The Convention for the Establishment of the Lake Victoria Fisheries Organization

Signed on 30th June 1994;
Entered into force on 24th May 1996;

(Amended on 12th November, 1998 and on 29th January, 2016)
The designations employed and the presentation of material in this publication do not imply the expression of any opinion whatsoever on the part of the Lake Victoria Fisheries Organization (LVFO) concerning the legal status of any country, territory, city or area of its authorities, or concerning the delimitation of its frontiers or boundaries.
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FOREWORD

The Convention for the establishment of the Lake Victoria Fisheries Organization (LVFO) was signed on 30th June 1994, in Kisumu, Kenya by the ‘Contracting Parties’ namely the three States sharing the lake (Kenya, Uganda and Tanzania). Once the treaty establishing the East African Community (EAC) came into force on 30th November 1999, the LVFO became a specialized institution of the Community. The LVFO Convention is accommodated under Article 9(3) of the EAC Treaty and provides the framework for the objectives, functions and responsibilities, organs, scope, and legal status of the Organization. The Convention was amended by the 2nd Session of the LVFO Council of Ministers held in Nairobi, Kenya, on 12th November 1998 to provide for the ‘Policy Steering Committee’ as an organ of the LVFO.

The Convention was the outcome of a concerted effort by the Partner States assisted by the Food and Agriculture Organization of the United Nations (FAO). The FAO played a vital role in this process because, at that time, there was no coordinating mechanism following the collapse of the 1st EAC in 1977. At that time FAO was also assisting in the management of the shared fisheries resources of Lake Victoria through its Committee for Inland Fisheries of Africa (CIFA) and specifically its Sub-Committee for the Development and Management of the Fisheries of Lake Victoria. This sub-Committee ceased to exist upon signing of the Convention in 1999. The FAO became the depositary of the Convention and LVFO is also registered under Article 102 of the United Nations Charter and is recognized as a Regional Fisheries Management Organization (RFMO).

The first Conference of African Ministers of Fisheries and Aquaculture (CAMFA) in 2010 requested that Regional Economic Communities (RECs) should, among other things, assist Regional Fisheries Bodies (RFBs) to develop regional strategies for sustainable management of shared water resources. Following the first CAMFA, the New Partnership for Africa’s Development (NEPAD) Agency, together with the African Union-Inter Bureau for Animal Resources (AU-IBAR) and FAO, undertook a number of studies and Think Tank Events aimed at developing strategies for the alignment of RECs and RFBs. Among the outcomes of these studies was a recommendation that RECs should admit RFBs as their technical arms responsible for fisheries and aquaculture.
Following the developments at AU level as well as the widening of the geographical coverage of the EAC, the 12th Ordinary Summit of EAC Heads of State in their communiqué of 3rd December 2010 directed the EAC Council to address the mainstreaming of the Lake Victoria Fisheries Organization within the East African Community. The need to amend the Convention to bring on board other EAC Partner States was evident and the 8th Regular Session of LVFO Council of Ministers held on 13th November 2013 in Arusha, Tanzania responded by directing the Secretariat to amend the LVFO Convention, as provided for under Article XXI of the Convention establishing LVFO.

The amended Convention addressed the widening scope and mandate of the LVFO to cover the EAC Fisheries and Aquaculture sector and aligned the institutional structures and organs with those of other EAC Institutions. These included a Sectorial Council, Coordination Committee and Senior Officials as policy organs which replaced the previous Council of Ministers, Policy Steering Committee and the Executive Committee. These changes were approved by the 9th Regular Session of the LVFO Council of Ministers held on 29th January 2016, at Fairmont, The Norfolk Hotel, Nairobi Kenya. The Technical Committees and the other sub-committees remain as provided in the Convention.

The amended Convention retained all the Annexes to the original Convention and any new Partner States shall submit an instrument of accession to the depositary, the FAO, as provided for in Article XX(3).

The new mandate and coverage of LVFO established by the amended Convention calls for the EAC Partner States to align and strengthen their institutional arrangements as required by the amended Convention and to enhance the capacity of the LVFO Secretariat to carry out its functions in terms of its widened scope and mandate. The goal is to ensure the sustainable growth of fish productivity in the EAC region in order to create wealth and maintain food security.

It is important to note that the operations of LVFO are guided by the EAC principle of subsidiarity. Individual Partner States retain operational mandates vested in their national institutions, and the management and control of fisheries resources in their respective countries, but they should cooperate to harmonize policies, structures,
standards and concerted actions as enshrined in *Article XIII [2](a)* of the Convention.


Godfrey V. Monor
Executive Secretary, LVFO
PREFACE

Lake Victoria is one of the world’s most productive inland fisheries contributing about 60% of the total fish production in the East African region. Annual catches are estimated to be about one million tons, worth US $640 million, of which US $340 million is generated at the shore with a further US $300 million a year being earned in exports from the Nile perch fishery.

Efforts to develop collaborative fisheries management on Lake Victoria date back to 1928 when a lake-wide authority, the Lake Victoria Fisheries Service (LVFS) was established for regulating the fishery and collecting fisheries statistics. The LVFS was replaced by the East African Freshwater Research Organization (EAFRO) in 1947 which was later strengthened as the East African Freshwater Fisheries Organization (EAFFRO) with the formation of the first East African Community (EAC) in 1967. This community collapsed in 1977 but the three riparian states continued to collaborate in the management of the Lake Victoria fisheries under the aegis of the Food and Agriculture Organization (FAO) of the United Nations, specifically through its Committee for the Inland Fisheries of Africa (CIFA), until 1994, when the Lake Victoria Fisheries Organization (LVFO) was established.

Institutional structures and processes needed for the LVFO to develop and manage sustainable fisheries on Lake Victoria are set out in the Convention establishing the organization. With support from agencies such as FAO, the Great Lake Fisheries Commission of North America, projects such as the Lake Victoria Environmental Management Project (LVEMP I) (1997-2005) and the Lake Victoria Fisheries Research Project (LVFRP) (1999-2002), the LVFO developed a Strategic Vision (1999-2015) to guide the programs of the Organization. Technical Working Groups for different thematic areas were constituted and Standard Operating Procedures (SOPs) were developed to ensure that data collection was standardized in each Partner State so that scientific information could be properly collated and analyzed. The LVFO also organized fishing communities into Beach Management Units (BMUs); these are community-based, legally-recognized fisheries management organizations, registered with the Fisheries Departments of each Partner State. There are 1,069 BMUs on Lake Victoria formed and operating according to regionally harmonized BMU Guidelines.
Competent Authorities (CAs) working with the LVFO now have systems in place to ensure the quality and safety of fish and fishery products, especially to safeguard continued access to international markets. In achieving this aim LVFO has developed landing sites and provided infrastructure to improve the handling of fish and to ensure that the desired quality is maintained.

Scientific information is the basis for key fisheries management decisions; baseline scientific information generated by the LVFRP was used to develop the first Fisheries Management Plan (FMP I) for Lake Victoria in 2001. In order to improve management of the fishery, this plan was carried out through the “Implementation of the Fisheries Management Plan” (IFMP) from 2005 to 2008, with financial support from European Union.

During its 4th Regular Session held in Nairobi, Kenya, on 28th June 2002 the LVFO Council of Ministers directed the LVFO Secretariat to take measures to develop aquaculture in the Lake Victoria basin. This was seen as a means of increasing fish production in the basin and reducing pressure on wild stocks, which were beginning to exhibit indications of overfishing. The Fisheries Management Plans II (2009-2014) and III (2016-2020) focus both on improving the capture fishery by limiting fishing effort, eliminating fishing illegalities, trade and value addition, and the development of aquaculture to meet the increasing demand of fish in local, regional and international markets. The LVFO new Strategic Plan (2016-2020) also focuses on a widened scope and mandate for ‘A competitive and sustainable fishery and aquaculture in the EAC’; its Mission is to ‘To promote sustainable management and development of fisheries and aquaculture in the EAC for food security and wealth creation’.

The Organization is also developing a policy for fisheries and aquaculture in EAC to ensure a common approach to planning, implementation, lobbying and promoting trade in fish and fishery products, as well as the management and development of fisheries and aquaculture in both inland and marine waters.

The EAC Treaty, Article 114 (2bii &iii) provides for the establishment of common fisheries management systems for inland and marine waters while Article 9(3) recognizes that fisheries will be managed as provided
for in the Convention establishing the LVFO. The 1994 LVFO Convention covered only three of the five EAC States. Therefore in order for LVFO to drive the regional integration agenda, as envisaged in Article 9(3) of the EAC Treaty, it became necessary to review the Convention and functions of the Organization to include all the EAC Partner States. A Functional Analysis Study conducted in July 2008 during the Implementation of the first Fisheries Management Plan (IFMP Consultancy Report No. 40) pointed to the need to widen the scope of LVFO so as to politically include all the EAC Partner States, geographically expand coverage to regional fisheries beyond Lake Victoria and sub-sectorally to address aquaculture and postharvest aspects. The need to expand the scope and mandate of LVFO received further attention following the recommendations made by the 1st Conference of African Ministers of Fisheries and Aquaculture (CAMFA) in 2010 which required Regional Economic Communities (RECs) to assist Regional Fisheries Bodies to develop regional strategies for sustainable management of shared water resources. Studies carried out by the New Partnership for Africa’s Development (NEPAD) Agency, jointly with the African Union-Inter Bureau for Animal Resources (AU-IBAR) and FAO, also recommended that RECs should admit RFBs as their technical arms responsible for fisheries and aquaculture.

Following these developments the 12th Ordinary Summit of EAC Heads of State, in their communiqué of 3rd December 2010, directed the EAC Council to address the mainstreaming of the Lake Victoria Fisheries Organization within the East African Community. The 24th Council of EAC Ministers meeting in Bujumbura from 21st -26th November 2011 took note of the need to integrate the Republics of Burundi and Rwanda into the LVFO operations. With support from the EAC-Regional Integration Program II (RISP II), LVFO engaged a consultant to undertake Stakeholder consultations on ‘widening the scope and mandate of the LVFO’ as a process to fully mainstream LVFO into EAC. The key fisheries stakeholders in the five EAC Partner States (Republics of Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania) were interviewed and 61% of respondents supported the mainstreaming while 54% of stakeholders wanted the name of LVFO to be reviewed and changed to reflect its new mandate as an EAC Institution responsible for the management of fisheries,
aquaculture and fish trade in the EAC region.

Full mainstreaming called for amendment to the Convention establishing the LVFO as it was restrictive, specifying only the three Partner States sharing Lake Victoria (Republics of Kenya, Uganda, and the United Republic of Tanzania).

The process to amend the Convention establishing the organization as provided under Article XXI started following the directive of the 8th Session of the LVFO Council of Ministers held on 13th November 2013 in Arusha Tanzania and taken note of by the EAC Council at its 28th Meeting held from 22nd to 29th November 2013, in Kampala Uganda.

The Republic of Kenya, being by then the Chair of the LVFO Council of Ministers wrote to the Depository of the Convention, the Director General of FAO, Rome, on 16th January 2015 proposing the amendment. The proposal was considered by the FAO Legal Department before the Director General of FAO wrote to the three Contracting Parties informing them of the proposed amendments on 15th May 2015. The LVFO Council of Ministers sat on 29th January 2016 and approved the amendments. The approval was communicated to the Depository (the Director General, FAO) and became effective 30 days after the date of approval, i.e. 30th March 2016. The other EAC Partner States were notified of the amended Convention and were requested to submit their instruments of accession to the Depository (FAO Rome) for them to become full members of the LVFO.

In order for LVFO to drive the regional integration agenda and to improve the productivity of fisheries and aquaculture, as currently being addressed by AU-IBAR under the African Fisheries and Aquaculture Policy Framework and its Comprehensive African Fisheries Reform Strategy, the EAC Partner States have to ensure full support for the Organization as provided for in the amended Convention.

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Oliva C. Mkumbo
Deputy Executive Secretary
FINAL ACT

1. In response to a request made by the CIFA Sub-Committee for the Development and Management of the Fisheries of Lake Victoria and confirmed by the Regional Meeting for the Management of the Lake Victoria and the Creation of the Lake Victoria Fisheries Commission held in Dar-es-Salaam (Tanzania) from 20th to 24th October 1992, and following a recommendation made by the Legal and Technical Consultation for the Establishment of the Lake Victoria Fisheries Organization also held in Dar-es-Salaam from 21st to 25th March 1994, the Director General of the Food and Agriculture Organization of the United Nations convened a Conference of Plenipotentiaries at ministerial level to consider, with a view to its adoption, a draft Convention for the Establishment of the lake Victoria Fisheries Organization.

2. Upon invitation of the Government of Kenya, the Conference of Plenipotentiaries on the Establishment of the Lake Victoria Fisheries Organization was held in Kisumu on 30th June 1994.

3. The Governments of the following States were represented:
   - Kenya, by The Honourable Noah Katana Ngala, Minister of Tourism and Wildlife
   - Tanzania, by Mr. T.W. Maembe, Director of Fisheries, Ministry of Tourism, Wildlife and Environment
   - Uganda, by The Honourable Henry Kyemba, Minister of State for Agriculture, Animal Industry and Fisheries.

4. The following intergovernmental organizations and agencies were represented by an observer: The East African Development Bank, the European Economic Community and the United Nations Environment Programme.

5. The Director-General of the Food and Agriculture Organization of the United Nations was represented by Mr. B.F. Dada, Director, Fisheries Policy and Planning Division.

6. The Honourable John Kipkorir Sambu, EGH, M.P. Minister for Environment and Natural Resources addressed the Conference at its inaugural ceremony on behalf of The Honourable Prof. George Saitoti, Vice-President of the Republic of Kenya and Minister for
Planning and National Development.

7. The Conference elected The Honourable Noah Katana Ngala, Minister of Tourism and wildlife of Kenya as Chairman, The Honourable Henry Kyemba, Minister of State for Agriculture, Animal Industry and Fisheries of Uganda and Mr. T.W. Maembe, Director of Fisheries, Ministry of Tourism, Wildlife and Environment of Tanzania as Vice-Chairmen.

8. The draft Convention referred to in paragraph 1 of this Final Act had been prepared by the Secretariat of the Food and Agriculture Organization of the United Nations and, after discussion, was adopted by the Conference as reproduced in the Annex to this Final Act.

9. The Convention, as adopted by the Conference, was opened for signature in Kisumu on 30th June 1994.

IN WITNESS WHEREOF the duly authorized representatives of the Contracting Parties whose names appear hereunder have signed this Final Act.

FOR THE REPUBLIC OF KENYA
Honourable Noah Katana Ngala

FOR THE REPUBLIC OF UGANDA
Honourable Henry Kyemba

FOR THE UNITED REPUBLIC OF TANZANIA
T. Maembe

Done in Kisumu, Kenya, this Thirtieth Day of June Nineteen Ninety Four, in a single copy in English. The original is deposited in the Archives of the Food and Agriculture Organization of the United Nations (FAO) in Rome.
SECOND AMENDMENT TO THE CONVENTION

Following the directive by the 8th Regular Session of the LVFO Council of Ministers held on 13th November 2013, Arusha Tanzania (LVFO/CoM 13/RS8/D6.21) and as provided under Article XXI of the LVFO Convention, the 9th Regular LVFO Council of Ministers considered and approved the amendments to the Convention.

The Second amendment was considered and approved in Nairobi, Kenya on the 29th January 2016.

IN WITNESS WHEREOF the duly authorized representatives of the Contracting Parties whose names appear hereunder considered and approved the Second amendment to the LVFO Convention.

FOR THE UNITED REPUBLIC OF TANZANIA
Honourable William Ole Nasha


FOR THE REPUBLIC OF UGANDA
Honourable Prof. Zerubabel Mijumbi Nyiira


FOR THE REPUBLIC OF KENYA
Honourable Willy Bett


Done in Nairobi, Kenya, this Twenty Ninth Day of January Two Thousand and Sixteen in a single copy in English. The original of the Second Amended Convention is deposited in the Archives of the Food and Agriculture Organization of the United Nations (FAO) in Rome.
PREAMBLE

The East African Community Partner States, hereinafter referred to as the “Contracting Parties”

Recognizing and acknowledging the efforts already made by the East African Community Partner States to strengthen regional cooperation in the management and development of both fisheries and aquaculture;

Recognizing that there are other organizations responsible for the coordination of activities in some of the shared the East African Community water bodies and the need to collaborate;

Recognizing that the East African Community Partner States share an interest in the well-being of the East African Community water bodies and their living resources, and in the rational management and sustainability of those living resources for the benefit of present and future generations;

Recognizing that the quantity and value of fish caught from the East African Community water bodies increased substantially during the past decade but are now on the decline, and that there is a need to ensure the sustainability of yields;

Recognizing that there is potential in developing and promoting aquaculture to meet the increased demand in the national, regional and international markets;

Recognizing that introduced fish species, for example the Nile Tilapia and the Nile Perch in Lake Victoria, now dominate commercial catches and that some indigenous fish species have substantially declined, affecting the biodiversity of the East African Community water bodies;

Recognizing the likelihood that management decisions relating to any portion of the East African Community water bodies within the territorial limits of any one of the Contracting Parties will affect those portions of the East African Community water bodies lying within the territorial limits of the other Contracting Parties, and the concomitant necessity that management decisions be made taking such effects into account;

Recognizing the continuing need to increase scientific understanding of the aquatic resources, the ecosystem, and the impact of climate
change on fisheries resources and aquaculture, human populations and settlement, non-indigenous wildlife and industrialization;

**Being aware** of the dangers of over-fishing and of other threats such as water hyacinth, pollution, eutrophication and climatic changes to the sustainability of fish yields;

**Appreciating** past efforts of nationals and institutions of each of the Contracting Parties in partnership with international organizations and foreign governments in fostering a better understanding of fish; fisheries products and aquaculture in clarifying the choices that need to be made about these living resources in the future;

**Being convinced** that joint action by the Contracting Parties is essential, in order to develop uniform management measures to the extent appropriate, to be implemented by national laws and regulations, as well as to develop adequate scientific bases for such measures;

**Being committed** to continued cooperation with respect to the sustainable utilization of East African Community water bodies, their resources generally and their living resources in particular;

Have agreed as follows:

**ARTICLE I:**

**Definitions**

“East African Community Partner States” means the Republic of Kenya, the Republic of Uganda and the United Republic of Tanzania and any other country granted membership to the East African Community under Article 3 of the Treaty for the Establishment of the East African Community.

“East African Community water bodies” means the water bodies found among the East African Community Partner States.

“Executive Secretary” means the chief executive and legal representative of the Organization.

“Committee” means a committee established in accordance with Articles IV.3 and VIII.6 (e).

“Chief Executive Officer” means the Principal Secretary or the
ARTICLE II:

Establishment, Objectives, Functions and Responsibilities

1. The Contracting Parties hereby establish the Lake Victoria Fisheries Organization (herein referred to as “the Organization”).

2. The objectives of the Organization shall be to foster cooperation among the Contracting Parties, harmonize national measures for the sustainable utilization of the fisheries and aquaculture resources of the East African Community water bodies and to develop and adopt conservation and management measures.

3. To achieve these objectives, the Organization shall have the function and responsibility to:

(a) promote the proper management and optimum utilization of the fisheries and other resources of the East African Community water bodies;

(b) enhance capacity building of existing institutions and develop additional institutions dedicated to, or likely to contribute to, the purposes of this Convention in cooperation with existing institutions established in or by the Contracting Parties and with such international, regional or non-governmental organizations as may be appropriate;

(c) provide a forum for discussion of the impacts of initiatives dealing with the environment and water quality in relation to fisheries and aquaculture resources of the East African;

(d) provide for the conduct of research concerning the fisheries and aquaculture resources and related activities;

(e) encourage, recommend, coordinate and, as appropriate, undertake training and extension activities in all aspects of aquaculture and fisheries;

(f) consider and advise on the effects of the direct or indirect introduction of any nonindigenous aquatic animals or plants into...
the East African Community waters bodies and to adopt measures regarding the introduction, monitoring, control or elimination of any such animals or plants;

(g) serve as a clearing-house and data bank for information on fish fisheries and aquaculture products, and promote the dissemination of information, without prejudice to industrial property rights, by any appropriate form of publication;

(h) in respect of any or all of the foregoing, adopt budgets, seek funding, formulate plans for financial management and allocate funds to activities of the Organization, or to such activities of the Contracting Parties as it may determine to be in furtherance of the purposes of this Convention;

(i) undertake such other functions as it may determine to be necessary or desirable in order to achieve the purposes of this Convention.

(j) undertake such other functions as it may determine to be necessary or desirable in order to achieve the purposes of this Convention.

**ARTICLE III:**

**Seat**

1. The seat of the Organization shall be in the Republic of Uganda. The Host State undertakes to accord, in respect of the Organization, its staff and its property, the privileges, immunities and facilities set out in the Annex to this Convention.

2. The Sectoral Council of Ministers may authorize the establishment of centres of the Organization in the territory of any of the Contracting Parties and may authorize the Organization to enter into agreements for this purpose with the State on whose territory such centres are to be located. Any agreement concluded with such a host State shall include all the provisions contained in Part A of the Headquarters Agreement annexed to this Convention.
ARTICLE IV: 
The Organs of the Organization

1. The organs of the Organization are:
   (a) the Sectoral Council of Ministers;
   (b) the Coordination Committee;
   (c) the Senior Officials;
   (d) the Fisheries Management Technical Committee, the Scientific Technical Committee, and such other committees, sub-committees and working groups as may be established;
   (e) the Permanent Secretariat.

2. The Sectoral Council of Ministers may set up such committees or other subsidiary bodies as it may deem necessary for the performance of the functions of the Organization.

3. The Senior Officials may set up such Technical committees or working groups as it may deem necessary for the work of the Technical committees or the Senior Officials itself.

ARTICLE V: 
The Sectoral Council of Ministers

1. The governing body of the Organization shall be the Sectoral Council of Ministers consisting of the Ministers responsible for fisheries and aquaculture of the Contracting Parties or their authorized representatives.

2. Each Contracting Party shall endeavour to ensure that the heads of the departments responsible for aquaculture and fisheries management, research and related activities are represented in its delegation.

3. The Sectoral Council of Ministers shall elect a Chairman, who shall serve for a one year term. The chairmanship of the Sectoral Council of Ministers shall rotate every year among the members of the Council in accordance with the alphabetical order of the names of the Contracting Parties.
4. The Sectoral Council of Ministers shall hold a regular session twice every year at such time and place as it shall determine. The Sectoral Council of Ministers may hold special sessions if it so decides or at the request of any Contracting Party. The Chairman shall inform the Contracting Parties of the date and place of any session. No session of the Sectoral Council of Ministers shall take place unless two thirds of all the Ministers or their authorized representatives from the Contracting Parties are present.

5. The Sectoral Council of Ministers shall adopt its own Rules of Procedure. As far as possible decisions of the Sectoral Council of Ministers will be taken by consensus. Where it is not possible to reach consensus the matter will be decided by majority vote. Each Contracting Party shall have one vote.

**ARTICLE VI:**

**Functions of the Sectoral Council of Ministers**

1. The functions of the Sectoral Council of Ministers shall be:

(a) to review reports and recommendations submitted to it by the Coordination Committee concerning the situation on fisheries and aquaculture of the East African Community and, on this basis, to determine the policy of the Organization and approve its programme of work and its budget;

(b) to determine the contributions of the Member States as provided for in Article XV.1;

(c) to approve the report on the work of the Organization and the audited accounts referred to in Article X.3(a);

(d) to adopt the Financial Regulations of the Organization;

(e) to adopt the Rules governing the appointment of the Executive Secretary and the Deputy Executive Secretary;

(f) to appoint the Executive Secretary of the Organization in accordance with Article X.1;

(g) to adopt amendments to this Convention in accordance with Article XXI.3;

(h) to establish centres of the Organization;
(i) to set up such committees or other subsidiary bodies as it may deem appropriate for the performance of the functions of the Organization;

(j) to adopt development, management and conservation measures, and to take such decisions as it may deem appropriate for the development, management and conservation of fisheries and aquaculture of the East African Community;

(k) to perform such other functions as have been entrusted to it by this Convention or as may be appropriate to achieve the Organization’s objectives.

2. The Sectoral Council of Ministers may, within the limits determined by it, delegate any matter falling within its functions to the Coordination Committee with the exception, however, of the functions specified in subparagraphs (a), (b), (g) and (h) of paragraph 1 above.

ARTICLE VII:

The Coordination Committee

1. The Coordination Committee shall consist of the Chief Executive Officers of the Ministries dealing with aquaculture and fisheries matters in each of the Contracting Parties or their representatives. The Chief Executive Officers or their representatives may be assisted by such advisers and experts as they deem necessary.

2. The Coordination Committee shall hold two regular annual sessions and such other special sessions as it may consider appropriate. A special session shall be called upon written request by any two Contracting Parties. The Executive Secretary of the Organization shall inform the Contracting Parties of the date and place of each session.

3. No session of the Coordination Committee shall take place unless two thirds of all the Contracting Parties are represented.

4. The Coordination Committee shall elect a chairman, whose term of office shall be one year. The chairmanship of the Coordination Committee shall rotate every year among the members.
of the Committee in accordance with the alphabetical order of the names of the Contracting Parties.

5. The Coordination Committee shall adopt its own Rules of Procedure. As far as possible, decisions of the Committee will be taken by consensus. Where it is not possible to reach a consensus, the matter will be decided by majority vote. Each Contracting Party shall have one vote. The Rules of Procedure of the Coordination Committee shall provide for consultation by correspondence or any rapid means of written communication, if a matter of exceptional urgency requiring action by the Committee arises between two of its sessions.

6. The functions of the Coordination Committee shall be:

(a) to review reports and recommendations submitted to it by the Senior Officials concerning the situation of fisheries and aquaculture of the East African Community;

(b) to prepare the sessions of the Sectoral Council of Ministers;

(c) to review the activities of the Organization and report to the Sectoral Council of Ministers on the work of the Secretariat and of the various statutory bodies;

(d) to submit recommendations to the Sectoral Council of Ministers concerning the state of fisheries and aquaculture of the East African Community;

(e) to review proposals on management and conservation measures to be adopted by the Sectoral Council of Ministers;

(f) subject to endorsement by the Sectoral Council of Ministers, to establish general standards and guidelines for the management of the Organization;

(g) subject to endorsement by the Sectoral Council of Ministers, to establish posts and determine the conditions of employment of the staff and adopt or amend the Staff Regulations of the Organization;

(h) to give guidance to the Executive Secretary on the implementation of policy and decisions taken by the Sectoral Council of Ministers;

(i) subject to endorsement by the Sectoral Council of Ministers, to conclude formal agreements or memoranda of understanding with
other organizations or institutions referred to in Article XIX.1 and with governments, including any proposals for agreements to be concluded between the Organization and the States in which the seat of the Organization or the centres provided for in sub-paragraph (h) of Article VI.1 are situated.

7. At each session the Coordination Committee shall adopt a report, which shall be submitted to the Sectoral Council of Ministers at its next session.

ARTICLE VIII:

The Senior Officials

1. The Senior Officials shall consist of members who shall be the heads of the departments responsible for fisheries and aquaculture management and the heads of the departments responsible for fisheries and aquaculture research in each of the Contracting Parties, or their authorized representatives. The East African Community Secretariat shall be represented on the Senior Officials without voting rights. The designated representatives of key regional projects on fish, fisheries and aquaculture products in the Contracting Parties shall be invited as determined by the Senior Officials from time to time, to participate without voting rights, in sessions of the Senior Officials.

2. No session of the Senior Officials shall take place unless two thirds of all the Contracting Parties are represented

3. At its first regular session, the Senior Officials shall select a Chairman from among the heads of the departments responsible for fisheries and aquaculture management. He shall hold office until the next regular session and thereafter the chairmanship of the Senior Officials shall rotate among the heads of the departments responsible for aquaculture and fisheries management in accordance with the alphabetical order of the names of the Contracting Parties. The Senior Officials shall adopt its own Rules of Procedure.

4. The Senior Officials shall hold two regular annual sessions and such other special sessions as it may determine. A special session shall be called upon request by any two Contracting Parties. The Executive
Secretary of the Organization shall inform the Contracting Parties of the date and place of any session.

5. All decisions and recommendations of the Senior Officials shall be adopted by consensus. The Sectoral Council of Ministers may establish rules whereby the Senior Officials may be consulted by correspondence or any rapid means of written communication, if matters of exceptional urgency requiring action by the Senior Officials arise between two of its sessions.

6. The Senior Officials shall:
   (a) consider and agree on immediate and appropriate management measures to be implemented at national levels;
   (b) review the management and scientific activities of the Organization and make proposals for consideration by the Coordination Committee and the Sectoral Council of Ministers;
   (c) monitor the implementation of management measures at national and regional levels and report periodically to the Coordination Committee and the Sectoral Council of Ministers;
   (d) make recommendations to the Coordination Committee on any matter relevant to the functions of the Coordination Committee or the Sectoral Council of Ministers;
   (e) establish such sub-committees or working groups as it may deem appropriate in accordance with Article IV.3;
   (f) carry out any other functions entrusted to it by this Convention.

7. At each session the Senior Officials shall adopt a report, which shall be submitted to the Coordination Committee at its next session.

**ARTICLE IX:**

The Technical Committees, Sub-Technical committees and Technical Working Groups

1. There shall be a Fisheries and Aquaculture Management Technical Committee and a Scientific Technical Committee, whose functions shall be to advise the Senior Officials on matters within their areas of competence.
2. The Fisheries and Aquaculture Management Technical Committee shall be constituted by the heads of the departments responsible for fisheries management of the Contracting Parties or their authorized representatives.

3. The Scientific Technical Committee shall be constituted by the heads of the departments responsible for fisheries research of the Contracting Parties or their authorized representatives.

4. The Senior Officials shall determine from time to time the number and qualifications of other persons who may be members of the Fisheries Management and Scientific Technical Committees.

5. The functions of the Fisheries and Aquaculture Management Technical Committee will be to:

   (a) review stock assessment, monitoring, harvest and enforcement data received and compiled by the Secretariat;

   (b) identify emerging problems in fisheries in terms, for example, of species, populations, overharvest, primary production, habitat concerns and general ecosystem health, with a view to ensuring their long term sustainability;

   (c) develop objectives for constituent fish communities;

   (d) consider effects of proposed or accidental introductions and means for their management, control or eradication;

   (e) develop partnerships among the Contracting Parties of the Organization, their agencies and local communities;

   (f) ensure the conservation of indigenous species, including the use of refuge areas and sanctuary in the East African Community water bodies;

   (g) develop management policies based on the biological, economic, social and environmental needs;

   (h) recommend measures for the management and conservation of the living resources of the East African Community water bodies.

6. The functions of the Scientific Technical Committee will be to:

   (a) identify requirements for applied and innovative research pertinent to the management of the living resources of East African Community water bodies, including without limitation, the fields
of aquaculture, fisheries, biology, limnology, hydrology, botany, statistics, human and veterinary medicine, water pollution, toxicology and socio-economics;

(b) develop and recommend to the Senior Officials fisheries, research related projects to be carried out by agencies of the Contracting Parties, universities, regional and international organizations;

(c) review the results of research programmes carried out on the East African Community water bodies;

(d) develop and recommend common, harmonized and standardized data collection and statistical methods for biological, social, economic and environmental data, including the cross-calibration of scientific instruments and provide close supervision of their collection and compilation;

(e) ensure members of the scientific community, the fishing industry and the public, likely to have an interest in a particular project under consideration, are made aware of the deliberations of the Scientific Technical Committee and are given an opportunity to comment upon it.

7. Each Committee shall have its own Rules of Procedure. These Rules of Procedure shall be adopted by the Senior Officials. The Technical committees shall meet as and when the Senior Officials shall determine. The Chairmanship of the Technical committees will rotate among the heads of the departments responsible for fisheries, aquaculture management and research of the Contracting Parties respectively in alphabetical order of the names of the countries.

8. Except as otherwise provided by their own Rules of Procedure, decisions of the committees shall be taken by consensus.

9. The Fisheries and Aquaculture Management and Scientific Technical Committees may propose to the Senior Officials the establishment of such sub-Technical committees or Technical working groups as they consider necessary in accordance with Articles IV.3 and VIII.6(e).

10. After any meeting, the Technical committees, sub-Technical committees and Technical working groups shall submit a report on their work to the Senior Officials. The report shall contain such recommendations as these bodies deem appropriate.
ARTICLE X:
The Permanent Secretariat

1. The Organization shall have a Permanent Secretariat headed by an Executive Secretary who shall be appointed by the Sectoral Council of Ministers for a period of five years non-renewable on such conditions as it may determine. The position of the Executive Secretary shall be subject to rotation among the Contracting Parties.

2. The Executive Secretary shall be the chief executive and legal representative of the Organization. He shall direct the work of the Organization in accordance with the policy and decisions adopted by the Sectoral Council of Ministers and under the guidance of the Coordination Committee.

3. The Executive Secretary shall, through the Senior Officials and Coordination Committee, submit to the Sectoral Council of Ministers at each regular session:
   
   (a) report on the work of the Organization, as well as the audited accounts; and
   
   (b) draft programme of work and a draft budget of the Organization.

4. The Executive Secretary shall organize the sessions of the Sectoral Council of Ministers, the Coordination Committee, Senior Officials, and meetings of all other bodies of the Organization. He shall provide the secretariat for such sessions and meetings and shall participate in them.

5. The Executive Secretary shall be assisted by a Deputy Executive Secretary appointed by the Sectoral Council of Ministers. The mandate of the Deputy Executive Secretary shall be of five years, non-renewable. The Deputy Executive Secretary shall be of a nationality different from that of the Executive Secretary.

6. If and for so long as the Executive Secretary is prevented from performing his duties, the Deputy Executive Secretary shall have the powers and duties entrusted to the Executive Secretary under this Convention.

7. The professional staff of the Organization shall be appointed by the Executive Secretary on the proposal of a Selection Committee. The
Selection Committee will be constituted by the members of the Senior Officials. The General Service Staff will be recruited and appointed by the Executive Secretary.

8. All staff members of the Organization shall be appointed in accordance with the policy, general standards and guidelines laid down by the Coordination Committee, with the approval of the Sectoral Council of Ministers. In appointing the staff of the Organization, the Executive Secretary shall ensure the highest standards of efficiency, professional competence and integrity.

9. The staff of the Organization, wherever they may be posted, shall be responsible to the Executive Secretary. They shall not seek or receive instructions with regard to the performance of their duties from any authority external to the Organization.

**ARTICLE XI:**

**National Consultations**

1. Each Contracting Party shall establish a National Committee for Fisheries, headed by the Chief Executive Officer of the ministry responsible for fisheries and aquaculture management, or his authorized representative, to serve as a forum for consultation, coordination and information on activities concerning fish, fisheries and aquaculture products.

2. Each National Committee for Fisheries shall be composed of, but not limited to, representatives from:

   (i) the departments or various institutions responsible for fisheries and aquaculture, scientific research, and fisheries and aquaculture related;

   (ii) representatives of the private sector whose activities have an impact upon or derive benefit from East African Community water bodies’ ecological systems.
ARTICLE XII:

Observers

1. States indirectly concerned with the living resources and the quality of the water resources of the East African Community water bodies may be granted observer status by the Sectoral Council of Ministers. Observer States may participate, without right to vote, in meetings of all the statutory bodies of the Organization.

2. Any State interested in the activities of the Organization may, upon its request, be invited by the Coordination Committee to be represented by an observer at sessions of the Sectoral Council of Ministers, the Coordination Committee or the Senior Officials. It may submit memoranda and, with the permission of the Chairman, participate without vote in the discussions.

3. The Coordination Committee and the Senior Officials may invite intergovernmental, nongovernmental organizations or any other entity having special competence in the field of the Organization’s activities to attend such sessions as the committees may specify.

ARTICLE XIII:

National Measures

1. The Contracting Parties hereby agree to take all necessary measures including legislative measures when appropriate, in accordance with their respective constitutional procedures and national laws to implement the decisions of the Organization's Governing bodies.

2. (a) Each Contracting Party shall enforce its national laws and regulations adopted pursuant to paragraph 1 of this Article:

   (i) in respect of its own territory and territorial waters;

   (ii) in respect of its own nationals, except where one or both of the other Contracting Parties asserting jurisdiction described in sub-paragraph (a) has already initiated and maintained enforcement action in respect of the same conduct; and

   (iii) in respect of fish landed in its territory;

(b) except to the extent the Sectoral Council of Ministers may decide
otherwise, each Contracting Party shall remain free to impose such penalties in accordance with its national laws as it may determine to be necessary to fulfil its obligations.

3. The Contracting Parties hereby agree to adopt, enforce and maintain in effect laws and regulations prohibiting the introduction of non-indigenous species to the East African Community water bodies, other than in accordance with a decision of the Sectoral Council of Ministers pursuant to Article VI.1(j).

4. Subject to paragraph 1 of this Article, nothing in this Convention shall be interpreted as preventing a Contracting Party from exercising fully its sovereign powers in respect of any of the subject matters of this Convention. In particular, each Contracting Party shall remain free to adopt national laws and regulations more stringent or extensive than those required to fulfil its obligations.

5. Each Contracting Party shall provide the Organization with access to all laws, regulations and all documents, data and reports, pertaining to fish landings, stock assessments, living resources of East African Community water bodies or any other matter which is the subject of resource management and utilization, and research pursuant to Article II.2, subject to reasonable and practical requirements.

6. The Executive Secretary shall, without undue delay, notify the Contracting Parties of any decision or recommendation adopted by the Sectoral Council of Ministers.

7. The Executive Secretary shall, upon the direction of the Coordination Committee or upon the request of Observer States or organizations and subject to approval from the Coordination Committee, notify such Observer States, organizations or entities of decisions or recommendations adopted by the Sectoral Council of Ministers.

8. Each Contracting Party shall transmit to the Organization an annual statement of the measures it has taken to implement the decisions of the Sectoral Council of Ministers. Such statement shall be sent to the Executive Secretary not later than sixty days before the date of the next regular session of the Coordination Committee.

9. The Organization shall establish an appropriate system to keep under review the laws, regulations and other measures adopted by the
Contracting Parties for implementation of the decisions taken by the Sectoral Council of Ministers. It shall report regularly on the matter to the Contracting Parties and, at each of their sessions, to the Sectoral Council of Ministers.

**ARTICLE XIV:**

**Research Access**

1. Where a programme of research has been agreed under Article II.3 (d), the Contracting Parties agree to facilitate access, in accordance with their national laws and regulations, by research teams, including any vessel and all equipment being used for that purpose, to their national territory and territorial waters.

2. The Organization shall inform the Contracting Party or Parties in whose territory or territorial water any research has been authorized in accordance with Article II.3 (d), of the fact of such authorization.

**ARTICLE XV:**

**Funding**

1. The Sectoral Council of Ministers shall determine the budget of the Organization which shall be supported in part by revenues received under paragraph 4 below and the remainder by equal contributions from the Contracting Parties. Each Contracting Party undertakes to contribute its share of the budget as determined by the Sectoral Council of Ministers.

2. The Executive Secretary through the Coordination Committee shall submit a draft annual budget of anticipated joint expenses to the Contracting Parties for determination by the following session of the Sectoral Council of Ministers.

3. Contributions by the Contracting Parties shall be paid in freely convertible currency into an account or accounts established by the Organization in a banking institution of good standing.

4. The Organization may receive subventions, donations and legacies from any suitable body, whether governmental or non-governmental,
provided that the terms of their use are compatible with the objectives of the Organization.

5. The Coordination Committee may determine from time to time procedures governing the disbursement of funds under the control of the Coordination Committee.

6. Unless otherwise determined by the Sectoral Council of Ministers, funding shall be provided for the members from each Contracting Party to attend sessions of the Coordination Committee and the Senior Officials.

7. Members of the Technical committees, sub-Technical committees or Technical working groups established by or pursuant to Articles VI.1(i) or VIII.6(e) shall be entitled to such allowances as may be determined from time to time by the Sectoral Council of Ministers in relation to expenses incurred in their attendance at meetings of their respective Technical committees, sub-Technical committees or Technical working groups, or otherwise in connection with the discharge of their responsibilities.

8. The Executive Secretary, through the Coordination Committee, shall submit annual audited accounts to the Contracting Parties not more than ninety days after the conclusion of the financial year to which they relate.

**ARTICLE XVI:**

**Annual Report**

The Executive Secretary shall submit annually to the Contracting Parties a report on the discharge of the Organization’s duties during the preceding year. The recommendations received by the Senior Officials from the Technical committees, sub-Technical committees and Technical working groups during such year shall be appended to the annual report, along with an explanation of its response to each such recommendation.
ARTICLE XVII:
Territorial Limits of Contracting Parties

Nothing in this Convention shall be interpreted as affecting the existing territorial limits of the Contracting Parties, or of their sovereignty in respect of the portions of the East African Community water bodies falling within their respective boundaries.

ARTICLE XVIII:
Legal Status, Privileges and Immunities

1. The Organization shall be an independent intergovernmental organization having the capacity of a legal person to perform any legal act that is necessary or useful for the carrying out of its functions or for the exercise of its powers under this Convention. Without prejudice to the generality of the foregoing sentence and, within the limits of Article XV-t.4, the Organization shall have the capacity to contract, acquire and dispose of immovable and movable property and to be a party to legal proceedings.

2. Each Contracting Party shall grant:

(a) to the Organization and its property, funds and assets such privileges, immunities and facilities as may be appropriate to enable the Organization to carry out its activities; and

(b) to representatives of any State or intergovernmental organization performing official duties in connection with the work of the Organization, and to the Executive Secretary, the Deputy Executive Secretary and other staff of the Organization, such privileges, immunities and facilities as may be necessary to enable them to perform their official duties.

3. Disputes arising out of any agreement - including terms and conditions of employment - between the Organization and any natural person or legal entity which cannot be settled by negotiation or conciliation and in relation to which the Organization has not waived its immunity from legal process, shall, unless the parties to the dispute have agreed on some other mode of settlement, be submitted to arbitration in accordance with rules which shall be established by the Sectoral Council of Ministers.
4. In any case where immunity conferred upon a person pursuant to this Article or to the Annex to this Convention would impede the course of justice and can be waived without prejudice to the interests of the Organization, such immunity shall be waived by a Contracting Party in the case of its representative, by the Sectoral Council of Ministers or the Coordination Committee in the case of the Executive Secretary and the Deputy Executive Secretary of the Organization, and by the Executive Secretary in the case of other staff of the Organization.

**ARTICLE XIX:**

Cooperation with Other Organizations and Institutions

1. The Organization shall cooperate with other intergovernmental organizations and institutions, especially those active in the sector of fisheries, which might contribute to the work and further the objectives of the Organization. To this end, the Executive Secretary, acting under the authority of the Coordination Committee, may establish working relations with such organizations or institutions and make such arrangements as may be necessary to ensure effective cooperation. Any formal agreements or memoranda of understanding proposed to be entered into with such organizations or institutions shall be concluded by the Coordination Committee subject to endorsement by the Sectoral Council of Ministers.

2. The Organization will continue its working relationship with the Food and Agriculture Organization of the United Nations (FAO) and promote collaboration with other United Nations agencies.

**ARTICLE XX:**

Signature, Ratification, Accession and Entry into Force

1. The East African Community Partner States may become Parties to this Convention by:

   (a) signing this Convention followed by the deposit of an instrument of ratification; or

   (b) deposit of an instrument of accession.
2. This Convention shall be open for signature at Kisumu (Kenya) on 1 July 1994 and thereafter at the Headquarters of the Food and Agriculture Organization of the United Nations in Rome.

3. Instruments of ratification or accession shall be deposited with the Director-General of FAO.

4. This Convention shall enter into force on the date of the deposit of the third instrument of ratification or accession.

5. For any East African Community Partner State that ratifies or accedes to the Convention after it has entered into force, the Convention shall take effect on receipt of the instrument of ratification or accession by the Depositary.

ARTICLE XXI:
Amendment

1. Proposals for amendments to this Convention shall be made in writing by a Contracting Party to the Depositary, who shall notify the proposal to the other Contracting Parties and to the Executive Secretary of the Organization.

2. No proposal for amendment shall be considered by the Sectoral Council of Ministers unless it has been notified by the Depositary to the Contracting Parties at least ninety days before the opening day of the Sectoral Council of Ministers’ session at which it is to be considered.

3. The Executive Secretary shall promptly notify the Depositary of the adoption of the amendment. Amendments shall be adopted by unanimous vote.

4. An amendment shall take effect thirty days after it has been adopted by the Sectoral Council of Ministers.

ARTICLE XXII:
Withdrawal and Termination

1. The Convention shall remain in force unless two thirds of the Contracting Parties have withdrawn.
2. A Contracting Party may withdraw from this Convention at any time after the expiry of two years from the date upon which the Convention entered into force, by giving written notice of such withdrawal to the Depositary who shall immediately inform the other Contracting Parties. Withdrawal shall become effective at the end of the calendar year following that in which the notice of withdrawal has been received by the Depositary.

ARTICLE XXIII:
Interpretation and Settlement of Disputes
Any dispute concerning the interpretation or application of this Convention which cannot be settled by negotiation, conciliation or similar means, shall be submitted to arbitration at the request of any Contracting Party. The parties to the dispute shall appoint one arbitrator each. The two arbitrators so appointed shall designate by mutual agreement the third arbitrator, who shall be the President of the Arbitral Tribunal. If one of the parties to the dispute does not appoint an arbitrator within two months of the appointment of the first arbitrator, or if the President of the Arbitral Tribunal has not been appointed within two months of the appointment of the second arbitrator, the Chairman of the Sectoral Council of Ministers shall appoint the second arbitrator, or the President of the Arbitral Tribunal as the case may be. The decision of the Arbitral Tribunal shall be final.

ARTICLE XXIV:
Depositary
1. The Director-General of the Food and Agriculture Organization of the United Nations shall be the Depositary of this Convention. The Depositary shall:

(a) send certified true copies of this Convention to the Contracting Parties and to any other government which so requests;

(b) arrange for the registration of this Convention, upon its entry into force, with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations;
(c) inform the Contracting Parties of:

(i) the signing of the Convention and the deposit of instruments of ratification or accession in accordance with Article XX.1;

(ii) the date of entry into force of this Convention in accordance with Article XX.4;

(iii) proposals for amendments to this Convention and the adoption of amendments, in accordance with Article XXI;

(iv) notices of withdrawal from the Organization in accordance with Article XXII.2; and

(v) any other notification received from the Governments of the States participating in the Convention.

2. The original text of this Convention shall be deposited in the archives of the Food and Agriculture Organization of the United Nations in Rome.

ARTICLE XXV:

Annex

The Headquarters Agreement which constitutes the Annex to this Convention is an integral part of the Convention.

Done at Kisumu on 30th June 1994 in a single copy in the English language.
HEADQUARTERS AGREEMENT

Recognition of the Lake Victoria Fisheries Organization and the granting of privileges and immunities by the Host State

INTRODUCTION

Pursuant to Article III.1 of this Convention, and without prejudice to Article XVIII.2, the present Annex relates to the additional rights and obligations of the Host State. It shall apply to the State referred to in Part B (the State of Uganda) for as long as that State is the Host State.

PART A - GENERAL PROVISIONS

Section 1: Privileges, immunities and facilities accorded to the Lake Victoria Fisheries Organization

1. Without prejudice to Article XVIII.2 of this Convention, the Host State undertakes to accord the following privileges, immunities and facilities to the Lake Victoria Fisheries Organization and to its property, funds and assets, wherever located in that State:
   (a) immunity from every form of legal process, except insofar as in any particular case the Organization has expressly waived immunity;
   (b) immunity from search, requisition, confiscation, expropriation and any other form of interference;
   (c) freedom to hold funds or currency of any kind, to operate accounts in any currency, to transfer funds or foreign currency within the Host State or abroad, and to convert any foreign currency into any other currency;
   (d) freedom from censorship of official correspondence and other official communications;
   (e) exemption from all direct and indirect taxes on the property, income and official transactions of the Organization, except taxes that are no more than charges for services rendered;
   (f) exemption from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported
by the Organization, or on publications issued by the Organization, for official purposes.

2. The Host State shall exercise due diligence to ensure that the security and tranquillity of the premises of the Lake Victoria Fisheries Organization are not in any way impaired and shall, at the request of the Executive Secretary of the Organization, provide adequate police protection where necessary.

3. The Lake Victoria Fisheries Organization shall enjoy for its official communications treatment not less favourable than that accorded to any other international organization or government, including the diplomatic missions of such other governments, in the Host State, in the matter of priorities and rates for mail, cables, telephone and other communications.

Section 2: Privileges, immunities and facilities accorded to official representatives, the Executive Secretary, the Deputy Executive Secretary and other staff of the Lake Victoria Fisheries Organization

1. Without prejudice to Article XVIII.2 of this Convention, the Host State undertakes to accord the following privileges, immunities and facilities:

(a) to the representatives or delegates of any Member State of the Lake Victoria Fisheries Organization and of any international organization or institution with respect to the performance of their official duties in connection with the work of the Organization:

(i) immunity from personal arrest or detention, except in the case of flagrancy, and from seizure of their personal baggage and, in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of any kind;

(ii) inviolability for all papers and documents;

(iii) exemption in respect of themselves and their spouses from immigration restrictions, alien registration or national service obligations;

(iv) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign
governments on temporary official missions;
(b) to the Executive Secretary, the Deputy Executive Secretary and other staff of the Organization:
(i) immunity from legal process in respect of words spoken or written and all acts done by them in their official capacity;
(ii) exemption from taxation on the salaries and emoluments paid to them by the Organization;
(iii) immunity, together with their spouses and dependents, from immigration restrictions and alien registration;
(iv) together with their spouses and dependents, the same repatriation facilities in time of crisis as officials of comparable rank of diplomatic missions;
(c) to the Executive Secretary, the Deputy Executive Secretary and professional staff, the right to import free of duty their furniture and effects, including one car, at the time of first taking up their post in the Organization, as well as replacements of such furniture and effects, including a car, at such intervals as may be agreed upon by the Organization and the Government of the Host State.

2. In addition to the privileges and immunities referred to in paragraph 1, the Executive Secretary, the Deputy Executive Secretary and other staff of the Organization, shall be granted the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions.

3. Subject to the application of measures for the maintenance of public health and security agreed upon between the Host State and the Organization, the Host State shall impose no impediment on the entry into, sojourn in and departure from its territory of the representatives of the Member States of the Organization and of international organizations or institutions referred to in paragraph 1(a), and their spouses, or of the Executive Secretary, the Deputy Executive Secretary and other staff of the Organization, and their spouses and dependents, or of any person visiting the Organization in connection with its work.

4. Any visa required for any person referred to in paragraph 3 shall be granted or extended promptly and without charge.
Section 3: Enforcement of the law of the Host State

The Lake Victoria Fisheries Organization shall cooperate with the appropriate authorities of the Host State to facilitate the proper administration of justice, secure the observance of police regulations, and prevent the occurrence of any abuses in connection with the privileges, immunities and facilities conferred pursuant to Article XVIII.2 of this Convention or to the present Annex. The Organization shall promptly examine requests for a waiver of immunity made by the Host State.

Section 4: Amendment of this Part

1. Subject to paragraph 2, the present Part A of this Annex may be amended in the manner set out in Article XXI of this Convention.

2. Notwithstanding any other provision of this Convention, including the present Annex, no amendment to this Part may be adopted unless the Host State has expressly consented thereto.

PART B - SPECIFIC PROVISIONS CONCERNING THE STATE OF UGANDA

Section 1: Premises of the Lake Victoria Fisheries Organization and related facilities

1. The seat of the Lake Victoria Fisheries Organization shall be located in Jinja.

2. In fulfilment of its obligations in accordance with Article III.1 of the Convention, the State of Uganda undertakes to arrange for:

   (a) provision to the Organization for its exclusive use appropriately furnished premises with an area of 250sq. metres adapted to the needs of the Organization, and including a conference room, a library, eight offices and other facilities;

   (b) assisting the Executive Secretary, the Deputy Executive Secretary and the international staff of the Organization, to lease upon reasonable terms, suitable residential accommodation;

   (c) responsibility for installation and maintenance costs and provision of electricity and water needed for the use of the office premises;
(d) provision to the Organization of office equipment, fax, telex, telephone and administrative support facilities;
(e) funding of five General Service staff, including two secretaries, one driver and two support staff.

3. The provisions of sub-paragraphs (c), (d), (e) of paragraph 2 above shall be subject to review after three years.

4. At the request of the Lake Victoria Fisheries Organization, the State of Uganda shall undertake at its own expense all necessary repairs to the premises referred to in paragraph 2(a) with the exception of those which can be considered as day-to-day maintenance of the said premises.

Section 2: Privileges, immunities and facilities

1. The taxes referred to in Section 1, paragraph 1(e), of Part A shall include customs duties and dues on motor vehicles, furniture and equipment. Likewise, legacies and donations, including anything considered necessary by the Lake Victoria Fisheries Organization for its establishment or for attaining its objectives, shall also be exempt from such taxes and dues.

2. Any funds or property transferred to the Lake Victoria Fisheries Organization, for its functions, by any natural person or by any non-profit organization shall be exempt from the payment of taxes.

3. Staff members of the Lake Victoria Fisheries Organization, including the Executive Secretary and the Deputy Executive Secretary, shall, provided that they are not nationals of the State of Uganda, be permitted to maintain assets outside the State of Uganda and be exempt from any form of taxation on income derived from sources outside the State of Uganda or on property outside the State of Uganda. They shall furthermore be exempt from national service obligations.

4. The State of Uganda shall adopt the legislation necessary to give effect to the legal capacity of the Lake Victoria Fisheries Organization and to the privileges, immunities and facilities referred to in this Convention, including the present Annex.
Section 3: Amendment of this Part

1. Subject to paragraph 2, the present Part B of this Annex may be amended in the manner set out in Article XXI of this Convention.

2. Notwithstanding any other provision of this Convention, including the present Annex, no amendment to this Part may be adopted unless the State of Uganda has expressly consented thereto.
INSTRUMENT OF ACCESSION

17th May 1995

Sir,

I have the honour to refer to the Convention for the Establishment of the Lake Victoria Fisheries Organization which was adopted by a Conference of Plenipotentiaries held in Kisumu, Kenya on 30 June 1994 and wish to inform you that the Government of the United Republic of Tanzania hereby accedes to the aforesaid Convention and undertakes to abide by its provisions.

Please consider this letter as the instrument of accession referred to in paragraph 1 (b) of Article XIX of the Agreement.

Accept, Sir, the assurance of my highest consideration.

[Signature]

Juma Hamad Omar, (MP)

MINISTER FOR TOURISM, NATURAL RESOURCES AND ENVIRONMENT

Mr. Jacques Diof
Director – General
Food and Agriculture Organization of the United Nations
Via delle Terme di Caracalla
00100 Rome
Italy
WHEREAS the Government of the Republic of Uganda signed the Convention for the Establishment of the Lake Victoria Fisheries Organisation (LVFO) on the 30th day of June 1994, in Kisumu, Kenya; and

WHEREAS paragraph 1 of Article XIX of the Convention provides for its ratification; and

WHEREAS in compliance with Article 123 of the Constitution of the Republic of Uganda, the Cabinet examined, considered and approved the said Convention;

NOW, THEREFORE, I, DR. RUHAKANA RUGUNDA, Minister of Foreign Affairs of the Republic of Uganda do hereby declare that Uganda ratifies the Convention for the Establishment of the Lake Victoria Fisheries Organisation and undertakes to faithfully perform the stipulations contained therein.

Done at Kampala this \underline{11} \text{th} day of December, \underline{1995} in the year of Our Lord One Thousand Nine Hundred and Ninety Five.

\underline{\hspace{1cm}}

RUHAKANA RUGUNDA (DR)
INSTRUMENT OF RATIFICATION

CONVENTION FOR THE ESTABLISHMENT OF THE LAKE VICTORIA FISHERIES ORGANIZATION

WHEREAS the Convention for the establishment of the Lake Victoria Fisheries Organization was done at Kisumu, Kenya on 30th June 1994;

AND WHEREAS Article XIX provides that the riparian states of the Lake Victoria may become parties to the said Convention by signing followed by the deposit of an instrument of ratification;

AND WHEREAS the Republic of Kenya, being a signatory, is desirous of ratifying the aforesaid convention;

NOW THEREFORE the Republic of Kenya having considered the said Convention, hereby RATIFIES the same and undertakes to faithfully observe and fulfil the stipulations therein contained.

IN WITNESS THEREOF this Instrument of Ratification is signed and stamped with the Official Stamp of the Ministry of Foreign Affairs and International Co-operation of the Government of the Republic of Kenya.

DONE at NAIROBI this 3rd Day of May in the Year of Our Lord One Thousand Nine Hundred and Ninety Six.

HON. STEPHEN KALONZO MUSYOKA, EGH, MP,
MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION
The Convention for the Establishment of Lake Victoria Fisheries Organization