



EAST AFRICAN COMMUNITY GAZETTE

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

Vol. AT 1 – No. 11

ARUSHA, 12th August, 2011

Price \$ 1.00

BIILLS SUPPLEMENTS

	<i>Bill</i>
1 A Bill entitled The East African Community Legislative Assembly Elections Bill, 2011	No. 3
1 A Bill entitled The East African Parliamentary Institute Bill, 2011	No. 4
1 A Bill entitled The East African Community Human and Peoples Rights Bill, 2011	No. 5
1 A Bill entitled The East African Community Polythene Materials Control Bill, 2011	No. 6

STATUTORY INSTRUMENTS SUPPLEMENTS

	<i>S.I.</i>
1 Lake Victoria Transport (Maritime Safety) Regulations 2010	No. 2
1 Lake Victoria Transport (Fees) Regulations 2010	No. 3
1 The East African Community Competition Regulations 2010	No. 4

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DECISIONS AND DIRECTIVES OF THE 9TH EXTRAORDINARY SUMMIT OF THE HEADS OF STATE**1.0 APPOINTMENT OF NEW MEMBERS OF STAFF****2.1 Appointment of New Secretary General**

The Summit, in pursuance of the provisions of Article 67 of the Treaty, appointed Amb. Dr. Richard Sezibera Secretary General of the East African Community with effect from 25th April 2011.

(EAC/SHS EX 9/Decision 01)

2.2 Appointment of a New Deputy Secretary General from The United Republic of Tanzania

The Summit, in pursuance of the provisions of Article 68 of the Treaty, appointed Dr. Enos Bukuku, Deputy Secretary General of the East African Community with effect from 25th April 2011.

(EAC/SHS EX 9/Decision 02)

2.3 Appointment of a New Judge of the East African Court of Justice (First Instance Division)

The Summit pursuant to Article 24(1) of the Treaty, appointed Hon. Mr. Justice Isaac Lenaola, Judge of the East African Court of Justice (First Instance Division) with effect from 1st July 2011.

(EAC/SHS/ EX9/Decision 03)

2.0 CONSIDERATION OF THE REPORT OF THE COUNCIL OF MINISTERS ON THE PROPOSED EAST AFRICAN COMMUNITY SINGLE CUSTOMS TERRITORY

The Summit directed the Council to table concrete proposals on this matter at the 13th Ordinary Summit in November this year.

(EAC/SHS EX 9/Directive 01)

3.0 CONSIDERATION OF THE WAY FORWARD ON THE POLITICAL FEDERATION

The Summit directed the Council to:

- (a) direct The Team of Experts, (which may be re-constituted as necessary by the Partner States) to formulate concrete and definite proposals on how to address the Fears, Concerns and Challenges on the Political Federation;
- (b) table a Report on this subject at the 13th Summit on November 2011.

(EAC/SHS EX 9/Directive 02)

4.0 CONSIDERATION OF THE REPORT OF COUNCIL OF MINISTERS ON THE IMPLEMENTATION OF THE EAC FOOD SECURITY ACTION PLAN (2010-2015) AND THE EAC CLIMATE CHANGE POLICY

The Summit approved:-

- (a) The East African Food Security Action Plan (2011-2015); and
- (b) The East African Community Climate Change Policy, for implementation by the Council.

(EAC/SHS EX 9/Decision 04)

5.0 CONSIDERATION OF A REPORT OF THE COUNCIL OF MINISTERS ON THE EAST AFRICAN DEVELOPMENT BANK

The Summit directed that a comprehensive brief of the case against the Bank covering the whole period from the onset of the case against the Bank be forwarded to the Secretary General of the East African Community by the East African Development Bank for onward transmission to the Heads of State for consideration.

(EAC/SHS EX 9/Directive 03)

6.0 KEY EMERGING ISSUES

Although this was an Extraordinary Summit, the Summit allowed the Council to report on the following key emerging issues whose implementation is based on decisions/directives taken at the 12th Summit held on 3rd December 2010.

7.1 The Somali Question and Piracy

The Summit:-

- (a) commended the EAC Partner States of Burundi and Uganda for the sacrifices borne out of their efforts to restore stability in Somalia; and
- (b) expressed support for The African Union and IGAD position for a one year extension for the Transitional Federal Government of Somalia to enable that Government to draft a new constitution and intensify its war against the Al-Shabaab terrorist insurgency.

(EAC/SHS EX 9/Directive 05)

7.2 Economic Partnership Agreement (EPA) Negotiations with the European Union

The Summit directed the East African Community Secretariat to negotiate with SIDA to allow a transfer of funds to the Partner States in order to immediately reactivate the EPA Negotiations.

(EAC/SHS EX 9/Directive 04)

7.3 Nile Basin Initiative Question

The Summit reiterated its readiness to host a Special Summit to advance the negotiations on the Nile Water question with a view to realizing a mutually acceptable solution among all the Riparian States.

(EAC/SHS EX 9/Decision 06)

8.0 STATEMENT BY THE CHAIRPERSON OF THE SUMMIT

The Chairperson of the Summit congratulated the Partner States for the progress they are making in socio-economic and political development singling out the successful holding of elections in the Republic of Uganda and the continued implementation of a new Constitution in the Republic of Kenya. He also observed the significance of the successful holding of a Referendum on Southern Sudan.

While making an overview of the items on the agenda, the Chairperson, on behalf of the Summit, congratulated the outgoing Secretary General upon his and the East African Community's tremendous achievements during the last five years of regional integration. He assured the incoming Secretary General of the Summit's support as he discharges his responsibilities; he also welcomed the newly appointed Deputy Secretary General (Planning and Infrastructure) and the newly appointed Judge. He further urged the Summit to sustain its role in giving impetus to the further development of the Customs Union and the Common Market; the negotiations on the establishment of a Monetary Union; the implementation of the EAC Food Security and Action Plan (2011-2015) and the EAC Climate Change Policy; and the continued articulation all pertinent issues on the establishment of an EAC/COMESA/SADC Grand Free Trade Area.

The Chairperson invited the Summit to hold the 13th Summit scheduled for November 2011 in Bujumbura, Burundi. The invitation was accepted by the other Heads of State.

The Summit decided to hold the 13th Ordinary Summit scheduled for November 2011 in Bujumbura, Burundi.

(EAC/SHS EX 9/Decision 07)

9.0 CONSIDERATION AND ADOPTION OF THE COMMUNIQUE OF THE SUMMIT

The Summit considered and adopted a Communiqué which is attached to their report as Annex X.

(EAC/SHS EX 9/Decision 08)



EAST AFRICAN COMMUNITY

**DECLARATION OF THE
9TH EXTRAORDINARY SUMMIT OF HEADS OF STATE ON FOOD SECURITY
AND CLIMATE CHANGE**

WHEREAS climate variability and change is a serious global concern and is increasingly impacting negatively the EAC region's ecosystems, the natural resources productivity, people's livelihoods and indeed all development efforts;

AND WHEREAS Article 105 of the Treaty for the Establishment of the EAC obligates Partner States to cooperate in the agriculture sector to achieve food security and rational agricultural production including crops, livestock and fisheries within the Community;

CONSCIOUS OF THE adverse impacts of Climate Change especially on environment, agriculture and food security in the region;

CONSIDERING that the socio-economic development of the region is currently and will for the foreseeable future remain predominantly dependent on our natural resources;

AWARE that agricultural production in the region is predominantly rain fed and irrigated accounts only 2.6 % of the arable land in the region;

CONSIDERING that over (40% country figures) of total land in the EAC region is occupied with pastoralists and agro-pastoralists, is an arid or semi-arid fragile environment and extremely vulnerable to impacts of climate;

AWARE that nutritional status in the region is low with high prevalence of the underweight at 16 % in Uganda, 31 % in Kenya, 33 % in Rwanda, 44 % in Tanzania and 66 % in Burundi and the limited knowledge on good nutrition;

CONCERNED that there are high post harvest losses in the food value chain due to inadequate preservation and processing

COGNIZANT of the need to enhance the development and implementation of programmes and activities relating to building resilience of communities and their preparedness to respond to the impacts of Climate Change;

APPRECIATING the importance of addressing adaptation needs in various sectors which affect the sustainable livelihood of all citizens and development in the region;

ACKNOWLEDGING THAT, for the East African Common Market to provide opportunities and benefits to the EAC citizens, it must give priority to the food sub-sector because the majority (70% to 80%) of the people of East Africa are employed in the production, processing and marketing of food commodities and products.

NOW THEREFORE we the Heads of State of the Partner States of the East African Community (herein after referred to as EAC) assembled in Dar es Salaam, Tanzania, on this 19th day of April, 2011 declare as follows;

Partner States should:

A: Food Security

1. Immediately implement the EAC Food Security Action Plan.
2. Fast track the:

- (i) development of regional policy for food security;
 - (ii) finalization, adoption and implementation of regional legal, regulatory and institutional framework for standards and Sanitary and Phytosanitary measures (SPS); and
 - (iii) Institutionalization of structured food trading system including contract farming, out-grower schemes, warehouse receipt system and food commodities exchanges.
3. Increase the budget allocation to the agriculture sector to a minimum of 10% of national budgets by 2015 as per the Maputo Declaration directing them to priority programmes and projects for enhancing food security and poverty reduction.
4. Establish finance and insurance instruments for agriculture development especially for small and medium scale farmers and entrepreneurs.
5. Immediately invest and develop agro-industries for value-addition of food produce from the EAC region.
6. Ensure that all food security strategies and actions have in-built resilience to weather variability and adaptation to Climate Change
7. Ensure development of emergency preparedness and response plans
8. Ensure that all food security strategies and actions have in-built gender and HIV/AIDS considerations.
9. Promote development of the dietary guideline among the Partner States.

B: Climate Change

1. Adopt a Regional Climate Change Policy to guide Climate Change actions in the EAC region.
2. Strengthen their meteorological and hydrological services.
3. Endorse the establishment of the EAC Climate Change Fund to specifically support adaptation and mitigation activities, including supporting research institutions of excellence in the area of technology development and demand-driven studies especially for Climate Change Adaptation.
4. Develop a mechanism for managing the Climate Change fund and report by the next Summit.
5. Undertake actions to increase funding for Climate Change adaptation.
6. Strengthen the emergency preparedness of the Health Systems to deal with the health impacts of Climate Change.
7. Create special institutional arrangements in the short to medium term, flexible enough to coordinate Climate Change actions by different players.
8. Fast track the ratification of the Protocol on Environment and Natural Resources.
9. Finalize the EAC Climate Change Master Plan within six months and ensures its immediate implementation thereafter.
10. Mainstream Climate Change in all the National Development processes.
11. Ensure that education and public awareness are up-scaled to enhance knowledge on the causes and impacts of Climate Change.

In order to realize the above objectives we further declare that Partner States should:

1. Establish funding mechanisms to mobilize adequate resources for the investment and working capital required to meet the objectives set in this declaration and invite all stakeholders including development partners to support the operationalization of the decisions under this declaration;
2. Follow up on the implementation of this declaration and report progress and outcomes to the Summit of Heads of State, annually.

Signed on this 19th day of April, 2011 in Dar es Salaam, Tanzania

H. E. PIERRE NKURUNZIZA,
Chairperson of the Summit.

DECISIONS AND DIRECTIVES OF THE 20TH MEETING OF THE COUNCIL OF MINISTERS

1.0 REPORT ON THE IMPLEMENTATION OF PREVIOUS DECISIONS

Decision /Directive/Recommendations/Regulation

- (a) The Council directed the Secretariat to always indicate in the matrix the date when Council decisions were taken for ease of reference;
(EAC/CM 20/Directive 01;26th March 2010)
- (b) directed the Secretariat to prepare a Matrix on the status of implementation of previous decisions highlighting those that were implemented and those still pending;
(EAC/CM 20/Directive 02;26th March 2010)
- (c) directed the Secretariat to come up with a comprehensive and updated database grouped into 3 categories:
 - (i) decisions fully implemented;
 - (ii) decisions whose implementation is on-going;
 - (iii) decisions that have never been implemented;
 (EAC/CM 20/Directive 03 ;26th March 2010)
- (d) directed the Secretariat to prepare the Terms of Reference and implement the Council decision on constituting a Task Force to review the EAC recruitment processes and assess the recruitment capacity and integrity; and the report of the Task Force to be submitted to the Sectoral Committee on Public Service Management for consideration;
(EAC/CM 20/Directive 04;26th March 2010)
- (e) directed the Secretariat to finalize the documentation necessary for the aviation stakeholders conference on the funding of the East African Aviation Training Organizations' Rehabilitation Project (ATORP) and mobilize funds for hosting this Conference by June 2010;
(EAC/CM 20/Directive 05;26th March 2010)
- (f) urged the Republic of Burundi and the United Republic of Tanzania to submit their comments on EALA Select Committee, EALA Resolution urging the Summit to delegate its powers to the Council to restructure and allocate responsibilities to individual members of the Council and the Report on the EAC Inter-Organ Strategic Retreat to the Secretariat by 30th April, 2010;
(EAC/CM 20/Decision 01;26th March 2010)
- (g) urged the Republic of Uganda to submit her comments on EALA Select Committee and EALA Resolution urging the Summit to delegate its powers to the Council to restructure and allocate responsibilities to individual members of the Council;
(EAC/CM 20/Decision 02;26th March 2010)
- (h) urged all the Partner States to make inputs in the concept paper relating on the following matters by 30th April, 2010 and submit the same to Partner States for consideration:
 - (i) Proposal for the Establishment of a Bureau of Speakers as an Organ of the Community;
 - (ii) Proposal for the Transfer of the Co-ordination of the Inter-Parliamentary Committee to the East African Legislative Assembly;
 - (iii) Proposal to Establish an East African Parliamentary Institute;
(EAC/CM 20/Decision 03;26th March 2010)
- (j) urged the Republic of Kenya to expedite the review of the Axle Load Limit from the current 48 tonnes to 56 tonnes;
(EAC/CM 20/Decision 04;26th March 2010)
- (k) urged the Republic of Kenya, The United Republic of Tanzania and the Republic of Uganda to speed up the process of funds acquisition and remittance to LVFO for the 'Operation Save Nile Perch' for the recovery of the Nile perch fishery of Lake Victoria;
(EAC/CM 20/Decision 05;26th March 2010)

- (l) urged the Republic of Kenya, the Republic of Burundi and the United Republic of Tanzania to submit their comments on the draft TORs for a comprehensive analysis on equitable distribution of benefits of the Community by Partner States by 9th April, 2010;
(EAC/CM 20/Decision 06;26th March 2010)
- (m) The Council established a steering committee composed of two (2) experts from each Partner State to finalize the TORs for a comprehensive analysis on equitable distribution of benefits of the Community and backstop the consultancy study;
(EAC/CM 20/Decision 07;26th March 2010)
- (n) The Council directed the Secretariat to submit final TORs for a comprehensive analysis on equitable distribution of benefits of the Community to the Sectoral Council of Ministers Responsible for EAC Affairs for consideration and approval;
(EAC/CM 20/Directive 06;26th March 2010)
- (o) The Council directed the Secretariat to ensure that the matrix reflects the status of implementation on all previous Council and Summit directives.
(EAC/CM 20/Directive 07;26th March 2010)

2.0 REPORT OF THE OFFICE OF THE SECRETARY GENERAL

2.1 REPORT ON THE 12TH MEETING OF THE SECTORAL COUNCIL OF MINISTERS RESPONSIBLE FOR EAC AFFAIRS

- (a) The Council adopted the restructuring of the Sectoral Council of Ministers Responsible for EAC Affairs by including the Ministers Responsible for Planning in its membership;
(EAC/CM 20/Decision 09 ;26th March 2010)
- (b) The Council adopted the decision to revisit its previous decision made at its 12th Meeting held on 25th August, 2006 on the programme of the Sectoral Council of Ministers Responsible for EAC Affairs and reduce its Ordinary Meetings from monthly basis to quarterly basis;
(EAC/CM 20/Decision 10 ;26th March 2010)
- (c) Of The Council adopted the transformation of the Sectoral Committee on Statistics and Information Exchange into a Sectoral Committee for Planning, Research and Statistics that will report to the restructured Sectoral Council;
(EAC/CM 20/Decision 11 ;26th March 2010)
- (d) The Council adopted the decision that Ministers Responsible for East African Community Affairs should attend meetings of other Sectoral Councils to enhance deeper understanding of the policy issues and challenges in these sectors;
(EAC/CM 20/Decision 12 ;26th March 2010)
- (e) The Council directed the Secretariat to stop reproducing reports of the Sectoral Council meetings to the Council, but submit only summary briefs/reports of those decisions that have financial, legal, institutional and policy implications to the Council for consideration while reflecting the status of implementation of previous decisions of the Council in the matrix;
(EAC/CM 20/Directive 08 ;26th March 2010)
- (f) The Council directed the Counsel to the Community to always prepare certifications on the legal adequacy of Bills enacted by EALA and communicate the same to the Heads of State with copies to the Ministers Responsible for EAC Affairs and Attorneys General;
(EAC/CM 20/Directive 09;26th March 2010)
- (g) The Council directed the Secretariat to harmonize tenure of office of all Executives of EAC Institutions.
(EAC/CM 20/Directive 10;26th March 2010)

2.2 REPORT ON THE 9TH MEETING OF THE SECTORAL COUNCIL ON LEGAL AND JUDICIAL AFFAIRS

The Council directed the Secretariat to convene the Session of the Sectoral Council on Legal and Judicial Affairs before the 21st Extra-Ordinary Meeting of the Council.
(EAC/CM 20/Directive 11; 26th March 2010)

2.3 PROPOSALS FOR THE AMENDMENT OF THE TREATY

- (a) The Council directed the Secretariat to expedite the conclusion of the Study on Institutional Reforms (whose recommendations will inform the proposed amendments) by 30th April, 2010;
(EAC/CM 20/Directive 12; 26th March 2010)
- (b) The Council directed the Secretariat to convene an Extra-Ordinary Meeting of the Council by 31st May, 2010 to consider all the proposed amendments;
(EAC/CM 20/Directive 13; 26th March 2010)
- (c) The Council directed the Secretariat to strictly adhere to the provisions of Article 150 of the Treaty with regard to amendment of the Treaty.
(EAC/CM 20/Directive 14; 26th March 2010)

2.4 PROPOSALS FOR THE AMENDMENT OF EAC RULES OF PROCEDURE FOR THE CO-ORDINATION COMMITTEE AND THE COUNCIL

- (a) The Council directed the Secretariat to submit the proposed amendments to the EAC Rules of Procedure for the Co-ordination Committee and the Council to Partner States for comments;
(EAC/CM 20/Directive 15; 26th March 2010)
- (b) The Council urged the Partner States to submit comments on the Concept Paper for Hosting EAC meetings to the Secretariat by 30th April 2010;
(EAC/CM 20/Decision 13; 26th March 2010)
- (c) The Council directed the Secretariat to thereafter submit the proposed amendments to the Sectoral Council on Legal and Judicial Affairs for legal input.
(EAC/CM 20/Directive 16; 26th March 2010)

2.5 REPORT ON THE ESTABLISHMENT OF THE EAC DEVELOPMENT FUND

- (a) The Council urged the Republic of Kenya, the Republic of Rwanda and the Republic of Burundi to submit their comments to the Secretariat on the Draft Protocol and the Policy Framework on the Establishment of EAC Development Fund before the 21st Meeting of the Council;
(EAC/CM 20/Decision 15; 26th March 2010)
- (b) The Council directed the Secretariat to convene a meeting of Experts to consider Partner States' comments after submission by Partner States; and
(EAC/CM 20/Directive 17; 26th March 2010)
- (c) The Council directed the Secretariat to submit the Protocol on Establishment of the EAC Development Fund and Policy Framework to the 21st Meeting of the Council for consideration.
(EAC/CM 20/Directive 18; 26th March 2010)

2.6 CONTACT AND OUTREACH ACTIVITIES

The Council directed the Secretariat to regularly update the EAC Web Portal.
(EAC/CM 20/Directive 18; 26th March 2010)

3.0 REPORT ON PLANNING AND INFRASTRUCTURE

3.1 PLANNING

The Council adopted the revised schedule on the formulation of the 4th EAC Development Strategy.
(EAC/CM 20/Decision 19; 26th March 2010)

3.2 INFRASTRUCTURE

- (a) The Council decided to stay its directive on the transfer of the EIB balance of resources for the Civil Aviation Safety Project to the EAC account and decided that this matter be handled after the infrastructure project investment profiles are adopted by the joint meeting of the Ministers of Finance and those of Infrastructure;
(EAC/CM 20/Decision 21; 26th March 2010)

- (b) The Council referred the proposal on the establishment of the East African Centre for Medium Range Weather Forecasting to the Finance and Administration Committee for consideration;
(EAC/CM 20/Decision 22; 26th March 2010)
- (c) The Council referred the draft Constitution of the proposed East African Meteorological Society to Partner States for comments which should be submitted to the Secretariat by end of April 2010;
(EAC/CM 20/Decision 23; 26th March 2010)
- (d) The Council took note that the arrangements for the Tripartite Summit and Council are ongoing; and
(EAC/CM 20/Decision 24; 26th March 2010)
- (e) The Council directed the Secretariat to submit the comprehensive brief on the state of preparedness and EAC position to be submitted to the next Tripartite Summit to the Council for consideration;
(EAC/CM 20/Directive 19; 26th March 2010)
- (e) The Council directed the Secretariat to avail relevant documentation for the tripartite meetings to the Partner States in good time to facilitate preparations in accordance with the EAC Rules of Procedures.
(EAC/CM 20/Directive 20; 26th March 2010)

4.0 REPORT ON PRODUCTIVE AND SOCIAL SECTORS

4.1 AGRICULTURE AND FOOD SECURITY

- (a) The Council granted East African Farmers' Federation Observer Status in the EAC on terms and conditions stipulated under the EAC Criteria for Granting Observer Status;
(EAC/CM 20/Decision 26; 26th March 2010)
- (b) The Council adopted and referred the EAC SPS Protocol to the Sectoral Council on Legal and Judicial Affairs for legal input.
(EAC/CM 20/Decision 27; 26th March 2010)
- (c) The Council endorsed the need for the EAC to seek to achieve a common position on Climate Change issues;
(EAC/CM 20/Decision 29; 26th March 2010)
- (d) The Council established a Climate Change Fund for mobilization of resources to meet Climate Change adaptation and mitigation requirements;
(EAC/CM 20/Decision 30; 26th March 2010)
- (e) The Council directed the Secretariat to work with Partner States' experts to develop modalities in light of proposals on developing a common position on Climate Change issues and the establishment of a fund for Climate Change before submission to the 9th Extra-Ordinary Summit;
(EAC/CM 20/Directive 21; 26th March 2010)
- (f) The Council directed the Secretariat to convene a Multi-Sectoral Technical Meeting including Experts in Agriculture, Food Security, Environment, and Climate Change among others, to consider the pending issues and come up with convergence by end of April 2010.
(EAC/CM 20/Directive 22; 26th March 2010)

4.2 TOURISM AND WILDLIFE MANAGEMENT

- (a) The Council referred decisions to engage a qualified local expert, from the EAC Partner States on temporary basis to spearhead implementation of the proposed programs of activities to the Finance and Administration Committee;
(EAC/CM 20/Decision 32; 26th March 2010)
- (b) The Council referred the revised Draft Protocol on Tourism and Wildlife Management to the Sectoral Council on Legal and Judicial Affairs for legal input;
(EAC/CM 20/Decision 33; 26th March 2010)
- (c) The Council directed the Secretariat to communicate to Partner States to nominate four members to be on the organizing committee for Regional Tourism and Wildlife Conference by end of April 2010.
(EAC/CM 20/Directive 23; 26th March 2010)

4.3 EDUCATION, SCIENCE AND TECHNOLOGY, CULTURE AND SPORTS

- (a) The Council adopted the draft Protocol on the Establishment of the East African Culture and Sports Commission and referred it to the Sectoral Council on Legal and Judicial Affairs for legal input;
(EAC/CM 20/Decision 34; 26th March 2010)
- (b) The Council directed the Secretariat to provide the Republics of Rwanda and Burundi details on the genesis and processes of the development of the Protocol on East African Culture and Sports Commission.
(EAC/CM 20/Directive 24; 26th March 2010)
- (c) The Council considered and approved the draft programme for further revision of the proposed EAC Anthem;
(EAC/CM 20/Decision 36; 26th March 2010)
- (d) The Council directed the Secretariat to reallocate a sum of US\$18,900 from the current FY 2009/10 for revision of the proposed EAC Anthem.
(EAC/CM 20/Directive 25; 26th March 2010)

4.4 REPORT OF THE SECTORAL COMMITTEE ON GENDER AND COMMUNITY DEVELOPMENT

- (a) The Council directed the Secretariat to finalize the Strategic Plan on Gender, Youth, Children, Social Protection and Community Development for consideration and approval by the 21st Meeting of the Council;
(EAC/CM 20/Directive 26; 26th March 2010)
- (b) The Council approved the proposals for developing the Social Development Agenda for the 3rd Meeting of the Forum of Ministers responsible for Social Development;
(EAC/CM 20/Decision 39; 26th March 2010)

5.0 REPORT ON CO-OPERATION IN POLITICAL MATTERS**5.1 POLITICAL AFFAIRS**

- (a) The Council urged Partner States to accord the Team of Experts undertaking detailed studies on the concerns raised and challenges identified on Political Federation; maximum cooperation in executing the assignment within Partner States.
(EAC/CM 20/Decision 46; 26th March 2010)
- (b) The Council directed the Secretariat that in future in cases where there is no specific Sectoral Council to deal with a particular matter, the same should be submitted to the Sectoral Council of Ministers responsible for EAC Affairs for consideration;
(EAC/CM 20/Directive 27; 26th March 2010)
- (c) The Council referred the Draft Protocol on Preventing and Combating Corruption to the Sectoral Council on Legal and Judicial Affairs for legal input and to the Finance and Administration Committee for consideration of financial and budgetary issues.
(EAC/CM 20/Decision 48; 26th March 2010)
- (d) The Council directed the Secretariat to submit the developed Concept Paper on the functions and scope of collaboration and the technical support of the EAC Forum of Chief Justices to Partner States for comments by 30th April 2010;
(EAC/CM 20/Directive 28; 26th March 2010)
- (e) The Council directed the Secretariat to submit the Concept Paper on the functions and scope of collaboration and the technical support of the EAC Forum of Chief Justices to the Sectoral Council on Legal and Judicial Affairs for consideration;
(EAC/CM 20/Directive 29; 26th March 2010)
- (f) The Council directed the Secretariat to submit the matter on the hosting of UNICTR Archives to the Sectoral Council on Foreign Policy Co-ordination for consideration;
(EAC/CM 20/Directive 30; 26th March 2010)

6.0 REPORT ON CUSTOMS AND TRADE MATTERS

The Council directed the Secretariat to refer the proposal to establish a Sectoral Council on Monetary Union to the Finance and Administration Committee and the Sectoral Council on Legal and Judicial Affairs for consideration.
(EAC/CM 20/Directive 31; 26th March 2010)

7.0 REPORT OF FINANCE AND ADMINISTRATION COMMITTEE

7.1 FINANCE MATTERS

The Council urged Partner States to honour the earlier decision of the Council to remit their contributions during the first half of the financial year.
(EAC/CM 20/Decision 52; 26th March 2010)

7.2 SECOND QUARTER FINANCIAL REPORTS

- (a) The Council directed the Secretariat to develop a clear mechanism for initiation, approval, execution and monitoring and evaluation of projects;
(EAC/CM 20/Directive 32; 26th March 2010)
- (b) The Council directed the Secretariat to keep the Sectoral Council of Ministers Responsible for EAC Affairs informed on any financial agreements entered into between the EAC Secretariat and the Development Partners;
(EAC/CM 20/Directive 33; 26th March 2010)
- (c) The Council directed the Secretariat to develop a mechanism to involve Partner States in the implementation of EAC projects particularly those with low absorption capacity by the Secretariat.
(EAC/CM 20/Directive 34; 26th March 2010)
- (d) The Council directed the Secretariat to;
 - (i) rationalize the number of accounts and also open other accounts with well established local banks in Partner States;
 - (ii) set a threshold on opening of project accounts; and
 - (iii) that all funds that do not meet the set threshold be deposited into the miscellaneous Project Account.
(EAC/CM 20/Directive 35; 26th March 2010)
- (e) The Council considered the re-allocation requested for Financial Year 2009/2010;
(EAC/CM 20/Decision 56; 26th March 2010)
- (f) The Council approved re-allocation amounting to US\$189,000 under EAC-Secretariat Budget financial year 2009/2010 and US\$18,900 for EAC Anthem as indicated above.
(EAC/CM 20/Decision 57; 26th March 2010)
- (g) The Council took note of the additional budget requirements for the EAC Investment Conference 2010;
(EAC/CM 20/Decision 58; 26th March 2010)
- (h) The Council directed the Secretariat to re-allocate internally to meet the required budget of US\$130,000.
(EAC/CM 20/Directive 36; 26th March 2010)

7.3 PROPOSED BUDGETS FOR ACTIVITIES UNDER POLITICAL AFFAIRS

- (a) The Council took note of the fact that the Republic of Burundi is well set and geared to conduct a free and fair elections starting from the local or commune level to presidential and parliamentary elections;
(EAC/CM 20/Decision 59; 26th March 2010)
- (b) The Council took note that the Republic of Burundi received the report of the fact finding mission to Burundi National Electoral Commission (CENI) and will provide feedback in due course;
(EAC/CM 20/Decision 61; 26th March 2010)

- (c) The Council took note that the EAC shall have an observer mission in Burundi elections;
(EAC/CM 20/Decision 62; 26th March 2010)
- (d) The Council directed the Secretariat to develop a mechanism to guide observation, monitoring and evaluation of elections in Partner States by 1st September 2010;
(EAC/CM 20/Directive 37; 26th March 2010)
- (e) The Council adopted the budget of US\$271,000 for the Republic of Burundi observer missions to be sourced from the extra budgetary sources for the financial year 2009/2010; and
(EAC/CM 20/Decision 63; 26th March 2010)
- (f) The Council noted that the budget for the observer missions for the subsequent elections and the referendum for the Republic of Kenya will be informed by the mechanism to be developed and will be mainstreamed in the regular EAC budget starting with financial year 2010/2011.
(EAC/CM 20/Decision 64; 26th March 2010)

7.4 EAC BUDGET PROPOSALS FOR 2010/2011

- (a) The Council directed the Secretariat to convene a meeting of Permanent Secretaries Responsible for EAC Affairs, Planning, Finance and Administration Committee and the Secretariat to rationalize the EAC budget for the financial year 2010/2011 before submitting it to EALA for consideration and approval;
(EAC/CM 20/Directive 38; 26th March 2010)
- (b) The Council directed the Secretariat that after the meeting of Permanent Secretaries Responsible for EAC Affairs, Planning, Finance and Administration Committee and the Secretariat to rationalize the EAC budget for the financial year 2010/2011, to convene an Extra-Ordinary Meeting of the Council at Ministerial level to consider and adopt the EAC Budget for financial year 2010/2011.
(EAC/CM 20/Directive 39; 26th March 2010)

7.5 PROPOSED BUDGET FOR EAST AFRICAN COMMUNITY CIVIL AVIATION SAFETY AND SECURITY OVERSIGHT AGENCY (CASSOA)

- (a) The Council directed CASSOA to maintain the funding arrangement as provided for in Article 15 of the CASSOA Protocol;
(EAC/CM 20/Directive 40; 26th March 2010)
- (b) The Council directed CASSOA to present the proposal for the \$0.70 to the Pre-Budget Consultations in May 2010 for consideration.
(EAC/CM 20/Directive 41; 26th March 2010)
- (c) The Council directed the Secretariat to translate the information pamphlet into Kiswahili language; (EAC/CM 20/Directive 42; 26th March 2010)
- (d) The Council reiterated the decisions of the 12th Meeting of the Sectoral Council for Ministers Responsible for EAC Affairs directing the Secretariat to develop a comprehensive communication policy and strategy framework to guide the entire sensitization programme of EAC integration process;
(EAC/CM 20/Decision 71; 26th March 2010)
- (e) The Council directed the Secretariat to convene a team of experts to formulate a communication policy and strategy framework as a basis for formulating a comprehensive sensitization programme on all aspects of EAC integration;
(EAC/CM 20/Directive 43; 26th March 2010)
- (f) The Council directed the Secretariat to partner with Members of National Parliaments, provincial and local administrations and other non-conventional approaches when carrying out EAC sensitization programmes;
(EAC/CM 20/Directive 44; 26th March 2010)
- (g) The Council directed the Secretariat to always use the standard EAC flag and not the national ones during the sensitization programmes on EAC integration;
(EAC/CM 20/Directive 45; 26th March 2010)

- (h) The Council approved a budget for the Team of Experts to study fears, concerns and challenges identified for the Political Federation for preliminary sensitization activities.
(EAC/CM 20/Decision 72; 26th March 2010)

7.6 BUDGET REQUIREMENTS

- (a) The Council advised EALA to make internal re-allocations within their current budget to meet all the additional requirements.
(EAC/CM 20/Decision 74; 26th March 2010)

7.7 HUMAN RESOURCES

- (a) The Council confirmed Mr. Robert Achieng (Senior Engineer Planner - Communication – P2) in employment with effect from 1st December, 2008.
(EAC/CM 20/Decision 75; 26th March 2010)
- (b) The Council commended Mr. Paul Masami for his service to the Community;
(EAC/CM 20/Decision 77; 26th March 2010)
- (c) The Council directed the Secretariat to retire Mr. Paul Masami on medical grounds in line with Regulations 74(g) of the Staff Rules and Regulations;
(EAC/CM 20/Directive 46; 26th March 2010)
- (d) The Council directed the Secretariat to expedite the recruitment process for replacement in accordance with the Staff Rules and Regulations.
(EAC/CM 20/Decision 78; 26th March 2010)
- (e) The Council deferred the up-grading of the position of Senior Estates Management Officer until the comprehensive institutional review has been finalized.
(EAC/CM 20/Decision 79; 26th March 2010)
- (f) The Council directed the Secretariat to carry out fresh interviews for all positions.
(EAC/CM 20/Directive 47; 26th March 2010)
- (g) The Council decided to stay the recruitment of the Director of Operations and Senior Operations Co-coordinator in the office of the Secretary General pending finalization of the institutional review study;
(EAC/CM 20/Decision 82; 26th March 2010)
- (h) The Council directed the Secretariat to faithfully enforce the rules governing recruitment in the Community as enshrined in the Treaty, Staff Rules and Regulations and Council decisions;
(EAC/CM 20/Directive 48; 26th March 2010)
- (i) The Council reminded the Secretariat that all resources of the Community (from Partner States and Development Partners) must be applied and used with the approval of the Council and in accordance with the EAC Rules of Procedure;
(EAC/CM 20/Decision 83; 26th March 2010)
- (j) The Council reminded the Secretariat that all donor funds must be mainstreamed into the EAC Budget;
(EAC/CM 20/Decision 84; 26th March 2010)
- (k) The Council directed the Secretariat to ensure that all proposals to review structures by the different Organs and Institutions of the Community are approved by the Council;
(EAC/CM 20/Decision 85; 26th March 2010)
- (l) The Council directed the Secretariat to expedite the process of finalizing the on-going comprehensive institutional review.
(EAC/CM 20/Directive 49; 26th March 2010)
- (m) The Council approved the draft manuals listed above except the EAC Human Resources Policies and Procedures Manual and EAC Risk Management Strategy;
(EAC/CM 20/Decision 87; 26th March 2010)

- (n) The Council directed the Secretariat to finalize the options for equitable distribution of positions including proposals for adopting quota system in the staff recruitment process as directed by the 19th Meeting of the Council by 31st of May 2010;
(EAC/CM 20/Directive 50; 26th March 2010)
- (o) The Council directed the Secretariat to convene a meeting of Experts to finalize the Human Resource and Procedures Manual and EAC Risk Management Strategy to be presented at the next Finance and Administration Committee Meeting by end of April 2010;
(EAC/CM 20/Directive 51; 26th March 2010)
- (p) The Council directed the Secretariat to submit the approved EAC Draft Policies and Procedures Manuals to the Sectoral Council on Legal and Judicial Affairs for legal input.
(EAC/CM 20/Directive 52; 26th March 2010)

7.8 STAFF MATTERS FOR THE EAST AFRICAN LEGISLATIVE ASSEMBLY

- (a) The Council directed the Secretariat to submit the proposal for the establishment of the additional positions and upgrading of existing posts to the Meeting of the Permanent Secretaries Responsible for EAC Affairs, Planning and the Finance and Administration Committee to determine the urgent positions and advise the Council of Ministers accordingly;
(EAC/CM 20/Directive 53; 26th March 2010)
- (b) The Council directed the Secretariat to examine possibilities of excluding the recruitment of Junior Staff from Council approval.
(EAC/CM 20/Directive 54; 26th March 2010)
- (c) The Council directed the Secretariat to refer this matter the Review of Emoluments and Terms of Service for Members of EALA to the meeting of Permanent Secretaries Responsible for EAC Affairs, Planning, Finance and Administration Committee and the Secretariat consider this proposal when rationalizing the EAC budget;
(EAC/CM 20/Directive 55; 26th March 2010)
- (d) The Council directed the Secretariat to submit a comprehensive proposal on review of emolument and the terms of service of all Organs and Institutions of the Community upon completion of the comprehensive institutional review.
(EAC/CM 20/Directive 56; 26th March 2010)
- (e) The Council directed the Secretariat to refer proposed increase on the per diem rates this matter to the meeting of Permanent Secretaries Responsible for EAC Affairs, Planning, Finance and Administration Committee and the Secretariat consider this proposal when rationalizing the EAC budget.
(EAC/CM 20/Directive 57; 26th March 2010)
- (f) The Council appointed Mr. Stanley Matowo as Deputy Executive Secretary (Finance and Administration) – P5 for Lake Victoria Basin Commission.
(EAC/CM 20/Decision 91; 26th March 2010)
- (g) The Council confirmed the following LVBC staff in employment with effect from the due dates;
 - (i) Ms. Evelyne Omondi Odula (Senior Accountant); and
 - (ii) Samuel Kavubu (Internal Auditor).
(EAC/CM 20/Decision 92; 26th March 2010)
- (h) The Council deferred request for recruitment of Registry Supervisor pending finalization of the comprehensive review of the EAC Organs and Institutions.
(EAC/CM 20/Decision 93; 26th March 2010)
- (i) The Council deferred recruitment of any new staff until the on-going comprehensive institutional review is finalized.
(EAC/CM 20/Decision 94; 26th March 2010)

7.9 ADMINISTRATION MATTERS

- (a) The Council urged Partner States to submit comments on the Concept Paper on developing a criteria for selection of venues for hosting EAC meetings, by 30th April 2010;
(EAC/CM 20/Decision 97; 26th March 2010)

- (b) The Council reiterated the decision made by the Council at its 19th Meeting directing the Secretariat to ensure equitable distribution of venues for hosting donor funded EAC meetings.
(EAC/CM 20/Decision 98; 26th March 2010)

7.10 PROPOSALS FOR ESTABLISHING SECTORAL COUNCILS

- (a) The Council established a Sectoral Council on Environment and Natural Resources pending a final decision by the Sectoral Council on Legal and Judicial Affairs.
(EAC/CM 20/Decision 100; 26th March 2010)
- (b) The Council directed the Secretariat to comply with the directive made by the Council at its 19th Meeting on the establishment of a Sectoral Council on Gender, Youth/Children, Social Protection and Community Development;
(EAC/CM 20/Directive 58; 26th March 2010)
- (c) The Council directed the Secretariat to revise the proposal on the establishment of a Sectoral Council on Gender, Youth/Children, Social Protection and Community Development and submit it to the Finance and Administration Committee and Sectoral Council on Legal and Judicial Affairs for consideration;
(EAC/CM 20/Directive 59; 26th March 2010)

7.11 PROPOSALS FOR ESTABLISHING SECTORAL COUNCILS

- (a) The Council directed the Secretariat to involve experts from Partner States in the short listing and interviewing process for the vacant posts.
(EAC/CM 20/Directive 60; 26th March 2010)
- (b) The Council approved Scenario 3 where Judges continue serving on Ad-hoc basis with improved remuneration to be implemented in the FY 2010/2011 and forward the same to the Summit for determination;
(EAC/CM 20/Decision 102; 26th March 2010)
- (c) The Council directed the Secretariat to re-submit the proposed terms and conditions of service for the judges to the Finance and Administration Committee for consideration.
(EAC/CM 20/Directive 61; 26th March 2010)

8.0 REPORTS ON ACTIVITIES OF OTHER EAC ORGANS

8.1 EAST AFRICAN LEGISLATIVE ASSEMBLY

The Council directed the Secretariat to submit EALA Resolutions on Common Strategy for Food Security; draft EAC Election Observation Manual; and Action Against the Practise of Female Genital Mutilation / Cutting to relevant Sectoral Councils / Committees for consideration.
(EAC/CM 20/Directive 62; 26th March 2010)

9.0 REPORTS OF EAC INSTITUTIONS

9.1 EAST AFRICAN CIVIL AVIATION SAFETY AND SECURITY OVERSIGHT AGENCY

- (a) The Council considered the Agency's revised annual programme of activities and budget for the financial year 2009/2010 as approved by the Board;
(EAC/CM 20/Decision 106; 26th March 2010)
- (b) The Council approved the Agency's annual programme of activities and current budget for the financial year 2010/2011;
(EAC/CM 20/Decision 107; 26th March 2010)
- (c) The Council urged the Republic of Rwanda, and the Republic of Kenya to submit their nominations of aviation experts on the CASSOA Board in line with the Council decision.
(EAC/CM 20/Decision 108; 26th March 2010)

9.2 EAST AFRICAN DEVELOPMENT BANK

The Council directed the East African Development Bank to urgently convene an Extra-Ordinary Meeting of the Governing Board to consider the developments on the Blue Line Case and prepare a comprehensive report for submission to:

- (i) the Secretary General for onward submission to the Heads of State; and
- (ii) the next Extra-Ordinary Summit through the Council.
(EAC/CM 20/Directive 63; 26th March 2010)

9.3 LAKE VICTORIA BASIN COMMISSION

- (a) The Council directed the Secretariat to convene a meeting of the Inter-state Security Committee to consider Piracy, Robbery and Security on Lake Victoria;
(EAC/CM 20/Directive 64; 26th March 2010)
- (b) The Council directed the Secretariat to convene a joint meeting of the Sectoral Council of Lake Victoria Basin and Sectoral Council on Inter-State Security during the meeting of Sectoral Council on Interstate Security to be held from 13th – 17th April, 2010.
(EAC/CM 20/Directive 65; 26th March 2010)
- (c) The Council decided to withdraw the Lake Victoria Basin Commission Bill, 2007 from the Legislative Assembly unless the EALA Committee changes its position.
(EAC/CM 20/Decision 112; 26th March 2010)

9.4 THE INTER-UNIVERSITY COUNCIL FOR EAST AFRICA

- (a) The Council directed the Inter-University Council to provide regular updates on the project on harmonization of education curricula to the Sectoral Council on Education, Science and Technology and Culture;
(EAC/CM 20/Directive 66; 26th March 2010)
- (b) The Council urged the Partner States to provide responses to the report on harmonization of education system latest by 15th April, 2010.
(EAC/CM 20/Decision 114; 26th March 2010)

10.0 DRAFT ANNUAL REPORTS OF THE EAST AFRICAN COMMUNITY 2007/2008 AND 2008/2009

- (a) The Council directed the Secretariat to circulate the Draft Annual Reports for 2008/09 to Partner States for comments by 1st week of April 2010;
(EAC/CM 20/Directive 67; 26th March 2010)
- (b) The Council urged the Partner States to avail the comments on both the 2007/08 and 2008/09 to the Secretariat by end of April 2010;
(EAC/CM 20/Decision 116; 26th March 2010)
- (c) The Council directed the Secretariat to finalize and submit the two Annual Reports to the 13th Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs in May 2010 for consideration and approval;
(EAC/CM 20/Directive 68; 26th March 2010)
- (d) The Council forwarded the approved Annual Reports to the Assembly for consideration.
(EAC/CM 20/Decision 117; 26th March 2010)

11.0 REPORT OF THE EAC 10TH ANNIVERSARY OBSERVANCE

- (a) The Council directed the Secretariat to May 2010; finalize, during FY 2009/2010 the outstanding publications of 10 Years of EAC Integration and EAC Video Documentary by 30th May 2010.
(EAC/CM 20/Directive 69; 26th March 2010)
- (b) The Council directed the Secretariat to plan in advance the activities to commemorate future important EAC commemorative events, in particular EAC Day (30th November every year); EAC 15th Anniversary and EAC 20th Anniversary in 2014 and 2019, respectively and provide for these activities with specific Budget lines of the Regular Budgets of the EAC
(EAC/CM 20/Directive 70; 26th March 2010)

- (b) The Council urged the Partner States to hold regular EAC Weeks on Annual basis during first week of November every year;
(EAC/CM 20/Decision 119; 26th March 2010)
- (c) The Council directed the Secretariat to hold regular EAC Cultural Festival, EAC Symposium and EAC Sports Tournament on Annual basis with partnership of private sector, civil society, voluntary organizations / institutions / individuals and Development Partners;
(EAC/CM 20/Directive 71; 26th March 2010)
- (d) The Council directed the Secretariat to come up with a mechanism for effective involvement of all the private sector, civil society organisations, and other interest groups in the integration process and activities;
(EAC/CM 20/Directive 72; 26th March 2010)
- (e) The Council directed the Secretariat to provide a detailed account on the activities performed during the EAC 10th anniversary observance.
(EAC/CM 20/Directive 73; 26th March 2010)

12.0 PROGRESS REPORT ON THE IMPLEMENTATION OF THE EAST AFRICAN COMMUNITY COMMON MARKET PROTOCOL

- (a) The Council urged Partner States to expedite the ratification of the Common Market Protocol and deposit instruments of ratification with the Secretary General by 30th April 2010 in line with the above indicated Summit directive.
(EAC/CM 20/Decision 120; 26th March 2010)
- (b) The Council took note of a team of consultants that will undertake a comprehensive study on institutional reforms of the Community and direct the Secretariat to ensure that the exercise is concluded in due date.
(EAC/CM 20/Decision 122; 26th March 2010)
- (c) The Council approved the programme for Post Negotiation activities on the EAC Common Market Protocol
(EAC/CM 20/Decision 125; 26th March 2010)
- (d) The Council directed the Secretariat to send invitations with background papers early enough to Partner States to enable them make adequate preparations.
(EAC/CM 20/Directive 74; 26th March 2010)

13.0 EXPIRY OF DR. JULIUS TANGUS ROTICH'S CONTRACT

The Council recommended to the Summit to renew the contract of Dr. Julius Tangus Rotich, Deputy Secretary General.
(EAC/CM 20/Decision 128; 26th March 2010)

**DECISIONS AND DIRECTIVES OF THE 21st MEETING OF THE COUNCIL OF MINISTERS
HELD ON 1ST DECEMBER, 2010**

1.0 REPORT ON THE SUMMARY OF THE STATUS OF IMPLEMENTATION OF DECISIONS AND DIRECTIVES OF THE 20TH MEETING OF THE COUNCIL

- (a) The Council took note of Implementation Status of its previous decisions
(EAC/CM 21/Decision 01)
- (b) The Council directed the Secretariat to ensure that the report on the status of the implementation cover both the decisions of the Ordinary and Extra-Ordinary Meetings of the Council,
(EAC/CM 21/Directive 01)
- (c) The Council reiterated its decision directing the Secretariat to prepare a comprehensive Implementation Matrix of cumulative Council directives and decisions and present to the 14th Meeting of the Sectoral Council of the Ministers Responsible for EAC Affairs and Planning, indicating all the decisions implemented, on-going and not implemented and reasons for the status,
(EAC/CM 21/Directive 02)
- (d) The Council directed Partner States to appoint focal point officers at the Ministries in charge of EAC Affairs and Planning to closely liaise with the Secretariat (Department of Statistics) for regular update of the Status of implementation of Council decisions.
(EAC/CM21/Directive 02)
- (e) The Council directed the Secretariat to prepare cost implications of implementing the decisions made by the Council.
(EAC/CM21/Directive 03)
- (f) The Council directed Partner States to expedite the process of consultations and ensure that, all outstanding comments on the following are submitted by the end of February 2011:
 - (i) EALA Resolution Urging the Summit to delegate its powers to the Council to restructure and allocate responsibilities to individual members of the Council;
 - (ii) Proposal for the Establishment of a Bureau of Speakers as an Organ of the Community;
 - (iii) Proposal for the Transfer of the Co-ordination of the Inter-Parliamentary Committee to the East African Legislative Assembly;
 - (iv) Proposal on the Establishment of the East African Parliamentary Institute;
 - (v) Draft Constitution of the Proposed East African Meteorological Society;
 - (vi) Concept paper on developing Criteria for Selection of Venues for Hosting EAC Meetings;
 - (vii) Report of the EALA Select Committee; and
 - (viii) Report of the EAC Inter-Organ Strategic Retreat,
(EAC/CM21/Directive 04;
- (g) The Council directed the Republic of Kenya, the united Republic of Tanzania and the Republic of Uganda to speed up the process of funds remittance to LVFO for the 'Operation Save Nile Perch',;
1st December 2010) (EAC/CM21/Directive 05)
- (h) The Council directed to expedite the implementation of all outstanding Decisions including the following:
 - (i) Finalization of the comprehensive Institutional Review exercise that has affected the progress on the implementation of other Council decisions; and
 - (ii) Decision numbers 8.2 (c); 8.3(d); 9.1(a); 11(a); and 11(c) as indicated in Annex II attached to this report (Summary of the Status of Implementation of Decisions and Directives of the 20th Meeting of the Council)
(EAC/CM21/Directive 06)
- (i) The Council directed the Republic of Kenya to submit the outcome of the review of the axle load limit from 48 tones to 56 tones in line with the previous Council decision on the matter
(EAC/CM21/Directive 07)

2.0 REPORTS TO COUNCIL

2.1 Report of the Office of the Secretary General (Institutional Review)

The Council took note of the progress made on the Report of the Institutional Review.

EAC/CM21/Decision 03; 1st December 2010)

2.2 Report of the 9th Meeting of the Sectoral Council on Legal and Judicial Affairs S

- (a) The Council reiterated its previous decision that Partner States which have not yet established National Competition Authorities to do so in order to facilitate operationalisation of the EAC Competition Act *(EAC/CM21/Decision 04; 1st December 2010)*
- (b) The Council directed the Secretariat to convene a meeting of competition experts to finalise all pending work on competition matters,
(EAC/CM21/Directive 09; 1st December 2010)
- (c) The Council adopted the decisions that were made within the mandate of the Sectoral Council as contained in the Report of the 9th Meeting of the Sectoral Council on Legal and Judicial Affairs
(EAC/CM21/Decision 05; 1st December 2010)
- (d) The Council concluded the Agreement on the Avoidance of Double Taxation and Prevention of Fiscal Evasion with Respect to Taxes on Income for signature; and directed the Partner States to bring this agreement into force by 30th June, 2011
(EAC/CM21/Decision 06; 1st December 2010)
- (e) The Council established, pursuant to Article 14(3)(i) of the Treaty for the Establishment of the East African Community ("the Treaty"), a Sectoral Council on Environment and Natural Resources
(EAC/CM21/Decision 07; 1st December 2010)
- (f) The Council approved:
 - (i) the East African Community Customs Management Regulations, 2010
 - (ii) the East African Community Competition Regulations, 2010,
 - (iii) the Lake Victoria Transport Maritime Safety Regulations 2010 and the Lake Victoria Transport (Fees) Regulations, 2010
(EAC/CM21/Decision 08; 1st December 2010)
- (g) The Council directed that the EAC Protocol on Foreign Policy Co-ordination once approved by the Summit and signed by the Ministers, be ratified by Partner States by 30th June 2011
(EAC/CM21/Decision 09; 1st December 2010)
- (h) The Council directed Partner States to implement EAC legislation once enacted and published in the EAC Gazette
(EAC/CM21/Decision 10; 1st December 2010)
- (i) The Council directed Partner States to Harmonize their national laws with the EAC Common Market Protocol in accordance with the Post-Negotiation Implementation Programme adopted by the Heads of States at the 11th Summit,
(EAC/CM21/Directive 10; 1st December 2010)

2.3 Report of the 13th Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning

- (a) The Council adopted decisions contained in the Report of the 13th Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning
(EAC/CM21/Decision 11; 1st December 2010)
- (b) The Council directed the Secretariat to implement the outstanding decisions of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning and the 21st Extra-Ordinary Meeting of the Council,
(EAC/CM 21/Directive 11; 1st December 2010)
- (c) The Council retrospectively approved the implemented EAC Activities/Meetings in the Calendar of Activities July-December 2010,
(EAC/CM21/Decision 12; 1st December 2010)

2.4 Proposals for the Amendment of the Treaty

- (a) The Council directed the Secretary General to communicate the proposed amendments of the Treaty to the Partner States by 30th December 2010,
EAC/CM 21/Directive 12
- (b) The Council directed the Partner States to submit their respective comments on the proposed amendments to the Secretary General by 31st March 2011.
(EAC/CM 21/Directive 13
- (c) The Council directed the Secretary General to thereafter submit the proposed amendments with Partner States' comments to the 22nd Meeting of the Council for consideration.
(EAC/CM21/Directive 14

2.5 Proposals for the Amendment of the Rules of Procedure of the Council and the Co-ordination Committee

- (a) The Council directed the Partner States with further comments on the proposed amendments to the EAC Rules of Procedure to submit them to the Secretariat by 31st December, 2010.
(EAC/CM 21/Directive 15
- (b) The Council directed the Secretariat to consolidate Partner States' comments and submit to the 22nd Meeting of the Council for consideration,
(EAC/CM 21/Directive 16

2.6 Proposal for initiation of Bills by the Council

- (a) The Council took note of the following Bills;
 - (i) The East African Trade Negotiation Act (Amendment) Bill, 2010;
 - (ii) The East African Community One-Stop Border Post Bill; 2010;
 - (iii) The Inter-University Council for East African Act (Amendment) Bill 2010;
 - (iv) The Administration of the EALA Bill, 2010;
 - (v) The Lake Victoria Basin Commission Bill; 2007
 - (vi) The East African Community Service Bill, 2010;
(EAC/CM 21/Decision 13
- (b) The Council directed the Secretariat to table the East African Trade Negotiations Act (Amendment) Bill, 2010 before the Sectoral Council on Trade, Industry, Finance and Investment for consideration
(EAC/CM 21/Directive 17
- (c) The Council adopted the East African Community One-Border Post Bill, 2010 and referred it to the Sectoral Council on Legal and Judicial Affairs for legal input).
(EAC/CM21/Decision 14; 1st December 2010
- (d) The Council recommended a postponement of the 2nd Reading of the Inter-University Council Act (Amendment) Bill, 2010 until the next Meeting of the Legislative Assembly,
(EAC/CM21 /Decision 16; 1st December 2010
- (e) The Council directed the Ministers Responsible for EAC Affairs to liaise with the EALA Committee on Agriculture, Tourism and Natural Resources on the best way forward on the Lake Victoria Basin Commission Bill, 2007 failing which the Chairperson withdraws the Bill from EALA during the forthcoming meeting of EALA,
(EAC/CM21/Directive 18; 1st December 2010).
- (f) The Council directed the Partner States to submit comments on the East African Community Service Commission Bill, 2010 by 10th December 2010,
(EAC/CM 21/Directive 19; 1st December 2010).

2.7 EALA RESOLUTIONS

(The Council directed the Partner States to submit their comments on the above mentioned EALA Resolutions to the Secretariat by 15th January 2011,
(EAC/CM 21/Directive 20; 1st December 2010

2.8 DRAFT EAC COMMUNICATION POLICY AND STRATEGY

The Council directed the Partner States to submit comments on the draft EAC Communication Policy and Strategy by 30th January 2011,
(EAC/CM 21/Directive 21; 1st December 2010)

2.9 REPORT ON CO-OPERATION IN DEFENCE

- (a) The Council adopted decisions made by the Sectoral Council on Cooperation in Defence,
(EAC/CM 21/ Decision 17; 1st December 2010).
- (b) The Council directed the Secretariat to submit the Draft Protocol on Cooperation in Defence to the Sectoral Council on Legal and Judicial Affairs for Legal input,
(EAC/CM 21/Directive 21; 1st December 2010).

2.10 ESTABLISHMENT OF THE EAC DEVELOPMENT FUND

The Council directed the Secretariat to constitute a Task Force of Legal and Finance Experts to propose the Institutional arrangement between the East African Development Bank and the East African Community and work out modalities under which the EACDF will be managed and report to the Council not later than April 2011.,
(EAC/CM21/Directive 22; 1st December 2010)

3.0 REPORT ON PLANNING AND INFRASTRUCTURE

3.1 REPORT ON PLANNING

- (a) The Council took note of the progress made on the implementation of activities under planning,
(EAC/CM 21/Decision 19; 1st December 2010).
- (b) The Council approved the Terms of Reference(TORs) for the extension of the East African Statistical Database Project to Burundi and Rwanda,
(EAC/CM21/Decision 20; 1st December 2010)
- (c) The Council took note that the coverage period for the 4th EAC Development Strategy will commence July 2011-June 2016,
(EAC/CM 21/Decision 21; 1st December 2010)
- (d) The Council took note of the progress made in the Monetary Union,
(EAC/CM21/Decision 22; 1st December 2010)

3.2 REPORT ON INFRASTRUCTURE

- (a) The Council took note of the progress on the implementation of activities under Infrastructure,
(EAC/CM 21/Decision 23; 1st December 2010)
- (b) The Council took note of the decisions of the 2nd Extra-Ordinary Sectoral Council of TCM,
(EAC/CM) 21/Decision 24; 1st December 2010)

The Council directed the Secretariat to urgently finalise the EAC-BIN Concept Note by mid December 2010
(EAC/CM 21/Directive 23 1st December 2010)

The Council directed the Secretariat to convene the 2nd Meeting of the Steering Committee by mid January 2011 to consider the outstanding matters in (c) above,
(EAC/CM 21/Directive 24; 1st December 2010).

4.0 REPORT ON PRODUCTIVE AND SOCIAL SECTORS

4.1 REPORT ON PRODUCTIVE SECTORS

- (a) The Council directed the Secretariat to convene meetings of the Sectoral Council on Agriculture on a regular basis.
(EAC/CM 21/Directive 25; 1st December 2010).
- (b) The Council adopted decisions of the 5th Meeting of the Sectoral Council on Energy
(EAC/CM 21/ Decision 26; 1st December 2010)

- (c) The Council referred decisions of the Sectoral Council on Energy with final implication to the Finance and Administration Committee.
(EAC/CM 21/Decision 27; 1st December 2010)
- (d) The Council deferred the recruitment of the positions under Environment and above positions pending consideration of the matter by the Finance and Administration Committee.
(EAC/CM 21/Decision 28; 1st December 2010)

The Council adopted decisions of the 15th Meeting of the Sectoral Council on Cooperation in Defense.
(EAC/CM 21/Decision 29; 1st December 2010)

4.2 REPORT ON PRODUCTIVE SECTORS

- (a) The Council adopted the revised EAC Anthem proposal for submission to the 12th Summit for consideration and approval.
(EAC/CM 21/Decision 30; 1st December 2010).
- (b) The Council took note of the matters considered in the Consultative, Experts and Technical Meetings.
(EAC/CM 21/Decision 31; 1st December 2010).

5.0 REPORT ON COOPERATION IN POLITICAL AFFAIRS

- (a) The Council took note of the development made in Political Affairs.
(EAC/CM 21/Decision 32; 1st December 2010)
- (b) The Council directed the Secretariat to convene a meeting of the Forum for Heads of National Electoral Commissions to consider the EAC Elections Observer Mission Reports and make recommendations for consideration by the 22nd Meeting of the Council.
EAC/CM 21/Directive 26; 1st December 2010)
- (c) The Council directed the Secretariat to submit EAC Election Observer Manual to the Partner States for comments before submission to the 22nd Meeting of the Council.
(EAC/CM 21/Directive 27; 1st December 2010)
- (d) The Council directed the Secretariat to include the youth and the academia in the good governance programmes.
(EAC/CM 21/Directive 28; 1st December 2010)
- (e) The Council directed the Secretariat to submit the Report of the 2nd EAC Annual Conference on Good Governance to the Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning for consideration,
(EAC/CM21/Directive 29; 1st December 2010).
- (f) The Council took note of the Team of Experts on the fears, concerns and challenges identified on the Political Federation and submitted it to the Summit
(EAC/CM 21/Decision 33; 1st December 2010)
- (g) The Council decided to submit its views on the study to the Summit for consideration at its Meeting to be held in April 2011
(EAC/CM 21/Decision 34; 1st December 2010).

5.1 INTERNATIONAL RELATIONS

- (a) The Council encouraged the Ministries Responsible for EAC Affairs to engage Partner States' Ambassadors/ High Commissioners in the EAC integration processes.
(EAC/CM 21/Decision 35; 1st December 2010)
- (b) The Council reiterated its decision urging Partner States and the Secretariat to share information on available job opportunities in the international system as early as possible in order to facilitate the smooth operations of the EAC Subcommittee on Candidatures.
(EAC/CM 21/Decision 36; 1st December 2010)
- (c) The Council reiterated its directive to Permanent Secretaries in the Ministries Responsible for Foreign Affairs to Promote adherence to the Rules of procedure of EAC Subcommittee on Candidatures approved by the Council in 2008.
(EAC/CM 21/Decision 37; 1st December 2010)

5.2 PEACE AND SECURITY

- (a) The Council adopted the decisions of the 3rd Meeting of the Sectoral Council on Interstate Security.
(EAC/CM 21/Decision 38; 1st December 2010)
- (b) The Council directed the Secretariat to ensure the inclusion of cooperation among the Prisons/Correctional Services during the process of updating the Regional Strategy for Peace and Security
(EAC/CM 21/Directive 30; 1st December 2010)
- (c) The Council directed the Secretariat to incrementally enhance funding of Peace and Security Sector Initiatives to reduce donor dependency.
(EAC/CM 21/Directive 31; 1st December 2010)
- (d) The Council referred the Regional Strategy on Maritime piracy and its Regional Action plan to the Joint Meeting of the Sectoral Councils on Cooperation in Defense, Inter-State Security and Foreign Policy Coordination, Transport, Communication and Meteorology for consideration.
(EAC/CM 21/Decision 39; 1st December 2010)
- (e) The Council directed the Secretariat to submit the Strategic Plan for the EAC Nyerere Centre for Peace Research to the Sectoral Council of Ministers Responsible for EAC Affairs and Planning for consideration.
(EAC/CM 21/Decision 40; 1st December 2010)

6.0 REPORT ON CUSTOMS AND TRADE MATTERS**6.1 ADOPTION OF THE DECISIONS OF THE MINISTERS FOR FINANCE ARISING FROM THE PRE-BUDGET CONSULTATIONS**

- (a) The Council adopted TORs for the proposed Sectoral Council on Finance and Economic Affairs.
(EAC/CM 21/Decision 41; 1st December 2010)
- (b) The Council adopted other recommendations and decisions of the Meeting of the Sectoral Council on Trade, Industry, Finance and Investment Report of 24th June 2010.
(EAC/CM 21/Decision 43; 1st December 2010)
- (c) The Council directed the Secretariat to submit the proposal on the establishment of a Sectoral Council on Finance and Economic Affairs to the Finance and Administration Committee and the Sectoral Council on Legal and Judicial Affairs for consideration.)
(EAC/CM 21/Directive 32; 1st December 2010)

6.2 REPUBLIC OF UGANDA LIST OF RAW MATERIALS

- (a) The Council extended the remission of duty on the Uganda list of raw materials and industrial inputs until June 2011.
(EAC/CM 21/Decision 44; 1st December 2010));
- (b) The Council decided that any Partner State requesting for Country specific remission shall do so in accordance with Articles 12(3) and 36 of the Protocol on the Establishment of the EAC Customs Union, 2005 and Section 140 of the EAC Customs Management Act, 2004.
(EAC/CM 21/Decision 45; 1st December 2010)
- (c) The Council adopted following recommendations:-
 - all future Pre-Budget Consultation meetings of the Ministers for Finance should be convened at the same time with that of the SCTIFI so that the agreed measures thereof are immediately considered and endorsed to give them legal effect in accordance with the EAC legal requirements and prior to pronouncing them in the Budget;
 - The Secretariat must ensure and guide the Partner States that any submission seeking Council's consideration should be made in accordance with the laid down procedures of the decision making process of the Community;
 - The decision making at all levels should be in accordance with the EAC Laws.
(EAC/CM21/Decision 46; 1st December 2010)

6.3 REPORT OF THE MULTI-SECTORAL MEETING OF THE FISCAL AFFAIRS, CUSTOMS AND TRADE COMMITTEES

- (a) The Council adopted the above decisions contained in the report of the Sectoral Council on Trade, Industry, Finance and Investment.
(EAC/CM 21/Decision 47; 1st December 2010)
- (b) The Council directed the Secretariat to forward to the East African Legislative Assembly the East African Community Customs Management Act (Amendment) Bill, 2010 for consideration during the Legislative Assembly's 2nd Meeting of the 4th Session scheduled in December 2010.
EAC/CM 21/directive 33; 1st December 2010)

6.4 REPORTS ON THE EAC-EC-EPA NEGOTIATIONS AND DRAFT AGREEMENT AND ROADMAP FOR THE PROPOSED COMESA-EAC-SADC TRIPARTITE FTA

- (a) The Council adopted the decisions of the Extra-Ordinary Meeting of the Sectoral council on Trade, Industry, Finance and Investment.
(EAC/CM 21/Decision 48 1st December 2010)

The Council amended the third schedule of the East African Customs Management Act as provided in Section 71 to include all used automobile batteries, lead scrap, crude and refined lead and all forms of scrap metals in the list of prohibited and restricted item.
(EAC/CM 21/Decision 49; 1st December 2010)

6.5 REPORT ON ADDITIONAL ANNEXES TO THE PROTOCOL ON THE ESTABLISHMENT OF EAST AFRICAN COMMUNITY COMMON MARKET

The Council took note of the Progress report on Additional Annexes to the Protocol on the Establishment of East African Community Common Market.
(EAC/CM 21/Decision 50; 1st December 2010)

6.6 DRAFT EAC CALENDAR OF ACTIVITIES JANUARY-JUNE 2011

- (a) The Council approved the Calendar of Activities for January – June 2011 provided meetings involving Ministers shall not be convened during the period from 1st – 28th February 2011.
(EAC/CM 21/Decision 51; 1st December 2010)
- (b) The Council directed the Secretariat to convene meetings of relevant Sectoral Councils so as to implement directives arising from the Heads of States' retreat by end of January 2011.
(EAC/CM 21/Directive 34; 1st December 2010)

6.7 DRAFT ANNUAL PROGRESS REPORT OF THE COUNCIL

The Council adopted its Annual Progress Report for the period November 2009 – November 2010 and submitted it to the 12th Summit for consideration,
(EAC/CM 21/Decision 52; 1st December 2010)

7.0 REPORT OF FINANCE AND ADMINISTRATION COMMITTEE**7.1 FINANCE MATTERS**

- (a) The Council directed the Partner States to remit the full contributions for the Financial Year 2010/11 by the end of December 2010,
(EAC/CM 21/Directive 35; 1st December 2010)
- (b) The Council took note of the status of investments in fixed deposits,
(EAC/CM 21/Decision 53; 1st December 2010)
- (c) The Council took note of the status of EAC General Reserves Account,
(EAC/CM 21/Decision 54; 1st December 2010)

7.2 FINANCING OPTIONS FOR EAST AFRICAN COMMUNITY

The Council directed the Secretariat together with Senior Experts from Ministries of Finance, Ministries Responsible for EAC Affairs, Revenue Authorities, Planning Authorities and National Bureau of Statistics to carryout a comprehensive study on the various options of financing the Community basing on the best practices of other Regional Economic Communities by March 2011,
(EAC/CM 21/Directive 36; 1st December 2010)

7.3 BUDGET RE-ALLOCATION - FINANCIAL YEAR 2009/2010 APPROVAL OF FUNDS REALLOCATED TO FACILITATE ELECTIONSOBSERVER MISSIONS TO THE REPUBLIC OF BURUNDI

The Council approved the budget reallocation of US\$ 217,000 under Secretariat for the financial year 2009/2010,
(EAC/CM 21/Decision 55; 1st December 2010)

7.4 BUDGET REALLOCATION FINANCIAL YEAR 2010/2011 -5% COUNTERPART FUNDING OF US\$ 47,000 ON CUSTOMS UNION IMPLEMENTATION SUPPORT PROJECT

The Council approved a budget reallocation of US\$ 47,000 for the Financial Year 2010/2011 under Customs and Trade;
(EAC/CM 21/Decision 56; 1st December 2010)

7.5 EXTRA-BUDGETARY RESOURCES FOR FINANCIAL YEAR 2010/2011

- (a) The Council considered and forwarded the extra budgetary resources amounting to US\$ 18,605,793 to the Legislative Assembly for debate and approval in December 2010,
(EAC/CM 21/Decision 57; 1st December 2010));
- (b) The Council approved US\$ 35,200 as counterpart funding for Energy Sector to be sourced from within its budget for the financial year 2010/2011,
(EAC/CM 21/Decision 58; 1st December 2010)

7.6 HUMAN RESOURCES MATTERS

- (a) The Council confirmed the above professional staff in their respective appointments with effects from the due dates,
(EAC/CM 21/Decision 59; 1st December 2010)
- (b) The Council approved appointments of all the following persons to their respective positions:-
 - (i) Mary N. Makoffu (Director (Social Sectors; P5);
 - (ii) Tharcisse Kadede (Director (Planning, P5);
 - (iii) Owora R. Othieno (Principal Communications and Public Relations Officer, P3);
 - (iv) Graceford Yongoro Mmeta (Animal Health Expert, P2);
 - (v) Brian O. Otiende (Climate Change Co-ordinator, P2);
 - (vi) Theophile Bizimaziki (Human Resources Officer, P1);
 - (vii) Karamagi Richard (Procurement Officer, P1);
 - (viii) Emmanuel Niyonkuru (Protocol/Conference Officer, P1);
 - (ix) Dr. Michael Katende (Principal HIV and AIDS Officer, P3);
 - (x) Mashingia Jane H (Senior Health Officer (Medicines and Food Safety, P2);
 - (xi) Maryam S. Hemed (Senior Reproductive Health Officer (Sexual and Reproductive, Adolescent, Child Health and Nutrition, Population and Development; P2);
 - (xii) Dr. Anne Nakinsige (Senior HIV/AIDS Officer(Mainstreaming and Partnerships, P2);
 - (xiii) Dr. Ope M. Owour (Health Officer (Disease and Surveillance, P1);
 - (xiv) (Collin K. Mutungi (Accountant, P1);
 - (xv) Alison Kaitesi Gichohi (Capacity Building Officer (Training,Information, Communication and Social Mobilisation) - (HIV and AIDS, P1);

- (xvi) Mary A. Bamusiime (Health Advocacy and Communications Officer(Reproductive Health, P1);
- (xvii) Richard Kezimana (Accountant, P1);
- (xviii) Terah B. Odiko (Senior Public Relations Officer, P2);
(EAC/CM 21/Decision 60; 1st December 2010)
- (c) The Council directed the Secretariat to develop a roadmap for the integration of Burundi and Rwanda in terms of recruitment, hosting Organs and Institutions by 31st January 2011
(EAC/CM 21/Directive 37; 1st December 2010)
- (d) The Council decide that if the following reports –
 - (i) Report on the Clear Roadmap on the integration of Rwanda and Burundi in the Community;
 - (ii) Report on equitable distribution of Staff positions among Partner States including the quota system;
 - (iii) Report indicating clear mechanism on the rotation system which will be linked to the issue of equitable sharing of benefit;
 - (iv) Report on the Institutional Review of EAC Organs and Institutions, are not submitted and availed to the Council by 31st January, 2011, all staff recruitment shall automatically stand frozen without further notice except for those posts which the Council deem absolutely critical to fill; these are the posts which are mentioned in (a) above
(EAC/CM 21/Decision 61; 1st December 2010)
- (e) The Council directed the Secretariat to convene an Extra-Ordinary Meeting of the Council to consider the reports listed in (c) above;
(EAC/CM 21/Directive 38; 1st December 2010)
- (f) The Council in the line with Regulation 45 of the Staff Rules and Regulations, approved acting appointments for the Senior Human Resources Officer (Ms. Charity Musiimire)
(EAC/CM 21/Decision 63; 1st December 2010)

7.7 REPORT ON PROPOSED OPTIONS FOR EQUITABLE DISTRIBUTION OF EAC STAFF POSITIONS INCLUDING PROPOSALS FOR ADOPTING A QUOTA SYSTEM IN THE STAFF RECRUITMENT PROCESS and categorization of staff

- (a) The Council directed the Secretariat to urgently provide a comprehensive report of the survey on the use of Quota system by the end of January 2011,
(EAC/CM 21/Directive 39); 1st December 2010)
- (b) The Council directed the Secretariat to convene an Extra-Ordinary Meeting of the Finance and Administration Committee to consider the report of the survey and make appropriate recommendations to the Council,
(EAC/CM 21/Directive 40; 1st December 2010)

7.8 RE-CATEGORISATION OF GENERAL STAFF

The Council Deferred consideration of this matter pending finalisation of the Institutional Review of the EAC Organs and Institutions,
(EAC/CM 21/Decision 64; 1st December 2010).

7.9 EAC DRAFT STAFF RULES AND REGULATIONS AND THE EAC DRAFT RISK MANAGEMENT FRAMEWORK

- (a) The Council directed the Secretariat to finalise the pending work on the Draft Staff Rules and Regulations, EAC Risk Management Strategy,
(EAC/CM 21/Directive 41; 1st December 2010)
- (b) The Council directed the Secretariat to convene an Extra-Ordinary Meeting of the Finance and Administration Committee to finalise the documents at the end of March, 2011,
(EAC/CM 21/Directive 42; 1st December 2010)

7.10 PROGRESS REPORT ON IMPLEMENTATION OF PERFORMANCE CONTRACTS FOR EAC STAFF

- (a) The Council directed the Secretariat to expedite the process of signing of Performance Contracts by 1st July 2011, *(EAC/CM 21/Directive 43; 1st December 2010)*
- (b) The Council directed the Secretariat to develop a mechanism for monitoring and evaluation of performance contracts, *(EAC/CM 21/Directive 44; 1st December 2010)*

7.11 PROGRESS REPORT ON THE EAC INSTITUTIONAL REVIEW

- (a) The Council directed the Secretariat to expedite the finalisation of the Institutional Review of the EAC Organs and Institutions in line with the road map *(EAC/CM 21/Directive 45; 1st December 2010)*
- ((b) The Council directed the Secretariat to convene an Extra-Ordinary Meeting of the Council by end of March 2011 to consider the final report, *(EAC/CM 21/Directive 46; 1st December 2010)*

7.12 STAFF MATTERS FOR LAKE VICTORIA BASIN COMMISSION

- (a) The Council took note of the expiry of employment contract of Dr. Tom O. Okuruti, the Executive Secretary for LVBC and commend him for the outstanding service to the Commission, *(EAC/CM 21/Decision 65; 1st December 2010)*
- (b) The Council directed the EAC Secretariat to commence the process of recruiting the Executive Secretary in accordance with the relevant provisions of the Protocol for Sustainable Development of the Lake Victoria Basin *(EAC/CM 21/Directive 47; 1st December 2010)*
- (c) The Council accepted the resignation of the LVBC Legal Officer and decided that the remaining term for this particular position be reserved for Rwanda, *(EAC/CM 21/Decision 66;) 1st December 2010)*
- (d) The Council took note of inclusion of the budget of the four positions recruited under LVEMPPII into 2011/2012 EAC MTEF Budget, *(EAC/CM 21/Decision 67; 1st December 2010)*
- (e) The Council approved the establishment of the positions of Principal Internal Auditor (P3) and Senior Budget Officer (P2) in the LVBC structure, *(EAC/CM21/ Decision 68; 1st December 2010)*
- (f) The Council directed the Secretariat to include the budgetary provisions for the above two positions in the budget estimates for the financial year 2011/2012, *(EAC/CM 21/Directive 48; 1st December 2010)*
- (g) The Council directed the Secretariat to submit the revised guidelines on the rotation on the recruitment of the position of Executive Secretary/Director by January 2011 *(EAC/CM 21/Directive 49; 1st December 2010)*

7.13 PROGRESS REPORT ON THE CONSTRUCTION OF EAC HEADQUARTERS

The Council took note of the Progress Report on the Construction of EAC Headquarters, *(EAC/CM 21/Decision 69; 1st December 2010)*

8.0 ESTABLISHMENT OF EAST AFRICAN COURT OF JUSTICE SUB-REGISTRIES IN PARTNER STATES

- (a) The Council approved the establishment of sub-registries in all Partner States, *(EAC/CM 21/Decision 70; 1st December 2010)*
- (b) The Council mandated each Partner State to designate an appropriate Officer to supervise the activities and staff of the sub-registries, *(EAC/CM 21/Decision 71; 1st December 2010)*

- (c) The Council mandated the East African Court of Justice to recruit and deploy the proposed staff at G4 level, *(EAC/CM 21/ Decision 72; 1st December 2010)*
- (d) The Council took note of the financial implications amounting to US\$ 439,510, *(EAC/CM 21/Decision 73; 1st December 2010)*
- (e) The Council directed the Secretariat to include the said amount in the Community's Budget Estimates for the FY 2011/2012, *(EAC/CM 21/Directive 50; 1st December 2010)*

9.0 ESTABLISHMENT OF SECTORAL COUNCILS

- (a) The Council established the Sectoral Council on Monetary Union, *(EAC/CM 21/Decision 74; 1st December 2010)*
- (b) The Council established the Sectoral Council on Gender, Youth, Children, Social Protection and Community Development, *(EAC/CM 21/Decision 75; 1st December 2010)*

10.0 REPORTS OF OTHER EAST AFRICA COMMUNITY ORGANS AND INSTITUTIONS

10.1 ESTABLISHMENT OF THE EAST AFRICAN CENTRE OF EXCELLENC IN MEDIUM RANGE WEATHER FORECASTING (EACMRWF)

The Council directed the Secretariat to consider the proposal on the Establishment of the East African centre of excellence for Medium Range Weather Forecasting in the Institutional Review, *(EAC/CM 21/Directive 51; 1st December 2010)*

10.2 REPORTS OF OTHER EAST AFRICA COMMUNITY ORGANS (EACJ and EALA)

- (a) The Council took note of the Report of the East African Court of Justice, *(EAC/CM 21/Decision76; 1st December 2010)*
- (b) The Council took note of the progress made by the East African Legislative Assembly, *(EAC/CM 21/Decision 77; 1st December 2010)*

10.3 REPORTS OF THE EAC INSTITUTIONS(CASSOA, EADB, LVBC

- (a) The Council took note of CASSOA's 2009/10 Financial Year performance as reviewed by the Board, *(EAC/CM 21/Decision 78; 1st December 2010)*
- (b) The Council took note of the report regarding the EADB's operations for January – September 2010 *(EAC/CM 21/Decision 79; 1st December 2010)*
- (c) The Council took note of the status of the Litigation between the EADB and Blue Line Enterprise, *(EAC/CM 21/Decision80; 1st December 2010)*
- (d) The Council took note of the progress made in the implementation of the projects and programmes under LVBC *(EAC/CM 21/Decision 81; 1st December 2010)*
- (e) The Council commended the Government of Finland for acceding to the Partnership Agreement and becoming a full member of the Partnership Consultative Committee for Lake Victoria Basin, *(EAC/CM 21/Decision 82; 1st December 2010)*
- (f) The Council took note of the report of Inter University Council , *(EAC/CM 21/Decision 83; 1st December 2010)*
- (g) The Council took note of the decisions of the Council of Ministers responsible for Lake Victoria Fisheries Organisation, *(EAC/CM 21/Decision 84; 1st December 2010)*
- (h) The Council reiterated Council decisions made during the 20th Meeting urging Partner States to fulfil and honour their obligations by disbursing funds to LVFO in FY 2010/2011, in support of 'Operation Save Nile Perch', *(EAC/CM 21/Decision 85; 1st December 2010)*

11.0 GUIDELINES FOR CHANGING OF THE BUREAU FOR EAC POLICY ORGANS MEETING

The Council took note of the progress on the development of the guidelines for the changing of the bureau for EAC Organs Meetings

(EAC/CM 21/Decision 86; 1st December 2010)

12.0 MEETINGS OF NATIONAL AND REGIONAL MONITORING COMMITTEE ON NONTARIFF BARRIERS

(a) The Council directed the Secretariat to convene regular meetings of National and Regional Monitoring Committees on Non Tariff Barriers and report to the Sectoral council on Trade, Industry, Finance and Investment, *(EAC/CM 21/Directive 52; 1st December 2010)*

(b) The Council directed the Secretariat to mobilize resources for such meetings, *(EAC/CM 21/Directive 53; 1st December 2010)*

LIST OF ABBREVIATION

ES	Executive Secretary
SCLJA	Sectoral Council on Legal and Judicial Affairs
F&A	Finance and Administration Committee
EALA	East African Legislative Assembly
DPI	

DECISIONS AND DIRECTIVES OF THE 22ND MEETING OF THE COUNCIL OF MINISTERS HELD ON 11TH – 15TH APRIL 2011

1.0 The Council took note of progress and challenges in the implementation of previous Council decisions *(EAC/CM 22/Decision 01 issued on 15 April 2011)*

- (a) The Council directed the Secretariat to prepare matrices on Partner States' comments on the Report of the Kigali Inter-Organ Strategic Retreat and the EALA matters and submit them to the Task Force on Institutional Review for consideration *(EAC/CM 22/Directive 01 issued on 15 April 2011)*
- (b) The Council advised the Ministers Responsible for EAC Affairs to take into account the Partner States' comments on the East African Community Service Commission Bill 2010, especially with regard to the timing for the establishment of the proposed Service Commission, during the 2nd and 3rd Readings of the Bill in *(EAC/CM 22/Directive 02 issued on 15 April 2011)*
- (c) The Council directed the Republic of Burundi to submit names of their focal point officers at the Ministries of EAC Affairs to closely liaise with the Secretariat (Department of Statistics) for regular update of the Status of implementation of Council decisions *(EAC/CM 22/Directive 02 issued on 15 April 2011)*
- (d) The Council directed The United Republic of Tanzania to submit comments on the following by 30th April 2011:-
- (i) EALA Resolution Urging the Summit to delegate its powers to the Council to restructure and allocate responsibilities to individual members of the Council;
 - (ii) Proposal for the Establishment of a Bureau of Speakers as an Organ of the Community;
 - (iii) Proposal for the Transfer of the Co-ordination of the Inter-Parliamentary Committee to the East African Legislative Assembly;
 - (iv) Proposal on the Establishment of the East African Parliamentary Institute;

- (v) Report of the EALA Select Committee; and
- (vi) Report of the EAC Inter-Organ Strategic Retreat
(EAC/CM22/Directive 03 issued on 15 April 2011)
- (f) The Council directed The United Republic of Tanzania and the Republic of Uganda to expedite the process of remitting Funds to the LVFO
(EAC/CM22/Directive 04; issued on 15 April 2011)
- (g) The Council directed the Republic of Kenya to submit the Report on the outcome of the review of the axle load limit from 48 tonnes to 56 tones in line with the previous Council decision on the matter by 30th May 2011
(EAC/CM22/Directive 05 issued on 15 April 2011)
- (h) The Council directed Partner States that have not yet established National Competition Authorities to do so in order to facilitate operationalization of the EAC Competition Act
(EAC/CM22/Directive 06 issued on 15 April 2011)
- (i) The Council directed the Republic of Uganda to submit comments on the draft Protocol to operationalize Extended Jurisdiction of the East African Court of Justice by 7th May 2011
(EAC/CM22/Directive 0 issued on 15 April 2011)
- (j) The Council directed Partner States to bring into force the Agreement on the Avoidance of Double Taxation and Prevention of Fiscal Evasion with Respect to Taxes on Income through Gazettement and notifications to each other by 30th June 2011
(EAC/CM/22/Directive 08 issued on 15 April 2011)
- (k) The Council directed the Secretariat to expedite publication of the laws and regulations on the following:-
 - (i) The East African Community Customs Management Regulations, 2010
 - (ii) The East African Community Competition Regulations, 2010,
 - (iii) The Lake Victoria Transport Maritime Safety Regulations 2010, and
 - (iv) The Lake Victoria Transport (Fees) Regulations, 2010
(EAC/CM/22/Directive 09 issued on 15 April 2011)
- (l) The Council directed the Secretariat to make budgetary provision for implementation of EAC legislation once enacted and published in the EAC Gazette
(EAC/CM/22/Directive 10 issued on 15 April 2011)
- (m) The Council directed the Secretariat to provide a comprehensive report on the implementation of the outstanding decisions to the next meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning
(EAC/CM/22/Directive 11 issued on 15 April 2011)
- (n) The Council directed the Secretariat to prepare the consolidated report on Partner States' comments on the Proposals for the Amendment of the Rules of Procedure of the Council and the Co-ordination Committee
(EAC/CM/22/Directive 12) issued on 15 April 2011
- (o) The Council directed Partner States to submit comments on all EALA Resolutions by 30th September 2011
(EAC/CM/22/Directive 13 issued on 15 April 2011)
- (p) The Council directed the Secretariat to consolidate the comments on the draft EAC Communication Policy and Strategy by 15th May 2011, update the documents and submit the same to the 23rd Meeting of the Council
(EAC/CM/22/Directive 14) issued on 15 April 2011
- (p) The Council directed Sectoral Council on Legal and Judicial Affairs to expedite the incorporation of legal input into the Draft Protocol on Cooperation in Defence
(EAC/CM/22/Directive 15 issued on 15 April 2011)
- (q) The Council directed the Secretariat to provide the list of Council decisions adopted at the 15th Meeting of the Sectoral Council on Cooperation in Defence
(EAC/CM/22/Directive 16) issued on 15 April 2011

- (r) The Council directed the Secretariat to provide a report of the 2nd Meeting of the Project's Policy Steering Committee convened from 15th - 16th March 2011
(EAC/CM/22/Directive 17) issued on 15 April 2011
- (s) The Council directed Partner States to comply with the Rules of Procedure of EAC Sub-committee on Candidatures approved by the Council in 2008
(EAC/CM/22/Directive 18) issued on 15 April 2011
- (t) The Council directed Partner States to implement the decision to designate an appropriate Officer to supervise the activities and staff of the sub-registries (EAC/CM/22/Directive 19 issued on 15 April 2011
- (u) The Council directed all Sectoral Councils to use implementation matrices for purposes of tracking the implementation status of their previous decisions
(EAC/CM/22/Directive 20) issued on 15 April 2011

2.0 REPORT OF THE OFFICE OF THE SECRETARY GENERAL

2.1 PROPOSALS FOR THE AMENDMENT OF THE TREATY

- a) The Council directed the Secretariat to consolidate all Partner States' comments on the proposals for the amendment of the treaty and prepare a revised Matrix on the proposals for amendment of the Treaty
(EAC/CM/22/Decision 03) issued on 15th April 2011
- b) The Council directed the Secretariat to convene a meeting of the High Level Task Force on the Amendment of the Treaty to consider the proposed amendments on the Treaty and thereafter submit the proposals to the Sectoral Council on Legal and Judicial Affairs for consideration
(EAC/CM/22/Decision 04) issued on 15th April 2011
- (c) The Council directed the Secretariat to direct those Partner States that have not submitted to the Secretariat comments on the amendment of the Treaty necessitated by coming into force of the EAC Common Market Protocol to do so by 7th May, 2011
(EAC/CM/22/Directive 2 issued on 15th April 2011

2.2 PROPOSALS FOR THE AMENDMENT OF RULES OF PROCEDURE OF THE COUNCIL AND THE CO-ORDINATION COMMITTEE

- (a) The Council directed the Secretariat to consolidate all Partner States' comments and prepare a revised Matrix on the Rules of Procedure for the Co-ordination Committee and the Council
(EAC/CM/22/Decision 05) issued on 15th April 2011
- (b) The Council directed the Secretariat to convene a meeting of the High Level Task Force on the Amendment of the Treaty to consider the proposed amendments on the Rules of Procedure for the Co-ordination Committee and the Council and thereafter submit the same to the Sectoral Council on Legal and Judicial Affairs for consideration
(EAC/CM/22/Directive 22 issued on 15th April 2011

2.3 PROPOSAL FOR INITIATION OF THE EAST AFRICAN Community EMBLEMS (AMENDMENT) BILL, 2011

- (a) The Council considered the Draft East African Emblems (Amendment) Bill 2011 and submit it to the Sectoral Council on Legal and Judicial Affairs for legal input
(EAC/CM/22/Decision 06) issued on 15th April 2011
- (b) The Council decided to initiate the Bill to the East African Legislative Assembly
(EAC/CM/22/Decision 07) issued on 15th April 2011

2.4 ESTABLISHMENT OF THE EAC DEVELOPMENT FUND

- (a) The Council took note and commended the work of the Task Force
(EAC/CM/22/Decision 08) issued on 15th April 2011
- (b) The Council directed the Secretariat to reconcile the inconsistencies between the Charter and the Treaty with a view to allowing the EACDF to be hosted in the EADB
(EAC/CM/22/Directive 23 issued on 15th April 2011

- (c) The Council directed the Secretariat to revise the draft Protocol on the Establishment of the EACDF and draft Policy Framework in accordance with directive (b) above and submit the same to Partner States for comments by 31st July 2011
(EAC/CM/22/Directive 24) issued on 15th April 2011
- (d) The Council directed the Secretariat to accomplish (b) and (c) and report to the 23rd Meeting of the Council
(EAC/CM/22/Directive 25) issued on 15th April 2011

2.5 EAC-EU POLITICAL DIALOGUE

- (a) The Council took note of the developments in EAC-EU Political Dialogue
(EAC/CM/22/Decision 09) issued on 15th April 2011
- (b) The Council directed the Secretariat to refer the matter relating to the EAC-EU Political Dialogue to the Sectoral Council on Foreign Policy Co-ordination
(EAC/CM/22/Directive 26) issued on 15th April 2011

2.6 REPORT ON THE STATE OF PLAY OF THE COMESA-EAC-SADC TRIPARTITE PROCESS

- (a) The Council took note of the developments in the COMESA-EAC-SADC Tripartite Process
(EAC/CM/22/Decision 10) issued on 15th April 2011
- (b) The Council took note of the progress made by Multi-Sectoral Committee of Experts in preparing the EAC's position on Tripartite FTA
(EAC/CM/22/Decision 11) issued on 15th April 2011
- (c) The Council took note of the comprehensive Report highlighting what has thus far been done to implement the decisions of the Tripartite Summit Communiqué
(EAC/CM/22/Decision 12) issued on 15th April 2011
- (d) The Council directed the Secretariat to convene a Multi-Sectoral Meeting of the relevant Sectoral Councils to prepare an EAC position on COMESA-EAC-SADC Tripartite issues before the COMESA-EAC-SADC Preparatory meeting in May 2011
(EAC/CM/22/Directive 27) issued on 15th April 2011

2.7 DRAFT EAC COMMUNICATION POLICY AND STRATEGY

The Council directed the Secretariat to submit the revised draft EAC Communication Policy and Strategy to its 23rd Meeting
(EAC/CM/22/Directive 28) issued on 15th April 2011

2.8 REPORT ON CO-OPERATION IN DEFENCE

- a) The Council expressed concern on the lack of reports on co-operation in Defence,
(EAC/CM/22/Decision 13) issued on 15th April 2011
- b) The Council directed the Secretariat to ensure that the Sectoral Council on Co-operation in Defence submits timely reports to the Meetings of the Council for consideration
(EAC/CM/22/Directive 29) issued on 15th April 2011

2.9 STUDY ON THE SHARING OF BENEFITS AND COSTS OF EAC INTEGRATION PROCESS BY PARTNER STATES

- a) The Council took note of the development and progress made in the finalization of the Terms of Reference (TORs) for the Study on Sharing of Benefits and Costs of EAC Integration processes by Partner States, for consideration and approval by the Sectoral Council of Ministers Responsible for EAC Affairs and Planning
(EAC/CM/22/Decision 15) issued on 15th April 2011
- b) The Council directed the Republic of Kenya to submit her comments on the of the Terms of Reference (TORs) for the Study on Sharing of Benefits and Costs of EAC Integration processes by Partner States, by 30th April, 2011
(EAC/CM/22/Directive 30) issued on 15th April 2011

3.0 REPORT ON PLANNING AND INFRASTRUCTURE

3.1 REPORT ON PLANNING

- (a) The Council took note of the progress made in fiscal and financial matters
(EAC/CM/22/Decision 16) issued on 15th April 2011
- (b) The Council took note of the progress made in the negotiations for the Protocol on Establishment of the EAC Monetary Union
(EAC/CM/22/Decision 17) issued on 15th April 2011
- (c) The Council adopted the Terms of Reference for a Study on the Review of the EAC Macro-Economic Convergence Criteria
EAC/CM/22/Decision 18) issued on 15th April 2011

3.1.2 Statistics

- (a) The Council took note of the progress made on statistics development
(EAC/CM/22/Decision 19) issued on 15th April 2011
- (b) The Council directed the Secretariat to regularly submit reports on Statistics to Sectoral Council of Ministers Responsible for EAC Affairs and Planning for consideration
(EAC/CM/22/Decision 31) issued on 15th April 2011
- (c) The Council directed the Secretariat to allocate adequate funding for statistical activities
(EAC/CM/22/Directive 32) issued on 15th April 2011

3.1.3 Monitoring and Evaluation

- (a) The Council took note of the progress in Monitoring and Evaluation activities
(EAC/CM/22/Decision 20) issued on 15th April 2011

3.1.4 Investment

- a) The Council directed the Secretariat to ensure that in future fora of this nature are brought to the attention of the Council for consideration
(EAC/CM/22/Directive 33) issued on 15th April 2011
- b) The Council directed the Secretariat to develop a framework for financing these conferences in future
(EAC/CM/22/Directive 34) issued on 15th April 2011
- c) The Council took note of the progress made in the formulation of the EAC Investment Policy and Strategy
(EAC/CM/22/Decision 21) issued on 15th April 2011

3.1.5 Involvement of the Private Sector in the EAC Integration Agenda

- a) The Council directed the Secretariat to put in place a transparent mechanism for engaging Advisors to the Community and such decisions be shared with the Council
(EAC/CM/22/Directive 35) issued on 15th April 2011
- b) The Council directed the Secretariat to convene a meeting of the Co-ordination Committee to share working relations with Trademark East Africa
(EAC/CM/22/Directive 36) issued on 15th April 2011

4.0 REPORT ON PRODUCTIVE AND SOCIAL SECTORS

4.1 PRODUCTIVE SECTORS

4.1.1 Submission of Food and Security and Climate Change Documents

- (a) The Council adopted the revised EAC Food Security Action Plan, EAC Climate Change Policy and the Summit Declaration on Food Security and Climate Change and submit them to the 9th Extra-Ordinary Summit for consideration and approval
(EAC/CM/22/Decision 23) issued on 15th April 2011

- (b) The Council upon approval by the Summit, directed the Secretariat to convene a Multi-Sectoral Meeting of the relevant Sectoral Councils by 31st May 2011 to agree on the implementation of the EAC Food Security Action Plan, EAC Climate Change Policy and the Summit Declaration on Food Security and Climate Change
(EAC/CM/22/Directive 37) issued on 15th April 2011

4.1.2 ENERGY

- (a) The Council took note of progress of activities under Energy sector
(EAC/CM/22/Decision 24) issued on 15th April 2011
- (b) The Council directed the Secretariat to submit the reports to the relevant Sectoral Councils for consideration
(EAC/CM/22/Directive 38) issued on 15th April 2011
- (c) The Council commended the Republic of Uganda for successfully hosting the 5th East African Petroleum Conference and Exhibition 2011
(EAPCE '11) (EAC/CM/22/Decision 25) issued on 15th April 2011

4.2 SOCIAL SECTORS

4.2.1 HEALTH

- (d) The Council took note of the decisions of the 5th and 6th Sectoral Councils on Health
(EAC/CM/22/Decision 26); issued on 15th April 2011
- (e) The Council directed the Secretariat to refer all decisions with financial implications to the Finance and Administration Committee for consideration
(EAC/CM/22/Directive 39) issued on 15th April 2011
- (f) The Council directed the EAC Secretariat to ensure that the draft EAC Anti-Counterfeit Bill takes into consideration the Public Health provisions on quality and safety of medicines and avoids protection of the patents, trademarks or Intellectual Property Rights (IPR) as this will provide for TRIPS plus a scenario undesirable for the least developed Partner States in the EAC
(EAC/CM/22/Directive 40) issued on 15th April 2011

4.2.2 EDUCATION, SCIENCE AND TECHNOLOGY, CULTURE AND SPORTS

- (a) The Council advised the Ministers Responsible for EAC Affairs to oppose the motion on the Inter-University Council for East Africa (Amendment) Bill, 2010 when it comes for consideration before EALA during the 2nd and 3rd Readings
(EAC/CM/22/Decision 27) issued on 15th April 2011
- (b) The council directed the Republic of Uganda and The United Republic of Tanzania
(EAC/CM/22/Directive 41) issued on 15th April 2011
- (c) The Council approved the developed programme for the institutionalization of the EAC Anthem
(EAC/CM/22/Decision 28) issued on 15th April 2011
- (d) The Council approved the guidelines on the EAC Anthem
(EAC/CM/22/Decision 29) issued on 15th April 2011
- (e) The Council directed the Secretariat to mobilize/explore alternative sources of funding for the implementation of essay writing competitions, popularization of the EAC Anthem and other education, culture and sports programmes
(EAC/CM/22/Directive 42) issued on 15th April 2011
- (f) The Council directed the Secretariat to refer all recommendations with financial implications to the Finance and Administration Committee for consideration
(EAC/CM/22/Directive 43) issued on 15th April 2011
- (g) The Council directed the Secretariat to include the popularization of the EAC Anthem in the Sensitization programme
(EAC/CM/22/Directive 44) issued on 15th April 2011

5.0 REPORT ON POLITICAL MATTERS

5.1 POLITICAL AFFAIRS

5.1.1 Way Forward on the EAC Political Federation

- (a) The Council recommended to the Summit to take note of the Report on the way forward on the EAC Political Federation
(EAC/CM/22/Decision 30) issued on 15th April 2011

5.1.2 Promotion of Good Governance

- (a) The Council convened a Multi-Sectoral Meeting of Ministers responsible for Good Governance and other Ministers whose portfolios are related to governance including Ministers Responsible for EAC Affairs to consider the final draft Protocol on Good Governance
(EAC/CM/22/Directive 45) issued on 15th April 2011
- (b) The Council submitted the draft Protocol on Good Governance to the 23rd Meeting of the Council for consideration
(EAC/CM/22/Directive 46) issued on 15th April 2011

5.1.3 Protection and Promotion of Human Rights

- (a) The Council took note of the efforts taken to prepare the draft Bill of Rights
(EAC/CM/22/Decision 30) issued on 15th April 2011
- (b) The Council directed the Secretariat to submit the draft Bill to Partner States for comments
(EAC/CM/22/Directive 47) issued on 15th April 2011

5.1.4 EAC Forum of Electoral Commissions (EAC-FEC)

- (a) The Council directed the Secretariat to circulate the Draft Policy for the Forum of Electoral Commissions to Partner States for comments
(EAC/CM/22/Directive 49) issued on 15th April 2011
- (b) The Council directed Partner States to submit their comments to the Secretariat by 31st July, 2011
(EAC/CM/22/Directive 49) issued on 15th April 2011
- (c) The Council directed the Secretariat to consolidate Partner States' comments and submit the same to the 23rd Meeting of the Council for consideration
(EAC/CM/22/Directive 50) issued on 15th April 2011
- (d) The Council directed the Secretariat to circulate the Draft EAC Principles on Election Observation, Monitoring and Evaluation to Partner States for comments and consideration at its 23rd Meeting
(EAC/CM/22/Directive 51) issued on 15th April 2011
- (e) The Council referred the request by Zanzibar Electoral Commission to participate in the Electoral Forum in its own right to The United Republic of Tanzania
(EAC/CM/22/Decision 32) issued on 15th April 2011
- (f) The Council directed the Secretariat to refer the recommendations of the Forum of EAC Electoral Commission to the Sectoral Council of Ministers Responsible for EAC Affairs and Planning for consideration
(EAC/CM/22/Directive 52) issued on 15th April 2011
- (g) The Council directed the Secretariat to develop a concept paper on establishment of a Sectoral Council on political matters for consideration
(EAC/CM/22/Directive 53) issued on 15th April 2011
- (h) The Council took note of the Reports of EAC Election Observation Missions
(EAC/CM/22/Decision 33) issued on 15th April 2011
- (i) The Council decided that the observations of the EAC Election Observation Missions be taken into account while constituting future EAC Election Observer Missions
(EAC/CM/22/Decision 34) issued on 15th April 2011

- (j) The Council directed the Secretariat to submit the Observer Mission Report to the Electoral Commission of Uganda for consideration
(EAC/CM/22/Directive 56) issued on 15th April 2011

5.1.5 Rule of Law and Access to Justice

- (a) The Council took note of the recommendations of the Sectoral Committee on the Rule of Law and Access to Justice
(EAC/CM/22/Decision 36) issued on 15th April 2011
- (b) The Council directed the Secretariat to refer recommendations of the Sectoral Committee on the Rule of Law and Access to Justice to the Sectoral Council on Legal and Judicial Affairs for consideration
(EAC/CM/22/Directive 57) issued on 15th April 2011

5.2 INTERNATIONAL RELATIONS

- (a) The Council took note of the Report of the Sectoral Council on Foreign Policy Co-ordination
(EAC/CM/22/Decision 37) issued on 15th April 2011

5.3 PEACE AND SECURITY

- (b) The Council note of the progress made in Peace and Security matters
(EAC/CM/22/Decision 38) issued on 15th April 2011

6.0 REPORT ON CUSTOMS AND TRADE MATTERS

6.1 CUSTOMS

- (c) The Council took note of the development made under Customs
(EAC/CM/22/Decision 39) issued on 15th April 2011

6.2 TRADE

6.2.1 Internal Trade

- (a) The Council took note of the operationalization of the EAC Competition Act
(EAC/CM/22/Decision 40) issued on 15th April 2011
- (b) The Council took note of the progress made in the elimination of NTBs as identified in the EAC Time-Bound Programme including the NTBs which have been abolished
(EAC/CM/22/Decision 41) issued on 15th April 2011
- (c) The Council directed Partner States to expeditiously address the newly reported NTBs and revert to the Secretariat that in turn should report the status to the next Sectoral Council on Trade, Industry, Finance and Investment
(EAC/CM/22/Directive 58) issued on 15th April 2011
- (d) The Council directed the Secretariat to mobilize resources to develop a legally binding enforcement mechanism on the elimination of NTBs
(EAC/CM/22/Directive 59) issued on 15th April 2011
- (e) The Council took note of the progress made in hosting the 12th EAC Jua Kali/Nguvu Kazi Exhibition
(EAC/CM/22/Decision 42) issued on 15th April 2011
- (f) The Council took note of the progress made in preparation of the Annual Trade Reports
(EAC/CM/22/Decision 43) issued on 15th April 2011

6.2.2 Export Promotion

- (a) The Council took note of the progress made in implementing the AGOA Framework
(EAC/CM/22/Decision 44) issued on 15th April 2011
- (b) The Council took note of the progress made in developing capacity building on international negotiations and trade facilitation in the region
(EAC/CM/22/Decision 45) issued on 15th April 2011

6.2.3 Standardization, Quality Assurance, Metrology and Testing (SQMT)

- (a) The Council took note of the developments on standardization, quality assurance, metrology and testing
(EAC/CM/22/Decision 46) issued on 15th April 2011
- (b) The Council approved the expansion on the membership of the current EAC Standards Committee to include other standards setting bodies especially those involved in developing SPS standards, technical regulations and conformity assessment procedures
(EAC/CM/22/Decision 47) issued on 15th April 2011
- (c) The Council directed the Secretariat to request UNIDO and NORAD to extend the UNIDO Trade Capacity programme into another phase
(EAC/CM/22/Directive 60) issued on 15th April 2011

6.3 REPORT OF THE EXTRA-ORDINARY MEETING OF THE SECTORAL COUNCIL ON TRADE**6.3.1 Request by Tanzania to import Sugar at Reduced Rates and Exemption of Duty**

- (a) The Council adopted the decisions of the Sectoral Council on Trade, Industry, Finance and Investment
(EAC/CM/22/Decision 48) issued on 15th April 2011

6.3.2 Status on EPA Negotiations

- a) The Council adopted the above decisions of the Sectoral Council on Trade, Industry, Finance and Investment
(EAC/CM/22/Decision 49) issued on 15th April 2011

6.3.3 Consideration of the Report on the Single Customs Territory

- (a) The Council adopted the above decisions of Sectoral Council on Trade, Industry, Finance and Investment
(EAC/CM/22/Decision 50) issued on 15th April 2011
- (b) The Council forwarded the progress report on the implementation of the Customs Union and the recommendations therein to the Summit for consideration
(EAC/CM/22/Decision 51) issued on 15th April 2011

7.0 PROGRESS REPORT ON ADDITIONAL ANNEXES TO THE EAST AFRICAN Community

- (a) The Council formally dissolved the High Level Task Force, the Multi Sectoral Co-ordination Committee and the Multi-Sectoral Council on the EAC Common Market Protocol
(EAC/CM/22/Decision 52) issued on 15th April 2011
- (b) The Council adopted the additional commitments made by Partner States under the schedule on the free movement of workers as indicated above
(EAC/CM/22/Decision 53) issued on 15th April 2011
- (c) The Council directed the Secretariat to develop and submit procedures for Partner States to deposit additional commitments (under the schedule on the free movement of workers) taking into account the commitments already made, before the 23rd Meeting of the Council of Ministers
(EAC/CM/22/Directive 61) issued on 15th April 2011
- (d) The Council directed the Republic of Burundi, the Republic of Kenya, the Republic of Rwanda and The United Republic of Tanzania to formally deposit the additional commitments (under the schedule on the free movement of workers) with the Secretariat
(EAC/CM/22/Directive 62) issued on 15th April 2011
- (e) The Council directed the Partner States to expedite the finalization of their respective national manpower surveys
(EAC/CM/22/Directive 63) issued on 15th April 2011
- (f) The Council referred all unfinished business under the schedule on the free movement of workers to the forum of Ministers Responsible for Labour and Employment
(EAC/CM/22/Decision 54) issued on 15th April 2011
- (g) The Council adopted the Annex on Mutual Recognition of Academic and Professional Qualifications and forward the same to the Sectoral Council on Legal and Judicial Affairs for legal input
(EAC/CM/22/Decision 55) issued on 15th April 2011

- (h) The Council directed the Secretariat to facilitate a forum of competent authorities of the Partner States to develop common benchmarks for recognition of foreign qualifications within one year after the adoption of the Annex on Mutual Recognition of Academic and Professional Qualifications
(EAC/CM/22/Directive 64) issued on 15th April 2011
- (i) The Council directed the Secretariat to facilitate competent authorities of the Partner States to develop MRAs to promote the free movement of professionals
(EAC/CM/22/Directive 65) issued on 15th April 2011
- (j) The Council directed Partner States to enact legislation to regulate professions that have been committed but are yet to be regulated
(EAC/CM/22/Directive 66) issued on 15th April 2011
- (k) The Council directed the Secretariat to expedite the on-going harmonization of education systems and training curricula in the Community
(EAC/CM/22/Directive 67) issued on 15th April 2011
- (l) The Council referred all unfinished business on the mutual recognition of academic and professional qualifications to the Sectoral Council on education
(EAC/CM/22/Decision 56) issued on 15th April 2011
- (m) The Council took note that given the level of policy and legal diversity in the Partner States with respect to social security benefits it is not possible, at this stage, to conclude regulations for the Co-ordination of Social Security benefits
(EAC/CM/22/Decision 57) issued on 15th April 2011
- (n) The Council directed the Secretariat to hire a consultant, by 30th June 2011, to consolidate the various actuarial studies undertaken by social security organizations, to address among others, the financial and economic implications on the Co-ordination of social security benefits taking into account the current systems, policies and laws in the Partner States
(EAC/CM/22/Directive 68) issued on 15th April 2011
- (o) The Council directed the Secretariat to submit a progress report on the study to the Council of Ministers by 31st October 2011
(EAC/CM/22/Directive 69) issued on 15th April 2011
- (p) The Council directed the Republic of Rwanda and The United Republic of Tanzania to submit copies of their national social security legislation to the EAC Secretariat by 30th April 2011 for purposes of facilitating the study
(EAC/CM/22/Directive 70) issued on 15th April 2011
- (q) The Council referred all unfinished business on Co-ordination of social security benefits to the forum of Ministers responsible for social security benefits
(EAC/CM/22/Decision 58) issued on 15th April 2011
- (r) The Council directed the Secretariat to refer the matter on the divergent country positions on the issue of de-linking the schedules on Free Movement of Services from the schedule on the Free Movement of Workers to the relevant Sectoral Council for consideration
(EAC/CM/22/Directive 71) issued on 15th April 2011
- (s) The Council directed the Partner States to ensure that offers made are in accordance with WTO classification of services based on the CPC; while upholding the undertaking of progressive implementation of the Common Market Protocol
(EAC/CM/22/Directive 72) issued on 15th April 2011
- (t) The Council directed the Secretariat to prepare a draft directive on the modalities for additional commitments on Free Movement of Services in accordance with Article 23 (3) of the Common Market Protocol by 15th May 2011 and circulate to Partner States for comments
(EAC/CM/22/Directive 73) issued on 15th April 2011
- (u) The Council referred all unfinished business under the schedule on the free movement of services to the Sectoral Council on Trade, Investment, Finance and Industry
(EAC/CM/22/Decision 59) issued on 15th April 2011
- (v) The Council directed the Secretariat to prepare appropriate tools for the purposes of conducting Monitoring and Evaluation of the Implementation of the Common Market Protocol
(EAC/CM/22/Directive 74) issued on 15th April 2011

- (w) The Council directed the Secretariat to prepare and submit to the Partner States a format for progress reports on implementation of the Common Market by 30th May 2011
(EAC/CM/22/Directive 75) issued on 15th April 2011
- (x) The Council directed the Partner States to submit progress reports on the implementation of the Common Market Protocol to the Secretariat by 30th June 2011
(EAC/CM/22/Directive 76) issued on 15th April 2011
- (y) The Council directed the Secretariat to submit all issues on the implementation of the Common Market Protocol to the Sectoral Council for the Ministers Responsible for EAC Affairs and Planning
(EAC/CM/22/Directive 77) issued on 15th April 2011

8.0 REPORT OF FINANCE AND ADMINISTRATION COMMITTEE

8.1 FINANCE MATTERS

8.1.1 Status of Partner States Contributions as at 1st April, 2011

- (a) The Council took note of the status of Partner States' contributions as at 15th April 2011
(EAC/CM/22/Decision 60) issued on 15th April 2011

8.1.2 Status of Fixed Deposits

The Council took note of the status of EAC fixed deposits
(EAC/CM/22/Decision 61) issued on 15th April 2011

8.1.3 Status of General Reserves

The Council took note of the status of the General Reserves Account
(EAC/CM/22/Decision 62) issued on 15th April 2011

8.1.4 EAC Financing Options

The Council reiterated its directive made at its 21st Meeting directing the Secretariat together with experts from Ministries responsible for Finance and EAC Affairs and National Bureaus of Statistics to carry out a comprehensive study on other options of financing the Community basing on the best practices of other Regional Economic Communities by 31st July 2011
(EAC/CM/22/Decision 63) issued on 15th April 2011

8.1.5 Supplementary Budget for Harmonization of Statistics critical for the EAC Monetary Unit

The Council directed the Secretariat to present the Activity Plan and Budget on Statistics harmonization from the Monetary Affairs Committee to the Sectoral Council on Trade, Industry, Finance and Investment for consideration
(EAC/CM/22/Directive 78). issued on 15th April 2011

8.1.6 Supplementary Budget for FY 2008/2009 and 2010/2011—Lake Victoria Basin Commission

- (a) The Council decided to grant retrospective approval for supplementary budget for FY 2008/2009 amounting to US\$ 393,891 and for FY 2010/2011 amounting to US\$ 2,035,278
(EAC/CM/22/Decision 64) issued on 15th April 2011
- (b) The Council decided to refer the supplementary budget to the Legislative Assembly for debate and approval
(EAC/CM/22/Decision 65) issued on 15th April 2011

8.1.7 Developing a Software to Strengthen the EAC Planning and Budgeting Process

- a) The Council approved the draft Terms of Reference for the engagement of a consultant to undertake the exercise
(EAC/CM/22/Decision 66) issued on 15th April 2011
- b) The Council directed the Secretariat to benchmark with the systems used by Partner States on Budget Management Systems
(EAC/CM/22/Directive 79) issued on 15th April 2011

8.1.8 EAC Budget Estimates for the Financial Year 2011/2012

- a) The Council adopted the EAC-Budget Estimates for the FY 2011/2012 amounting to US\$109,680,319
(EAC/CM/22/Decision 67) issued on 15th April 2011
- b) The Council directed the Secretariat to regularly submit priority activities to the Sectoral Council of Ministers Responsible for EAC Affairs and Planning for purposes of ensuring that all activities have been catered for
(EAC/CM/22/Directive 80) issued on 15th April 2011
- c) The Council approved the Annual Programme of Activities and the Budget Estimates for the Civil Aviation Safety and Security Oversight Agency (CASSOA) as approved by the Board
(EAC/CM/22/Decision 68) issued on 15th April 2011
- d) The Council directed CASSOA to present the request for additional funding amounting to US\$525,000 to the CASSOA Board for further consideration
(EAC/CM/22/Directive 81) issued on 15th April 2011
- e) The Council directed Partner States to expedite the process of approving the proposed funding mechanism for the Agency by 31st July 2011
(EAC/CM/22/Directive 82) issued on 15th April 2011
- f) The Council took note of the IUCEA Budget estimates amounting to US\$12,444,241 of which US\$6,391,389 is expected contribution from Partner States for both recurrent and capital expenditures to be funded by Ministries of Education and US\$6,052,852 being contribution from the Development Partners and refer it to the Legislative Assembly for debate and approval
(EAC/CM/22/Decision 69) issued on 15th April 2011
- g) The Council directed Partner States' Ministries of Education to expeditiously remit the IUCEA budget
(EAC/CM/22/Directive 83) issued on 15th April 2011
- h) The Council directed Partner States to expedite remittances of arrears to IUCEA
(EAC/CM/22/Directive 81) issued on 15th April 2011
- i) The Council decided to refer the matter of arrears to the Sectoral Council on Education, Science and Technology, Culture and Sports, for appropriate action
(EAC/CM/22/Decision 70) issued on 15th April 2011
- j) The Council directed the Secretariat to ensure that the budget is priority based
(EAC/CM/22/Directive 85) issued on 15th April 2011
- k) The Council directed the Secretariat to prepare her Budget estimates in advance to enable Partner States accommodate them in their respective budget cycles
(EAC/CM/22/Directive 86) issued on 15th April 2011

8.1.9 Request for Budget Re-allocation—EAC Secretariat and East African Legislative Assembly

- (a) The Council approved the re-allocation of US\$ 57,000 within the current financial year to cater for the 9th Extraordinary Summit Meeting to be held in Dar-es-Salaam in April
(EAC/CM/22/Decision 71) issued on 15th April 2011
- (b) The Council decided to defer retrospective approval for the re-allocation request of US\$ 258,000 by EALA pending justification on the same
(EAC/CM/22/Decision 72) issued on 15th April 2011
- (c) The Council directed the Secretariat to refer the retrospective approval for the re-allocation request of US\$ 258,000 by EALA to the Audit Commission to institute an audit of the expenses incurred during the 4th Meeting of the 4th Session held in Kigali, Rwanda
(EAC/CM/22/Directive 87) issued on 15th April 2011

8.1.10 ESTABLISHMENT OF A SECTORAL COUNCIL ON FINANCE AND ECONOMIC AFFAIRS

- (a) The Council decided to defer the establishment of the Sectoral Council on Finance and Economic Affairs pending the review of the TORs
(EAC/CM/22/Decision 73) issued on 15th April 2011

- (b) The Council directed the Secretariat to present the proposal on the establishment of the Sectoral Council on Finance and Economic Affairs to the 23rd Council of Ministers
(EAC/CM/22/Directive 88) issued on 15th April 2011

8.2 HUMAN RESOURCES MATTERS

8.2.1 Renewal of Employment Contracts for Professional Staff

- (a) The Council approved renewal of employment contracts of the above professional staff in line with the provisions of Regulations 22 (1)(c), (d) and 102 of the Staff Rules and Regulations with effect from the due date
(EAC/CM/22/Decision 74) issued on 15th April 2011
- (b) The Council approved renewal of the employment contract of the above named professional staff in line with the provisions of Regulations 22 (1)(c), (d) and 102 of the Staff Rules and Regulations with effect from the due date
(EAC/CM/22/Decision 75). issued on 15th April 2011
- (c) The Council confirmed Mr. Christopher Mpozayo in his appointment with effect from the due date
(EAC/CM/22/Decision 76) issued on 15th April 2011
- (d) The Council decided that the post of Executive Secretary of Lake Victoria Basin Commission is critical in the integration process and ought to be filled
(EAC/CM/22/Decision 77) issued on 15th April 2011
- (e) The Council appointed Dr. Canisius Kanangire Executive Secretary of Lake Victoria Basin Commission with effect from 15th April, 2011
(EAC/CM/22/Decision 78) issued on 15th April 2011
- (f) The Council directed the Secretariat to expedite the conclusion of the:
- (i) Road Map for the Integration of the Republic of Burundi and the Republic of Rwanda into the East African Community;
 - (ii) Institutional Review;
 - (iii) use of Quota System in the Staff recruitment process; and

Study on the Sharing of Benefits and Costs of EAC Integration Process
(EAC/CM/22/Directive 89) issued on 15th April 2011

8.2.2 Recruitment of Project Staff—Lake Victoria Water and Sanitation Program (LCWATSAN)

- (a) The Council took note of progress made regarding implementation of Lake Victoria Water and Sanitation Program (LVWATSAN)
(EAC/CM/22/Decision 79) issued on 15th April 2011
- (b) The Council approved the recruitment of a Program Coordinator (P3), Project Accountant (P1) and a Driver (G2) for Lake Victoria Water and Sanitation Program (LVWATSAN) as per the Financing Agreement
(EAC/CM/22/Decision 80) issued on 15th April 2011

8.2.3 Review of Appointment Contract of Mr. Henry Jabbo-Obbo—Chief de Cabinet

- (a) The Council took note that the contract of Mr. Jabbo-Obbo will expire on 24th April, 2011
(EAC/CM/22/Decision 81) issued on 15th April 2011
- (b) The Council commended Mr. Jabbo-Obbo for the good service rendered to the Community
(EAC/CM/22/Decision 82). issued on 15th April 2011

8.2.4 Draft EAC Staff Rules and Regulations (2011) and the Draft EAC Risk Management Framework, Policy and Strategy

- (a) The Council the Draft EAC Staff Rules and Regulations (2011) pending adoption of the Institutional Review Report, completion of the exercise on developing a formula to guide the application of a Quota System in Staff recruitment in the Community
(EAC/CM/22/Decision 83) issued on 15th April 2011

- (b) The Council the Draft Risk Management Framework and Risk Management Policy pending finalization of the Risk Management Strategy
(EAC/CM/22/Decision 84) issued on 15th April 2011

8.2.5 Final Report on the Institutional Review of EAC Organs and Institutions

- (a) The Council took note of the Report of the Institutional Review of EAC Organs and Institutions
(EAC/CM/22/Decision 85) issued on 15th April 2011
- (b) The Council referred the Report to the Finance and Administration Committee to consider the administrative and budgetary implications
(EAC/CM/22/Decision 86) issued on 15th April 2011

8.3 REPORT ON THE CONSTRUCTION OF THE EAC HEADQUARTERS

- (a) The Council took note of the progress made on the construction of EAC Headquarters
(EAC/CM/22/Decision 87) issued on 15th April 2011
- (b) The Council directed the Secretariat to request The United Republic of Tanzania to waive the sub-contractors' registration fees
(EAC/CM/22/Directive 90) issued on 15th April 2011
- (c) The Council directed the Secretariat to present a breakdown of priority activities on pending works for funding as a supplementary budget to the 23rd Ordinary Council for approval
(EAC/CM/22/Directive 91) issued on 15th April 2011

9.0 REPORTS OF OTHER EAST AFRICAN COMMUNITY ORGANS

9.1 EAST AFRICAN COURT OF JUSTICE

The Council took note of the Report of the East African Court of Justice
(EAC/CM/22/Decision 88) issued on 15th April 2011

9.2 EAST AFRICAN LEGISLATIVE ASSEMBLY

The Council took note of the Report of the East African Legislative Assembly
(EAC/CM/22/Decision 89) issued on 15th April 2011

10.0 REPORTS OF EAC INSTITUTIONS

10.1 EAST AFRICAN CIVIL AVIATION AND SAFETY AND SECURITY OVERSIGHT AGENCY

- (a) The Council took note of the progress Report of the Civil Aviation Safety and Security Oversight Agency
(EAC/CM/22/Decision 90) issued on 15th April 2011
- (b) The Council directed the Republic of Uganda to expedite the issuance of title deed, grant tax exemption and recognition of Civil Aviation Safety and Security Oversight Agency as provided for in the Headquarters Agreement
(EAC/CM/22/Directive 92). issued on 15th April 2011

10.2 EAST AFRICAN DEVELOPMENT BANK

- (a) The Council took note of the report of the East African Development Bank's operations during the year to March 2011
(EAC/CM/22/Decision 91) issued on 15th April 2011
- (b) The Council took note of the status of Litigation between the Bank and Blueline Enterprises
(EAC/CM/22/Decision 92) issued on 15th April 2011

10.3 LAKE VICTORIA BASIN COMMISSION

The Council took note of the Report of the 8th Meeting of the Sectoral Council for the Lake Victoria Basin
(EAC/CM/22/Decision 93) issued on 15th April 2011

10.4 LAKE VICTORIA FISHERIES ORGANIZATION

- (a) The Council took note of the status of the LVFO Partner States contributions as of 31 March 2011
(EAC/CM/22/Decision 93) issued on 15th April 2011
- (b) The Council directed Partner States to fulfill their obligations by 31st of May 2011 to support normative operations of the LVFO
(EAC/CM/22/Directive 94) issued on 15th April 2011
- (c) The Council commended the Republic of Kenya for remitting its contribution to the 'Operation Save Nile Perch' (OPSN) Program and urge the United Republic of Tanzania and the Republic of Uganda to honour their pledges
(EAC/CM/22/Decision 94) issued on 15th April 2011

10.5 INTER-UNIVERSITY COUNCIL FOR EAST AFRICA

The Council took note of the report of the Inter-University Council for East Africa
(EAC/CM/22/Decision 95) issued on 15th April 2011

11.0 ANY OTHER BUSINESS**11.1 CIRCULATION OF DOCUMENTS AT COUNCIL MEETINGS**

- (a) The Council directed the Secretariat to ensure that all relevant documents for Council meetings are circulated to Partner States in accordance with the EAC Rules of Procedure for convening EAC Policy Organs' meetings
(EAC/CM/22/Directive 95); issued on 15th April 2011
- (b) The Council decided that no documents will be circulated after Sessions of Council meetings have begun unless requested by the Council
(EAC/CM/22/Decision 96) issued on 15th April 2011

11.2 ATTENDANCE OF EAC PROFESSIONAL STAFF AT COUNCIL MEETINGS

The Council directed all Executive and Professional Staff to effectively and fully attend all sessions of the Council
(EAC/CM/22/Directive 96) issued on 15th April 2011

11.3 PREPARATION OF THE SUMMIT COMMUNIQUÉS

The Council directed the Secretariat to involve Partner States in the preparation of the Summit Communiqué
(EAC/CM/22/Directive 97) issued on 15th April 2011

11.4 PREPARATION OF THE EAC CALENDAR OF ACTIVITIES FOR JULY – DECEMBER 2011

The Council directed the Secretariat to prepare the draft EAC Calendar of Activities for July – December 2011 and submit it to the 14th Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning for consideration
(EAC/CM/22/Directive 98) issued on 15th April 2011

11.5 GUIDELINES FOR EAC FOR A

The Council directed the Secretariat to formulate guidelines on how to integrate issues that emanate from different associations/fora in the EAC decision making process
(EAC/CM/22/Directive 99) issued on 15th April 2011

**DECISIONS AND DIRECTIVES OF THE 23RD EXTRA-ORDINARY MEETING OF THE
COUNCIL OF MINISTERS HELD ON 30TH MARCH, 2011**

REPORT OF FINANCE AND ADMINISTRATION COMMITTEE

1.0 FINANCE MATTERS**1.1 STATUS OF PARTNER STATES CONTRIBUTIONS**

- (a) The Council took note of the status of Partner States' contributions as at 30th March 2011
(EAC/EX/CM/23/Decision 01) issued on 30th March
- (b) The Council commended Partner States for remitting their contributions and encouraged them to timely do so in future
(EAC/EX/CM/23/Decision 02) issued on 30th March

1.2 STATUS OF THE EAC-EU EPA NEGOTIATIONS

- (a) The Council requested EALA to reconsider its position on the use of the SIDA Grant for EAC-EU-EPA negotiations and approve US\$ 3.48 million which will go towards supporting the EAC as indicated in Table VIII of this report
(EAC/EX/CM/23/Decision 03) issued on 30th March
- (b) The Council reiterated its directive to the Secretariat to identify key priorities during the budget processes and ensure that they are catered for
(EAC/EX/CM/23/Directive 01) issued on 30th March

1.3 REQUEST FOR SUPPLEMENTARY BUDGET FOR FY 2010/2011 FOR THE EAST AFRICAN LEGISLATIVE ASSEMBLY

- (a) The Council retrospectively adopted East African Legislative Assembly's (EALA) supplementary request of US\$ 70,350 from the Africa Union Commission and US\$ 108,850 from the Westminster Foundation for Democracy
(EAC/EX/CM/23/Decision 04) issued on 30th March
- (b) The Council adopted East African Legislative Assembly's (EALA) extra-budgetary resources amounting to US\$ 179,200
(EAC/EX/CM/23/Decision 05) issued on 30th March
- (c) The Council urged the East African Legislative Assembly (EALA) and the East African Court of Justice (EACJ) to adhere to EAC Financial Rules and Regulations to avoid seeking retrospective approvals of funds from the Council
(EAC/EX/CM/23/Decision 06) issued on 30th March
- (d) The Council directed EAC Institutions and the Secretariat to adhere to EAC Financial Rules and Regulations to avoid seeking retrospective approvals of funds from the Council
(EAC/EX/CM/23/Directive 02) issued on 30th March
- (e) The Council urged East African Legislative Assembly (EALA) to take into account the trans-boundary ecosystem of the Republic of Burundi and the Republic of Rwanda during the study
(EAC/EX/CM/23/Decision 07) issued on 30th March

1.4 REQUEST FOR RE-ALLOCATION FOR THE EAST AFRICAN LEGISLATIVE ASSEMBLY

- (a) The Council requested EALA to revise the request on the re-allocation with clear justifications and re-submit it to the 22nd Meeting of the Council for consideration
(EAC/EX/CM/23/Decision 08) issued on 30th March
- (b) The Council recommended to the East African Legislative Assembly and the East African Court of Justice to adhere to the approved budget allocation so as to avoid ad hoc budget re-allocation
(EAC/EX/CM/23/Decision 09) issued on 30th March
- (c) The Council directed the Institutions of the Community to adhere to the approved budget allocation so as to avoid ad hoc budget re-allocation
(EAC/EX/CM/23/Directive 03) issued on 30th March
- (d) The Council directed the Secretariat to review the EAC Financial Rules and Regulations (2006) to clearly provide for circumstances under which and when supplementary budgets and re-allocations should be done
(EAC/EX/CM/23/Directive 04) issued on 30th March
- (e) The Council directed the Secretariat to develop a policy on standard specifications of official vehicles for EAC Organs and Institutions
(EAC/EX/CM/23/Directive 05) issued on 30th March

1.5 HUMAN RESOURCE MATTERS

- (a) The Council took note of the Report on the Road Map for the integration of the Republic of Burundi and the Republic of Rwanda into the East African Community
(EAC/EX/CM/23/Decision 10) issued on 30th March
- (b) The Council reiterated its directive to the Secretariat to prepare a clear Road Map for the integration of the Republic of Burundi and the Republic of Rwanda into the East African Community in terms of recruitment and hosting of Organs and Institutions of the Community and submit the same to the 23rd Meeting of the Council
(EAC/EX/CM/23/Directive 06 issued on 30th March

- (c) The Council directed the Secretariat to expeditiously conclude the studies on the Equitable Distribution of Costs and Benefits, Quota System and Institutional Review which will inform the process of preparing the Road Map for the integration of the Republic of Burundi and the Republic of Rwanda into the East African Community by 30th June 2011

(EAC/EX/CM/23/Directive 07) issued on 30th March

1.5 HUMAN RESOURCE MATTERS

- (a) The Council took note of the Report on the Road Map for the integration of the Republic of Burundi and the Republic of Rwanda into the East African Community

(EAC/EX/CM/23/Decision 10) issued on 30th March

- (b) The Council reiterated its directive to the Secretariat to prepare a clear Road Map for the integration of the Republic of Burundi and the Republic of Rwanda into the East African Community in terms of recruitment and hosting of Organs and Institutions of the Community and submit the same to the 23rd Meeting of the Council

(EAC/EX/CM/23/Directive 06 issued on 30th March

- (c) The Council directed the Secretariat to expeditiously conclude the studies on the Equitable Distribution of Costs and Benefits, Quota System and Institutional Review which will inform the process of preparing the Road Map for the integration of the Republic of Burundi and the Republic of Rwanda into the East African Community by 30th June 2011

(EAC/EX/CM/23/Directive 07) issued on 30th March

1.6 REPORT ON THE COMPARATIVE SURVEY ON THE RECRUITMENT SYSTEMS INCLUDING THE USE OF THE QUOTA SYSTEM

- (a) The Council took note of the report of the Comparative Survey on the use of the Quota System in Africa Union and Regional Economic Communities (RECs) of COMESA, SADC and ECOWAS

(EAC/EX/CM/23/Decision 11) issued on 30th March

- (b) The Council adopted a Quota System to operationalize the principle of equity in recruitment without compromising merit and gender balance based on:

- (i) funding arrangement;

- (ii) point system on the basis of the number and level of positions held

(EAC/EX/CM/23/Decision 12) issued on 30th March

- (c) The Council constituted a Team comprising of two Experts from each Partner State to work together with the Secretariat to develop a formula to operationalize recommendation (b) above and submit a report to the Council by July 31st 2011 for consideration

(EAC/EX/CM/23/Decision 13) issued on 30th March

1.7 PROPOSED GUIDELINES ON THE APPLICATION OF THE PRINCIPLE OF ROTATION IN RECRUITMENT OF HEADS AND DEPUTY HEADS OF EAC INSTITUTIONS

- (a) The Council adopted the proposed guidelines on the application of the principle of rotation in recruitment of Heads and Deputy Heads of EAC Institutions

(EAC/EX/CM/23/Decision 14) issued on 30th March

- (b) The Council directed the Partner States, EAC Institutions and the Secretariat to follow the guidelines on rotation in recruitment of Heads and Deputy Heads of EAC Institutions

(EAC/EX/CM/23/Directive 08) issued on 30th March

- (c) The Council directed the Secretariat to identify the legal instruments that need to be amended for incorporation of guidelines and submit the amendment proposals to the Council for consideration

(EAC/EX/CM/23/Directive 09) issued on 30th March

1.8 REPORT ON THE EAC DRAFT STAFF RULES AND REGULATIONS AND THE EAC DRAFT RISK MANAGEMENT FRAMEWORK POLICY AND STRATEGY

- (a) The Council took note of the progress of the development of the EAC Staff Rules and Regulations and the EAC Risk Management Framework Policy and Strategy

(EAC/EX/CM/23/Decision 15) issued on 30th March

- (b) The Council directed the Secretariat to submit the EAC Staff Rules and Regulations and the EAC Risk Management Framework Policy and Strategy to the 22nd Ordinary Meeting of the Council scheduled for April 2011
(EAC/EX/CM/23/Directive 10) issued on 30th March

2.0

- a) The Council took note of the Progress Report on the Institutional Review of EAC Organs and Institutions
(EAC/EX/CM/23/Decision 16) issued on 30th March
- b) The Council directed the Secretariat to submit to Partner States by 1st April 2011, the revised Institutional Review Report together with the comments from the Stakeholders' workshop held in Arusha on 3rd - 4th March, 2011, report of the EAC Inter Organ / Institution Consultative Meeting held on 7th March, 2011 and the report of the Retreat of Ministers and Permanent Secretaries' meeting held on 8th – 9th March, 2011 in Mwanza, to Organs and EAC Institutions to enable Partner States effectively participate in the 22nd Meeting of the Council
(EAC/EX/CM/23/Directive 12) issued on 30th March
- (c) The Council directed the Secretariat to submit the Report on the Institutional Review to the 22nd Meeting of the Council for consideration
(EAC/EX/CM/23/Directive 12 issued on 30th March)