



EAST AFRICAN COMMUNITY
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COMMUNIQUÉ OF THE 21ST ORDINARY SUMMIT OF THE EAST AFRICAN COMMUNITY HEADS OF STATE

1. THE EAST AFRICAN COMMUNITY HEADS OF STATE, THEIR EXCELLENCIES PRESIDENT PAUL KAGAME OF THE REPUBLIC OF RWANDA; PRESIDENT UHURU KENYATTA OF THE REPUBLIC OF KENYA; PRESIDENT ÉVARISTE NDAYISHIMIYE OF THE REPUBLIC OF BURUNDI; PRESIDENT SALVA KIIR MAYARDIT OF THE REPUBLIC OF SOUTH SUDAN; PRESIDENT YOWERI KAGUTA MUSEVENI OF THE REPUBLIC OF UGANDA; HER EXCELLENCY SAMIA SULUHU HASSAN REPRESENTING PRESIDENT DR. JOHN POMBE JOSEPH MAGUFULI OF THE UNITED REPUBLIC OF TANZANIA HELD THE 21ST ORDINARY SUMMIT OF THE EAST AFRICAN COMMUNITY HEADS OF STATE VIA VIDEO CONFERENCE ON 27TH FEBRUARY, 2021. THE HEADS OF STATE MET IN A WARM AND CORDIAL ATMOSPHERE.
2. THE SUMMIT RECEIVED THE PROGRESS REPORT OF THE COUNCIL OF MINISTERS FOR THE PERIOD FEBRUARY 2019 TO FEBRUARY 2021 AND COMMENDED THE COUNCIL FOR THE PROGRESS MADE IN IMPLEMENTING THE PROGRAMMES AND PROJECTS OF THE COMMUNITY.
3. THE SUMMIT FURTHER CONSIDERED A REPORT OF THE COUNCIL ON THE IMPLEMENTATION OF PREVIOUS DECISIONS AND DIRECTIVES OF THE SUMMIT AND DIRECTED THE COUNCIL TO IMPLEMENT ALL OUTSTANDING DECISIONS AND DIRECTIVES AND REPORT TO THE 22ND
4. THE SUMMIT RECEIVED A PROGRESS REPORT ON THE CONSTITUTIONAL DEVELOPMENT OF THE EAST AFRICAN POLITICAL CONFEDERATION AND DIRECTED THE COUNCIL TO EXPEDITE THE CONSTITUTIONAL DEVELOPMENT PROCESS.
5. THE SUMMIT CONSIDERED A REPORT ON THE STATUS OF IMPLEMENTATION OF ITS DIRECTIVE TO UNDERTAKE A STUDY ON THE MODALITIES OF INCLUDING FRENCH AS A LANGUAGE OF THE COMMUNITY, IN ADDITION TO ENGLISH AND KISWAHILI AND ADOPTED ENGLISH, FRENCH AND KISWAHILI AS OFFICIAL LANGUAGES OF THE COMMUNITY AND DIRECTED THE COUNCIL TO EXPEDITE THE IMPLEMENTATION MODALITIES OF THE DIRECTIVE.
6. THE SUMMIT CONSIDERED A REPORT ON THE ROADMAP FOR THE ACCELERATED INTEGRATION OF THE REPUBLIC OF SOUTH SUDAN INTO THE EAC AND DIRECTED THE COUNCIL TO CONCLUDE THE PROCESS.
7. THE SUMMIT NOTED THAT THE VERIFICATION EXERCISE FOR THE ADMISSION OF THE FEDERAL REPUBLIC OF SOMALIA INTO THE EAST AFRICAN COMMUNITY HAD NOT BEEN UNDERTAKEN AND DIRECTED THE COUNCIL TO FOLLOW UP ON THE EXERCISE.
8. THE SUMMIT CONSIDERED AN APPLICATION BY THE DEMOCRATIC REPUBLIC OF THE CONGO (DRC) TO JOIN THE EAST AFRICAN COMMUNITY AND DIRECTED THE COUNCIL TO EXPEDITIOUSLY UNDERTAKE A VERIFICATION MISSION IN ACCORDANCE WITH THE EAC PROCEDURE FOR ADMISSION OF NEW MEMBERS INTO THE EAC AND REPORT TO THE 22ND

9. THE SUMMIT RECALLED ITS PREVIOUS DISCUSSIONS ON THE EU-EAC ECONOMIC PARTNERSHIP AGREEMENT AND RECOGNIZED THAT NOT ALL PARTNER STATES ARE IN A POSITION TO SIGN, RATIFY AND IMPLEMENT THE AGREEMENT. THE SUMMIT RECOGNIZED THE IMPORTANCE OF SOME PARTNER STATES TO MOVE FORWARD. THE SUMMIT CONCLUDED THAT PARTNER STATES WHO WISH TO DO SO SHOULD BE ABLE TO COMMENCE ENGAGEMENTS WITH THE EU WITH A VIEW TO STARTING THE EU-EAC-EPA IMPLEMENTATION UNDER THE PRINCIPLE OF VARIABLE GEOMETRY.
10. THE SUMMIT APPOINTED DR. PETER MATHUKI FROM THE REPUBLIC OF KENYA AS THE NEW SECRETARY GENERAL OF THE COMMUNITY FOR A FIVE-YEAR NON-RENEWABLE TERM. THE TENURE OF THE NEW SECRETARY GENERAL TAKES EFFECT ON 25TH APRIL, 2021
11. THE SUMMIT THANKED AMB. LIBERAT MFUMUKEKO FOR HIS DEDICATED SERVICE RENDERED TO THE COMMUNITY AND WISHED HIM WELL IN HIS FUTURE ENDEAVOURS.
12. THE SUMMIT APPOINTED JUSTICE NESTOR KAYOBERA, LADY JUSTICE ANITA MUGENI AND JUSTICE KATHURIMA M'INOTI AS JUDGES TO THE APPELLATE DIVISION OF THE EAST AFRICAN COURT OF JUSTICE WITH EFFECT FROM 27TH FEBRUARY, 2021.
13. THE SUMMIT ALSO APPOINTED JUSTICE YOHANE BAKOBORA MASARA, JUSTICE RICHARD WABWIRE WEJULI, JUSTICE RICHARD MUHUMUZA AS JUDGES TO THE FIRST INSTANCE DIVISION OF THE EAST AFRICAN COURT OF JUSTICE WITH EFFECT FROM 27TH FEBRUARY, 2021.
14. THE SUMMIT DESIGNATED JUSTICE NESTOR KAYOBERA AS JUDGE PRESIDENT OF THE EAST AFRICAN COURT OF JUSTICE, JUSTICE GEOFFREY KIRYABWIRE AS VICE PRESIDENT OF THE COURT; JUSTICE YOHANE BAKOBORA MASARA AS PRINCIPAL JUDGE AND JUSTICE AUDACE NGIYE DEPUTY PRINCIPAL JUDGE WITH EFFECT FROM 27TH FEBRUARY, 2021.
15. THE SUMMIT THANKED JUSTICE DR EMMANUEL UGIRASHEBUJA, JUSTICE LIBOIRE NKURUNZIZA, JUSTICE AARON RINGERA, LADY JUSTICE MONICA MUGENYI, JUSTICE DR FAUSTIN NTEZILAYO AND JUSTICE FAKIHI JUNDU FOR THEIR DEDICATED SERVICE TO THE COMMUNITY AND WISHED THEM WELL IN THEIR FUTURE ENDEAVOURS.
16. THE SUMMIT RESOLVED THAT THE REPUBLIC OF KENYA WOULD BE THE NEW CHAIRPERSON OF THE COMMUNITY WHILE THE REPUBLIC OF BURUNDI WOULD BE THE RAPPORTEUR. THE SUMMIT CLARIFIED THAT THE REPUBLIC OF BURUNDI WOULD BECOME THE NEXT CHAIRPERSON AFTER THE REPUBLIC OF KENYA.
17. THEIR EXCELLENCIES PRESIDENT UHURU KENYATTA OF THE REPUBLIC OF KENYA; PRESIDENT ÉVARISTE NDAYISHIMIYE OF THE REPUBLIC OF BURUNDI; PRESIDENT SALVA KIIR MAYARDIT OF THE REPUBLIC OF SOUTH SUDAN; PRESIDENT YOWERI KAGUTA MUSEVENI OF THE REPUBLIC OF UGANDA AND VICE PRESIDENT SAMIA SULUHU HASSAN REPRESENTING PRESIDENT DR. JOHN POMBE JOSEPH MAGUFULI OF THE UNITED REPUBLIC OF TANZANIA, THANKED THE OUTGOING CHAIRPERSON OF THE SUMMIT, HIS EXCELLENCY PRESIDENT PAUL KAGAME OF THE REPUBLIC OF RWANDA, FOR HIS STEWARDSHIP OF THE COMMUNITY DURING HIS TENURE.



Dr. Peter Mathuki takes office as the Secretary General of the East African Community on 25th April, 2021. Dr. Mathuki is currently the Executive Director of the the East African Busienss Council (EABC).



A group photo of some of the Judges appointed by the EAC Heads of State to the East African Court of Justice.



EAC Heads of State at the conclusion of their first virtual EAC Summit meeting.

EAC pronounces 1st July, 2021 as date for coming into effect of East African Monetary Institute



The East African Community Council of Ministers has designated 1st July, 2021 as the date for the coming into being of the East African Monetary Institute (EAMI), the precursor to the East African Central Bank.

The operationalization of the EAMI effectively sets the EAC on a journey towards the single currency by 2024 as envisaged in the East African Monetary Union Protocol.

The Council at its 40th meeting further directed the EAC Secretariat to convene a Meeting of the Sectoral

Council of Finance and Economic Affairs to develop an institutional structure for the EAMI by 30th September, 2021.

The Ministers also directed the Secretariat to initiate the process of identifying the Institute's host Partner State, in accordance with the EAC procedures.

The Council directed the Partner State that will host EAMI to cover office rent, office equipment, utilities and other support for the first two years.

The EAMI is a transitional mechanism to the East African Central Bank that will issue the single currency that is expected to be in place by the year 2024.

The 19th Ordinary Summit of the EAC Heads of State held in Kampala, Uganda on 23rd February, 2018 directed the Council to expedite the establishment of the Monetary Institute according to the roadmap of the East African Monetary Union.

At their 20th Ordinary Summit, which was held in Arusha on 1st February, 2019, the EAC Heads of State assented to the Bill for the Establishment of the Institute.

On the proposed mainstreaming of the East African Development Bank (EADB) into the EAC structure, the Council urged the Bank's Governing Council to consider the EAC development plans while setting the bank's priorities.

The Ministers urged Partner States who are not members of the East African Development Bank (EADB) to formally seek admission as members in EADB by acquiring shares. At the moment, only the Republics of Kenya, Rwanda, Uganda and the United Republic of Tanzania are shareholders in the bank. Burundi and South Sudan are not members.

The Council maintained the current arrangement, whereby the East African Development Bank (EADB) Governing Council approves the appointment of external auditors, since this is the best practice.

The Ministers urged the EADB Governing Council to annually inform the Summit on the performance of the Bank.

On ratification of the African Continental Free Trade Agreement (AfCFTA), the Council urged the Republic of Burundi, the Republic of South Sudan and the

United Republic of Tanzania to ratify the African Continental Free Trade Area Agreement (AfCFTA) by 30th June, 2021.

As at 21st January 2021, 36 African countries, including Kenya, Rwanda and Uganda, had ratified the AfCFTA Agreement.

The Council also directed the Partner States and the Secretariat to finalize the remaining tariff offers and the EAC Schedule of Commitments on Trade in Services by 30th June, 2021.

The Ministers discussed the Progress Report of the COMESA-EAC-SADC Tripartite Free Trade Area. They urged both the Republic of South Sudan and the United Republic of Tanzania to sign and ratify the TFTA Agreement by 30th June, 2021.

The 40th Council also adopted the 6th EAC Development Strategy (2021/22 – 2025/26). The overall goal of the 6th EAC Development Strategy is to "To Transform the East African Community into a Stable, Competitive and Sustainable Lower-middle Income Region by 2030."

THE EAC MONETARY INSTITUTE

The East African Monetary Institute (EAMI) is one of the four institutions expected to carry out much of the preparatory work for the creation of the East African Monetary Union.

The other three institutions are the: EAC Financial Services Commission; EAC Surveillance, Compliance and Enforcement Commission, and; EAC Statistics Commission.

It is anticipated that the Monetary Union, the third pillar in the EAC Integration, will be in place in 2024 with the introduction of a common currency and the establishment of a regional central bank. Criteria for the establishment of the Monetary Union include the attainment of macroeconomic convergence criteria, establishment of institutions to support the Monetary Union and harmonization of policies and regulatory frameworks.



East African Community and Germany agree to continue and deepen long-standing partnership

The EAC Secretariat and the Government of the Federal Republic of Germany successfully concluded their Government negotiations on development cooperation at the EAC Secretariat's headquarter in Arusha, Tanzania. In total, Germany committed up to 42.9 Euros for the next two years.

The negotiations were led by the honourable Secretary General of the East African Community Secretariat, H.E. Ambassador Libérat Mfumukeko, and Mr. Marcus von Essen, Head of the East Africa Division at the German Federal Ministry for Economic Cooperation and Development (BMZ). While BMZ participated virtually, due to COVID-19-related travel restrictions, H.E. Regine Hess, Ambassador of Germany to Tanzania and the EAC, joined the negotiations in Arusha.

Germany commits up to 42.9 Million Euros to support EAC

Programmes on regional and social integration aim at advancing previous achievements such as customs union and common market

German delegation stresses EAC's impact in fight against COVID-19



H.E. Libérat Mfumukeko welcomed the German delegation and expressed his appreciation for their long standing the cooperation with EAC.

"We are cooperating in critical sectors. Our joint programmes really touch the lives of the ordinary East African citizen," said Amb. Mfumukeko.

For the German side, Marcus von Essen commended the EAC for its strong role in the ongoing fight against the COVID-19 pandemic in East Africa. Referring to the EAC-German cooperation in the health sector, he emphasized its preparedness to swiftly react to the pandemic.

"We could build on the foundations that had been laid long before the COVID-19 pandemic struck – testing capacities could be made available quickly and cross-border cooperation created leverage in containing its further spread. Investments in human capital and laboratory equipment will continue in order to keep the regional level of preparedness high," said von Essen.

Mr. von Essen also complimented the EAC and its six Partner States for the economic integration steps already achieved, including the Customs Union and Common Market protocols. Looking forward, he stressed that Germany wanted to continue to stay at the EAC's side and support the Community in

harvesting the fruits of these integration steps by further deepening cooperation in the longstanding programmes on regional and social integration.

Both sides agreed to continue and extend their ongoing cooperation. Out of a total of up to 42.9 Million Euros, Germany pledged 30.9 Million Euros for cooperation on trade and economic infrastructure. It was stipulated that the ongoing programmes on economic integration and trade will be continued. Additionally, Germany's assistance to the Lake Victoria Basin Commission will be extended beyond the current support to integrated water resources management, to promote further development of the region around the Lake Victoria and possibly Lake Tanganyika and other water basins.

Germany further pledged an additional 12 Million Euros to improve pandemic preparedness in East Africa. Both sides agreed to expand the ongoing support to pandemic prevention and strengthening of disease monitoring by complementing the current mobile laboratories programme.

With the establishment of a regional network of supranational and specialised reference laboratories, the EAC pandemic preparedness capacities will be taken to the next level and the EAC resilience towards future health challenges will be strengthened.

Republic of Kenya takes over from Rwanda as Chairperson of EAC Defence Liaison Office

Under Article 125 of the Treaty for the Establishment of the EAC, Partner States agree to closely cooperate in defence matters in order to promote peace, security and stability within the region as well as good neighbourliness among the Partner States.



The Republic of Kenya has officially taken over from the Republic of Rwanda as the Chairperson of the EAC Defence Liaison Office.

Rwanda's Defence Liaison Officer (DLO), Colonel Gerald Butera formally handed over the instruments of office to his Kenyan counterpart Colonel Raphael Kibiwot Kiptoo during a brief ceremony held at the EAC Headquarters Monday morning.

Speaking shortly before handing over, Col. Butera thanked his colleagues for giving the Republic of Rwanda maximum cooperation during the two years that she has been Chair of the Defence Liaison Office.

Col. Butera said that the two years during which Rwanda had been Chair were largely successful except for the Covid-19 pandemic which had disrupted nearly all Community activities including those of the Sectoral Council for Cooperation in Defence.

In his remarks, Col. Kiptoo said that the focus of the Defence Liaison Office going forward would be to develop modalities for the Sectoral Council for Cooperation in Defence to execute its programmes within the environment brought about by the Covid-19 pandemic which he noted could be around for much longer than initially anticipated by the World and medical experts.

Col. William Rusodoka from the Republic of Burundi took over from Col. Kiptoo as the new Rapporteur.

The changes come in the wake of the change of bureau during the 21st Summit of the EAC Heads of State where Kenyan President Uhuru Kenyatta took over from his Rwandan counterpart President Paul Kagame as the Chairperson of the EAC. Burundian President Evariste Ndayishimiye also took over as Rapporteur from Mr. Kenyatta.

Under the EAC Rules of Procedure, the Rapporteur often takes over as the Chairperson of the Community.

EAC DEFENCE LIAISON OFFICE

EAC Defence Liaison Officers are nominated by the Partner States' Armed Forces to serve for a three-year term subject to renewal by the respective national Armed Forces.

The functions of the Defence Liaison Office are to:

1. Provide the coordination link between the Armed Forces of the Partner States and the Secretariat;
2. Undertake research work on all agreed military issues, and;
3. Perform such other duties as may be assigned by the Secretary General of the Community.

US Ambassador to Tanzania presents credentials to EAC Secretary General



The US Ambassador to the United Republic of Tanzania Donald Wright was on 10th February, 2021 accredited as the country's representative to the East African Community.

Amb. Wright presented his letters of credence to EAC Secretary General, Amb. Liberat Mfumukeko, at the EAC headquarters in Arusha, Tanzania.

Amb. Wright informed the Secretary General that the US was committed to supporting the integration process in East Africa, adding that integration was key to promoting economic growth and political stability in the region.

The US envoy disclosed that the US had advanced US\$200 million in direct and complementary support to the EAC over the past five years.



He said that the new US administration was committed to multilateral engagement at the regional and international levels with the UN, AU and regional economic blocs including the EAC.

Amb. Wright said that his priorities as US Ambassador to Tanzania and the EAC would include promoting health, trade and investment, democracy and good governance, and youth empowerment.

Receiving the US envoy, Amb. Mfumukeko hailed the historically strong relations between the US and EAC Partner States.

Amb. Mfumukeko singled out the US\$194 million agreement between the US Agency for International Development (USAID) and EAC, which monies had been used to support critical sectors such as trade, health, agriculture, environment and energy.

"At EAC, we are trying to improve livelihoods and basic needs of the population, most of whom are engaged in agriculture. I can therefore say that the USAID assistance targets key sectors within our communities," said the SG.

Amb. Mfumukeko informed Amb. Wright of the EAC Customs Union and

Common Market protocols that he said were basically aimed at promoting intra-regional trade, free movement of persons, labour, capital, services and investment in the region.

The SG further disclosed that the Community had made efforts to harmonise the financial sector in the region with the support of the World Bank principally in sectors such as banking, capital markets, trading in bonds and cross border payment systems. He said harmonisation of the financial sector was critical to the establishment of the East African Monetary Union which is expected to culminate in a single currency by the year 2024.

On the East African Political Federation, the SG said that consultations with stakeholders in Partner States for the drafting of a constitution for the transitional East African Political Confederation was already underway with each country having availed two constitutional experts.

Amb. Mfumukeko informed the US diplomat that East Africa had vast unexploited investment opportunities especially in the agro-processing industries and urged the American private sector to take advantage of these opportunities.

Also present at the ceremony was the EAC Deputy Secretary General in charge of the Productive and Social Sectors, Hon. Christophe Bazivamo, the EAC Principal International Relations Officer, Ms Suma Mwakyusa, the US Liaison Officer at EAC, Ms. Beatrice Ekallam, and Mr. Phil Nervig, the Deputy Chief of the Political-Economic Section at the US Embassy in Dar es Salaam, Tanzania.



New Pakistani envoy accredited to the EAC



The High Commissioner of the Islamic Republic of Pakistan to the United Republic of Tanzania, Amb. Muhammad Saleem, has been accredited as the country's representative to the East African Community.

The High Commissioner presented his letter of credence to EAC Secretary General, Amb. Liberat Mfumukeyo, at the EAC headquarters in Arusha, Tanzania.



Receiving the Pakistani High Commissioner, EAC Secretary General Amb. Liberat Mfumukeyo disclosed that the EAC was undertaking tangible programmes and projects to realise the dream of an integrated region.

Amb. Mfumukeyo cited trade, infrastructure development, healthcare, EAC Centres of Excellence and education as among sectors where the Community had recorded significant achievements.

The SG informed the High Commissioner that the EAC was now a Single Customs Territory and that Pakistani businesses setting up in one Partner State would therefore be guaranteed access to the wider East African market.

The SG described Pakistan as a fast growing economy in Asia with a GDP worth US\$287 billion (2019) saying it was a country that EAC Partner States could do business, adding that the Community would explore areas of cooperation with Asian country.

"Pakistan is a potential huge market that EAC needs to exploit. The two parties therefore need to explore areas of cooperation and investment," said Amb. Mfumukeyo, adding that EAC would arrange a business delegation to visit Pakistan as soon as is feasible.

Among the potential areas of cooperation discussed by the two leaders were in the agro-based industries namely production of fertilisers and pesticides, textile manufacture, higher education, and the provision of health supplies and hospital equipment.

On his part, the Pakistani envoy invited the SG to lead a delegation of business-people from the region to visit Pakistan for purposes of exploring potential areas of partnerships in investment.

Amb. Saleem said that there was very strong wave in Pakistan to engage more with the EAC region.

He disclosed that Pakistan imported raw cotton worth US\$50 million from Tanzanian last year, adding that other potential export crops from the region include palm oil, coconuts and cashew nuts.



"Economic diplomacy for Pakistan is not about our country dumping goods in East Africa. We are seeking a win-win situation for Pakistan and East Africa," said Amb. Saleem. He added that education and vocational training were also areas where East Africa would benefit immensely from cooperation with Pakistan.

Also present at the ceremony was the EAC Deputy Secretary General in charge of the Productive and Social Sectors, Hon. Christophe Bazivamo, the EAC Principal International Relations Officer, Ms Suma Mwakyusa, and Mr. Nafees Wahab, the Administrative and Consular Attache at the Pakistani Embassy in Dar es Salaam, Tanzania.

"Pakistanis constitute the fourth largest population of skilled workers in the Silicon Valley after the US, India and Romania. Pakistan also exports vast amounts of ICT apps to US companies including Apple," said the Pakistani High Commissioner.

Amb. Saleem said that Pakistan was ready to support EAC's industrialization plans in diverse sectors but especially in areas where his country had built capacity for several decades, namely: sugar processing, textile manufacture, cement and fertiliser manufacturing, and pharmaceuticals.

Construction of key EAC Multinational Road Project to kick off soon

In November, 2017 the EAC Secretariat signed a Financing Agreement of US\$1,151,515 with the AfDB to finance the Project Preparation Phase of three (3) key Multinational Road Sections between Masaka in Uganda to Kumunazi in Tanzania. The consultancy contract was signed in August 2018 with the consultant, M/s LEA international Limited in a joint venture with LEA Associate.



The construction of the multinational Tanzania –Uganda Road Project of Masaka – Kyotera - Mutukula/ Mutukula – Kyaka and Bugene – Kasulo – Kumunazi is on the way after the conclusion of Feasibility Study and Detailed Engineering Design funded by the African Development Bank (AfDB) under the NEPAD-IPPF facility.

The designs, done by M/S LEA International Limited from Canada in a joint venture with LEA Associates Asia Pvt Ltd from India, covered 89.5 kilometers of the Masaka to Mutukula road section in Uganda; a 30 km section from Mutukula to Kyaka linking to a 133 km Tanzania section from Bugene to Kumunazi via Kasulo.

Speaking during the handover ceremony of the designs report, the EAC Deputy Secretary General in charge of Planning and Infrastructure, Eng. Steven Mlote thanked AfDB for the financial support that had enabled EAC to undertake the feasibility study and design of the multi-million-dollar road project between Uganda and Tanzania.

The Deputy Secretary General said that the purpose of multinational road network is to facilitate the development of the regional road transport market in the East African region.

Eng. Mlote disclosed that the EAC Secretariat will now focus on mobilization of funds to construct the road, as well as cooperation with other regional, continental and global efforts to improve road transport services and safety.

The EAC official also disclosed that the detailed designs of the 400 km long Malindi – Lunga Lunga and Tanga – Bagamoyo road between Kenya and

Tanzania have been completed and the AfDB has agreed to finance the project at the cost of US\$322 million.

In addition, the detailed designs of the 250 km Nyakanazi – Kasulu – Manyovu road in Tanzania which links to the 78 km Rumonge – Bujumbura road in Burundi; and the 92 km Lusahunga – Rusumo road in Tanzania linking to the 70 km Kayonza – Kigali road in Rwanda have also been completed.

Also present at the event were Eng. Kamugisha Kazaura, Director of Infrastructure, and Suleiman Athuman, Senior Materials and Pavement at the EAC Secretariat as well as Eng. Brijesh Kumar, from LEA International in Association with LASA India.



EALA passes key report on protecting Lake Victoria, calls for harmonized laws and joint surveillance around the waters



The East African Legislative Assembly has urged the EAC Council of Ministers to cause Lake Victoria Basin Commission (LVBC) to embark on the process of harmonization of Partner States' policies and laws appertaining to the Lake Victoria Basin.

Closely related to the matter, the Assembly further wants LVBC and EAC Partner States, to jointly establish surveillance for safety, security and rescue matters in the entire lake. A report of the Committee on Agriculture, Tourism and Natural Resources (ATNR) on the On-Spot Assessment of the Lake Victoria Basin, presented yesterday to the House by Hon. Mathias Kasamba (on behalf of the substantive

Committee Chair, Hon. Dr. Abdulla H. Makame), also tasks the region to make every effort to safeguard LVBC's mandate, by strengthening its capacity, inter alia through enhanced funding and provision of requisite human resources.

The on-spot assessment of the Lake Basin undertaken by the regional Assembly was held from January 15-19th, 2020 at the LVBC Headquarters in Kisumu, Kenya. The Committee held interactive meetings with the management of the LVBC where it was informed (the Committee) about functions, activities and programs as well as the institution's achievements and challenges.

The Assembly's Committee also visited two project sites located in Kisumu, namely: the Kisat Waste Water Treatment Plant and the Kajulu Hilltop Rehabilitation and Soil Conservation Project. The Committee further interacted with various stakeholders' who participated in the public hearing on the Lake Victoria Basin Commission Bill, 2019, enabling the Assembly to receive requisite input, while considering the Bill. (The Bill has since being passed by the EALA and awaits assent by the EAC Heads of State).

The report avers that LVBC has achieved a number of achievements including preparation of the LVBC Bill, 2019; installation of 86 Aids to Navigation equipment in the Lake to ensure safety of navigation and formulation of the Oil Spills and Toxic Chemicals Contingency Plan. The Contingency Plan aims at guiding necessary actions to be taken, should an incident or accident, that spills toxic chemicals in to the Lake Victoria take place.

Through a partnership with the United Nations Environmental Programme (UNEP), the report adds, the Lake Victoria Basin received funds disbursed to 4 Partner States (Burundi, Rwanda, Uganda and Tanzania) to support communities to adapt to Climate Change. Under the Integrated Water Resources Management for Lake Victoria Basin program, the Federal Government of Germany and European Union, made available, excess of Euro 30 Million, to support High Priority Investment Project in Rwanda, Uganda, Tanzania and Kenya. The project whose commencement started in 2020, saw a further boost with an additional allocation of EURO 10 Million to the kitty fund.

On resource capacity, the report talks of perennial under-staffing which is hampering LVBC from achieving its set objectives. It cites the short tenure (five years) for the Executive Secretary (like other Heads of the EAC Institutions) as a move that brings negative impact to the institutions and the Community in general. At the same time, the position of Deputy Executive Secretary at LVBC and various other posts, need to be filled urgently, the report states.

"EALA urges the Council of Ministers to direct the EAC Adhoc Service Commission to expedite the recruitment process for all vacancies in Organs and Institutions of the Community. The Assembly further wants EAC Council of Ministers to take in to

consideration the tenure of Head of Institution (LVBC), taking into account the need for the Community to retain highly qualified and experienced experts", a section of the report presented to the House states.

The report also brings to fore significant progress on the living standards of the people in the entire region. "The Assembly notes support to cross-border populations that are vulnerable to health risk and environmental degradation to improve their livelihood and conserve fragile ecosystem in Bisoro and Nyarusange Communes (Burundi); Endebbes and Saboti (Kenya); Rulindo and Bugesera (Rwanda); Maswa and Itilima (Tanzania) and Mbale and Kapchorwa (Uganda)", Hon Kasamba noted.

However, the Lake Victoria Basin Commission is not without threats. The notable challenges according to the report, are encroachment in the ecosystem, unsustainable land use practices and construction and farming on wetlands. Other challenges include the continuous water hyacinth considered an invasive weed, unsustainable land usage and practices, deforestation and fluctuating water levels. Also notable is the lack of legal personality status of the LVBC, which limits the Commission because it cannot sign agreements in its name.

At debate time, Hon Adam Kimbisa, called for serious investments in the Lake Basin by the EAC Partner States if the region was to develop economically, while Hon Fatuma Ndongiza, decried the heavy donor dependency at the Institution. She further called for immediate address of the legal instruments that currently challenge the legal existence of LVBC. Hon Dr Oburu Oginga, reiterated staffing as critical in efficient delivery of services at the Institution. On his part, Hon Pierre Celestin Rwigema and Hon Francoise Umuwukiza, urged the EAC Council of Ministers to look for alternative mechanisms to fund LVBC and other EAC institutions.

Last Year (November 2020), EALA enacted the Lake Victoria Basin Commission 2020, providing a legal framework for the Lake Victoria Basin Commission (LVBC) to be an institution and corporate body of the Community. Under the arrangement, the LVBC is expected to be responsible for among other duties, the coordination of stakeholder participation in sustainable development of natural resources of the Lake Victoria basin, and harmonization of policies, laws, regulations and standards.

EACJ hosts a 2nd Mock Trial for young Lawyers from East Africa



The Court has hosted a two days Mock trial (Moot court) for young lawyers from the three East African Member States, these are Republics of Kenya, Uganda and United Republic of Tanzania. The Mock Trial was a practical experience after a whole month training of the young lawyers on matters of Public Interest Litigation before the East African Court, which started on 8th February 2021 at MS TCDC in Arusha. The Mock Trial helps the Lawyers to practice and familiarize with the East African Laws and EACJ Rules of procedure.

The moot Court was presided over three Judges representing the three Partner States these are Hon Justice Fauz Twaib retired Judge of the High Court of Tanzania, Prof. Frederick Ssempebwa, a Senior Counsel from Uganda and His Worship

Yufnalis Okubo, Registrar EACJ representing a Judge from Kenya on the bench. The case that was being argued in the Mock Trial was touching on the issue on movement of goods within East African Member States, where Uganda, Tanzania, Kenya and the Secretary General of the East African Community were sued before the EACJ on an alleged violation of the Customs Union, Common Market Protocols and the Treaty for the establishment of the EAC, over goods (wines) originating from Jamaica were imported within Uganda allegedly claiming to have been manufactured from Uganda and then later exported to Tanzania through Kenya.

After the hearing of the submissions by the parties on day one 3rd March 2021, the presiding Judges delivered the Ruling on day two on Thursday 4th



March and ruled in favor of the East African Law Society the (Applicant) saying that the 3 Member States breached the EAC Common Market Protocol, Customs Union Protocol and EAC Treaty as follows; Kenya detaining the goods at the border and failing to allow the Tanzania Nationals entry was a breach of the free movement of people as entrenched in the EAC Common Market Protocol. Uganda's failure to collect external tariffs and was condemned for not protecting goods (wines) manufactured within EAC Partner States by allowing the goods allegedly manufactured within Uganda to be exported in Tanzania. The Judges also in their ruling found that the EAC Secretary General failed to observe and ensure that the Protocols and the Treaty provisions were not violated.

According to the CEO of the Centre for Strategic Litigation Mr Deus Valentine expressed his gratitude to the East African Court of Justice for the support to host the Mock Trial which targets young East African Lawyers to get conversant with the Community Laws and EACJ rules of procedure. He said that this is the 2nd Mock Trial and the first that was held in 2020 at MS TCDC Training Institute in Arusha and the program will continue to support the targeted beneficiaries across the EAC region and planning to broaden the program to include young Lawyers from all EAC Partner States.

The Registrar of the Court His Worship Yufnalis Okubo on his part thanked the Centre for Strategic Litigation for utilizing the EACJ to train the Young Lawyers on the Community Laws which will improve their skills and knowledge to enable them competently appear before the regional Court as it has been a challenge to some Lawyers from different EAC Partner States who appear before the Court and are not familiar with EACJ Rules of procedure as well EAC Treaty and the Protocols. He also congratulated the Participants for the excellent job done through this litigation and urged them to continue and utilize the knowledge and skills acquired from the training and the Mock Trial to appear before EACJ.

His Worship also called upon the East African Young Lawyers to make use of the EACJ Sub-Registries in the Partner States Capitals and file their cases that may arise on EAC Treaty and Protocols violation because filing a case at EACJ is free. Registrar also informed the Lawyers that the Court is in the process to be a paperless Court in future where litigants will be able to file their cases from their respective Countries or locations and that these are opportunities to deliver justice to all East Africans. He pledged continued support from the EACJ towards this program for future progress, efficiency and sustainable litigation before it.



EAST AFRICAN COMMUNITY

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