

**MEMORANDUM**

**TO THE**

**NATIONAL ASSEMBLY**

**BY THE**

**CABINET SECRETARY**

**FOR DEFENCE**

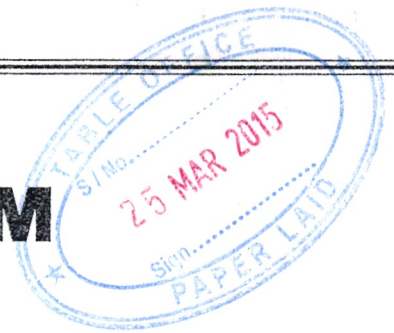
**ON THE RATIFICATION OF**

**THE AGREEMENT ON THE**

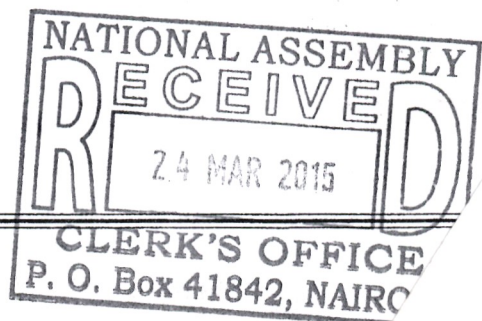
**ESTABLISHMENT OF THE**

**EASTERN AFRICA STANDBY**

**FORCE**



PARLIAMENT  
OF KENYA  
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MEMORANDUM TO THE NATIONAL ASSEMBLY BY THE CABINET SECRETARY  
DEFENCE ON THE RATIFICATION OF AGREEMENT ON THE ESTABLISHMENT OF THE  
EASTERN AFRICA STANDBY FORCE

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**A. OBJECT OF THE MEMORANDUM**

1. To submit to Parliament the Eastern Africa Agreement on the establishment of the Eastern African Standby Force (hereinafter referred to as '**the Agreement**') for consideration and approval pursuant to section 8(1) of the Treaty Making and Ratification Act No. 45 of 2012 (hereinafter referred to as '**the TMRA**'). *A copy of the Agreement is annexed hereto and marked Annex A.*

**B. BACKGROUND**

2. The Eastern Africa Standby Force is a regional organization whose mandate is to enhance peace and security in the Eastern Africa region. It is one of the five regional multidimensional Forces of the African Standby Force (ASF) which form part of the African Peace and Security Architecture (APSA). EASF was established as a regional mechanism to provide capability for rapid deployment of forces to carry out preventive deployment, rapid intervention, peace support/stability operations and peace enforcement. It consists of Military, Police and Civilian components.
3. The establishment of EASF follows the decision of the Summit of the African Union held in July 2004 in Addis Ababa, Ethiopia. A Memorandum of Understanding on the Establishment of the Eastern Africa Standby Force (MOU) was signed in April 2005 (and amended in January 2011) expressly established the EASF as a constituent organization of the African Standby Force (ASF). In March 2007, the Council of Ministers of Defence and Security established a Coordination Mechanism called EASFCOM which has its headquarters in Nairobi.
4. Currently, the EASF draws its membership from 0 active Member States including Burundi, Comoros, Djibouti, Ethiopia, Kenya, Rwanda, Seychelles, Somalia, Sudan and Uganda, which are signatories to the MOU. Tanzania and Madagascar opted to join the Southern Africa Stand by Force, whereas Eritrea has not shown any interest in participating in the force. The Republic of South Sudan enjoys observer status.
5. Pursuant to recommendations made by a Panel of Experts appointed by the African Union, the Council of Ministers of Defence and Security the EASF (the Council of Ministers) authorized the strategic and structural reframing of the EASF to enable it achieve rapid deployment capability by 2014 in readiness for the Full Operational Capability of the ASF of 2015.
6. As part of the reorientation of the EASF, the Council of Ministers recommended the development of a new policy, the replacement of

MOU with a formal agreement and crafting of a MOU to facilitate the pledging of forces by members states. The object of these changes is to ensure full commitment to the EASF and to provide a solid legal underpinning for the Force.

7. At the EASF Heads of State Summit held in Malabo Equatorial Guinea, on the 25th day of June, 2014, the Heads of State and Government endorsed, the new EASF Policy, the MOU on Pledged Forces and duly adopted and signed the Agreement.
8. In September 2014, Kenya validated the forces and assets that Kenya has pledged to the EASF.
9. In December 2014 the EASF declared Full Operational Capability(FOC)in Adama Ethiopia; one year ahead of the 2015 African Union Target. So far the EASF Countries have pledged 5000 troops.

### **C. OUTLINE OF THE PROTOCOL**

The proposed Pact contains 27 (twenty-seven) articles which are individually explained as follows:

**Preamble:** Sets out the reasons and aspirations for which the Agreement is made;

**Article 1:** Defines specific terms used in the Agreement;

**Article 2:** Establishes the EASF and describes its legal status;

**Article 3:** Explains the purpose of EASF and the basis of its authority;

**Article 4:** Defines the values and principles of EASF which are derived from the interalia the UN Charter, the Universal Declaration of Human Rights and the Constitutive Act of the African Union;

**Article 5:** Prescribes the functions of the EASF;

**Article 6:** Establishes the policy organs of the EASF;

**Article 7:** Describes the authority and functions of the Assembly States Heads of State and Government;

**Article 8:** Describes the composition, powers and functions of the Council of Ministers of Defence and Security;

**Article 9:** Describes the composition, powers and functions of the Chiefs of Defense Staff;

**Article 10:** Explains the structures of EASF;

**Article 11:** Defines the Secretariat, its functions, composition and location in Nairobi, Kenya;

**Article 12:** Describes the Stand by Force Headquarters which shall be located in Addis Ababa Ethiopia;

**Article 13:** Describes the composition, function of the Planning Element or PLANELM, which will be located in Nairobi, Kenya;

**Article 14:** Describes the composition, function and location of the (Logistics Base and Logistics Training Centre) which are located in Addis Ababa, Ethiopia;

**Article 15:** Makes provision for the pledging of forces and equipment by EASF member;

**Article 16:** Makes provision for training and exercises at national and multinational levels;

**Article 17:** Prescribes that privileges and immunities that can be accorded to EASF and personnel;

**Article 18:** Establishes the EASF Fund;

**Article 19:** Imposes sanctions for defaults in the payment of contributions to the budget;

**Article 20:** Provides for the admission of new members;

**Article 21:** Prescribes the official languages of EASF;

**Article 22:** Provides for signature, ratification and accession by member states in accordance with their constitutions;

**Article 23:** Details the manner in which the Agreement will come into force and determines that the Agreement will supersede the MOU;

**Article 24:** Provides for the amendment of the Agreement;

**Article 25:** Provides for the withdrawal from the Agreement;

**Article 26:** Makes provision for the settlement of disputes;

**Article 27:** Provides for the conclusion of other legal instruments by member states to accomplish the aims and objectives of the Agreement.

**D. PARTICULARS PURUSANT TO SECTION 7 OF THE TMRA:**

1) **Object and Subject Matter of the Agreement:**

- a. To establish the EASF (of which Kenya is a member state) as a regional mechanism for conflict prevention, management and resolution in Eastern African region and as part of the African Peace and Security Architecture.
- b. To preserve peace, security and stability in the Eastern African region, to enhance regional co-operation and to eliminate all forms of threat and to respond in a timely manner to conflicts in Africa particularly the Eastern African Region.

2) **Constitutional implications:**

The Protocol does not propose any amendments of the Constitution. It embraces international and regional treaties previously adopted by Kenya and enshrined in our Constitution namely the Charter of the United Nations, the Universal Declaration of Human Constitutive Act of the African Union, the African Charter of Human and Peoples Rights, the Protocol relating to the establishment of the Peace and Security Council of the African Union. Accordingly, the Agreement is consistent with the Constitution and promotes constitutional values and objectives.

3) **National security interests affected:**

The EASF Agreement is intended to foster durable regional peace, stability and security and create a mechanism for the prevention, management and resolution of inter and intra-state conflicts. The agreement adopted the decision by the 3rd Ordinary Session of the African Union Heads of States and Government in Addis Ababa, Ethiopia, Doc. EX.CL/110 (V) regarding the establishment of the African Standby Force.

4) **Obligations imposed on Kenya by the Agreement:**

The agreement requires Kenya to host the Secretariat of the EASF and its Planning Element and co-operate with Partner States in conflict prevention, management and resolution in the context of the African Peace and Security Architecture.

5) **Requirements for Implementation of the Agreement:**

The Agreement will be implemented through EASF's existing policy and administrative organs.

6) **Policy and Legislative implications:**

The agreement falls squarely within Kenya's Defence policy and its commitment to regional peace and stability.

7) **Financial implications:**

Each Partner States will be required to continue paying annual subscriptions to the EASF and contribute to the EASF Fund.

8) **Ministerial Responsibility:**

The Agreement shall be administered through the Ministry of Defence with the Cabinet Secretary of Defence and the Chief of Kenya's Defence Forces required to participate in the EASF's Policy organs.

9) **Implication on matters relating to counties:**

There are no implications regarding counties.

10) **Summary of process leading to the adoption of the Agreement:**

The adoption of the Agreement was preceded by a strategic review undertaken by EASFCOM and the Council of Chiefs of Defence Staff and the Council of Ministers of Defence and Security. Pursuant thereto negotiation teams from the Partner States were constituted and they finalized a new policy for the EASF. The Agreement was submitted to the Summit of Heads of States and Government who on the 26<sup>th</sup> of June 2014, at Malabo, Equatorial Guinea, signed and duly adopted the document.

11) **The Date of signature:**

The Date of Signature of the Protocol is the 26<sup>th</sup> June 2014.

12) **Whether Agreement permits ratification with reservation:**

The Agreement does not provide for ratification with reservations.

13) **Proposed text of any reservations:**

Not applicable.

14) Whether expenditure of public funds will be incurred in implementing the Treaty:

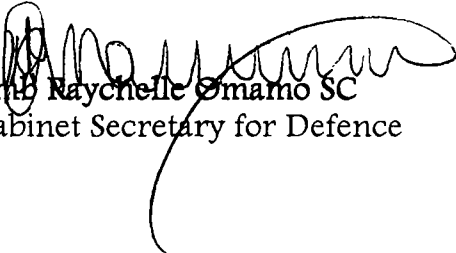
Implementation of the treaty will not require further funds beyond the contributions in respect of annual subscription and contributions to the EASF Fund established under the Agreement.

**E. RECOMMENDATIONS TO THE NATIONAL ASSEMBLY**

The National Assembly is requested to:

- i. Note the contents of the Memorandum and the Agreement;
- ii. Approve ratification of the Agreement;
- iii. Direct the Ministry of Foreign Affairs to prepare instruments of ratification and deposit the same with the Director of the EASF Secretariat for onward transmission to Member States and African Union.
- iv. Authorize the Cabinet Secretary of Defence to take necessary action.

Dated this ..... 4<sup>th</sup> ..... day of ..... MARCH .....2015

  
Anne Raychelle Omamo SC  
Cabinet Secretary for Defence

**AGREEMENT**

**ON THE**

**ESTABLISHMENT OF**

**THE EASTERN AFRICA**

**STANDBY FORCE**

**(EASF)**



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**THE EASTERN AFRICA REGION**



**AGREEMENT ON THE ESTABLISHMENT OF THE  
EASTERN AFRICA STANDBY FORCE (EASF)**

Eastern Africa Standby Force Secretariat  
Westwood Park  
P.O. Box 1444-00502  
NAIROBI, KENYA

Telephone: + 254 20 3884 720  
Telefax + 254 20 3884 696

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AGREEMENT ON THE ESTABLISHMENT OF THE EASTERN AFRICA STANDBY FORCE  
(EASF)

We, the Member States of the Eastern Africa Region;

The Republic of Burundi,  
The Union of Comoros,  
The Republic of Djibouti,  
The Federal Democratic Republic of Ethiopia,  
The Republic of Kenya,  
The Republic of Rwanda,  
The Republic of Seychelles,  
The Federal Republic of Somalia,  
The Republic of the Sudan,  
The Republic of Uganda,

**Recalling** the principles and objectives enshrined in the Constitutive Act of the African Union (AU) and the Protocol Establishing the Peace and Security Council of the African Union;

**Inspired by** the commitment of the Member States to act collectively to preserve peace, security and stability as essential prerequisites for economic development and social progress in the region;

**Recalling** that Chapter VIII of the United Nations Charter recognized the role of regional arrangements in dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action;

**Reaffirming** the primary responsibility of the United Nations Security Council in the maintenance of international peace and security, and the role of the Peace and Security Council of the African Union as a standing decision-making organ for the prevention, management and resolution of conflicts, and a collective security and early-warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa;

**Determined** to respond in a timely manner to conflicts in Africa particularly in Eastern Africa region;

**Recognizing** and re-affirming the principles of peaceful settlement of disputes and conflicts, respect for sovereignty, sovereign equality, territorial integrity, good neighborliness, interdependence, non-aggression and non-interference in the internal affairs of other States, and respect for boundaries inherited at independence;

**Convinced** that the development of strong democratic institutions and culture, observance of human rights and the rule of law, as well as the implementation of post-conflict recovery programmes and sustainable development policies, are essential for the prevention of conflicts for the promotion of collective security, durable peace and security;

**Desirous** of establishing an operational structure for the effective implementation of the decision taken to pursue the objectives of promoting regional peace, security and stability and to create a mechanism for the prevention, management and resolution of inter-and intra-state conflicts;

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**Committed** to act collectively to preserve peace, security and stability in the Eastern Africa region, to enhance regional co-operation and to eliminate all forms of threat thereto;

**Desirous** of establishing an effective mechanism of consultation and cooperation for the peaceful settlement of disputes in accordance with commitments of Member States in the Protocol Relating to the Establishment of the Peace and Security Council of the African Union; and

**Cognizant** of the decision adopted by the 3<sup>rd</sup> Ordinary Session of the African Union Heads of State and Government in Addis Ababa, Ethiopia, Doc. EX.CL/110(V) regarding the establishment of the African Standby Force and the Military Staff Committee;

**HAVE AGREED** as follows:

## Article 1 Definitions

In this Agreement, unless the context otherwise requires:

- a) **"African Standby Force"** means the Force established under Article 2 of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union;
- b) **"Assembly"** means the Assembly of Heads of State and Government party to this Agreement as established under Article 6(1)(a) of this Agreement;
- c) **"Chairperson of the Assembly"** means the Chairperson of the Assembly of Heads of State and Government of the EASF;
- d) **"Chairperson of the Council"** means the Chairperson of the Council of Ministers of Defense and Security of the EASF;
- e) **"Committee of Chiefs of Defense Staff" or "EACDS"** means the Eastern Africa Committee of Chiefs of Defense Staff of States party to this Agreement as established under Article 6(1)(c) of this Agreement;
- f) **"Council"** means the Council of the Ministers of Defense and Security of Member States party to this Agreement as established under Article 6(1)(b) of this Agreement;
- g) **"Director"** shall mean the Director of the EASF Secretariat;
- h) **"Eastern Africa Standby Force" or "EASF"** means the intergovernmental regional organization established with membership of countries in the Eastern Africa Region for promotion of peace, security and stability in the Region;
- i) **"Logistics Base"** means the central logistics base for the EASF;
- j) **"Member State"** means a country in the Eastern Africa Region party to this Agreement;
- k) **"Peace and Security Council"** means the Council established by Article 5(2) of the Constitutive Act establishing the African Union;
- l) **"PLANELM"** means the Planning Element of the EASF which contains the Military, Civilian



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and Police Components;

- m) **"Regional Mechanism"** means mechanisms as envisaged under Article 16 of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union;
- n) **"Secretariat"** means the Secretariat of the EASF as established under Article 10 of this Agreement; and
- o) **"Standby Force Headquarters"** means the command headquarters of the EASF for force preparation and operational command.

**Article 2**  
**Establishment and Legal Status**

- 1) The Eastern Africa Standby Force, as part of the African peace and security architecture, is hereby established as a regional mechanism for conflict prevention, management and resolution in the Eastern Africa Region.
- 2) The EASF shall have international legal personality to perform any of the functions conferred upon it by this Agreement. In particular, it shall have the capacity to enter into contract, to acquire and dispose of property, and to institute legal proceedings in its own name.
- 3) The EASF shall, in the exercise of its legal personality, be represented by the Director of the Secretariat.

**Article 3**  
**Objective**

The objective of the EASF is to carry out in a timely manner the functions of maintenance of peace, security and stability, as authorized by the EASF Assembly and mandated by the Peace and Security Council of the African Union.

**Article 4**  
**Principles**

- 1) The EASF shall be guided by the principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights, the Constitutive Act of the African Union, the African Charter on Human and Peoples' Rights, the Protocol Relating to the Establishment of the Peace and Security Council of the African Union, and other regional and international legal instruments.
- 2) Ownership and manning of the EASF belongs to the Member States without prejudice to their responsibilities and sovereignty.

**Article 5**  
**Functions**

The EASF shall perform the functions of conflict prevention, management and resolution in the context of the African Peace and Security Architecture.

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**Article 6**  
**Policy Organs of the EASF**


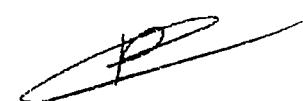
- 1) The Policy Organs of the EASF shall be:
  - a) The Assembly of Heads of State and Government;
  - b) The Council of Ministers of Defense and Security; and
  - c) The Committee of Chiefs of Defense Staff.
- 2) The Assembly may establish other Organs as deemed necessary.

**Article 7**  
**The Assembly of Heads of State and Government**

- 1) The Assembly shall be composed of the Heads of State and Government of Member States party to this Agreement.
- 2) The Assembly shall be the supreme authority of the EASF.
- 3) The Assembly shall perform the following functions:
  - a) Formulate policy, and direct and control the functioning of EASF;
  - b) Consider requests for Membership of the EASF;
  - c) Establish any organ of the EASF;
  - d) Authorize the deployment of EASF in accordance with the Constitutive Act of the African Union and the Protocol Establishing the Peace and Security Council of the African Union;
  - e) Appoint the Head of Mission, the Force Commander, the Head of Civilian Component and the Police Commissioner of a mission upon recommendation of the Council for stand-alone missions within the Eastern Africa region.
- 4) The Assembly may delegate some of its functions to the Council of Ministers as deemed necessary.
- 5) The Assembly shall meet at least once a year and at any time upon the request of any Member State and upon the agreement of the majority of the Member States. The Assembly shall adopt its own Rules of Procedure.

**Article 8**  
**The Council of Ministers of Defense and Security**

- 1) The Council shall be comprised of the Ministers of Defense and Security of EASF Member States that are party to this Agreement.
- 2) The Council shall perform the following functions:
  - a) Appoint the Director, heads of department, and heads of Structure of the EASF;
  - b) Manage all aspects relating to the EASF as set out in this Agreement and as shall be determined by the Assembly.
- 3) The Minister of Defense and Security of the country that chairs the EASF Assembly shall also chair the Council.
- 4) The Council shall submit its Rules of Procedure for approval to the Assembly.

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- 5) The Council shall meet at least twice a year.

**Article 9**  
**The Committee of Chiefs of Defense Staff**

- 1) The EACDS shall be composed of the Chiefs of Defense Staff of EASF Member States party to this Agreement.
- 2) The functions of the EACDS shall be to:
  - a) Serve as an Advisory Military Committee of the Council and the Assembly;
  - b) Oversee and provide guidance to the Secretariat in the performance of its functions.
- 3) The Chief of Defense Staff of the country that chairs the Assembly shall also chair the EACDS.
- 4) The EACDS shall submit its Rules of Procedure for approval to the Council.
- 5) The EACDS shall recommend to the Council the objectives, staffing, annual work plan and budget of the EASF.
- 6) Meetings of the EACDS shall rotate annually in accordance with the country that chairs the Assembly. Should a country not be able or willing to host, the meetings shall be held at the Standby Force Headquarters or the Secretariat.
- 7) The EACDS shall meet at least twice a year.

**Article 10**  
**Structures of the EASF**

The EASF shall have a Secretariat; a Standby Force Headquarters; a Planning Element (PLANELM); and a Logistics Base.

**Article 11**  
**The Secretariat**

- 1) The Secretariat shall be composed of a Director, who shall head the EASF Secretariat, assisted by heads of department and necessary support staff.
- 2) The Director shall have executive authority over the EASF Structures and shall report to the EACDS.
- 3) The functions of the Secretariat shall be:
  - a) Conflict analysis and early warning;
  - b) Strategic mission planning;
  - c) Provide initial mission startup staff;
  - d) Mission management and sustainment;
  - e) Implementation of EASF Policies;
  - f) Mobilization of resources;
  - g) Management of the EASF Funds;
  - h) Coordination of meetings in consultations with relevant authorities;
  - i) Performing public relation activities, receive and disseminate information;
  - j) Liaise with the African Union, Regional Economic Communities and other organizations

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- on matters relating to the EASF;
- k) Initiate, develop and review of EASF policy documents for approval by Policy Organs; and
  - l) Perform any other functions as directed by the Policy Organs of the EASF.
- 4) The Secretariat shall submit progress report at least quarterly, and as necessary, to the EACDS.
  - 5) The Secretariat shall be located in Nairobi, Kenya.

## Article 12 The Standby Force Headquarters

- 1) The Standby Force Headquarters shall be composed of regional military and civilian staff on secondment from Member States.
- 2) The function of the Standby Force Headquarters shall be to:
  - a) Serve as a command headquarters for force preparation;
  - b) Provide operational command headquarters of a deployed force;
  - c) Train the land force including a multinational force headquarters;
  - d) Develop contingency plans for future missions;
  - e) Conduct training needs analysis;
  - f) Conduct verification of standby forces in Member States;
  - g) Conduct pre-deployment training; and
  - h) Form the initial Force Headquarters in the deployment phase.
- 3) The Standby Force Headquarters shall be located in Addis Ababa, Ethiopia.

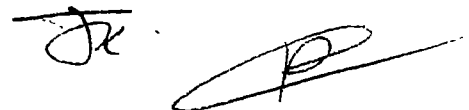
## Article 13 The PLANELM

- 1) The PLANELM shall be composed of a regional military, police and civilian staff on secondment from Member States.
- 2) The function of the PLANELM shall be to:
  - a) Serve as multi-national full-time planning headquarters;
  - b) Be part of the Mission Planning and Management Section when activated; and
  - c) Form part of the Mission Headquarters (Mission HQ) at the initial phase.
- 3) The PLANELM shall be located in Nairobi, Kenya.

## Article 14 The Logistics Base

- 1) The Logistics Base shall be composed of a multidimensional regional military, police and civilian staff on secondment from Member States.
- 2) The function of the Logistics Base shall be to:
  - a) Serve as the central regional logistics base for stocking mission startup kit;
  - b) Manage the logistics infrastructure of the EASF.

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- c) Undertake contingency planning for future mission support;
  - d) Train for capacity development of logistics staff;
  - e) Form the nucleus of the mission support staff;
  - f) Develop just-in-time contracts for mission support including in-theatre and strategic lift capabilities.
- 3) The Logistics Base and the EASF Regional Logistics Training Center shall be located in Addis Ababa, Ethiopia.

**Article 15**  
**Pledge of Force and Deployment**

- 1) In order to realize the objectives of the EASF as envisaged in this Agreement, Member States undertake to:
  - a) Pledge forces and requisite equipment to the EASF Force and Mission Structure; and
  - b) Avail the pledged forces for deployment in Peace Support Operations.
- 2) The commitment of the individual Member States' force pledges for deployment shall be specified in a separate agreement.

**Article 16**  
**Training and Exercises**

- 1) The collective training of formed units pledged to the EASF shall be the responsibility of each Member State.
- 2) The required level of training proficiency for personnel and units assigned to the EASF shall be achieved through the use of the EASF training standards.
- 3) Such training shall include command post and field training exercises at national and multinational levels.

**Article 17**  
**Privileges and Immunities**

- 1) Member States agree to extend to the EASF and its personnel immunities and privileges as may be necessary for carrying out their tasks within their respective national territories as are accorded to personnel of other regional or international organizations.
- 2) A Host Nation of an EASF establishment shall accord the EASF and personnel of such establishment such privileges and immunities to facilitate its activities. These privileges and immunities shall not be less than those accorded to other regional or international organizations of comparable status.

**Article 18**  
**Funding Mechanism**

- 1) An EASF Fund shall be established for general use of the organization.
- 2) The EASF Fund shall be generated from:

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- a) Contributions from all Member States assessed in accordance with the AU mode of contributions; and,
  - b) Grants and donations from Member States and other sources.
- 3) An EASF Peace Fund shall be established as a special fund to be utilized for the purposes of deployment in peace support operations.
- 4) The Peace Fund shall be generated from:
- a) 12% of annual budget inclusive of partners support or as the Assembly may deem necessary;
  - b) Surplus accrued from arrears in assessed contribution as determined by the Council from time to time;
  - c) Voluntary contributions from Member States;
  - d) Grants and donations from external sources including support from the African Peace Facility; and
  - e) Other sources as determined by the Policy Organs.
- 5) The EASF Funds shall be independently audited on an annual basis. The results of the audit shall be made public.
- 6) The Secretariat shall mobilize resources from Member States, donors, partners and other international organizations.

## Article 19 Imposition of Sanctions

The Assembly shall determine the appropriate sanctions to be imposed on a Member State that defaults on payment of its contributions to the budget of the EASF for more than thirty six (36) months in any of the following manner: denial of the right to speak at meetings, to vote, to present candidates for any position or post within EASF, or to benefit from any activity or commitment there from, or any other sanction the Assembly may deem necessary.

## Article 20 Admission

- 1) Any State from the Eastern Africa Region may submit a request in writing to the Chairperson of the Assembly, through the Secretariat, to be admitted as a Member State of the EASF. The Chairperson shall, upon receipt of such request, immediately transmit copies thereof to all Member States for their consideration.
- 2) Admission shall be decided by consensus of the Assembly.

## Article 21 Official Languages

The official languages of the EASF shall be English, Arabic and French.

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**Article 22**  
**Signature, Ratification and Accession**

- 1) This Agreement shall be open for signature, ratification or accession by Member States in accordance with their constitutional procedures.
- 2) The instruments of ratification shall be deposited with the Director of the Secretariat who shall transmit certified true copies thereof to all the Member States and the African Union.
- 3) Any State from the Eastern Africa Region acceding to this Agreement after its entry into force shall deposit the instrument of accession with the Director of the Secretariat who shall transmit certified true copies thereof to all the Member States and the African Union.

**Article 23**  
**Entry into Force**

- 1) This Agreement shall enter into force provisionally upon signature by the Heads of State and Government. Accordingly, signatory Member States and the Secretariat shall start implementing all provisions of this Agreement upon signature.
- 2) This Agreement shall definitively enter into force upon deposit of instruments of ratification by a simple majority of Member States.
- 3) This Agreement shall replace the Memorandum of Understanding Establishing the Eastern Africa Standby Force signed on 29<sup>th</sup> January 2011.

**Article 24**  
**Amendment of the Agreement**

- 1) Any Member State may propose amendment to this Agreement.
- 2) Proposals for amendment to this Agreement shall be made to the Chairperson of the Assembly, through the Secretariat, who shall transmit it to other Member States within thirty (30) days of its receipt.
- 3) Amendments to this Agreement shall be adopted by the Assembly and enter into force when ratified in accordance with Article 23(2) of this Agreement.

**Article 25**  
**Withdrawal**

- 1) Any Member State may withdraw from this Agreement by giving twelve (12) months written notice to the Chairperson of the Assembly of its intention to withdraw.
- 2) During this period of twelve (12) months, a Member State wishing to withdraw shall comply with the provisions of this Agreement and shall be bound to discharge its obligations incurred up to the date of such withdrawal.

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## Article 26 Settlement of Disputes

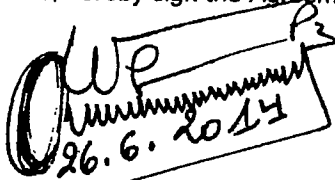
- 1) Any dispute arising from the interpretation and/or implementation of this Agreement shall be settled amicably by the EACDS. Failing this, the dispute shall be referred to the Council and ultimately to the Assembly.
- 2) Failing such, a dispute may be referred to the dispute settlement mechanisms of the African Union.

## Article 27 Additional Instruments

Member States may conclude such other instruments as may be necessary to accomplish the aims and objectives of this Agreement.

Done at 26.6.14 on this June day of the Month of 2014,  
2014 in original texts in English, Arabic and French languages, all versions being equally authentic.

IN WITNESS WHEREOF, the following, duly authorized representatives of the EASF Member States, hereby sign the Agreement:

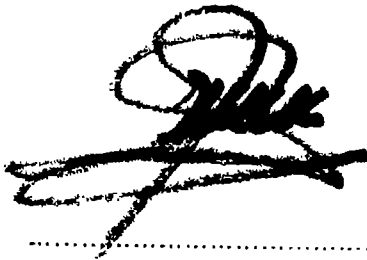


26.6.2014

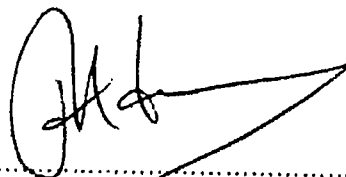
FOR THE REPUBLIC OF BURUNDI



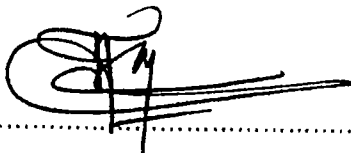
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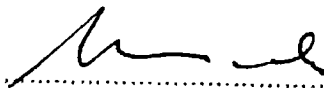
FOR THE UNION OF COMOROS



FOR THE REPUBLIC OF SEYCHELLES

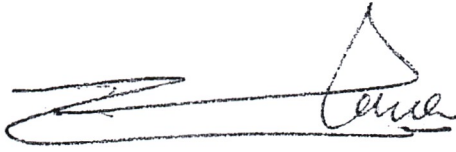


FOR THE REPUBLIC OF DJIBOUTI



FOR THE FEDERAL REPUBLIC OF SOMALIA

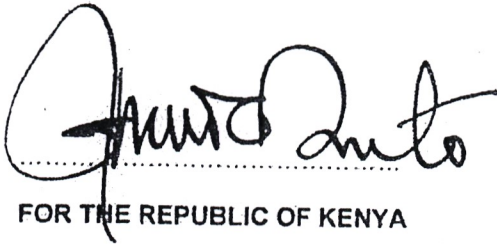
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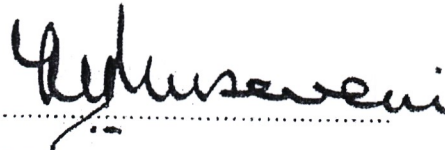
FOR THE FEDERAL DEMOCRATIC  
REPUBLIC OF ETHIOPIA



FOR THE REPUBLIC OF THE SUDAN



FOR THE REPUBLIC OF KENYA



FOR THE REPUBLIC OF UGANDA

SECRET