

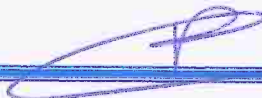
THE EASTERN AFRICA REGION



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

Eastern Africa Standby Force Secretariat
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Jk. 

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

We, the Member States of the Eastern Africa Region;

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

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

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

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

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

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

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

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

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



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

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

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

HAVE AGREED as follows:

Article 1
Definitions

In this Agreement, unless the context otherwise requires:

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

and Police Components;

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

Article 2 Establishment and Legal Status

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

Article 3 Objective

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

Article 4 Principles

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

Article 5 Functions

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

Article 6
Policy Organs of the EASF

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

Article 7
The Assembly of Heads of State and Government

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

Article 8
The Council of Ministers of Defense and Security

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

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

Article 9
The Committee of Chiefs of Defense Staff

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

Article 10
Structures of the EASF

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

Article 11
The Secretariat

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

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

Article 12
The Standby Force Headquarters

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

Article 13
The PLANELM

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

Article 14
The Logistics Base

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

- c) Undertake contingency planning for future mission support;
- d) Train for capacity development of logistics staff;
- e) Form the nucleus of the mission support staff;
- f) Develop just-in-time contracts for mission support including in-theatre and strategic lift capabilities.

3) The Logistics Base and the EASF Regional Logistics Training Center shall be located in Addis Ababa, Ethiopia.

Article 15
Pledge of Force and Deployment

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

Article 16
Training and Exercises

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

Article 17
Privileges and Immunities

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

Article 18
Funding Mechanism

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



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

Article 19
Imposition of Sanctions

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

Article 20
Admission

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

Article 21
Official Languages

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

Article 22
Signature, Ratification and Accession

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

Article 23
Entry into Force

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

Article 24
Amendment of the Agreement

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

Article 25
Withdrawal

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



Article 26
Settlement of Disputes

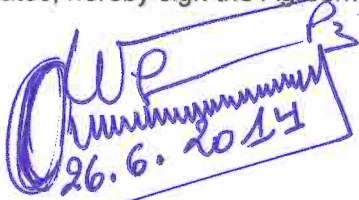
- 1) Any dispute arising from the interpretation and/or implementation of this Agreement shall be settled amicably by the EACDS. Failing this, the dispute shall be referred to the Council and ultimately to the Assembly.
- 2) Failing such, a dispute may be referred to the dispute settlement mechanisms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

Article 27
Additional Instruments

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

Done at 26.06, on this June day of the Month of 2014,
2014 in original texts in English, Arabic and French languages, all versions being equally authentic.

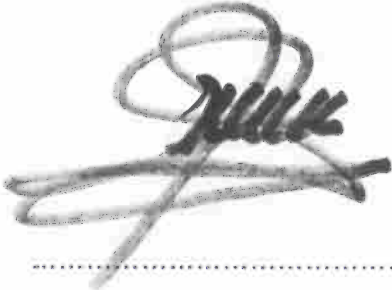
IN WITNESS WHEREOF, the following, duly authorized representatives of the EASF Member States, hereby sign the Agreement:



.....
FOR THE REPUBLIC OF BURUNDI




.....
FOR THE REPUBLIC OF RWANDA



.....
FOR THE UNION OF COMOROS



.....
FOR THE REPUBLIC OF SEYCHELLES



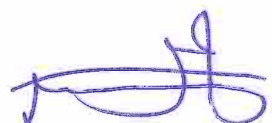
.....
FOR THE REPUBLIC OF DJIBOUTI




.....
FOR THE FEDERAL REPUBLIC OF SOMALIA



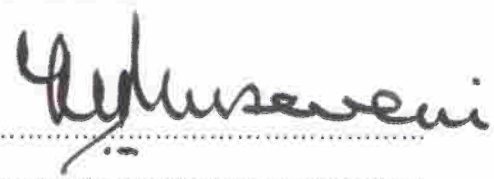
FOR THE FEDERAL DEMOCRATIC
REPUBLIC OF ETHIOPIA



FOR THE REPUBLIC OF THE SUDAN



FOR THE REPUBLIC OF KENYA



FOR THE REPUBLIC OF UGANDA