

## TREATY OF ACCESSION OF THE REPUBLIC OF BURUNDI INTO THE EAST AFRICAN COMMUNITY

### THE EAST AFRICAN COMMUNITY AND THE REPUBLIC OF BURUNDI,

**UNITED** in their desire to pursue the attainment of the objectives of the Treaty for the Establishment of the East African Community (“the Treaty”);

**DETERMINED** in the spirit of the Treaty to strengthen the economic, social, cultural, political, technological and other ties for the accelerated, balanced and sustainable development of the United Republic of Tanzania, the Republic of Kenya, the Republic of Uganda, the Republic of Burundi and the Republic of Rwanda through the establishment of an East African Customs Union and a Common Market as transitional stages to and integral parts thereof, subsequently a Monetary Union and ultimately a Political Federation;

**CONSIDERING** that Article 3 of the Treaty affords countries other than the United Republic of Tanzania, the Republic of Kenya and the Republic of Uganda the opportunity of becoming members of the East African Community;

**RECALLING** that at the 8<sup>th</sup> Summit of East African Community Heads of State held on 30<sup>th</sup> November, 2006 in Arusha, Tanzania, the Summit of East African Community Heads of State decided to admit the Republic of Burundi as a full member of the East African Community effective 1<sup>st</sup> July, 2007;

AWARE that membership of the Republic of Burundi into the East African Community entails the conclusion of a Treaty of Accession;

HAVE DECIDED to establish by common agreement the conditions of accession and to this end, have designated as their Plenipotentiaries:

HIS EXCELLENCY YOWERI KAGUTA MUSEVENI,  
CHAIRPERSON, EAST AFRICAN COMMUNITY SUMMIT OF  
HEADS OF STATE

HIS EXCELLENCY PIERRE NKURUNZIZA, PRESIDENT OF THE  
REPUBLIC OF BURUNDI

WHO having exercised their full powers in good and due form;

HAVE AGREED AS FOLLOWS:

#### **Article 1 Interpretation**

In this Treaty, except where the context otherwise requires,

*“Accession”* means an act by which one Country becomes party to engagements already in force among other Countries;

*“Acquis Communautaire”* means a body of East African Community legislation, policies, protocols, agreements, projects, programmes, agreed positions and actions;

*“Community”* has the same meaning assigned to it under Article 1 of the Treaty Establishing the East African Community;

*“Partner States”* has the same meaning assigned to it under Article 1 of the Treaty Establishing the East African Community;

*“Plenipotentiary”* means a person fully authorized to represent his or her Government or inter-Governmental authority;

*“The Treaty”* means the Treaty Establishing the East African Community;

*"This Treaty"* means the Treaty of Accession of the Republic of Burundi into the East African Community.

**Article 2**  
**Accession**

1. The Republic of Burundi hereby becomes a member of the East African Community and a party to the Treaty, all Protocols to the Treaty, Tripartite Agreements and Memoranda of Understanding by which the Treaty is supplemented.
2. The conditions of admission, levels of co-operation, accession to the *acquis communautaire* of the East African Community entailed by such admission are set out in the Annex to this Treaty. The provisions of this Annex shall form an integral part of this Treaty.
3. The provisions concerning the rights and obligations of the Republic of Burundi and the powers and jurisdiction of the Institutions of the East African Community as set out in the Treaty shall apply in respect of this Treaty.
4. The Republic of Burundi shall within twelve months from the date of signing this Treaty secure the enactment and the effective implementation of such legislation as is necessary to give effect to this Treaty and in particular:
  - (a) to confer upon the Community the legal capacity and personality required for the performance of its functions; and
  - (b) to confer upon the legislation, regulations and directives of the Community and its institutions the force of law within her territory.

**Article 3**  
**Co-operation in Legal and Political Affairs**

The Republic of Burundi shall take over and implement the *acquis communautaire* under this area of co-operation as from the date of accession and in particular be bound by the provisions of the Treaty on the:

- (a) objectives of the Community as provided for under Article 5 of the Treaty;
- (b) fundamental principles of the Community as provided for under Article 6 of the Treaty; and
- (c) operational principles of the Community as provided for under Article 7 of the Treaty.

**Article 4**  
**Co-operation in Trade, Finance, Investment,  
Monetary and Fiscal Affairs**

The Republic of Burundi shall take over and implement the *acquis communautaire* under the areas of co-operation as from the date of accession, subject to the specific arrangements as stipulated in the Annex hereto including according the same preferential trade treatment to The United Republic of Tanzania as that accorded to the Republic of Uganda on a reciprocal basis.

**Article 5**  
**Co-operation in Infrastructure and Services**

The Republic of Burundi shall take over and implement the *acquis communautaire* under these areas of co-operation as from the date of accession subject to the specific arrangements as stipulated in the Annex hereto.

**Article 6**  
**Co-operation in Productive Sectors**

The Republic of Burundi shall take over and implement the *acquis communautaire* under this area of co-operation as from the date of

accession, subject to the specific arrangements as stipulated in the Annex hereto.

**Article 7**  
**Co-operation in the Social Sector**

The Republic of Burundi shall take over and implement the *acquis communautaire* under this area of co-operation as from the date of accession, subject to the specific arrangements as stipulated in the Annex hereto.

**Article 8**  
**Participation in the Institutions, Projects and Programmes**

Subject to the obligations and requirements that apply to the Partner States of the East African Community, the Republic of Burundi shall upon accession, be entitled to participate in the:

- (1) institutional framework as provided for under Article 9 of the Treaty;
- (2) projects and programmes of the East African Community as provided for in the East African Community Development Strategy (2006 – 2010) and in particular the following:
  - (a) Co-operation in Trade Liberalisation and Development;
  - (b) Co-operation in Investment and Industrial Development;
  - (c) Co-operation in Standardisation, Quality Assurance, Metrology and Testing;
  - (d) Monetary and Financial Co-operation;
  - (e) Co-operation in Infrastructure and Services;
  - (f) Co-operation in the Development of Human Resources, Science and Technology;
  - (g) Co-operation in adopting measures to achieve the Free Movement of Persons, Labour, Services and Right of Establishment and Residence;
  - (h) Co-operation in Agriculture and Food Security;
  - (i) Co-operation in Environment and Natural Resources Management;

- (j) Co-operation in Tourism and Wildlife;
- (k) Co-operation in Health, Social and Cultural Activities and Gender Development;
- (l) Co-operation in Political Matters;
- (m) Co-operation in Legal and Judicial Affairs; and
- (n) Co-operation in the involvement and development of the Private Sector and Civil Society

**Article 9**  
**Financial Obligations**

The Republic of Burundi shall upon accession be subject to the financial and budgetary obligations and requirements of the Treaty on the Partner States.

**Article 10**  
**Ratification and Depository**

This Treaty shall be ratified by the Republic of Burundi in accordance with her constitutional requirements. The Republic of Burundi shall deposit her instruments of ratification with the Secretary General of the East African Community.

**Article 11**  
**Entry into Force**

This Treaty shall enter into force on 1<sup>st</sup> July, 2007 provided that all the instruments of ratification have been deposited before that date.

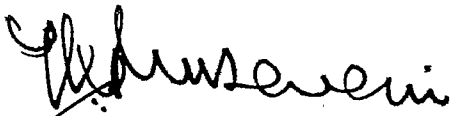
**Article 12**  
**Registration**

This Treaty shall be registered with the African Union, the United Nations and such other organizations as the East African Community Council of Ministers may determine.

**DONE at KAMPALA, UGANDA, on the 18<sup>th</sup> day of June in the year Two Thousand and Seven.**

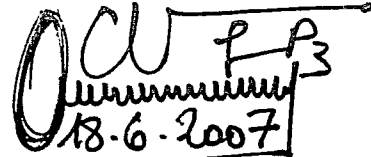
**IN FAITH WHEREOF the undersigned have appended their signatures hereto:**

**For The East African Community**



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**YOWERI KAGUTA MUSEVENI  
CHAIRPERSON  
SUMMIT OF HEADS OF STATE**

**For The Republic of Burundi**



.....  
**PIERRE NKURUNZIZA  
PRESIDENT**

*ACQUIS COMMUNAUTAIRE*

**1.0 TREATY FOR THE ESTABLISHMENT OF THE EAST AFRICAN COMMUNITY**

**1.1 East African Community Legislation**

- (a) The East African Community Appropriation Act, 2002
- (b) The East African Community Emblems Act, 2003
- (c) The East African Community Appropriation Act, 2003
- (d) The East African Community (Interpretation) Act, 2003
- (e) The Acts of the East African Community Act, 2003
- (f) The East African Legislative Assembly (Powers and Privileges) Act, 2003
- (g) The East African Community Appropriation Act, 2004
- (h) The East African Community Customs Management Act, 2004
- (i) The East African Community Appropriation Act, 2005
- (j) The East African Community Supplementary Appropriation Act, 2005
- (k) The East African Community Standardisation, Quality Assurance, Metrology and Testing Act, 2006
- (l) The East African Community Appropriation Act, 2006
- (m) The East African Community Competition Act, 2006

**1.2 EAC Protocols and Other Tripartite Instruments**

- (a) Agreement for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income
- (b) Protocol on Decision-Making by the Council
- (c) Protocol on Combating Drug Trafficking in the East African Region;
- (d) Protocol on Standardisation, Quality Assurance, Metrology and Testing
- (e) Tripartite Agreement on Road Transport
- (f) Tripartite Agreement on Inland Waterway Transport



- (g) Protocol on the Establishment of the Inter-University Council for East Africa
- (h) East African Community Search and Rescue Agreement
- (i) Protocol for the Sustainable Development of Lake Victoria Basin
- (j) Protocol on the Establishment of the East African Community Customs Union
- (k) Protocol on Environment and Natural Resources
- (l) Protocol on the Establishment of the East African Science and Technology Commission
- (m) Protocol on the Establishment of the East African Civil Aviation Safety and Security Oversight Agency
- (n) Protocol on the Establishment of the East African Kiswahili Commission
- (o) Protocol on the Establishment of the East African Health Research Commission

### **1.3 Memoranda of Understanding:**

- (a) Memorandum of Understanding on Enhancement of Civil Aviation Safety
- (b) Memorandum of Understanding on Co-operation in Defence; and
- (c) Memorandum of Understanding on Foreign Policy Co-ordination.

## **2.0 EAST AFRICAN COMMUNITY DEVELOPMENT STRATEGY (2006 – 2010)**

## **3.0 AGRICULTURE AND RURAL DEVELOPMENT POLICY**

## **4.0 AGRICULTURE AND RURAL DEVELOPMENT STRATEGY (2005 – 2030)**

## **5.0 EAST AFRICAN INDUSTRIAL DEVELOPMENT STRATEGY**

## **6.0 JOINT EXPORT AND INVESTMENT PROMOTION STRATEGY**

**7.0 PRIVATE SECTOR DEVELOPMENT STRATEGY**

**8.0 AGREED MINUTES OF THE EAST AFRICAN COMMUNITY  
/ REPUBLIC OF BURUNDI MINISTERIAL NEGOTIATIONS  
(Ref EAC/RR/03/2006)**