



BULLETIN 2023

*TANZANIAN-GERMAN CENTRE FOR
EASTERN AFRICAN LEGAL STUDIES (TGCL)*

*AT THE UNIVERSITY OF DAR ES SALAAM SCHOOL OF LAW
IN COOPERATION WITH THE UNIVERSITY OF BAYREUTH*



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School of Law in cooperation with
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EDITORIAL



DEAR READER,

With great pleasure, we welcome you to the 15th edition of the TGCL Bulletin. The 15-year anniversary of TGCL marks a significant milestone, underscoring the successful and sustainable work of the TGCL team and its supporters.

Above all, we express our sincere appreciation to our partners, stakeholders, and the TGCL alumni network for their smooth collaboration and continuous backing. Their involvement has been crucial in advancing our mission seamlessly. We also acknowledge the complete TGCL team for their steadfast commitment, serving as the bedrock of the project by maintaining elevated standards and enhancing established frameworks. Additionally, we express our gratitude to the DAAD for their invaluable financial support over the past years. While acknowledging that the funding will end by the year's conclusion, we approach the future with optimism, eagerly looking ahead to what it holds.

With enthusiasm we are anticipating the new partnership with the Hanns-Seidel Foundation, which, with the possibility of longer-term collaboration, will be funding scholarships for the cohort of 2023/2024.

The most significant highlight of the past academic year was a workshop funded by the DAAD to commemorate the 15th anniversary of TGCL. Within this framework, past achievements were reflected upon, current issues were discussed, and lively debates were held. The workshop can be regarded not only as an academic success but also provided an opportunity for exchange among alumni, TGCL partners, and the TGCL team.

We hope that you will enjoy this product of our joint efforts in collaboration with our colleagues on the Editorial Board and our esteemed authors.

Philipp Bogensperger Cecilia Ngaiza Petro Protas Isabelle Zundel

WORDS FROM TGCL PROJECT LEADER PROF. THOKO KAIME

Dear Reader,

It is my great pleasure to welcome you to the 15th edition of the annual TGCL bulletin 2023. As we reflect on the years since our inception, this edition not only commemorates 15 years of legal education excellence but also celebrates the profound impact TGCL has had on the legal landscape of the region. Since our establishment, we have had the privilege of admitting and nurturing over 200 LL.M. and PhD students who have evolved into influential leaders, contributing significantly to legal development at local, regional, and international levels.

At this juncture, it is essential to express our sincere gratitude to the visionaries, educators, students, and supporters – our extended TGCL family. Special acknowledgment is due to previous TGCL Project Leaders, Coordinators and Managers and other patrons over the years, whose unwavering commitment has played a pivotal role in our success. The German Academic Exchange Service (DAAD) deserves our appreciation as a steadfast financial supporter of this transformative project.

The year 2023 has brought the admission of our 2023/2024 LL.M. cohort and the successful graduations of LL.M. and PhD students. Additionally, the year has seen the celebration of the 15-year anniversary through a workshop in October and the launch of a new TGCL website and therefore marks another milestone for TGCL.

Looking ahead, we are excited to announce that the journey continues beyond 2023. Thanks to the support of the Hanns-Seidel Foundation, funding for the scholarship programme in



2023/2024 has been secured. Furthermore, the LL.M. programme will be fully integrated into the University of Dar es Salaam School of Law's curriculum, ensuring their sustained existence independently of external funding.

As we launch this edition, we invite you to join us in reflecting on one and a half decades of growth, achievements, and character-building experiences. It is through this retrospective lens that we gain a profound understanding of the challenges and triumphs that have shaped TGCL. Together, we look forward to an exhilarating future, filled with new opportunities and continued success. We extend an open invitation for you to remain an integral part of the TGCL family as we embark on the next phase of our collective journey.

(Thoko Kaime) ■

2022 STUDENTS & DISSERTATIONS

Student Representatives 2022/2023: Alvin Keverenge Atiti and Patra Leoney Bwogi

HAMIS TEREMBUKA HAIMIS (TANZANIA)



Protection of Refugees' Freedom of Movement within the EAC: The Case of Tanzania and Kenya

Supervisor: Dr F. Kimario

ALVIN KEVERENGE ATITI (KENYA)



Mitigating the Impacts of Electronic Waste Dumping and Pollution in EAC: A Critical Analysis of the Protocol on Environment and Natural Resources Management

Supervisor: Prof. H. I. Majamba

JULIUS MORDINA (TANZANIA)



Examination of the EAC Legal and Institutional Framework on Data Protection in Adherence to International Standards: A Case Study of Kenya and Tanzania

Supervisor: Dr F. Sabby

NICODEMUS USWEGE MSIKA (TANZANIA)



Harmonization of Standards of Consumer Goods: A Necessity in Fostering Trade Integration in the EAC

Supervisor: Dr G. Temu

RASHID ABDALLAH IBRAHIM (TANZANIA)



Examination of the Tanzania's Legal Framework in the Implementation of the East African Community People Centered Principle

Supervisor: Dr J. Shadrack

GEORGE OCEN (UGANDA)



Towards a Harmonized Bank Insolvency Framework in the EAC: Examination of the Law and Practice

Supervisor: Dr D. Shayo

ROSETTE UMUTONIWASE (RWANDA)



Analysis of the Implementation of the EALA Legislation within EAC Partner States: A Case Study of Rwanda

Supervisor: Dr T. Romward

JOSEPH KINYUNYE MWANGI (KENYA)



Taxation Non-Tariff Barriers in the EAC: A Case for Greater Harmonization of Tax Systems within the Community

Supervisor: Dr A. Hamza

GRACE SITATI NADULA (KENYA)



Examine the Legality of the Proposed Political Confederation in East Africa

Supervisor: Dr P. Protas

TABAN FELIX LOMUDUKI (SOUTH SUDAN)



Analysis of the East African Community Treaty Framework on the Common Mechanisms for Refugees' Management

Supervisor: Dr N. P. Amani

WILFRIDA AKINYI ODHIAMBO (KENYA)



Legal Analysis of Regional Response Against COVID-19: The Case Study of East African Community Partner States

Supervisor: Dr F. Nickson

PATRA LEONEY BWOGI (UGANDA)



Assessment of the Status of the Right of Voluntary Repatriation of Refugees in East Africa: A Case Study of Uganda

Supervisor: Dr V. Buchumi



The 2022/2023 LL.M. Students at the Mikocheni Campus.

TGCL STUDENTS WHO GRADUATED IN 2022/2023

Name	Origin	Programme
Iddi Ramadhan Mandi	Tanzania	PhD
Bumi Frank	Tanzania	LL.M.

Name	Origin	Programme
Upendo Mulazi	Tanzania	LL.M.

STUDY PROGRAMME FOR THE ACADEMIC YEAR 2022/2023

The first semester of the academic year 2022/2023 commenced in November 2022 and wrapped up in March 2023. The courses for this semester consisted of Regional Integration Law, Immigration Law, Labour Migration Law, International Humanitarian Law, and the Graduate Research Seminar. The second semester commenced in April 2023 and ended in August 2023 and consisted of the following courses: East African Community Law, Citizenship Law, Refugee Law, International Human Rights Law, and the Procedure and Practice before International Judicial Bodies.

The 2022/2023 TGCL class is comprised of students drawn from the East Africa Community (EAC) member states and currently pursuing masters in Regional Integration and EAC Law. The course work element of our studies and classes begun in November, 2022. The general environment at Mikocheni Campus of the University of Dar es Salaam is conducive for studies due to the friendly staff and favorable accommodation facilities.

The teaching modes of classes have been quite impactful due to their interactive nature. Focused group discussions and specialized seminars models of teaching have made the courses more enjoyable. This is due to the autonomous scholarly perspectives that are brought out during such discussions and engagements. The student centered nature of the teaching models has allowed us to individually and jointly grow in the area of legal research and writing.

The representation of students from different EAC countries has made the masters programme

more enriching and enlightening. This is due to the comparative opportunity such environment presents to the programme in terms of learning from other jurisdictions within other countries in the EAC. Additionally, the programme allows for a wide range of opportunity of interaction with experts of EAC law in academia and other fields. It has been a wonderful experience of learning new cultural practices with the Swahili community during out of class interactions. This was realized through the Dar es Salaam city tours frequently organized by the Directorate of International studies at the University. Furthermore, there has been chances of learning different cultures from colleague students coming from diverse cultures and backgrounds.

Finally, we are grateful to the TGCL leadership led by the office of the coordinator, assistant coordinator, librarian and accountant. This team has remained supportive in ensuring easy settling down at the institution and addressing general welfare at the school. Furthermore, the scholarship package has also been a great propeller fulfilling the academic dream of studying and graduating with a masters degree.



(Alvin Keverenge) ■

TGCL INCOMING EXPERIENCES

Mr Ng'ani Chrisphine Ligadho is the class representative of the incoming 2023/2024 LL.M. Cohort at TGCL. Below, he reflect on his first weeks from the perspective of an incoming scholar.

So far, my academic journey as a TGCL scholar and as a representative for the University of Dar es Salaam, School of Law 2023/2024 TGCL cohort has been nothing short of remarkable. It has been marked with both intellectual growth and profound connections. TGCL scholarship did not only alleviate financial burdens but also opened numerous doors to a community of fellow scholars, fostering a platform where learning transcends boundaries. I have had the opportunity of interacting with distinguished scholars from



all walks of life and from different countries. The already shared experiences and future interactions will forever define the new scholar I am becoming.

As a leader, I have a tremendous amount of gratitude for both the teaching and non-teaching staff.

My service as a leader has been marked by advocacy, collaboration and a commitment to enhancing the academic environment. All this has been because of the unprecedented support that I get from both

the teaching and non-teaching staff. The school environment is characterized by staff who are always ready to listen to students and address the issues that they raise. In essence, it has been a rewarding, educative and exciting experience. My role has particularly been to serve as a bridge between faculty and students.

Through diverse perspectives I have ensured that the voices of fellow scholars reverberate during decision making processes. Similarly, I have developed a deep appreciation for inclusivity, resilience, empathy and effective communication in leadership, especially at University of Dar es Salaam School of law. I have had to motivate, inspire others and foster a collaborative spirit.

Together with other scholars, we promote campus policies which stimulate a healthy learning environment, academic excellence and student welfare. I will forever be thankful for the opportunity I have been granted to act as class representative for the current TGCL cohort and I will do my best to ensure that I properly execute such duties with the grace it requires. I, on behalf of the 2023/2024 TGCL cohort, can say that we are very much looking forward to being part of this academic journey.

(Ng'ani Chrisphine Ligadho) ■

TGCL OUTGOING EXPERIENCES

Grace Sitati is an Advocate of the High Court of Kenya. In 2022, she was awarded a full scholarship by DAAD to study at TGCL. Ms Sitati was a member of the 2022/2023 cohort and will graduate in 2024. Below, she shares insights from the perspective of an outgoing scholar.

On 31 October 2022, I reported to the campus and was warmly received by the Warden who assigned me specific accommodation facilities and familiarized me with the surroundings. Thereafter, I joined my colleagues for an orientation programme at the main University where the ever-green environment and diversity of indigenous trees intrigued me.

The academic programme was rigorous but insightful and at the same time enlightening. I had the privilege of being taught by renowned experts from the School of Law faculty alongside guest lecturers from other regional bodies like the European Union. The lectures and seminars provided invaluable insights on the intricacies of regional integration which came as a full package cutting across all aspects such as labour migration, immigration, international human rights law, humanitarian law, refugee law, scientific aspects of regional integration and EAC. The faculty members were always available to offer guidance and help when the need arose. I have had the privilege to interact with colleagues from the East African partner states. As such, I have appreciated the diversity they bring to the table in terms of knowledge, challenges, approaches to their partner states challenges, unique perspectives, culture, linguistic diversity (French, Swahili and English) and religion. Further, I worked with my colleagues in random and selected groups where we participated in research projects and made seminar presentations. This allowed me to fuse ideas on addressing legal problems in the region because we had the chance to juxtapose the EAC operations with other regional bodies in Africa and beyond. The experiences have enhanced my research, and

analytical skills and given me a holistic understanding of the potential and challenges that come with regional integration. Collectively, the interaction created a dynamic learning environment both within and outside the classrooms that has enabled me to explore ideas to address the specific challenges we face as a bloc.

Beyond the lecture rooms, I engaged in extra-curricular activities that allowed me to delve into the history of Tanzania and its relations with the broader East Africa Region. The Directorate of Internationalization, Convocation & Advancement (DICA UDSM office), organized trips and museum visits in various parts of the Country. The stunning beaches and breathtaking landscapes of Tanzania have left an indelible mark on my adventure pursuit. I love nature and my stay in the city of Dar es Salaam has been an adventure in itself. I also had the honour to attend a Swahili wedding for my classmate who is also a beneficiary of the programme. The community is hospitable, welcoming, respectful and always willing to help visitors. My interaction has reinforced the significance of cultural harmony in the context of regional integration.

Reflecting on my time at the University of Dar es Salaam, I am grateful to DAAD and TGCL for the 2022/2023 scholarship which offered me life-changing experiences. It has been more than an academic pursuit for me. I have made lifelong friends and fostered lasting connections. Therefore, as we collectively strive to widen and deepen economic, political, social and cultural integration in EAC I encourage all aspiring specialists in regional integration to seize the opportunity.

(Grace Sitati) ■

ACKNOWLEDGMENT TO DAAD AND WELCOME TO HANNS-SEIDEL FOUNDATION AS FINANCIAL CONTRIBUTORS

After 15 years of steadfast financial support, the German Academic Exchange Service (DAAD) concludes its significant role in underpinning TGCL in 2023. The DAAD, beyond its financial contributions, has been a pivotal pillar of encouragement, playing a crucial role in shaping the TGCL into the esteemed institution it is today. TGCL is proud to welcome a new partner in Hanns-Seidel Foundation.

The TGCL extends its heartfelt gratitude to the DAAD, with a special acknowledgment to Dr Dorothee Weyler, former DAAD Programme Manager (Head of Section ST32 Scholarships for Africa). Her responsiveness and openness to concerns have played an integral part in the success of the partnership, marking her as a driving force behind the collaborative achievements.

As TGCL embarks on the next phase of its journey, it is with great pleasure and anticipation that we announce a new chapter in collaboration with the Hanns-Seidel-Foundation. This distinguished foundation will generously fund six scholarships, each amounting to 5,000 Euros, for the 2023/2024 cohort hailing from Uganda, Kenya, and Tanzania.



**Hanns
Seidel
Foundation**

of engagement in national and international cooperation, supporting a total of 90 projects in 75

countries, including 16 in Africa, the Hanns-Seidel Foundation has established its East Africa regional project in Tanzania. With a focus on fostering local democracy, good governance, peace, and addressing the root causes of migration, the Foundation operates with a visionary approach to create lasting positive impacts. On 12 December, TGCL Project Coor-

dinator Dr Petro Protas together with Ms Lilian Masalu and students sponsored by the Hanns-Seidel Foundation made an inaugural visit to the Hanns-Seidel Foundation Office at Mikocheni, Dar es Salaam, Tanzania to meet with Mr Karl Peter Schoenfisch (President Representative for Tanzania and Uganda), Ms Kadele Mabumba (Programme Manager for Tanzania and Uganda), and Mr Raphael Ami (Evaluation and Monitoring Officer HSF for Tanzania and Uganda).



The TGCL and Hanns-Seidel Foundation Representatives at the Hanns-Seidel Foundation Office at Mikocheni, Dar es Salaam, Tanzania.

Excitement abounds as this collaboration marks the first milestone in TGCL's strive for sustainability, as the Centre eagerly looks forward to a fruitful collaboration and remains ever-optimistic about the promising future that lies ahead, embracing new opportunities for growth, impact, and excellence.

(Lisa Klingshirn, Menekse Sozbilir) ■

TGCL 15 YEAR ANNIVERSARY WORKSHOP REPORT

From 25 to 27 October 2023, the University of Dar es Salaam and the University of Bayreuth through TGCL convened a workshop to commemorate 15 years of its operation since its establishment in 2008. The three-day workshop was attended by various TGCL stakeholders, staff members of the University of Bayreuth and the University of Dar es Salaam, TGCL Alumni, and students.

Day One: 25 October

1st Session: Welcome Address

The first session began with **Dr Petro Protas** (TGCL Coordinator) remarking on the coincidental establishment date of both TGCL and University of Dar es Salaam School of Law (UDSoL). The 25 October was the date that the University of Dar es Salaam School of Law was also established back in 1961. Similarly, it was on 25 October 2008 when the collaboration between UDSoL and the University of Bayreuth began conceiving the renowned Centre for Excellence, TGCL.



From left to right: Dr Petro Protas, Prof. Dr Nina Nestler, Prof. Dr Thoko Kaime, Ms Lilian Masalu, Ms Isabelle Zundel.

Next, **Prof. Dr Thoko Kaime**, the TGCL Project Leader) welcomed the attendees of the workshop and introduced the speakers for the first session, Dr Sosteness

Francis Materu (Dean UDSoL), Prof. Bonaventure Rutinwa (Deputy Vice-Chancellor Academic at the University of Dar es Salaam), and the Vice President of the University of Bayreuth, Prof. Dr Nina Nestler.

Dr Materu began with introductory remarks. He conveyed his heartfelt pleasure in attending the workshop, narrating his experience as a visiting scholar at the University of Bayreuth. The Dean

further highlighted the TGCL's contribution towards capacity building for numerous academic staff who are now working at UDSoL.

Prof. Dr Nestler applauded the TGCL's contribution as a key institution for future leaders, networking, cluster establishment, and academic research. As she was closing her speech, Prof. Nestler affirmed the University of Bayreuth's effort to facilitate the continuation of the programme.

Prof. Rutinwa emphasised the importance of TGCL in fostering the internationalisation mission of the University of Dar es Salaam, emphasizing that TGCL makes a vital contribution in facilitating international students from all EAC partner states to study at UDSoL and promote international exchange abroad because of the focus on people's mobility and regional integration.

2nd Session: TGCL Milestones and Achievements

The second session highlighted the historical perspectives of the TGCL and its achievements. Isabelle Zundel (TGCL Manager) and Dr Petro Protas discussed the historical road of TGCL, which began as an academic unit under the UDSoL located at the UDSoL building and was later shifted to the current location at Mikocheni campus. TGCL has been in existence for 15 years, sponsoring LL.M. students with a focus on regional integration and East African Community law and draws students from all EAC partner states. Dr Protas highlighted that the TGCL's project was initially established to operate for 5 years, but was for extended for five years twice (2013 and 2018) due to the overwhelming success of the Centre.

3rd Session: TGCL Stakeholders

The third session began with a speech from the Representative of the German Embassy to Tanzania **Ms Pallangyo**. Ms Pallangyo highlighted several contributions that the German embassy has made so far, pointing out the Embassy's support in the construction of EAC's headquarters building in Arusha. She also noted that TGCL through its offering of regional law knowledge intensifies those initiatives. The German embassy has been also involved in the selection process of the beneficiaries of the scholarship and the embassy is proud of the success, the entire process of integration and the graduates who take part in the leadership and decision and policy-making decisions. She also spoke about the opportunities and exposures that have been created outside the country of origin of the beneficiaries.

Next, **Mr Komovi Lasmothey** (Programme Manager at DAAD Nairobi) proceeded from where Ms Pallangyo ended with a short and brief appreciation remarks of what TGCL has accomplished in cooperation with DAAD.

Subsequently, a resident representative of Hanns-Seidel Foundation, Tanzania and Uganda (a funding partner of TGCL), **Mr Karl-Peter Schönfisch** commenced to congratulate the graduates in attention. Hanns Siedel is an organisation that partners with government and local institutions to promote peace, democracy and good governance and entered into a partnership agreement with TGCL to provide financial support to TGCL in the transition period where the main funder DAAD has phased out. Hanns-Seidel foundation is currently covering the fees for six TGCL beneficiaries.

The proceeded speech was made by former TGCL Student Advisor, the retired Justice of Appeal **Dr Steven J. Bwana**. Dr Bwana shared insights into his work with former and current

TGCL students during and after their studies at TGCL, and called upon Germany to reconsider the continuity of the support.

The TGCL alumni association was represented by President Naomi Gichuki, a TGCL alumna. Ms Gichuki positively commented on the qualities of TGCL products. She also gave her testimony of how TGCL's networking and connection have enabled students to access opportunities.

The round of introduction was finalised by the introduction of every participant in the workshop, which included TGCL alumni, current students, lecturers, partner organisations and close friends of TGCL.

4th Session: Appreciation awards

The fourth session was moderated by Dr Protas. The awarding panel was composed of Prof. Dr Kaime, Prof. Dr Nester and Prof. Rutinwa.

Awards were allocated to TGCL stakeholder who showed utmost dedication to the Centre. Receivers included Prof. Richard Frimpong Oppong (TGCL Programme Advisor), who was a reviewer of most proposals of the students irrespective on his busy schedule, Dr Kennedy Gastorn, who was the first TGCL Coordinator, retired Justice of Appeal, Dr Steven Bwana, who served as TGCL Student Advisor, Dr Benedict Mapunda, who is a retired senior lecturer at the University of Dar es Salaam and served as TGCL Coordinator from 2012 to 2020, Ms Maria Paulo, who serves as TGCL Office and Library Assistant, Prof. Dr Ulrike Wanitzek, who is the founder of TGCL and first TGCL Pro-



Prof. Dr Thoko Lead-Kaime presenting Ms Mary Mwaya with an appreciation award.

5th Session: Presentation of Papers

Commemorative workshops of TGCL are accompanied by paper presentations by various TGCL scholars and other scholars who are closely related to regional integration law. As such, this activity was conducted on day one and two of the workshop. The presentation session on the first day comprised two panels of presentations.

The first panel focused on the historical perspective, statelessness and migration in the EAC:

The first paper was presented by Dr Felix Odhiambo. Dr Odhiambo is a TGCL alumnus. His paper was titled ***“The EAC’s Leap of Faith during the Second Phase of Integration”***, investigating whether the current EAC learnt from the mistakes of the defunct EAC from different angles.

The second paper was presented by Judge Lilian Mihayo Mongella. The paper was titled ***“The Internally Displaced Persons and Its Effects in the Integration”***, discussing how the IDPs negatively affect EAC regional integration and the extent to which EAC as a region has taken legal measures to address the IDP crisis.

The third paper was presented by Leonard Chimanda Joseph with the title ***“Combating Statelessness in the East African Community: Lessons from ECOWAS”***. His study is centered on the lacunae in the EAC regional legal framework in addressing the problem of statelessness. The paper also draws a best practice from the legal framework in the ECOWAS that can be adopted by the EAC legal framework.

The fourth paper was presented by Ms Naomi Gichuki (President of the TGCL Alumni Association) who presented about the trafficking in person situation in the East African Community.

The title of her research is ***“Analysis of State Coordination in Addressing Human Trafficking in the EAC”***.



The second panel comprised of papers revolving around Labour, Capital and Human Mobility:

The first paper in this panel is co-authored by Dr Belinda Chepchumba Rop and Ms Lilian Masalu, but it was presented by Dr Rop. Their paper concerns the ***“Assessment of the Migratory Leal Framework in Enhancing Human Mobility for Education Purposes in the East African Community”*** and focuses on addressing challenges that hinder human mobility in the education sector such as non-harmonised fees, curriculum divergences, and language barriers. The second presentation concerned the ***regulation of labour externalisation in the East African Community***. The presenter was Ms Evelyn Happy Katono.

The third paper presentation is a result of co-authorship between Mr Mathias S. Nkulu and Esther N. Towo, titled ***“Cooperative in Inclusive Integration: Where Should the East African Community Invest and Learn From?”***. The paper focuses on the challenges associated with the lack of a specific regional legal framework to cater for the cross-border engagement of cooperative societies in the East African community.

The fourth presenter was Mr Juma Noah Omollo who made a presentation about the topic titled

“Facilitating Capital Mobility through Cross Border Lending in the East African Community: Challenges and Prospects”.

Day Two: 26 October

1st Session: Presentation of Papers

On the second day, the activities began with paper presentations and general discussions about the presented papers. The presentations were divided into three panels, panels 3, 4 and 5.

Presentations in the third panel revolved around discussion and presentations of the principles of the East African Community treaty. This panel was moderated by Prof. Dr T. Milej:

Dr Victoria Melkisedeck Lihiru began the presentation. Her paper was titled ***“Progress and Hurdles for Advancing Women’s Political Rights in the EAC Region in Light of the 25th Anniversary”***. Her main thesis is centered on the realisation of women’s political rights envisaged by international conventions and the reflection of inclusion of women in the political rights as provided under the Treaty for the East African Community.

The second presenter was Dr Petro Protas, who discussed his



paper ***“Commitment in Vein? Reflections on the Human Rights Protection as the General Principle of***

Law in the East African Community”. On the aspect of challenges, the paper highlights the lack of declaration by partner states to allow individuals to access the African Court on Human and Peoples’ Rights and the incompetence of the EACJ for human rights litigations.

The third presenter was Dr Gotrib Mgaya and his discussion was about exploratory discussion on the lack of dominance of utilisation of preliminary ruling procedures. This was a co-authored submission with Ms Jebby Gonza. The paper was titled ***“Friends or Foes?’ Reflecting on the EAC Preliminary Ruling Mechanism as an Area of Interaction between Regional Economic Communities’ Courts and National Courts”***. Their topic emanates from the principle of subsidiarity relationship between national courts and EACJ concerning the interpretation and applications of the Treaty. The topic was influenced by the underutilisation of preliminary ruling procedures. The main challenge in this is that the Treaty allows direct access of individuals to the EACJ and therefore makes people not preferring their dispute to the EACJ.

Panel 4 involved presentations of papers that venture into revisiting the EAC Common Market. This panel was moderated by Dr A. Nahayo:

The first presenter was Dr Kulwa Gamba, who discussed ***non-tariff barriers to trade***. His main argument lay in the ramifications of the non-tariff barriers to cross-border trade activities in the EAC. He addresses the question of non-harmonised domestic laws on import standards.



The next presenter was Dr Daniel Shayo. His paper focuses on the realisation of the right of establishment provided for under

the Common Market Protocol. His topic is titled ***“Realization of the Right of Establishment Provided for Under the Protocol for the Establishment of the East African Community Common Market: A Case of Company Law Reforms”***. This paper evaluates the freedom of movement of capital across EAC Countries with a focus on national laws and how they enhance the realisation of the rights of establishment.

The next presenter was Ms Provia Odhiambo and her presentation was on the topic titled ***“An Appraisal of the Right of Establishment within the Framework of the East African Community Common Market”*** addressing dynamic issues that transcends various labour aspects such as agriculture, banking, infrastructures, etc. Her presentations depicted several challenges around the right of the establishment such as limitation on the access to land, establishment of the company, and access to markets without discrimination. The presenter also covered the positive moves that the Partner States have undertaken to realise the right of establishment. She recommended the harmonisation of the national laws and proposed the adaptation of the supra-nationality and direct effect principles.

The last presenter was Ms Mwaka Mupe who presented virtually through a recorded video on the topic titled ***“Implications of Inter-State Disputes on the Freedom of Movement in the East African Community”***. The paper dis-

cusses the Common Market Protocol as the legal framework regarding freedom of movement. The presenter pointed out the nature of interstate disputes that are prevalent in the EAC and she emphasised that those disputes arise out of border demarcations between EAC partner states, emphasising that the major effects impacted by interstate disputes are loss of revenues on the part of the government and loss of businesses across the countries. The paper also discusses the potential of the Committee on trade remedies established by the Customs Union protocol, which is yet to be operationalised.

Panel 5 involved presentations of papers that venture into the emerging questions on political federation and constitutionalism. This panel was moderated by Judge Dr Lillian Mongella:

The first presentation was done by Dr Idd Ramdhani Mandi and his topic concerned the ***genesis, endeavours, hiccups and prospects of the political federation in the EAC***. Dr Mandi’s presentation was only to highlight his prospective papers that are about to be published. So, his presentation ventured a narrative of the history of the political federation, tracing it back to the colonisation period, and post-colonisation period, in the defunct EAC and current EAC. In the aspect endeavours, the presenter discussed political confederation as a transition stage towards the political federation. In this aspect, Dr Mandi wants to examine the legality of such endeavours under the Treaty and make recommendations.

The next and final presentation of the day was done by Dr Denis Bikesha and his topic was titled ***“The East African Constitution Making: Challenges and Prospective Mitigation”***. This constitutional topic looks at what challenges the EAC Constitutional drafting process is likely to face.

The paper also looks at the discussion of the participation of the people in the process of making the Constitution making. The presenter showcased several challenges including the funding of the process. The challenge is depicted by drawing the experience of the current situation of the arrears contribution by the partner states. The presenter said some countries have contributed nothing to the EAC.

2nd Session: Roundtable Discussion 1

This session was about the discussion of the TGCL's legacy, navigating through challenges, building bridges and shaping legal minds since its establishment in 2008. The modality of the discussion was a narrative mode whereby the participants narrated stories and gave out their testimonies of how they came to know the TGCL, their application and interview process experiences, and their successful study and networking journey under the TGCL. The session was moderated by Prof. Dr Thoko Kaime and the discussants were selected alumni of the TGCL. Each of these discussants provided his or her personal experience of studying under TGCL.

Day Three: 27 October 2023

1st Session: DAAD Presentation

The final day was commenced by the presentation regarding the opportunities for scholars and alumni that are offered by the DAAD. In this aspect, the DAAD Nairobi Delegation Mr Komivi M. Lasmothey began his presentation by highlighting the achievements that the DAAD so far has reached. They include the inclusion of women whereby more than half of the recipients of the DAAD scholarships were female. The representative also highlighted opportunities such as the DAAD In-country/in-region scholarship programme, programmes on leadership in Africa that target the refugees and the nationals in EAC, the Helmut Schmidt programme that targets policy-makers, and PhD programmes. Mr Komivi also provided a presentation about the benefits that the scholars do get, including getting involved in networking, DAAD assistance to its alumni, individual funding for organising networking programmes, study visits for groups of foreign students to Germany, and research stay and grants.



The Discussants of Roundtable Discussion 1, from left to right: Ms Cecilia Ngaiza, Ms Naomi Gichuki, Ms Milka Wahu, Dr Anatole Nahayo, and Dr Denis Biksha.

2nd Session: Roundtable Discussion 2

This session was all about the discussion on the sustainability of the TGCL's next chapter and ongoing collaboration between the Universities of Bayreuth and Dar es Salaam. The concern was as the DAAD cut its funds, the sustainability and continuity of the collaboration between the two universities were in jeopardy. Therefore, the discussants were discussing what should be done to preserve the legacy of the TGCL.

Dr Materu initiated a discussion on the challenge that of funding, with the main funder, DAAD, stepping out. He suggested seeking alternative funders and discussed a memorandum of understanding between the University of Dar es Salaam and Bayreuth for continued collaboration. Dr Protas proposed funding solutions, including engaging stakeholders like Hanns-Seidel Foundation and alumni, implementing basket funding, and focusing on the legacy for DAAD support. Ms Zundel emphasized collaboration

beyond teaching, with DAAD expressing willingness to fund research and publication. Dr Shayo suggested exploring a name change, utilizing DAAD commitment for alumni activities, consulting partner states, and transforming TGCL into a research institution. Audience members proposed soliciting other donors, seeking support from influential individuals, and emphasizing in-country/in-region programmes. Dr Materu addressed concerns about government connections and UDSM's dedication, highlighting unique treatment of TGCL. The possibility of joint-degree programmes for further collaboration was also discussed positively.

Launch of New Website

The event also included the launch of the new TGCL website, which can be accessed under <https://www.tgcl.uni-bayreuth.de/en/index.html>.

(Lilian Masalu) ■



The attendees of the TGCL 15-year anniversary workshop.

HOMAGE TO ULRIKE WANITZEK - THE MOTHER OF TGCL

Mr Antidius Kaitu is an Assistant Lecturer of Law at the Private Law Department and member of the 2014/2015 LL.M. cohort at TGCL, wherefrom he graduated in 2015. Mr Kaitu served as TGCL Assistant Coordinator before commencing a PhD at the University of Antwerp.

In February 2014, I had my interview for the LL.M. programme at TGCL. I was amazed at how all my fellow aspirants to the programme singled out the peculiarity of Prof. Ulrike Wanitzek who always maintained her smile in her questioning, calming the interviewing room, with a unique attitude that frustrated our panic-stricken moods, making the whole interviewing exercise an experience.

It would not take long until August of the same year when I was officially admitted to the programme. This was immediately to be followed by the Autumn University study trip in Germany and Brussels where I met Prof. Ulrike Wanitzek for the second time, in person. The entire Autumn University programme remains unforgettable largely because of her. She walked with us in the streets, dined with us and more importantly, conserved with us individually and corporately. She tried to capture everyone's story in its special way and give it the deserved attention. Resuming our classroom studies in Tanzania, we were thrilled with her constant communication and follow ups on our studies through the former TGCL Coordinator, Dr Benedict T. Mapunda. I remember her coming to talk to us and inquire our progress whenever she visited Dar es Salaam.

Almost two years after completing our studies, I got the privilege of working with Prof. Ulrike Wanitzek as an Assistant to the TGCL Coordinator until September 2019 when I left TGCL for my PhD studies. In this time, I became more acquitted with her work ethic and with her as a person. I learnt that the success of TGCL and that of its alumni was core at her heart. I witnessed this firsthand through her unprecedented de-



Ms Cecilia Ngaiza presenting Prof. Dr Ulrike Wanitzek with an appreciation award in November 2023.

votion, commitment and readiness to support continuing students, organize alumni events as well as tirelessly and creatively working hard towards TGCL's sustainability after the DAAD's phasing out of funding. As anybody can now witness, hundreds of students have continued to benefit from the programme, qualifying them for influential leading positions in the East African region and beyond.

If I were to mention one of Prof. Ulrike's big successes, then, I am confidently saying, it is living and building a TGCL Familyhood.

I am still in touch with Ulrike. For example, when I visited Bayreuth in 2021, despite the COVID-19 restrictions, taking all the necessary precautions, she made an effort to meet me. Despite her retirement from the academia, I will always remain indebted to her guidance in life and more particularly in my PhD thesis writing in which she has been instrumental in sharing some of the relevant literature and critical ideas.

(Antidius Kaitu) ■

STATEMENT BY ISABELL MERING (DAAD) TO 15 YEARS TGCL

Ms Isabell Mering was appointed Head of Unit P31 at DAAD (Head of Section ST32 Scholarships for Africa) in 2022 after working for DAAD Bonn since 2013. Below, she gives a statement to the 15th year anniversary of TGCL, highlighting the desire for a continuation of the programme.

As TGCL has been part of the first call for proposals within the DAAD funding scheme "Centres of African Excellence", the Centre is considered to be one of the pioneers within a unique transnational and transregional network of excellence in Higher Education in Subsaharan Africa. Amongst other points of content-related interests, TGCL addresses and serves above all the special needs of the EAC with its pivotal contribution



Dr Petro Protas, Prof. Dr Thoko Kaime, Ms Isabell Mering, Ms Isabelle Zundel (left to right) at a DAAD Conference in Ghana in 2023.

to harmonize the legal systems of the EAC member states. Since the foundation of TGCL, the project leads on both sides have been highly committed to offer high-quality training courses

on Master and PhD level. Throughout the years, TGCL has developed into a stable and renowned Study as well as Research Centre which has succeeded to be integrated on faculty level, with very strong long-term impacts in the region of East Africa and surely beyond.

For the DAAD as funding institution, it is fascinating to see how many well-trained legal experts have graduated and continue to graduate from TGCL. Due to their profound leadership and management skills, numerous alumni of the Centre work in key positions not only in academia and

science, but also for example as multipliers in various fields, as diplomats, policy and legal advisors, many have high-ranking positions at several Courts and in other relevant positions. As for the international and transregional focus and the practice-orientation of the TGCL programmes, it is obvious that the TGCL graduates have excellent career perspectives and are able to make a change according to the needs of a booming region.

We are sure that this African-German Higher Education cooperation in the field of Eastern African Legal Studies is and will continue to be a best-practice example for similar projects and subject-related approaches on the African continent. Throughout the years, the success story of TGCL has attracted also the attention of future donors for scholarships like the Hanns-Seidel Foundation which speaks for the Centre's sustainable work and its capacity to provide necessary legal solutions for the region.

We would therefore encourage TGCL to continue its commitment and efforts to further promote the development of efficient, internationally networked innovation- and research-oriented Higher Education structures, together with the practical transdisciplinary approach, that integrates various stakeholders at different levels including civil society. We are keen to see that TGCL is a vivid example for an efficient international network able to help solving local, regional and global challenges.

(Isabell Mering) ■

INTERVIEW WITH THE PRESIDENT OF THE UNIVERSITY OF BAYREUTH

In this interview, President of the University of Bayreuth Prof. Dr Stefan Leible reflects on the 15th anniversary of TGCL, the successful cooperation between the University of Bayreuth and the TGCL and the impact of TGCL on the German side, highlighting the project's international dimension, educational impact on students, and milestones such as the creation of a robust alumni network that actively contributes to legal development in East Africa and beyond.

Dear Prof. Dr Leible,

In celebration of the 15th anniversary of the TGCL, we intend to reflect upon the collaboration. As part of this, we particularly wish to provide pioneers and supporters with the opportunity to share their own impressions and experiences.

1. Which aspects of the project particularly appealed to you or motivated you to offer your support?

I was particularly drawn to the project's international dimension. The TGCL not only fosters close collaboration between the University of Dar es Salaam and the University of Bayreuth but also brings together law students from all partner states of the East African Community. This innovative approach has proven essential for understanding and addressing legal challenges related to regional integration law in East Africa.

Moreover, I am continually impressed by the tangible impact of the TGCL on its students and graduates. Offering legal education with a scholarship option to students from East Africa creates opportunities for personal and academic growth, shaping the next generation of legal professionals and emphasizing the importance of cross-border collaboration. The educational impact becomes evident when we observe the

diverse paths taken by the alumni since the beginning, as they assume roles in academia, politics, the judiciary, and various regional and international organisations.

2. Are there successes or milestones in the project's progression that have remained vivid in your memory?

The TGCL's 15-year anniversary marks another significant milestone, having educated over 200 LL.M. and PhD students in regional integration law since the beginning in 2008. This is a tremendous success. Another remarkable achievement that resonates with me is the ongoing academic exchange between former TGCL students, lecturers and researchers as well as the University of Bayreuth. For example, numerous former TGCL students have chosen to further their academic journey by pursuing their PhD studies with us here at Bayreuth, which makes me proud.

Finally, the creation of a robust and vivid alumni network consisting of many individuals working in various sectors of the legal industry in East Africa and beyond is an impressive accomplishment. These alumni actively contribute to strengthening the rule of law, promoting human rights, and addressing legal challenges in East Africa. TGCL's influence extends globally through the achievements and contributions of its alumni.

3. How do you perceive the impact of this collaboration on the students and lecturers of both institutions?

First and foremost, the partnership between the University of Dar es Salaam and the University of Bayreuth enables TGCL students to participate in an international and intercultural educational experience. This significantly broadens their horizons and allows them to approach legal issues from various perspectives. Exposure to different legal systems and legal cultures promotes a profound understanding of the complexity of the legal systems in discussion.

The collaboration also fosters cultural exchange and intercultural understanding. Students, lecturers and researchers from the different countries and cultural backgrounds work together, learn from each other, and build bridges between their home countries. This contributes not only to the promotion of international and regional understanding but also enhances everyone's intercultural competence, which I believe is of great importance.

4. What influence has this cooperative project had, especially on Bayreuth as a significant national hub for African studies and programmes with an African focus?

Today's strong focus on African legal studies that connects our Faculty of Law, Business and Economics with the University's special focus on African studies can be significantly traced back to TGCL. Over the years, alongside other international programmes, TGCL has empowered the Faculty of Law, Business and Economics to broaden its original focus and enhance its internationalization efforts.

Overall, TGCL has strengthened Bayreuth's hub for African studies and its programmes related

to Africa. The collaboration has increased the visibility of the University of Bayreuth in this field and has created a lively and enriching platform for academic exchange that has proven to continue and expand over years.

Furthermore, the lively exchange within the framework of the project contributes to the enhancement of teaching and research at the University of Bayreuth and thus constitutes an important factor in maintaining the high academic standards of the University.

5. Have you come into contact with Tanzanian culture either through the collaboration or privately, and would you like to share your impressions?

In 2018, I personally attended the conference "TGCL Alumni Perspectives on the Challenges and Opportunities of Regional Integration in East Africa", which was held on the tenth anniversary of TGCL. This event has remained in my memory in a special way, both personally and professionally. Personally, because it was my first trip to an African country. I was deeply impressed by the way we were welcomed as members of the University of Bayreuth. The warmth of the Tanzanians was truly contagious.



President of the University of Bayreuth Prof. Dr Stefan Leible (middle) at his official visit to TGCL in 2018.

Of course, it was also elementary for me as President of the University of Bayreuth to deal live with the continent that the people within the TGCL and the Cluster of Excellence Africa Multiple at the University of Bayreuth are dealing with. I learned on the Tanzania trip in 2018 that the Cluster's application as a Cluster of Excellence was successful. Cooperations like the TGCL make the connection between the Univer-

ity of Bayreuth and Africa alive and tangible. I am very proud of that. And on a personal note, as an art lover, I visited the Nagasi Art Space during my visit to Dar and bought a beautiful painting that now hangs on my wall at home and delights me every day.

(Interview conducted by Isabelle Zundel) ■

TGCL ALUMNI'S TESTIMONIES

For the past 15 years, TGCL has played a great role in shaping careers of its alumni. Deriving from the academic knowledge and soft skills which have been offered by the Centre to both LL.M. and PhD students, the TGCL alumni have continued to thrive in various aspects of their professional engagements and academic careers.

Dr Kalekwa Kasanga from Tanzania who is now a Senior Legal Officer at the Law Reform Commission of Tanzania describes how beneficial the opportunities she secured to pursue LL.M. and PhD studies under TGCL Scholarship have been of critical importance in building her career. She names the two degrees i.e. LL.M. and PhD she acquired under the Centre as a bedrock to where she currently is career wise. She complements these academic milestones with additional skills acquired through a number of trainings, study tours, conferences and workshops organised by the TGCL when she was still a student. Such programmes addressed topics on leadership, research, writing, presentation skills and access to e-materials. She indicates that these coordinated programmes added to her efficiency as a lawyer and researcher. Additionally, Dr Kasanga notes with particular interest the study excursions to one of the East African Cities Arusha Tanzania and another one in Europe organised by the TGCL and how informative they were in terms of understanding the functioning of the regional and international

legal institutions i.e. the East African Community (EAC) and the European Union (EU).

Dr Kasanga further describes how the Centre thrived in offering training in an intercultural atmosphere whereby students were drawn from all East African countries. Also, she points out that the courses taught were offered by lecturers from both Africa and Europe, something that has awarded her with lifelong networks and collaborations with colleagues, mentors and friends from all over the East African and beyond.

Equally importantly, Dr Kasanga highlights with gratitude the financial support she received from TGCL to enable publication of her first book ever, which based on her PhD thesis. She admits that this has cultivated her passion to pursue more academic writings.



Further, **Dr Robert Owino** from Kenya who is currently a Senior Lecturer at Jomo Kenyatta University of Agriculture and Technology School of Law, describes his experience with TGCL with an introductory saying: 'The journey of a thousand miles begins with one step.' He narrates: "Today as I sit in my law firm office and pen this piece, I look back with great awe to that ordinary Sunday 30 August 2009 when I took the step. On that day, I boarded Precision Air flight PW 731 departing from Mombasa to Dar es Salaam to commence an LL.M. programme at TGCL.

It was a journey into the unknown. Looking back at those 14 years since that life changing flight, I can only say that life has gone full circle and I attest that the journey has been as rewarding as it has been fulfilling and daunting in equal measure. I am certainly no longer the 29-year-old



newly married lad who boarded that Precision Air flight. I have mellowed in more ways than I can count. I vividly remember a line in

the call for scholarships that said, "the purpose of the scholarships is to train future leaders in East Africa." At the time, this statement sounded bland in my ears but as the years wear on, I can confirm that I am living that aspiration.

I was lucky to be one among 10 scholarship awardees in the second cohort of TGCL LL.M. scholarships from Kenya, Tanzania and Uganda commencing on 1 September 2009. The pro-

gramme was then jointly funded by DAAD and 'Aktion Afrika' of the German Foreign Office within the programme "Establishment of Centers of Excellence for Teaching and Research to Train Future Leaders in Sub-Saharan Africa."

The TGCL opened a door for me to the world that hitherto remained firmly shut. I remember leaving Africa for the first time in my life when a combined class of the first and second TGCL LL.M. cohorts and the first TGCL PhD cohort flew to Germany for Summer University in Bayreuth in August of 2010. My first experience of Germany was captivating and it opened my imagination to a world of many possibilities. Since then, I have visited different parts of the world and I have never stopped dreaming.

Upon completion of the LL.M. degree, with the help and intervention of Prof. Ulrike Wanitzek, then TGCL Project Leader, I was able to secure the prestigious DAAD scholarship to pursue a doctorate in international environmental law at the University of Bayreuth. Prof. Ulrike Wanitzek became and remains a true professional and personal mentor to date even in her retirement. After defending my doctoral thesis in 2015, I returned to Nairobi where I took up a university role as a Senior Lecturer at Jomo Kenyatta University of Agriculture and Technology School of Law. Shortly thereafter I became Chair of the Private Law Department. Presently I head the Energy, Environment and Climate Change Department at Acorn Law Advocates-LLP in Nairobi. I sit in the boards of two Non-Governmental Organizations championing environmental causes. I have been a reviewer and a researcher in many international research teams. I have had the privilege to mentor and nurture many students.

Moreover, **Dr Jebby Gonza**, from Tanzania, who successfully completed her PhD Studies at the University of Bayreuth in September 2022 and re-entered employment, poses to marvel at how the Centre has shaped her career and helped to set it on track. She narrates:

“My journey with TGCL started in August 2013, when I was awarded a scholarship to pursue a Master of Laws in East African Community Law, Human Rights Law and Law of Regional Economic Integration. The programme provided me with insights into legal aspects of regional economic integration from different perspectives including the European perspective. It also sharpened my skills in conducting research specifically from a comparative perspective. The Masters Programme as funded by the TGCL, sparked my desire and interest to gain deeper insights into law of regional economic integration. It was in 2018 that I set out to pursue a PhD in Law at the University of Bayreuth, Germany under the Chair of Public Law III. I appreciate the foundation I received during my Masters’ degree. It shaped the direction of my PhD studies. Particularly, my PhD thesis was based on a comparative perspective in Law of Regional Economic Integration- East African Community Law and European Union Law. In September 2022, I completed my studies and published from my thesis, the book titled, ‘Examining the Role of Regional Community Courts in Economic Integration: Case Study of the East African Court of Justice with Lessons from the Court of Justice of the European Union.’”

It is worth mentioning that TGCL played an important role while pursuing my PhD studies. Particularly, my skills were sharpened via the

insightful academic programmes, legal talks and conferences that were organised by the Centre. Not to mention the invaluable social and academic network I have gained from the Centre’s alumni. Furthermore, it was a pleasure to serve as the TGCL’s coordinator for the Chilean-German-Tanzanian Legal Talk in 2021. We organized conferences on crosscutting legal themes in Chile, Germany and Tanzania or Africa in general. I desire to summarize my experience with TGCL with the African Proverb: ‘we desire to bequeath two things to our children; the first one is roots, the other one is wings.’ Particular to this proverb, I feature all alumni/beneficiaries of the TGCL including myself as ‘its children.’ It remains unquestionable that, the TGCL has bestowed our career with not just the roots but also the wings. Undeniably, the academic skills and mentorship realised at the TGCL has positively impacted our lives and has been a stepping stone into other successful rendezvous of our career!”

In addition **Ms Ange Dorine-Irakoze** from Burundi who is a TGCL Alumna and is currently pursuing her PhD at the University of Bayreuth under the Chair of African Legal Studies, has proved commendable leadership abilities in a position of a Junieur Fellows’ representative at the Bayreuth International Graduate School of African Studies (BIGSAS). Amongst a series of remarkable leadership duties she has executed in this position, she represented all the young scholars in an official event of laying the foundation for the construction of the University of Bayreuth Research Center for Society, Technology and Ecology in Africa - Challenges of the 21st Century” (FZA) on 24 March 2023.

This historical event was attended by important guests, including Bavaria's Minister of Science, Markus Blume. The center will be a high-tech hub, and will host the Institute of African Studies (IAS) and its units, the Africa Multiple Cluster of Excellence, the Bayreuth International Graduate School of African Studies (BIGSAS) and the Iwalewaha-in other words, a unique platform for African-based researches.

The premises are also destined to serve as a professional focal point enabling researchers in the early stages of their careers, as well as established researchers, to connect easily in the same facilities and build networks to further the advancement of groundbreaking research based on African society. Participation of Ms Irakoze in this event speaks volumes of the seed planted by the TGCL to take part in leadership roles and nurture research collaborations.

Along the same lines, TGCL Alumni have continued to engage themselves in platforms that contribute knowledge in their fields of engagement.

Ms Viola Nabawanda from Uganda is one of them. Ms Nabawanda has recently attended and presented a paper on 'Interpretations of the Maputo Protocol' in the 2023 Human Rights Academic Conference which took place at from 13 to 15 September 2023 with the theme: 'Women



Rights, Gender Inequality and Intersectional Vulnerabilities.' Ms Nabawanda who before joining the TGCL worked

as a volunteer with Ministry of Justice and Constitutional Affairs and after studies with TGCL, as an Executive Assistant with Uganda Christian Lawyers Fraternity, is currently working as a Project Advocate with Avocats San Frontieres in a project named 'Constitutional and Procedural Rights of Pretrial Detainees through Access to Justice in Uganda.'

Alongside this engagement, she attended yet another Conference titled Regional Africa Human Rights Academic Network Conference and presented a paper on 'Adjudication of Environmental Rights within the Framework of the East African Court of Justice,' organised by Raoul Wallenberg Institute of Human Rights and Humanitarian Law, at the University of Zimbabwe, Harare in October 2022. This Conference's theme was 'Human Rights Adjudication in Africa: Challenges and Opportunities within the African Union and Sub-Regional Human Rights Systems.'

Amidst all these soaring career engagements, Ms Nabawanda still recalls: 'In November 2017, I was privileged to be offered a TGCL scholarship to undertake my Masters of Laws degree in East African Community Law and Regional Integration. I must say, I was overjoyed and ecstatic on receiving that call from Dr Benedict Mapunda, the then TGCL coordinator. My journey to Tanzania was a blessing, and within me, I knew this was going to be a life changing opportunity, and indeed it has been till to date. I wholesomely enjoyed my stay in Mikocheni, Dar es Salaam and the LL.M. programme. As a student, I interacted with very diverse legal scholars from TGCL, University and within East Africa; with whom we shared academic knowledge and professionalism; and got to learn from the diverse experiences.'

Upon my graduation in 2018, I knew a new life awaited me in Uganda. I didn't gain employment immediately, though with hard work, persistence, resilience, teamwork, and patience, I have been able to engage in different fields of legal work as well as academic research for publication. Undoubtedly, challenges and hurdles will always exist. However, I take them as learning experiences to make myself better both individually and professionally in whatever I do. I appreciate my strengths and weaknesses which I leverage on to make better choices and reinforce my abilities. I am also always open to learning something new because all knowledge is useful in whatever form it is shared. On a socio-cultural front, I ap-

preciate the diverse student fraternity bearing in mind that we were all from different societal backgrounds and had to blend with each other.

Along these lines, TGCL Alumni have continued with the culture of networking physically and virtually and share various career building opportunities. Recently, the TGCL Alumni from South Sudan met and formed a DAAD Chapter South Sudan and attended a DAAD Alumni Symposium with a theme: 'Lets Talk Science: South Sudan towards Sustainable Peace and Development.'

(Interviews conducted by Cecilia Ngaiza) ■

DEVELOPMENT OF REGIONAL INTEGRATION RESEARCH AT TGCL

Over the years since its inception, TGCL has produced several books pertaining to different aspects of East African Community law, in collaboration with regional and international scholars. The following will provide an overview over TGCL's past and contemporary research efforts.

In 2010, two years after its launch, TGCL published Volume 1 of the TGCL Series entitled 'Justice and Dignity for All – Current Issues of Human Rights in Tanzania', which comprehensively highlights contemporary issues affecting human rights in Tanzania. Subsequently, Volume 2 of the TGCL Series under the heading 'Processes of Legal Integration in the East African Community', containing 8 articles, was launched on 29 September 2011. Among the dignitaries present during the launch was the then Deputy Minister for East African Cooperation, Hon. Dr Abdallah Juma Abdallah who emphasized that research-based evidence is paramount in addressing key

challenges faced in the EAC integration process.

Besides publishing Volume 3 of the TGCL Series, in 2013, dubbed 'Constitutional Reform Processes and Integration in East Africa, TGCL introduced the TGCL Research Series meant to publish outstanding thesis of its PhD students. Dr Grace Kamugisha Kazoba's thesis, 'Protection of Consumers and a Guard against Counterfeit and Substandard Pharmaceuticals in Tanzania. Examining National, Regional and International Legal and Institutional Legal Frameworks' formed Volume 1 of the TGCL Research Series.

The year 2015 witnessed a historic launch of four publications by TGCL: the first three publications were Volumes 2, 3 and 4 of the TGCL Research Series which were authored by TGCL PhD students, namely 'The United Republic of Tanzania in the East African Community: Legal Challenges in Integrating Zanzibar' (by Dr Maadhi Juma Maalim), 'The Right to Compensation for Victims of Internal Armed Conflicts in East Africa: A Case Study of Genocide Victims in Rwanda' (by Dr Lillian M. Mongella) and 'East African Community Tax Harmonization: A Critical Assessment of its Viability for Income Tax Law' (by Dr Anatole Nahayo). The fourth publication was Volume 4 of the TGCL Series entitled 'Regional Integration and Law: East African and European Perspectives.'

It is evident that, not only do TGCL students keep abreast with developments at the regional level but also with emerging global issues that affect the EAC integration process. Dr Omondi R. Owino's Volume 5 of the TGCL Research Series, 'Trans-Boundary Resource Cooperation in the Lake Victoria Basin: An International Environmental Law Perspective' offers recommendations for cooperation in managing resources at the Lake Victoria Basin. His research comes at an opportune time when the world is concerned with the sustainable use of natural resources to mitigate climate change. 'Harmonisation of Laws in the East African Community. The State of Affairs with Comparative Insights from the European Union and Other Regional Economic Communities', Volume 5 of TGCL Series, is an outcome of a research workshop organized by TGCL in 2015, which centers on the harmoni-

zation of private economic law, such as commercial law, competition law and labour law. The contributions therein speak to the impact of law of regional blocks on municipal laws, and in equal measure outline how municipal laws hinder the implementation of regional laws. Subsequent to Dr Omondi R. Owino's book, in 2018, TGCL published Volume 6 of the TGCL Research Series under the authorship of Dr Kalekwa Kasanga, entitled 'Protection of Human Rights in East Africa by Human Rights Commissions: A Case Study of Tanzania' which advances recommendations on how the Commission for Human Rights and Good Governance can efficaciously protect human rights in Tanzania.

Beyond TGCL and the academia, TGCL alumni have flourished and are counted among top litigators in practicing East African Community Law. In the 2022 landmark case of Christopher Ayieko & Another vs. The Attorney General of the Republic of Kenya & The Secretary General of the East African Community, two TGCL alumni sued the Government of Kenya at the East African Court of Justice (EACJ) for commencing trade negotiations with the United States of America in contravention of the EAC Treaty, common Market Protocol and Customs Union Protocol. The EACJ declared that Kenya had violated Articles 6 and 7 of the EAC Treaty, Article 37 of the Common Market Protocol and Article 37 of the Customs Union Protocol. This confirms that indeed TGCL is a Centre of excellence whose students are sufficiently trained to become impactful leaders in the region.

(Mwaka Mupe) ■

SOMALIA BECOMES THE EIGHTH MEMBER OF THE EAC – BACK TO THE ROOTS?

On 24 November 2023, the heads of state and government of the East African Community (EAC) approved Somalia's accession. Thus, Somalia will become the eighth member of the economic community, which has a population of around 300 million. Somalia's membership was already in the offing in June of this year. The EAC is now one of the largest regional alliances in Africa and the world, laying the foundations not only for a conflict-free future but also for realising Africa's enormous economic potential for the benefit of its inhabitants.

Somalia Achieves Crucial Foreign Policy Successes

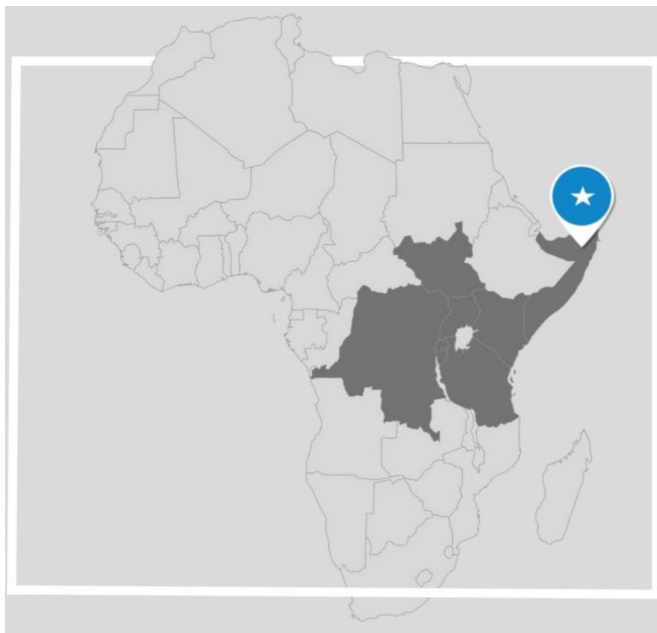
For Somalia, this is another milestone in its post-war development. In addition to lifting the arms embargo by the UN Security Council on 1 December 2023, the International Monetary Fund decided on 1 November to grant the country an extended credit line of USD 100 million. The funds are not only urgently needed support for the reconstruction of the country and in the fight against terror, but also, in the words of the IMF, confirmation that "Somalia has maintained strong implementation

of wide-ranging reforms to help strengthen key economic and financial policy institutions, which is paving the way for Somalia to reach debt relief at the Heavily Indebted Poor Countries (HIPC) Completion Point in December 2023." This means that Somalia is on track to meet the HIPC

requirements, which means that international lenders such as the World Bank, the African Development Bank, the IMF, the Inter-American Development Bank and all Paris Club countries will once again classify the country as creditworthy and interest-free loans will be available in some

cases. This positive development shows that the path of Hassan Sheikh Mohamud's presidency is recognised and supported by international partners. However, it also shows that a great deal is happening within the country. In addition to the travel diplomacy to neighbouring countries right at the beginning

of his presidency last year and the alliance he forged against Al Shabab, these are important and perhaps even somewhat surprising successes for a country that was on the brink of violent political conflict until the presidential election in May 2022.



The Economic Benefits of Accession Outweigh the Risks

In particular, regional integration and cooperation through the country's accession to the EAC will benefit Somalia economically. Although the World Bank recently downgraded its growth forecast from 3.6 % to 2.8 %, this should only be a small dent in economic development. For years now, Mogadishu, in particular, has been experiencing a rapidly growing economic upturn, a considerable increase in construction activity and the establishment of all kinds of companies. Therefore, the economic advantages that Somalia brings to the EAC outweigh the disadvantages. These include a coastline of around 3,000 miles, abundant fish, a large livestock industry, agricultural potential, and suspected further raw material reserves currently being explored. The country also has great tourism potential and opportunities in the environmental sector. In addition, with its very young and increasingly well-educated population, the country is home to a digitalised, tech-savvy and progressive generation of young businesspeople. Somalia is, therefore, not coming to the EAC as a supplicant but as a nation that will further strengthen the Community. Therefore, the international Community, the EU, and solid bilateral partners such as Germany should continue to support this path.

Gradual Integration and Leap into the EAC Acquis

The integration process of the EAC functions as a step-by-step model. Economic integration is to be followed by a political community. The stages are set out accordingly in the treaty. Art. 75 creates the customs union, which came into force in 2005; Art. 76 establishes the union of the common market, which came into force in

2010; and Art. 83 describes the harmonisation of financial and monetary policy with the aim of a common currency, which came into force at the end of 2015. Since 2017, the goal of a political federation has also been formulated by the EAC. However, Somalia can not climb these steps step by step. The logic of the treaties states that Somalia is entering the *acquis* that has already been achieved. Somalia is, therefore, entering directly into a single market with a customs union and a harmonised financial and monetary policy with all rights and obligations, even if specific transitional periods are necessary.

The great success of accession is, therefore, followed by homework that Somalia must complete in the coming years. The fundamental prerequisite is that the federal states and the federal parliament (House of Peoples) are involved. In addition to political participation, however, an implementation strategy for the substantive law of the EAC is also required. For example, the question arises about how private disputes can be resolved when there is hardly any court structure or enforcement law in Somalia.

Conclusion

Ultimately, however, Somalia is on an excellent path. The political integration efforts of the current presidency have done the country much good. The successes in the fight against Al Shabab are noticeable everywhere, and the path of regional cooperation will also keep Somalia on the road to success in the long term. If the presidency tackles the domestic challenges with the same vigour, Somalia is on the threshold of becoming an essential key state in the region. It would undoubtedly be desirable for the battered country.

(René Brosius) ■

DAAD NETWORK MEETING “CENTRES OF AFRICAN EXCELLENCE”

Prof. Dr Thoko Kaime, Dr Petro Protas and Ms Isabelle Zundel participated in the enriching DAAD Network Meeting “Centres of African Excellence” in Accra, Ghana from 25 - 28 September 2023. The conference was organised by the DAAD Deutscher Akademischer Austauschdienst German Academic Exchange Service (DAAD) and funded by the Auswärtiges Amt (Federal Foreign Office) Germany. The DAAD’s “Centres of African Excellence” Programme aims at establishing innovative, highly visible and sustainable University Centres dealing with various academic disciplines at African Higher Education Institutions in alignment with local and regional needs as well as current challenges. After 15 years of funding, it was time to get together once again, to reflect on what has been achieved so far and to discuss the further potentials of the Centres of African Excellence e.g. in terms of quality assurance, research capacities, digitalization aspects, sustainability, policy advising, transdisciplinary approaches and identification of possible synergies between the Centres.

The TGCL team was able to showcase the work of TGCL in different formats, such as a panel discussion on “Cooperative Advising: Best-practice examples and hands-on advising from Centres



Ms Isabelle Zundel and Dr Petro Protas as panelists discussion on “Cooperative Advising: Best-practice examples and hands-on advising from Centres for Centres.

for Centres” and connect with other Centres of Excellence during the event. For TGCL, the event was particularly significant, as it marked the first in-person DAAD Network Meeting since the onset of the COVID-19 pandemic. Simultaneously, it served as the concluding meeting for TGCL, concluding the funding period for the team this year. The team not only relished the gathering’s social aspects but also actively engaged in networking opportunities, laying the groundwork for future collaborations in the upcoming period.

(Isabelle Zundel) ■

TRAINING WORKSHOP OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC)

The TGCL Management is grateful to the International Committee of the Red Cross (ICRC) for conducting a training on the Practical Aspects of International Humanitarian Law (IHL) to over 150 students from the five Degree Programmes of the University of Dar es Salaam. The training covered the areas of the ICRC mandate, typologi-

cal challenges, protection of natural environment during armed conflict, IHL and counter terrorism measures, new technologies and Law of War, and private military and security companies during armed conflict.

(Petro Protas) ■

NEWS FROM THE UNIVERSITY OF DAR ES SALAAM SCHOOL OF LAW (UDSoL)

Since the publication of the previous TGCL Bulletin in 2022, members of the University of Dar es Salaam School of Law who train the TGCL students have continued to receive several promotions, appointments and academic awards as categorically highlighted below:

Promotions

Prof. Hamudi Majamba (the former Dean of the UDSoL) has been promoted from the position of the Associate Professor to Professor. **Prof. Saudin Mwakaje** of the UDSoL has also been promoted from the position of a Senior Lecturer to Associate Professor. Both promotions were approved by the University of Dar es Salaam Council on 25 September 2023.

Appointments

On 3 September 2023, the President of the United Republic of Tanzania appointed **Mr Abdallah Halfan Gonzi** to the position of the Judge of the High Court of Tanzania. Before this appointment, Mr Gonzi was served as an Assistant Lecturer at the Department of Private Law of the UDSoL. **Dr Francis Sabby** of the UDSoL Private Law Department has been appointed as the substantive Head of Private Law Department in June 2023. Before this appointment Dr Sabby served as the Acting Head of such Department following appointment of Dr Cleophas K. Morris to the position of the Judge of the High Court of Tanzania on 6 August 2022.

On 3 February 2023, the President of the United Republic of Tanzania re-appointed **Dr Idd Ramadhani Mandi** of the UDSoL as a Commissioner of the Law Reform Commission of Tanzania (LRCT) for a period of three years ef-

fective from 1 February 2023. His first appointment to this position was made on 18 October 2018. As this is a part time service, Dr Mandi will continue working with the University of Dar es Salaam School of Law. After this appointment, Dr Mandi successfully defended his PhD at the University of Dar es Salaam School of Law on 6 February 2023.

Graduations

The incumbent TGCL Assistant Accountant **Mr Mohamed Mussa** graduated with the award of the Certified Public Accountant (CPA-T) in a ceremony held in Dar es Salaam on 30 September 2023. The same award was granted to the former TGCL Assistant Accountant **Mr Godlove Mmari** and one of the young UDSoL female members of staff, **Ms Jema Rwihura**.

Dr Rwegasira, Ms Velena Clemence and **Mr Saki Mlimuka** graduated during the University of Dar es Salaam's 53rd Graduation ceremony held on 19 May 2023. Dr Rwegasira received a degree of Doctor of Philosophy in Law while Ms Velena and Mr Mlimuka received Master of Laws degree.

The TGCL cordially congratulates all the appointees, promoted and graduates.

(Cecilia Ngaiza) ■

NEWS FROM THE CHAIR OF AFRICAN LEGAL STUDIES AT THE UNIVERSITY OF BAYREUTH

In 2023, the following projects were continued and implemented at the Chair of African Legal Studies at the University of Bayreuth.

Intractable Problems of Human Rights

In August, the research project “When the Law is not enough: Intractable Problems of Human Rights” focusing on child labour, human trafficking and LGBTQI+ rights held its third Advanced Methods Lab at the Centre for Human Rights at the University of Pretoria. The lab, conducted by various experts, centered around the main theme of finding unorthodox solutions to hard problems using a mixed methods approach. Both experienced and junior researchers took part in the hybrid conference.

Cooperation with SIMAD University, Somalia

As already reported in last year’s Bulletin, since June 2022 the Chair of African Legal Studies has worked on establishing a strong connection between the University of Bayreuth and various actors in government and the academy in the Federal Republic of Somalia. SIMAD law students have been participating in online courses since the winter semester 2022/2023 and the Chair has developed a Law in Africa Programme based at the University of Bayreuth which can be completed by SIMAD law students. In addition, the Chair successfully launched the Asli Ahmed Award on the African Legal Studies Blog, which recognises outstanding articles by Somali scholars on legal developments in the Federal Republic of Somalia.

In June 2023, the Chair was honoured to welcome a Somali delegation of SIMAD University at the University of Bayreuth. During the visit,

further developments of the joint expansion of teaching and research were discussed. Another item at the top of the agenda was the Memorandum of Understanding between the Ministry of Justice and Constitutional Affairs in Somalia and the Chair of African Legal Studies in September 2022 to support the review of Somalia’s current provisional constitution in an advisory capacity by providing constitutional expertise.



Representatives of SIMAD University and the University of Bayreuth at Iwalewahaus in June 2023.

Chair Activities and Academic Year Reports

Drawing on the Chair’s comprehensive expertise, a report was submitted in May 2023 to the Independent Expert on Sexual Orientation and Gender Identity at the Office of the United Nations High Commissioner for Human Rights. The report focusing on Malawi’s colonial-era laws criminalising same-sex sexual conduct was based on findings of our research project about Intractable problems of Human Rights (see above). The report thus demonstrates the current contradiction between human rights legislation and reality.

Another report was submitted to the Independent Expert on Somalia at the Office of the United Nations High Commissioner for Human Rights. The report evaluated the human rights situation in Somalia throughout the year of 2022 and highlighted the positive strides made in terms of political stability and security within the country. Furthermore, the report provided updates on the ongoing constitutional review (see above).

Teaching and Academic work

In addition to the regular lectures, the Chair facilitated various guest lectures and panel discussions by visiting professors and scholars such as



Ms Hope M. Ndhlovu-Chanda at her Roundtable Sssio on "Reconceptualising citizen or stakeholder participation in law reform in an African setting."

Ms Hope M. Ndhlovu-Chanda, Dr Collins Ajibo, Professor Bonolo Dinokopila, Professor Anthony Diala and Dr Walters Nsoh, reflecting the academic diversity of our department. Furthermore, Gift Mauluka, research associate of the Chair, represented the Chair at the programme "Comparative African Politics: Africa is not a country" which focused

on the differences rather than similarities of politics and policy making across Africa.

The Chair also continued its African Legal Studies Blog, in which academics can publish articles on Human Rights, Environmental Law and the

situation in Somalia. For the first time, the African Legal Studies Blog also cooperated with the Verfassungsblog, with which further collaborations are planned.

The Additional Study Programme "International Legal Studies" which debuted in the summer semester 2022 was further developed and more and more students are able to expand their knowledge and understanding of various areas of International Law.

Prof. Dr Thoko Kaime as a delegate on the German Chancellor's trip to Nigeria and Ghana

Prof. Dr Thoko Kaime was part of the cultural delegation on Federal Chancellor Olaf Scholz's trip to Nigeria and Ghana. During this visit, Prof. Dr Kaime had the opportunity to present the work of German



Federal Chancellor Olaf Scholz (left) and Prof. Dr Thoko Kaime in the Chancellor Aircraft.

universities and the University of Bayreuth in particular, which connect Germany and Africa on the path to a common future. A particular topic of discussion was the question of how joint cooperation between Germany and the African countries can take place on an equal footing.

(Antonia Friedle) ■

RESEARCH VISIT AT TGCL

Mr Tobias Hildebrand is a teacher of German academic culture and German language to international students and researchers at the University Bayreuth. In 2023, Mr Hildebrand conducted field research in Tanzania and undertook a visit to TGCL.

During August and September 2023, I went to Tanzania to do my field work for a Masters in African Culture and Society. As part of my preparation, I discovered the TGCL – a unique connection between Bayreuth and Tanzania. Since I am also an alumnus of Bayreuth's faculty of law, the decision to get in touch didn't need any second thoughts. I met Isabelle Zundel here in Bayreuth who was very welcoming and connected me to Dr Petro Protas in Dar es Salaam. Shortly after my arrival in Tanzania I had the pleasure of honouring Dr Protas' invitation to visit him on TGCL campus. Dr Protas received me very warmly, gave me a tour of the department, and then proceeded to introduce me to students and staff. A discussion in the library provided some very valuable insight for my own fieldwork, which is an anthropological study on how small-scale marine conservation projects impact fishing societies on Tanzania's southern coral islands. It became obvious that tackling some of the issues I anticipated and later encountered during my research far exceed the scope of a single discipline. The changes that Tanzania's coastal societies face are manifold: Climate change, demographic change, changes in infrastructure, and many more. Our discussion showed that a multidisciplinary approach and



TGCL Coordinator Dr Petro Protas (left) and Mr Tobias Hildebrand at the TGCL Library.

of course a strong legal framework is needed to successfully tackle those issues.

All in all, my visit at TGCL was a very rewarding experience. As a direct result, a collaborative paper on the legality of certain fishing techniques I encountered during my field work is planned. I am looking forward to meeting members of TGCL back here in Bayreuth – you are warmly invited!

(Tobias Hildebrand) ■



UNIVERSITY OF
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The Tanzanian-German Centre for Eastern African Legal Studies (TGCL) offers aspiring lawyers and law students a structured LL.M. and PhD study programme in the field of regional integration law. TGCL's goal is to qualify them for leading positions in East Africa.

The programme is conducted at the University of Dar es Salaam School of Law, in close cooperation with the Institute of African Studies and the Faculty of Law, Business and Economics, University of Bayreuth.

TGCL is one among several centres established in Africa within the programme "African Excellence – Fachzentren Afrika" which is funded by the German Foreign Office through the German Academic Exchange Service (DAAD).

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