



## EAST AFRICAN COMMUNITY

# GAZETTE

Published by the East African Community  
(Registered as a Newspaper at the G.P.O.)

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Vol. AT 1 – No. 6

ARUSHA, 15th May, 2015

Price \$ 1.00

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### BILLS SUPPLEMENTS

- The East African Community Forests Management and Protection Bill, 2015
- The East African Community Appropriation Bill, 2015

*Bill*  
No. 7  
No. 8

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Legal Notice No. EAC/19/2015.

## DECISIONS AND DIRECTIVES OF THE SUMMIT OF THE 16TH SUMMIT OF HEADS OF STATE

20TH FEBRUARY, 2015

### 1.0 CONSIDERATION OF THE ANNUAL REPORT OF THE COUNCIL OF MINISTERS FOR THE PERIOD NOVEMBER 2013 - NOVEMBER 2014

The Summit—

- (a) took note of the Annual Progress Report of the Council with commendation to the Council for the progress made in different programmes of the Community and the steady progress made in the Community: *(EAC/SHS 16/ Decision 01)*
- (b) approved the Protocol on Immunities and Privileges of the East African Community, its Organs and Institutions for signature by the responsible Ministers by 30th July 2015 and thereafter ratification by 30th November 2015: *(EAC/SHS 16/ Decision 04)*
- (c) approved the East African Community Protocol on Co-operation in Meteorological Services for signature by the responsible Ministers by 1st July 2015 and thereafter ratification by 30th November 2015: *(EAC/SHS 16/ Decision 05)*
- (d) approved with amendments, the Modality for the Appointment of the EAC Eminent Persons and Special Envoys. *(EAC/SHS 16/ Decision 06)*

### 2.0 CONSIDERATION OF PROGRESS IN THE IMPLEMENTATION OF KEY OUTSTANDING DECISIONS OF STRATEGIC IMPORTANCE TO THE EAST AFRICAN COMMUNITY

The Summit—

- (a) took note of the report in the Matrix: *(EAC/SHS 16/ Decision 07)*
- (b) directed the Secretariat to avail the Partner States with a list of all Protocols that have not yet been ratified to enable the Partner States expeditiously ratify them and deposit instruments of ratification with the Secretary General by 30<sup>th</sup> July 2015. *(EAC/SHS 16/ Directive 02)*
- (c) decided that all the Bills that are due for assent in accordance with Article 63 of the Treaty for the Establishment of the East African Community be assented to by 30th July 2015. *(EAC/SHS 16/ Decision 08)*
- (d) noted that all Partner States had ratified the Protocol on the Establishment of the East African Monetary Union and directed the Partner States to abide by the approved Roadmap on the Implementation of the EAC Monetary Union: *(EAC/SHS 16/ Decision 09)*
- (e) directed the Partner States to implement all the outstanding decisions and report on the status to the next Summit of the Heads of State. *(EAC/SHS 16/ Directive 03)*

### 3.0 APPOINTMENT OF TWO NEW JUDGES OF THE EAST AFRICAN COURT OF JUSTICE

#### 3.1. Appointment of New Judges

The Summit considered this report and the nominations and, pursuant to the provisions of Article 24(1) of the Treaty for the Establishment of the East African Community ("the Treaty") appointed—

- (a) Hon. Mr. Justice Audace Ngiye Judge of the East African Court of Justice in the First Instance Division with effect from 28th June 2015; and *(EAC/SHS 16/ Decision 10)*
- (b) Hon. Mr. Justice Geoffrey W. M. Kiryabwire Judge of the East African Court of Justice in the Appellate Division with effect from 16th August 2015. *(EAC/SHS 16/ Decision 11)*

**3.2. Designation of a New Principal Judge of the East African Court of Justice**

The Summit, taking into account the different tenures of the Judges in the First Instance Division and seniority in service and pursuant to Article 24 (5), designated Hon. Lady Justice Monica Mugenyi as a new Principal Judge of the East African Court of Justice to replace Hon. Justice Jean Bosco Butasi. This designation is with effect from 26th June 2015. *(EAC/SHS 16/Decision 12)*

**4.0 APPOINTMENT OF A NEW DEPUTY SECRETARY GENERAL FROM THE REPUBLIC OF BURUNDI**

The Summit –

- (a) considered the Council's recommendation and, pursuant to Article 68 of the Treaty, appointed Mr. Liberat Mpfumukeko as Deputy Secretary General with effect from 28<sup>th</sup> April 2015 *(EAC/SHS 16/Decision 13)*; and
- (b) Commended Mr. Nsengiyumva for his dedicated service to the East African Community. *(EAC/SHS 16/Decision 14)*

**5.0 RENEWAL OF CONTRACT OF HON. JESCA ERIYO, DEPUTY SECRETARY GENERAL**

The Summit, pursuant to Article 68 of the Treaty, renewed the contract of Hon. Eriyo for another three year term effective 30th April 2015. *(EAC/SHS 16/Decision 15)*

**6.0 CONSIDERATION OF A PROGRESS REPORT ON SELECTED PRIORITY MATTERS**

The Summit –

- (a) took note of the Revised Roadmap for the Completion of the EAC Institutional Review *(EAC/SHS 16/Decision 16)*; and
- (b) directed the Council to ensure that the Institutional Review is finalised within the timeframe (by 30th April 2015) and report to the next Summit. *(EAC/SHS16/Directive 04)*

**6.1. Modalities on the Sustainable Financing Mechanisms for the East African Community**

The Summit—

- (a) took note of the progress being made on the Conclusion of the Sustainable Financing Mechanisms for the East African Community *(EAC/SHS 16/Decision 17)*; and
- (b) directed the Council to finalise the mechanism and recommend the best sustainable financing mechanism to the next Summit for consideration. *(EAC/SHS 16/Directive 05)*

**6.2 Negotiations for The Admission of The Republic of South Sudan into The East African Community**

The Summit —

- (a) took note of the Revised Road Map for the Negotiations on the Admission of the Republic of South Sudan into the East African Community *(EAC/SHS 16/Decision 18)*; and
- (b) directed the Council to ensure that negotiations are conducted in accordance with the Revised Roadmap. *(EAC/SHS 16/Directive 06)*

**6.3 Verification of the Application of the Federal Republic of Somalia to join the East African Community**

The Summit:—

- (a) took note of this report *(EAC/SHS 16/Decision 19)*; and
- (b) directed the Council to undertake the verification exercise and report to the next Summit. *(EAC/SHS 16/Directive 07)*

**6.4. Initiation of a Constitution-making process and a Road Map for the EAC Political Federation**

The Summit—

- (a) took note the progress on this matter (*EAC/SHS 16/Decision 20*); and
- (b) directed the Council to finalize the national consultations on the Model Structure, Road Map, Action Plan and Report Progress to the next Summit. (*EAC/SHS 16/Directive 08*)

**6.5. Progress Towards the Establishment of a One Area Network for East Africa**

The Summit directed the Council to expedite the implementation of the Framework for harmonized EAC roaming charges, including the removal of surcharges for international telecommunications traffic originating and terminating within the East African Community by 15th July 2015. (*EAC/SHS 16/Directive 09*)

**6.6. Implementation of the Directive of the Summit on Extension of Jurisdiction of the East African Court of Justice**

The Summit—

- a) approved and signed the Protocol (*EAC/SHS 16/Decision 21*); and
- b) directed the Partner States to ratify the Protocol and deposit instrument of ratification with the Secretary General by 30th November 2015. (*EAC/SHS 16/Directive 10*)

**7. RELATIONS BETWEEN EALA MEMBERS, THE SENDING PARTNER STATES AND THE INSTITUTIONS OF THE SENDING PARTNER STATES**

The Summit directed the Secretary General to –

- (a) develop a proposal on practical working relations between the EALA Members, the sending Partner States and the institutions of the sending Partner States (*EAC/SHS 16/Directive.11*);
- (b) develop a mechanism to ensure that the EALA legislative power is shared with Council of Ministers and the Partner States (*EAC/SHS 16/Directive 12*); and
- (c) submit a report on (a) and (b) above to next Summit through the Council (*EAC/SHS 16/Directive 13*).

**8. REPORTS ON PEACE INITIATIVES IN THE REGION**

The Summit directed the Partner States involved in peace initiatives to always share information on such initiatives with other Partner States (*EAC/SHS 16/Directive14*).

**9. CONSIDERATION OF ANY OTHER BUSINESS****9.1. Launch the EAC Telepresence Video Conferencing System;**

The Summit launched the EAC Telepresence Video Conferencing System and commended Trademark East Africa for its support. (*EAC/SHS 16/ Decision 22*)

**9.2. Award of EAC Schools Essay Competition Prizes**

On behalf of the Summit, the Chairperson of the Summit awarded prizes to the following students who emerged winners in the EAC Schools Essay Competition for the Year 2014:-

- (a) Ms. Munguchi Cynthia Hope, Republic of Uganda - 1st Prize;
- (b) Mr. Mutari James Mavuko, Republic of Kenya, 2nd Prize;
- (c) Ms. Regina Nyamicho, United Republic of Tanzania, 3rd Prize
- (d) Ms. Mutoni Mona Laurita, Republic of Burundi, 4th Prize; and
- (e) Ms. Mbabazi Clemece, Republic of Rwanda, 5th Prize.

Legal Notice No. EAC/20/2015.

**DECISIONS AND DIRECTIVES OF THE 31ST EXTRA-ORDINARY MEETING OF THE  
COUNCIL OF MINISTERS**

**9TH - 13th MARCH, 2015**

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**PART I FINANCE MATTERS**

**1.1 STATUS OF PARTNER STATES' CONTRIBUTIONS TO THE EAC BUDGET FOR FINANCIAL YEAR  
2014/15**

The Council—

- (a) took note of the Status of Partner States' contributions towards the EAC Secretariat, EALA, LVBC, LVFO, IUCEA, EACJ, EAKC, EASTECO budget for the FY 2014/15 as at 9th March, 2015 (*EAC/EX/CM 31/Decision 01*); and
- (b) directed the Partner States to remit their outstanding contributions by 30th April, 2015 to enable the EAC Organs and Institutions implement their planned activities (*EAC/EX/CM 31/Directive 01*).

**1.2 MANAGEMENT OF BANK ACCOUNTS**

The Council –

- (a) approved the opening of the EAC Secretariat main bank account with Kenya Commercial Bank (Tanzania) Ltd. (*EAC/EX/CM 31/Decision 02*); and
- (b) directed the Secretariat to adopt transparent and competitive procedures when proposing opening bank accounts for the East African Science and Technology Commission (EASTECO), East African Kiswahili Commission (EAKC) and East African Health Research Commission (EAHRCO) and submit to the 31st Meeting of the Council for consideration (*EAC/EX/CM 31/Decision 03*).

**1.3 EAC MID-YEAR BUDGET PERFORMANCE FOR FINANCIAL YEAR 2014/2015**

The Council took note of the Mid-Year Performance Report for the EAC Organs and Institutions for Financial Year 2014/2015 (*EAC/EX/CM 31/Decision 03*).

**1.4 REQUEST FOR BUDGET RE-ALLOCATIONS FOR FINANCIAL YEAR 2014/15**

The Council directed the Secretariat to submit the proposed budget of hosting the Forum to the next meeting of the Sectoral Council on Trade, Industry, Finance and Investment for consideration and onward submission to the Council for approval (*EAC/EX/CM 31/Directive 02*).

**1.4.1 Reallocation for Staff Recruitment for Thirty Six (36) Established Positions within the Financial Year 2014/15**

The Council approved budget re-allocation amounting to US\$ 381,679 within the EAC Secretariat, EASTECO, EAKCO and EAHRCO's budget for FY 2014/2015 to facilitate the recruitment process of various vacant established staff positions (*EAC/EX/CM 31/Decision 04*).

**1.4.2 Request for Budget Re-allocation to facilitate the 31<sup>st</sup> Extra-Ordinary Meeting of the Council**

The Council approved re-allocation of funds amounting to US\$ 101,778 within the EAC Budget for FY2014/15 to facilitate the 31<sup>st</sup> Extra-Ordinary Meeting of the Council (*EAC/EX/CM 31/Decision 05*).

**1.4.3 Re-allocation to Facilitate remaining Activities for Defence Sector**

The Council approved reallocation amounting to US\$ 50,829 for Defence sector activities for Financial Year 2014/2015 (*EAC/EX/CM 31/Decision 06*).

**1.4.4 Reallocation Under Lake Victoria Basin Commission**

The Council—

- (a) approved a budget reallocation of US\$ 12,000 for rent for three months to be sourced within the LVBC approved budget (*EAC/EX/CM 31/Decision 07*); and
- (b) approved a budget reallocation amounting to US\$ 59,757 to be sourced within the LVBC approved budget for Financial Year 2014/2015 to support salaries for the four staff for four months to complete the bridging activities for MERECP Project (*EAC/EX/CM 31/Decision 08*).

**1.4.5 Budget Reallocation for the Inter-University Council for East Africa**

The Council directed the IUCEA to refer the request for re-allocation amounting to US\$ 304,145 to its Governing Board for endorsement and subsequent submission to the Council for approval (*EAC/EX/CM 31/Directive 03*).

**1.4.6 Reallocation of Budget for the Lake Victoria Fisheries Organization**

The Council—

- (a) deferred approval of the requested budget re-allocation amounting to US\$ 65,000 from personal emoluments (*EAC/EX/CM 31/Decision 09*); and
- (b) directed LVFO to submit a request for supplementary budget to cater for the underfunded activities (*EAC/EX/CM 31/Directive 04*).

**1.5 SUPPLEMENTARY BUDGET REQUEST FOR ACTIVITIES TO BE IMPLEMENTED BY THE EAC SECRETARIAT – US\$ 750,000**

The Council took note that activities for Regional Ebola Virus Disease and Other Communicable Diseases Emergency Preparedness and Response Plan of Action have been included in the EAC Budget and Work Plan for Financial Year 2015/2016 (*EAC/EX/CM 31/Decision 10*).

**1.6 ABSORPTION OF STAFF UNDER THE PEACE AND SECURITY UNIT INTO EAC PARTNER STATES' BUDGET**

The Council--

- (a) took note of the continued support of EU to the African Peace and Security Architecture (APSA) Programme for the next two years starting from August 2015 (*EAC/EX/CM 31/Decision 11*);
- (b) approved the APSA Support budget into the 2015/2016 Secretariat budget (*EAC/EX/CM 31/Decision 12*); and
- (c) directed the Secretariat to develop a roadmap for the operationalization and sustainability of the Directorate of Peace and Security and report to the 32nd Meeting of the Council (*EAC/EX/CM 31/Directive 05*).

**1.7 CAPACITY BUILDING PROJECT TO ENHANCE RESEARCH AND POLICY ANALYSIS AT THE EAC SECRETARIAT**

The Council –

- (a) directed the Secretariat to submit the appraisal document of the ACBF project to Partner States for comments to be sent to the Secretariat by 31st March, 2015 (*EAC/EX/CM 31/Directive 06*); and
- (b) approved EAC Counterpart fund of USS 638,913 for project activities over a period of four (4) years of which USS 79,800 is for Financial Year 2015/16 (*EAC/EX/CM 31/Decision 13*).

**1.8 THE REGIONAL ELECTORAL SUPPORT PROGRAMME UNDER THE EDF 11 BRIDGING FUNDS**

The Council took note of the support by the European Union for the Regional Electoral Support Programme (RESP) amounting to USS 5,400,000 of which USS 2,094,325 is for the Financial Year 2015/2016 (*EAC/EX/CM 31/Decision 14*).

**1.9 BUDGET PROPOSALS FOR FINANCIAL YEAR 2015/2016**

The Council—

- (a) adopted the Budget Estimates amounting to USS 110,660,098 to enable the Secretariat, East African Legislative Assembly, East African Court of Justice, Lake Victoria Basin Commission, East African Science and Technology Commission, the East African Kiswahili Commission, the East African Health Research Commission, the East African Competition Authority, the Inter-University Council for East Africa and the Lake Victoria Fisheries Organization to discharge their mandate for the Financial year 2015/2016 (*EAC/EX/CM 31/Decision 15*);
- (b) referred the adopted Budget Estimates above to the East African Legislative Assembly (EALA) for debate and approval (*EAC/EX/CM 31/Decision 16*);
- (c) directed—
  - (i) each Partner State to contribute USS 8,378,107.60 towards the main EAC Budget for FY'2015/2016;
  - (ii) each Partner State to contribute USS 824,445.60 towards the IUCEA Budget for FY'2015/2016; and
  - (iii) the Republic of Kenya, the Republic of Uganda and The United Republic of Tanzania to contribute USS 518,069 each, towards the LVFO budget for FY2015/2016 (*EAC/EX/CM 31/Directive 07*); and
- (d) directed the Secretariat to fund the budget increase amounting to USS 3,919,530 from the EAC General Reserve Fund which also includes support to the Defence Sector (*EAC/EX/CM 31/Directive 08*).

**1.10 EAC CASSOA FINANCIAL YEAR 2015/2016 ANNUAL PROGRAMME OF ACTIVITIES AND BUDGET**

The Council approved the budget estimates amounting to USS 2,224,653 to be funded by the Partner States' Civil Aviation Authorities and Development Partners to enable CASSOA discharge its mandate for the Financial Year 2015/2016 as follows --

- (a) the Republic of Kenya, Republic of Uganda and The United Republic Tanzania to contribute USS 379,916 each;
- (b) the Republic of Burundi and the Republic of Rwanda to contribute USS 302,023 each;
- (c) USS 373,925 from the Development Partners; and
- (d) USS 106,934 from other income (*EAC/EX/CM 31/Decision 17*).

## PART II HUMAN RESOURCE MATTERS

### 2.1 REPORT OF THE INTERVIEW PANEL

#### 2.1.1 Recommendations for Appointment by the Interview Panel

The Council considered the recommendations of the Panel and approved the following candidates to be considered for appointment by the Council –

S/ No	POSITION	GRADE	NAME	SCORE	PARTNER STATE
1.	Director Finance	P5	Juvenal Ndimurirwo	82	Burundi
2.	Director Trade	P5	Rashid Kibowa	70	Uganda
3.	Director Productive Sectors	P5	Jean Baptiste Havugimana	70	Rwanda
4.	Principal Customs Officer	P3	Donald Tindamanyile	70	The United Republic of Tanzania
5.	Principal Economist	P3	Dr. Pantaleo Joseph Kessy	72	The United Republic of Tanzania
6.	Principal Administrative Officer	P3	Julius Victor Nkeramihigo	79	Uganda
7.	Principal Labour and Employment Officer	P3	Stephen Niyonzima	73	Uganda
8.	Principal Internal Auditor	P3	Luciano S. M. Maganga	71	The United Republic of Tanzania
9.	Principal Trade Officer	P3	Marie Angelique Umulisa	78	Rwanda
10.	Principal Gender and Community Development Officer	P3	Generose Minani	70	Burundi
11.	Principal Clerk Assistant	P3	Charles Ngeleja Kadonya	79	The United Republic of Tanzania
12.	Senior Conference Officer	P2	Emmanuel Niyonkuru	79	Burundi
13.	Senior Public Relations Officer	P2	Simon Peter Owaka	71	Kenya
14.	Senior Clerk Assistant	P2	Asheri Wimile	75	The United Republic of Tanzania
15.	Court Administrator	P2	Haji Omar Haji	70	The United Republic of Tanzania
16.	Sergeant At Arms	P2	Ezekiel Nyakwara Migosi	77	Kenya
17.	Personal Assistant	P2	Alain Nsengiyumva	82	Rwanda
18.	Clerk Assistant	P1	Victor Manzi	70	Uganda
19.	Hansard Reporter	P1	Anastasia Mbeba	70	Kenya
20.	Research Officer	P1	Kathleen Wanjiru	77	Kenya
21.	Network Administrator	P1	Amaud Gahimbere	70	Burundi



The Council –

- (a) appointed the candidates listed above to the respective positions with effect from 1<sup>st</sup> July, 2015 (*EAC/EX/CM 31/Decision 18*);
- (b) directed the Secretariat to submit the name of Mr. Alfred Tugume from the Republic of Uganda in the second slot for the position of Senior Clerk Assistant to the EALA Commission for consideration (*EAC/EX/CM 31/Decision 19*);
- (c) directed the Secretariat to submit selected names recommended for appointment in EALA to the EALA Commission for consideration (*EAC/EX/CM 31/Directive 10*);
- (d) directed the EAC Secretariat to re-advertise the positions of Principal Civil Aviation Officer, Court Recorder and Senior Trade Officer by 30<sup>th</sup> March 2015 (*EAC/EX/CM 31/Directive 11*);
- (e) directed the Secretariat to broaden the experience requirements for the position of Court Recorder to include similar experience in Parliament or international organisations (*EAC/EX/CM 31/Directive 12*).

### 2.1.2 Recruitment of Project Staff in the East African Community

The Council directed the Secretariat to submit a comprehensive report on the existing project staff, G5-G4 staff within its Organs and Institutions, indicating the numbers, nationality and responsibilities of the project staff for consideration by the Council at its 31st Meeting (*EAC/EX/CM 31/Directive 13*).

## 2.2 REQUEST FOR APPOINTMENT OF MR. ROBERT MWESIGWA NVIIRI AS AN ACTING EXECUTIVE DIRECTOR CASSOA

The Council –

- (a) took note of the resignation of Mr. Barry Kashambo from the EAC-CASSOA service with effect from 19<sup>th</sup> March, 2015 (*EAC/EX/CM 31/Decision 20*);
- (b) commended Mr. Kashambo for his dedicated service to the Community during his tenure as Executive Director CASSOA (*EAC/EX/CM 31/Decision 21*); and
- (c) appointed Mr. Robert Mwesigwa Nviiri as Acting Executive Director with effect from 20<sup>th</sup> March 2015 for a period of six (6) months or until the position is substantively filled whichever is earlier, in line with the EAC Staff Rules and Regulations (*EAC/EX/CM 31/Decision 22*).

## 2.3 REQUEST FOR PROPOSED APPOINTMENT OF ACTING COUNSEL TO THE COMMUNITY

The Council –

- (a) appointed Mr. Stephen Agaba, Principal Legal Officer to act as the Counsel to the Community (*EAC/EX/CM 31/Decision 23*);
- (b) directed the Secretariat to ensure that recruitment of the new Counsel to the Community is finalised by end of March 2015 (*EAC/EX/CM 31/Directive 14*); and
- (c) directed the Secretariat to convene an Extra-Ordinary Meeting of the Council to consider and appoint the new Counsel to the Community not later than 30<sup>th</sup> April, 2015 (*EAC/EX/CM 31/Directive 15*).

## PART III REVISED RULES OF THE PROCEDURE FOR THE CO-ORDINATION COMMITTEE AND THE REVISED RULES OF PROCEDURE FOR THE COUNCIL OF MINISTERS

The Council revised its previous decision adopting the revised Rules of Procedure for the Co-ordination Committee and the Rules of Procedure for the Council of Ministers and referred the same to the 18th Meeting of the Sectoral Council on Legal and Judicial Affairs for legal input (*EAC/EX/CM 31/Decision 24*).

## PART IV OPERATIONALISATION OF THE EAST AFRICAN HEALTH RESEARCH COMMISSION

The Council directed that the EAC Secretariat enter into negotiation with the owners of the identified building and conclude a service contract by 30th April, 2015.

Signed by the Leaders of Delegation on the 13th day of March, 2015.

..... Hon. Saada Mkuya Salum (MP) Minister for Finance Ministry of Finance  THE UNITED REPUBLIC OF TANZANIA	..... Hon. Shem Bageine, MP Minister of State Ministry of East African Community Affairs  THE REPUBLIC OF UGANDA	..... Hon. Léontine Nzeyimana Minister Ministry to the Office of the President Responsible for EAC Affairs  THE REPUBLIC OF BURUNDI	..... Prof. Judy Wakhungu, Cabinet Secretary Ministry of Environment, Water and Natural Resources  THE REPUBLIC OF KENYA	..... Hon. Amb. Valentine Rugwabiza Minister Ministry of East African Community Affairs  THE REPUBLIC OF RWANDA
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