



# EAST AFRICAN COMMUNITY

# GAZETTE

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

Vol. AT 1 – No. 12

ARUSHA, 18th November, 2016

Price \$ 1.00

## CONTENTS

*Page*

### BILLS SUPPLEMENT

- The East African Community Administration of East African Court of Justice Bill, 2016 No. 9
- The East African Community Polythene Materials Control Bill, 2016 No. 10
  
- Decisions and Directives of the 17th Summit of Heads of State No. 91 2
- Decisions and Directives of the 34th Meeting of Council of Ministers No. 92 6
- The East African Community One Stop Border Posts Act, 2016 Commencement Instrument, 2016 No. 93 21
- The East African Community Vehicle Load Control Act, 2016 Commencement Instrument 2016 No. 94 22
- The East African Community HIV and AIDS Prevention and Management Act, 2015, Commencement Instrument 2016. No. 95 23

Legal Notice No. EAC/91/2016.

## THE EAST AFRICAN COMMUNITY

### DECISIONS AND DIRECTIVES OF THE EAST AFRICAN COMMUNITY 17th SUMMIT OF HEADS OF STATE

#### 1.0 CONSIDERATION OF THE ANNUAL REPORT OF THE COUNCIL OF MINISTERS FOR THE PERIOD NOVEMBER 2014 - NOVEMBER 2015

The Summit—

- (a) took note of the *Annual Progress Report of the Council to the Summit* for the period November 2014–November 2015 with commendation to the Council for continued policy guidance on the Community's projects and programmes (*EAC/SHS 17/Decision 01*); and
- (b) delegated its powers of approval of reviews of the East African Community Common External Tariff and the East African Community Rules of Origin to the Council in accordance with section 3.5 and 6 of the Summit (Delegation of Powers and Functions) Act, 2007 for a further three years with effect from 2<sup>nd</sup> March 2016 (*EAC/SHS 17/Decision 02*).

#### 2.0 REPORT ON THE IMPLEMENTATION OF PREVIOUS DECISIONS OF THE SUMMIT

The Summit directed:

- (a) 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 the instruments of ratification with the Secretary General by 30<sup>th</sup> July 2016 (*EAC/SHS 17/Directive 01*); and
- (b) Partner States to implement all outstanding decisions and report the status to the next Summit of the Heads of State (*EAC/SHS 17/Directive 02*).

#### 2.1 EALA PROPOSALS ON THE SUMMIT ASSENT TO BILLS

The Summit decided to assent to Bills which have been submitted to Partner States at least three months prior to the Summit and to which Heads of State have given no objection, during their ordinary Summit (*EAC/SHS 17/Decision 03*).

#### 4.0 CONSIDERATION OF A REPORT ON SELECTED PRIORITY MATTERS

##### 4.1 SUSTAINABLE FINANCING MECHANISM FOR THE EAST AFRICAN COMMUNITY

The Summit directed the Council to finalise the work on the modalities required to establish a sustainable financing mechanism for the East African Community based on various options including a hybrid of a levy and equal contribution with a commitment to increase the Budget, that encompasses the principle of equity, solidarity and equality, and submit a report to the next Summit for consideration. (*EAC/SHS 17/Directive 03*).

##### 4.2 THE EAST AFRICAN COMMUNITY INSTITUTIONAL REVIEW

The Summit—

- a) took note of the proposed implementation Framework for the EAC Institutional review (*EAC/SHS 17/Decision 04*); and
- b) directed the Council to proceed with the implementation of the proposed framework and give a progress report at the next Summit of the Heads of State (*EAC/SHS 17/Directive 04*).

**4.3 THE NEGOTIATIONS ON THE ADMISSION OF THE REPUBLIC OF SOUTH SUDAN INTO THE EAST AFRICAN COMMUNITY**

The Summit —

- (a) took note of the progress report on the negotiations between the EAC and the Republic of South Sudan (*EAC/SHS 17/Decision 05*);
- (b) admitted the Republic of South Sudan as a Member of the EAC (*EAC/SHS 17/Decision 06*);
- (c) designated the Chair of the EAC Summit H.E John Pombe Joseph Magufuli to sign with the President of the Republic of South Sudan the Treaty of Accession of the Republic of South Sudan into the East African Community *EAC/SHS 17/Decision 07*).

**4.4 A REPORT OF THE COUNCIL ON THE NATIONAL CONSULTATIONS ON THE MODEL STRUCTURE, ROADMAP AND ACTION PLAN ON THE POLITICAL FEDERATION**

The Summit took note of the report of Council on the progress on the EAC Political federation, commended the progress thus far and decided to finalise the matter at the next Summit (*EAC/SHS 17/Decision 08*).

**4.5 A REPORT ON THE MODALITIES FOR PROMOTION OF AUTOMOTIVE INDUSTRY IN THE REGION AND TO REDUCE THE IMPORTATION OF USED MOTOR VEHICLES FROM OUTSIDE THE COMMUNITY**

The Summit—

- (a) took note of the progress and road map towards finalisation of the comprehensive study on automotive industry in the EAC;(*EAC/SHS 17/Decision 09*); and
- (b) directed the Council to expedite the process and report to the 18<sup>th</sup> Summit (*EAC/SHS 17/Directive 05*).

**4.6 A REPORT ON THE MODALITIES FOR THE PROMOTION OF THE TEXTILE AND LEATHER INDUSTRIES IN THE REGION AND STOPPING THE IMPORTATION OF USED CLOTHES, SHOES AND OTHER LEATHER PRODUCTS FROM OUTSIDE THE REGION**

The Summit—

- (a) took note of the progress made in promoting the cotton, textile, apparel and leather industries in the region(*EAC/SHS 17/Decision 10*);
- (b) directed Partner States to ensure all imported second hand shoes and clothes comply with sanitary requirements, in the Partner States(*EAC/SHS 17/Directive 06*);
- (c) directed Partner States to consider banning the export of raw hides and skins outside the EAC region(*EAC/SHS 17/Directive 07*);
- (d) directed Partner States to procure their textiles and footwear requirements from within the region where quality and supply capacities are available competitively, with a view to phasing out importation of used textiles and footwear within three years(*EAC/SHS 17/Directive 08*);
- (e) directed Partner States to sensitise all Stakeholders(*EAC/SHS 17/Directive 11*); and
- (f) directed the Council to provide the Summit with an Annual review with a view to fast-tracking the process(*EAC/SHS 17/Directive 09*).

**4.7 A REPORT ON THE VERIFICATION EXERCISE FOR THE ADMISSION OF THE REPUBLIC OF SOMALIA INTO THE EAST AFRICAN COMMUNITY**

The Summit—

- (a) took note of the Report on the Verification Exercise for the Admission of the Republic of Somalia into the East African Community (*EAC/SHS 17/Decision 11*); and
- (b) directed the Council to undertake the verification exercise and report to the 18<sup>th</sup> Summit (*EAC/SHS 17/Directive 10*).

#### **4.8 LAUNCH OF THE NEW INTERNATIONAL EAST AFRICAN E-PASSPORT.**

The Summit:

- a) decided to launch the New International East African E-Passport (*EAC/SHS 17/Decision 12*)
- b) directed that commencement of issuance of the East Africa E-Passport takes effect from 1<sup>st</sup> January 2017 and implementing the phase out programme for the current East African and National Passports from 1<sup>st</sup> January 2017 to 31<sup>st</sup> December 2018 (*EAC/SHS 17/Directive 11*); and
- c) directed Partner States to undertake awareness creation programmes and other continuous outreach programmes on the new international East African E-Passport (*EAC/SHS 17/Directive 12*).

#### **5.0 APPOINTMENT OF A NEW SECRETARY GENERAL**

The Summit appointed Mr. Liberat Mfumukeko from the Republic of Burundi, Secretary General of the East African Community with effect from 26<sup>th</sup> April 2016 pursuant to the provisions of Article 67 of the Treaty (*EAC/SHS 17/Decision 13*).

#### **7.0 RENEWAL OF CONTRACT OF DEPUTY SECRETARY GENERAL**

The Summit renewed the contract of Mr. Charles Jackson Kinyanjui Njoroge as Deputy Secretary General of the East African Community for a another three year term effective from the 29<sup>th</sup> June 2016(*EAC/SHS 17/Decision 14*).

#### **8.0 OATH AND DECLARATION BY THE REGISTRAR OF THE EAST AFRICAN COURT OF JUSTICE**

The Summit witnessed the swearing into office of Mr. Yufnalis Ndege Okubo who took an Oath and declaration prior to commencing his duties at the East African Court of Justice (*EAC/SHS 17/Decision 15*).

#### **9.0 THE LAUNCH OF THE PRIVATE SECTOR FUND AND CODE OF CONDUCT**

The Summit launched the code of conduct to fight corruption in the private sector and commended the commitment and aspirations of the private sector to play a leading role in the integration process (*EAC/SHS 17/Decision 16*).

#### **10.0 AWARD OF EAC SECONDARY SCHOOL ESSAY COMPETITION WINNERS' CERTIFICATES**

The Summit awarded Certificates to the following winners of the EAC Secondary School Essay Competition 2015 (*EAC/SHS 17/Decision 17*).

- (a) Mr. Mollél, Simon Sabaya – Mzumbe Secondary School, United Republic of Tanzania;
- (b) Ms. Mungai, Njoki Beryl - Kerugoye Girls High School – Republic of Kenya;
- (c) Ms. Iteka Greta – Cornerstone Leadership Academy- Republic of Rwanda;
- (d) Mr. Azookire, Osear – Luyanzi College- Republic of Uganda;
- (e) Mr. Irumva A. Aley - Lycee Notre dame de Rohero - Republic of Burundi.

#### **11.0 CONSIDERATION OF ANY OTHER BUSINESS**

##### **11.1 PROGRESS REPORT ON THE FORMULATION OF THE EAC VISION 2050**

The Summit decided to endorse and launch the EAC Vision 2050 and committed to implement the EAC Vision 2050 and ensure that by 2050, the EAC will have been transformed into an upper middle income region within a secure and politically united East African based on the principles of inclusiveness and accountability(*EAC/SHS 17/Decision 18*).

**11.2 Governance and Reporting Structures for EAC Institutions**

The Summit:

- (a) directed the Council to review the East African Development Bank Charter to streamline it into the EAC main structure(*EAC/SHS 17/Directive 13*)
- (b) directed the Secretariat to develop guidelines for the creation, governance and supporting structures for all the institutions of the Community(*EAC/SHS 17/Directive 14*).

**11.3 PROTOCOL ON CO-OPERATION IN METEOROLOGICAL SERVICE**

The Summit directed Partner States to ratify the Protocol on Co-operation in Meteorological Service and deposit instruments of ratification with the Secretary General by 30<sup>th</sup> September 2016(*EAC/SHS 17/Directive 13*).

**11.4 INTER- BURUNDI DIALOGUE PROCESS IN THE REPUBLIC OF BURUNDI**

The Summit appointed a team under H.E Benjamin William Mkapa, former President of the United Republic of Tanzania to facilitate the mediation (*EAC/SHS 17/Decision 18*).

Legal Notice No. EAC/92/2016.

## THE EAST AFRICAN COMMUNITY

### DECISIONS AND DIRECTIVES OF THE 34<sup>TH</sup> MEETING OF THE COUNCIL OF MINISTERS

#### PART I

#### 1.1 REPORT ON THE IMPLEMENTATION OF PREVIOUS DECISIONS OF THE COUNCIL OF MINISTERS

The Council—

- a) took note of the progress made in implementing decisions and directives of the 33rd Meeting of the Council (*EAC/CM 34/Decision 01*);
- b) took note of the progress made in implementing all Council Decisions and Directives that were considered outstanding as at February 2016 (*EAC/CM 34/Decision 02*);
- c) directed Partner States and EAC Organs and Institutions to implement all the outstanding Decisions and Directives of the Council and report progress to the 35th Meeting of the Council (*EAC/CM 34/Directive 01*);
- d) directed the Secretariat to develop a matrix showing a comparative analysis of each decision/directive and identify the non-implementable decisions and directives(*EAC/CM 34/Directive \_\_\_\_\_*); and
- e) directed the Secretariat to convene a meeting of EAMS experts/focal point officers to consider the status of implementation of decisions and directives in (g) above and report to the 35<sup>th</sup> Meeting of the Council (*EAC/CM 34/Directive \_\_\_\_\_*).

#### PART II REPORT OF THE OFFICE OF THE SECRETARY GENERAL

#### 1.1 REPORTS OF EAST AFRICAN COMMUNITY AUDIT AND RISK COMMITTEE TO COUNCIL OF MINISTERS FOR THE FINANCIAL YEAR 2015/2016

The Council-

- (a) adopted the Report of the Audit and Risk Committee(*EAC/CM 34/Decision \_\_\_\_\_*);
- (b) directed the Heads of EAC Organs and Institutions to fast track implementation of audit recommendations(*EAC/CM 34/Directive \_\_\_\_\_*).
- (c) established a mechanism to address issues related to criminal investigation and assets recovery(*EAC/CM 34/Decision \_\_\_\_\_*);
- (d) reiterated its earlier decision on the provision of Article 134 of the Treaty in regard to the harmonization of the composition of the Audit Commission(*EAC/CM 34/Decision \_\_\_\_\_*);
- (e) directed the EAC Secretariat to put in place appropriate structures for managing the Audit Commission vote(*EAC/CM 34/Directive \_\_\_\_\_*);
- (f) directed EAC Organs and Institutions to allocate adequate resources for full implementation of Council directives(*EAC/CM 34/Directive \_\_\_\_\_*);
- (g) approved the recruitment of additional priority staff to enable new Institutions execute their mandates effectively(*EAC/CM 34/Decision \_\_\_\_\_*);
- (h) reiterated its earlier directive to the EAC Organs and Institutions to address the identified risk management issues(*EAC/CM 34/Decision \_\_\_\_\_*);
- (i) directed LVFO to continue refunding Operation Save Nile Perch project funds and implement the project as intended(*EAC/CM 34/Directive \_\_\_\_\_*);
- (j) directed Organs and Institutions to adhere to the approved budget and other existing budgeting and expenditure controls (*EAC/CM 34/Directive \_\_\_\_\_*);

- (k) Urged Partner States to provide adequate funding to EAC Institutions to enable implementation of activities meant to achieve the Community's objectives(*EAC/CM 34/Decision \_\_\_\_*);
- (l) directed Heads of Organs and Institutions to ensure that all contract managers appropriately supervise contract implementation(*EAC/CM 34/Directive \_\_\_\_*);
- (m) directed EAC Organs and Institutions to propose amendments to the instruments establishing governance structures and report to Council for approval(*EAC/CM 34/Directive \_\_\_\_*);
- (n) directed Partner States to delegate appropriate officials to participate in oversight and policy meetings to avoid conflict of interest(*EAC/CM 34/Directive \_\_\_\_*); and
- (o) directed the EAC Secretariat and LVBC to expeditiously conclude preparation of the 5th Development strategy and LVBC Strategic plan respectively (*EAC/CM 34/Directive \_\_\_\_*).

## 1.2 **REPORT OF THE 24<sup>TH</sup> MEETING OF THE SECTORAL COUNCIL OF MINISTERS RESPONSIBLE FOR EAC AFFAIRS AND PLANNING**

The Council—

- (a) took note of the decisions and directives of the 24<sup>th</sup> Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning (*EAC/CM 34/Decision \_\_\_\_*);
- (b) directed Burundi and Tanzania to ratify the SPS Protocol and deposit instruments of ratification by November, 2016 (*EAC/CM 34/Directive \_\_\_\_*);
- (c) directed Partner States to ensure that they implement expeditiously policies, laws, strategies, projects and programmes approved by the Summit and Council for implementation at the Community level within the approved timeframes and regularly report to the Council(*EAC/CM 34/Directive \_\_\_\_*);
- (d) directed Sectoral Councils and institutions to closely follow up on the implementation of projects and programmes that have taken a long time to be realised and institute corrective measures (*EAC/CM 34/Directive \_\_\_\_*);
- (e) recommended to the Council to direct Partner States to ensure that decisions taken bilaterally on the EAC integration process should be reported regularly to the respective Sectoral Council before submission to the Council (*EAC/CM 34/Decision \_\_\_\_*);
- (f) retained the incumbent Counsel to the Community but directed the Secretariat to operationalise the upgraded position by 1<sup>st</sup> July 2017 (*EAC/CM 34/Directive \_\_\_\_*);
- (g) decided that the East African Court of Justice and the East African Legislative Assembly make budgetary provisions for the positions of Deputy Registrar P4 (EACJ) and Deputy Clerk P4 (EALA) in FY 2017/18 (*EAC/CM 34/Decision \_\_\_\_*);
- (h) directed the Secretariat to convene a joint meeting of Ministers responsible for Finance and Attorneys General by October 2016 to consider the matter of streamlining the East African Development Bank (EADB) into the EAC mainstream and advise the Council at its 35<sup>th</sup> Meeting of the Council of Ministers scheduled for November 2016 (*EAC/CM 34/Directive \_\_\_\_*);
- (i) directed the Secretariat to develop within two (2) years, a framework for transition to a Commission taking cognizance of existing studies and other comparative information on other similar Regional Economic Communities (RECs) (*EAC/CM 34/Directive \_\_\_\_*);
- (j) directed the Secretariat to present a proposal on the scope of the administrative and financial autonomy granted to the East African Legislative Assembly and the East African Court of Justice to the Sectoral Council Responsible for EAC Affairs and Planning scheduled for October 2016 (*EAC/CM 34/Directive \_\_\_\_*);
- (k) directed the Secretariat to develop a framework for carrying out investigation of breaches of the Treaty by the Partner States and Partner States should assist the Secretariat when carrying out the investigation and report to the 35<sup>th</sup> Meeting of the Council (*EAC/CM 34/Directive \_\_\_\_*);

- (l) directed the Secretariat to develop proposals on sanctions that can be imposed on Partner States that breach the Treaty in line with Article 143 of the Treaty and report to the 35<sup>th</sup> Meeting of the Council (*EAC/CM 34/Directive \_\_\_*);
- (m) directed Partner States to expedite the process of ratification of the Protocol on Immunities and Privileges by November 2016 (*EAC/CM 34/Directive \_\_\_*);
- (n) approved an exploratory mission at the Coordination Committee level with co-opted members from the Secretariat, Organs and Institutions of the Community be undertaken to RSS to engage the Government on its accession to EAC (*EAC/CM 34/Decision \_\_\_*);
- (o) directed the Secretariat to submit the cost implications of the proposed roadmap for the integration of South Sudan and report to the 35<sup>th</sup> Meeting of the Council for consideration (*EAC/CM 34/Directive \_\_\_*);
- (p) directed the Secretariat to commence the preparations of a detailed roadmap as directed by the Chairperson of the Summit towards the admission of RSS into the EAC and table a draft report at the Sectoral Council of Ministers Responsible for EAC Affairs and Planning at its Meeting in October, 2016 (*EAC/CM 34/Directive \_\_\_*);
- (q) directed the Secretariat to compile a draft list of decisions that could be considered for decision making by simple majority and submit the list at the Sectoral Council of EAC Affairs and Planning in October, 2016 for consideration (*EAC/CM 34/Directive \_\_\_*);
- (r) directed Partner States to amend their respective national laws to conform to the Common Market Protocol by December 2017 (*EAC/CM 34/Directive \_\_\_*);
- (s) directed the Secretariat to refer the specific recommendations of the 4<sup>th</sup> Annual EAC Secretary General's Forum to the relevant Sectoral Councils by September, 2016 for consideration (*EAC/CM 34/Directive \_\_\_*);
- (t) directed the Secretariat to submit the Reports of the EAC Election Observation Missions to the Republic of Burundi, The United Republic of Tanzania and Republic of Uganda for consideration (*EAC/CM 34/Directive \_\_\_*);
- (u) directed the EAC Secretariat to liaise with EALA to explore the possibility of submitting the Non-Tariff Barriers (NTBs) Bill to the Heads of State of Rwanda, Burundi and Uganda in light of the directive of the 17<sup>th</sup> Summit of EAC Heads of State on the assent to Bills (*EAC/CM 34/Directive \_\_\_*);
- (v) directed Partner States to use bilateral means to resolve persistent Non-Tariff Barriers (*EAC/CM 34/Directive \_\_\_*);
- (w) directed the Secretariat to analyse and present proposals to the SCTIFI on how to resolve the outstanding NTBs (*EAC/CM 34/Directive \_\_\_*);
- (x) directed Partner States to ratify the Tripartite Free Trade Area (TFTA) Agreement by 31<sup>st</sup> December, 2016 (*EAC/CM 34/Directive \_\_\_*); and
- (y) directed the Secretariat to develop a proposal on how the approved clusters will be implemented including a review of the current functions to determine their alignment and present the proposal to the Ad hoc EAC Service Commission for consideration and report progress at the 25<sup>th</sup> Meeting of the Sectoral Council of Ministers responsible for EAC Affairs and Planning (*EAC/CM 34/Directive \_\_\_*).

### 1.3 REPORT ON THE 18<sup>TH</sup> AND 19<sup>TH</sup> MEETINGS OF THE SECTORAL COUNCIL ON LEGAL AND JUDICIAL AFFAIRS

The Council—

- (a) took note that the Secretariat has convened the 18<sup>th</sup> and 19<sup>th</sup> Meetings of the Sectoral Council on Legal and Judicial Affairs from the 19<sup>th</sup>-23<sup>rd</sup> September 2016 in Dar es Salaam, Tanzania as per the EAC Calendar of Activities (*EAC/CM 34/Directive \_\_\_*); and
- (b) directed that Partner States endeavour to attend Meetings in line with the EAC Calendar of Activities to avoid backlog on the implementation of Council decisions and directives (*EAC/CM 34/Directive \_\_\_*).



**1.4 REPORT ON THE REPUBLIC OF SOUTH SUDAN**

The Council—

- (a) directed the Secretariat to convene the earlier approved meeting between Permanent/Principal Secretaries and RSS officials in Arusha in the 1<sup>st</sup> week of October, 2016 to address among others issues proposed by the Secretariat; (*EAC/CM34/ Directive \_\_\_\_*); and
- (b) directed the Secretariat to table the report of the meeting in a) above at the Sectoral Council on EAC Affairs and Planning meeting in October, 2016 (*EAC/CM34/ Directive \_\_\_\_*).

**1.5 COUNCIL REPORT ON FOREIGN AND SECURITY POLICY TO THE ASSEMBLY**

The Council adopted the Report for onward transmission to the East African Legislative Assembly (*EAC/CM34/ Decision \_\_\_\_*).

**1.6 REPORT ON THE SECURITY SITUATION ASSESMENT IN THE REPUBLIC OF BURUNDI**

The Council decided that this matter should be discussed at the Ministerial Session for a way forward as this was an activity commissioned by the Ministers.

**1.7 APPLICATIONS FOR OBSERVER STATUS BY THE EAST AFRICAN GRAINS COUNCIL AND INTERNATIONAL COMMITTEE OF THE RED CROSS****1.7.1 Application of the East African Grains Council****1.7.2 Application of the International Committee of the Red Cross**

The Council –

- (a) took note of the two applications for observer status from Eastern Africa Grain Council and International Committee of the Red Cross (*EAC/CM 34/Decision \_\_\_\_*);
- (b) referred the two applications to their respective Sectoral Councils (*EAC/CM 34/Decision \_\_\_\_*); and
- (c) directed the Secretariat to assess the benefits of granting observer status and report to the 35<sup>th</sup> Meeting of the Council (*EAC/CM 34/Decision \_\_\_\_*).

**1.8 IMPLEMENTATION OF THE EACJ JUDGMENT; REFERENCE NO. 07 OF 2014 - EAST AFRICA LAW SOCIETY VERSUS THE SECRETARY GENERAL OF THE EAST AFRICAN COMMUNITY**

The Council—

- (a) took note of the Judgment of the East African Court of Justice (*EAC/CM 34/Decision \_\_\_\_*); and
- (b) took note that the matter has already been addressed by the two concerned Partner States (*EAC/CM 34/Directive \_\_\_\_*)

**1.9 PROPOSAL OF THE UNITED REPUBLIC OF TANZANIA TO HOST THE EAST AFRICAN MONETARY INSTITUTE**

The Council-

- (a) noted that the United Republic of Tanzania has communicated interest to the Secretary General to host the East African Monetary Institute(*EAC/CM 34/Decision \_\_\_\_*);
- (b) noted that the Republic of Burundi, Republic of Kenya, the Republic of Uganda and the Republic of Rwanda have also expressed interest in hosting the East African Monetary Institute(*EAC/CM 34/Decision \_\_\_\_*);

- (c) noted that there is a Criteria for the Seating of EAC Organs and Institutions adopted by the Council in EAC/CM 10/Decision 11 (*EAC/CM 34/Decision \_\_\_\_*);
- (d) directed Partner States to abide with the Criteria for the Seating of EAC Organs and Institutions and modalities (*EAC/CM 34/Decision \_\_\_\_*); and
- (e) directed the Secretariat to finalise the study on equitable distribution of costs and benefits in the Community to inform, among others, the hosting of EAC Organs and Institutions and present it to the 35<sup>th</sup> Meeting of the Council (*EAC/CM 34/Decision \_\_\_\_*).

### PART III REPORT ON PLANNING AND INFRASTRUCTURE

#### 3.1 Planning

The Council considered and adopted the priority interventions and outputs for the Financial Year 2017/18.

#### 1.2 Council Directives for the EAC Securities Market

The Council—

- (a) took note of the progress made in developing EAC securities market legal and regulatory framework, implementation of the CMI and development of EAC pension investment principles (*EAC/CM 34/Decision \_\_\_\_*);
- (b) referred the six Council Directives to the Sectoral Council on Legal and Judicial Affairs for legal input(*EAC/CM 34/Decision \_\_\_\_*);
- (c) directed the Sectoral Council on Legal and Judicial Affairs to expedite review of the second and third sets of Council Directives and report at the next Council meeting (*EAC/CM 34/Directive \_\_\_\_*);
- (d) directed the Republic of Burundi, the Republic of Uganda, the Republic of Rwanda and the United Republic of Tanzania to continue providing, in a timely manner, all the information and assistance required for the successful implementation of the CMI project (*EAC/CM34/Decision \_\_\_\_*); and
- (e) approved the EAC pension investment principles and direct Partner States to review and harmonize their existing policies, laws and regulations to conform to the EAC pension investment principles (*EAC/CM34/Decision \_\_\_\_*).

#### 1.3 INFRASTRUCTURE

##### 3.2.1 The EAC One Stop Border Posts Act, 2016 and the EAC Vehicle Load Control Act, 2016

The Council took note of the commencement instruments for the two Laws developed by the Secretariat.

##### 3.2.2 Harmonization of Drivers Training and Testing

The Council—

- (a) took note of the operational decisions of the 13<sup>th</sup> Sectoral Council on TCM for implementation(*EAC/CM 34/Decision \_\_\_\_*);
- (b) declared 1<sup>st</sup> October, 2016 as the date for the coming into force of the EAC One Stop Border Post Act, 2016 and the EAC Vehicle Load Control Act, 2016 (*EAC/CM 34/Decision \_\_\_\_*);
- (c) directed the Secretariat to share with the Partner States the printed versions of the above Acts, the Commencement Instruments and the respective Gazette Notices to assist in the implementation of the two Laws (*EAC/CM 34/Directive \_\_\_\_*);
- (d) adopted the EAC Standardized Curricula for Drivers of Large Commercial Vehicles (Passenger and Freight) (*EAC/CM 34/Decision \_\_\_\_*); and

- (e) directed the Secretariat, to prepare draft legal framework to anchor the implementation of Curricula in d) above, propose their commencement date and report progress in November, 2016 (*EAC/CM 34/Directive \_\_\_\_*).

## PART IV REPORT ON PRODUCTIVE AND SOCIAL SECTORS

### 1.1 PRODUCTIVE SECTORS

#### 1.1.1 AGRICULTURE AND FOOD SECURITY SECTOR

The Council—

- (a) took note of the decisions of the 8<sup>th</sup> and 9<sup>th</sup> Meetings of the Sectoral Council on Agriculture and Food Security for implementation(*EAC/CM 34/Decision \_\_\_\_*);
- (b) approved EAC Food and Nutrition Security Policy(*EAC/CM 34/Decision \_\_\_\_*);
- (c) approved EAC Livestock Policy(*EAC/CM 34/Decision \_\_\_\_*);
- (d) approved the EAC CAADP Compact and recommend the Compact for signing by November 2016 (*EAC/CM 34/Decision \_\_\_\_*); and
- (e) approved EAC Phytosanitary Measures and Measures on Food & Feed Safety and direct Partner States to implement them upon entering into force of the Protocol on SPS (*EAC/CM 34/Decision \_\_\_\_*).

#### (1) Harmonisation of Registration of Immunological Veterinary Products in the East African Community through Mutual Recognition Procedures

The Council –

- (a) took note of the progress made in Implementation of MRP on Immunological Veterinary Products (*EAC/CM 34/Decision \_\_\_\_*);
- (b) directed Partner States' to implement the Mutual Recognition Procedures (MRP) on IVPs (*EAC/CM 34/Decision \_\_\_\_*);
- (c) directed Partner States to always undertake joint assessment of Dossiers (*EAC/CM 34/Directive \_\_\_\_*); and
- (d) directed the Secretariat to develop EAC Harmonized Goods Manufacturing Practices guidelines for conducting joint assessment (*EAC/CM 34/Directive \_\_\_\_*).

#### (2) Mutual Recognition Agreement(MRA)Negotiations for Veterinary Professionals in the East African Community

The Council—

- (a) took note of the progress made, in the development of reports on 'Veterinary Services in EAC' (*EAC/CM 34/Decision \_\_\_\_*);
- (b) took note of the Audit Report of Educational Institutions Offering Veterinary Medicine or Animal Health Courses/Programmes in EAC Partner States (*EAC/CM 34/Decision \_\_\_\_*); and
- (c) took note of the developments made in the signing MRA of Veterinary Professionals(*EAC/CM 34/Decision \_\_\_\_*).

#### (a) EAC Initiative on Animal Resources Database

The Council—

- (a) took note of the progress made on development of animal resources data base (*EAC/CM 34/Decision \_\_\_\_*); and
- (b) directed the Secretariat to establish a Technical Working Group on animal resources data(*EAC/CM 34/Directive \_\_\_\_*).

**(b) Progress Report on Implementation of the Reinforcing Veterinary Governance in Africa programme: EAC Component**

The Council took note of the take note of the progress made in implementation of the EAC Veterinary Governance project (*EAC/CM 34/Decision \_\_\_\_*).

**1.1.2 ASSESSMENT OF THE EAC FOOD SECURITY ACTION PLAN-FSAP (2011-2015)**

The Council took note of the progress report on the –

- (a) implementation of the FSAP (2011-15) (*EAC/CM 34/Decision \_\_\_\_*); and
- (b) formulation of a new FSAP (2016 – 2020) (*EAC/CM 34/Decision \_\_\_\_*).

**1.2 SOCIAL SECTORS**

**1.2.1 EDUCATION, SCIENCE AND TECHNOLOGY, CULTURE AND SPORTS SECTOR**

The Council—

- (a) took note of the decisions of the 2<sup>nd</sup> Extra ordinary Meeting of the Sectoral Council on Education Science and Technology, Culture and Sports; (*EAC/CM 34/Decision \_\_\_\_*);
- (b) took note of the revised Annex VI and the renumbered Annex VII of the East African Common Market Protocol (Mutual Recognition of Academic and Professional Qualifications) Regulations 2011 and refer the same to the Sectoral Council on Legal and Judicial Affairs for legal input; (*EAC/CM 34/Decision \_\_\_\_*);-
- (c) directed the Secretariat to develop profession specific frameworks for sectors that are negotiating MRAs to be used to recognize foreign professional qualifications for approval by respective Sectoral Councils by December 2017; (*EAC/CM 34/Directive \_\_\_\_*);
- (d) took note of the Decisions and Directives made by the 2<sup>nd</sup> Extraordinary Sectoral Council on Education Science and Technology, Culture and Sports; (*EAC/CM 34/Decision \_\_\_\_*);
- (e) considered and adopted the Declaration on transforming the East African Community into a Common Higher Education Area and recommend it to the Summit for approval (*EAC/CM 34/Decision \_\_\_\_*);
- (f) directed Partner States to initiate preparations for participation in the 3<sup>rd</sup> Edition of the EAC Arts and Cultural Festival scheduled for September 2017 in Kampala, Uganda (*EAC/CM 34/Directive \_\_\_\_*);
- (g) directed East African Science and Technology Commission (EASTEKO) to proceed with the recruitment of the Principal Officer (Innovation and Technology Acquisition and Development, P4) and Principal Officer (Research and Development, Monitoring and Evaluation, P4) during the Financial Year 2016/17; (*EAC/CM 34/Directive \_\_\_\_*); and
- (h) referred the request to establish the position of Accounts Assistant/Cashier as the 22<sup>nd</sup> job title to the EASTEKO Organogram to the Ad hoc EAC Service Commission (*EAC/CM 34/Decision \_\_\_\_*).

**1.2.1.1 GENDER AND COMMUNITY DEVELOPMENT SECTOR**

The Council-

- (a) took note of the decisions and directives made by the 3<sup>rd</sup> Meeting of the Sectoral Council on Gender, Youth, Children, Social Protection and community Development (*EAC/CM 34/Decision \_\_\_\_*);
- (b) adopted the EAC Child Policy 2016 (*EAC/CM 34/Decision \_\_\_\_*);
- (c) adopted the EAC Gender Mainstreaming Handbook (*EAC/CM 34/Decision \_\_\_\_*);

- (d) directed the EAC Secretariat and Partner States to regularly hold regional Youth Conferences after every 2 years and on a rotational basis in order to keep the young people engaged in the EAC integration process (*EAC/CM 34/Directive \_\_\_\_*);
- (e) adopted the Simplified Guide for Micro and Small Scale Women Cross Border Traders and Service Providers within the East African Community (*EAC/CM 34/Decision \_\_\_\_*).

## 1.2.2 HEALTH SECTOR

### 1.2.3 CONSIDERATION OF THE REPORT OF THE 12<sup>TH</sup> ORDINARY MEETING OF THE EAC SECTORAL COUNCIL OF MINISTERS OF HEALTH

The Council –

- (a) took note of the decisions and directives of the 12<sup>th</sup> Ordinary Meeting of the EAC Sectoral Council of Ministers of Health (*EAC/CM 34/Decision \_\_\_\_*);
- (b) approved the “EAC Regional HIV and AIDS Work Place Policy for EAC Organs and Institutions” (*EAC/CM 34/Decision \_\_\_\_*);
- (c) approved the “EAC Regional Integrated Population, Health and Environment (PHE) Strategic Plan (2016 – 2021)” (*EAC/CM 34/Decision \_\_\_\_*); and
- (d) appointed 1<sup>st</sup> December 2016 as the effective date to bring into force implementation of the “East African Community HIV and AIDS Prevention and Management Act, 2012” (*EAC/CM 34/Decision \_\_\_\_*).

## PART V REPORT ON POLITICAL MATTERS

### 1.1 POLITICAL AFFAIRS

#### 1.1.1 ADMINISTRATIVE ISSUES ON THE INTER-BURUNDIAN DIALOGUE

The Council –

- (a) took note of the Report on the administrative matters related to the Inter-Burundian Political Dialogue (*EAC/CM 34/Decision \_\_\_\_*); and
- (b) directed the Secretariat to develop a comprehensive report analysing the facilitation required to support the Inter-Burundi Dialogue (*EAC/CM 34/Directive \_\_\_\_*).

### 1.2 PEACE AND SECURITY

#### 1.2.1 Progress in Operationalization of the EAC Regional Forensic Referral Centre

The Council took note of progress towards the launch of the Regional Forensic Referral Centre. (*EAC/CM 34/Decision \_\_\_\_*).

## PART VI REPORT ON CUSTOMS AND TRADE

### 1.1 CUSTOMS MATTERS

The Council –

- (a) took note of the decisions from pre-budget consultations that were adopted by SCTIFI, published in the EAC Gazette Vol.AT 1 – No.5 of 30<sup>th</sup> June 2016 and came into effect on 1<sup>st</sup> July 2016 (*EAC/CM 34/Decision \_\_\_\_*);

- (b) adopted the proposed amendments of the EAC CMA, EAC CMR and EAC Compliance and Enforcement Regulations (*EAC/CM 34/Decision \_\_\_\_*);
- (c) referred the proposed Amendments to the EAC Customs Management Act, EAC Customs Management Regulations and EAC Compliance and Enforcement Regulations to the Sectoral Council on Legal and Judicial Affairs for legal input (*EAC/CM 34/Decision \_\_\_\_*);
- (d) directed the Secretariat to undertake a comprehensive review on the CIET and Rules of Origin and report to SCTIFI by September 2017 (*EAC/CM 34/Directive \_\_\_\_*);
- (e) directed the Secretariat to analyze the Rules of Origin with regard to Chapter 15 and report to SCTIFI at its next meeting (*EAC/CM 34/Decision \_\_\_\_*); and
- (f) directed the Secretariat to reallocate USD 451,570 in the current budget to cater for the review of the EAC Common External Tariff and submit it to the Finance and Administration Committee for consideration (*EAC/CM 34/Decision \_\_\_\_*).

## 1.2 TRADE MATTERS

### 1.2.1 CONSIDERATION OF THE EAST AFRICAN COMMUNITY – EUROPEAN UNION ECONOMIC PARTNERSHIP AGREEMENT (EAC-EU-EPA)

The Council took note—

- (a) of the outcome of the consultations from Partner States (*EAC/CM 34/Decision \_\_\_\_*);
- (b) that the Republic of Kenya and the Republic of Rwanda have signed the EPA (*EAC/CM 34/Decision \_\_\_\_*);
- (c) that the United Republic of Tanzania will not sign the EPA until it has done an in-depth analysis taking into account the prevailing circumstances(*EAC/CM 34/Decision \_\_\_\_*);
- (d) that the Republic of Burundi does not find her economic interest taken into account in view of the current EPA text and in particular in the context of her current relations with the EU and as such would not be in a position to sign the EPA (*EAC/CM 34/Decision \_\_\_\_*);
- (e) of the Republic of Uganda's commitment to sign the EPA and her passionate appeal to the Partner States to sign it before the 1<sup>st</sup> October 2016 deadline (*EAC/CM 34/Decision \_\_\_\_*); and
- (f) that the Partner States may review the EPA every five years to resolve any contentious provisions, and trade liberalisation will commence seven years after the coming into force of the EPA (*EAC/CM 34/Decision \_\_\_\_*);

The Council—

- (a) directed the Secretariat to initiate the mechanism to guide the relationship between the Customs Union and other integration blocs specifically the EAC-EU-EPA in line with Article 37 of the Customs Union Protocol(*EAC/CM 34/Directive \_\_\_\_*);
- (b) directed the Secretariat to prepare a paper on the implications of not signing the EPA as a bloc to the Summit for consideration(*EAC/CM 34/Decision \_\_\_\_*);
- (c) recommended to the Summit to consider the different prevailing circumstances within the Partner States and provide in-built flexibilities in the signing, ratification and implementation of the EPA (*EAC/CM 34/Decision \_\_\_\_*); and
- (d) referred matters on the EPA to the Summit for further guidance (*EAC/CM 34/Decision \_\_\_\_*).

### 1.2.2 Progress Report on the East African Community – United States Trade and Investment Partnership (EAC-US TIP)

The Council—

- (a) considered the proposal that the next Joint EAC–U.S. Ministerial Meeting is scheduled for 26<sup>th</sup>-27<sup>th</sup> September 2016 on the margins of the AGOA Forum in Washington D.C (*EAC/CM 34/Decision \_\_\_\_*);
- (b) took note that a Preparatory Meeting for the EAC Ministers of Trade for the EAC-U.S. Ministerial Meeting has been convened on the 5<sup>th</sup> September 2016 (*EAC/CM 34/Directive \_\_\_\_*);
- (c) adopted the EAC AGOA Strategy (*EAC/CM 34/Decision \_\_\_\_*);
- (d) considered and adopt the Trade Regional Integration Project for EAC (*EAC/CM 34/Decision \_\_\_\_*);
- (e) took note of the impending assumption of the Tripartite Task Force Chairmanship by the EAC in October 2016 (*EAC/CM 34/Decision \_\_\_\_*);
- (f) urged Partner States to urgently ratify the Tripartite FTA(*EAC/CM 34/Decision \_\_\_\_*);and
- (g) directed the secretariat to table the supplementary budget associated with EAC coordinating the Tripartite Task Force to the next meeting of Finance and Administration Committee(*EAC/CM 34/Directive \_\_\_\_*); and
- (h) declared the nineteenth (19) final Draft East African Standards (FDEAS) as East African Standards (*EAC/CM 34/Decision \_\_\_\_*)
- (i) endorsed the nine (9) international standards for implementation at the national level (*EAC/CM 34/Decision \_\_\_\_*)

## PART VII REPORT ON FINANCE AND ADMINISTRATION MATTERS

### 7.0 FINANCE MATTERS

#### 7.1 Status of Partner States' Contributions

The Council—

- (a) directed the Republic of Burundi and the United Republic of Tanzania to expeditiously pay their outstanding contributions for the Financial year 2015/2016 by 15<sup>th</sup> September 2016 (*EAC/CM 34/Directive \_\_\_\_*);
- (b) directed the Partner States to pay the first instalment of their contribution for Financial Year 2016/2017 by 30<sup>th</sup> September 2016 and the final instalment by 31<sup>st</sup> December 2016, to enable the EAC Organs and Institutions discharge their mandate (*EAC/CM 34/Directive \_\_\_\_*); and
- (c) directed EAC Secretariat to quantify activities not implemented, indicate outstanding payments due to Suppliers and amount used from Reserve fund and table the report to the 35<sup>th</sup> Council in November, 2016 (*EAC/CM 34/Directive \_\_\_\_*).

#### 7.1.1 SUPPLEMENTARY BUDGET FOR FINANCIAL YEAR 2016/17

#### 7.1.2 INTEGRATION OF THE REPUBLIC OF SOUTH SUDAN (RSS) INTO THE EAC DURING THE FINANCIAL YEAR 2016/2017

The Council stayed consideration of a Supplementary Budget to be contributed by the Republic of South Sudan for the Financial Year 2016/2017 pending finalisation of the Accession process and approval of the Roadmap for Integration of the Republic of South Sudan (*EAC/CM 34/Decision \_\_\_\_*).

#### 7.1.3 Support from African Union Inter-African Bureau for Animal Resources (AU-IBAR)

The Council —

- (a) deferred consideration of a Supplementary Budget amounting to USD 677,610 funded by support from AU-IBAR, for the Financial Year 2016/2017 (*EAC/CM 34/Decision \_\_\_\_*);

- (b) directed the Secretariat to revise the budget into MTEF format and ensure that activities contained therein bring tangible results to the livestock sector and table the budget to the 35<sup>th</sup> Council in November, 2016 (*EAC/CM 34/Directive \_\_\_\_*).

#### 7.1.4 THE EAST AFRICAN COMMUNITY INTEGRATED HEALTH PROGRAMME (EIHP)

The Council stayed the consideration of the Supplementary Budget amounting to USD 1,343,267 funded by support from SIDA, for the Financial Year 2016/2017 until the Financing Agreement and disbursement Schedule is signed (*EAC/CM 34/Decision \_\_\_\_*).

### 7.2 HUMAN RESOURCES AND ADMINISTRATION MATTERS

#### 7.2.1 Confirmation of Staff

**The Council confirmed the following officers in the employment of the Community with effect from the respective date of reporting:**

- (a) Mr. Wilberforce Aminiel Mariki - Director of Planning (P5) (*EAC/CM 34/Decision \_\_\_\_*);
- (b) Mr. Damascent Kabanda - Senior Trade Officer (P2) (*EAC/CM 34/Decision \_\_\_\_*);
- (c) Mr. Yves Nzeyimana – Protocol/Conference Officer (P1) (*EAC/CM 34/Decision \_\_\_\_*);
- (d) Ms. Mary Waruguru Mwangi – Librarian (P1) (*EAC/CM 34/Decision \_\_\_\_*); and
- (e) Ms. Arinda Charlotte Warugaba – Court Recorder (P1) (*EAC/CM 34/Decision \_\_\_\_*)

#### 7.2.2 PROPOSED REMUNERATION AND BENEFITS FOR THE COMMISSIONERS OF EAST AFRICAN COMMUNITY COMPETITION AUTHORITY (EACA)

The Council direct the Secretariat to facilitate Commissioners of the Ad-hoc EAC Competition authority similar to other members of existing ad hoc Commissions i.e. Daily Subsistence Allowance of US\$ 350 and economy class air ticket (*EAC/CM 34/Directive \_\_\_\_*).

#### 7.2.3 PEACE AND SECURITY DEPARTMENT AT THE EAC

##### **DELAYED FUNDING FROM THE AFRICAN UNION COMMISSION (AU) FOR THE PEACE AND SECURITY DEPARTMENT AT THE EAC UNDER THE APSA PROGRAM**

The Council—

- a) noted with serious concern that the required procedure for termination was not followed, and in future, termination of officers under the Project should be brought to the Council for approval in accordance with the EAC Staff Rules and Regulations, 2006 and the EAC Financial Rules and Regulations, 2012 (*EAC/CM 34/Decision \_\_\_\_*);
- b) directed Secretariat to rescind the termination letters of the staff contracts under Peace and Security department (*EAC/CM 34/Directive \_\_\_\_*);
- c) directed the Secretariat to amicably settle the pending litigation related to APSA staff at the East African Court of Justice (*EAC/CM 34/Directive \_\_\_\_*);
- d) noted the budgetary challenges in the funding of the APSA Project and directed the Secretariat to devise means of funding it (*EAC/CM 34/Decision \_\_\_\_*);
- e) directed the Secretariat to submit a comprehensive paper on sustainability of the APSA Project (*EAC/CM 34/Directive \_\_\_\_*);
- f) directed the Secretariat to re-allocate funds from available budget lines to support the 11 APSA Project Staff while awaiting disbursement from the African Union (*EAC/CM 34/Directive \_\_\_\_*);



- g) reiterated its previous decision (EAC/EX/CM 31/Directive 05) and direct the Secretariat to submit the Roadmap to the 35<sup>th</sup> Council of Ministers meeting in November, 2016 (EAC/CM 34/Decision \_\_\_);
- h) directed the Secretariat to submit all appointments and termination of Professional staff under Projects to the Council for consideration before implementation(EAC/CM 34/Directive \_\_\_);
- i) directed the Secretariat to submit a comprehensive situation of all staff supported by development Partners to the 35<sup>th</sup> Meeting of the Council in November, 2016(EAC/CM 34/Directive \_\_\_); and
- j) directed Partner States to pay their respective contributions in view of the liquidity challenges at the Secretariat (EAC/CM 34/Directive \_\_\_).

#### 7.2.4 AD HOC SERVICE COMMISSION

##### Operationalisation of the Ad hoc Service Commission and Recruitments

The Ad hoc EAC Service Commission convened its first meeting in Arusha on 28<sup>th</sup> July 2016 and has developed its rules of procedure and the commissioners have since taken oath and started work.

The report of the recruitment for the advertised positions will be submitted to the Council by the Chairperson of the Commission.

Position	Grade	Candidate Name	Partner State	% Score
Police Liason Officer	P5	Emmanuel Niyonizigiye	Burundi	76%
Principal Accountant	P3	Godfrey Magadu	Uganda	86%
Principal Environment & Natural Resources Officer	P3	Ladislaus Leonidas	Tanzania	79%
Principal Legal Officer	P3	Florence Ochago	Uganda	74%
Senior Legal Officer	P2	Christine Mutimura Wekesa	Rwanda	77%
Principal Health Officer (Operational & Applied Research	P3	George Mgomella	Tanzania	79%
Principal Health Officer clinical & Research	P3	Novat Twungubumwe	Burundi	82%
Deputy Registrar, Mergers and Acquisitions	P5	Lilian Kajuju	Kenya	73%

The Council –

- (a) adopted the report of the EAC Adhoc Service Commission(EAC/CM 34/Decision \_\_\_);
- (b) appointed the above candidates to the respective positions(EAC/CM 34/Decision \_\_\_);
- (c) directed the EAC adhoc service commission to partake in the shortlisting process for all recruitments in the EAC(EAC/CM 34/Directive \_\_\_); and
- (d) directed the Secretariat to terminate the contract of the recruitment firm undertaking the shortlisting and recruitment exercise. (EAC/CM 34/Directive \_\_\_).

#### PART VII REPORTS OF OTHER EAST AFRICAN COMMUNITY ORGANS

##### I.1 EAST AFRICAN LEGISLATIVE ASSEMBLY

The Council took note of the Report of the East African Legislative Assembly (EAC/CM 34/Decision \_\_\_).

## 1.2 EAST AFRICAN COURT OF JUSTICE

The Council take note of the Report of the East African Court of Justice (*EAC/CM 34/Decision \_\_\_\_*).

### PART IX REPORTS OF EAC INSTITUTIONS

#### 1.1 EAST AFRICAN CIVIL AVIATION SAFETY, SECURITY AND OVERSIGHT AGENCY

The Council—

- (a) took note of the activities of the Agency (*EAC/CM 34/Decision \_\_\_\_*);
- (b) directed Partner States to ensure that the civil aviation regulations as approved by the Board are expeditiously promulgated for the effectiveness of aviation safety and security oversight in the region (*EAC/CM 34/Decision \_\_\_\_*);
- (c) directed the Republic of Uganda to waive the land taxes payable and issue the title deed to the Agency (*EAC/CM 34/Directive \_\_\_\_*);
- (d) urged the Republic of Uganda to reinstate the diplomatic privileges and immunities to all professional staff of the Agency as spelt out in the Headquarters Agreement (*EAC/CM 34/Decision \_\_\_\_*); and
- (e) referred the matter of the sustainable funding of the Agency to the 14<sup>th</sup> Sectoral Council on TCM in November 2016 for consideration (*EAC/CM 34/Directive \_\_\_\_*).

#### 1.2 LAKE VICTORIA FISHERIES ORGANIZATION

##### 1.2.1 Validation of the Fisheries and Aquaculture Policy for EAC

The Council—

- (a) took note of the—
  - i) amended LVFO Convention(*EAC/CM 34/Decision \_\_\_\_*);
  - ii) launching of the Fisheries Management Plan III for Lake Victoria and the plans to implement the Nile Perch Fisheries Management Plan II (*EAC/CM 34/Decision \_\_\_\_*); and
  - iii) status of contributions by Partner States and direct them to meet their outstanding liabilities to the organization for FY 2015/2016 and 2016/2017 (*EAC/CM 34 /Directive \_\_\_\_*); and
- (b) directed the Republic of Burundi and the Republic of Rwanda to submit their instruments of accession (*EAC/CM 34 /Directive \_\_\_\_*).

#### 1.3 INTER-UNIVERSITY COUNCIL FOR EAST AFRICA

The Council take note of the report on matters from IUCEA indicating progress of implementation of its activities (*EAC/CM 34/Decision*).

##### Status of Partner States Contributions to IUCEA Budget for FY2016/2017

The Council—

- (a) directed the Partner States to expeditiously pay their outstanding contributions as at June 2016, by 30<sup>th</sup> September 2016(*EAC/CM 34 /Decision \_\_\_\_*);and
- (b) directed the Republic of Burundi, the United Republic of Tanzania, the Republic of Rwanda, the Republic of Burundi to pay the first instalment of their contribution for Financial Year 2016/2017 by 30<sup>th</sup> September 2016 and the final instalment by 31<sup>st</sup> December 2016, to enable IUCEA to discharge its mandate(*EAC/CM 34 / Decision \_\_\_\_*).

### Status of Contribution to the Construction Fund at 25<sup>th</sup> July 2016

The Council directed the Republic of Burundi to expeditiously pay their outstanding contributions to the IUCEA Construction, by 30<sup>th</sup> September 2016(*EAC/CM 34 /Decision \_\_\_*).

#### K) End of Term for Professor Pontien Ndabaneze Deputy Executive Secretary, IUCEA and Appointment of Mike Kuria from the Republic of Kenya as Deputy Executive Secretary IUCEA

The Council-

- a) took note of the end of term for Prof. Pontien Ndabaneze as Deputy Executive Secretary of IUCEA(*EAC/CM 34 /Decision \_\_\_*);
- b) commended Prof. Pontien Ndabaneze for his outstanding contribution to the development of higher education in the region and wish him well in his next endeavours(*EAC/CM 34 /Decision*); and
- c) took note of the appointment of Prof. Mike Kuria as the new IUCEA, Deputy Executive Secretary and wish him success in the new position(*EAC/CM 34 /Decision*)

#### 1.4 EAST AFRICAN DEVELOPMENT BANK

The Council took note of the Report of the East African Development for the period from January to July 2016 (*EAC/CM xx /Decision \_\_\_*).

#### 1.5 LAKE VICTORIA BASIN COMMISSION

The Council took note of the Report of the 16<sup>th</sup> LVB Sectoral Council of Ministers.

#### 1.6 EAST AFRICAN SCIENCE AND TECHNOLOGY COMMISSION

The Council—

- (a) took note of the EASTECO Progress report (*EAC/CM 34/Decision \_\_\_*); and
- (b) directed the Secretariat to expedite the proposed amendment of the EASTECO Protocol and direct the Secretariat to circulate the proposals to Partner States for consultation in accordance with Article 24 of the Protocol and Article 150 of the Treaty (*EAC/CM 34/Directive \_\_\_*).

#### 1.7 EAST AFRICAN KISWAHILI COMMISSION

The Council—

- (a) took note of the progress on the implementation of the activities of the EAKC (*EAC/CM 34/Decision \_\_\_*);
- (b) took note of the proposed amendments of the EAKC Protocol (*EAC/CM 34/Decision \_\_\_*), and
- (c) directed the Secretariat to expedite the proposed amendment of the EAKC Protocol and direct the Secretariat to circulate the proposals to Partner States for consultation in accordance with Article 27 of the Protocol and Article 150 of the Treaty (*EAC/CM 34/Decision \_\_\_*).

#### (a) Fraudulent transfers on the East African Kiswahili Commission Account

The Council—

- (a) took note of the fraudulent transactions on the EAKC Account(*EAC/CM 34/Decision \_\_\_*);
- (b) directed the EAKC to report the incident to the Police of Zanzibar and the Ministry of Foreign Affairs, Tanzania to ensure that the necessary action is taken(*EAC/CM 34/Decision \_\_\_*);

- (c) directed the Secretary General to supervise the matter to its conclusion and report status to the next meeting of the Finance and Administration Committee (*EAC/CM 34/Decision \_\_\_*);
- (d) directed the EAKC to accelerate proposals to strengthen the Commission by recruiting additional staff, beyond the current four to ensure segregation and sharing of duties (*EAC/CM 34/Decision \_\_\_*).

**(b) Renovation of EAKC Offices in Zanzibar**

The Council—

- (a) took note of the progress on renovation of the Commission offices in Zanzibar (*EAC/CM 34/Decision \_\_\_*); and
- (b) referred the request for supplementary budget of USD 140,000 required for renovation of the next phase of the Commission premises to the Finance and Administration Committee for consideration (*EAC/CM 34/Decision \_\_\_*).

**1.8 EAST AFRICAN HEALTH RESEARCH COMMISSION**

The Council—

- (a) took note of the Report of the East African Health Research Commission (*EAC/CM 34/Decision \_\_\_*).
- (b) directed the Secretariat to expedite the proposed amendment of the EAHRC Protocol and direct the Secretariat to circulate the proposals to Partner States for consultation in accordance Article 150 of the Treaty (*EAC/CM 34/Directive \_\_\_*).

**PART X ANY OTHER BUSINESS**

The Session noted the different formats used to generate reports of EAC Organs and Institutions and therefore proposed the need to:

- (a) agree on key issues to be reported on; and
- (b) develop a standard format which can facilitate the development of standardized reports.

The Council—

- (a) took note of the above observation (*EAC/CM 34/Decision \_\_\_*); and
- (b) directed the Secretariat to develop a format for reports of EAC Organs and Institutions. (*EAC/CM 34/Directive \_\_\_*).

**Signed in Arusha by the leaders of delegation on this 5th day of September 2016.**

.....  
**Hon. Dr. Charles J. Tizeba,**  
 Minister  
 Ministry of Agriculture,  
 Livestock and Fisheries

.....  
**Dr. A.M. Kirunda**  
 -Kivejinja  
 Rt. Hon Deputy Prime  
 Minister and Minister  
 for East African Affairs  
 Ministry of East African  
 Community Affairs

.....  
**Hon. Phyllis**  
**Jepkosgei Kandie**  
 Cabinet Secretary-  
 East African Affairs,  
 Ministry of East  
 African Community,  
 Labour and Social  
 Protection

.....  
**Hon. Ambassador**  
**Alain Aimé Nyamitwe**  
 Minister of  
 External Relations  
 and International  
 Cooperation

.....  
**Hon. Valentine**  
**Rugwabiza,**  
 Minister for EAC  
 Ministry of East African  
 Community

**THE UNITED  
 REPUBLIC OF  
 TANZANIA**

**THE REPUBLIC OF  
 UGANDA**

**THE REPUBLIC OF  
 KENYA**

**THE REPUBLIC OF  
 BURUNDI**

**THE REPUBLIC OF  
 RWANDA**

Legal Notice No. EAC/93/2016.

THE EAST AFRICAN COMMUNITY ONE STOP BORDER POSTS ACT, 2016  
COMMENCEMENT INSTRUMENT, 2016

IN EXERCISE of the powers conferred upon the Council of Ministers by section 1 of the East African Community One Stop Border Posts Act, 2016 the Council hereby appoints the 1st day of October, 2016 as the date upon which the East African Community One Stop Border Posts Act, 2016 shall come into force.

Done at Kampala this 28th day of October, 2016.

**HON.DR. AUGUSTINE PHILIP MAHIGA MP.,**  
*Chairperson Council of Ministers.*

Legal Notice No. EAC/94/2016.

**THE EAST AFRICAN COMMUNITY VEHICLE LOAD CONTROL ACT, 2016  
COMMENCEMENT INSTRUMENT 2016**

IN EXERCISE of the powers conferred upon the Council of Ministers by section 1 of the East African Community Vehicle Load Control Act, 2016 the Council hereby appoints the 1st day of October, 2016 as the date upon which the East African Community Vehicle Load Control Act, 2016 shall come into force.

Done at Kampala this 28th day of October, 2016.

**HON. DR. AUGUSTINE PHILIP MAHIGA MP.,**  
*Chairperson Council of Ministers.*

Legal Notice No. EAC/95/2016.

**THE EAST AFRICAN COMMUNITY HIV AND AIDS PREVENTION AND MANAGEMENT ACT, 2015,  
COMMENCEMENT INSTRUMENT 2016**

IN EXERCISE of the powers conferred upon the Council of Ministers by section 1 of the East African Community HIV and AIDS Prevention and Management Act, 2015 the Council hereby appoints the 1st day of December, 2016 as the date upon which the East African Community HIV and AIDS Prevention and Management Act, 2015 shall come into force.

Done at Kampala, this 28th day of October, 2016.

**HON. DR. AUGUSTINE PHILIP MAHIGA MP.,**  
*Chairperson Council of Ministers.*