthen the health sector based on priorities identified by the region.

The 1st EAC Roundtable on investing in Health Infrastructure, system, services and research for the accelerated attainment of Universal Health coverage and sustainable development was attended by among others, all the Ministers in charge of Health from the EAC Partner States, Permanent /Principal Secretaries and Senior Officials from government institutions and agencies.

The Joint Retreat aimed at giving impetus to infrastructure and health development by way of harnessing political support for regional flagship projects, funding commitments, and Public-Private Partnerships arrangements.



EAC Partner States to Maintain High Budgetary Allocation for Infrastructure Development

East African Community Partner States will maintain high budgetary allocations geared towards financing infrastructure development within their national borders.

Hon. Monica Azuba Ntege, Uganda's Minister for Works and Transport, and the Chairperson of the EAC Sectoral Council of Ministers for Transport, Communications and Meteorology said that the ongoing infrastructure development projects were meant to interlink the Partner States and create a strong Common Market in the region with sights on the Tripartite Grand Free Trade Area.

Hon. Ntege said that the development of efficient, interlinked and modern infrastructure and energy systems will positively impact on trade, movement of persons, industrialization, value chains, employment, investments that would prepare the regional economies for socio-economic take-off.

Hon. Ntege was speaking during the opening session of the Infrastructure Roundtable on Day One of the EAC Heads of State Joint Retreat on Infrastructure and Health Financing and Development at the Speke Resort Munyonyo in Kampala, Uganda, on 21 February 2018.

Hon. Ntege disclosed that in their previous three Retreats focusing on Infrastructure Development and Financing the Heads of State had prioritized for implementation a total of 72 projects, split into 286 sub-projects over a 10-year period, ending in 2025.

"The projects span roads, railways, maritime ports, inland waterways, electrical power generation and transmission, and oil and gas infrastructure," she said.

The Minister said that upon the full implementation of the prioritized projects, the region will among other things have improved 7600 km of road surface, laid 4000 km of standard gauge railways, and increased the combined installed capacity of electrical power generation from 4245 MW to 6734 MW.

"We also hope to have constructed 3000 km of oil pipeline and an oil refinery, and enhanced the performances of Mombasa and Dar es Salaam seaports and opened up new maritime and inland ports," she said.

On road safety, Hon. Ntege said that East Africa had worrying statistics in terms of road fatalities as compared to the Africa and the rest of the world.

"According to the WHO, the average rate of global road fatalities in 2015 was 17 deaths for every 100,000 inhabitants. In Europe, this figure was 9.2 while in Africa it was 26.5 and current trends show that it is rising every year. For example, compared with the 2.9 road fatality rate of the United Kingdom, the countries in East

Africa have rates higher than even the African average, with Tanzania at 32.9, Rwanda at 32.1, Kenya at 29.1 and Uganda at 27.4. This means that concerted efforts need to be made both on the physical and non-physical causative factors," she said.

"It is reassuring to note that on the side of user behaviour, the EAC has recently developed standardized curricula for the training of commercial drivers which aims at instilling virtues like courtesy, speed perception and environmental awareness skills," she added.

The Minister, however, said that Partner States should do more to instill and sustain proper behavioural competencies on all road users, including even law enforcement personnel, adding that percentage of accidents could be attributed to poor pavement and geometric road conditions and these should be addressed through infrastructure upgrading.

Hon. Ntege urged the EAC Secretariat to expedite the adoption of harmonized standards for road design and construction, by all the Partner States as directed by the Council and provide separations between motor cycles and vehicles.

"Resources should be mobilized to support the Partner States in the area of road safety to stem the tide of unnecessary deaths on our roads and reduce pressure on our hospital bed capacities now occupied by a large number of accident injury patients," said Hon. Ntege.

In his remarks, the EAC Deputy Secretary General for Planning and Infrastructure, Eng. Steven Mlote, said that infrastructure development was recognized as the prime mover of socio-economic development in the region and would therefore continue to receive the highest level of political support from EAC Heads of State.

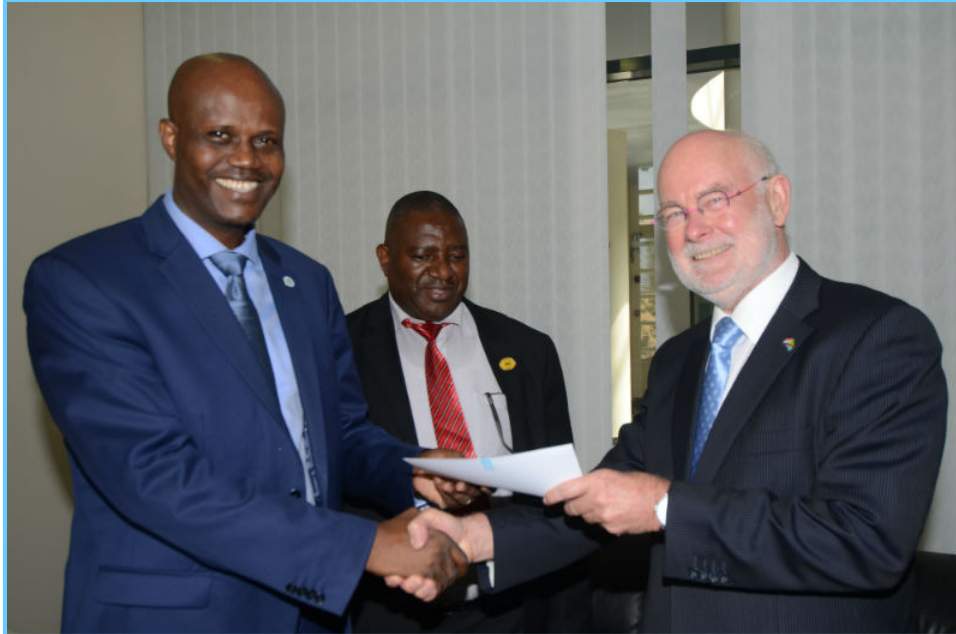
Eng. Mlote said the Joint Retreat would assess the progress of implementation of previously prioritized projects and consider and approve new infrastructure projects for joint/coordinated development.

"Therefore, this roundtable avails EAC Partner States an opportunity to showcase to our development partners and potential investors the major investment opportunities in infrastructure spanning railways, ports, roads, inland waterways, energy and civil aviation sectors," said Eng. Mlote.

The two-day Joint Retreat is being held under the theme ***Deepening and Widening Regional Integration through Infrastructure and Health Sector Development in the EAC Partner States.***



Kingdom of the Netherlands Accredits Envoy to EAC Bloc



The Ambassador of the Kingdom of the Netherlands to the United Republic of Tanzania and the East African Community, H.E. Amb. Jeroen Verheul, on 27 February 2018, presented his credentials to the EAC Secretary General, Amb. Libérat Mfumukeyeko at the EAC Headquarters in Arusha, Tanzania.

Receiving the Dutch Ambassador, Amb. Libérat Mfumukeyeko hailed the strong relations existing between the Community and Netherlands and commended the government of Netherland for its dedicated support to the EAC integration process.

Amb. Mfumukeyeko informed Amb. Verhaul of the significant outcomes of the just concluded Joint EAC Heads of State Retreat and Summit which include, among others: 17 EAC Flagship Projects approved for championing, launching of the 5th EAC Development Strategy (2016/17-2020/21), validation of nine key investment priorities areas for health and implementation of new and on-going earmarked infrastructure projects in the region, progress report on the European Economic Partnership (EU-EAC EPA) negotiations, progress report on the constitution-making process for the EAC Political Confederation, and the Inter-Burundi dialogue under the Facilitator; H.E former President Benjamin Mkapa and Mediator; H.E Yoweri Kaguta Museveni.

The Secretary General disclosed that the Community will continue to engage with the EU on the concerns of some Partner States on the EPAs, adding that in the event that an acceptable way forward is not reached, the Community shall explore the use of variable geometry in the implementation of EPAs.


Amb. Mfumukeyeko also shared the progress made by the EAC in the four pillars of integration namely the Customs Union, Common

Market, Monetary Union and Political Federation, adding that the Community had made great strides in the four pillars due to political goodwill by the leaders of the Partner States and support from the EU through the Partnership fund as well as other Development Partners.

The Secretary General reaffirmed EAC's commitment towards realizing significant achievements in trade, customs and infrastructure development. "Trade is a way to reduce conflict and unemployment hence the need to create a favorable business environment that will boost the Private Sector and attract investments within the region", he said, noting that East Africa has an extremely high number of educated yet unemployed youth. In his remarks, Amb. Verheul assured the Secretary General of his country's commitment to working closely with EAC to enable the Community attain its objectives in the integration process.

The Ambassador said Netherlands was keen to share with the EAC its experiences in the European integration, adding that the EAC could learn from the EU in addressing some of the emerging challenges in the integration process.

The Dutch envoy also commended the Facilitator and the Mediator of the Inter-Burundi dialogue for the progress made thus far, urging that the negotiations should continue to be as inclusive as possible.

Present at the accreditation occasion were Eng. Steven Mlote, the EAC Deputy Secretary General in charge of Planning and Infrastructure, and; Mr. Kenneth Bagamuhunda, the Director General in charge of EAC Customs and Trade Directorate. 

Appellate Division Hears Appeal Challenging Decision of the First Instance Division on 2015 Burundi Presidential Elections

The EACJ Appellate Division heard an appeal filed by the East African Civil Society Organisations' Forum against the Attorney General of Burundi and the Secretary General of the EAC challenging part of a decision of the First Instance Division delivered on 29th September 2016.

In the challenged judgment, the First Instance Division declined an invitation to interrogate a decision of the Constitutional Court of Burundi on eligibility of Mr Pierre Nkurunziza vying for Burundian Presidency for another term. The Court held among other things that, its primacy in the interpretation of the treaty does not extend to the interrogation of decisions of other Courts. That inquiring into decisions of other Courts would require the EACJ to exercise an appellate jurisdiction which it does not have.

Further ruled that, the independence of national courts is a paramount principle of the rule of law in the Treaty and the Court could not in upholding those principles interfere with that independence. With the foregoing, the Court ruled that it could not reopen the decision of the Constitutional Court of Burundi, to determine if the said decision was in line with either the Constitution of the Republic of Burundi, the Arusha Accord or even the Treaty.

The Appellant on appeal allege that the First Instance Division erred in law and urged the Appellate Division to reverse the decision of the First Instance Division. Mr. Donald Deya for the Appellant submitted that, the Court erred in law by disavowing the jurisdiction to review and/or quash the Judgment of the Constitutional Court of Burundi. According to Counsel, the Treaty under Articles 23 and 27 bestows upon this Court the jurisdiction to review any decision of any Court, organ or institution of a Partner State to ensure compliance with the Treaty.

Counsel argued that, in international law, an international court has jurisdiction to determine whether or not a decision of any organ of a State Party, including a judicial decision is in accordance with a state international obligations. Further, no exception is provided in international law for decisions made by judicial organs of a State Party including decisions of Supreme Courts. Otherwise, a State Party would be allowed to infringe its international obligations through its judicial decisions which is unacceptable.

Counsel contended further, that international law is very clear that an international court will apply its law to review the conduct/ action of any organ of a State Party. In so doing, the action of international court cannot be considered as an appeal or review of the decision of the municipal court as they would be applying

different laws (international treaty law verse municipal law).

Counsel for the Appellant also submitted that the EAC Treaty does not distinguish between challenging the correctness of a decision and the due process followed to arrive at that decision. He added that the EACJ has jurisdiction to reopen decisions of national courts to decide whether or not such decisions are in line with the Treaty. Counsel concluded by arguing that the First Instance Division erred in law by failing to acknowledge that there were compelling reasons which motivated the Appellant seek to join the Secretary General of the EAC as a party to the proceeding.

Mr Nestor Kayobera, counsel for the 1st Respondent (Attorney General of Burundi), submitted that, the Court made a reasoned judgment and had not erred in law nor had they committed any procedural irregularities. Further argued, the Appellant could not pass the standard established under Article 35 A of the Treaty read together with Rule 77 of this Court Rules of Procedure, 2013. Finally stated that, the Court did not error in law by declaring there was no cause of action against the Secretary General.

Steven Agaba for the 3rd Respondent (Secretary General of the EAC), submitted that the Court did not commit any errors of law nor procedural irregularities as alleged by the Appellant. It was his submission that the Appellant did not comprehend the reasoning of the Court in the matter. Further, the Court correctly held that such remedies as to revise, review and quash the said decision of another court are only available upon appeal or review of the said decision.

Counsel contended that the Appellant has failed to show any Act, regulation, directive, decision or action that is unlawful or an infringement of the Treaty attributed to the 3rd Respondent.

The Respondents prayed for dismissal of the Appeal with cost. Judgment will be delivered on notice.

The matter came before the bench of the Appellate Division that includes Honourable Justices Dr. Emmanuel Ugirashebuja (Judge President); Justice Liboire Nkurunziza, (Vice President); Justice Edward Rutakangwa; Justice Aaron Ringera and Justice Geoffrey Kiryabwire.



House Set to Operationalise Autonomy




EALA is resolute that it will operationalize the financial and administrative autonomy granted to it by the Council of Ministers two years ago (2016). In the wake of this, the Assembly at plenary on 8 February 2018 passed a Resolution directing the (EALA) Commission to come up with all the necessary instruments to fully achieve the objectives for which it was established including enhancing terms and conditions of service of both Members and staff of the Assembly as well as appropriate staffing.

In passing the Resolution, the Assembly therefore adopted performance contracting as a scheme of service in the Assembly as opposed to the two term limits for its professional/technical members of staff.

The Resolution to adopt and operationalize the financial and administrative autonomy of the EALA was moved by Hon Susan Nakawuki Nsambu, seconded by Hon Oda Gasinzigwa and supported by many Members.

At its 33rd Meeting, the Council of Ministers granted the Assembly full financial and administrative autonomy vide decision (EAC/CM 33/ Decision 29) and (EAC/CM 33/ Decision 27) in a bid to enable the Assembly to secure broad independence.

The Assembly noted that it is already empowered under Articles 49 and 132 of the Treaty, through the Administration of the East African Legislative Assembly Act, 2012, and the EALA Rules of Procedure to, exercise such powers as granted in the afore-mentioned decision of the Council - this being through the EALA Commission, the Assembly Committees' and the Plenary.

In the same regard, the House is moving to retain the services of members of staff whose final contracts are due to expire in April 2018 until such a time when they are subjected to performance contracting. 

EAC Partner States' Armed Forces Join UPDF to Celebrate Tarehe Sita

The first East African Community Civil Military Cooperation (CIMIC) activities prior to the Army Day in Uganda known as Tarehe Sita was held in Bukedi sub-region in Eastern Uganda. The event, which was held under the theme Reaffirming the Contribution of the Armed Forces towards Regional Integration for our Strategic Security, Development and Prosperity, ran from 30th January to 6th February, 2018 and was in line with the decisions of the Sectoral Council on Cooperation in Defence held on 24th November, 2017 in Kampala, Uganda.

For the first time, the Armed Forces of Burundi, Kenya, Rwanda, South Sudan and Tanzania joined the hosts Uganda Peoples Defence Force (UPDF) during the weeklong Tarehe Sita activities.

Civil military activities were conducted by the medical and engineering contingents of all the forces in all the districts of Butaleja, Pallisa, Budaka, Kibuku, Tororo and Busia. The other UPDF formations and units including those deployed abroad carried out various activities in support of communities in their areas of operation.

The main celebrations were held today at Boma Grounds in Butaleja district and attended by, among others, Honourable Ministers of Defence from the Partner States; Principal/Permanent Secretaries of Defence; Members of the East African Legislative Assembly and Members of Parliament of Uganda; Chiefs of the Defence Forces from EAC Partner States; Members of the Diplomatic Corps; Service Commanders and General Officers; Defence Liaison Officers at the EAC Headquarters; Members of the Defence Forces Contingents of the EAC Partner States and the general public.

Addressing participants at the event, the EAC Secretary General Amb. Libérat Mfumukeko, who was represented by his Deputy in charge of Political Federation, Mr. Charles Njoroge, said the CIMIC week was held under the spirit of the EAC Protocol on Cooperation in Defence Affairs whose four pillars include military training, joint operations, technical cooperation, visits and exchange of information.

Mr. Njoroge disclosed that during the Sectoral Council on Cooperation in Defence meeting held on 16th November, 2012, the need to enhance Civil Military Cooperation by conducting CIMIC activities during respective Partner States' Armed Forces Day was considered and approved.

The Secretary General further noted that during the meeting of



2nd December, 2016, the Sectoral Council directed that CIMIC activities prior to Partner States Armed Forces Day be organized once annually on rotational basis commencing in the Financial Year 2017/18.

Amb. Mfumukeko commended the Republic of Uganda and the UPDF for accepting to host the first EAC Armed Forces Day that was preceded by a week of CIMIC activities and involved the Armed Forces from the EAC Partner States.

He expressed gratitude to the support and leadership by the EAC members of the Summit of Heads of State, the Sectoral Council on Cooperation in Defence and the Heads of the Defence Forces for making the event a great success.

The Secretary General expressed appreciation to the Defence Forces for consolidating and spearheading the EAC integration agenda.

"The planning and execution of the CIMIC activities is a testimony to further strengthening the cause of East African Community unity, common defence, security, peace and development. It is also great inspiration to the people of East Africa to see members of the Armed Forces from different Partner States participating together," said the Secretary General.

"We need unity, peace, stability and strength to defend our common interests as East Africans. This will in effect provide a conducive and attractive environment for investment and development and prosperity in the region. While partnership with the International Community is important, Africans and more so East Africans, we have to find lasting solutions to our own problems. To this effect, the EAC Cooperation in Defence offers such great scope and prospects," added the Secretary General.



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