



# EAST AFRICAN COMMUNITY

# GAZETTE

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## BILLS SUPPLEMENTS

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| ● The East African Community Vehicle Loads Bill, 2012                       | No. 8      |
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## DECISIONS AND DIRECTIVES OF THE 25TH MEETING OF THE COUNCIL OF MINISTERS

## PART I

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

The Council—

- (a) took note of the progress made in implementing/complying with the Council directives and decisions; (*EAC/CM 25/Decision 01*);
- (b) directed Partner States and EAC Organs and Institutions to implement all the outstanding decisions of the 24th Meeting of the Council and report to the 26th Meeting of the Council; (*EAC/CM 25/Directive 01*);
- (c) directed Partner States and EAC Organs and Institutions to adopt and institutionalize a web based system for reporting on the status of implementation of Council decisions and further direct the Secretariat to offer technical assistance to Ministries of East African Community Affairs and EAC Organs and Institutions in the use and institutionalization of the system; (*EAC/CM 25/Directive 02*);
- (d) reiterated its earlier decision that, all Council Decisions should have prescribed time frames for implementation and adhere to the SMART (Specific, Measurable, Achievable, Realistic and Time-bound) principle; (*EAC/CM 25/Decision 02*);
- (e) directed the Secretariat to undertake a comprehensive review of all the Council decisions and directives that have not been implemented indicating challenges and the way forward (*EAC/CM 25/Directive 03*); and
- (f) reiterated its earlier decision directing the Secretariat to communicate to Partner States through Ministries Responsible for EAC Affairs (*EAC/CM 25/Decision 03*).

## PART II

## 2.0 REPORT OF THE OFFICE OF THE SECRETARY GENERAL

## 2.1 REPORTS OF MEETINGS OF THE SECTORAL COUNCIL OF MINISTERS RESPONSIBLE FOR EAC AFFAIRS AND PLANNING

The Council –

- (a) adopted the decisions of the 15th Meeting of Sectoral Council of Ministers Responsible for EAC Affairs and Planning, (*EAC/CM 25/Decision 04*); and
- (b) directed the Secretariat to develop standard Terms of Reference to guide Partner States when constituting the National Implementation Committees on Common Market Protocol and submit them to the 18th Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning for consideration (*EAC/CM 25/Directive 04*).

2.1.1 Report of the 16<sup>th</sup> Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning

The Council adopted the decisions of the 16th Meeting of the Sectoral Council of Ministers Responsible for EAC Affairs and Planning (*EAC/CM 25/Decision 05*).

## 2.2 REPORT ON THE RATIONALIZATION OF THE TERMS OF REFERENCE FOR EAC SECTORAL COUNCILS

The Council directed—

- (a) Partner States to submit in writing their comments on the Report on the rationalization of the Terms of Reference for the EAC Sectoral Councils to the Secretariat by 30th September, 2012 (*EAC/CM 25/Directive 05*); and
- (b) the Secretariat thereafter to compile Partner States' comments and submit to the 26th Meeting of the Council for consideration (*EAC/CM 25/Directive 06*).

**2.4 PROPOSED COUNCIL BILLS****2.4.1 Bills for Consideration****2.4.1.1 The East African Joint Trade Negotiations Act (Amendment) Bill, 2012**

The Council directed the Secretariat to submit the East African Community Trade Negotiations (Amendment) Bill, 2012 to the Sectoral Council on Trade, Industry, Finance and Investment for consideration (*EAC/CM 25/Directive 07*).

**2.4.1.2 The East African Community Development Fund Bill, 2012**

The Council—

- (a) take note of the East African Community Development Fund Bill, 2012, (*EAC/CM 25/Decision*); and
- (b) direct the Secretariat to submit the East African Community Development Fund Bill, 2012, to Partner States who will submit their comments on the same to the Secretariat by 30th October 2012 (*EAC/CM 25/Directive*).

**2.4.1.3 The East African Community Assets and Properties Protection Bill, 2012**

The Council directed the Secretariat to submit the East African Community Assets and Properties Protection Bill, 2012, to Partner States who will submit their comments on the same to the Secretariat by 30th October 2012 (*EAC/CM 25/Directive 08*).

**2.4.2 Progress on Other Bills****2.4.2.1 The East African Community Privately - Funded Infrastructure Bill, 2010****2.4.2.2 The East African Community Anti-Counterfeit Bill, 2011****2.4.2.3 The East African Community One Stop Border Post Bill, 2012****2.4.2.4 The East African Community Vehicle Load Control Bill, 2012**

The Council –

- (a) took note of the progress in preparation of the East African Community Privately-Funded Infrastructure Bill, 2010; the East African Community Anti-Counterfeit Bill, 2011; the East African Community One Stop Border Post Bill, 2012; and the East African Community Vehicle Load Control Bill, 2012, (*EAC/CM 25/Decision 06*); and
- (b) directed the Sectoral Councils concerned to finalise input into these Bills by 30th September 2012, (*EAC/CM 25/Directive 09*).

**2.5 REPORT OF THE VERIFICATION COMMITTEE ON THE APPLICATION OF THE REPUBLIC OF SOUTH SUDAN TO JOIN THE EAST AFRICAN COMMUNITY**

The Council –

- (a) noted that the United Republic of Tanzania needed more time to consult on the Report with all the key stakeholders (*EAC/CM 25/Decision 07*); and
- (b) decided that the Report will be considered by the 26<sup>th</sup> Meeting of the Council in November 2012 and thereafter submit to the Summit for guidance on next stage (*EAC/CM 25/Decision 08*).

**2.6 REPORT ON THE EAST AFRICAN REGIONAL STUDY WITH A VIEW TO HARMONIZE LEGAL AND REGULATORY FRAMEWORK GOVERNING LEGAL TRAINING, CERTIFICATION AND PRACTICE WITHIN THE COMMUNITY**

The Council –

- (a) took note of the Report of the study on the East African Regional Study With a View to Harmonize Legal and Regulatory Framework Governing Legal Training, Certification and Practice within the Community (*EAC/CM 25/Decision 09*); and
- (b) directed the Secretariat to submit the above report to the Sectoral Council on Legal and Judicial Affairs for consideration (*EAC/CM 25/Directive 10*).

**2.7 APPLICATION BY THE REPUBLIC OF SOMALIA TO JOIN THE EAST AFRICAN COMMUNITY**

The Council -

- (a) took note of this report, (*EAC/CM 25/Decision 10*); and
- (b) directed the Secretary General to submit the application of the Republic of Somalia to the Summit taking into account the above observations. (*EAC/CM 25/Directive 11*).

**2.8 CRITERIA FOR SELECTION OF VENUES FOR HOSTING EAC MEETINGS**

The Council directed that save for self-accounting EAC Institutions, EALA, and EACJ, statutory/policy and technical meetings for Organs and Institutions of the EAC should rotate and be shared between Headquarters and Partner States on a ratio of 50/50 basis; subject to further review and finalisation of the Study on Equitable Sharing of the Costs and Benefits of the Community (*EAC/CM 25/Directive 12*).

**2.9 OPERATIONAL PLAN FOR THE IMPLEMENTATION OF THE EAC COMMUNICATION STRATEGY**

The Council -

- (a) took note of the progress made in fine-tuning and prioritizing activities in the Operational Plan of the EAC Communication Policy and Strategy as per the Council Directive (*EAC/CM 25/Decision 11*);
- (b) took note that implementation of the Operational Plan will be done progressively within five financial years with effect from 1<sup>st</sup> July 2013—(*EAC/CM 24/Decision 12*); and
- (c) directed the Secretariat to mobilize resources, where possible, from the Private Sector and Development Partners, among others, to implement the planned activities (*EAC/CM 25/Directive 13*).

**2.10 PROPOSAL BY THE UNITED REPUBLIC OF TANZANIA FOR AMENDMENT OF THE TREATY FOR THE ESTABLISHMENT OF THE EAST AFRICAN COMMUNITY**

The Council -

- (a) considered the proposed amendments of the Treaty (*EAC/CM 25/Decision 13*); and
- (b) directed the High Level Task Force on the Amendment of the Treaty to consider the proposal by The United Republic of Tanzania together with comments from the Republic of Uganda by 15th October 2012 (*EAC/CM 25/Directive 14*).

**PART III****REPORT ON PLANNING AND INFRASTRUCTURE****3.1 PLANNING**

The Council -

- (a) took note of the report of the Sectoral Council on Finance and Economic Affairs (*EAC/CM 25/Decision 14*); and
- (b) directed that the matter of the overlapping mandate between SCTIFI and SCFEA over CET be considered in the rationalization of the Terms of Reference for the EAC Sectoral Councils (*EAC/CM 25/Directive 15*).

**3.1.1 Progress on the Monetary Union**

The Council took note of the progress on the negotiations on the Monetary Union Protocol (*EAC/CM 25/Decision 15*).

**3.2 INFRASTRUCTURE**

The Council -

- (a) took note of the decisions of the 9th Meeting of the Sectoral Council on TCM and the 3<sup>rd</sup> Extra Ordinary Meeting of the TCM, on the Roads Sub Sector; (*EAC/CM 25/Decision 16*); and
- (b) directed the Secretariat to consult with Partner States, with a view to commissioning the completed road works on the Arusha - Namanga - Athi River Road and the inauguration of the EAC Headquarters (*EAC/CM 25/Directive 16*).

**3.2.1 Railways Sector**

The Council took note of the status of implementation of the decisions of the 9th Meeting of the Sectoral Council on TCM under the Railways Sub Sector (*EAC/CM 25/Decision 17*).

**3.2.2 Civil Aviation and Airports Sector**

The Council –

- a) took note of the reported status of implementation of the two priority programmes of the Community (*EAC/CM 25/Decision 18*); and
- b) directed the Sectoral Council on TCM at its 10<sup>th</sup> Meeting to expedite the finalisation of the outstanding issues towards liberalisation of air transport in the EAC and the establishment of a Unified Flight Information Region (UFIR) for the EAC and report at the 26<sup>th</sup> Meeting of the Council in November 2012 (*EAC/CM 25/Directive 17*).

**3.2.3 Meteorology Sector****3.2.3.1 Meteorological Data Policy**

The Council approved the Meteorological Data Policy (*EAC/CM 25/Decision 19*).

**3.2.4 Communications Sector**

The Council–

- (a) adopted the Draft Protocol for ICT Networks; (*EAC/CM 25/Decision 20*); and
- (b) referred the Draft Protocol for ICT Networks to the Sectoral Council on Legal and Judicial Affairs for legal input (*EAC/CM 25/Decision 21*).

**3.2.5 Civil Aviation Safety and Security Oversight Agency (CASSOA)**

The Council—

- (a) took note of the foregoing status of implementation of its previous decision on CASSOA funding; (*EAC/CM 25/Decision 22*); and
- (b) directed the Republic of Burundi, the Republic of Rwanda and the Republic of Uganda to avail to the Secretariat their comments on the CASSOA Strategic Plan by 14<sup>th</sup> September 2012 (*EAC/CM 25/Directive 18*).

**3.2.6 Tripartite Co-operation between COMESA, EAC and SADC**

The Council took note of the report under the Tripartite collaboration (*EAC/CM 25/Decision 23*).

**3.2.7 Dedicated Session of the Summit on Infrastructure Development and Financing**

The Council –

- (a) took note of the progress in the preparation of the Summit Dedicated Session on Infrastructure Development and Finance; (*EAC/CM 25/Decision 24*); and
- (b) directed the Secretariat to share with the Partner States the draft TORs and Programme for the Retreat which should also include the status of the implementation of infrastructure projects, achievements and challenges and thereafter submit to the Partner States for comments by 15<sup>th</sup> September 2012 (*EAC/CM 25/Directive 19*);
- (c) directed the Partner states to submit their comments to the Secretariat by 30<sup>th</sup> September, 2012 (*EAC/CM 25/Directive 20*).

**PART IV****REPORT ON PRODUCTIVE AND SOCIAL SECTORS****4.1 PRODUCTIVE SECTORS**

The Council took note of the progress made in the Productive Sectors (*EAC/CM 25/Decision 25*).

**4.2 SOCIAL SECTORS**

The Council—

- (a) adopted decisions of the 7<sup>th</sup> Meeting of the Sectoral Council on Health, (*EAC/CM 25/Decision 26*);
- (b) referred decisions with financial implications to the Finance and Administration Committee for consideration, (*EAC/CM 25/Decision 27*);
- (c) directed the United Republic of Tanzania to expedite the ratification of the Protocol on the Establishment of the East African Community Health Research Commission and deposit instruments of ratification to the Secretary General by 30<sup>th</sup> November 2012, (*EAC/CM 25/Directive 21*); and
- (d) directed the Secretariat to draft amendments to the EAC SQMT Act, 2006 in order to incorporate and specifically include the regulation and accreditation of East African Regional Medical and Public Health Laboratories and public and private sector hospitals and health care facilities as well as the accreditation and recognition of various national, regional and international Proficiency Testing Bodies (PTBs) and External Quality Assurance Assessment Schemes to in order to ensure quality assessment of Medical and Public Health Laboratories within the region before 30<sup>th</sup> June 2013, (*EAC/CM 25/Directive 22*)

**4.2.1 Gender and Community Development and Civil Society**

The Council —

- (a) took note of the decisions of the 1<sup>st</sup> Meeting of the Sectoral Council on Gender, Youth, Children, Social Protection and Community Development, (*EAC/CM 25/Decision 28*);
- (b) directed the Secretariat to develop an EAC Policy on Gender Equality, Youth, Children, Social Protection and Community Development for consideration by the 27<sup>th</sup> Meeting of the Council (*EAC/CM 25/Directive 23*);
- (c) directed that the Forum of Ministers Responsible for Social Development be discontinued (*EAC/CM 25/Directive 24*); and
- (d) referred decisions with financial implications to the Finance and Administration Committee for consideration, (*EAC/CM 25/Decision 29*).

**PART V****REPORT ON POLITICAL MATTERS****5.1 POLITICAL AFFAIRS****5.1.1 Political Federation**

The Council directed the Secretariat to—

- (a) circulate the Zero draft of the Model and Structure of the EAC Political Federation to the Partner States for comments by 20<sup>th</sup> October, 2012 (*EAC/CM 25/Directive 25*);
- (b) convene a Retreat of Experts with a view of improving the Zero draft of the Model and Structure of the EAC Political Federation by 30<sup>th</sup> October, 2012 (*EAC/CM 25/Directive 26*); and
- (c) submit a report to the 26<sup>th</sup> Meeting of the Council for consideration (*EAC/CM 25/Directive 27*).

**5.2 INTERNATIONAL RELATIONS**

The Council —

- (a) submitted the Report on Hosting of the UN-International Criminal Tribunal for Rwanda (ICTR) Archives to the Summit for information (*EAC/CM 25/Decision 31*);



- (b) directed the Secretary General to communicate to the UN Security Council formerly communicating that the EAC has taken a common position on the matter of the UNICTR archives and appeals to the United Nations that the hosting of these archives be granted to the Republic of Rwanda (*EAC/CM 25/Directive 32*).

### 5.3 PEACE AND SECURITY

The Council adopted the decisions of the Joint Meeting of the Sectoral Councils on Cooperation in Defense, Interstate Security and Foreign Policy Co-ordination held on 19<sup>th</sup> January 2012 (*EAC/CM 25/Decision 32*).

## PART VI

### REPORT ON CUSTOMS AND TRADE MATTERS

#### 6.1 CUSTOMS MATTERS

The Council –

- (a) directed that the resolution on the overlapping mandate between the Sectoral Council on Trade, Industry, Finance and Investment and the Sectoral Council on Finance and Economic Affairs should await the finalisation of the rationalisation of Terms of Reference of the EAC Sectoral Councils (*EAC/CM 25/Directive 28*);
- (b) sought extension of delegation of Powers of the Summit to the Council for three (3) years effective from November 2012, (*EAC/CM 25/Decision 33*); and
- (c) directed that all Country specific remissions granted under Article 19 (2) of the Customs Union Protocol shall expire by the end of the Financial Year 2012-2013 except for the Republic of Rwanda and the Republic of Burundi, (*EAC/CM 25/Directive 29*).

#### 6.2 TRADE MATTERS

The Council—

- (a) adopted the decisions of the Sectoral Council on Trade, Industry, Finance and Investment held on 31<sup>st</sup> May 2012 (*EAC/CM 25/Decision 34*); and
- (b) adopted the list of 12 harmonized standards approved as EAC Standards by the SCTIFI meeting held on 31<sup>st</sup> May 2012 (*EAC/CM 25/Decision 35*).

## PART VII

### REPORT OF FINANCE AND ADMINISTRATION COMMITTEE

#### 7.1 REPORT OF THE DEDICATED MEETING OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Council –

- (a) approved the EAC Financial Rules and Regulations 2012 (*EAC/CM 25/Decision 37*); and
- (b) directed the Secretariat to prepare a comprehensive paper on the requisition for the review of Rule 19 of the Draft Financial Rules and Regulations indicating the experienced challenges, benefits and way forward for consideration at the 26<sup>th</sup> Meeting of the Council (*EAC/CM 25/Directive 30*).

##### 7.1.1 Re-Categorization of General Staff

The Council directed the Secretariat to address the matter of re-categorisation of General Staff under the Institutional Review process (*EAC/CM 25/Directive 31*).

#### 7.2 REPORT OF THE MEETING OF THE FINANCE AND ADMINISTRATION COMMITTEE, AUGUST 2012

##### 7.2.1 Finance Matters

##### 7.2.1.1 Status of Partner States Contributions for EAC Secretariat, EALA, EACJ and LVBC

The Council took note of the status of Partner States' contributions as at 29<sup>th</sup> August 2012 (*EAC/CM 25/Decision 38*).

The Council—

- (a) took note of the Partner States status of contribution as at 29<sup>th</sup> August 2012 (*EAC/CM 25/Decision 39*);
- (b) directed IUCEA to expedite the construction process of the Headquarters Building (*EAC/CM 25/Directive 32*);
- (c) directed the Republics of Burundi, Kenya, Uganda and the United Republic of Tanzania to settle their respective arrears for previous years amounting to US\$ 11,723,734 by 30<sup>th</sup> September, 2012 (*EAC/CM 25/Directive 33*);
- (d) directed the Partner States to remit their contributions for the Financial Year 2012/2013 (*EAC/CM 25/Directive 34*); and
- (e) directed IUCEA to prepare a detailed report on status of investments and submit the same to the 26<sup>th</sup> Meeting of the Council (*EAC/CM 25/Directive 35*).

#### 7.2.2 Status of General Reserves

The Council took note of the status of the General Reserve Account as at 29<sup>th</sup> August 2012 (*EAC/CM 25/Decision 40*).

The Council took note of the status of investment in Fixed Deposits as at 29<sup>th</sup> August 2012 (*EAC/CM 25/Decision 41*).

#### 7.2.3 Outstanding Dues from the Republic of Rwanda

The Council directed the Secretary General to refer this matter to the Summit for guidance. (*EAC/CM 25/Decision 42*).

#### 7.2.4 Audit Matters

##### 7.2.4.1 Establishment of the EAC Audit and Risk Committee

The Council —

- (a) established the EAC Audit and Risk Committee (*EAC/CM 25/Decision 43*); and
- (b) appointed members of the East African Community Audit and Risk Committee for a period of 3 years (*EAC/CM 25/Decision 44*).

#### 7.2.5 Strengthening the Internal Audit Function

The Council—

- (a) stayed consideration of this matter pending finalization of the Institutional Review; (*EAC/CM 25/Decision 44*); and
- (b) directed the Secretariat to expedite finalisation of the Institutional Review process (*EAC/CM 25/Directive 36*).

#### 7.2.6 Proposal for the Recruitment of Risk Management Staff

The Council stayed consideration of recruitment of Risk Management Staff pending finalisation of the Institutional Review (*EAC/CM 25/Decision 45*).

#### 7.2.7 Audited Financial Statements of the East African Community for the Financial Year ended 30<sup>th</sup> June, 2011

The Council adopted the Audited Financial Statements of the East African Community Organs and Institutions for the Financial Year ended 30<sup>th</sup> June 2011 (*EAC/CM 25/Decision 46*); and refer the same to the East African Legislative Assembly for debate and for such other consultations and action as the Assembly may deem necessary (*EAC/CM 25/Decision 46*).

### 7.3 HUMAN RESOURCE MATTERS

#### 7.3.1 EAC Secretariat

##### 7.3.1.1 Staff Retirement from the Service of the Community

- (a) Mrs. Ghaniya M Kadu, Director (Finance) w.e.f. 31<sup>st</sup> December, 2012; and
- (b) Mrs. Anne R. Owor, Senior Conference Officer w.e.f. 28<sup>th</sup> February, 2013.

The Council—

- (a) commended Mrs. Ghaniya M. Kadu and Mrs. Anne R. Owor for their outstanding service to the Community (*EAC/CM 25/Decision 47*); and



- (b) directed the Secretariat to initiate the process of filling in the two subsequent vacancies of Director, Finance (P5) and Senior Conference Officer (P2) in accordance with the EAC Staff Rules and Regulations (*EAC/CM 25/Directive 37*).

### 7.3.2 Status of Operationalisation and Implementation of the Quota System in Staff Recruitment

The Council—

- (a) took note of the status of implementation of the quota system (*EAC/CM 25/Decision 48*);
- (b) directed the Secretariat to examine the implications of disaggregating EAC Staff into Executive, Professional; G5 and G4, and Projects in the Operational Manual and report to the 26<sup>th</sup> Meeting of the Council (*EAC/CM 25/Directive 38*);
- (c) directed the EAC Organs and Institutions to implement the quota system based on the Principles of the Operational Manual (*EAC/CM 25/Directive 39*);
- (d) directed the Secretariat to expedite the process of harmonization of grades and salaries of project staff in line with the approved EAC Structure (*EAC/CM 25/Directive 40*); and
- (e) directed the Secretariat to propose computation of points for project staff in the operational manual to be submitted to the 26<sup>th</sup> Meeting of the Council (*EAC/CM 25/Directive 41*).

### 7.3.3 Lake Victoria Basin Commission (LVBC)

#### 7.3.3.1 Recruitment of Deputy Executive Secretaries

- (i) Mr. Telly Eugene Muramira (Uganda), Deputy Executive Secretary, in charge of Projects and Programmes; and
- (ii) Mr. Patrice Niyongabo (Burundi), Deputy Executive Secretary, in charge of Finance and Administration.

The Council –

- (a) appointed the following staff with effect from the dates of assumption of duty;
  - (i) Mr. Telly Eugene Muramira (Uganda) to the position of Deputy Executive Secretary, LVBC (P5), in charge of Projects and Programmes;
  - (ii) Mr. Patrice Niyongabo (Burundi) to the position of Deputy Executive Secretary, LVBC (P5), in charge of Finance and Administration (*EAC/CM 25/Decision 49*); and
- (b) directed the EAC Secretariat to undertake a due diligence on the persons recommended for appointment before the letters of offer of employment are issued (*EAC/CM 25/Directive 42*).

### 7.3.4 Appointment of Monitoring and Evaluation Officer (LVEMPII)

The Council—

- (a) appointed Mr. Paul Njoroge Kariuki (Kenya) to the position of Monitoring and Evaluation Officer (P2) for the remaining period of APL 1 and 2 (end of June 2013) (*EAC/CM 25/Decision 50*).
- (b) directed that in case Mr. Kariuki does not take up the offer, Mr. Salum Ramadhani (Tanzania) be appointed to the position (*EAC/CM 25/Directive 43*); and
- (c) directed the EAC Secretariat to undertake a due diligence on the appointed candidate before the letter of offer of employment is issued (*EAC/CM 25/Directive 44*).

### 7.3.5 Disciplinary Action against Mrs. Omondi Odula Evelyne, Senior Accountant, LVBC

The Council directed the—

- (a) Secretary General to initiate disciplinary proceedings against Mrs. Evelyne Omondi Odula and submit a report on the matter to the Council at its 26<sup>th</sup> Meeting for an appropriate decision (*EAC/CM 25/Directive 45*);
- (b) Secretariat to undertake due diligence on all EAC staff within the employment of the Community in order to ensure that staff have the required qualifications and skills and submit the report to the Council (*EAC/CM 25/Directive 46*); and
- (c) Secretariat to ensure that due diligence on staff recruitment is embedded as a principle in the EAC Staff Rules and Regulations (*EAC/CM 25/Directive 47*).

**7.3.6 Audit and Management Issues on LVBC**

The Council directed the Secretariat to constitute a Team of Management and Audit Experts to undertake the verification of Lake Victoria Basin Commission Management systems and operations and submit a report to the Sectoral Council of Ministers Responsible for Lake Victoria Basin Commission at its next meeting (*EAC/CM 25/Directive 48*).

**7.3.7 Proposal for funding of EAC/AMREF Lake Victoria Partnership on HIV & AIDS in Lake Victoria Basin (EALP) activities in Partner States**

The Council –

- (a) took note of the directives of the Sectoral Council (*EAC/CM 25/Decision 51*);
- (b) deferred consideration of the supplementary budget pending finalization of the end of project term evaluation (*EAC/CM 25/Decision 52*); and
- (c) directed LVBC to undertake an end of project term evaluation and thereafter submit the proposal with detailed budgetary requirements to the Sectoral Council for the Lake Victoria Basin for consideration (*EAC/CM 25/Directive 49*).

**7.4 PROGRESS REPORT ON EAC HEADQUARTERS**

The Council—

- (a) took note of the progress made on the Headquarters (*EAC/CM 25/Decision 53*);
- (b) took note of the proposal regarding the official opening of the Headquarters (*EAC/CM 25/Decision 54*);
- (c) appreciated the support given by The United Republic of Tanzania regarding the access roads to the new EAC Headquarters (*EAC/CM 25/Decision 55*);
- (d) accepted the request for supplementary budget of US\$ 1,968,284 and submitted the same to EALA for approval (*EAC/CM 25/Decision 56*);
- (e) directed the Secretariat to complete the move into the new EAC Headquarters by 30<sup>th</sup> October 2012 (*EAC/CM 25/Directive 50*); and
- (f) directed the Secretariat to settle the outstanding rent in arrears payable to Arusha International Conference Centre before moving into the new EAC Headquarters (*EAC/CM 25/Directive 50A*).

**7.5 Sharing of MOUs and Cooperation Agreements between Development Partners and the Community**

The Council –

- (a) reiterated the decision taken at its 21<sup>st</sup> Extra-Ordinary Meeting on this matter and directed the Secretariat to prepare a report on all existing MoUs with Development Partners indicating funds received, funds committed, funds expected and performance reports and submit the same to the 26<sup>th</sup> Meeting of the Council (*EAC/CM 25/Directive 51*); and
- (b) directed all Organs and Institutions of the Community to share copies of all MOUs and Cooperation Agreements signed between them and Development Partners for effective planning, monitoring and follow up on the financial, human resources and administrative arrangements contained therein (*EAC/CM 25/Directive 52*).

**PART VIII****REPORTS OF OTHER EAST AFRICAN COMMUNITY ORGANS****8.1 EAST AFRICAN COURT OF JUSTICE**

The Council took note of the Report of the East African Court of Justice, (*EAC/CM 25/Decision 57*).

**8.2 EAST AFRICAN LEGISLATIVE ASSEMBLY**

The Council—

- (a) took note of the Reports of the East African Legislative Assembly, (*EAC/CM 25/Decision 58*);
- (b) directed the Secretariat to submit the various resolutions of EALA to Partner States for comments by 30<sup>th</sup> September, 2012. (*EAC/CM 25/Directive 53*).

## PART IX

## REPORTS OF EAC INSTITUTIONS

## 9.1 EAST AFRICAN CIVIL AVIATION AND SAFETY AND SECURITY OVERSIGHT AGENCY

The Council took note of the—

- (a) Report of the East African Civil Aviation and Safety and Security Oversight Agency, (*EAC/CM 25/Decision 59*); and
- (b) directed the Republic of Uganda to expedite the issuance of the Title Deed to CASSOA, (*EAC/CM 25/Directive 54*).

## 9.2 LAKE VICTORIA BASIN COMMISSION

The Council –

- (a) took note of the Report of the 10<sup>th</sup> Meeting of the Sectoral Council of Ministers for Lake Victoria Basin, (*EAC/CM 25/Decision 60*);
- (b) directed the EAC Secretariat to de-link the EAC-BIN and MCSLV projects, (*EAC/CM 25/Directive 55*);
- (c) directed the Republic of Uganda to consult on the new Water Release and Abstraction Policy for Lake Victoria and report to the 26<sup>th</sup> Meeting of the Council (*EAC/CM 25/Decision 61*);
- (d) retrospectively approved Terms of Reference for positions of Deputy Executive Secretaries for the Lake Victoria Basin Commission, (*EAC/CM 25/Decision 62*);
- (e) directed Partner States to mainstream the HIV & AIDS study findings into their national HIV & AIDS planning and programming, (*EAC/CM 25/Directive 57*);
- (f) directed Partner States to mainstream the MRB Trans-boundary Strategic Environmental Assessment into their planning, programmes and policies, (*EAC/CM 25/Directive 58*);
- (g) directed the Secretary General and the Republic of Kenya to re-negotiate provisions of the EAC/LVBC Headquarters Agreement so as to allow Kenyan nationals to enjoy same status, privileges and immunities like the rest of EAC/LVBC Staff, (*EAC/CM 25/Directive 59*);
- (h) took note of the adopted LVBC Strategic Plan 2011 – 2016, (*EAC/CM 25/Decision 63*);
- (i) took note of the resolutions of the 3<sup>rd</sup> LVB Stakeholders Forum and direct Partner States and LVBC to implement the resolutions, (*EAC/CM 25/Decision 64*);
- (j) took note of the Secretary General's observations on activities implemented under MERECP and LVWATSAN Programmes, (*EAC/CM 25/Decision 65*).

## 9.3 LAKE VICTORIA FISHERIES ORGANIZATION

The Council –

- (a) took note of the status of the Improved Landing Beaches on Lake Victoria, (*EAC/CM 25/Decision 66*); and
- (b) directed the Republic of Kenya to ensure that the defaulting companies finalize their snag lists before handover for use, (*EAC/CM 25/Directive 60*).

## 9.4 INTER-UNIVERSITY COUNCIL FOR EAST AFRICA

The Council took note of the progress of the review of the IUCEA Act, 2009 (*EAC/CM 25/Decision 67*).

**9.5 EAST AFRICAN DEVELOPMENT BANK**

The Council took note of the Report of the East African Development Bank's operations for the first half of 2012, (EAC/CM 25/Decision 68).

**10.1 NOTIFICATION OF INTERNATIONAL ORGANIZATIONS**

The Council directed the Secretariat to submit notifications of this nature first to the Council for approval (EAC/CM 25/Directive 61).

**10.2 SECTORAL COUNCILS THAT DO NOT MEET REGULARLY**

The Council directed the—

- (c) Sectoral Council on Legal and Judicial Affairs and the Sectoral Council on Agriculture to meet regularly in accordance with the approved EAC Calendar of Activities (EAC/CM 25/Directive 62);
- (d) Permanent Secretaries for the Ministries of Finance and Directors General of National Bureaux of Statistics to meet regularly to discuss issues under their sectors (EAC/CM 25/Directive 63).

**10.3 CONVENING OF THE DEDICATED SESSION OF PERMANENT SECRETARIES OF MINISTRIES RESPONSIBLE FOR EAC AFFAIRS AND PLANNING**

The Council directed the Secretariat to convene a dedicated session of Permanent Secretaries of Ministries Responsible for EAC Affairs and the Secretariat (EAC/CM 25/Directive 64).

**10.4 PROGRESS ON THE STUDY ON EQUITABLE SHARING OF BENEFITS**

The Council directed the Secretariat to expedite the finalization of the study on equitable sharing of benefits for consideration by the 27<sup>th</sup> Meeting of the Council (EAC/CM 25/Directive 65).

**10.5 EXERCISE USHIRIKIANO IMARA 2012 IN RWANDA**

The Council directed the Secretariat to convene a meeting of Minister of Defence and Chief Defence Forces to discuss the matter in the margins of a meeting of the International Conference on Great Lakes (ICGLR) scheduled to take place in Kampala beginning week of 3<sup>rd</sup> September 2012.

SIGNED by the Leaders of Delegation this 31<sup>st</sup> day of August, 2012.

.....  
**Hon. Musa Cherutich Sirma, EGH, MP**  
Minister,  
Ministry of East African Community  
**THE REPUBLIC OF KENYA**

.....  
**Hon. Monique Mukaruliza**  
Minister,  
Ministry of East African Community  
**THE REPUBLIC OF RWANDA**

.....  
**Hon. Leontine Nzeyimana,**  
Minister,  
Minister to the Office of the President Responsible for  
East African Community Affairs  
**THE REPUBLIC OF BURUNDI**

.....  
**Hon. Shamsi Vuai, MP**  
Minister,  
Ministry for Defence & National Service  
**THE UNITED REPUBLIC OF TANZANIA**

.....  
**Hon. Amelia Kyambadde**  
Minister,  
Ministry of Trade, Industry & Co-operative  
**THE REPUBLIC OF UGANDA**