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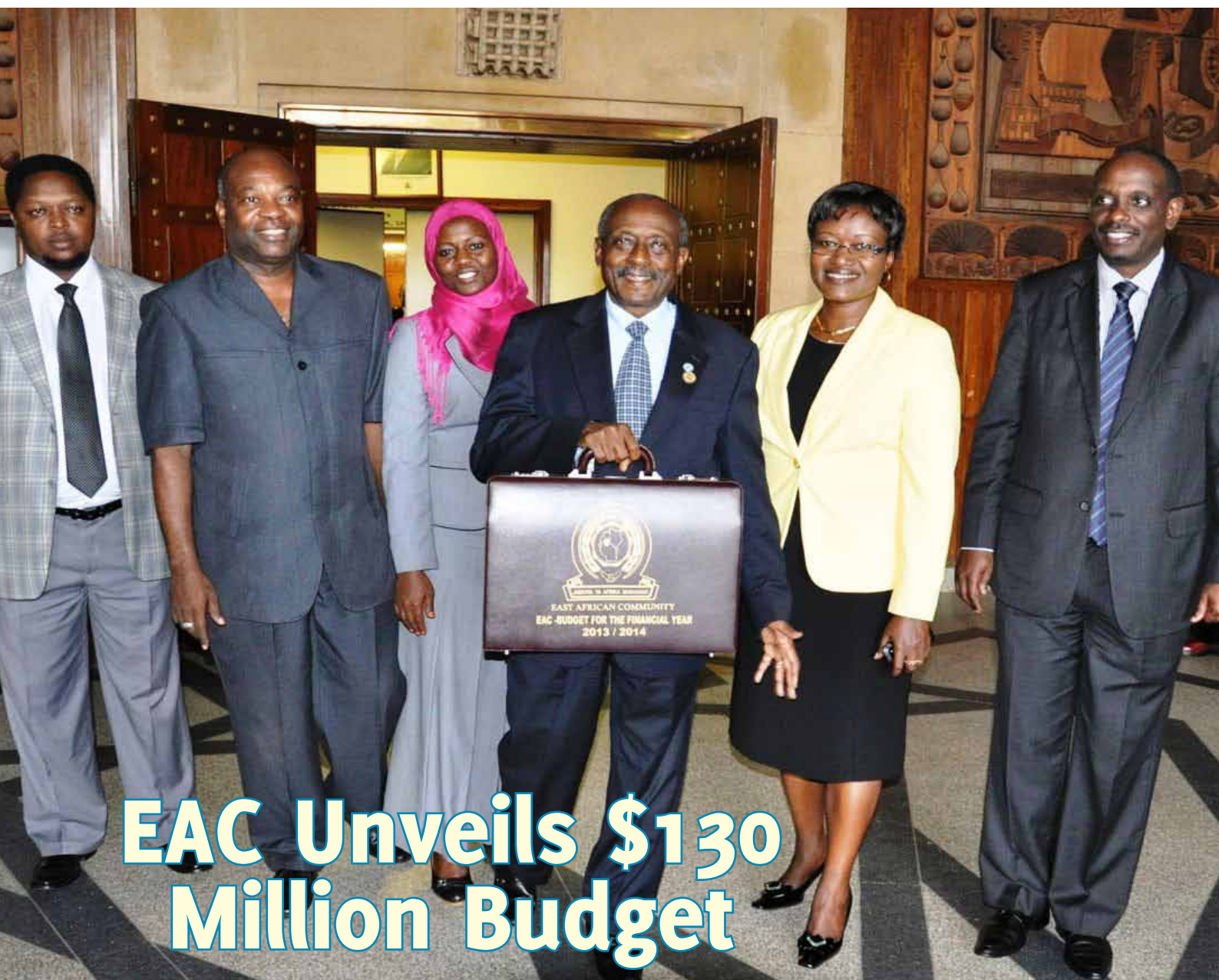
# THE COMMUNITY

ONE PEOPLE. ONE DESTINY

THE OFFICIAL MAGAZINE OF THE EAC

ISSUE 21

OCTOBER 2013



## EAC Unveils \$130 Million Budget

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FROM THE SG

## More business-friendly EAC in sight



A.M.B. DR. RICHARD SEZIBERA, EAC SECRETARY GENERAL

In the final quarter of the 2012/13 fiscal year, the East African Legislative Assembly passed two key Bills that will no doubt help to fast track our integration process. The first of these, the One Stop Border Post (OSBP) Bill, 2012, was passed in Kigali, Rwanda in April. It was closely followed by the EAC Vehicle Overload Control Bill, 2012 which was passed at the Assembly's sitting in Kampala, Uganda in May this year.

The passing of these Bills is particularly important because it reinforces our region's commitment to make it easier to do business within the geographical confines of the East African Community. The EAC holds at the core of its aspirations the desire to integrate the economies of its Partner States and to promote and facilitate trade among them.

To achieve this end, hard infrastructure—roads, railways, sea ports to name but three, are important. But having in place the enabling legal and institutional frameworks is just as critical. There is well-documented evidence that affirms that cross-border business transactions are hurt a lot more by procedural bottlenecks, such as lengthy customs/border clearance processes, than they are hampered by inadequate physical infrastructure.

Anecdotal evidence suggests that border posts in the region which have piloted the One Stop Border Post concept have seen transaction times for truckers reduce from as many as five days to just three to five hours. These new found efficiencies have a positive bearing on the final cost of imported commodities in the form of reduced retail prices, in much the same way that the costs of inefficiencies wrought by lengthy clearing processes and inadequate

infrastructure are frontloaded to the end consumer.

What the region needed therefore was to give initiatives such as the OSBP and the vehicle load control mechanisms legal protection, to move them from arrangements based on goodwill to standard practices that are accorded their due respect by state agencies across the board and which ultimately assure our businesspeople a more predictable environment to operate in.

The added plus from these initiatives is that they complement all ongoing efforts to limit and/or eliminate non tariff barriers in our bloc. The EAC Vehicle Overload Control Bill for example has set a uniform Gross Vehicle Weight at a metric tonnage of 56 and seeks to harmonise the operation of weighbridges, which have been identified as responsible for an additional 19-hour delay, on average, per truck travelling from Mombasa to Malaba.

We therefore look forward to these Bills being expeditiously signed into law for the good of ordinary East Africans who ultimately stand to gain from such progressive interventions, but equally importantly, as a reaffirmation of our Community as the preferred bloc for investment. 🇰🇪

## Summit appoints new Deputy Secretary General



The East African Community Summit of Heads of State has appointed **Mr. Charles Jackson Kinyanjui Njoroge**, EBS, Deputy Secretary General from the Republic of Kenya. Mr. Njoroge was appointed during the 11th Extraordinary Summit to replace compatriot Dr. Julius Tanguis Rotich whose term of service with the Community ended on 28 June 2013.

Mr. Njoroge's most recent job was Director General of the Communications Commission of Kenya, a position he held for close to four years between July 2008 and May 2012. He has previously worked for the defunct Kenya Posts and telecommunications Corporation and has close to 30 years of experience in the Information, Communication and Technology (ICT) field.

A holder of a Bachelor's degree in Economics from University of Nairobi and a Master's degree in Development Economics from Dalhousie University in Canada, the new Deputy Secretary General also possesses a postgraduate certificate in Telecommunications Regulation from the University of Westminster in the United Kingdom. Mr. Njoroge is married with three children.



## CASSOA examines aviation security

The East African Community should establish an anti-terrorism task force at the EAC Secretariat, conduct joint training of aviation security personnel, and develop an intervention force to enhance aviation security in the region, say stakeholders in the bloc's aviation sector.



The stakeholders, who met in Entebbe, Uganda for the 2nd East African Community Civil Aviation Safety and Security Oversight Agency (EAC-CASSOA) Symposium in May also rooted for correcting non-conformities identified during Security Audit Programmes (SAPs) as a measure to make the region's airports and skies safer.

The Symposium participants included aviation sector regulators, air operators, Members of the East African Legislative Assembly, trainee inspectors and security and air transport policy makers among others. CASSOA organised the conference, the second of its kind since the inaugural edition held in Arusha, Tanzania in 2009.

The one-day Symposium on the theme: Linking Aviation Safety and Security: The Role of the Stakeholder was convened to examine new and emerging threats as far as aviation security in the region is concerned; challenges and impact of aviation security and; the role of stakeholders in enhancing aviation safety.

CASSOA was established in 2007 as an autonomous self-accounting body of the East African Community headquartered in Entebbe, Uganda.

More than 150 stakeholders drawn from within and outside the region heard that East African airports were becoming major conduits for trafficking drugs, human beings and human parts and as such the region could not afford to operate in isolation as far as aviation security is concerned.

The main objective of the Agency is to ensure coordinated development of an effective and sustainable civil aviation safety and security oversight infrastructure in the EAC.

For more information visit: [www.cassoa.org](http://www.cassoa.org)

## EACJ gets new judges



Judges **Hon. Mr. Justice Liboire Nkurunziza** from Burundi and **Hon. Mr. Justice Dr. Faustin Ntezilyayo** from Rwanda have been appointed judges of the East African Court of Justice. The 11th Extraordinary Summit of EAC Heads of State appointed Hon. Mr. Justice Liboire Nkurunziza Judge of the EACJ's Appellate Division while Hon. Mr. Justice Dr. Faustin Ntezilyayo was appointed Judge of the EACJ's First Instance Division with effect from 27 June 2013.

Treaty with the major responsibility to ensure adherence to law in the interpretation and application of and compliance with the Treaty.

The two judges replace Hon. Mr. Justice Laurent Nzosaba and Hon. Mr. Justice Johnstone Busingye, the outgoing Principal Judge whose respective tenures of office came to an end on 26 June 2013. The Summit designated Hon. Mr. Justice Jean Bosco Butasi as the new Principal Judge of the Court which was established in November 2001.

To facilitate easier access, the Arusha-based EACJ recently established sub-registries in the capitals of the Partner States.

For more information visit: [www.eacj.org](http://www.eacj.org)



## EAC and EU seal €16 million deal for power project

The East African Community and the European Union (EU) have signed a Financing Agreement of 16 million euros for the construction of a power interconnector between Burundi and Rwanda.



The signing of the agreement on 10 May paves the way for the commencement of the power project which will take approximately three years to complete and will cost 37.7 million euros in total. Although Rwanda and Burundi are the primary beneficiaries, the 220kV Interconnector project is part of a larger ongoing multinational initiative to interconnect Kenya, Uganda, Rwanda, Burundi and the Democratic Republic of Congo.

He added the project would pave the way for an EAC energy exchange in future, which would allow Partner States to plug each other's power deficits by transmitting surplus capacity through an interconnected system.

Deputy Secretary General Dr. Enos Bukuku, who signed on behalf of the EAC Secretary General, thanked the EU for its support to the project which he described as a major milestone in the region's quest for the integration of its energy sector.

Of the 37.7 million euros required, the EU will provide €16 million from the 10th EDF (European Development Fund) to finance the Burundian component. KfW of Germany will provide €19.7 million out of which €16.7 million will finance the Rwandan section and €3 million for the Burundian section. The Governments of Burundi and Rwanda will contribute €1 million each.

The project entails construction of a 143-kilometre 220kV transmission line from Kigoma (Rwanda) to Gitega (Burundi) via Butare (Rwanda) and Ngozi (Burundi). The transmission line will cover 62 kilometres in Rwanda's territory and 81 kilometres in Burundi's territory.

The other components of the multinational interconnection project are financed by the African Development Bank, Japan International Cooperation Agency and the Government of Netherlands.



## EALA passes OSBP, Vehicle Load Control Bills


The region has taken a giant step in terms of facilitating trade and freedom of movement following the passing of two crucial bills by the East African Legislative Assembly; the EAC Vehicle Load Control Bill, 2012 and One Stop Border Post Bill, 2012.

The EAC Vehicle Load Control Bill moved by the Chair of Council of Ministers, Hon. Shem Bageine and passed during the EALA's sitting in Kampala, Uganda in May, envisages control of vehicle loads, harmonised enforcement and sets the permissible maximum Gross Vehicle Weight at a metric tonnage of 56. At the same time, the vehicles shall have a maximum of seven axles.

According to Hon Bageine, the main objective of the Bill is to achieve efficient and effective control of vehicle overloading in the region as a basis for reducing accelerated deterioration of road networks and as a consequence, reducing total transport costs.

To complement the Vehicle Load Control Bill is the One Stop Border Posts Bill, 2012 passed in Kigali, Rwanda, in April. The object of the latter, also initiated by the EAC Council of Ministers, is to provide for the establishment of One Stop Border Posts (OSBPs) in the Community in order to facilitate trade through the efficient movement of goods and people. Under the arrangement, Partner States shall implement one stop border processing arrangements by establishing and designating control zones at the respective border posts.

Under the OSBP concept, all traffic would stop once in each direction of travel, facilitating faster movement of persons and goods, and allowing border control officers from the two Partner States to conduct joint inspection.

Common border posts designated in the EAC as One Stop Border Posts include the Taveta-Holili border and the Namanga border (Kenya-Tanzania), Busia and Malaba borders (Kenya-Uganda) and the Kanyaru-Akanyaru border (Burundi-Rwanda). Others are the Mutukula border (Tanzania-Uganda), Gasenyi-Nemba border (Burundi-Rwanda) and Lunga Lunga-Horohoro border (Kenya-Tanzania). 

## East Africa is Proud

FIFA executive's first woman member, from EAC



Mrs. Lydia Nsekera, president of the Burundi Football Association, made history in May this year by becoming the first woman elected to the executive committee of the Fédération Internationale de Football Association (FIFA), the world football governing body. That is a remarkable achievement by the 46-year-old administrator, considering FIFA had never had a female member elected to its executive in its 109-year history. Mrs. Nsekera will serve a four-year term. The EAC is proud!

## Quoted

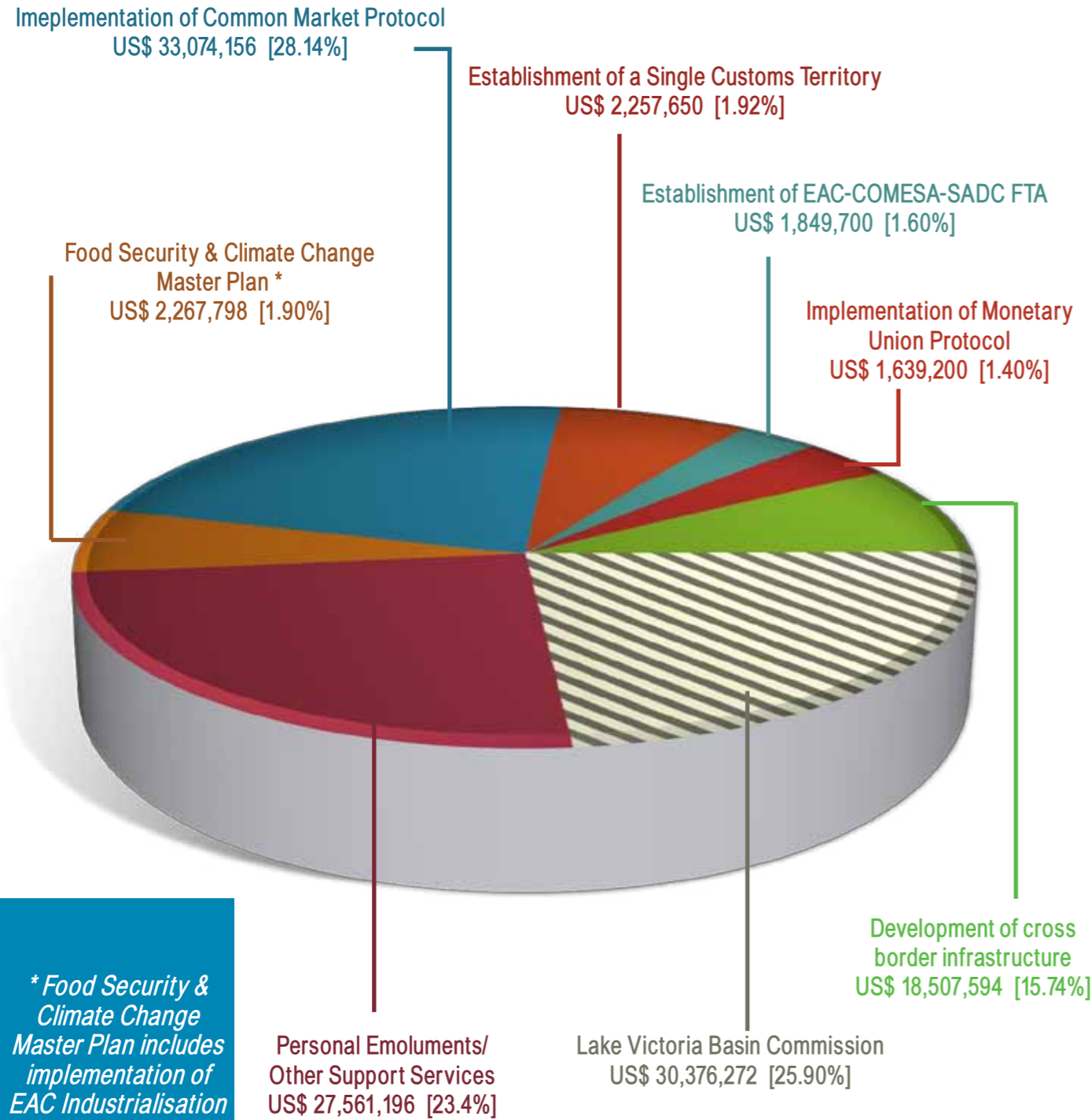
*"Though economic integration is good, there are certain crucial issues that it may fail to address—and which a political federation will cushion the region against"* – **President Yoweri Museveni** on the need to fast track the Political Federation, Kigali, Rwanda, 24 April 2013.

*"Our continent is ready to take-off and East Africa will be the engine that gives momentum to Africa's potential. We have an opportunity to build our own shared future together"* – **President Uhuru Kenyatta** in his maiden address to the EAC Summit of Heads of State, 28 April 2013.



# EAC Budget estimates for Financial Year 2013/14

## Global priorities



\* Food Security & Climate Change Master Plan includes implementation of EAC Industrialisation Strategy

Budget estimates for the Financial Year 2013/2014 total \$130,429,394. The Budget is allocated to EAC Organs and Institutions as follows:

## Summary of Budget Estimates

EAC Secretariat	69,787,824
Lake Victoria Basin Commission (LVBC)	30,376,272
East African Legislative Assembly (EALA)	13,089,982
Inter-University Council for East Africa (IUCEA)	9,692,785
East African Court of Justice (EACJ)	4,279,489
Lake Victoria Fisheries Organisation (LVFO)	3,203,042

## How the Budget will be funded:

Funder	US\$ 85,676,850	US\$ 37,297,442	US\$ 7,249,252	US\$ 205,850
	Development Partner Support	Partner States through Ministries of EAC	Partner States through other agencies	Other Income

To download the EAC Budget Speech visit: [www.eac.int](http://www.eac.int)



## A NEW FACE IN THE SUMMIT

His Excellency President Uhuru Kenyatta (left) took his place among the EAC Summit of Heads of State for the first time on 28 April 2013.

President Kenyatta, 51, won a 4 March 2013 presidential election by just over 50% to become the fourth president of the Republic of Kenya.

At the 11th Extraordinary Summit in Arusha, Tanzania, where he delivered his maiden address to fellow Heads of State from the bloc, President Kenyatta affirmed his administration was pro-integration and declared the East Africa would be the engine to propel Africa's economy forward.

*Photo: Justino Luwali*



## Summit Chair sees closer ties for EAC and BRICS

The East African Community is eager to welcome more investors from Brazil, Russia, India, China and South Africa into the region, according to the Chairman of the EAC Heads of State Summit and Ugandan President H.E. Yoweri Museveni.

President Museveni, who represented the region at the 5th BRICS Summit in Durban, South Africa in March, reckons five of the world's foremost emerging economies investing in East Africa in particular and in Africa in general would be "good for business for the African sub-regions and BRICS as a whole".

The Ugandan Head of State who was reporting on his engagement with BRICS to the 11th Extraordinary Summit of EAC Heads of State held in Arusha, Tanzania in April this year said: "I told the leaders of Brazil, Russia, India, China and South Africa that the return on investment in the three regional blocs [EAC, COMESA, SADC] is at least 32 percent for the financial sector and at least 25 percent for real economy including manufacturing".

Painting a clear picture of the kind of relationship he saw for the EAC and the BRICS, he added the group could also help in providing soft loans to build infrastructure in areas of electricity, roads, railways and harbours while emphasising that it was high time "we translated historical linkages into an updated relationship with broader implications for global security, trade, investment and mutual support".

"The emergence of BRICS is a welcome phenomenon for the maintenance of global peace, security, economic development and prosperity for our people.

"We need to tap on the resources from the BRICS club to develop regional infrastructure and other capital-intensive projects," the Summit Chair stressed.

### UNFINISHED BUSINESS

Even then, President Museveni voiced the need to move with speed to address the Community's pending tasks.

"We have urgent unfinished business to attend to. We need to conclude negotiations on a Single Customs Territory, conclude negotiations on a Monetary Union, implement the Industrialisation Policy and Strategy and focus on investment in infrastructure."

In this regard, the Summit reiterated its earlier directive to the Council of Ministers to expedite the negotiations for and conclusion of the Monetary Union Protocol with a view to signing it at the 15th Summit scheduled for November 2013.

The Summit Chairman also stated that he looked forward to a speedy extension of the jurisdiction of the East African Court of Justice, which would allow the Court to try, among others, crimes against humanity.

### SUMMIT GETS NEW MEMBER

The 11th Extraordinary Summit of EAC Heads of State also welcomed a new member in H.E. Uhuru Kenyatta, fourth President of the Republic of Kenya, who affirmed his country would remain a committed partner in the EAC integration project. President Kenyatta succeeded H.E. Mwai Kibaki after clinching victory in a March 2013 poll.

### HIGHLIGHTS FROM THE 11TH EXTRAORDINARY SUMMIT



#### APPOINTED

- Mr. Charles Jackson Kinyanjui Njoroge, EBS, Deputy Secretary General replacing Dr. Julius Tanguis Rotich whose term of service with the Community ended on 28 June 2013.

- Hon. Mr. Justice Liboire Nkurunziza from the Republic of Burundi Judge of the East African Court of Justice (Appellate Division) and Hon. Mr. Justice Dr. Faustin Nteziyayo from the Republic of Rwanda Judge of the EACJ (First Instance Division) with effect from 27 June 2013.



#### DESIGNATED

- Hon. Mr. Justice Jean Bosco Butasi as Principal Judge of the East African Court of Justice.



#### DIRECTED

- The Council of Ministers to expedite the finalisation of deliberations on the extension of the jurisdiction of the East African Court of Justice to cover among others crimes against humanity and report progress at the 15th Ordinary Meeting of the Summit scheduled for November 2013.

- That the roadmap to the conclusion of the Protocol on the Establishment of the East African Community Monetary Union includes holding the following meetings:

- The Third Meeting of the Sectoral Council on East African Monetary Union to finalise the Technical Negotiations;

- The Extra-Ordinary Council of Ministers to clear the draft Protocol and refer it to the Sectoral Council on Legal and Judicial Affairs for Legal Input; and

- The Sectoral Council on Legal and Judicial Affairs to clear the draft Protocol.

- The EAC Secretary General to convene a meeting of Ministers responsible for Energy and Finance, Attorneys General, heads of revenue authorities and chief executive officers of National oil and gas companies to share experiences and agree on best practices in light of the need to use the recently discovered oil and gas resources for the benefit of East Africans.



#### COMMENDED

- The Republic of Kenya for the successful and peaceful General Elections and congratulated H.E. Uhuru Kenyatta upon his election as the fourth President of Kenya.

Download the communiqué of the 11th Extraordinary Summit of EAC Heads of State at [www.eac.int](http://www.eac.int)

# EAC unveils \$130 million Budget

BOBI ODIKO

The East African Community Budget for the Financial Year 2013/2014 is \$130,429,394. Hon. Shem Bageine, Chairperson of the EAC Council of Ministers and Minister of State for East African Community Affairs, Uganda, presented the Budget estimates to the East African Legislative Assembly sitting in Kampala in May.

The 2013/2014 Budget down from \$140million in the previous Financial Year, prioritises consolidating the Common Market; completion of negotiations and movement towards the East African Monetary Union Protocol; investment promotion and private sector development; co-operation in cross-border infrastructure; enhancing the extractive and processing industries; implementation of the critical activities of EAC Food Security and the mainstreaming of policies, programmes and projects related to gender.

Hon Bageine highlighted a number of achievements registered in the FY 2012/2013, notably the successful finalisation and adoption of the requisite customs legal and operational requirements coming into play of customs transit information (RADDEX 2) and the passing of key legislation strengthening integration.

Other achievements, the Minister noted, included the completion and commissioning of the rehabilitated Arusha-Namanga-Athi River road, the relocation of the EAC into the new headquarters and enhanced sensitization and outreach programmes.

On energy, the Chair of the Council of Ministers affirmed the region's commitment towards ensuring sustained and efficient energy use. In this regard, Hon Bageine informed the House that the EAC had signed an MoU with the UN International Renewable Energy Agency to realise the objective.

On the Common Market, the Minister enumerated the achievements and gains realised, the most significant development being that Rwanda enacted a new immigration law (No 19/2011) which encompasses all provisions of the Common Market Protocol with regard to the free movement of persons and labour.

In the same vein, Kenya repealed the following laws that were inhibiting free movement of persons; Immigration Act (Cap 172), Alien Restriction Act (Cap 173) and Visa Regulations. These laws were replaced by the following new laws: Kenya Citizenship and Immigration Act No. 12 of 2011 and Kenya Citizens and Foreign Nationals Management Act No.31 of 2011. Uganda too enacted a new law on insolvency in 2011 that conforms to the Common Market Protocol.

The Minister stated that the region had maintained real GDP at 5.5% against a harsh economic environment while witnessing a significant drop in inflation from 20.1% to 8.5% aided by monetary policy tightening and lower food prices associated with a recovery in local food production.

“Global prospects for 2013 have improved but the road to recovery in the advanced economies will remain a bumpy one. The Sub-Saharan Africa region's economic growth is projected to remain constant at 5.3 percent in 2013. In the EAC, however, economic growth is projected to expand by 6.1 percent,” Hon. Bageine stated.

“The generally strong performance is to a significant extent expected to accrue from ongoing investment in infrastructure and productive capacity and continuing robust domestic consumption in the region. Consumer prices are projected to ease from 8.5 in 2012 to 7.4 percent in 2013 while the current account deficit as percentage of GDP is expected to improve marginally to about 10.6 percent,” he added.

Presenting the Budget estimates, the Council Chairperson noted that among the identified priority areas, were the interventions in the Customs Union leading to establishment of a single customs territory. Hon. Bageine observed that the single customs territory “will crystallise the gains of integration characterised by minimal internal border controls and a more efficient institutional mechanism in clearing goods”.

On implementation of the Common Market Protocol, the emphasis will be on operationalisation of the free movement of labor provisions, as well as the integration of the regional financial markets to allow for free movement of capital.

Co-operation in cross-border infrastructure development will see the commencement of construction of the rehabilitation of the Kayonza-Rusumo (Rwanda) and Rusumo-Rusahanga road (United Republic of Tanzania), upgrading of the Nyakanazi-Kasulu-Kidahwe-Manyovu section (United Republic of Tanzania), rehabilitation of the Nyanza Lac-Rutunga (Burundi) and the assessment to profile the Kitale-Endebess-Suam in Kenya to Suam in Uganda.

The African Development Bank (AfDB) is further expected to support the execution of priority studies under the EAC Railways Master Plan with the studies expected to commence in September 2013.

On co-operation in political affairs, the Minister remarked that the EAC would conduct national consultations on the model of the structure of the EAC Political Federation. The consultations process is expected to be held in the coming months with a report on the progress made at the 15th Summit of EAC Heads of State in November 2013.

Other areas of priority for the 2013/2014 budget include the implementation of the Free Trade Area under the Tripartite EAC-COMESA-SADC initiative, implementation of the EAC Food Security and Climate Change Master Plan, enhancing the EAC Industrialisation Strategy and the support for critical activities of Lake Victoria Basin Commission.

The FY 2013/14 Budget speech is available at [www.eac.int](http://www.eac.int)





A NOTE TO EALA: President Museveni signs EALA Guestbook before officiating EALA Plenary Session in Kampala, May 2013.



FOR A GREENER TOMORROW: EAC Secretary General plants a tree at the EAC Headquarters as other EAC Officials look on, April 2013.



THAT'S HOW THE EU DOES IT: EU Ambassador to the United Republic of Tanzania and to the EAC, Amb. Filiberto Sebregondi, shares a light moment with EAC Deputy Secretary General in charge of Planning and Infrastructure, Dr. Enos Bukuku at the commemoration of the EU Day at the EAC Headquarters in Arusha, June 2013.



I SOLEMNLY SWEAR: Hon Phyllis Kandie, Cabinet Secretary of East African Affairs, Tourism and Commerce, Republic of Kenya is sworn in as EALA Member, May 2013



EALA MEETS EACJ: Speaker Rt. Hon. Margaret Zziwa (right) shares a word with immediate past EACJ Principal Judge Hon. Mr. Justice Johnston Busingye during an EAC function.



A FRUITFUL VISIT: EAC Secretary General, Amb. Richard Sezibera, in a group photo with Senior Military Officers and Civil Servants from National Defence College, India after they paid a working visit to the EAC Headquarters, May 2013.



# Extending EACJ jurisdiction: What it all means

BRENDA M. NTIHINYURWA

At the 4th Meeting of its 5th Session held in April 2012 in Nairobi, Kenya, the East African Legislative Assembly unanimously passed a Resolution calling on the Council of Ministers to bring to the Summit's attention the need to extend the jurisdiction of the East African Court of Justice (EACJ) to include crimes against humanity.

At the 10th Extraordinary Meeting of the Summit held on 28 April 2012, that request found favour with the EAC Heads of State, giving fresh impetus to efforts to extend the jurisdiction of the regional Court.

Article 27 of the EAC Treaty establishes the Court and provides that its jurisdiction be limited to matters of interpretation of the Treaty. But thanks to the 10th Extraordinary Summit's directive for a review of this jurisdiction, a comprehensive technical paper has since been prepared.

The technical paper, which guides deliberations on this matter, followed a zero draft of the protocol for the extension of the Court's jurisdiction that was prepared in 2005.

## THE IMPLICATIONS

This includes giving a complete analysis on effects of extending the jurisdiction as well as looking into Partner States obligations under African Union initiatives on protection and promotion of human rights.

First to note is that there is a complementarity principle on which the proposed jurisdiction of the East African Court of Justice shall have to be based. This implies that the EACJ can only investigate and prosecute core international crimes when national jurisdictions are unable or unwilling to do so. The principle reflects a realisation that it is preferable that such crimes are investigated and prosecuted in the country where they occurred.

In the instant case, the EACJ will be the Court resorted to, only where national judiciaries are unable or unwilling to prosecute. The International Criminal Court (ICC) has been the main court with such jurisdiction simply because Africa has been unable to prosecute crimes against humanity, war crimes and terrorism, though it should be noted that the Republic of Uganda does in fact have a war crimes division within the High Court thus enabling the prosecution of war crimes within her territory. This is unfortunately not the case with other Partner States, thus pushing for the need to extend the jurisdiction of the EACJ.

An important question to ask at this point would be: despite all the International Law Principles being applied as to support such extension, can the current structure of the EACJ handle this extended mandate?

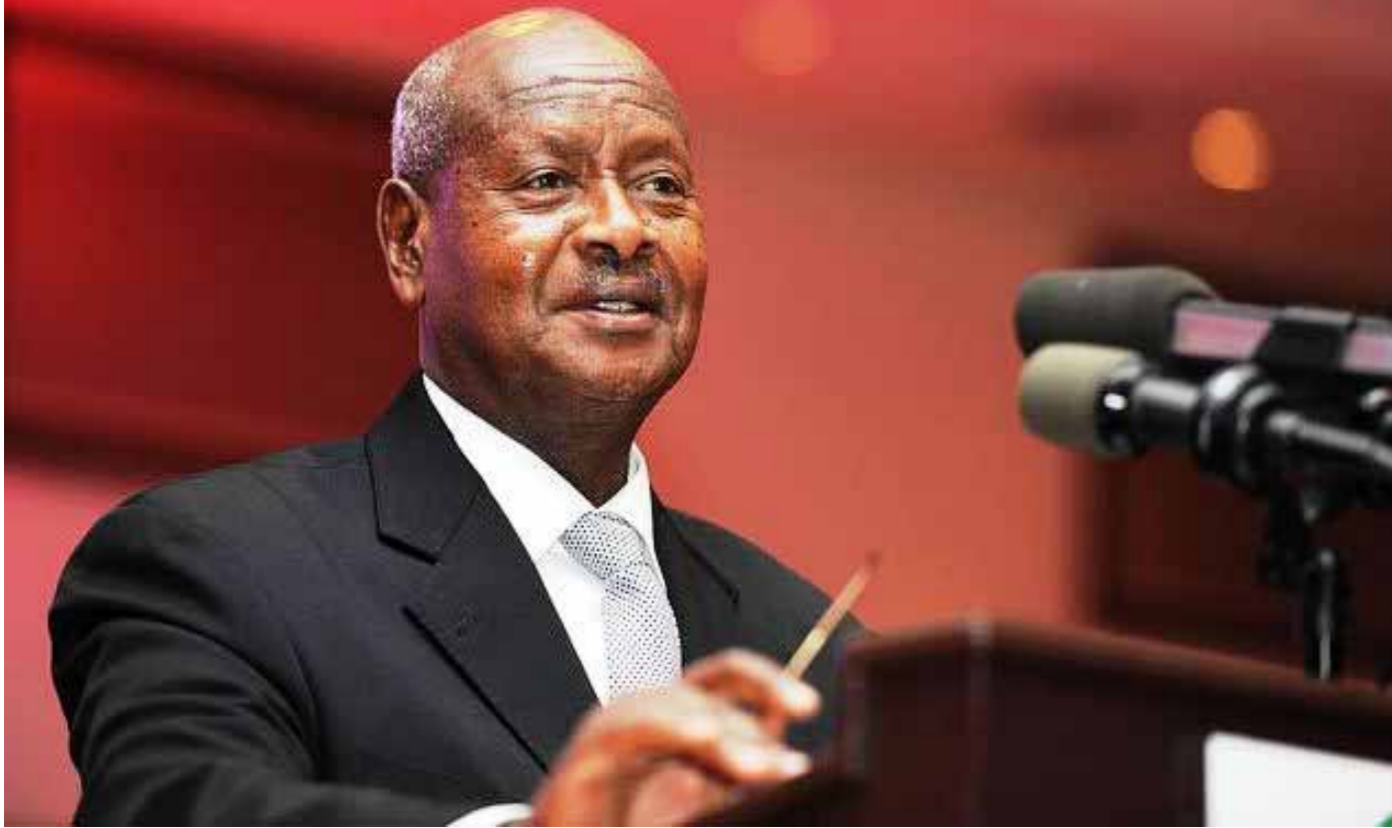
The EACJ is currently situated in Arusha, with a central Registry and sub-registries in the Partner States. There is an office of the Registrar, Court administrator, court clerks, and ad-hoc judges. Recently, the Judge President and Principal Judge were made residents to increase on the effectiveness of the Court.

Courts like the ICC and related tribunals such as the International Criminal Tribunal for Rwanda, International

Criminal Tribunal for the former Yugoslavia, The Special Court for Sierra Leone, etc, benefit from much larger structures and suffice it to say EACJ would require the following changes in place for extension of its jurisdiction to be effective:

- Establishment of an Office of the Prosecutor which includes the Chief Prosecutor, Deputy and a Prosecution team comprised of various advocates
- Establishment of The Office of the Registrar, in charge of administration and management of the Tribunal; and
- Extension of The Chambers which consists of the ad-litem and permanent judges of the International Crimes Division of the EACJ
- Establishment of a Witness Protection Unit

These structural changes which are critical in ensuring maximum effectiveness of the role envisaged for the EACJ as a judicial body prosecuting international crimes would necessitate consideration of the financial implications that may come to bear on the EAC but even that ought to be weighed against the dividend of engendering greater judicial sovereignty for the Community. 🇰🇪



## President Museveni on the State of EAC

Fifty years after Independence, most of the African countries are still listed as LDCs (Least Developed Countries). Today the middle income countries in Africa are 25. There is not a single First World country in the whole length and breadth of Africa. Why?

In the last 50 years in which I have been active in the resistance struggles in Uganda and Africa either directly or indirectly, I have been, together with our colleagues, able to study the situation. In these 50 years, I have identified 10 strategic bottlenecks which I would like to, again, mention here. These are:

1. Ideological disorientation whereby the reactionaries fragment the African Peoples into sectarianism of tribe, religion and gender chauvinism.
2. This ideological disorientation cannot allow the reactionaries to build viable and capable state pillars such as Army, Civil service, Judiciary, etc. Consequently, any slight disturbance or challenge leads to the collapse of the

State authority to the detriment of the people. Killings, raping, defilement, looting and all sorts of crime with impunity become the lot of the people.

3. Owing to inadequate analysis, attacks against the private sector, including the physical expulsion of elements of the entrepreneurial class as was done by the regime of Idi Amin. Even where there is no direct attack on the private sector, corruption, bribery, extortion and poor administration or regulation also hamper the thriving of the private sector.

Fundraisings by politicians and other groups e.g. churches and mosques, can also disrupt the growth of the private sector and the accumulation of capital. A poor savings culture on account of ostentatious consumption, drunkenness and other forms of social indiscipline also interfere with capital accumulation and, therefore, the strengthening of the private sector.



4. An under-developed human resource on account of lack of education and lack of health care. A non-literate, non-skilled population does not fully realize its potential.

5. Inadequate infrastructure that causes the costs of doing business in our countries to go up, thereby undermining the profitability of companies operating in our countries.

6. Small internal markets on account of the excessive balkanization of Africa that cannot support large scale agricultural and industrial production. There was also neglect of developing export oriented industries apart from exporting unprocessed minerals and other raw-materials.

7. Lack of industrialization whereby we export unprocessed agricultural products and minerals, thereby losing money and jobs to the outsiders.

8. An under-developed services sector.

9. An under-developed agricultural sector.

10. Lack of democracy.

I would like to talk on just two of the ten strategic bottlenecks I have mentioned above; the issue of small markets and inadequate development of infrastructure, especially electricity.

### SMALL MARKETS

I have already said that, at least, the African leaders, after 1980, started working on the issue of the regional trading blocs. That is how we got COMESA, ECOWAS and SADC (which started off as the Frontline States). EAC was already there; only that it broke down in 1977 until we revived it in 1993.

Of all these blocs, the EAC is the one with the brightest future and with the greatest hope for Africa. EAC does not just aim at economic integration. It also aims at political integration through the formation of the East African Federation. That is what article 5 (2) of the EAC Treaty says. At some stage, we proposed to fast track this political integration. All the people of East Africa supported this and it was only in a few cases where there were some concerns about certain issues. This was very encouraging and laudable.



The case for the political federation is on account of the following points:

(i) Even if the economic integration is successful, there are very crucial issues that you cannot address. It is not easy, for instance, to address the issue of common defence when you are different countries. Yes, you can have collective defence such as NATO's case. However, those defence pacts normally depend on one or so strong members such as the USA. Where is the USA of Africa? A politically united EAC would provide the beginning of the USA of Africa which could provide the centre of gravity of Africa's future. How have we insured Africa against future re-colonisation and marginalisation?

When Africa confronted the moribund Portuguese colonialists and the racists in Southern Africa, we were supported with weapons by the Soviet Union and the People's Republic of China. That is how we won military victories in Mozambique (Samora Machel and Frelimo), in Zimbabwe (ZANU-ZAPU), in Angola (MPLA), in Namibia (SWAPO) and in South Africa (ANC).

The socialist camps became part of the strategic rear of Africa with a clout that was respected and feared globally. What is our feared or respected strategic rear now? It is our duty to create this strategic rear when conditions are

still favourable. It is inexcusable that we have squandered the last 50 years without doing so. Some global actors are trying to achieve military superiority on land, in the air, at sea and in space. Where does that leave Africa?

(ii) Fragmenting the hinterland from the sea coast is another big disadvantage created by the present balkanisation and is fraught with potential problems.

(iii) Fragmenting the natural resources is another weakness. EAC has always had tremendous natural resources. New ones are being discovered. If these were under one political roof, our bargaining power in the world would be much greater. When we negotiate separately, there are even attempts at playing us against each other.

You hear words like: "If you do not agree to these terms, your neighbours will leave you behind". Of course, it is also easier to manage common resources better if we are under one political roof than when we are separate. I am talking about resources like lakes, rivers, etc.

(iv) Even economic integration per se is not easy when you are under separate political roofs. You have seen the problems in Europe recently. Owing to different levels of development, mere economic integration may benefit different countries unequally.



By being part of a common market, the consumers buy on equal terms a product produced anywhere in East Africa, quota free, tax free. At our present level of integration, we do not, however, share the taxes from the factory or share the jobs. This has potential for disenchantment with integration.

When it is one political unit, even if there are inequalities, they are easy to handle because the jobs are equally accessible to all the citizens on merit and taxes are shared. When I had a retreat with Presidents Kibaki and Mkapa in August, 2004, in Nairobi, we elaborated all the other reasons and they are documented. EALA and all the East Africans should push even more for the cause of the East African Federation.

### INFRASTRUCTURE

The issue of infrastructure, especially the electricity, shows how Africa got off the track even after Independence. As I repeatedly tell whatever African audiences I get chance to address, there is a Kwh per capita yardstick that is simply amazing. The USA has a Kwh per capita of 12,400. Some of the African countries have as low as 12!!

Uganda had a Kwh per capita of 30 in 1986. We now have a Kwh per capita of 150. When Karuma, Ayago, Isimba,

the mini-hydro stations that are about to be embarked on and the geo-thermal project of Lake Katwe are finished, we shall have a Kwh per capita of 400. To date, only South Africa and Libya have a Kwh per capita of 4,000 and above. Uganda aims at 42,000 MW by 2040. Africa and EAC needs a general awakening on this issue. We should not be diverted again.

By identifying some of these bottlenecks, much of Africa is beginning to move. The average rate of growth has doubled to 5.44% per annum since the year 2000 compared to a growth rate of 2.5% in the 1990s. When EAC gets closer together, the sky is the limit especially now when we have discovered the gaps that crippled us in the past. There are, of course, other tactical bottlenecks such as corruption, administrative delays etc. These are, however, easier to deal with when you have dealt with the strategic bottlenecks. 🇸🇰

*This is an abridged/edited version of the State of the EAC Address by H.E. Yoweri Kaguta Museveni, President of the Republic of Uganda and Chairperson of the EAC Summit.*

The full version is available at [www.eac.int](http://www.eac.int)



## Without participation, youth empowerment impossible

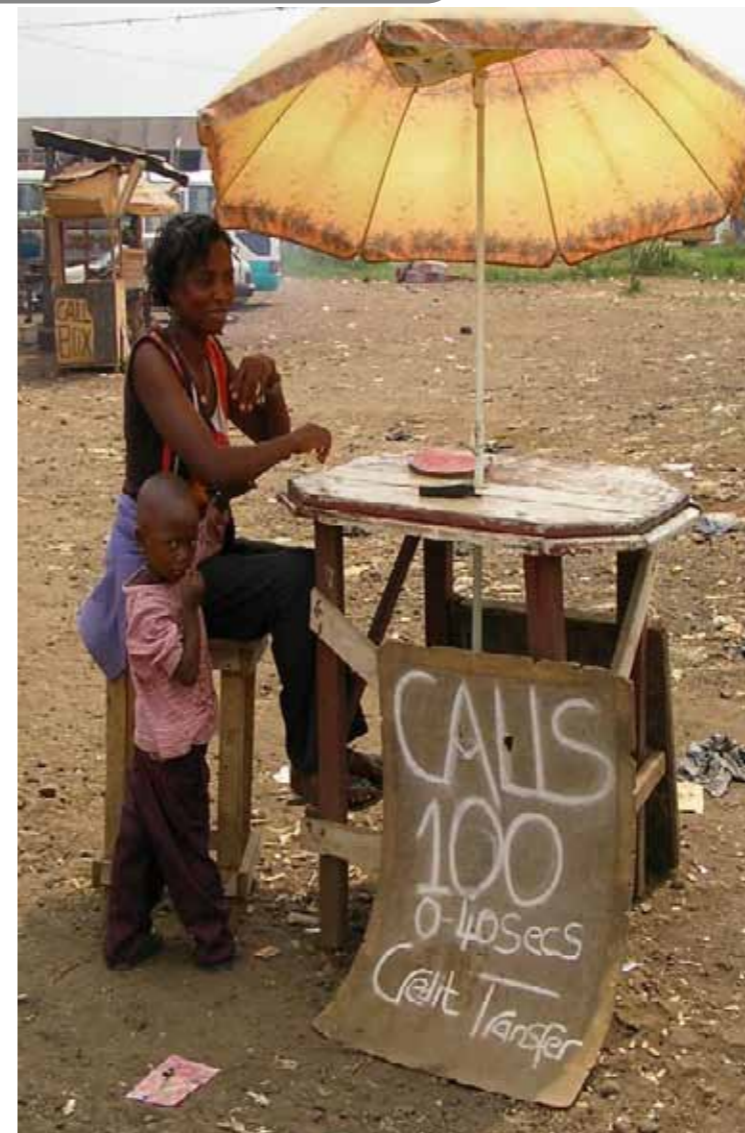
GASHEGU MURAMIRA

“*Mia mbili saa ya mkono*”, “*Mia mbili saa ya mkono*” (200 shillings for a wristwatch), a youthful George Owade warbles in a bid to draw the attention of pedestrians along Nairobi’s Koinange Street. His colleague Moses Nderitu keeps a watchful eye on the other side of the makeshift stall that harbours more than 100 Chinese-made timepieces.

Owade and Nderitu, both illiterate, pooled resources to open their shop that deals in watches and second clothes in Nairobi. They are among millions of youths in East Africa who set out every day in search of a living— some in through legitimate channels, others not so.

Sadly, as it is, it’s the youth in our region who are hired by aggrieved parties for very negligible amounts of money to settle political scores. It is the youth who are exploited sexually in capital cities of different parts of the world like Asia and the Middle East for very little or no money at all. It is the youth most likely to engage in acts like petty thievery.

In 1994 for example, it was tens of thousands of energetic youth that principally perpetrated the Rwandan Genocide. Less than twenty years down the road, Rwandan youth are now at the frontline of peace and reconciliation, and engage in different activities in the development process



of their country. No gainsaying the latter rather than the former is the way things ought to be. And inclusion in the national, and regional development discourse should start with a positive youth involvement in democratic processes.

On a recent mission to Kenya as an East African Community election observer, the comments my engagement with a seasoned politician in the region elicited were telling. She told me she would never think of participating in elective local politics in her home country again.

I asked her why. Her response: “I think elective politics will soon be left to the illiterate business class that has a lot of money.”

“Nowadays it is not about how capable you will represent your people; it is about how people especially the youths think they will benefit from you in terms of giving them cash handouts even when you build roads and hospitals for them.”



Having had the opportunity to hold such conversations with some of the most eminent citizens of our region, I was grateful to have been selected, along with a handful of other young people, to be a part of this joint election observation mission involving COMESA and IGAD and at this point wished more youth, especially youth leaders in our region, had the chance at this exposure.

It would serve as an eye opener to the youth since they form a substantial part of the population that can influence policies formulation, participate in community mobilization/sensitization and implementation due to their creativity and energy.

Thinking back to the role the youth played in the execution of the post election violence in Kenya in 2007/2008, the EAC’s decision to practically involve youth in such democratic processes cannot be overemphasized. We are leaders of today and not the future.

*The writer is the EAC Youth Ambassador for Rwanda.*



## Let's invest in women-owned businesses, it makes more sense

RUTH KIHU

Rwanda President H.E. Paul Kagame has been quoted as saying: "The question that we must address now is how to make more progress in removing the barriers to equal opportunity and promote greater empowerment. That will be done when we all recognise that the question of equality should be part of our values as a society and therefore an obligation to raise everyone to a level where they can play their rightful role in development".

This statement epitomises the urgent need to ensure that the gender agenda is not only effectively mainstreamed and realised with governments' normative framework but also that the society's attitude is transformed to ensure gender equality is anchored in all spheres of life.

The East African Business Council (EABC) and the East African Women in Business Platform (EAWiBP)

are committed to ensuring both male and women-owned/run businesses access equal opportunities to participate in intra-EAC trade and the EAC integration process. The latter is premised on the conviction that equal access to economic opportunities contributes to growth in countries' economies and better development outcomes.

Globally, women enterprises comprise about a third of all enterprises and contribute significantly to employment generation and socio-economic development therefore affirming that increased investment in economic advancement of women is 'smart economics'.

Yet women lag behind in terms of access to opportunities and resources and this evidenced by prevailing gender gaps, in amongst others, economic participation, education, health, political participation and decision making, wage and employment as well as participation in trade.

EABC and EAWiBP are cognisant of the fact that trade and economic integration is an important component of the integration strategy of the East African Community. The EAC Treaty recognises the importance of the effective participation of women in trade and development activities of the Community.

The Treaty provides, for facilitation of women in trade, in various provisions such as Chapter 22 which acknowledges the role of women in contributing towards the process of socio-economic transformation and sustainable growth as well as Article 121 and 122 which commit EAC Partner States to promote the imperative role of women in socio-economic development and in intra-EAC trade respectively.

Despite these policy commitments, business women in the region continue to face challenges which constrain growth and expansion of their businesses. It is against this backdrop, and with the aim of ensuring evidence-based policy advocacy on business women issues, that the East African Business Council (EABC) through the East African Women in Business Platform (EAWiBP) commissioned a study in October 2012, to document barriers faced by women-owned business. Some of the specific objectives of the study included; analysis of trade-related regulatory and legal frameworks at national and regional levels, analysis of gender-specific profiles and behaviours among businesswomen that might hinder them from grow-

ing their firms and financing gap of women-owned businesses, including perceived risks assessment by financial institutions.

In total 87 stakeholders from across the region were consulted for this study, including: women business owners, national and regional associations, networks or apex bodies of business women, women chambers of commerce, women in agribusiness and women in trade in services, among others.

The key recommendations/policy advocacy messages derived from this exercise were that the Partner States and the EAC Secretariat should:

- Commit adequate resources to gender equality and put in place clear roadmaps
- Reform laws and formulate evidence-based policies to cater to gender concerns. Further, fast-track development of a regional policy on promoting women in business and a Gender Equality Law
- Develop and implement national and regional programmes aimed at growing women-owned businesses
- Increase sensitisation on the EAC integration process, EAC's trade regime and regulatory framework
- Enhance inclusion of businesswomen in trade policy and negotiations fora
- Commit and invest in the financial inclusion of women-owned businesses and fast-track establishment a regional financial facility for women-owned businesses at the East African Development Bank

In short, what women in business in our region are saying is: inspire, empower and develop—because it makes economic sense for everyone. 🇰🇪

*Ms Ruth Kihiu is the coordinator of the East African Women in Business Platform (EAWiB). For the comprehensive Study Report and Position Paper contact her on [rkhiu@eabc-online.com](mailto:rkhiu@eabc-online.com)*



## For EAC, it all starts with peace and security

BELINDA WERA

The EAC Treaty recognises peace and security as pre-requisites for the success of the integration process under Article 124. The same Article spells out wide-ranging approaches for achieving the the desired end—a stable and secure environment within the region. This kind of environment is geared towards promoting development and harmonious living of the people of East Africa.


The Strategy therefore goes a long way in enhancing the EAC spirit of co-operation in regional peace and security, which brings into reality the collective responsibility in provision of security by the Partner States. It covers collaboration on cross border crimes, auto theft, drug trafficking, terrorism, money laundering and other crimes. This will provide a conducive environment in which peace will flourish, security of persons and property is guaranteed hence fostering development.

Developed through a highly consultative and inclusive process, the Strategy anchors Peace and Security sector activities, giving form to the areas of cooperation in addressing regional peace and security threats. The Strategy was adopted by the 13th Council of Ministers meeting in November 2006 to guide EAC level interventions in the Peace and Security sector.

With the vision of “A secure and peaceful environment for development” and a mission “to provide security within the region through enhanced co-operation” fourteen goals have been formulated with a number of strategic objectives geared at fulfilling these goals.

These goals are to:

- Enhance the exchange of criminal intelligence and other security information between Partner States;

- Enhance joint operations and patrols;
- Install common communication facilities for border and interstate security;
- Adopt the UN model law on mutual assistance on criminal matters;
- Implement protocol on combating illicit drug trafficking;
- Exchange visits by security authorities;
- Exchange training programs for security personnel;
- Establish common mechanisms for the management of refugees;
- Establish regional disaster management mechanisms;
- Formulate security measures to combat terrorism;
- Establish measures to combat cattle rustling;
- Establish measures to combat proliferation of illicit small arms and light weapons;
- Develop mechanisms to combat security challenges on Lake Victoria; and
- Develop a mechanism for conflict management and resolution.
- Develop a conflict early warning mechanism. 

Download the Peace & Security Strategy at [www.eac.int](http://www.eac.int)



## A plan to boost mother and child health

DESIRE RUSATIRA

The East African Community in March this year launched a \$5 million programme that seeks to deliver improved reproductive, maternal and child health in the five EAC Partner States. The EAC Open Health Initiative to Improve Reproductive, Maternal, Newborn and Child Health aims to support the Partner States reach their goals, notably in respect to Millennium Development Goals 4 and 5 for women’s and children’s health, by focusing on three thematic areas: ‘Accountability for Results and Resources’, ‘Results-based Financing’, and ‘Innovation’.

Specifically, the objectives of the OHI are to promote innovative interventions, enhance access to data and information for better results, and provide stronger oversight of results and resources for women’s and children’s health within the EAC.

### WHY EAC NEEDS OHI

The EAC suffers a far from ideal situation where stunting rates for children under five are at 58 percent in Burundi, the maternal mortality rate is at 488 per 100,000 live births in Kenya, and child mortality at 76 per 1,000 live births in Rwanda. In Tanzania, there is a 27 percent unmet need for contraceptives, while only 59 percent of births in Uganda are handled by skilled attendants. For the EAC therefore, this initiative is both an opportunity and an obligation.

Central to the success of the OHI will be the establishment of the Acceleration Fund for Reproductive, Maternal, Newborn and Child Health. The Fund aims to mobilise \$30 million over a three-year period and is seen as key to holding both country governments and development partners accountable to previously made commitments, while making a sustained impact in the Partner States.

The OHI will initially focus on three cross-cutting strategies to make an immediate impact within the Partner States as follows:

1. Strengthen and Maintain Political Momentum to effectively translate principles of account-ability for results and resources into practice and accelerate successful innovations.
2. Best Practices and Knowledge Sharing for Action to add value by establishing more formal and consistent mechanisms where countries could learn and leverage the best practices and lessons learned of their neighbours
3. Acceleration Fund for Reproductive, Maternal, Newborn, and Child Health to make accessible flexible resources that can be used for scaling up high impact interventions. 

# EAC introduces common exam system for aviation professionals

In a first for a regional economic community on the African continent, the East African Community Civil Aviation Safety and Security Oversight Agency (EAC-CASSOA) has established the East African Civil Aviation Examination System which means aviation professionals in the region, including pilots, maintenance engineers, air traffic controllers, flight engineers and flight operations officers will have a common examination.

According to Mr. Barry Kashambo the CASSOA Executive Director, when fully developed, the system will equal or supersede that used in Europe in terms of scope, diversity of exams provided and the interface to other working tools currently used to facilitate issuance of licences and certificates.

The CASSOA Executive Director adds that the online common examination system procured from LPLUS GmbH of Germany is

an independent system that is expected to engender a transparent harmonised personnel licensing system that eases licence validation, and ultimately supports the ideals of the Common Market Protocol by promoting recognition of qualifications anywhere in the region.

The system, expected to be operational by September this year, will strengthen CASSOA's ability to monitor the Partner States examinations oversight role and also boost questions banks in the region. Currently the examination question banks in Partner States are underpopulated with old questions and in some cases invalidated banks. Some Partner states lack examination question banks altogether.

The region can expect to enjoy the fruits of integration with provision of professional high standard examinations to the aviation

industry once the system is fully operational.

CASSOA is to host the examination system and the Partner States (notably Kenya, which currently has an operational system) will provide the bulk of the examination questions to populate the exam bank. EAC hopes to start with about 13,000 questions, although the CASSOA Executive Director says ideally about 30,000 questions are needed for an effective system.

To address the challenge of procuring examination questions (average of 16 euro per question), local capacity to develop an adequately populated question bank will be built. For this, a task force comprised of competent professionals in the region will be set up.

Mr. Kashambo says the establishment of a common EAC aviation system marks a positive achievement and is a milestone in EAC-CASSOA "pioneering the revolution and harmonisation of aviation systems in Africa and beyond".

CASSOA was established in 2007 as an autonomous self-accounting body of the East African Community headquartered in Entebbe, Uganda.

The main objective of the Agency is to ensure coordinated development of an effective and sustainable civil aviation safety and security oversight infrastructure in the EAC. 🇰🇪

For more information on CASSOA visit [www.cassoa.org](http://www.cassoa.org)



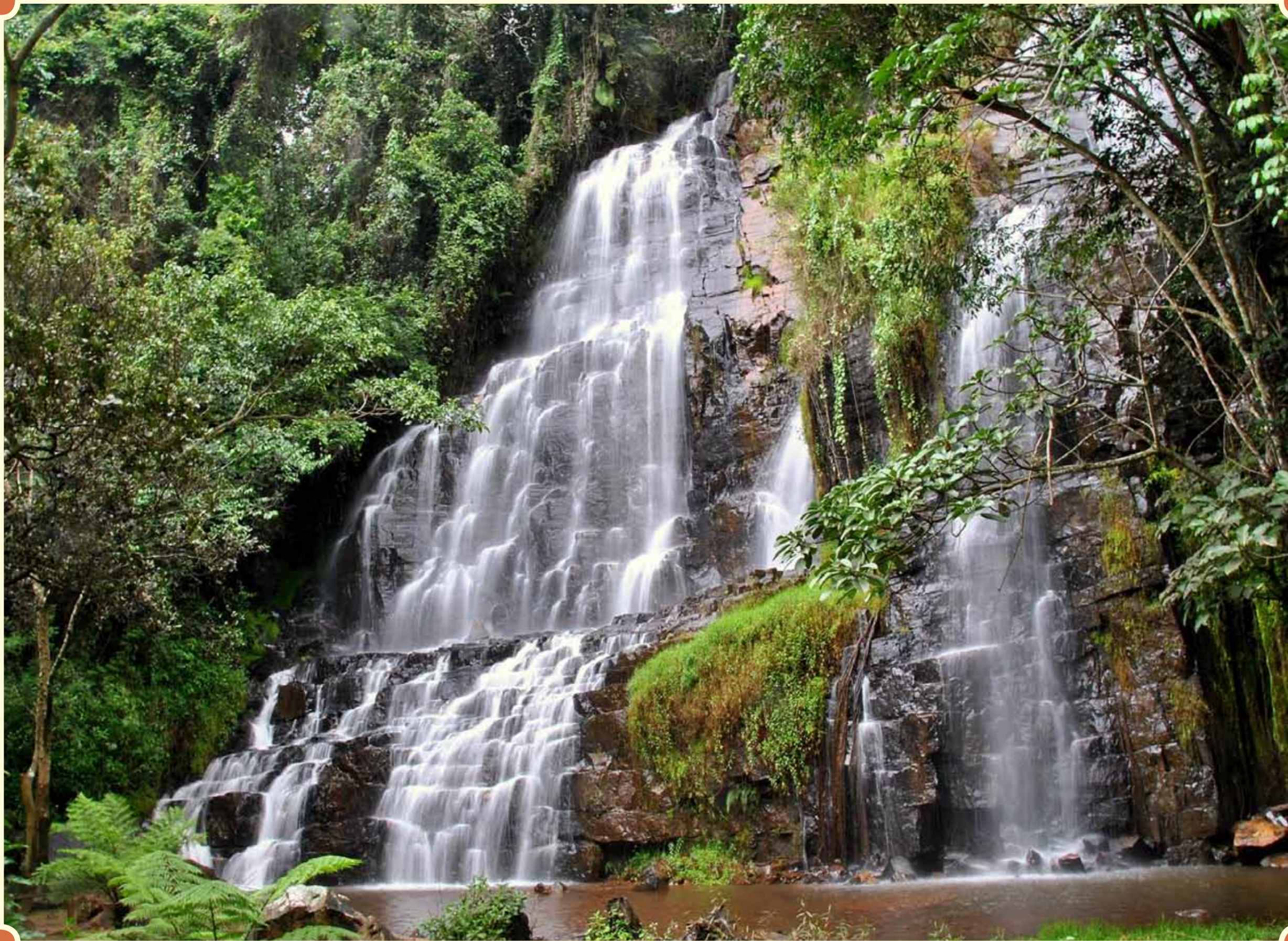
#### STONE TOWN, ZANZIBAR

The Stone Town of Zanzibar is a fine example of the Swahili coastal trading towns of East Africa. It retains its urban fabric and townscape virtually intact and contains many fine buildings that

reflect its particular culture, which has brought together and homogenized disparate elements of the cultures of Africa, the Arab region, India, and Europe over more than a millennium.

The Stone Town is an outstanding material manifestation of cultural fusion and harmonization.

For many centuries there was intense seaborne trading activity between Asia and Africa, and this is illustrated in an exceptional manner by the architecture and urban structure of the Stone Town.



#### CHUTES DE LA KAGERA, BURUNDI

A series of waterfalls, the Chutes de la Kagera (Kagera Falls) are a series of waterfalls made up of six branches divided on three landings which provide a spectacular vision.

As stated in the submission of the Burundian Ministry of National Education and Culture for the UNESCO World Heritage Tentative List, the Kagera Falls' features are: "On a first level, is a main fall subdivided into two parallel branches of a length estimated at 80m about which pours on a basin.

This fall consists of several waterfalls of different sizes intersected with two platforms. Another smaller waterfall is located roughly 50m to the west of this main fall. Waters of these two falls converge on a second landing to form the third waterfall which pours on the valley."

Located in the southeastern part of Burundi, in the Rutana province, one can admire one of the country's most exceptional natural features - The Chutes de la Kagera. This 'landmark' occupies over 142 hectares.

# One currency for East Africa



It is a truly remarkable vision: a single currency for the East African Community (EAC), an "East African Shilling". Already in August 2013, the EAC wants to finalize a protocol on the monetary union that should be approved in November 2013.

Currently, a feasibility study on the establishment of a regional central bank is ready, a monetary committee to oversee the implementation of the protocol is in place and a debt ceiling policy for each of the partners to ensure financial stability has been set up.

The advantages of a monetary union are numerous. The costs and risks of transacting business will be reduced significantly. It provides a strong incentive to integrate the economies and spur a trading boom uplifting millions from poverty through rapid economic growth.

Yet, many experts, including Oxford economist Paul Collier, are warning that the process of creating a single currency should not be rushed. There are serious doubts if the EAC is actually prepared to undertake this major exercise. Most likely, the process of implementation will last at least 10 years, if not longer.

As a first important step, the EAC will need to achieve macro-economic convergence. In other words, criteria have to be developed to examine fiscal deficit and debt ratios, inflation, external account and interest rates.

The impact of the Euro crisis is felt among East African policy makers. Thus, the issue is high on the EAC agenda but the population is not informed about the intention of their leaders. More awareness will be necessary because a single currency is the way forward to achieve the "United States of East Africa".

-Johannes Langer

## BRAIN BASHERS

### ?? Add & Create

In each of these 5 words, can you change the underlined letter to produce 5 new words.

The new letters spell a fruit.

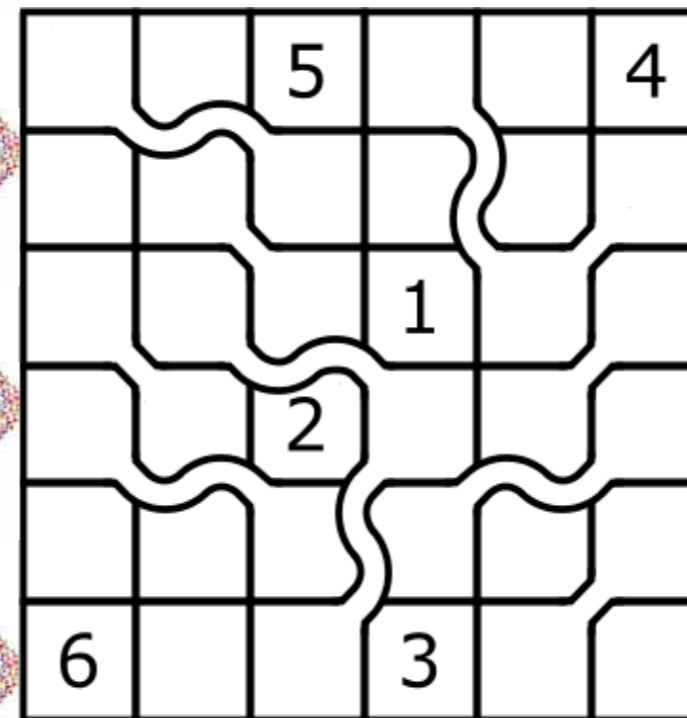
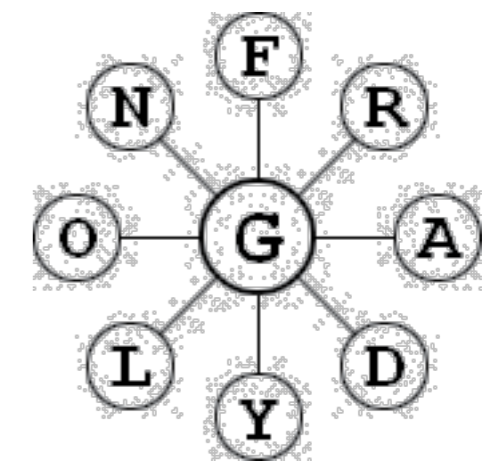
- DATE
- NT
- LIME
- PEACH
- PEAR

[HINT: The last letter should be N]

### ?? Your Word Skills

Using the BrainTracker grid below, how many words can you find? Each word must contain the central G and no letter can be used twice, however, the letters do not have to be connected. Proper nouns are not allowed, however, plurals are. There is at least one nine letter word. Excellent: 53 words. Good: 42 words. Average: 33 words.

[HINT: Every word must contain the central letter.]

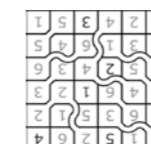


### ?? 1 thru' 6

Can you complete the grid such that every row and column contains the digits 1 to 6.

All squares that are connected contain the same digit.

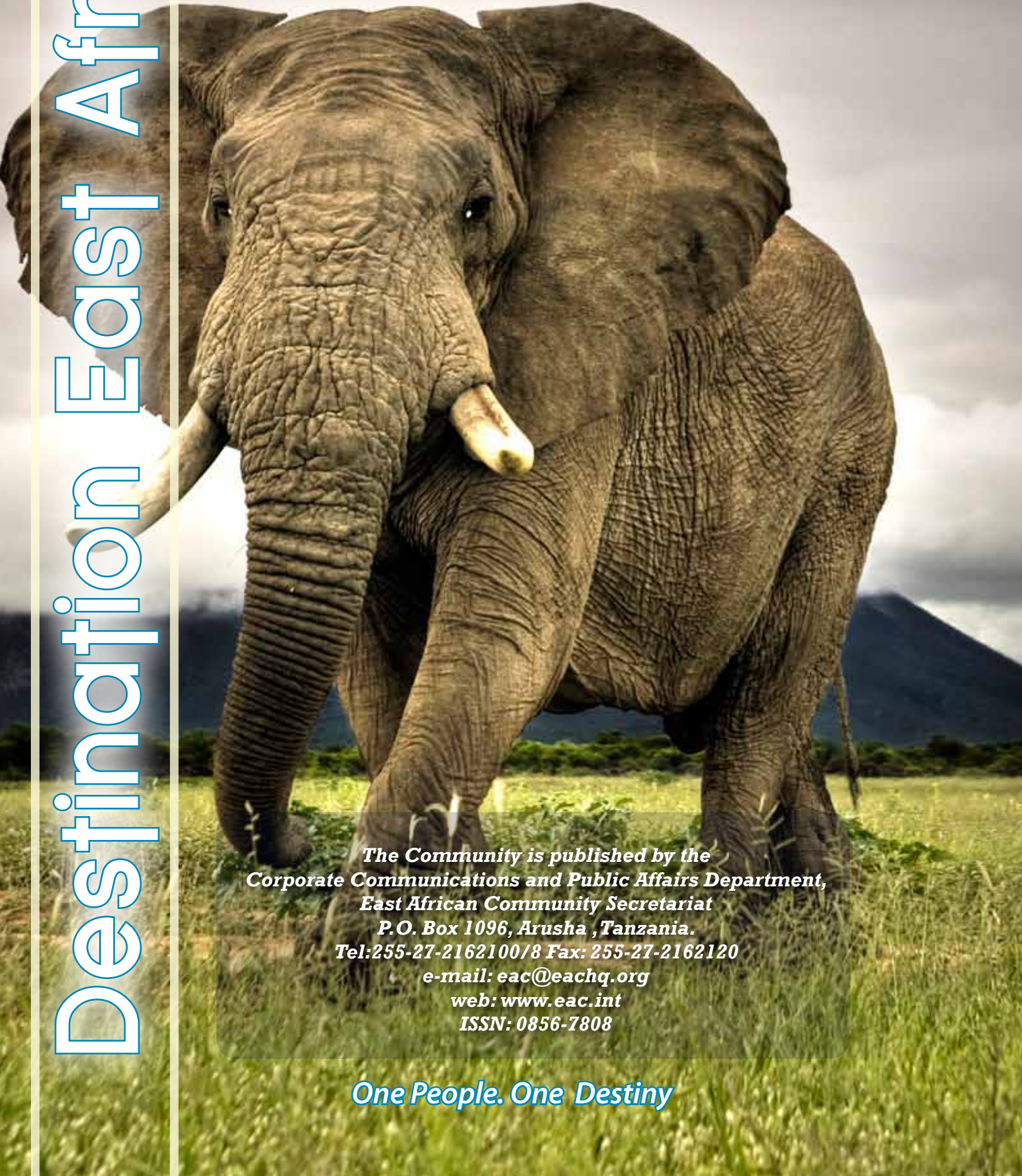
**Hint:** Start with the three connected squares that contain the third column on the bottom row.



- ALL WORDS: ag, agly, ago, agon, agony, aigor, aiong, angry, argo, argon, dag, dang, daylon, dog, dogy, dong, donga, drag, dragon, grandly, gray, gran, grand, goral, gory, grad, gran, grand, goldam, golf, gonad, gor, goad, goal, god, godly, gold, gnar, gnarl, gnarly, go, goa, DRAGONFLY, fang, flag, fagon, fog, fong, fog, fogy, frog, fog, gad, gadfly, gal, gan, ganef, gao, gar, glaf, glady, gland, glary, glory, organly, rag, rang, rangy, organdy, oran, organ, organ, orga, orag, orangy, organ, log, logan, logy, long, nag, gyro, gyron, lag, lang, largo, gandy, gory, grad, gran, grand, goral, gory, grad, gran, grand, goldam, golf, gonad, gor, goad, goal, god, godly, gold, gnar, gnarl, gnarly, go, goa

- ANSWER: LEMON.
- LATE
- NET
- MIME
- POACH
- NEAR

# Destination East Africa



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