



EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY

RESOLUTION

PREAMBLE

The assembled delegates to the East African Legislative Assembly (EALA) Workshop on “*Promoting Transparency and Accountability of Revenues from Extractive Industries*,” comprising members of the EALA, members of the National Parliaments of Uganda, Kenya, Tanzania, DRC, Nigeria, and South Africa, meeting to discuss matters pertaining to extractive industries in the East African Community (EAC) from February 27-29, 2008, in Arusha, Tanzania,

Having received presentations from various experts on the subject matter, and having discussed the said subject,

Taking cognizance of the importance of extractive industries to the region,

Recognizing that Article 114 of the Treaty for the Establishment of the East African Community mandates that Partner States take concerted measures to foster co-operation in the joint and efficient management and the sustainable utilization of natural resources, including management of mineral resources, within the Community for the mutual benefit of the Partner States,

NOW THEREFORE DO HEREBY RESOLVE TO:

1. Establish an East African Parliamentary Institute in Arusha, Tanzania as a knowledge center to provide training, research and capacity building for Members of Parliament and staff, inter alia, in natural resource good governance;
2. Launch a permanent forum of like-minded parliamentarians, civil society organizations and other stakeholders on the extractive industries in the EAC to share information and support the development of best practices, to be hosted by the EALA;

3. Coordinate seminars on topical issues during which invited experts and other stakeholders make presentations and best practices are shared;
4. Resolve to implement Article 114 of the Treaty for the Establishment of the East African Community to foster co-operation in the joint and efficient management and the sustainable utilization of natural resources, including management of mineral resources, within the Community for the mutual benefit of the Partner States;
5. Review the existing laws and contracts of Partner States to address gaps and capture best practices in order to improve existing and proposed legislation on extractive industry management (e.g., Oil Act, Mining and Minerals Act);
6. Enact an EAC extractive industry law with regard to cross-border minerals (those located within more than one Partner State);
7. Recommend that all EAC Partner States join the Extractive Industries Transparency Initiative (EITI);
8. Visit other resource-rich countries to learn from experiences that can be used for benchmarking extractive industries experiences in EAC nations;
9. Develop partnerships with regional and multilateral development agencies, such as the African Development Bank and the World Bank;
10. Utilize existing international resources, such as e-Parliament, to enhance awareness of developments in extractive industry oversight;
11. Commission a study to determine what mineral resources and what companies are involved in the extractive industries in the three countries;
12. Build the technical capacity of parliamentary committees in the legal, policy-making, and oversight aspects of extractive industries;
13. Develop model laws, contracts, and policies to help ensure that citizens benefit from extractive industries in their nations;
14. Require Partner States to consult with their parliaments prior to entering into contracts in the extractive industry sector, and also to conduct periodic reviews of such contracts;
15. Create or strengthen laws to ensure that Partner State Parliaments have access to all government contracts and agreements in the extractive industry sector, with sanctions on governments for non-compliance;
16. Develop lawmaking capacity so that members may, for example, propose private members bills on matters related to the extractive industries. Members introducing such legislation should not be subject to any negative consequences;
17. Require extractive industry contracts to include funding for related training and capacity building to Partner States Parliaments;
18. Develop parliamentary extractive industry oversight capacity and expertise (human, technical and financial);

19. Encourage EAC member countries to support training of technical experts in the extractive industries (e.g., geologists and financial analysts);
20. Recommend referral of extractive industry contractual disputes to the East African Court of Justice or the Cairo Regional Centre for International Commercial Arbitration;
21. Conduct an annual review of progress toward the implementation of these resolutions.