# TGCL Tanzanian-German Centre for Eastern African Legal Studies

at the University of Dar es Salaam School of Law in cooperation with the University of Bayreuth



### TCGL 15 YEAR ANNIVERSARY BOOKLET

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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### **EDITORIAL**







## DEAR READER,

With great pleasure, we welcome you to the official booklet of the TGCL 15 Year Anniversary. This anniversary of TGCL marks a significant milestone, underscoring the successful and sustainable work of the team and its supporters.

First and foremost, we extend our heartfelt gratitude to our partners, stakeholders, and the TGCL Alumni network for their seamless cooperation and ongoing support. Their contributions have played an integral role in the seamless progress of our mission. Our thanks also go to the entire TGCL team, which, with unwavering dedication, forms the foundation of the project by upholding high standards and evolving existing structures. In addition, we would like to convey our appreciation to the DAAD for their invaluable financial support over the past years. While we acknowledge that the funding will come to a close by the year's end, we look forward to the future with optimism, eagerly anticipating what lies ahead.

This booklet will provide an overview as well as statistics of the utmost important part of TGCL, the students. TGCL has served 204 students over its 15 year-long existence, constisting of 177 LL.M. and 27 PhD students.

Philipp Bogensperger

Petro Protas

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# Words From TGCL Project Leader Prof. Thoko Kaime

Dear Reader.

It is my great pleasure to welcome you to this TGCL 15 year anniversary booklet that constitutes the first ever special issue of our annual TGCL bulletin, dedicated to our students.

It fills me with special pride to introduce the journal on the occasion of the centre's 15th anniversary as a special edition looking back on all the years since 2008. This milestone not only underscores the continuity and sustainability of the TGCL but also serves as the foundation for the existence of an extensive alumni network. Since 2008, almost 200 master's students and 26 doctoral candidates have been admitted to the program and trained to become future leaders. These alumni have already and will continue to hold national, regional, and international leadership positions, making a significant contribution to legal development in the region.

First and foremost, I would like to take the time to express my gratitude to the pioneers, educators, students, and supporters, in short, to the entire TGCL family. Special thanks and respect has to go to my processor and friend Professor Dr. Ulrike Wanitzek, affectionately known as the mother of TGCL, as the founder and project leader for years. In this context, an indispensable contribution has also been made by all TGCL Coordinators and Managers over the years. I would also like to express my gratitude to the German

Academic Exchange Service (DAAD) as a constant financial supporter of the project.

Now, I would like to turn my gaze to the future. With great



excitement, I am pleased to inform you that we will of course continue beyond 2023. Funding for the scholarship programme in 2023/2024 has been secured through the Hanns-Seidel-Foundation. Beyond that, the LL.M. and PhD programme will continue to exist independently of funding due to their complete integration into the School of Law's curriculum.

Lastly, there remains but one more duty for me, which is to invite you to look back with us on 15 very fulfilling, successful and characterising years. It is only when we do this that we can truly grasp the exhilarating, demanding, yet immensely rewarding future that awaits TGCL, and by extension, all of us. I invite you to continue to be part of the TGCL family as we move forward together.

(Thoko Kaime) ■

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Legal Implications of Information and Communication Technology to Privacy and Freedom of Information in Mainland Tanzania and Kenya

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A Critical Analysis of the Common Market Protocol on Realization of Free Public Procurement Competition within the Community

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Legal and Practical Challenges Relating to Implementation of Free Movement of Persons and Labour under the Common Market Protocol: A Case Study of South Sudan Supervisor: Prof. N. N. Nditi

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Legal Challenges Facing Public Service Pensioners in the EAC: A Case of Tanzania

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An Examination of the Enforcement and Execution of East African Court of Justice Decisions by Partner States

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Portability of Health Insurance Benefits in the EAC: The Case of Tanzania's National Health Insurance Scheme

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PhD:
An Examination of the Legal and Institutional Framework for Regulating Genetically Modified Organisms in Tanzania

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Examining Uganda's Compliance with Provisions on Socio-Economic Empowerment of Women in the EAC Treaty

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Examining Legal Gaps in the Juvenile System in South Sudan

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Implementation of Article 121 of the Treaty for the Establishment of the East African Community, 1999 in Tanzania: A Case Study of Challenges Facing Women's Access to Property Rights

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PhD: Management and Conservation of Living Marine Resources of the Exclusive Economic Zones of Kenya and Tanzania: A Legal Inquiry

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Harmonizing Postgraduate Legal Education and Training within the East African Community: An Examination of the Laws and Policies

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Non-Discrimination in Public Procurement under the Legal Framework of the East African Common Market: Case Study of Kenya, Uganda and Tanzania

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East African Community Legislative Response on HIV and AIDS: Need for a Human Rights Based Approach

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A Critical Analysis of EAC Cooperation in Agriculture and Its Impact on the Right to Adequate food in Uganda

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Right of Establishment of SelfEmployed East African Citizens in Kenya: Legal and Practical Challenges

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Promoting Universal health Coverage through health Insurance: An Examination of the Laws and Policies in Uganda

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Biodiversity Offsetting as a Tool for Environmental Conservation: The Need for a Legal framework in Uganda

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A Case for Convergence of Cross Border Insolvency Legal frameworks in East Africa: Experiences from Kenya and Tanzania

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The Protection of Investment in the East African Community: A Critical Analysis of Burundi's Investment Law

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Legal and Practical Challenges to the Ratification of Trade Agreements in EAC: The Case of EACEU EPA

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Harmonizing East African Community Energy Laws on Trade and Investment: Case Study of Tanzania

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Legal Implications on Investment Regime in Implementation of EAC Laws and Policies: Case Study of Rwanda

#### KUAI WUOI MATIOP (SOUTH SUDAN)



Legal Challenges on Access to Justice in South Sudan: Lessons from Kenya and Tanzania

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#### MIRIAM KALEE MBOLE (KENYA)



Protecting Transboundary Cultural Knowledge and Expressions: Remodeling Kenya's Traditional Knowledge and Cultural Expressions Act in Line with East African Integration

Supervisor: Dr A. Mwiburi

#### REBECCA RABACH (TANZANIA)



Impacts of Disparities in Land Regimes of EAC Member States to the Implementation of the Common Market Protocol Goals

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#### AUGUSTINE OCHIENG (UGANDA)



The Role of harmonization of Trademark Laws in the Protection of Consumer Rights within the East African Community

Supervisor: Prof. N. N. Nditi



#### Student Representatives 2019/2020: Ms Joan Smarts Mukisa, Mr Wambua M. Stephen

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The Effect of Tax Disparities in the EAC on Small and Medium Enterprises: Case Study of Uganda and Rwanda

Supervisor: Dr E. Nyikai

### HONEY KALEKYE KITHEKA (KENYA)



East African Community Regional Integration: The Impact of Politico-Legal Integration on Kenya's Economic Sector

Supervisor: Prof. A. Mapunda

#### CHACHA MAIRO (TANZANIA)



Protection of Trans-Boundary Natural Resources in the East African Community: Examining the Effectiveness of Policy, Legal and Institutional Framework in Tanzania

Supervisor: Prof. H. I. Majamba

#### JOAN SMARTS MUKISA (UGANDA)



An Analysis of the Application of Special and Differential Treatment in the East African Community

Supervisor: Dr D. Shayo

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Critical Analysis of Free Movement of Workers in the East African Community

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Effectiveness of Laws Governing Management of Coastal Forests Resources towards Containing Vulnerability of East African Coastal Communities to Climatic Dynamism

Supervisor: Dr G. Kiwory

#### LANDRY NIZIZA (BURUNDI)



Arbitration, Factor of Development and Regional Integration in the East African Community: Case Study of Burundi

Supervisor: Dr L. Musa

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Towards a Harmonized EAC Cyber Resilience Framework: Efficacy of the Regulatory Approaches under the Kenya Computer Misuse and Cyber Crimes Act, 2018

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#### DINA OMOSSO (TANZANIA)



Legal Protection of Consumers in the Free Movement of Goods within the East African Community: Case Study of Tanzania

Supervisor: Prof. N. Nditi

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Towards a Mutual Legal Framework for Management and Protection of Internally Displaced Persons in the East African Community: Case Study of Kenya and South Sudan

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#### WAMBUA M. STEPHEN (KENYA)



The Informal Cross-Border Trade Practices vis-à-vis the East African Community Regional Integration Process: An Appraisal of the Customs Union Protocol

Supervisor: Dr D. Mwenegoha

#### PAUL BAAK A. YUOT (SOUTH SUDAN)



Assessing the Prospects and Challenges for the Justice and Reconciliation Process in Post-Conflict South Sudan

Supervisor: Dr S. Materu



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#### Student Representatives 2020/2021: Mr Otieno Kennedy Abuya, Ms Upendo Mulazi

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Jurisdiction of the EACJ in Inter-State Dispute Settlement: Case of Kenya-Tanzania Disputes

Supervisor: Dr P. Melkiori

#### LORAH CHEPKORIR (KENYA)



The Protection and Management of Transboundary Natural Resource within the East African Community: A Case of Mara River

Supervisor: Dr D. Shayo

#### KUOL AKOK DENG (SOUTH SUDAN)



The Dilemma of Transitional Justice Processes within EAC: A Case of South Sudan

Supervisor: Dr H. Ismail

#### BUMI FRANK (TANZANIA)



A Study on the Free Movement of Migrant Workers in EAC: A Case Study of Tanzania and Rwanda

Supervisor: Dr J. Shadrack

#### Noah Omollo Juma (UGANDA)



Interrogating the Region's Framework on Multinational Default: Does the East African Legal Regime Aptly Address the Associated Legal, Social and Economic Effects of Cross Border Insolvency?

Supervisor: Dr G. Kiwory

#### TIMOTHY KAJJA (UGANDA)



Sports Law in East Africa: How a regional Protocol Can Spur Socioeconomic Development

Supervisor: Dr F. Sabby

#### JAN MAINA KAMAU (KENYA)



Demystifying Economic Development and Business Practice in a Wake of Gender Parity

Supervisor: Dr T. Mwenegoha

#### WINNIE KUNGU (KENYA)



Taxation of E-commerce within the East African Community: A case Study of Kenya and Tanzania

Supervisor: Dr E. Nvika

#### UPENDO MULAZI (TANZANIA)



The Right to Education for Pregnant Girls and Teen Mothers: An Assessment of Tanzania Obligation under the EAC Legal and Policy Framework

Supervisor: Prof. K. Kamanga

#### TEDDY NAMUGGA (UGANDA)



Evaluating the Impact of Transnational Crime on the EAC Integration: A case study of Uganda

Supervisor: Dr S. F. Materu



OLIVIER NDAYISHIMIYE (BURUNDI)

Analytical Examination of the Right to Healthy Environment in the East African Community: A Case Study of Burundi



#### Student Representatives 2021/2022: Mr Eastus Kakungulu, Ms Rosa Adhiambo Ojwang

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The Realization of the Right to a Clean and Healthy Environment in the EAC: A Case Study of South Sudan

Supervisor: Dr Cleophace KK Morris

#### NYAMPINGA MARIE (RWANDA)



The Role and Position of Regional Economic Communities in the Implementation of the African Continental Free Trade Area: Setbacks and Prospects

Supervisor: Dr Filbert Nicksoni

#### LILIAN BEATUS CHAKWE (TANZANIA)



Examination of Legal and Practical Challenges of the Implementation of the Rights of Establishment in the EAC

Supervisor: Dr Sosteness F Materu

#### GRACE WAMBURA MWANGI (KENYA)



A Critical Analysis of the Principle of State Sovereignty vis a vis it's Effect on the East African Protocol on Peace and Security

Supervisor: Dr Theophil Romward

#### PROSPER COSTANTINE (TANZANIA)



Tax Exemptions, A Springboard to Unequal Tax Regime in the East African Community: A Comparative Analysis between Kenya and Tanzania

Supervisor: Dr Hamza Ismail

#### DIANA NABUGASHA (UGANDA)



A critique of EAC Law on consumer protection on the sale and supply of pharmaceutical products. A case study of Uganda

Supervisor: Dr Perfect Melkiori

#### ZAIINAB HAMIS (TANZANIA)



Legal Analysis on Setbacks facing Cross Boarder Insolvency of Companies in EAC

Supervisor: Dr Goodluck Kiwory

#### CORNELIUS KILILI NTHIWA (KENYA)



Freedom of Movement of Labour Within the EAC vs EU. The Case of International Transfer of Minor Footballers

Supervisor: Dr Veronica Buchumi

#### EASTUS KAKUNGULU (UGANDA)



An analysis of the efficacy of the legal framework in enhancing free movement of persons in E.A. A case study of Uganda

Supervisor: Dr Laurent Mussa

#### ALPHRED NTIRENGANYA (RWANDA)



Analysis of EAC Tax Policy and Investment Incentives Harmonisationfor FDI Attraction: Case Study of Tax Holidays

Supervisor: Dr Erasmo Nyika

#### SAMWEL MATUNDURA NYAMBUNDE (KENYA)



Reconciling The Past and The Future
- The Conflict Between Sustainability and Infringement of Indigenous
People's Rights: A Case Study of the
Ogiek Community in Kenya

Supervisor: Dr Francis Sabby

#### ROSA ADHIAMBO OJWANG (KENYA)



A Critique of EAC Legal Framework on Non-Tariff Barriers: Case Study of Kenya

Supervisor: Dr Jaba Shadrack



Student Representatives 2022/2023: Mr Alvin Keverenge Atiti and Ms 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

#### 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

#### 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

#### ROSETTE UMUTONIWASE (RWANDA)



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

Supervisor: Dr T. Romward

#### GRACE SITATI NADULA (KENYA)



Examine the Legality of the Proposed Political Confederation in East Africa

Supervisor: Dr P. Protas

#### 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

#### NICODEMUS USWEGE MSIKA (TANZANIA)



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

Supervisor: Dr G. Temu

#### GEORGE OCEN (UGANDA)



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

Supervisor: Dr D. Shavo

#### JOSEPH KINYUNYE MWANGI (KENYA)



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

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

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

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

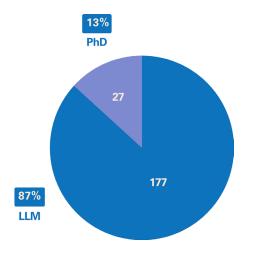
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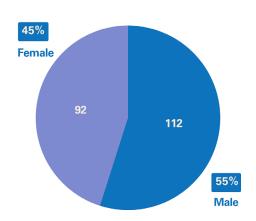


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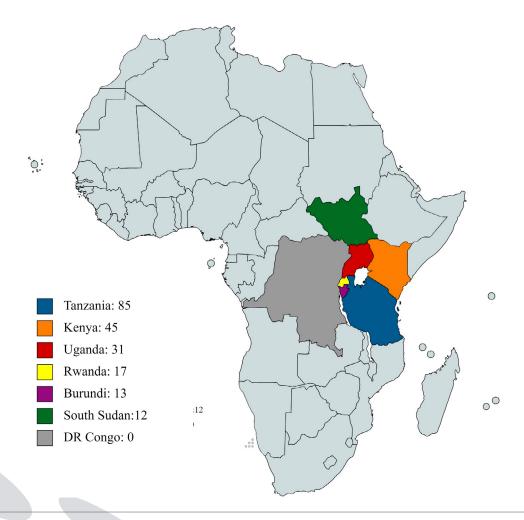
# STUDENTS BY DEGREE

## STUDENTS BY GENDER



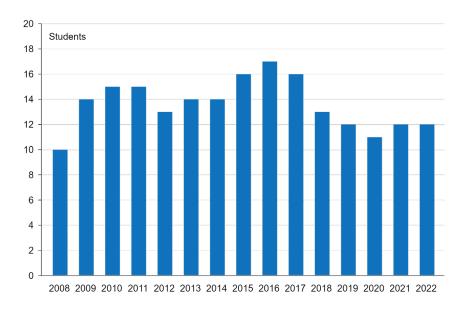


### STUDENTS BY COUNTRY OF ORIGIN



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### STUDENTS BY COHORT



## TGCL ALUMNI - SELECTED INSTITUTIONS AND POSITIONS

Over the 15 Years of TGCL, our Alumni from the Six (6) Partner States of the East African Community (EAC) have served and others continue to serve in crucial areas or sectors as follows:

- 1) Deputy Minister of Foreign Affairs and International Cooperation
- 2) First Secretary
- 3) Ambassadors
- 4) Principal Judge and Judges of the High Court, Advocates of the High Court
- 5) Presidents of the Bar Association
- 6) State Attorneys and Senior Law Officers
- 7) Senior Officers at the East African Community Secretariat
- 8) Professors, Senior Lecturers, Lecturers, Assistant Lecturers and Tutorial Assistants in Various Higher Learning Institutions in the EAC.
- 9) Protection Officers at Humanitarian Organizations.
- 10) CEOs, Partners and Founders of Law Firms and Non-Governmental Organizations.

### SELECTED FORMER TGCL STAFF AND AFFILIATED **M**EMBERS

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Founder of TGCL TGCL Project Leader

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DR CAROLIN HERZOG



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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.

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