



EAST AFRICAN COMMUNITY

GAZETTE

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BILLS SUPPLEMENTS

	<i>Bill</i>
● The East African Community Cross Border Legal Practice Bill, 2014	No. 1
● The East African Community Integration (Education) Bill, 2014	No. 2
● The East African Community Cooperative Societies Bill, 2014.	No. 3
● The East African Community Supplementary Appropriation Bill, 2014.	No. 4

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Legal Notice No. EAC/01/2014.



THE EAST AFRICAN COMMUNITY

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DECISIONS AND DIRECTIVES OF THE 27TH EXTRA ORDINARY MEETING OF THE COUNCIL

1.0 CONSIDERATION OF THE REPORTS OF THE SECTORAL COUNCIL ON MONETARY UNION

1.1 Second Meeting of the Sectoral Council on Monetary Union

The Council:

- a) Decided to include the responsibility for implementation of the EAMU Protocol in the Terms of Reference of the Sectoral Council on Finance and Economic Affairs in the ongoing rationalisation of Sectoral Councils.
- b) Reiterated earlier directive to Partner States to submit their comments on the rationalisation of Sectoral Councils by the 15th August, 2013.
- c) Directed the Secretariat to include the agenda on rationalisation of Sectoral Councils in the 27th Ordinary meeting of the Council.

2.2 Comments on the jurisdiction of the East African Court of Justice.

The Council directed the Secretariat to forward the comments to the 15th meeting of the the Sectoral Council on Legal and Judicial Affairs to be considered within the ongoing process on the extension of the jurisdiction of the East African Court of Justice.

2.3 The Third meeting of the Sectoral Council on Monetary Union

The Council:

- a) Considered and adopted the Draft Protocol on Monetary Union; and
- b) Referred it to the 15th meeting of the Sectoral Council on Legal and Judicial Affairs for legal input.

2.4 Road map for the implementation of the EAMU Protocol.


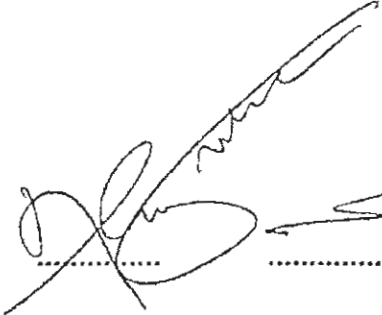
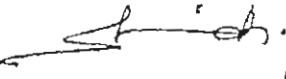
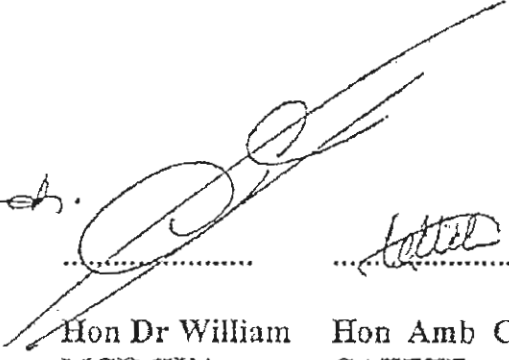

The Council:

- a) Considered and adopted the Draft Road Map for the implementation of the EAMU Protocol. and
- b) Directed Partner States to implement the Road Map within the specified timelines.

2.5 Award of Certificates of recognition to members of the HLTF by the Summit of the Heads of State.

The Council recommended to Summit to award Certificates of Recognition to the members of the HLTF on EAMU in recognition of the efforts taken to conclude the EAMU Protocol.

SIGNED this 17th day of July, 2013 by the respective Heads of Delegation of Partner States as hereunder:

				
Hon Leontine NZEYIMANA	Hon Henry ROTICH	Hon Fredrick RUHINDI	Hon Dr William MGIMWA	Hon Amb Claver GATETE
Republic of BURUNDI	Republic of KENYA	Republic of UGANDA	United Republic of TANZANIA	Republic of RWANDA

Legal Notice No. EAC/02/2014.

28TH MEETING OF THE COUNCIL OF MINISTERS

PART I REPORT ON THE IMPLEMENTATION OF PREVIOUS DECISIONS OF THE COUNCIL OF MINISTERS

The Council –

- (a) took note of the progress made in implementing the Council directives and decisions (EAC/CM 28/Decision 01);
- (b) directed Partner States and EAC Organs and Institutions to implement the outstanding decisions and directives of 24th, 25th, 26th and 27th Meetings of the Council and report progress to the 29th Meeting of the Council; (EAC/CM 28/Directive 01);
- (c) reiterated its previous directive (EAC/CM 27/Decision 02) to always prescribe clear time frames for all Council decisions and directives in order to facilitate monitoring and follow up on implementation; (EAC/CM 28/Decision 03);
- (d) directed the Secretariat to always provide appropriate guidance to the Council on the practicability of implementing decisions and directives with financial implications that are given in the middle of the financial year; (EAC/CM 28/Directive 02);
- (e) reiterated its previous decision directing The United Republic of Tanzania and the Republic of Rwanda to urgently meet to resolve the issues regarding the Republic of Rwanda's concerns on the Kagera Region expulsion of Rwandans by 30th January, 2014 (EAC/CM 28/Decision 04); and
- (f) reiterated its previous decision directing the Secretariat to constitute a Team of Management and Audit Experts to undertake the verification of Lake Victoria Basin Commission Management systems and operations and submit report to the Sectoral Council of Ministers Responsible for Lake Victoria Basin Commission at its next meeting (EAC/CM 28/Decision 05).

PART II REPORT OF THE OFFICE OF THE SECRETARY GENERAL

2.1 REPORT OF THE 19TH MEETING OF THE SECTORAL COUNCIL OF MINISTERS RESPONSIBLE FOR EAC AFFAIRS AND PLANNING

The Council –

- (a) adopted the decisions of the 19th Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning (EAC/CM 28/Decision 05);
- (b) reiterated its earlier directive to the Partner States to expedite the implementation of the Council directives on the harmonization / approximation of national laws into EAC context by 31st December 2013 (EAC/CM 28/Decision 06);
- (c) took note of the Report of the EAC Election Observation Mission to Rwanda Parliamentary Elections (EAC/CM 28/Decision 07).

2.1.1 Progress Report on the Internationalization of the EAC Passport

The Council –

- (a) decided that the internationalisation of the new-generation EAC e-passport shall take effect by November 2015 (EAC/CM 28/Decision 08);
- (b) directed the Secretariat to circulate the comments from the Republic of Rwanda to Partner States for consideration by 15th December 2013 (EAC/CM 28/Decision 10);
- (c) directed the Secretariat to convene a meeting of the Chiefs of Immigration to consider comments from the Republic of Rwanda by 31st January 2014 (EAC/CM 28/Decision 11); and
- (d) submitted the Report of the Meeting of Chiefs of Immigration to the 20th Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning for consideration (EAC/CM 28/Decision 12).

2.2 REPORT OF THE 15th MEETING OF THE SECTORAL COUNCIL ON LEGAL AND JUDICIAL AFFAIRS

The Council –

- (a) adopted the decisions of the 15th Meeting of the Sectoral Council on Legal and Judicial Affairs pertaining to the Protocol on the Establishment of the East African Monetary Union (*EAC/CM 28/Decision 11*);
- (b) adopted the draft Protocol on the Establishment of the East African Monetary Union (*EAC/CM 28/Decision 12*);
- (c) recommended to the Summit to approve and sign the EAMU Protocol (*EAC/CM 28/Decision 12*);
- (d) directed the Secretariat to make a compilation of all documentation used in the negotiations of the draft Protocol to be used as working documents in drafting the legal instrument establishing the institutions to support the Monetary Union (*EAC/CM 28/Directive 03*);
- (e) directed the Secretariat to expedite the preparation of the draft Protocol to Operationalize Extended Jurisdiction of the East African Court of Justice to cover trade and investment and matters associated with the Monetary Union (*EAC/CM 28/Directive 04*);
- (f) directed the Sectoral Council on Legal and Judicial Affairs to expedite deliberations on the feasibility of extending the Jurisdiction of the Court to cover crimes against humanity taking into account comments from Partner States (*EAC/CM 28/Directive 05*); and
- (g) deferred consideration of other decisions of the 15th Meeting of the Sectoral Council on Legal and Judicial to the next meeting of the Council, save those that are on the agenda of the 15th Summit (*EAC/CM 28/Decision 13*).

2.3 MATTERS PERTAINING TO PROGRESS ON THE INITIATION OF COUNCIL BILLS AND OPERATIONALISATION OF ACTS OF THE COMMUNITY**2.3.1 Progress on Proposed Bills**

- 2.3.1.1 The East African Joint Negotiations Act (Amendment) Bill, 2010
- 2.3.1.2 The Draft East African Community Privately Funded Infrastructure Bill, 2009
- 2.3.1.3 The Draft East African Community Anti-Counterfeit Bill, 2013
- 2.3.1.4 The Draft East African Community Development Fund Bill, 2012

The Council –

- (a) took note of the progress made on the preparation of the above-mentioned Bills; (*EAC/CM 28/Decision 14*); and
- (b) directed the relevant Sectoral Councils to expedite the preparation of the Bills, (*EAC/CM 28/Directive 06*).

2.3.2 Proposed Takeover of the East African Community Disaster Risk Reduction and Management Bill, 2013

The Council -

- (a) took over the East African Community Disaster Risk Reduction and Management Bill, 2013 (*EAC/CM 28/Decision 15*);
- (b) directed Partner States to submit comments on the East African Community Disaster Risk Reduction and Management Bill, 2013 to the Secretariat by 31st December 2013 (*EAC/CM 28/Directive 07*); and
- (c) directed the Sectoral Council on Environment and Natural Resources to thereafter consider the East African Community Disaster Risk Reduction and Management Bill, 2013 and give policy guidance (*EAC/CM 28/Directive 08*).

2.3.3 Operationalization of The East African Legislative Assembly Elections Act, 2011 and The East African Parliamentary Institute Act, 2011

The Council –

- (a) stayed consideration of The East African Legislative Assembly Elections Act, 2011 pending finalization of the consultations by the Partner States (*EAC/CM 28/Decision 16*); and

- (b) deferred setting a date for operationalization of The East African Parliamentary Institute Act, 2011 till the Secretariat tables a report on the financial implications on its implementation and report to the 29th Meeting of the Council (*EAC/CM 28/Decision 17*).

2.4 APPLICATION BY THE EAST AFRICAN COMMUNICATIONS ORGANIZATION FOR OBSERVER STATUS

The Council granted the East African Communications Organization an observer status to the East African Community (*EAC/CM 28/Decision 18*).

2.5 PROGRESS ON THE INSTITUTIONAL REVIEW OF THE EAST AFRICAN COMMUNITY

The Council directed –

- (a) the Secretariat to submit the draft Report of the EAC Institutional Review to Partner States for comments (*EAC/CM 28/Decision 19*); and
- (b) Partner States to submit their comments on the draft Report of the EAC Institutional Review by 31st January 2014 (*EAC/CM 28/Decision 20*).

2.6 PROPOSED WAY FORWARD ON THE SETTLEMENT OF COSTS AWARDED IN EACJ REF. NO. 1 OF 2010 (*Hon. Sitenda Sebalu Vs The Secretary General of the East African Community & 3 Others*)

The Council directed the Secretariat to settle the US\$ 52,534.10 costs as ordered by the East African Court of Justice (*EAC/CM 28/Directive 21*).

2.7 REPORT ON CO-OPERATION IN DEFENSE

The Council adopted the decisions of the Sectoral Council on Co-operation in Defence (*EAC/CM 28/Decision 22*).

PART III REPORT ON PLANNING AND INFRASTRUCTURE

3.1 PLANNING

The Council –

- (a) took note of the progress made on conclusion of the Protocol on the Establishment of the EAC Monetary Union, (*EAC/CM 28/Decision 23*);
- (b) adopted decisions of the 2nd Meeting of Sectoral Council on Finance and Economic Affairs, (*EAC/CM 28/Decision 24*);
- (c) directed the relevant Sectoral Councils to develop an EAC Strategy on Harmonisation of curriculum, examinations, standards, certification and accreditation of educational and training institutions in respect with statistics in collaboration with the Inter-University Council for East Africa, (*EAC/CM 28/Directive 09*);
- (d) reiterated its previous decision that Partner States which are yet to do so, ensure that they bring the East African Community Double Taxation Agreement into force by April, 2014 (*EAC/CM 28/Decision 25*);
- (e) directed Partner States not to favour non-EAC Partner States over EAC Partner States in their Double Taxation Agreements (*EAC/CM 28/Directive 10*); and
- (f) designated the East African Development Bank to host the PPP Regional Resource Centre, (*EAC/CM 28/Decision 26*).

3.2 INFRASTRUCTURE

The Council –

- (a) adopted the decisions of the 10th Meeting of the Sectoral Council on TCM (*EAC/CM 28/Decision 27*);
- (b) approved the East and Southern Africa (ESA)/Indian Ocean (IO) Maritime Security Strategy and Action Plan for Implementation, (*EAC/CM 28/Decision 28*);

- (c) directed the Secretariat to convene a Multi-Sectoral Working Group of Experts by February 2014 to develop a comprehensive strategy for Partner States to address maritime safety matters (*EAC/CM 28/Directive 11*);
- (d) referred to the Pre-Budget Consultations of Ministers of Finance and the Sectoral Council on Trade, Industry, Finance and Investment the proposed recommendations of the 10th Meeting of Sectoral Council on TCM to—
 - i) amend the description of code HS 8528.71.00 for digital broadcast receivers in Legal Notice *EAC/30/2012* to read *'digital broadcast receiving equipment for television'*; and
 - ii) zero rate duty on all broadcast ICT products to the Sectoral Council on Trade, Industry, Finance and Investment for consideration (*EAC/CM 28/Decision 29*);
- (e) referred the Draft Protocol on co-operation in Meteorological Services to the 16th Meeting of the Sectoral Council on Legal and Judicial Affairs, (*EAC/CM 28/Decision 30*);
- (f) adopted the Five Year Development Plan and Investment Strategy (2013 – 2018) (*EAC/CM 28/Decision 31*); and
- (g) directed the Secretariat to expedite the conclusion of the 10 years Investment Strategy on the priority projects and share the draft with Partner States by end of January, 2014 (*EAC/CM 28/Directive 13*).

PART IV REPORT ON SOCIAL SECTORS

4.1 SOCIAL SECTORS

The Council –

- (a) adopted decisions of the 11th Meeting of the Sectoral Council on Education, Science and Technology, Culture and Sports (*EAC/CM 28/Decision 32*); and
- (b) adopted the proposed amendment to the criteria and administrative procedures for the seating of the EAC Organs and Institutions by incorporating the Basic Requirements of offer to Host (*EAC/CM 28/Directive 14*).

PART V REPORT ON POLITICAL MATTERS

5.1 POLITICAL AFFAIRS

The Council directed the –

- (a) Republic of Kenya to submit her written comments on the EAC Model of the Structure, Roadmap and Action plan of the EAC Political Federation by 30th December 2013 (*EAC/CM 28/Directive 14*);
- (b) Secretariat to consolidate all comments and submit them to Partner States for consideration (*EAC/CM 28/Directive 15*);
- (c) Secretariat to convene a Meeting of Experts to incorporate Partner States' comments into the model structure (*EAC/CM 28/Directive 16*); and
- (d) Secretariat to submit the revised EAC Model of the Structure to the Extra-Ordinary Meeting of the Sectoral Council of Ministers responsible for EAC Affairs and Planning for consideration (*EAC/CM 28/Directive 17*).

5.2 PEACE AND SECURITY

The Council –

- (a) recommended to the 15th Summit of Heads of State to establish in principle a Peace and Security Council on Emerging Peace and Security Issues for the East African Community (*EAC/CM 28/Decision 32*);
- (b) directed the Secretariat to incorporate US\$ 500,000 from within existing Partner State commitments to fund the EAC Peace Facility in fiscal year 2014/15 and review the same on incremental basis annually (*EAC/CM 28/Directive 18*); and
- (c) directed the Secretariat to conclude the work on modalities of operationalizing Peace and Security Council on emerging Peace and Security issues for consideration by the Summit (*EAC/CM 28/Directive 19*).

PART VI REPORT ON CUSTOMS AND TRADE MATTERS

6.1 REPORT ON CUSTOMS AND TRADE MATTERS

The Council –

- (a) adopted the decisions of the Sectoral Council on Trade, Industry, Finance and Investment (*EAC/CM 28/Decision 33*);
- (b) referred the draft EAC NTB Bill to the 16th Meeting of the Sectoral Council on Legal and Judicial Affairs for legal input (*EAC/CM 28/Decision 34*);
- (c) referred the draft EAC Anti-Counterfeit Bill to the 16th Meeting of the Sectoral Council on Legal and Judicial Affairs for legal input (*EAC/CM 28/Decision 35*);
- (d) approved recruitment of more professional technical staff for the industrial development department (*EAC/CM 28/Decision 36*);
- (e) directed the Secretariat to commission a feasibility study on the establishment of CATMIT and report progress at the 29th Meeting of the Council (*EAC/CM 28/Directive 20*);
- (f) approved and sign the Framework for attainment of the EAC Single Customs Territory (*EAC/CM 28/Decision 37*);
- (g) recommended to the Summit to declare 1st January 2014 as the commencement of the final phase of the Single Customs Territory (*EAC/CM 28/Decision 38*);
- (h) decided to fill the human resource gaps of the Directorate of Customs and Trade with additional staff and structures to enable it implement the SCT (*EAC/CM 28/Decision 39*); and
- (i) directed the Republic of Kenya to abolish the levy on EAC products with immediate effect (*EAC/CM 28/Directive*).

PART VII FINANCE AND ADMINISTRATION MATTERS

7.0 PREPARATION OF THE EAC BUDGET FOR THE FINANCIAL YEAR 2014/2015

The Council directed the Secretariat to prepare a detailed concept paper on the challenges encountered in implementing Section 3(1) of the Budget Act and submit it to the 29th Meeting of the Council for consideration (*EAC/CM 28/Directive 22*).

7.1 REPORT OF FINANCE AND ADMINISTRATION COMMITTEE MEETINGS

7.1.1 Finance Matters

7.1.1.1 Status of Partner States Budgetary Contributions

The Council took note of the Status of Partner States contributions towards the EAC Organs and LVBC budget for the Financial Year 2013/14 as at 18th November 2013 (*EAC/CM 28/Decision 42*).

(I) Inter-University Council for East Africa

The Council reiterated its previous directive directing Partner States to remit their full contribution for the Financial Year 2013/14 by 31st December 2013 (*EAC/CM 28/Decision 43*).

The Council directed the Republic of Uganda, the Republic of Burundi and The United Republic of Tanzania to clear their outstanding contributions for financial year 2012/2013 amounting to US\$ 692,254; US\$ 303,850; and US\$ 42,646, respectively (*EAC/CM 28/Directive 23*).

(II) Lake Victoria Fisheries Organization

The Council –

- (a) took note of the status of the three Partner States' contributions as at 20th November 2013 (*EAC/CM 28/Decision 44*);
- (b) directed the Secretariat to borrow resources from the General Reserve Fund to pay gratuity to LVFO staff whose contracts have expired and have not yet been paid (*EAC/CM 28/Directive 24*);

- (c) directed the Republic of Kenya, the United Republic of Tanzania and the Republic of Uganda to clear their outstanding contributions for financial year 2013/2014 (*EAC/CM 28/Directive 25*); and
- (d) directed LVFO to refund the money it has borrowed from the EAC General Reserve Fund immediately upon receipt of contributions from the Republic of Kenya, The United Republic of Tanzania and the Republic of Uganda (*EAC/CM 28/Directive 26*).

(III) Construction of the IUCEA Headquarters

The Council directed the Republic of Uganda and the Republic of Burundi to expedite the process of remitting their contributions towards the construction of IUCEA Headquarters amounting to US\$ 1,000,000 (*EAC/CM 28/Directive 27*).

7.1.1.2 Status of the General Reserve

(a) EAC Secretariat

The Council took note of the status of the General Reserves as at 18th November 2013 (*EAC/CM 28/Decision 45*).

(b) Lake Victoria Basin Commission

The Council –

- (a) took note of the amount in the LVBC Reserve Fund as at 30th June 2013, (*EAC/CM 28/Decision 46*);
- (b) directed LVBC to remit unused funds to the EAC Secretariat at the end of every audit to be deposited into the EAC Reserve Fund, (*EAC/CM 28/Directive 28*);
- (c) directed LVBC to close the existing sub account for the reserve funds and transfer the funds in the sub-account to the general reserve account operated by the EAC Secretariat (*EAC/CM 28/Directive 29*).

7.1.1.3 Status of Investment in Fixed Deposits

(a) EAC Secretariat

The Council took note of the Status of Investment in Fixed Deposits as at 18th November 2013 (*EAC/CM 28/Decision 47*).

(b) Inter University Council for East Africa (IUCEA)

The Council –

- (a) took note of the status of IUCEA Investment in Fixed Deposits as at 18th November, 2013, (*EAC/CM 28/Decision 48*);
- (b) directed IUCEA to withdraw all the funds invested in Stanbic Bank, Uganda, (*EAC/CM 28/Directive 30*);
- (c) directed IUCEA to re-invest the funds and any accrued interest, in US Dollars, in secure banks that offer higher and better interest rates, (*EAC/CM 28/Directive 31*); and
- (d) reiterated its earlier decision directing IUCEA to adopt and customize its investment policy to conform to the EAC investment policy (*EAC/CM26/Directive 35*), (*EAC/CM 28/Decision 49*).

7.1.1.4 Status of Contributions for 'Operation Save Nile Perch' Programme

The Council –

- (a) re-iterated its directive to the Republic of Kenya, the Republic of Uganda and the United Republic of Tanzania to fulfill their pledges towards 'Operation Save Nile Perch' Programme, (*EAC/CM 28/Decision 50*); and
- (b) directed LVFO to commence the 'Operation Save the Nile Perch' programme as it awaits the remittance of the outstanding contributions from the concerned Partner States, (*EAC/CM 28/Directive 32*);
- (c) directed LVFO to submit a brief on the "Operation Save Nile Perch" Programme to the 29th Meeting of the Council. (*EAC/CM 28/Directive 33*).

7.1.1.5 Requests for Budget Re-allocation

- (I) Request for budget re-allocation under the Financial Sector Development and Regionalization Project I for the Financial Year 2013/2014

The Council –

- (a) approved the re-allocation request of US\$ 1,376,157 (*EAC/CM 28/Decision 51*); and
- (b) directed the Secretariat that in future such requests for reallocation and re-prioritization of activities of the FSDRP I Project be presented to the relevant Sectoral Council for consideration before submission to the Council for approval, (*EAC/CM 28/Directive 34*).
- (II) Budget Re-allocation and Re-organization of the EAC Regional Project on Aflatoxin Control and Improved Nutrition funded by USAID East Africa (USAID/EA)

The Council approved re-allocation of funds amounting to -

- (a) US\$ 457,150 for the East African Community Regional Aflatoxin Project (USAID Funded) (*EAC/CM 28/Decision 52*); and
- (b) US\$ 100,000 for the East African Community Aflatoxin Project on Population, Health and Environment (USAID Funded) (*EAC/CM 28/Decision 53*);

7.1.1.6 Requests for Supplementary Budget for the EAC Secretariat

- (i) Sixth Amendment of the Assistance Agreement for Comprehensive Regional Development between EAC and United States of America (USG)
- (ii) Justification for the Supplementary Budget for activities approved under the Sixth Amendment of the Assistance Agreement for Comprehensive Regional Development between EAC and United States of America (US Government) - US\$ 881,175

The Council –

- (a) adopted a supplementary budget (from USAID Support) amounting to US\$ 1,142,763 to cater for staff salaries and allowances, and the activities funded by USAID at EAC Secretariat (*EAC/CM 28/Decision 54*); and
- (b) referred the same to the East African Legislative Assembly for debate and approval (*EAC/CM 28/Decision 55*).

7.1.1.7 EAC/World Bank Public Financial Management Harmonization Project

The Council –

- (a) adopted a supplementary budget of funds amounting to US\$ 494,700 for the EAC PFM Coordination and Harmonization in East African Community Partner States (*EAC/CM 28/Decision 56*); and
- (b) referred the same to the East African Legislative Assembly for debate and approval (*EAC/CM 28/Decision 57*).

7.1.1.8 EAC Audit and Risk Committee

The Council –

- (a) took note of the above request from the Audit and Risk Committee (*EAC/CM 28/Decision 58*); and
- (b) directed Secretariat to include the proposed activities into the 2014/15 Annual Operational Plan and the requested amount of US\$ 114,050 in the Financial year 2014/15 budget estimates (*EAC/CM 28/Directive 35*).

7.1.1.9 EAC Railways Sector Enhancement Programme: Request for additional funds (Budget for 2013/2014)

The Council approved internal re-allocation of US\$ 268,000 as counterpart funding for the EAC Railways Sector Enhancement Programme, in line with the EAC Railway Master Plan, within the FY2013/14 budget (*EAC/CM 28/Decision 59*).

7.1.1.10 EU Funded East and Southern Africa-Indian Ocean (ESA-IO) Maritime Security Project

The Council –

- (a) adopted a supplementary budget for EU Funded East and Southern Africa-Indian Ocean (ESA-IO) Maritime Security Project amounting to US\$ 506,497 to cover project foundation activities costs (*EAC/CM 28/Decision 60*); and
- (b) referred the same to the Legislative Assembly for debate and approval (*EAC/CM 28/Decision 61*).

7.1.1.11 Lake Victoria Basin Commission (LVBC) - Partitioning and Remodeling of the New Offices

The Council approved internal reallocation of US\$ 145,000 from within the LVBC budget for the FY2013/14, to procure the lift and part of partitioning and remodeling of new offices and include into the budget for FY2014/15 the estimated balance of US\$ 69,229.27 to complete partitioning and remodeling of the new offices (*EAC/CM 28/Decision 62*).

7.1.1.12 Establishment of the EAC Anti-Fraud and Anti-Corruption Committee

The Council directed the Secretariat to present the proposal for the establishment of the Anti-Fraud and Anti-Corruption Committee matter to the EAC Anti-Corruption bodies and Sectoral Council for Ministers Responsible for EAC Affairs and Planning for technical input (*EAC/CM 28/Directive 36*).

7.1.1.13 Operationalization of the EAC Kiswahili Commission

The Council -

- (a) adopted the decisions of the 1st Extra-Ordinary Meeting of the Sectoral Council on Education, Science and Technology, Culture and Sports; with financial implication amounting to US\$ 2,009,041 to facilitate the operationalization of the EAC Kiswahili Commission (*EAC/CM 28/Decision 63*); and
- (b) directed that the activities of the EAC Kiswahili Commission be reflected in the budget estimates for the Financial Year 2014/2015 (*EAC/CM 28/Directive 37*).

7.1.1.14 East African Science and Technology Commission (EASTEKO)

The Council -

- (a) adopted the decisions of the 1st Extra-Ordinary Meeting of the Sectoral Council on Education, Science and Technology, Culture and Sports; with financial implication amounting to US\$ 1,894,400 to facilitate the operationalization of the EAC Science and Technology Commission (*EAC/CM 28/Decision 64*); and
- (b) directed that the activities of the EASTEKO be reflected in the budget estimates for the Financial Year 2014/2015 (*EAC/CM 28/Directive 38*).

7.2 HUMAN RESOURCE MATTERS**7.2.1 EAC Secretariat****7.2.1.1 Renewal of Professional Staff Contracts – Senior Engineer/Planner – Communications (P2) and Senior Clerk Assistant (P2)**

The Council approved the renewal of employment contracts for 2 professional staff (Mr. Robert Achieng & Ms Elizabeth Barinda) in line with the provisions of Regulations 22 (1) (c) and 102 of the Staff Rules and Regulations with effect from the due dates (*EAC/CM 28/Decision 65*).

7.2.1.2 Report of the Heads of Public Service Commissions on EAC Staff Recruitment Processes

The Council –

- (a) appointed candidates listed below with effect from 29th November 2013 (*EAC/CM 28/Decision 66*): -
 - (i) Mr. Michel Ndayikengurukiye, Republic of Burundi - Principal Legal Officer (P3),
 - (ii) Ms. Ruth Simba, The United Republic of Tanzania - Principal Human Resources Officer (P3),
 - (iii) Ms. Sylvia Namirembe, Republic of Uganda - Senior Documentation Officer (P2).

- (iv) Mr. Hubert Shija, The United Republic of Tanzania - Senior Librarian. (P2).
- (v) Mr. Eric Ntagengerwa, Republic of Rwanda - Senior Transport Economist (P2).
- (vi) Ms. Ponventra Ajimbi Shitsia, Republic of Kenya - Senior Procurement Officer (P2); and
- (vii) Ms. Miria Atuhe, Republic of Uganda - Security Officer (P1).

(b) directed the Secretariat to outsource the process of advertising, shortlisting and preliminary interviews by a recruitment consultancy firm who will propose the three best qualified candidates per Partner State where possible, to the Secretary General for final interview in line with the EAC Staff Rules and Regulations (*EAC/CM 28/Decision 39*).

7.2.1.3 Candidates Shortlisted for the Four (4) Vacant Positions tenable at the East African Legislative Assembly (EALA)

The Council directed the Secretariat to re-advertise the positions under EALA namely Principal Clerk Assistant, Senior Clerk Assistant, Clerk Assistant, and Sergeant at Arms. (*EAC/CM 28/Directive 39*).

7.2.1.4 Acting Appointments

- 7.2.1.4.1 Position of Director, Finance – Mr. Juvenal Ndimurirwo, Principal Accountant
- 7.2.1.4.2 Position of Director, Productive Sectors – Mr. Moses Marwa, Principal Agricultural Economist
- 7.2.1.4.3 Position of Principal Internal Auditor – Mr. Evariste Habimana, Internal Auditor
- 7.2.1.4.4 Position of Court Administrator – Mr. Stanley Mono, Accountant EACJ

The Council approved the above Acting Appointments for a period of six (6) months with effect from 1st December, 2013 (*EAC/CM 28/Decision 67*).

7.2.1.5 Renewal of Contract of Principal Health Officer (P3)

The Council renewed the contract of Dr. Stanley S. Sonoiya as Principal Health Officer (P3) for a final contract term of five years with effect from 1st March, 2014 (*EAC/CM 28/Decision 68*).

7.2.1.6 Extension of Contract for the Principal HIV and AIDS Officer (P3)

The Council deferred extension of the employment contract of Dr. Michael J. Katende as Principal HIV and AIDS Officer (P3) pending availability of funds (*EAC/CM 28/Decision 69*).

7.2.1.7 Notice of Non-Renewal of Employment Contract – Principal Administrative Officer (P3)

The Council –

- (a) took note of the request for non-renewal of employment contract upon expiry of first term on 29th February 2014 (*EAC/CM 28/Decision ___*);
- (b) commended Mr. Abdul Katabaro for his dedicated service to the Community (*EAC/CM 28/Decision 70*); and
- (c) directed the Secretariat to initiate the process of recruitment to fill in the vacant position of Principal Administrative Officer (P3) arising thereof (*EAC/CM 28/Directive 49*).

7.2.1.8 Replacement of Director for Trade (P5)

The Council –

- (a) posthumously commended Dr. Flora Mndeme Musonda for her dedicated service rendered to the Community (*EAC/CM 28/Decision 71*); and
- (b) directed the Secretariat to initiate the process of recruitment to fill in the vacant position of Director for Trade (P5) arising thereof (*EAC/CM 28/Directive 41*).

7.2.1.9 Replacement of Principal Civil Aviation Officer

The Council –

- (a) commended Eng. Ladislaus Matindi for his dedicated service rendered to the Community (*EAC/CM 28/Decision 72*); and

- (b) directed the Secretariat to initiate the process of recruitment to fill in the vacant position of Principal Civil Aviation Officer (P3) arising thereof (*EAC/CM 28/Directive 42*).

7.2.1.10 Absorption of the Positions and Staff under the Peace and Security Unit into the EAC Mainstream Staff Establishment

The Council deferred the absorption of the above positions until the projects are mainstreamed into the EAC (*EAC/CM 28/Decision 73*).

7.2.1.11 Review of the EAC Staff Rules and Regulations (2013)

The Council –

- (a) took note of the progress made in the review of the EAC Staff Rules and Regulations (*EAC/CM 28/Decision 74*); and
- (b) referred the draft amendments to the EAC Staff Rules and Regulations (2006) to the 16th Meeting of the Sectoral Council on Legal and Judicial Affairs for legal input (*EAC/CM 28/Decision 75*).

7.2.1.12 Lake Victoria Basin Commission (LVBC)

- (a) Staff Confirmation

The Council confirmed Mr. Patrice Niyongabo, Deputy Executive Secretary in charge of Finance and Administration (P5) and Mr. Telly Eugene Muramira Deputy Executive Secretary in charge of Projects and Programmes (P5) in EAC employment with effect from 3rd December 2012, (*EAC/CM 28/Decision 77*).

- (b) Project Phase II (LVEMPII), which is being implemented in the following stages – APL1: 2009-2013 (Kenya, Uganda, Tanzania)

- (i) Renewal of LVEMP II Project Staff

Positions and Dates of Expiry of Contracts

No.	Position	Date of Expiry of Contract
1.	Dr. Raymond Mngodo - Regional Project Coordinator (P4)	18/12/2013
2.	Ms. Lilly Kisaka - Senior Operations Officer (P3)	18/12/2013
3.	Mr. John Kamweti - Project Accountant (P2)	18/12/2013
4.	Ms. Mary Mwangi - Librarian (P1)	02/12/2013

The Council renewed the contracts of staff in Table X above for another period of two years with effect from their due dates subject to availability of funds, (*EAC/CM 28/Decision 78*).

- (ii) Staff Recruitment - Recruitment of LVWATSAN Program Administrator (P1), Economist/Planning Officer (P2), Communication and Development Awareness Officer (P2) and Senior Accountant (P2)

The Council appointed the following Staff with effect from 1st January 2014 –

- (a) Mr. Evance D. Siangicha from The United Republic of Tanzania to the position of LVWATSAN Program Administrator (P1) for a period of two years renewable subject to availability of funds;
- (b) Mr. Hatungimana Dieudonne from Republic of Burundi to the position of Economist/Planning Officer (P2) for a period of five years renewable once;
- (c) Mr. Willy Mugenzi from Republic of Rwanda to the position of Communication and Development Awareness Officer (P2) for a period Five Years renewable once; and
- (d) Mr. Frank Munabi from Republic of Uganda to the position of Senior Accountant (P2) for a period of Five Years renewable once. (*EAC/CM 28/Decision 79*).

- (iii) Establishment of the Position of Senior Procurement Officer (P2)

The Council directed Lake Victoria Basin Commission to recruit staff for the above position (*EAC/CM 28/Directive 43*).

- (iv) Staff Resignation – Dr. Jackson Muhirwe, Information Technology Officer (P1)

The Council –

- (a) commended Dr. Jackson Muhirwe for his outstanding service to the Community, (*EAC/CM 28/Decision 80*); and
- (b) directed Lake Victoria Basin Commission to commence the process of filling in the vacant position arising thereof, (*EAC/CM 28/Directive 45*).
- (v) Renewal of Contract for EALP/PHE Programme Coordinator (P3) - Dr. Doreen Othero

The Council renewed the employment contract of Dr. Doreen Othero as EALP/PHE Programme Coordinator (P3) for a period of two years with effect from 1st December 2013 (*EAC/CM 28/Decision 81*).

- (vi) Recruitment of Program Officer (P1) for the PHE Programme

The Council -

- (a) approved recruitment of Program Officer (P1) for the EALP/PHE Programme (*EAC/CM 28/Decision 82*); and
- (b) directed LVBC to expedite recruitment process of a Program Officer (P1) in line with the provisions of the Financing Agreement for the PHE Programme (*EAC/CM 28/Directive 46*).

7.3 EAST AFRICAN COMMUNITY CALENDAR OF ACTIVITIES FOR THE PERIOD JANUARY – JUNE, 2014

The Council -

- (a) adopted the EAC Calendar of Activities January - June 2014 (*EAC/CM 28/Decision 82*);
- (b) reiterated its previous decision/directive to the Partner States and the Secretariat to strictly adhere to the EAC calendar of activities in terms of dates and venues (*EAC/CM 28/Decision 83*); and
- (c) directed the Secretariat that in future more technical work should be done by the Secretariat and convene few Experts' meeting to consider the same (*EAC/CM 28/Directive 47*).

7.4 ITEMS TO BE CONSIDERED BY THE MEETING OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Council directed that –

- (a) in future, items not included in the background documents sent to Partner States should be submitted for consideration at the next Meeting (*EAC/CM 28/Directive 48*); and
- (b) Finance and Administration Committee should only be provided with matters within its mandate (*EAC/CM 28/Directive 49*).

7.5 REQUIREMENTS FOR SUPPLEMENTARY AND BUDGET RE-ALLOCATIONS

The Council directed that in future, requests for supplementary budgets and budget re-allocations should be accompanied by detailed MTEF submission and in line with Regulation 20 of the EAC Financial Rules and Regulations (2012) (*EAC/CM 28/Directive 50*).

PART VIII ANNUAL PROGRESS REPORT OF THE COUNCIL TO THE SUMMIT FOR THE PERIOD DECEMBER 2012 – NOVEMBER 2013

The Council adopted the Annual Progress Report to the Summit for the Period of December 2012 - November 2013 for submission to the 15th Summit (*EAC/CM 28/Decision 84*).

PART IX REPORTS OF OTHER EAST AFRICAN COMMUNITY ORGANS**9.1 EAST AFRICAN COURT OF JUSTICE**

The Council –

- (a) took note of the developments in the EACJ (*EAC/CM 28/Decision 85*); and
- (b) commended Hon. Lady Justice Mary Stella Arach Amoko for exemplary service to the Community (*EAC/CM 28/Decision 86*).

9.2 EAST AFRICAN LEGISLATIVE ASSEMBLY

The Council took note of the Report of the East African Legislative Assembly, (*EAC/CM 28/Decision 87*).

PART X REPORTS OF EAC INSTITUTIONS**10.1 EAST AFRICAN CIVIL AVIATION AND SAFETY AND SECURITY OVERSIGHT AGENCY**

The Council –

- (a) took note of the activities of the Agency, (*EAC/CM 28/Decision 88*);
- (b) directed the Republic of Kenya to expedite the conclusion of the Hosting process of Centre for Aviation Medicine as a Unit of CASSOA, (*EAC/CM 28/Directive 51*);
- (c) took note of the inadequate funding mechanism of the Agency, (*EAC/CM 28/Decision 89*);
- (d) took note of the status of Operationalization of the EAC Aviation Examination System and outstanding submission of examination question by Republic of Kenya to the CASSOA repository and report to the Council at its 29th Meeting, (*EAC/CM 28/Decision 90*);
- (e) directed Partner States to promulgate all developed and amended regulatory instruments-Primary and legislative to ensure uniform implementation, (*EAC/CM 28/Directive 52*); and
- (f) reiterated its previous decision directing the Republic of Uganda to expedite the process of transferring the Land title to EAC CASSOA from CAA Uganda, (*EAC/CM 28/Decision 91*).

10.2 LAKE VICTORIA BASIN COMMISSION

The Council –

- (a) adopted decisions of the 11th and 12th Meetings of the Sectoral Council on Lake Victoria Basin, (*EAC/CM 28/Decision 92*); and
- (b) adopted the Report on Regional Standards for Industrial and Municipal Discharges into Sewers and Water Bodies in the Lake Victoria Basin(*EAC/CM 28/Decision 93*).

10.3 LAKE VICTORIA FISHERIES ORGANIZATION

The Council –

- (a) took note of the status of implementation of the LVFO Programs and previous directives of the Council, (*EAC/CM 28/Decision 94*);
- (b) directed that funding to LVFO should be paid through the EAC Secretariat and be followed up by the Ministries Responsible for EAC Affairs in the Partner States once the Republic of Burundi and the Republic of Rwanda are integrated into the LVFO. (*EAC/CM 28/Directive 54*);
- (c) took note of LVFO budget for financial year 2014/2015 based on US\$ 320,000 by the three Partner State and an annual increase of 5% thereafter by the LVFO Council of Ministers, (*EAC/CM 28/Decision 95*); and
- (d) took note of LVFO Council recommendation to amend the LVFO Convention to integrate the Republic of Burundi and the Republic of Rwanda into LVFO, (*EAC/CM 28/Decision 96*).

10.4 INTER-UNIVERSITY COUNCIL FOR EAST AFRICA

The Council took note of the Report of the Inter-University Council for East Africa (*EAC/CM 28/Decision 97*).

10.5 EAST AFRICAN DEVELOPMENT BANK

The Council took note of the Report of the East African Development Bank, (*EAC/CM 28/Decision 98*).

PART XI PROGRESS ON THE NEGOTIATIONS FOR ADMISSION OF THE REPUBLIC OF SOUTH SUDAN INTO THE EAC

The Council -

- a) adopted the draft Negotiation Framework and the proposed Programme (*EAC/CM 28/Decision 99*); and
- b) directed the Secretariat to invite the Republic of South Sudan to the first negotiations meeting in January 2014 and avail the relevant dossier to the Republic of South Sudan to prepare for negotiations (*EAC/CM 28/Directive 55*).

PART XII ANY OTHER BUSINESS

11.1 PROGRESS ON THE ESTABLISHMENT OF THE EAST AFRICAN HEALTH RESEARCH COMMISSION AND THE EAST AFRICAN KISWAHILI COMMISSION

The Council reiterated its previous decisions directing The United Republic of Tanzania and the Republic of Uganda to ratify these Protocols by 31st December 2013, (*EAC/CM 28/Decision 100*).

11.2 REVITALIZING THE PERFORMANCE OF THE COUNCIL

The Council took note of the need to revitalize its performance (*EAC/CM 28/Decision 101*).

11.3 AGRICULTURE AND FOOD SECURITY ISSUES

11.3.1 Development of EAC Food Security and Nutrition Policy

11.3.2 Staffing of the Department of Agriculture and Food Security

The Council took note of the -

- (a) progress made on the development of Food Security and Nutrition Policy and recommended this idea for inclusion in the principal document to the Summit to take note (*EAC/CM 28/Decision 102*); and
- (b) urgent need of adequate staffing in the Agriculture and Food Security department at EAC Secretariat for the three immediate priority positions of Agronomist, Veterinary Officer and Fisheries Officer (*EAC/CM 28/Decision 103*).

Signed this 29th day of November, 2013 by the Leaders of Delegation.

.....
Mr. Joseph Ole Lenku
Cabinet Secretary
Ministry of Interior and
Coordination of National
Government
THE REPUBLIC OF
KENYA

.....
Hon. Samuel J. Sitta, MP
Minister for East African
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THE UNITED REPUBLIC OF
TANZANIA

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Hon. Léontine Nzeyimana
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President Responsible
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THE REPUBLIC OF BURUNDI

.....
Hon. Jacqueline Muhongayire
Minister for East African
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THE REPUBLIC OF UGANDA