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EAST AFRICAN COMMUNITY

PROTOCOL ON COOPERATION IN METEOROLOGICAL  
SERVICES

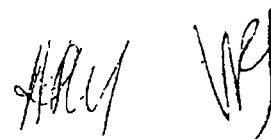


EAST AFRICAN COMMUNITY PROTOCOL ON COOPERATION  
IN METEOROLOGICAL SERVICES

ARRANGEMENT OF ARTICLES

PREAMBLE

ARTICLE	TITLE
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Article 2	Objective
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PURSUANT TO THE PROVISIONS OF ARTICLE 100 AND 151 OF THE TREATY FOR THE ESTABLISHMENT OF THE EAST AFRICAN COMMUNITY, THE PROVISIONS FOR THE EAST AFRICAN COMMUNITY PROTOCOL ON COOPERATION IN METEOROLOGICAL SERVICES ARE HEREBY SET FORTH:

**PREAMBLE**

**WHEREAS** the Republic of Kenya, the United Republic of Tanzania, the Republic of Burundi, the Republic of Rwanda and the Republic of Uganda undertake to conclude a protocol for cooperation in meteorological services;

**AND WHEREAS** under the provisions of Article 5 of the Treaty for the Establishment of the East African Community, the Partner States express their commitment to develop, for their mutual benefit, policies and programmes for widening and deepening cooperation among themselves in political, economic, social and cultural fields, research and technology, defence, security and legal and judicial affairs;

**AND WHEREAS** under the provisions of Article 100 of the Treaty for the Establishment of the East African Community, the Partner States undertook to cooperate in the provision of meteorological services;

**AND WHEREAS** by the provisions of Article 151 of the Treaty for the Establishment of the East African Community, the Partner States undertook to conclude such Protocols as may be necessary in each area of co-operation, which shall spell out the objectives and scope of, and institutional mechanisms for co-operation and integration;

**CONSCIOUS** of the importance of harmonizing meteorological policies in the Community;

**RECOGNIZING** that the Partner States are members of the World Meteorological Organisation;

**NOW THEREFORE**, the Partner States hereby agree as follows:



## Article 1

### Definitions

In this Protocol, unless the context otherwise requires:

"Community" means the East African Community established by Article 2 of the Treaty; "Council" means the Council of Ministers established by Article 9 of the Treaty;

"Partner States" means the Republic of Kenya, the United Republic of Tanzania, the Republic of Burundi, the Republic of Rwanda and the Republic of Uganda; and any other country granted membership into the Community under Article 3 of the Treaty;

"Secretary General" means the Secretary General of the Community provided for under Article 67 of the Treaty;

"Treaty" means the Treaty for the establishment of the East African Community and the annexes and protocols thereto.

## Article 2

### Objective

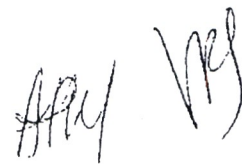
The objective of this Protocol is to promote cooperation in the provision of meteorological services within the Community.

## Article 3

### Scope of Cooperation

This Protocol shall govern the Partner States cooperation in:

- (a) the planning, designing and development of weather and climate observation networks and meteorological telecommunications systems;
- (b) the processing and analysis of data and sharing of meteorological information; and
- (c) the development of early warning systems.



#### Article 4

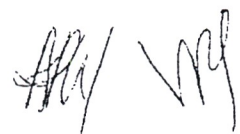
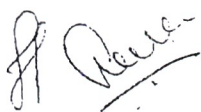
##### **Planning, Designing and Development of Weather and Climate Observation Networks and Meteorological Telecommunications Systems**

1. The Partner States undertake to cooperate in the planning, designing and development of weather and climate observation networks and meteorological telecommunications systems.
2. For purposes of paragraph 1, the Partner States shall:
  - a) establish rainfall stations, as may be appropriate;
  - b) improve the surface observing networks in the Community, including over the Indian Ocean;
  - c) upgrade the existing observation stations;
  - d) establish automatic weather stations in remote areas, over lakes and along the coast;
  - e) establish upper air stations, as may be appropriate;
  - f) network weather radars for monitoring real-time weather for the safety and efficiency of air transport, marine navigation and public safety;
  - g) promote interconnection and inter-operability of meteorological observation and telecommunication networks; and
  - h) develop meteorological technologies.

#### Article 5

##### **Data Processing and Analysis and Exchange of Meteorological Data and Information**

1. The Partner States undertake to cooperate in data processing and analysis and to exchange meteorological data and information.
2. For the purposes of paragraph 1, the Partner States shall:
  - (a) develop meteorological data management and quality assurance systems;
  - (b) develop weather and climate forecast models, products and services;
  - (c) develop numerical weather prediction systems; and
  - (d) downscale global climate predictions to the regional level.



## Article 6

### Early Warning Systems

1. The Partner States undertake to cooperate in the development and implementation of multi-hazard early warning systems.
2. For the purposes of paragraph 1, the Partner States shall:
  - (a) disseminate advisories and alerts for severe weather and extreme climate events for purposes of ensuring food security;
  - (b) monitor and exchange information on ocean related phenomena, volcanic ash and trans-boundary pollution; and
  - (c) identify the locations most affected by hydro-meteorological disasters.

## Article 7

### General Undertaking

In the implementation of this Protocol, the Partner States undertake to provide applied meteorological services to various sectors of their economies.

## Article 8

### Harmonization of Policies, Laws and Regulations on Meteorology

1. The Partner States undertake to harmonize their policies, laws and regulations on meteorology to facilitate the achievement of the objectives of this Protocol.
2. The Council shall issue directives for purposes of implementing this Article.

## Article 9

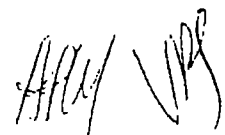
### Cooperation with Regional and International Organizations

The Partner States shall foster cooperation and build partnerships with other countries, and international, regional or global organizations which share the objectives of this Protocol.

## Article 10

### Institutional Framework

The Council shall establish and confer powers and authority upon such institutions as may be necessary for the implementation of this Protocol.



## Article 11

### Regulations, Directives and Decisions

The Council shall from time to time make regulations, issue directives and make decisions as may be necessary for the effective implementation of this Protocol.

## Article 12

### Dispute Settlement

Any dispute between the Partner States arising from the interpretation or application of this Protocol shall be settled in accordance with the provisions of the Treaty.

## Article 13

### Amendment of the Protocol

This Protocol may be amended in accordance with the provisions of Article 150 of the Treaty.

## Article 14

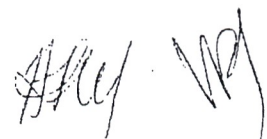
### Entry into Force

This Protocol shall enter into force upon ratification and deposit of instruments of ratification with the Secretary General by all the Partner States.

## Article 15

### Depository and Ratification

1. This Protocol and all instruments of ratification shall be deposited with the Secretary General who shall transmit certified true copies of the Protocol and instruments of ratification to all the Partner States.
2. The Secretary General shall register this Protocol with the African Union, the United Nations and such other organizations as the Council may determine.



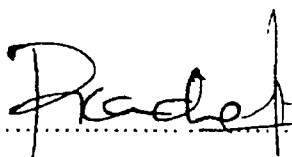
IN WITNESS WHEREOF, WE, the undersigned have appended our signatures hereto

DONE AT Arusha this \_\_\_\_\_ day of \_\_\_\_\_  
in the year 2016 .



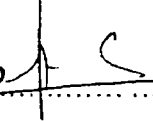
Hon. Leontine  
Nzeyimana

Minister  
Ministry to the  
office of the  
President  
Responsible for  
EAC Affairs  
For and on  
behalf of the  
Republic of  
Burundi



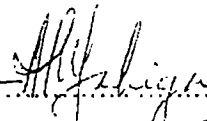
Hon. Phyllis J.  
Kandie

Minister for  
Labour and  
EAC Affairs  
For and on  
behalf of the  
Republic of  
Kenya



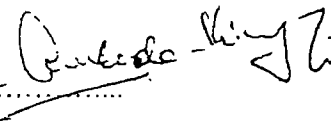
Hon. Amb.  
Valentine  
Rugwabiza

Minister of  
EAC Affairs  
For and on  
behalf of the  
Republic of  
Rwanda



Hon. Amb. Dr.  
Augustine  
Mahiga, (MP)

Minister of  
Foreign Affairs,  
East African,  
Regional and  
International  
Cooperation  
For and on  
behalf of the  
United  
Republic of  
Tanzania



Hon. Dr.  
Alhaj Ali  
Kirunda  
Kivenjija

3<sup>rd</sup> Deputy  
Prime Minister  
and Minister  
for EAC  
Affairs  
For and on  
behalf of the  
Republic of  
Uganda

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**REPUBLIC OF KENYA  
MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES  
STATE DEPARTMENT OF ENVIRONMENT**

**MEMORANDUM TO THE NATIONAL ASSEMBLY ON RATIFICATION OF THE EAST AFRICAN COMMUNITY PROTOCOL ON COOPERATION IN METEOROLOGICAL SERVICES**

**1.0 OBJECTIVE OF THE MEMORANDUM**

The objective of the Memorandum is to inform the National Assembly about the East African Community (EAC) Protocol on Cooperation in Meteorological Services and to request the National Assembly for ratification.

**2.0 BACKGROUND OF THE SUBJECT MATTER**

Cooperation among EAC States in the Meteorological sector is guided by Articles 100 of the Treaty for the Establishment of the East African Community. Under the provisions of the Treaty, Partner States undertake to cooperate in the provision of Meteorological services.

The 11<sup>th</sup> Council of Ministers Meeting held on 4th April 2006, Directed the Secretariat, in consultation with the Meteorological Services to develop an MOU on cooperation between the Services to enable the harmonization of Meteorological policies in the region, facilitate pooling and mobilization of resources and development of Regional Meteorological Institutions.

The 6<sup>th</sup> Meeting of the Sectoral Council on Transport, Communication and Meteorology (TCM) held on January 2009 directed EAC Secretariat in collaboration with Partner States to commence updating the MOU in Meteorological Services to a Protocol. The National Meteorological Services together with the EAC Secretariat upgraded the MOU to a Protocol on Cooperation in Meteorological Services.

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The 10<sup>th</sup> meeting of the sectoral council on TCM held in Kigali on 19<sup>th</sup> – 23<sup>rd</sup> August 2013 approved the revised Protocol in Cooperation on Meteorological Services and referred it to the Council for adoption;

The 30<sup>th</sup> Council of Ministers held in Nairobi on 20<sup>th</sup>-28<sup>th</sup> November 2014 decided that the draft Protocol on Cooperation in Meteorological Services and the Draft Protocol to operationalize Extended Jurisdiction of the East African Court of Justice be recommended to the Heads of State for Approval (EAC/CM 30/Decision 07)

During the 16<sup>th</sup> ordinary summit of the East African Community Heads of State held on 20<sup>th</sup> February, 2015 the summit approved the East African Community Protocol on Cooperation in Meteorological Services for signature by the Ministers responsible for Meteorological Services. The Protocol was finally signed during the 33<sup>rd</sup> Council of Ministers meeting held in February 2016 in Arusha.

The main object of the Protocol is to promote cooperation in the provision of Meteorological Services within the Community.

Its Scope extends to governing Partner States cooperation in:

- a) The Planning, designing and development of weather and climate observations networks and Meteorological Telecommunication systems;
- b) The processing and analysis of data and sharing of Meteorological information; and
- c) The development of early warning systems.

In order to implement the Protocol, the Republic of Kenya will be expected to cooperate with the other EAC Partner States in providing applied Meteorological Services to various sectors of the economies. The Partner States undertake to harmonize their policies, laws and regulation on Meteorology to facilitate the achievement of the objectives of this protocol. The Partner States shall foster cooperation and build partnership with other countries and international, regional or global organizations which share the objectives of this Protocol.

The Protocol is consistent with the Constitution and is not contrary to the constitutional values and objectives. Its ratification will not necessitate any amendment(s) to the Constitution. The Republic of Kenya has no reservation.

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### **3.0 ANALYSIS OF THE PROBLEM**

As weather and climate patterns and behavior do not recognize political boundaries, enhanced cooperation among East African Partner States, is required to effectively meet government and societal needs through weather and climate information and services.

There is increasing need for the delivery of sector specific weather and climate services to ensure food security, improved water resources management, disaster risk reduction and better health. Accurate and timely weather forecasts and climate analyses and predictions will further improve human safety, prosperity and livelihood and preserve precious natural resources to the benefit of communities, especially the most vulnerable.

The Protocol, underscores the necessity for enhanced weather and climate service delivery, the improved access to Meteorological Services, the increased support for the provision of weather and climate services for climate change adaptation and mitigation, and the strengthening of partnerships with the relevant institutions.

### **4.0 OPTIONS ON THE WAY FORWARD**

To date, the Protocol has been adopted by the EAC Council of Ministers approved by the EAC Heads of State Summit and subsequently signed by the Ministers responsible for Meteorological matters in the Partner States. It has also been approved by Cabinet for ratification.

In order to allow for its entry into force, it is proposed that the Republic of Kenya ratifies the EAC Protocol in Cooperation in Meteorological Services alongside the other Partner States. The ratification of the Protocol would positively affect our national interests and contribute to the socio-economic development of the Country.

The Protocol does not have any implication on matters relating to Counties.

### **5.0 FINANCIAL IMPLICATIONS**

The implementation of this Protocol is not envisaged to have any additional budgetary allocation.

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## 6.0 RECOMMENDATIONS TO NATIONAL ASSEMBLY

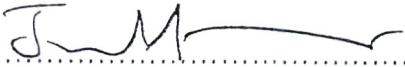
The National Assembly is requested to;

- a) take note of the contents of this Memorandum;
- b) Ratify the EAC Protocol on Cooperation in Meteorological Services;

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Signed



Prof. Judi W. Wakhungu, EGH  
Cabinet Secretary  
Ministry of Environment and National Resources

20<sup>th</sup> Jan 2017

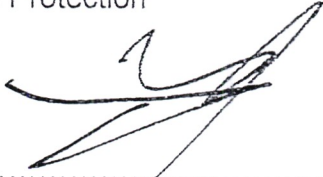
Date



Mrs. Phyllis Kandie, EGH  
Cabinet Secretary  
Ministry of East African Community, Labour and  
Social Protection

21<sup>st</sup> Feb. 2017

Date



Hon. Githu Muigai, EGH, FCI Arb  
Attorney General

24/2/17

Date

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**REPUBLIC OF KENYA**  
**MINISTRY OF EAST AFRICAN COMMUNITY, LABOUR AND SOCIAL**  
**PROTECTION**

**CABINET MEMORANDUM ON THE RATIFICATION OF THE EAST**  
**AFRICAN COMMUNITY PROTOCOL ON COOPERATION IN**  
**METEOROLOGICAL SERVICES**

**1.0 OBJECTIVE OF THE MEMORANDUM**

The objective of the memorandum is to inform the Cabinet about the East African Community (EAC) Protocol on Cooperation in Meteorological Services and to request the Cabinet to approve its ratification.

**2.0 BACKGROUND OF THE SUBJECT MATTER**

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The main object of the Protocol is to promote cooperation in the provision of meteorological services within the community.

Its scope extends to governing Partner States cooperation in:

- a) The Planning, designing and development of weather and climate observations networks and meteorological telecommunication systems;
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The Protocol, underscores the necessity for enhanced weather and climate service delivery, the improved access to meteorological services, the increased support for the provision of weather and climate services for climate change adaptation and mitigation, and the strengthening of partnerships with relevant institutions.

### **4.0 OPTIONS ON THE WAY FORWARD**

To date, the Protocol has been adopted by the EAC Council of Ministers, approved by the EAC Heads of State Summit and subsequently signed by the Ministers responsible for Meteorological matters in the Partner States.

In order to allow for its entry into force, it is proposed that the Republic of Kenya ratifies the EAC Protocol on Cooperation in Meteorological Services alongside the other Partner States. The ratification of the Protocol would positively affect our national interests and contribute to the socio-economic development of the country.

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The Protocol does not have any implications on matters relating to Counties.

## **5.0 FINANCIAL IMPLICATIONS**

The implementation of this Protocol is not envisaged to have any additional budgetary allocation.

## **6.0 RECOMMENDATIONS TO CABINET**

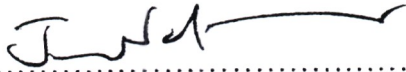
The Cabinet is requested to;

- a) take note of the contents of this Cabinet Memorandum;
- b) approve ratification of the EAC Protocol on Cooperation in Meteorological Services;
- c) direct the Cabinet Secretary responsible for Environment and Natural Resources to submit the Protocol and a memorandum on the Protocol to the Speaker of the National Assembly for consideration.

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Signed



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Prof. Judi W. Wakhungu, EGH  
Cabinet Secretary  
Environment and Natural Resources

10<sup>th</sup> October 2016

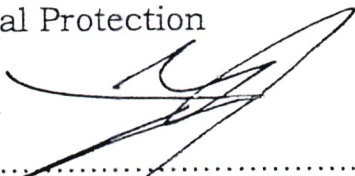
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Date



.....  
Mrs. Phyllis Kandie, EGH  
Cabinet Secretary  
Ministry of East African Community, Labour and  
Social Protection

24.10.16

.....  
Date



.....  
Prof. Githu Muigai, EGH, FCI Arb  
Attorney General

27/10/16

.....  
Date

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LONDON