

Approved for tabling in the house.

REPUBLIC OF KENYA  
THE NATIONAL ASSEMBLY  
DATE: 09 JUN 2022 Thursday  
TABLED BY: Hon. Ruwaida Oboro  
CLERK AT THE TABLE: G. Chebet



TWELFTH PARLIAMENT - (SIXTH SESSION)  
THE NATIONAL ASSEMBLY

Bat SNA  
9/6/2022



THE SELECT COMMITTEE ON REGIONAL INTEGRATION

REPORT ON THE INSPECTION VISIT TO THE SEMI-AUTONOMOUS INSTITUTIONS/ORGANS OF THE EAST AFRICAN COMMUNITY

Directorate of Audit, Appropriations and  
Other Select Committee  
National Assembly,  
Parliament Buildings,  
Nairobi

June 2022

## CHAIRPERSON'S FOREWORD

The East African Community (EAC) is a regional intergovernmental organization of seven (7) Partner States: The Democratic Republic of the Congo, the Republics of Burundi, Kenya, Rwanda, South Sudan, Uganda, and the United Republic of Tanzania, with its headquarters in Arusha, Tanzania.

The EAC is home to an estimated 300 million citizens, of which over 22% is the urban population. With a land area of 4.8 million square kilometers and a combined Gross Domestic Product of US\$ 240 billion, its realization bears great strategic and geopolitical significance and prospects for the renewed and reinvigorated EAC.

The work of the EAC is guided by its Treaty which established the Community. It was signed on 30 November 1999 and entered into force on 7 July 2000 following its ratification by the original three Partner States - Kenya, Tanzania and Uganda. The Republic of Rwanda and the Republic of Burundi acceded to the EAC Treaty on 18 June 2007 and became full Members of the Community with effect from 1 July 2007, while the Republic of South Sudan acceded to the Treaty on 15 April 2016 and became a full Member on 15<sup>th</sup> August 2016. The Community's newest member, the Democratic Republic of the Congo acceded to the EAC Treaty on 8<sup>th</sup> April 2022.

Since the coming into force, the Treaty, in pursuance of the provision of Article 5(2), the EAC has registered significant achievements in the implementation of the four pillars of the EAC integration agenda i.e. the Customs Union, Common Market, Monetary Union and Political Federation.

EAC is considered the most successful regional economic community in Africa as it is progressing well towards continental integration. In a bid to implement the four pillars of the EAC Integration, the Assembly and other Organs and Institutions of the Community have over the years initiated a number of legal and policy reforms which have led to among others the establishment of the Single Customs Territory, free movement of labour, free movement of persons, free movement of capital, free movement of goods and services, rights of residence and right of establishment.

However, the Community needs to urgently address key challenges adversely affecting the implementation of its integration agenda. The challenges include delayed remittance of

Partner States' financial contribution to the EAC budget, political/economic disputes among some Partner States, lack of awareness of Treaty obligations by various stakeholders, dependence on donor support for core functions of the Community, fear to cede power and authority to Organs and institutions and understaffing in the EAC Organs and Institutions.

This report contains the Committee inspection visit to Semi-Autonomous institutions/organs of the East African Community undertaken from 2<sup>nd</sup> to 9<sup>th</sup> April 2022.

In considering the reports the committee had briefings from the EAC Secretary-General and Chief Executive Officers of various institutions and organs of the East African Community.

The committee is scheduled to have an engagement with the Ministry of East African Community and Regional development to deliberate on the concerns raised during the inspection visit to the semi-autonomous Institutions/Organs of the East African Community.

May I take this opportunity to thank all Members of the Committee for their input during the inspection visit. Additionally, the Committee expresses its gratitude to the Office of the Speaker and the Clerk of the National Assembly for the support accorded to the Members of the Committee in the execution of its mandate.

On behalf of the Select Committee on Regional Integration and pursuant to the provisions of Standing Order 199 (6) it is my pleasant duty to present to this House the Report of the Committee on its inspection visit to the semi-autonomous institutions of the East African Community.

Signed.......... Date..........

**Hon. (Capt) Ruweida Mohammed, MP**  
**Chairperson**  
**Select Committee on Regional Integration**

## 1.0 PREFACE

### 1.1 Establishment and mandate of the Committee

1. The Select Committee on Regional Integration is established under the National Assembly Standing Order 212 and was constituted in December 2017.
2. As provided for in the Standing Order 212 (2), the Committee is mandated to:
  - (a) enhance the involvement of the National Assembly in the intensification and development of the integration process in the East African Community and the greater African region;
  - (b) examine the records of all the relevant debates and resolutions of the meetings of the East African Legislative Assembly;
  - (c) examine the Bills introduced in the East African Legislative Assembly and Acts of the East African Community;
  - (d) examine records of relevant debates and resolutions of the Pan African Parliament, the African Caribbean and Pacific- European Union Joint Parliamentary Assembly and other regional bodies;
  - (e) inquire into and examine any other matter relating to regional integration generally requiring action by the House.

## 1.1 Committee Membership

3. The Committee comprises of the following Members:

### **Chairperson**

Hon. (Capt). Ruweida Mohamed, M.P  
Lamu County Women Representative  
Jubilee Party

### **Vice-Chairperson**

Hon. Erastus Nzioka, M.P.  
Mbooni Constituency  
ND Party

Hon. Ezekiel Machogu Ombaki, M.P  
Nyaribari Masaba Constituency  
NAPK Party

Hon. Ndindi Nyoro, M.P.  
Kiharu Constituency  
Jubilee Party

Hon. Kubai Iringo, M.P  
Igembe Central Constituency  
Jubilee Party

Hon. Geoffrey Omuse, M.P  
Teso South Constituency  
Orange Democratic Movement

Hon. Benjamin Gathiru Mwangi  
Embakasi Central Constituency  
Jubilee Party

Hon. Janet Ongera, M.P  
Kisii County Women Representative  
Orange Democratic Movement

Hon. Janet Teiyaa, M.P  
Kajiado County Women representative  
Jubilee Party

Hon. Dr. Gideon Ochanda, M.P.  
Bondo Constituency  
Orange Democratic Movement

Hon. Mathias Robi, M.P  
Kuria West Constituency  
Jubilee Party

Hon. Kassim Sawa Tandaza, M.P.  
Matuga Constituency  
ANC

Hon. Abdi Mude Ibrahim, M.P,  
Lafey Constituency  
Economic Freedom Party (EFP)

Hon. Nasri Sahal Ibrahim, M.P.  
Nominated  
FORD-K  
Hon. Hilary Kiplang'at Kosgei, M.P.

Kipkelion West Constituency  
Jubilee Party

Hon. Ayub Savula  
Lugari Constituency  
ANC Party

Hon. James Mwangi Gakuya, M.P.  
Embakasi North Constituency  
Jubilee Party

Hon. Ali Wario Guyo, M.P.  
Garsen Constituency  
Wiper Democratic Movement Party

The Hon. Alfred Sambu, MP  
Webuye East  
ANC

Hon. Paul Kahindi Katana, MP  
Kaloleni Constituency  
Orange Democratic Movement

Hon. Jane Wanjiku Njiru, M.P  
Embu County Women Representative  
Jubilee Party

John Kiarie Waweru, M.P.  
Dagoretti South Constituency  
Jubilee Party

Hon. Elijah Memusi Kanchory, M.P  
Kajiado Central Constituency  
Orange Democratic Movement

## 1.2 Committee Secretariat

### 4. The Committee secretariat comprises:

- |                          |                              |
|--------------------------|------------------------------|
| 1) Mr. Abdullahi Aden    | Principal Clerk Assistant II |
| 2) Dr. Kefa Omoti        | Principal Research Officer   |
| 3) Mr. Johnston Kioko    | First Clerk Assistant        |
| 4) Mr. Peter Mwaura      | Senior Legal Council         |
| 5) Mr. John Nganga       | Audio Officer                |
| 6) Ms. Catherine Mukunyi | Serjeant At Arms             |
| 7) Mr. Boniface Mugambi  | Sergeant At arms             |

## 2.0 INTRODUCTION

5. The East African Community (EAC) is a regional intergovernmental organization of seven (7) Partner States: The Democratic Republic of the Congo, the Republic of Burundi, Kenya, Rwanda, South Sudan, Uganda, and the United Republic of Tanzania, with its headquarters in Arusha, Tanzania.
6. EAC is considered the most successful regional economic community in Africa as it is progressing well towards continental integration. In a bid to implement the four pillars of the EAC Integration, the Assembly and other Organs and institutions of the Community have over the years initiated a number of legal and policy reforms which have led to among others the establishment of the Single Customs Territory, free movement of labour, free movement of persons, free movement of capital, free movement of goods and services, rights of residence and right of establishment.
7. The Republic of Rwanda and the Republic of Burundi acceded to the EAC Treaty on 18 June 2007 and became full Members of the Community with effect from 1 July 2007. The Republic of South Sudan joined on 15<sup>th</sup> April 2016 and became a full Member on 15<sup>th</sup> August 2016. The Community's newest member, the Democratic Republic of the Congo acceded to the EAC Treaty on 8<sup>th</sup> April 2022.
8. The EAC treaty covers cooperation agreements in every sector of the public service such as legal and constitutional issues, defense, foreign affairs, trade and industry; infrastructure planning and development education, science and technology; health and social development; agriculture and food security; environmental management and natural resources; finance and monetary issues, political development and institutional governance. To actualize the areas of cooperation, the partner states have developed legal instruments including memoranda of understanding, cooperation agreements, pacts and protocols.
9. The current integration agenda started with the inauguration of a customs union that later graduated to a common market. Currently, the EAC is in the process of developing a legal framework for the monetary union, and ultimately a political federation among the six-member states. At formulation, the founding fathers anticipated a higher flow of investment and trade as a result of the Customs Union. The consequent increase in trade completion was also expected to lead to



improved quality of exports from individual countries Member states still view regional integration as an essential plank of their development strategy and an important ingredient of stimulating increased trade, investment and economic growth.

## 2.1 The EAC Management Structure

10. The EAC organization structure incorporates the Heads of State Summit as the top organ, charged with the responsibility of giving strategic direction towards the realization of the goals and objectives of the Community. The summit relies on the support and advice of the Council of Ministers, which is the central decision-making and governing Organ of the EAC. Its membership constitutes Ministers or Cabinet Secretaries from the Partner States whose dockets are responsible for regional co-operation. The Council meets twice a year to assist in maintaining a link between the political decisions taken at the Summits and the day-to-day functioning of the Community. Regulations, directives and decisions taken or given by the Council are binding to the Partner States and all other Organs and Institutions of the Community other than the Summit, the EACJ and EALA.
11. At the middle level is the coordinating committee, which has the primary responsibility for regional cooperation and coordinates the activities of the Sectoral Committees. The committee recommends to the Council the establishment, composition and functions of such Sectoral Committees. It draws its membership from Permanent / Principal Secretaries responsible for regional co-operation from the Partner States.
12. At the lower level, there are sectoral Committees that conceptualize programmes and monitor their implementation. Sectoral committees are usually established by the Council of Ministers on the recommendation of the Coordinating Committee. The Sectoral Committees meet as often as necessary for the discharge of their functions. The most notable Institutions/Organs of the EAC include:
  - 1) The East African Community Secretariat;
  - 2) The East African Court of Justice;
  - 3) The East African Legislative Assembly;
  - 4) The East African Lake Victoria Basin Commission;
  - 5) The East African Lake Victoria Fisheries Organization;
  - 6) The Inter-University Council of East Africa;

- 7) The East African Civil Aviation Safety and Security Oversight Agency;
- 8) The East African Kiswahili Commission;
- 9) The East African Health Research Commission;
- 10) The East African Science and Technology Commission; and
- 11) The East African Competition Authority;

### 3.0 Objectives of the Study Visit

The purpose of the visit was to assess the status of implementation of various projects and programmes to evaluate progress and identify intervention measures aimed at further promoting the East African Community integration agenda. The specific objectives include

- i) To appreciate the operations of the EAC Institutions/Organs that provide services in the facilitation of EAC integration;
- ii) To establish a basis for awareness creation in the East African region on the role of the Parliament in the integration process,
- iii) To enhance mutual relationships and sustainable networking between the National Assembly and the EAC organs and institutions; and
- iv) To get feedback and recommendations from EAC institutions/Organs on areas of policy support and advocacy.

### 3.1 Expected Outcomes

The following were the expected outcomes of delegation engagement with EAC organs and institutions:

- a. A greater understanding of the achievements, challenges and opportunities of the integration process;
- b. Enhanced mutual relationships networking between Partner National Assemblies and the Semi-autonomous Institutions/Organs of the East African Community
- c. Adoption of the necessary policy/legislative recommendations to address challenges specifically on funding mechanisms and ratification of stalled protocols.

### 3.2 Members of the delegation

The delegation consisted of two groups; Group one undertook the visit to Arusha and Zanzibar in the United Republic of Tanzania and group two visited the Republics of Uganda and Rwanda.

#### Group One

- 1) The Hon. Capt. Ruweida Mohamed, M.P - Leader of the Delegation
- 2) The Hon. Kassim Sawa Tandaza, M.P.
- 3) The Hon. Benjamin Gathiru Mwangi, MP
- 4) The Hon. Ali Wario Guyo, M.P.
- 5) Mr. Abdullahi Aden -Delegation Secretary

#### Group two

- 1) The Hon. Erastus Kivasu Nzioka, M.P. - Leader of the Delegation
- 2) The Hon. Paul Kahindi Katana, M.P.
- 3) The Hon. Abdi Mude Ibrahim, MP.
- 4) The Hon. Nasri Sahal Ibrahim, MP
- 5) The Hon. Mariania Teyiaa, MP
- 6) Dr. Kefa Omoti - Principal Research Officer
- 7) Mr. Johnston Kioko - Delegation Secretary
- 8) Ann Siato Kirrinkol - PA to Hon. Janet Teyiaa

### 4.0 EAC ORGANS AND INSTITUTIONS

The delegations visited the following Institutions/Organs of the East African Community -

- 1) The EAC Secretariat in Arusha, Tanzania
- 2) East African Competition Authority in Arusha, Tanzania
- 3) East African Legislative Assembly (EALA)
- 4) East African Court of Justice Arusha, Tanzania
- 5) East African Business Council Arusha, Tanzania.
- 6) East African Kiswahili Commission in Zanzibar, Tanzania
- 7) Lake Victoria Fisheries Organisation in Jinja, Uganda
- 8) The Inter-University Council for East Africa in Kampala, Uganda
- 9) East African Development Bank in Kampala, Uganda
- 10) Civil Aviation Safety and Security Oversight Agency (CASSOA) in Entebbe,
- 11) East African Science & Technology Commission in Kigali, Rwanda

#### 4.1 PRESENTATION FROM MR. PETER MUTUKU MATHUKI, THE SG OF THE EAST AFRICAN COMMUNITY

13. The delegation visited the EAC secretariat at Arusha in the United Republic of Tanzania on Monday 4<sup>th</sup> April 2022 and was received by the Secretary-General.
14. The Secretary-General informed the delegation that;
15. The East African Community (EAC) is a regional intergovernmental organization of seven (7) Partner States: The Democratic Republic of the Congo, the Republics of Burundi, Kenya, Rwanda, South Sudan, Uganda, and the United Republic of Tanzania, with its headquarters in Arusha, Tanzania.
16. The EAC is home to an estimated 300 million citizens, of which over 22% is composed of urban population. With a land area of 4.8 million square kilometers and a combined Gross Domestic Product of US\$ 240 billion, its realization bears great strategic and geopolitical significance and prospects for the renewed and reinvigorated EAC.
17. The work of the EAC is guided by its Treaty, which established the Community. It was signed on 30 November 1999 and entered into force on 7 July 2000 following its ratification by the original three Partner States - Kenya, Tanzania and Uganda. The Republic of Rwanda and the Republic of Burundi acceded to the EAC Treaty on 18 June 2007 and became full Members of the Community with effect from 1 July 2007, while the Republic of South Sudan acceded to the Treaty on 15 April 2016 and became a full Member on 15 August 2016. The Community's newest member, the Democratic Republic of the Congo acceded to the EAC Treaty on 8<sup>th</sup> April 2022.
18. Article 5 (2) of the Treaty Establishing the East African Community commits the Partner States to undertake and to establish among themselves and in accordance with the provisions of the Treaty a Customs Union, Common Market, Monetary Union and ultimately a Political Federation to strengthen and regulate the industrial, commercial, infrastructure, cultural, social, political and other relations of the Partner states.
19. The East African Legislative Assembly is the legislative organ of the East African Community established under Article 9 of the Treaty Establishing the East African Community. Article 49 of the Treaty bestows upon the Assembly the functions of

legislation, oversight and representation and provided for the establishment of committees by the Assembly for such purposes, as it deems necessary.

## 4.2 Customs Union

The Secretary-General informed the delegation that;

20. The EAC custom union was established in 2005. It provides for the elimination of internal tariffs and a Common External Tariff structure of 0% for raw materials, 10% for intermediate goods and 25% for finished goods. It also provides for rules of origin that govern the applicable tariff rates. The CET is currently under review. Some of the recent developments under this pillar include the following:

- i) Implementation of the Single Customs Territory. The EAC Partner States are currently implementing the Single Customs Territory (SCT) regime which is at the final stage towards the full implementation of the Customs Union. The SCT is aimed at faster clearance of goods and therefore reducing the cost of doing business in the region.
- ii) To continuously reposition EAC as a major player in international trade and strengthen intra-EAC trade, the region commenced the comprehensive review of the EAC Common External Tariff (CET) and the EAC Customs Management Act (CMA), 2004. Under the CET review, Partner States have adopted a four-band structure (0%, 10%, 25% and a rate above 25%). The reviewed CET and EAC CMA are expected to enhance trade facilitation and spur growth and economic development in the region.
- iii) **Customs Interconnectivity Programmes.** Since the commencement of the SCT, Partner States have implemented bilateral country system-to-system interconnectivity and data exchange protocols. This has enabled the exchange of electronic documents such as manifests, customs declarations, releases, exit notes and arrival notifications. The implementation of SCT and other trade facilitation initiatives has seen major strides in the movement of goods across the borders within the region.
- iv) Resolution of Non-Tariff Barriers (NTBs). Non-tariff barriers continue to pose challenges to the EAC integration process by restricting the free movement of goods within the region as evident from reports of

the EAC Regional Monitoring Committee on NTBs. Partner States have been using the EAC regional mechanism to resolve most of the NTBs and regulations for the elimination of NTBs have been adopted.

- v) The emerging regional integration blocs. The EAC is part of the COMESA and SADC integration blocs under the Tripartite Free Trade Agreement (TFTA). More recently, Partner States signed the Africa Continental Free Trade Area which came into force on 30<sup>th</sup> May 2019.
- vi) The Africa Continental Free Trade Area (AfCFTA) presents opportunities for trade and development. It has the potential to integrate Africa's fragmented markets, enhance competitiveness, increase access to regional and global markets and better re-allocation of resources. The AfCFTA is also expected to facilitate the attraction of FDI into the continent with a positive impact on industrial development and economic growth, especially in the EAC region.

#### 4.3 Common Market

21. The Protocol for the establishment of the EAC Common Market was signed in November 2009 and came into force on 1<sup>st</sup> July 2010 upon ratification by the Partner States. The Common Market provides free movement of goods, persons, labour, services and capital; and rights of establishment and workers access to opportunities available across the borders without discrimination.
22. The following activities have been undertaken to ease the cross-border movement of persons, labour and services include:
  - i) Issuance of the new international EA e-passport: Since February 2019, all Partner States except the Republic of South Sudan commenced issuance of the International East African Community e-Passports.
  - ii) Free movement of persons and workers: Easing of procedures, formalities and fees connected with visas as well as work and residence permits.
  - iii) Mutual Recognition Agreements (MRAs): so far, four Mutual Recognition Agreements (MRAs) have been signed and are under implementation for the Accountants, Engineers, Architects and Veterinarians professionals.

#### 4.4 Monetary Union

23. The EAC Partner States signed a protocol on the establishment of the East African Monetary Union on 30<sup>th</sup> November 2013 setting out the process and convergence criteria for attainment of a Monetary Union in the EAC region for 10 years.
24. The envisaged Monetary Union is expected to be in place in 2024 with the introduction of a common currency to replace the National Currencies and the establishment of a Regional Central Bank and the introduction of a common single currency is aimed at facilitating the reduction in transaction costs and removal of foreign exchange volatility between the Partner States.

#### 4.5 Political Federation

25. Article 123 (6) of the Treaty empowers the Summit to initiate the process towards the establishment of the Political Federation of the Partner States by directing the Council of Ministers to undertake the process.
26. At the 18<sup>th</sup> Summit of Heads of State of the East African Community held on 20<sup>th</sup> May 2017, the Summit adopted the Political Confederation as a transitional model of the East African Political Federation and directed the Council of Ministers to constitute a team of constitutional experts to draft the constitution for the Political Confederation and report to the 19<sup>th</sup> Summit of Heads of State.
27. The Council in its report to the 19<sup>th</sup> Summit of Heads of State in February 2018, reported on the progress of attaining Political Federation and presented the Concept Note, Road Map and Terms of Reference for Constitutional Experts. The Summit directed the Council to prioritize the Constitution drafting process and provide the required funding.
28. The EAC Secretariat has realized the following milestones;
  - i) The EAC is implementing road and railway projects in the Central and Northern Transport Corridors. Investment in infrastructure projects continues to receive the utmost political attention by the EAC Heads of States as expressed during their biennial retreats on infrastructure development and financing;

- ii) The establishment of the One-Stop Border Post (OSBP). EAC has fully operationalized and trained personnel at 13 (OSBPs). The posts are aimed at facilitating trade and the free movement of goods in the region.
- iii) In the health sector, EAC Partner States have expanded the capacity for delivery of high-quality health services, training and research through Regional Centres of Excellence (RCoE). The center is located in partner states: Kidney Diseases (Kenya); Heart Diseases (Tanzania); Cancer disease (Uganda); Health, Biomedical Engineering and Health Rehabilitation Sciences hosted by Rwanda, and; Vaccines, Immunization and Health Supply Chain Management, also hosted by Rwanda;
- iv) Partner States have jointly operationalized an EAC Regional Network of Reference Laboratories for Communicable Diseases to strengthen the region's capacity to diagnose and respond to outbreaks of highly infectious diseases;
- v) The Lake Victoria Water and Sanitation (LVWATSAN II) programme, coordinated by Lake Victoria Basin Commission is being implemented in 15 towns in five Partner States. LVWATSAN II has the objective of improving sustainable water supply and sanitation solutions in 15 towns within the Lake Victoria Basin. The affected towns include Ngozi, Muyinga and Kayanza located in Burundi; Keroka, Kericho and Isebania/Sirare located in Kenya; Kayonza, Nyagatare and Nyanza located in Rwanda; Geita, Sengerema and Nansio of the United Republic of Tanzania, and; Mayuge, Kayabwe-Bukakata, Ntungamo of the Republic of Uganda;

29. The Secretary-General further informed the delegation that, the Secretariat is facing the following challenges;

- i) The secretariat works under strenuous circumstances owing to low and unreliable funding;
- ii) Partner states acting nationally and giving national interests priority over regional interests
- iii) Inadequate implementation of Council resolutions and directives; and
- iv) Some partner states moving slowly in adopting EAC instruments.

## **5.0 PRESENTATION FROM HON. JUSTICE NESTOR KAYOBERA PRESIDENT OF THE EAST AFRICAN COURT OF JUSTICE (EACJ)**

30. The delegation visited the Court Premises on Monday 4<sup>th</sup> of April, 2022 and was received by the EACJ President.



31. The delegation was informed that;
32. The Court is one of the key organs of the East African Community established under Article 9 of the Treaty for the Establishment of the East African Community.
33. Following its inauguration by the Summit and the swearing-in of judges and the Registrar on 30th November 2001, the East African Court of Justice became operational. The operations of the Court during the transitional period are ad hoc until the Council of Ministers determines that there is enough business to make it operational. This means that judges are not required to permanently reside in Arusha where the temporary seat of the Court is located but they only convene to conduct the business of the Court when the need to do so arises.
34. The East African Court of Justice ensures the adherence to law in the interpretation, application of and compliance with Article 23 of the EAC Treaty. It provides necessary decisions and solutions to legal problems or disputes. Indeed, through other legal mechanisms, the Court prevents such disputes from escalating into lawsuits. Furthermore, the decisions of the Court have precedence over decisions of national courts on a similar matter pursuant to Article 33 of the Treaty.
35. The Court is composed of judges appointed by the Summit from each of the six Partner States of the EAC: Tanzania, Kenya, Rwanda, Burundi, Uganda and South Sudan. Under the Treaty, the Court may consist of a maximum of ten (10) judges in the First Instance Division and five (5) judges in the Appellate Division.
36. Currently, there are a total of eleven judges sitting in Arusha, (6) six judges in the First Instance Division, and (5) five in the Appellate Division. The judges of the Court are appointed by the Summit from among sitting judges of any national court of judicature or from jurists of recognized competence and the Registrar is appointed by the Council of Ministers.
37. The mandate of the court was extended to matters related to trade and human rights when the Heads of state signed a protocol to that effect. Parties that are by treaty allowed to file matters before the court include:
- i. Partner states against other partner states or EAC organs;
  - ii. The Secretary-General against the Partner States;
  - iii. EAC employees against the Secretary-General;

iv. Legal and natural persons against partner states and EAC organs.

38. The court plays advisory roles including advising the Council of ministers, the summit and partner states on questions of law in the treaty. For instance, the court has previously advised EAC organs on the principle of variable geometry, under which partner states are allowed to implement only those aspects of EAC programmes that their level of preparedness allows. The principle does not require simultaneous implementation of programmes by partner states.

39. Since its inception, 244 substantive cases have been filed before the court, out of which 212 have been heard and determined. 32 cases are pending, awaiting hearing and determination. While out of 32 bills of costs filed, 30 have been taxed. The distribution of court business since inception is indicated in Table 3.

**Table 3: Distribution of Matters Filed by Division since Inception**

<b>FIRST INSTANCE DIVISION</b>			
	<b>FILED</b>	<b>HEARD AND DETERMINED</b>	<b>PENDING</b>
REFERENCES	130	89	41
CLAIMS	11	5	6
INTERLOCUTORY APPLICATIONS	134	126	8
TAXATION CAUSES	28	27	1
<b>TOTAL</b>	<b>301</b>	<b>247</b>	<b>56</b>
<b>APPELLATE DIVISION</b>			
APPEALS	37	33	4
CASE STATED	2	1	1
ADVISORY OPINION	2	2	0
ARBITRATION	4	3	1
REFERENCE ON TAXATION	2	2	0
INTERLOCUTORY APPLICATIONS	23	19	4
TAXATION CAUSES	5	3	2
<b>TOTAL</b>	<b>75</b>	<b>63</b>	<b>12</b>

Source: EACJ 2022

## 5.2 The EACJ Registries

40. The Court developed a case management and recording system to ease case filing. The system was developed taking into consideration the Court Processes provided in the Rules of Procedure and Arbitration Rules. For example, the system documents, records and audits each stage of the case on the fly, as well as decisions drafted amongst Judges and Registrars while at their desks. The System was commissioned on 30<sup>th</sup> April 2014 by EAC Heads of State during the Summit in Arusha.
41. The system is built to enable access from any location within the EAC region by authorized Court users such as Judges and Staff. It also has levels of security protocols to curb any security threats both externally and internally. The main court registry is situated at Arusha, while sub-registries are located in courts of partner states. The sub-registries receive and file cases free of charge and immediately transmit the records to the main registry via ICT. This has enabled litigants to file matters without having to travel to Arusha.
42. The Court has made the following achievements in the effort to dispense justice as follows;
- i) The registries have leveraged ICT to fast-track the filing of cases. They are equipped with basic equipment such as computers and internet

connection for ease of transmission of case records from one registry to another

- ii) ICT is also used to manage the life cycle of matters in court
- iii) Handling of cases electronically has assisted to transform cases into the ICT platform

43. The Court is faced with the following challenges;

- i) Delay in operationalizing the Court's administrative and financial Autonomy
- ii) The service of the Judges of the Court continues to be ad-hoc and only the President and the Principal Judge are based in Arusha thus affecting the performance of the Court.
- iii) The ad-hoc nature of the services of Judges and the limitation of their tenure by either age or duration of service negatively impact the performance of the Court.
- iv) Visibility of the Court continues to be a challenge as there is limited knowledge of the Court among the citizenry, legal practitioners, and judicial officers resulting in limited use of the Court.
- v) The court, like most other organs of EAC, faces financial difficulties arising from delayed partner state funding

#### **6.0. PRESENTATION FROM MR. DENNIS G. MBURU THE CONSULAR GENERAL. THE KENYA CONSULATE IN ARUSHA**

44. The Consular General informed the delegation that;

45. The Consulate was operationalized on 26<sup>th</sup> August 2021 pursuant to Cabinet approval of 18<sup>th</sup> May 2018. This was informed by the following:

- i. Need for Kenya to adopt strategies to deepen the integration process and take a strategic position in championing regional projects and programmes as well as influencing decision making to reap maximum benefits;

- ii. Follow up on the implementation of EAC projects and programmes and provide briefs on developments within EAC;
- iii. Monitor the northern corridor which supports about 75% of Kenya Tanzania Trade;
- iv. To coordinate vital national security interests arising from criminal networks in the region which target Kenya from Tanzania;
- v. Monitor the work of the EAC Court of Justice and other international institutions in Arusha which handle sensitive matters of interest to Kenya.

46. Strengthening regional integration enables Kenya to take advantage of the opportunities it presents. This is done through;

- i) Enhancing Kenya's leadership role and influence in EAC to deepen the integration process to reap maximum benefits;
- ii) Monitor and follow up on commitments by Kenya on EAC;
- iii) Follow up on the implementation of EAC projects and programmes relating to Kenya;
- iv) Follow up on Summit and Council decisions, particularly on issues relating to Kenya;
- v) Facilitate delegations attending and actively participate in policy organs and sectoral meetings of the EAC;
- vi) Create close working relations with senior officials at EAC and its institutions;
- vii) Actively represent Kenya in EAC to pursue Kenya's interests including the EAC reform process. This also includes participating in EAC regional meetings including negotiations and providing targeted feedback reports;
- viii) Monitor and follow up on issues in the East Africa Court of Justice, EALA, and EAC institutions which handle sensitive matters of interest to Kenya.

47. Promote economic cooperation, trade and investment through the following;

- i) Follow-up on the implementation of EPAs at the EAC level;
- ii) Undertake periodic surveys to broaden understanding of trade market opportunities in the EAC States including Tanzania;
- iii) Follow-up on bilateral trade and economic relations between Kenya and Tanzania;
- iv) Address economic and trade challenges including NTBs/TBTs and exploit available opportunities to boost Kenya's exports in EAC;

- v) Identify and support outreach programs designed to enhance trade and investment expansion;
- vi) Address matters relating to tourism flows between Kenya and Tanzania;
- vii) Forge close working relations with private sector umbrella bodies (e.g. KAM, KEPSA, East Africa Business Council) and other stakeholders to promote trade and investment opportunities;
- viii) Follow up on regional integration frameworks such as COMESA-EAC-SADC Tripartite agreement and ACFTA;

48. Bilateral relations and Diplomatic engagement through the following;

- i) Participation and follow up on bilateral engagements with Tanzania;
- ii) Follow up on commitments arising from high-level exchanges;
- iii) Monitoring and follow up of activities under the northern corridor which supports about v 75% of Kenya-Tanzania Trade;
- iv) Keep track of cross border matters including the role of One-Stop Border Posts

49. Cooperation in peace and security through the following initiatives;

- i) Assist in coordinating vital national security interests arising from criminal networks in the region which target Kenya from Northern Tanzania;
- ii) Participate in security meetings concerning cross border insecurity;
- iii) Facilitate delegations attending security events in the EAC and Arusha.

50. The delegation was informed that the Consulate has witnessed the following achievements;

- i) Successful negotiations for the admission of DRC Congo to the Community;
- ii) Participation in the EAC Customs review process;
- iii) Successful bilateral State visits by H.E. President Uhuru Kenyatta that has led to the signing of 8 agreements that were negotiated in Arusha;
- iv) Revitalization of discussions on Tourism matters;

## **7.0. PRESENTATION FROM MR. LAMECH WESONGA MANAGER, POLICY NTBs AND STANDARDS EAST AFRICAN BUSINESS COUNCIL**

51. The delegation was received by Mr. Lamech Wesonga Manager, Policy NTBs and Standards.



52. The Manager informed the delegation that;

53. East African Business Council (EABC) is the apex advocacy body of the private sector associations and corporates from the EAC partner states.

54. The main objective of the EABC is to influence policy and positively change the business environment in the EAC region to allow for institutionalized engagement between the EAC secretariat and the private sector, the civil society, parliamentary groups and the civil society.

55. The EABC is viewed as the champion of the private sector in EAC matters, effectively playing the role GENEVA plays under the European Union. Owing to its key role in mobilizing the support and participation of the private sector in the integration process, the EABC was accorded an observer status in the EAC organs.

56. The Council has membership from partner states' business organizations. In Kenya, the EABC has an ally in the Kenya Private Sector Alliance (KEPSA) while in Burundi, the Federal Chamber of Commerce and Industry (CFCIFB) is the representative. In Uganda, EABC has partners in the Private Sector Foundation of Uganda (PSFU) while in Tanzania, the Tanzania Private Sector Foundation (TPSF) deepens the strategic interests of EABC. In Rwanda, EABC has a partner in the Private Sector Foundation of Rwanda (PSF)

57. The EABC strategic plan for the period 2018- 2022 is premised on a sound, stable and sustainable macroeconomic environment for prosperity as envisaged by the EAC treaty and aims to enhance physical access to markets and trade environment and improve business competitiveness.

58. The council operates under the following strategic pillars;

- a. Business Environment which aims at engaging all levels of government to support and enable future growth of businesses. This involves advocacy for policy and legislation that facilitate the growth and sustainability of the private sector. The pillar also supports infrastructure development and assists partner states governments in identifying and promoting best practices to attract investment;

- b. Development of strategic networks through the engagement of key stakeholders such as government, businesses and civil society. This is achieved through leveraging the EABC expertise in developing a holistic approach to growth, expanding space for inclusive engagement and supporting growth and standardization of enterprise-level services;
- c. Building support within the EAC for the private sector as the engine of economic activity. This is achieved through awareness creation of the economic and social roles of the private sector in EAC;
- d. Support for EABC members through building a broader and deeper understanding of members, creating more partnerships and continually improving processes, services and communications for optimal member engagement;
- e. Resource mobilization through attracting new partners and resources to itself, and diversifying income streams.

59. There is a clear link between the EABC and the parliaments of partner states because politicians of Partner states influence the policy environment through legislation and policy approval. The EABC leadership, in turn, engages in high-level business consultations at the ministerial and summit level. Because of this influential interlinkage, the African Union (AU) afforded the EABC opportunity to host and incubate the African Business Council.

60. The following are the challenges faced by EAC enumerated by the EABC;

- i) Over sixteen (16) years of implementation of the Customs Union and eleven (11) years on the Common Market still, the free movement of the EAC originated goods is frustrated by the persistence of the NTBs.
- ii) Most of the recurring NTBs are either denial of preferential tariff treatment or discriminatory against the other EAC Partner States' products.
- iii) Most of the persistent NTBs are protectionist, especially on those products, the EAC Partner States have the potential to produce and competitively trade in the region.
- iv) The impact of NTBs on the final price of goods to consumers often exceeds the impact of customs tariffs on the same goods.



- v) Lack of a legal framework for the elimination of NTBs due to delay in finalization of the amendment of the EAC Elimination of Non-Tariff Barriers Act, 2017 and its Regulations.
- vi) The persistence of the NTBs has contributed to the significant decline of the intra-EAC trade through frustrating free movement of goods from one EAC Partner State to another.
- vii) The intra-EAC trade for number of years has constantly remained low at about 10% while international trade has been accounting for 90% of the EAC total trade.

## 6.0 PRESENTATION FROM LILIAN K. MUKORONIA REGISTRAR, OF THE EAST AFRICAN COMMUNITY COMPETITION AUTHORITY

61. The Registrar informed the delegation that;

62. The East African Community Competition Authority (Authority) is an institution of the East African Community (EAC) established in accordance with Article 9 of the Treaty for the Establishment of the East African Community.

63. The Authority is specifically established by Section 37 of the East African Community Competition Act, 2006 in furtherance of the commitment of the Partner States, to cooperate in trade liberalization and development including matters of competition, under Article 75 of the Treaty establishing the East African Community.

64. Under the Protocol on the Establishment of the East African Community Customs Union (Customs Union Protocol) Article 21 and the (Common Market Protocol Article 33-36) Partner States undertook to prohibit any practice that adversely affects free trade including any agreement, undertaking, or concerted practice which has as its objective or effect the prevention, restriction or distortion of competition within the Community.

65. The Common Market Protocol's strategic thrust is to create one flawless single market across the EAC Partner States. The protocol seeks to accelerate regional economic growth and development by introducing the free movement of goods,

persons, labour, capital, and services, as well as the rights of establishment and residence.

66. The EACA is mandated to enforce the EAC Competition Act by promoting and protecting fair trade and providing for consumer welfare in the Community. The Act sets out that the objects of the competition policy and practice in the Community shall be to:

(a) enhance the welfare of the people in the Community by:

- i) protecting all market participants' freedom to compete by prohibiting anti-competitive practices;
- ii) protecting the opening of Partner States' markets against the creation of barriers to interstate trade and economic transactions by market participants;
- iii) guaranteeing equal opportunities in the Community to all market participants in the Community, and especially to small and medium-sized enterprises;
- iv) guaranteeing a level playing field for all market participants in the Community by eliminating any discrimination by the Partner States based on nationality or residence;
- v) providing consumers access to products and services within the Community at competitive prices and better quality;
- vi) providing incentives to producers within the Community for the improvement of production and products through technical and organizational innovation;
- vii) promoting economic integration and development in the Community;

(b) enhance the competitiveness of Community enterprises in world markets by exposing them to competition within the Community;

(c) create an environment that is conducive to investment in the Community;

(d) bring the Community's competition policy and practice in line with international best practices;

(e) strengthen the Partner States' role in relevant international organizations.

67. The function of the Authority is enshrined in Section 42 of the EAC Competition Act, 2006, which provides that the Authority has all powers, express and implied necessary for and conducive to the implementation and enforcement of the East African Community Competition Law. In the performance of its functions under this Act, the Authority shall have powers to:

1. Gather information;
2. investigate and compel evidence, including the search and seizure of documents;
3. hold hearings;
4. issue legally binding decisions;
5. impose sanctions and remedies;
6. refer matters to the Court for adjudication;
7. recommend to the Council to make regulations;

#### 9.0 PRESENTATION FROM DR. JAMES JOWI THE Ag. CHIEF EXECUTIVE OFFICER OF THE EAST AFRICAN KISWAHILI COMMISSION (EAKC)

68. The Ag. CEO informed the delegation that;

69. Article 137 of the treaty that establishes the EAC provides for the promotion and popularization of the Kiswahili language as an official and regional language of East Africans. The East African Kiswahili Commission (EAKC) is therefore, a critical institution of the Community established by a Protocol (The Protocol for the Establishment of the East African Kiswahili Commission) on 18<sup>th</sup> April, 2007 to promote the use of Kiswahili language as *lingua franca*.

70. Kiswahili is the most widely spoken language in Africa. Kiswahili has in the past contributed to peace-building and liberation struggles in Africa's sustainable Development Goals and facilitated the implementation of the EAC Pillars of regional integration. The EAKC is headquartered in Zanzibar, following an agreement with the United Republic of Tanzania (URT) signed in December 2015 to enable the EAKC secretariat to move to Zanzibar.

71. The Commission is mandated to advise the Partner States on the research, teaching, learning and development of Kiswahili in the EAC region. It aims to achieve this objective through policy formulation, knowledge generation, curriculum review, standardization of terminology and to promote Kiswahili as the *lingua franca* of the Partner States as provided for under Article 3 of the Protocol.

72. The anticipated use of Kiswahili in the region has the potential to facilitate the attainment of the common market objectives through the free movement of people and goods. The language promotion has the potential to also increase the possibility of attaining vision 2050 and the African union Vision 2063, on sustainable development goals.

73. The EAKC has the following functions:

- i. EAKC is the principal advisory institution of the Community on all matters related to Kiswahili;
- ii. Coordination and oversight of national Kiswahili councils and other member institutions;
- iii. Strengthening of collaboration in regional research and assisting partner states to develop centers of advanced studies in Kiswahili;
- iv. Facilitation of the development of Kiswahili policies for the exchange of staff and students in Kiswahili institutions and monitoring the effectiveness of such policies;
- v. Identify Kiswahili training needs in respective partner states and address them through the development of appropriate policies;
- vi. Advocate the use of Kiswahili as lingua franca in the community and beyond;
- vii. Promote the use of Kiswahili in the conduct of EAC official business and public life in the community;
- viii. Enhance collaboration with different stakeholders such as media, publishers and international development partners in developing the use of Kiswahili in the EAC region.

74. The EAKC has Achieved the following;

- i) Establishment and operationalization of the Commission in Zanzibar, United Republic of Tanzania;
- ii) Recruitment of initial staff to operationalize the Commission;
- iii) Development of founding documents such as Protocol and other policy documents;
- iv) The Commission developed its first Five Years Strategic Plan (2017-2022). The plan charts the direction of the Commission in the next five years, including priority activities, projects, key stakeholders and a framework for monitoring and assessing the progress of the Commission towards achieving its objectives;

- v) Baseline studies on different aspects of the development of Kiswahili (Capacity assessment on the use and development of Kiswahili in the Partner States)
- vi) Support for the establishment of Kiswahili Councils and Associations in the Partner States (Kenya and Uganda in advanced stages. Other Partner States are working on policy documents for the same)

75. The EAKC is faced with the following challenges

- i) Delay in processing of the EAKC Bill.
- ii) Poor visibility in the region (awareness of stakeholders).
- iii) The Commission does not have enough resources to implement its Strategic Plan for 2017-2022. Furthermore, the disbursement of funds to the Commission was delayed leading to the non-implementation of certain activities;
- iv) The Commission is heavily understaffed, with only six (6) staff against the establishment of 31 staffers provided for under the Human Resource Manual;
- v) The Protocol requires that Governments put in place Kiswahili Councils across the Partner States. The Councils are supposed to coordinate, formulate, implement and promote Kiswahili in the East African Communities with exception of the United Republic of Tanzania, none of the Partner States have established these Councils;

## 7.0 PRESENTATION FROM DR. SHIGALLA MAHONGO THE EXECUTIVE SECRETARY OF THE LAKE VICTORIA FISHERIES ORGANIZATION (LVFO)

76. The delegation toured the LVFO offices at Jinja in the Republic of Uganda on 6<sup>th</sup> April 2022 and the delegation was informed that;

77. LVFO is a specialized EAC institution established under Article 9 (3) of the treaty establishing the Community, which identifies fisheries as one of the areas of cooperation. d institution of the EAC under Article 9.

78. The LVFO is established by convention and Article 114, sub-Article 2(b) (ii) and (iii) of the EAC Treaty. The EAC treaty provides for the adoption of common policies and regulations for the conservation, management and development of fisheries resources including the establishment of common fisheries management and investment guidelines for inland and marine waters. The 1999 revival of the EAC

saw an expansion of the LVFO convention to include all EAC Partner states and by extension all water bodies in the East African Community block.

79. The Lake Victoria Convention defines East African Community water bodies as the water bodies found among the EAC Partner States. This was necessitated by the fact that not all the Partner States share Lake Victoria. The Expansion of the mandate also provides for the inclusion of aquaculture, fish trade/marketing and fish quality assurance, as well as capture fisheries in the EAC water bodies and it is no longer restricted to capture fisheries in Lake Victoria.

80. The Organization has a commercial fishery dominated by three species namely; Nile perch, Nile Tilapia and Dagaa constituting 95% of the catch. The fish industry employs about 800,000 people and has foreign exchange earnings of about US\$ 300 million. The Lake region produces approximately 60% of the fish resources in the East African Region. Because the EAC region continues to experience increased fishing activity, it calls for regulation to ensure sustainability.

81. LVFO has the following objectives:

- a) To enhance institutional stakeholder capacities for the management and development of fisheries and aquaculture in the EAC region
- b) To establish and maintain up to date fisheries and aquaculture data and information systems to ensure effective sharing
- c) to foster cooperation among the Contracting Parties;
- d) to harmonize national measures for the sustainable utilization of the fisheries and aquaculture resources of the EAC water bodies;
- e) to develop and adopt conservation and management measures.

82. The following are the key achievements:

- i) LVFO has established programs to guide the sustainable management and development of fisheries and aquaculture resources with guidance from scientific information:
  - a. Fisheries Management and Development
  - b. Aquaculture Management and Development
  - c. Fisheries Resource Monitoring and Research
- ii) Fish Quality Assurance, Trade and Marketing of fish and fishery products;

- iii) developed a Strategic Plan for 2016-2020;
- iv) carried out catch assessment surveys;
- v) provided information on the lake productivity processes and on the health of the fish habitat and how they relate to fish production;
- vi) carried out research on fisheries socio-economics, trade, marketing and aquaculture and this has provided information on species to be cultured, quality fish seeds and feeds, culturing technologies and site identification;
- vii) provided a legal framework for the development of aquaculture in the region; and
- viii) fisheries inspectors in the region maintained high standards which enable fish from Lake Victoria to access markets in the European Union, United States of America, and Japan.

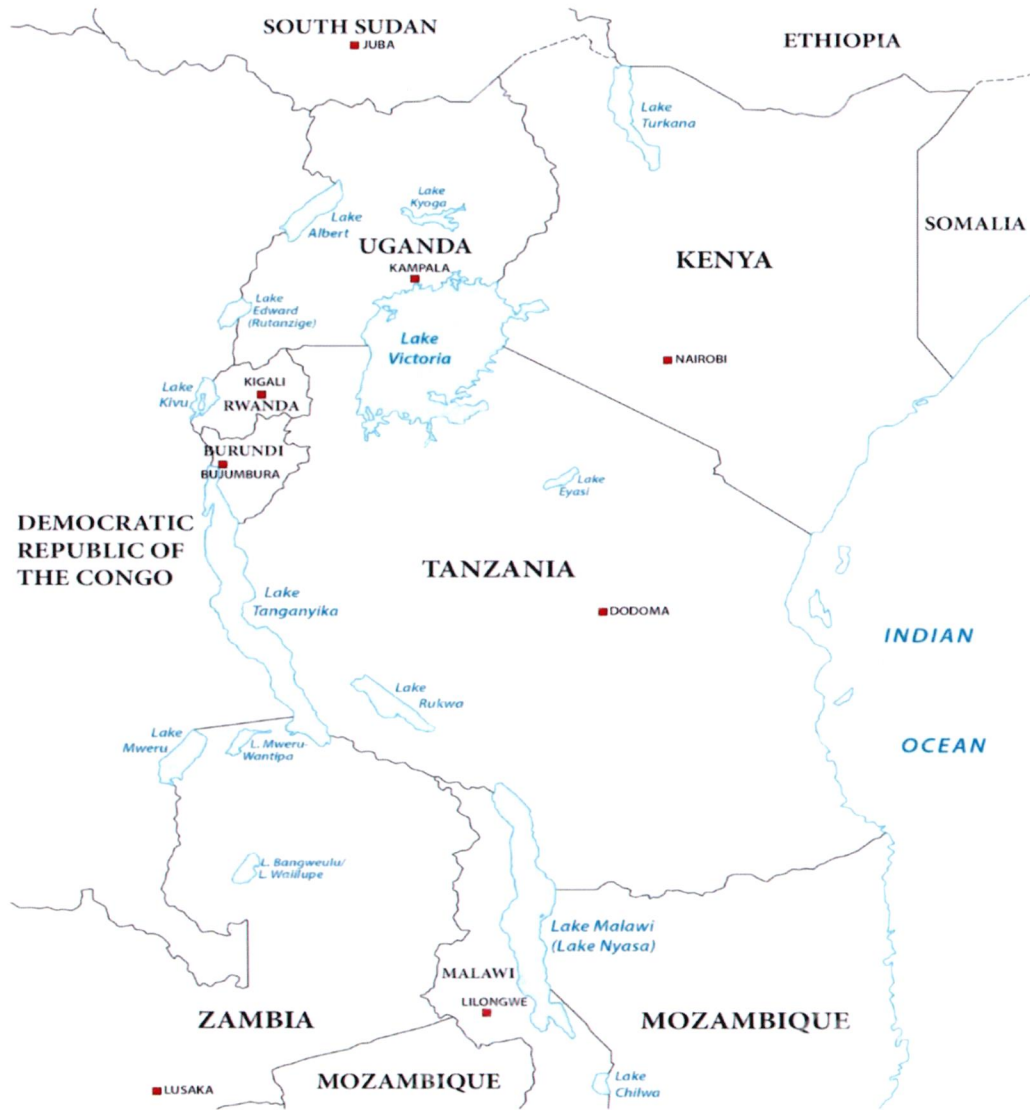


Fig. 1: Water Bodies Within the EAC region

83. The following are Challenges faced by the organization

- i) Under funding and delayed release of funds by partner states which leads to overreliance on donor funding according to the Development Partners' interests;
- ii) Weak enforcement of fisheries regulations and lack of mechanisms to enforce compliance at the national level;
- iii) Incomplete harmonization processes for policies, regulations and guidelines at the regional level and this exacerbated by weak fisheries governance;



- iv) Limited capacity-building programs and limited knowledge applications in aquaculture practices.

#### **11.0 PRESENTATION FROM MR. EMILE NGUZA ARAO THE DIRECTOR-GENERAL OF THE CIVIL AVIATION SAFETY AND SECURITY OVERSIGHT AGENCY (CASSOA)**

84. The Chief Executive Officer informed the delegation that;

85. CASSOA's mandate is derived from Article 92 of the EAC Treaty, under which the Partner States undertake to make air transport services safe, efficient and profitable; adopt common policies for the development of civil air transport in the region; harmonise civil aviation laws and regulations, coordinate measures and co-operate in the maintenance of high security.

86. The agency was established on the 18<sup>th</sup> of April 2007 by the Council of Ministers as an independent and self-accounting institution of the EAC. The agency operates under Article 92 of the EAC Treaty, the protocol establishing CASSOA and the CASSOA Act of 2009. CASSOA is headquartered in Entebbe, Uganda, following a Headquarter agreement between the Government of Uganda and CASSOA.

87. CASSOA regional approach is fundamentally about pooling safety resources for shared benefit. It assists EAC Partner States with meeting the targets established under the ICAO Global Aviation Safety Plan (GASP), Global Air Navigation Plan (GANP) and Global Aviation Security Plan (GASeP), as well as the associated Regional Aviation Safety Group (RASG) and EAC objectives.

88. The agency continued to develop and amend harmonised model Civil Aviation Act, Civil Aviation Regulations and technical guidance materials for adoption and use by the Partner States. Membership to CASSOA is determined by affiliation status to the EAC. EAC partner States are at different levels of effective implementation of ICAO Standards and recommended practices. Therefore, some may benefit more from the additional support provided by CASSOA.

89. The Agency benefits all Partner States whenever there is a global or regional enhancement to aviation safety. In the medium and long run, CASSOA is expected to contribute immensely towards access to affordable and efficient transport and communication system for increased economic development as aspired within the

framework for EAC Vision 2050, African Union Agenda 2063 and Sustainable Development Goal.

90. The Agency performs the following functions:

- i) Harmonise operating regulations to comply with international practice;
- ii) Develop standard procedures for licensing certifying and supervising civil aviation activities;
- iii) Assist partner states particularly sharing of technical staff;
- iv) Conducts technical training for the region's safety assessors;
- v) Addresses sustainable funding mechanisms for partner states.

91. The following achievements have been realized;

- i) Harmonization of Acts and operating regulations to ensure that they meet international standards and recommended practices;
- ii) Development and harmonization of standardized procedures for licensing, approving, certifying and supervising civil aviation activities
- iii) Establishment of a mechanism for assistance to Partner States by putting in place measures for resource sharing, particularly for technical personnel among Civil Aviation Authorities and
- iv) Coordination and facilitating training in various civil aviation domains for purposes of capacity building, among others Promulgation and Harmonization of Model EAC Primary Civil Aviation Legislation for adoption and promulgation by the Partner States
- v) Promulgation and Harmonization of Model EAC Regulations for adoption and promulgation by the Partner States
- vi) Promulgation and Harmonization of EAC Technical Guidance Materials for adoption and promulgation by the Partner States
- vii) Marked improvement amongst Partner States Effective Implementation of Safety and Security Oversight system.
- viii) Actively coordinated and harmonized regional and global initiatives towards restart and recovery of air transport during post-COVID-19
- ix) Completion of Construction of Centre for Aviation Medicine (CAM) in Nairobi,

92. The agency is implementing the following major ongoing Projects;

- i) Implementation of EU-Africa Safety in Aviation (EU-ASA) Project funded by the European Union and coordinated by the European Aviation Safety Agency (EASA)
- ii) Establishment and Operationalization of EAC Examinations System for Aviation Personnel
- iii) Implementation of Project on Common Licensing System funded by the EAC States through Civil Aviation Authorities
- iv) Enhanced cooperation and collaboration agreements with global civil aviation organizations such as ICAO, AFCAC, AUC, BAGASOO, ACSA, EASA and iSASO
- v) Technical Support to the Republic of South Sudan on building a safety and security oversight system in collaboration with AFCAC
- vi) Implementation in the RSOO Cooperative Platform and GASOS initiatives with ICAO Headquarters, Montreal.

93. The Agency has been facing the following challenges, especially during the COVID-19 era:

- i) Sharply declining revenues from the civil aviation activities among the Partner States rendering the Agency to take resilience measures thereof
- ii) Inability to implement Annual Operations Plan and disruption of activities to meet the Strategic Objectives set out in the CASSOA 3rd Strategic Plan
- iii) Declined oversight capabilities and compliance to aviation standards among the Partner States as a result of COVID related measures
- iv) Existential competence deficit brought by the expiry of certificates/license holders during the pandemic era and
- v) Uncertainty on the recovery trend due to the resurgence of coronavirus variants at a global magnitude

## **12.0 PRESENTATION FROM VIVIENNE YEDA THE DIRECTOR-GENERAL OF THE EAST AFRICAN DEVELOPMENT BANK (EADB)**

94. The Director-General informed the delegation that;

95. The EADB is engaged in the promotion of sustainable socio-economic development in East Africa by providing development finance, advisory and support services.

The bank strategically aims to improve financial performance and portfolio quality, increase its volume of lending and improve its development outcomes.

96. The Bank was established in 1967 under the Treaty of the defunct East African Community. After the collapse of the East African Cooperation in 1977, the Bank continued to exist until its re-establishment under its Charter in 1980.
97. The Bank has two categories/classes of shareholders; Class A is made of shareholders made up of four East African Community Partner States including Kenya, Uganda, Rwanda and Tanzania. EADB is in dialogue with the Republic of Burundi through the Ministry of Finance to bring the country on board as a shareholder.
98. Class B is comprised of Shareholders of Development Finance Institutions such as the African Development Bank, FMO (Netherlands), DEG (Germany) and Commercial Banks like the Commercial Bank of Africa (Nairobi), SBIC Africa Holdings (Johannesburg), Nordea Bank (Stockholm), Standard Chartered Bank (London) and Barclays Bank PLC (London).
99. The Bank is engaged in productive sectors of the regional economies. Some of the sectors include forestry and paper, agro marine and food processing, construction, building materials and real estate, oil and gas, electricity and water among others. It provides services such as:
- a) Term loans
  - b) Asset leasing
  - c) Short term working loans
  - d) Equity investments
  - e) Agency for donor funds
  - f) Loan guarantees
  - g) Trade finance facilities
  - h) Real estate and property development loans
100. The Bank has greatly transformed given that in the 1970s, it was the sole provider of equity and long-term capital, while in the 1980's it began supporting small and medium enterprises in East Africa. In the 1990s, the bank pioneered the issuance of bonds in the region and in the 2000's it extended the frontiers of development banking into new products and services.

101. The Bank has realized the following Achievements;

- i) The Bank enjoys Preferred Creditor Status in all its Member Countries;
- ii) Credit Rating o with a stable outlook (August 2017) from Moody's Investor Service rated the best performing Development Finance Institution (DFI) in Africa by the Association of African Development Finance Institution (AADFI) in 2015;
- iii) As part of its Corporate Social Responsibility, the Bank is involved in training medical practitioners in the field of neurology and oncology. The training is a four-year program. The aim is to train 600 medical professionals specializing in cancer treatment in the East African region. The Bank has started training public lawyers and judges in matters related to the extractive industries.

102. The Bank is faced with the following challenges;

- i) The EADB portfolio was greatly disrupted in Kenya and Rwanda because of the Covid-19 business closures, especially in the hotel industry, education and manufacturing sub-sectors.
- ii) Difficulties in mobilising resources due to the wide range of clientele and providing lines of credit to Commercial Banks;
- iii) A volatile financial environment that affects the bank's profitability;

### 13.0 PRESENTATION FROM THE EXECUTIVE SECRETARY OF THE INTER-UNIVERSITY COUNCIL FOR EAST AFRICA (IUCEA)

103. The Executive Secretary informed the delegation that

104. The Inter-University Council for East Africa dates back to the 1970s when the University of East Africa was dissolved and in its place, national universities were established in partner states. These included the University of Nairobi in Kenya, the University of Dareslaam in Tanzania and Makerere University in Uganda.

105. Under the auspices of the EAC, an inter-university committee was established to oversee and maintain collaboration between the three newly formed universities. It was hosted in Kampala, Uganda. The Inter-University Committee

(IUC) continued to coordinate cooperation between the 3 universities in EAC even after the collapse of the EAC in 1977.

106. The collaborative ties were strengthened in 1980 when vice-chancellors of the three universities and government officials such as permanent secretaries met and discussed the future of collaboration which led to the signing of the memorandum of understanding (MoU) committing the three universities to maintain collaboration between them within the IUC framework.

107. The MoU led to the establishment of the Inter-University Council of East Africa (IUCEA). Thereafter, following the revitalization of the EAC in 1999, IUCEA was recognized as one of the surviving institutions of the EAC.

108. The IUCEA operates under the EAC treaty, the IUCEA protocol and the IUCEA Act enacted by EALA in 2009, which effectively mainstreamed IUCEA into the EAC framework and made it answerable to the council of ministers through the EAC secretary-general. The IUCEA obtains funding from Partner states, IUCEA membership contributions and development partner funding. Its annual budget is approved by EALA and audited by the EAC audit commission.

109. The membership of IUCEA is regulated by the IUCEA Act which requires any university, college, or other degree-awarding institution that desires to join IUCEA, to apply for membership as long as the institution operates in the EAC partner states. The current membership stands at 132 institutions as shown in Table 2.

Table 2: Distribution of Membership by Country

Burundi		Kenya		Rwanda		Tanzania		Uganda		S. Sudan		Total
Public	Private	Public	Private	Public	Private	Public	Private	Public	Private	Public	Private	
5	9	18	19	1	16	14	19	9	21	1	1	
<b>14</b>		<b>36</b>		<b>17</b>		<b>33</b>		<b>30</b>		<b>2</b>		<b>132</b>

110. The following are the functions of the Council

- i. Advocate for and foster the implementation of the EAC Common Higher Education Area
- ii. Establish and Implement university leadership training programmes in the region for world-class postgraduate supervision, teaching and learning
- iii. Establish and Implement a Regional information hub for integrated higher education
- iv. Advocate for a digital learning infrastructure that focuses on enhancing the quality and innovation of teaching and learning in higher learning institutions in EAC
- v. Develop Universities, research and innovation centers' capacity for regional research and innovation that caters to a balance between knowledge generation and product/policy innovation in collaboration with industries and other stakeholders
- vi. Ensure the development of a comprehensive electronic network linking member universities for use in supporting new methods of teaching, information dissemination by the council and between member universities and research partners;
- vii. Ensure the establishment of quality assurance;
- viii. Identify training needs in academic staff development, curriculum reform, teaching methods and management;
- ix. Oblige member universities to offer quality education to graduates in all academic disciplines;

111. The Council had achieved the following;

- a. Harmonization of the education systems in the EAC region through operationalization of the common education area concept as declared by the Summit of Heads of States in 2017;
- b. In collaboration with EASTECO, established a journal that provides an avenue for disseminating scientific research and technological findings;
- c. Promotes authorship of textbooks and other academic materials;
- d. Implemented regional quality assurance system on standards, guidelines, procedures and programmes;
- e. Guided in staff and student mobility especially on the charging of similar fees;
- f. Developed the East African qualifications programme. the IUCEA developed a policy document to implement an East African qualification Network Register for documenting all qualifications offered by Universities in the region;
- g. Introduction of the East African High-Quality Framework on education as a facilitation unit for World Bank on skills development;
- h. developed the fees structure model, which was approved at all stages and circulated in all universities;

- i. IUCEA was granted a five-acre piece of land in Kampala, where construction of required office space is expected to commence soon;
  - j. Assisted the region in developing centers of excellence;
  - k. Provided administrative support in the issuance of scholarships under the EAC scholarship programme.
112. The following challenges were enumerated:
- i. Non-implementation of Council recommendations on treatment of students originating from EAC partner states, whereby some partner states discriminate against such students in terms of fees payable and issuance of travel and residence documents;
  - ii. The IUCEA Act does not capture the extended mandate of the Institution in the common higher education area. This makes it difficult to implement the fees structure model across East African Universities;
  - iii. Staff complained about discrimination in offering diplomatic number plates of vehicles to different categories of staff at IUCEA;
  - iv. Limited awareness of the existence of IUCEA and its benefits to the Community.

#### **14.0 PRESENTATION FROM DR. SYLVANCE OKOTH THE EXECUTIVE SECRETARY OF THE EAST AFRICAN SCIENCE AND TECHNOLOGY COMMISSION (EASTEKO)**

113. The delegation visited the EASTECO premises at Kigali, Rwanda on the 8<sup>th</sup> of April 2022 and was welcomed by the Executive Secretary.
114. The Executive Secretary informed the delegation that;
115. EASTECO is an institution of the EAC, established during the 5<sup>th</sup> extraordinary Heads of Summit held on the 18<sup>th</sup> of April 2007 and has been operational since 2015.
116. The institution was established in furtherance of Article 103 (a) of the EAC treaty, which allows partner states to promote cooperation in the promotion of science and technology as an enabler of economic development.



117. The Commission was established to promote and coordinate the development, management and application of science and technology in support of regional integration and socio-economic development.
118. The Specific objectives of the Commission include.
- i. Formulation of regional policies on science and innovation;
  - ii. Joint development and application of science and technology;
  - iii. Promotion of regional research centers of excellence;
  - iv. Promotion of public sector partnership in the development of science and technology;
  - v. Development, adoption and utilization of ICT;
  - vi. Promotion and exchange of scientific information and support the dissemination of research and development findings in partner states.
119. For effective delivery of its mandate, the institution targets five priority areas including the provision of support for evidence-based policies, general promotion of STI knowledge and innovation which calls for commitment to research and development as well as balanced intellectual property rights.
120. The third area of priority is the application of STI for socio-economic development. This deals with key thematic areas that would deliver the greatest socio-economic impact in the region, and minimise the effect of challenges currently witnessed in the areas of value addition in agriculture, promotion of STI in energy and environment and the enhancement of biotechnology initiatives.
121. The institution targets the provision of support for the 4th industrial revolution and trade alongside the aggressive promotion of information and technology.
122. The institution has ongoing programmes in various subsectors which involve the establishment and operationalization of the EAC STI form, publication of the EAC Journal of Science and technology, and, development and implementation of the Regional Innovation and Bio-economy strategy.

123. Other projects include the implementation of the East African Collaborative research initiative and the establishment and operationalization of the EAC innovative forum.

124. The Commission has achieved the following:

**A. Evidence-based Regional STI Policies developed**

- i) Development of the EAC Regional Policy for Science, Technology and Innovation;
- ii) Development of the EAC Regional Policy on Intellectual Property;
- iii) The Regional Innovation-led Bio-economy Strategy
- iv) Development of the EAC Regional Strategy for Science, Technology, Engineering and Mathematics (STEM).
- v) Development of EAC Regional Indigenous Knowledge Technology Systems Strategy-  
On-going

**B. Promoting Scientific Knowledge, Technology Advancement and Innovation**

- i) Establishment of East African Journal on Science, Technology and Innovation.
- ii) Regional Collaborative Research Programme (Grant Initiative (CGI) in EAC and development of EAC Regional Research Agenda & Management Framework
- iii) Regional Capacity Building in STEM: implemented of massive open online course (MOOC) for knowledge and skills enhancement in scientific writing for manuscripts and competitive grant proposals.
- iv) Establishment of EAC Regional STI Conference in collaboration with IUCEA;
- v) Supporting talented youth in STI and establishment of EAC Youth Innovation Forum.
- vi) Establishment of Eastern African Bio-economy Ministerial online Conference
- vii) Launched of the EAC Regional Bio-economy Observatory for Knowledge sharing;

**C. Support for Application of Science, Technology and Innovation (STI) for Socio-Economic Development**

- i) Assessment of Existing Knowledge and Technology Transfer institutions and identification of potential Regional Centers of Excellence in Knowledge and Technology Transfer
- ii) Training in Entrepreneurship Skills and Job Creation for STEM post-graduate students and faculty;

- iii) Establishment of the Regional Network of National Industrial Research & Development Organizations (RTOs) to support the adaptation and transfer of manufacturing and industrial technologies
- iv) Establishment of biennial eHealth and Telemedicine Ministerial Conference and Trade Exhibition to support ICT applications for Health;
- v) Establishment and supporting of Regional Network of ICT Hubs/Incubation Centres;
- vi) Establishment of online training on Digital Identity Systems for EAC Partner States Institutions.

#### **D. Strengthen Governance, Institutional transformation and Partnerships**

- a) Constitution of the 2<sup>nd</sup> EASTECO Governing Board (Board Operational since June 2017)
- b) Construction of EASTECO Headquarters- Rwanda Government to allocate Land.
- c) Legal Instruments/Amendment of EASTECO Protocol – Still with the CTC office since 2019.

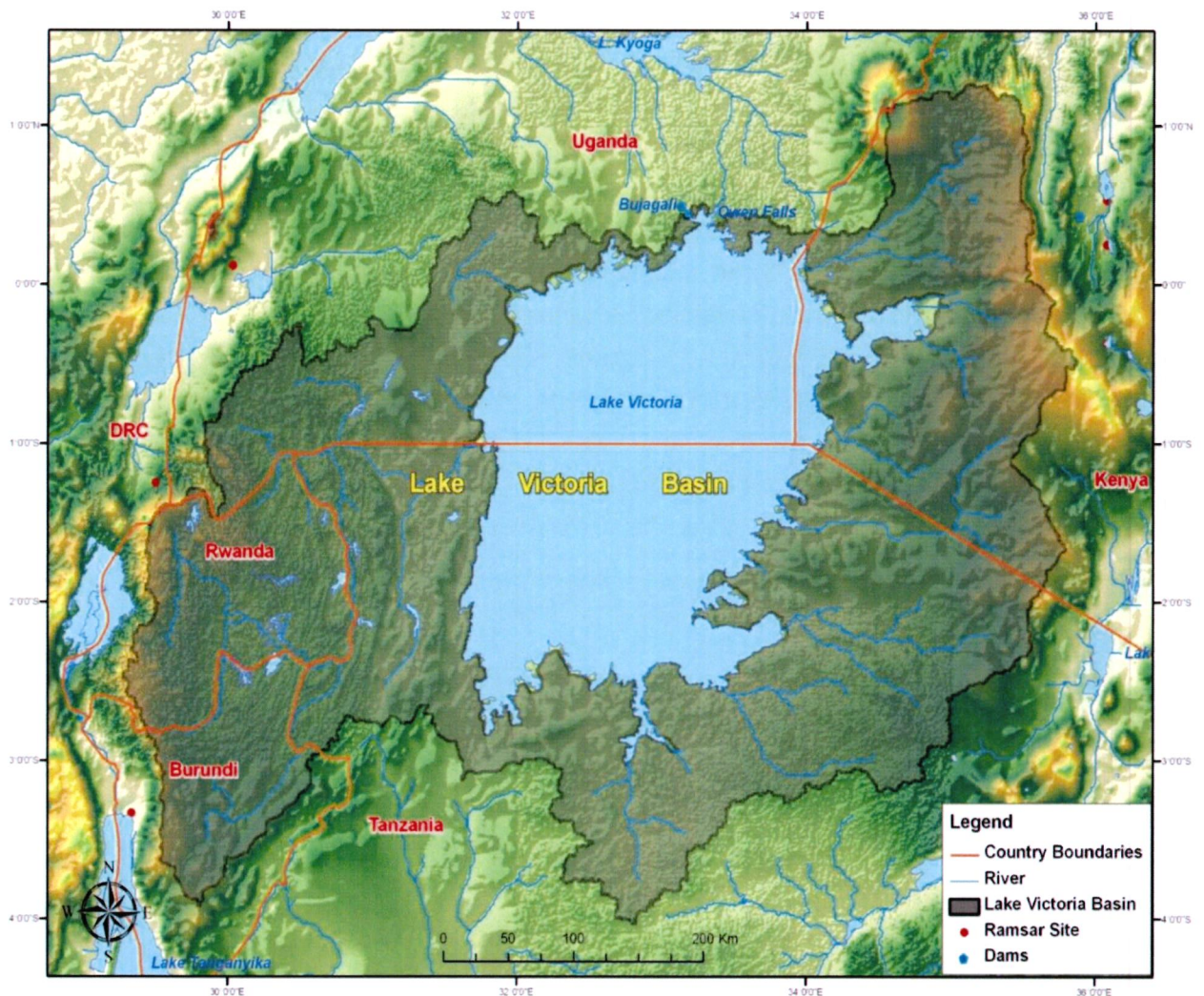
125. The Commission is faced with the following challenges;

- a. Inadequate funding. The approved budgets are inadequate to cover major activities as per the approved AOPs with Zero percentage increase.
- b. Inadequate Staff for Programme Activités. Delay in achieving the EASTECO mandate as per specific objectives in the Protocol due to lack of adequate technical (professional) staff.
- c. Delayed review of EASTECO Protocol. A big number of EASTECO Governing Board membership (42 members) is too expensive to facilitate during the Meetings
- d. Some partner states do not have Science and innovation agencies through which EASTECO collaborates and shares policy direction and support
- e. Delayed approval of Draft Regional Science Technology and Innovation and Intellectual Property Policies by the United Republic of Tanzania.
- f. Delayed legal instrument to establish the East African Research and Technology Development Fund provided for by the Common Market Protocol and Council Decision by the CTC office.
- g. Delays responses from MEACA Uganda to requests for nominations of National Participants for EASTECO activities.

#### **PRESENTATION FROM MR. MASINDE BWIRE THE EXECUTIVE SECRETARY OF THE LAKE VICTORIA BASIN COMMISSION (LVBC)**

The Executive Secretary informed the Committee that;

126. The Lake Victoria Basin Commission (LVBC) is a specialized Institution of EAC established by the Protocol for the Sustainable Development of the Lake Victoria Basin, pursuant to Art.114 2 (b) (VI) of the Treaty for the establishment of the East African Community. Other guiding documents include the Shared Vision and LVBC Strategic Plan which normally is derived from the EAC Development Strategy and the Council's Decisions & Directive.
127. The Commission is mandated to coordinate the sustainable development and management of the Lake Victoria Basin in the Partner States. The EAC designated lake Victoria Basin as an area of high economic interest and a regional economic growth zone to be developed jointly by the Partner States. The population of the basin includes Tanzania (7.4 million/44%), Kenya (15.9 million/21.5%), Burundi (5.3 million/7.2%), Rwanda (8.8 million/11.4%) and Uganda (7.5 million/15.9%).
128. The Lake Victoria Basin covers an area of 180,950 KM<sup>2</sup>, out of which the United Republic of Tanzania occupies 51%, the Republic of Uganda 43% and the Republic of Kenya 6%. The basin is home to 44.9 Million East Africans, the majority of whom (15.9 M) are Kenyans. The basin is congested and experiences environmental challenges such as pollution of lake resources and land degradation.
129. The natural repository of all the basin water resources of 2750 Cubic Kilometers covers 68870 KM<sup>2</sup> with an average depth of 40 meters. The lake gets replenished mainly by precipitation (82%) and rivers (18%). The plays important environmental and provisional services such as:
- i. A source of water for domestic, industrial, irrigation and hydropower
  - ii. Commercial water supply. 90% of NWSC total water supply is from Lake Victoria with a total revenue estimate of \$ 60 million annually
  - iii. Has the most of the world-class wildlife habitats including the Mara/Serengeti (Estimated income of USD 270 Million annually)
  - iv. Has huge biodiversity including terrestrial and aquatic. LVB is endowed with fertile soils ideal for a wide range of crops. It also falls within a good agro-climatic zone. And is strategically connected through all modes of transport to the outside market.



130. The LVBC contributes to the implementation of the EAC Common Market Protocol which has five freedoms namely, Free Movement of Goods, Free movement of Capital, Free Movement of Persons, Free movement of Services and labor and two rights that is, the Right of Establishment and Residence. The areas and scope of operation include the following:

- i) Sustainable development, management and equitable utilization of water resources;
- ii) Sustainable development and management of fisheries resources;
- iii) Promotion of sustainable agricultural and land-use practices including irrigation;
- iv) Promotion of sustainable development and management of forestry resources;

- v) Promotion of development and management of wetlands;
- vi) Promotion of trade, commerce and industrial development;
- vii) Promotion of development of infrastructure and energy
- viii) Maintenance of navigational safety and maritime security;
- ix) Improvement in public health with specific reference to sanitation
- x) Promotion of research, capacity building and information exchange;
- xi) Environmental protection and management of the Basin'
- xii) Promotion of Public participation in planning and decision-making;
- xiii) Integration of gender concerns in all activities in the Basin; and
- xiv) Promotion of wildlife conservation and sustainable

131. The following are the Projects and Programmes progress

PROJECTS	AREAS OF PROGRAM FOCUS	PC (USD)
LVEMP II	Environmental sustainability & Livelihood improvement and Policy harmonization (World Bank) – completed in 2017	254 Million
LVWATSAN II	MDG target on WATSAN and Environmental Hygiene in 15 Secondary Towns (African Development Bank) – completed in 2018	120 Million
PHE Program	Promoting the integration of population, health and environmental conservation	7 Million
PREPARED	Biodiversity, WASH and Climate Change (USAID KEA)	7 Million
MN LV MCT	Maritime communication and transport (African Dev Bank)	25 Million
IWRM -LVB	Integrated water resources management and development (Kiwi/EU) - HPIs	33 Million

Green Growth	Cleaner production mechanisms by the private sector (NDF)	3.7 Million
CC adaptation	Climate change adaptation/Smart Agriculture (UNEP/AF)	5.0 Million
LVEMPIII - PPA	Investments in collaborative environmental management (WB)	1.6 Million
TBSM IN URBAN POOR	Investment in Transboundary Sludge Management in the Urban Poor communities (AWF)	1.7Million
CLIMATE-SMART AGRICULTURE IN LVB	Focus on promoting climate-smart/conservation agriculture in LVB – given the vulnerability of the Basin to Climate Change (AFDB)	60 Million
Scale Ways Project	Focus on development of research and demonstration in resilient agriculture working with ICSAT and IIASA	1.0 Million

Source: LVBC 2022

132. The LVBC is faced with the following Challenges;

- 1) Disparities in immunities and privileges. While the Headquarter Agreement signed between the Government of Kenya and the East African Community provides for the privileges and immunities for the staff working for the Lake Victoria Basin Commission discrimination has not been addressed;
- 2) Lack of Sustainable Financing Mechanisms for projects.
- 3) The slow process toward enactment of the pending Lake Victoria Basin Commission Bill (2019) to provide legal status/operations/resource mobilization
- 4) Overlapping mandates with EAC Secretariat. A number of provisions under the scope of cooperation are supposed to be implemented jointly with the EAC Secretariat;

- 5) Lack of clear link between projects and programs implemented by the Lake Victoria Basin to the four pillars of regional integration (Custom Union, Common Market Protocol, Political Federation and Monetary Union)
- 6) Suppressive governance structure/long decision-making process with CEOs having very limited powers
- 7) Implementation of regional policies/laws /regulations and standards is very low. This includes Lake Victoria Transport Act (2007), Regional Effluent Standards (2017), Water Release and Abstraction Policy (2015)

## COMMITTEE OBSERVATIONS

The Committee made the following observation;

- 1) The current financial shortages occasioned by delayed partner state contributions and dwindling development partner support continue to adversely affect the performance of all EAC institutions thus frustrating the implementation of key projects and programmes meant to uplift the lives of East Africans.
- 2) The free movement of the EAC-originated goods is frustrated by the persistence of the NTBs even after sixteen (16) years of implementation of the Customs Union and eleven (11) years on the Common Market.
- 3) There is a lack of a legal framework for the elimination of NTBs due to the delay in the finalization of the amendment of the EAC Elimination of Non-Tariff Barriers Act, 2017 and its Regulations.
- 4) The intra-EAC trade for a number of years has constantly remained low at about 10% while international trade has been accounting for 90% of the EAC total trade.
- 5) There is a delay in operationalizing of East African Court of Justice's (EACJ) administrative and financial Autonomy.
- 6) The service of the Judges of the East African Court of Justice (EACJ) continues to be ad-hoc and only the President and the Principal Judge are based in Arusha thus affecting the performance of the Court.



- 7) The East African Court of Justice (EACJ) is temporarily hosted in Arusha, the United Republic of Tanzania even after two decades of Regional Integration.
- 8) Following an earlier freeze on staff recruitment and a lengthy governance process, the current staffing levels for EAC organs and Institutions are not sufficient to execute the assigned mandates.
- 9) The East African Competition Authority (EACA) has only one staff (the Registrar) which hinders the core functioning of the Authority.
- 10) There is a disparity of privileges accorded to the Organs and Institutions of the Community depending on the host Partner State. The ratification of the Protocol on Privileges and Immunities would address this challenge;
- 11) The proposed popularization and use of the Kiswahili language as lingua franca in the EAC region are important for the promotion of business and the free movement of people and goods. However, the amount of human and financial resources committed to the EAKC is too low for the desired effect.
- 12) There is a Lack of National Kiswahili Policies in the Partner States that delays the process of making Kiswahili a Lingua franca of the community.
- 13) The political conflicts witnessed between some partner states have had a negative effect on business in the community. This calls for mitigation at the summit level.
- 14) Some services, particularly those in the telecommunications and Air Transport sector continue to be unreasonably expensive despite agreements at various levels to make the services affordable.
- 15) The EACJ is a key institution of EAC with powers to hear matters of interest affecting partner states, EAC organs and EAC citizens. The majority of EAC residents, particularly business owners, however, are not aware of the free services offered by the court.

- 16) All the EAC organs and Institutions visited by the committee are affected by staff deficits, particularly professional staff cadres.
- 17) Despite EASTECO being the premier regional STI promotion vehicle, its budget is mainly spent on recurrent expenditure, with less than 20 % going to the promotion of Science and technology.
- 18) The East African Development Bank EADB has a robust public awareness programme for its services through training professionals such as lawyers, doctors and bankers. The bank also offers university scholarships in mathematics and engineering courses. The awareness programmes might in the long run provide the region with professionals in areas that are currently understaffed.
- 19) The IUCEA distributes research findings through established research incubators at centers of excellence in partner states including Mbalala University in Uganda and Moi University in Kenya. The centers are not known to EAC citizens and their leaders.
- 20) CASSOA operates under the clarion call “no member should be left behind”. The committee notes that some partner states are left far behind in the adoption of safety and security procedures propagated by CASSOA.
- 21) In the spirit of regional integration, the EAC region deserves to develop one regional airline. The Committee however notes the clamor by partner states to have national airlines, which is likely to create more confusion and losses in the Aviation industry. Some partner states are yet to ratify important regulatory documents Under the open skies initiative, for instance, it is only the Republic of Kenya and Rwanda that have signed the operating document. This results in different fuel and licensing fees and makes air travel in the region expensive.
- 22) The traceability system initiated by LVFO is instrumental to the successful marketing of fish in the European Union because it enables consumers to trace back the fish marketed in Europe to landing beaches in the country of origin. A similar mechanism does not exist for the regional and domestic fish trade.

23)Efficient management of lake resources has the potential to attract industrial development. Already, more than 17 Industrial processing Plants in the Republic of Uganda, Republic of Kenya and United Republic of Tanzania are engaged in processing fish from Lake Victoria.



## COMMITTEE RECOMMENDATIONS

134. The Committee made the following recommendations;

- 1) To address the challenges associated with delayed financing, the council of ministers is encouraged to creatively explore alternative financing mechanisms including the establishment of a levy on imports to the EAC region, or exports out of the region. The founding partner states could also consider paying contributions due for South Sudan and Burundi on the BIG Brother basis and review the EAC treaty to allow partner states' contributions to be based on the ability to pay and retention of veto power by the highest paying partner states.
- 2) The Council of Ministers to consider and increase the budgets of all institutions/organs of the East African Community.
- 3) The Council of Ministers to fastrack the finalization of the amendment of the EAC Elimination of Non-Tariff Barriers Act, 2017 and its Regulations.
- 4) The Government through the Ministry of East African and Regional Development formally requests the Summit Heads of State to host the East African Court of Justice (EACJ) based on equality in the location of Institutions/Organs of the East African Community.
- 5) The Council of Ministers should fastrack the EACJ Bill and give financial Autonomy to the Judicial Arm of the East African Community.
- 6) The EACJ is urged to partner with Member states' court registries and Partner States National Assemblies to popularize the activities of the Court.
- 7) There is a need to review the current EAC treaty and initiate mechanisms of mobilizing funds at the regional level to inspire regional ownership of EAC projects and programmes.
- 8) The Council of Ministers is urged to urgently complete the ongoing staff recruitment process and allow appropriate staffing in all EAC institutions and organs.

- 9) Direct all partner States that do not have National Kiswahili Councils and the national Kiswahili policies to establish those Councils and policies.
- 10) The EAKC implements a number of attractive programmes in the promotion of Kiswahili, and should therefore find a way to work with the private sector and international organizations such as publishers and the media to identify alternative financing arrangements for their programmes.
- 11) To address challenges related to the business environment, the committee urges the EABC to facilitate a meeting of all Partner States Parliamentary Committees responsible for oversight of regional integration to address the challenges faced by the community for consideration by the summit.
- 12) The Council of Ministers is encouraged to fast-track the process of amending the Protocol establishing EASTECO to allow for efficiency in staff operations.
- 13) The committee advises other EAC institutions to work closely with the private sector actors and identify areas of mutual interest for the popularization of activities as demonstrated by the EADB.
- 14) The Committee urges the Inter-University Council to enforce the IUCEA Act and ensure students who fail in core competencies do not graduate. Further, the IUCEA, in collaboration with National Commissions and Councils, should urgently develop a regional harmonized examination system.
- 15) The Committee encourages the IUCEA to work closely with the Council of Sectoral Ministers to ensure a roll-out of internship programmes and regular review sessions with industry partners for skills with expectations.
- 16) The Committee urges CASSOA to urgently mobilize resources to help the Republic of South Sudan and Burundi improve safety and security in their respective aviation activities.

- 17) The Committee urges the Council of Ministers in collaboration with aviation stakeholders to mount a popularization campaign to attract young professionals to the aviation industry and eventually create a critical mass of professionals to run the industry profitably and professionally.
- 18) The expansion of the mandate of LVFO should be limited to the inclusion of EAC partner states. Further expansion of the mandate to operational areas that conflict with the mandate of the Lake Victoria Basin Commission mandate should be discouraged.
- 19) The Council of Ministers is urged to identify funding mechanisms for the traceability of fish products for the region and domestic market to boost trust and fish consumption.
- 20) The Kenyan Minister responsible for fisheries development is requested to liaise with other government agencies and develop a programme for increasing fish production through aquaculture, just like is the case in the republic of Uganda. Uganda produces 100,000 Metric tons of fish annually through aquaculture, while Kenya, which has sufficient water bodies produces only 15,000 Metric tons.
- 21) The Council of Ministers to fastrack the assent of the Lake Victoria Basin Commission Bill, 2019.