



**EAST AFRICAN COMMUNITY  
EAST AFRICAN LEGISLATIVE ASSEMBLY**

**RESOLUTION OF THE ASSEMBLY URGING THE COUNCIL OF  
MINISTERS AND EAC PARTNER STATES TO TAKE PRACTICAL STEPS  
TO ENHANCE THE STANDARD OF LIVING OF EAST AFRICANS IN  
ACCORDANCE WITH PROVISIONS OF THE TREATY**

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**By: Hon. Dora Kanabahita Byamukama and adopted By Assembly  
on the 17<sup>th</sup> day of November, 2009**

**WHEREAS** Article 5 of the Treaty for the Establishment of the East African Community (the Treaty) articulates that the objectives of the Community shall be to develop policies and programmes aimed at widening and deepening co-operation among the Partner States in political, economic, social and cultural fields, research, and technology, defence, security and legal and judicial affairs, for their mutual benefit;

**AND WHEREAS** Chapters Eleven (11) to Twenty three (23) of the Treaty provide that Partner States shall cooperate in Trade Liberalisation and Development; Investment and Industrial Development; Standardization, Quality Assurance, Metrology and Testing; Monetary and Financial Aspects; Infrastructure and Services; Development of Human Resources, Science and Technology; Free Movement of Persons, Labour Services, Right of Establishment and Residence; Agriculture and Food Security; Environment and Natural Resources Management; Tourism and Wildlife Management; Health, Social and Cultural Activities; Enhancing the Role of Women in Socio - Economic Development and in Political Matters.



**AND WHEREAS** in furtherance of these provisions, Article 14 of the Treaty spells out the functions of Council as the policy organ of the Community with the mandate to make policy decisions for the efficient and harmonious development of the Community and to promote, monitor and keep under constant review the implementation of the programmes of the Community and to ensure the proper functioning and development of the Community in accordance with the Treaty;

**AND WHEREAS** in accordance with Article 16, the regulations, directives and decisions of the Council taken or given in pursuance of the provisions of the Treaty are binding on the Partner States, on all organs and institutions of the Community *other than the Summit, the Court and the Assembly within their jurisdictions*, and on those to whom they may under the Treaty be addressed;

**AND WHEREAS** in furtherance of its mandate, the Council of Ministers established Directorates under the Secretary General collectively called the Secretariat; which Secretariat is the executive organ of the community and is responsible for functions stated under Article 71 of the Treaty. These functions include initiation of studies and research; strategic planning, management and monitoring of the programmes; general promotion and dissemination of information on the Community to the stakeholders, the general public and the international community; general administration and financial management of the Community; mobilization of funds from development partners and other sources for the implementation of projects of the Community; the submission of the budget of the Community to Council for its consideration subject to the Treaty; and the implementation of the decisions of the Summit and the Council;

**AWARE** that Treaty provisions are aimed at addressing challenges faced by peoples of the Community, which include - food and water shortage; drought; conflict; poor health; the negative impact of HIV/AIDs; poverty;



unemployment; land and environmental degradation; the negative impact of climate change; imbalance of trade especially in agricultural produce; low industrialization; low earnings from tourism; discrimination against women, children and Persons With Disabilities; and the need to evolve a harmonized legal system and an East African identity through culture and sports.

**AWARE** that Chapter Twelve on co-operation in Investment and Industrial Development requires Partner States to take measures to develop an East African Development Strategy (Art. 80 (1)(a));

**AWARE** that cooperation in Standardization, Quality Assurance, Metrology and Testing require that Partner States evolve and apply a common policy for the standardization, quality assurance, metrology and testing of goods and services produced and traded within the Community and that Partner States conclude a protocol on Standardization, Quality Assurance, Metrology and Testing for the goods and services produced and traded in the Community (Art. 81(3, 4));

**FURTHER AWARE** that cooperation in Infrastructure and Services requires Partner States to evolve co-ordinated, harmonized and complementary transport and communications policies; improve and expand the existing transport and communication links; and establish new ones as a means of furthering the physical cohesion of the Partner States, so as to facilitate and promote the movement of traffic within the Community (Art.89);

**COGNISANT** that cooperation in the development of human resources, science and technology, Partner States agreed to undertake concerted measures to foster co-operation in education and training within the Community;

**COGNISANT THAT** Partner States agreed to adopt measures to achieve the free movement of persons, labour and services and to ensure the enjoyment of the right of establishment and residence of their citizens within the Community;



**AWARE THAT** the overall objective of cooperation of Partner States in agriculture sector is to achieve food security and rational agricultural production within the Community. And that Partner States undertook to adopt a scheme for the rationalization of agricultural production with a view to promoting complementarity and specialization in the sustainability of national agricultural programmes in order to ensure a common agricultural policy; food sufficiency; an increase in the production of crops, livestock, fisheries and forest products for domestic consumption, exports within and outside the community and as inputs to agro-based industries within the community and post harvest preservation and conservation and improved food processing (Art.105);

**FURTHER AWARE THAT** cooperation in environment and natural resources management provided for under Chapter Nineteen requires harmonized action in the areas of environmental issues and natural resources; management of the environment; prevention of illegal trade in and the movement of toxic chemicals, substances and hazardous wastes; management of natural resources-the establishment of Api-Agro Forestry Systems and the establishment of a body for the management of Lake Victoria (Article 114(2) (a)(vi));

**AWARE THAT** co-operation in Tourism and Wildlife Management by Partner States as mandated by Chapter Twenty of the Treaty requires that Partner States undertake to develop a regional strategy for conservation and sustainable utilization of wildlife and tourism promotion whereby individual efforts are reinforced by regional action.

**AWARE THAT** Chapter Twenty One on Social and Cultural Activities requires that Partner States cooperate in Health, Culture and Sports and Social Welfare



with the aim of promoting the well being of East Africans and promoting an East African identity;

**COGNISANT OF THE FACT THAT** women make a significant contribution towards the process of socio-economic transformation and sustainable growth and that it is impossible to implement effective programmes for the economic and social development of Partner States without the full participation of women – and Chapter Twenty Two requires Partner States to promote empowerment of women at all levels of socio-economic development especially in decisions making and to *inter alia* take measures that shall eliminate prejudices against women and promote the equality of the female gender with that of the male gender in every respect.

**NOTING THAT** Cooperation in Political Affairs requires Partner States under Chapter Twenty of The Treaty to establish common foreign and security policies whose objectives are to safeguard common values, fundamental interests and independence of the Community; strengthen the security of the Community and its Partner States in all ways; develop and consolidate democracy and the rule of law and respect for human rights and fundamental freedoms; preserve peace and strengthen international security among the Partner states and within the Community; promote co-operation at international fora; and enhance the eventual establishment of a Political Federation of the Partner States.

**BEARING IN MIND** that this Plenary Meeting of the 3<sup>rd</sup> Session of the Second Assembly coincides with the East African Community 10<sup>th</sup> Anniversary which occasion presents an opportunity to audit progress made in respect to implementation of the Treaty;



**AND** in conformity with Article 49(2)(d) which mandates the Assembly to discuss all matters pertaining to the Community and to make recommendations to Council as it may deem necessary for the implementation of the Treaty.

**NOW THEREFORE** this Assembly do resolve to recommend to the Council of Ministers as follows That;

1. Council provides the Assembly with an up-date on progress made in respect to the establishment of a Customs Union, a Common Market, a Monetary Union and a Political Federation.
2. Under Co-operation in Investment and Industrial Development Council takes measures to expedite the completion of the development of an East African Industrial Development Strategy as mandated under Article 80(1)(a) of the Treaty as a means of job creation for East African youths.
3. In respect to cooperation in Standardization, Quality Assurance, Metrology and Testing Council ascertains whether Partner States comply with The East African Community Standardization, Quality Assurance, Metrology and Testing Act, 2006;
4. Council provides this Assembly with progress made in Co-operation in Development of Human Resources, Science and Technology; Health, Social and Cultural Activities; Enhancing the Role of Women in Socio-Economic Development; and Co-operation in Political Matters.
5. In respect to co-operation in Infrastructure and Services, Council directs Partner States to review and re-design their intermodal transport systems and to develop new routes within the Community so as to ease access to markets in fulfillment of Article 89(c).

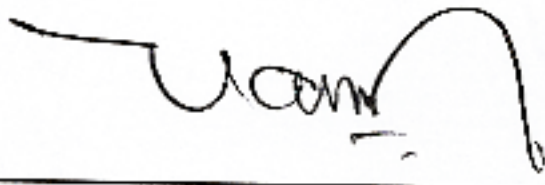


6. Council provides to the Assembly information on agriculture and food security in respect to seed and livestock multiplication and distribution; plant and animal diseases control; irrigation and water catchment management and food security.
7. In accordance with Article 110(e) and 106(a),(b) and (d) of the Treaty, Council immediately takes practical measures to initiate the establishment and maintenance of the East African food and seed reserves to mitigate food shortages and improve quality of agricultural produce.
8. Council directs the Secretariat to develop a mechanism to establish an East African Livestock Breeding Center in each Partner State in fulfillment of Article 107(a) of the Treaty.
9.
  - a) In respect to Co-operation in Environment and Natural Resources Management Council expedites the enactment of the Lake Victoria Commission Bill, 2007 into law; and
  - b) Council do support the East African Tourism and Wildlife Management Bill, 2008 introduced in the Assembly by Hon. Safina Kwekwe so as to effectively implement Chapter Twenty of the Treaty.
10. Council makes Regulations as to the management of the budgetary process from the time of submission by the Secretary General up to the time of consideration by the Council of Ministers taking into account the fact that it is no longer necessary to subject a pre-determined budget by Partner States to review by Partner States Civil Servants.



11. Council makes Regulations under Article 14(3)(d) of the Treaty to provide a guide for the relationship between the Secretariat and the Committee on Finance and Administration taking into account the provisions of the Treaty which vests the Secretariat with administration of the Community.
  
12. Council do give directions to Partner States and to all organs and institutions of the Community in pursuance of Article 14(3) of the Treaty as to ensure compliance with this Resolution.

**CERTIFIED BY:**



**Kenneth Madete  
CLERK**

**DATE:**

17<sup>th</sup> / NOV / 2009