

No. 32987

**UNITED REPUBLIC OF TANZANIE,
UGANDA AND KENYA**

Convention for the establishment of the Lake Victoria Fisheries Organization (with annex and final act). Concluded at Kisumu, Kenya, on 30 June 1994

Authentic text: English.

Registered by the Food and Agriculture Organization of the United Nations on 30 July 1996.

**RÉPUBLIQUE-UNIE DE TANZANIE,
OUGANDA ET KENYA**

Convention portant création de l'Organisation des pêches du Lac Victoria (avec annexe et acte final). Conclue à Kisumu (Kenya) le 30 juin 1994

Texte authentique : anglais.

Enregistrée par l'Organisation des Nations Unies pour l'alimentation et l'agriculture le 30 juillet 1996.

CONVENTION¹ FOR THE ESTABLISHMENT OF THE LAKE VICTORIA FISHERIES ORGANIZATION

PREAMBLE

The Governments of the Republic of Kenya, the Republic of Uganda and the United Republic of Tanzania, hereinafter referred to as the "Contracting Parties",

Recognizing and acknowledging the efforts already made by the three riparian States of Lake Victoria to strengthen regional cooperation in the spirit of the Agreement for the Establishment of a Permanent Tripartite Commission for cooperation among them signed in Arusha on 30 November 1993;

Recognizing that, as the riparian States of Lake Victoria, they share an interest in the well-being of the lake and its living resources, and in the rational management and sustainability of those living resources for the benefit of present and future generations;

Recognizing that the quantity and value of landings from Lake Victoria fisheries have increased substantially during the past decade, and that there is a need to ensure the sustainability of yields;

Recognizing that introduced fish species, for example the Nile tilapia and the Nile perch, now dominate commercial catches and that some indigenous fish species have substantially declined, affecting the biodiversity of the Lake;

Recognizing the likelihood that management decisions relating to any portion of Lake Victoria within the territorial limits of any one of the Contracting Parties will affect those portions of Lake Victoria lying within the territorial limits of the other Contracting Parties, and the concomitant necessity that management decisions be made taking such effects into account;

Recognizing the continuing need to increase scientific understanding of Lake Victoria, its living resources, its ecosystem, and the impact on those resources of climate, human populations and settlement, non-indigenous wildlife and industrialization;

Being aware of the dangers of over-fishing and of other threats such as water hyacinth, pollution, eutrophication and climatic changes to the sustainability of yields;

Appreciating past efforts of nationals and institutions of each of the three Contracting Parties in partnership with international organizations and foreign

¹ Came into force on 24 May 1996, in accordance with article XIX:

<i>Participant</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>
Kenya	24 May 1996
Uganda	5 January 1996
United Republic of Tanzania	23 May 1995 <i>a</i>

governments in fostering a better understanding of Lake Victoria and its living resources and in clarifying the choices that need to be made respecting the Lake and its living resources in the future;

Being convinced that joint action by the Contracting Parties is essential, in order to develop uniform management measures to the extent appropriate, to be implemented by national laws and regulations, as well as to develop adequate scientific bases for such measures;

Being committed to continued cooperation with respect to the sustainable utilization of Lake Victoria, its resources generally, and its living resources in particular;

Have agreed as follows:

ARTICLE I

Definitions

"Executive Secretary" means the chief executive and legal representative of the Organization;

"Committee" means a committee established in accordance with Articles VIII.1 and VI.1(k).

"Chief Executive Officer" means the Principal Secretary or the Permanent Secretary, as the case may be,

Words importing the masculine gender include the feminine gender.

ARTICLE II

Establishment, objectives, functions and responsibilities

1. The Contracting Parties hereby establish the Lake Victoria Fisheries Organization (hereinafter referred to as "the Organization").

2. The objectives of the Organization shall be to foster cooperation among the Contracting Parties, harmonize national measures for the sustainable utilization of the living resources of the Lake and to develop and adopt conservation and management measures.

3. To achieve these objectives, the Organization shall have the function and responsibility to:

- a) promote the proper management and optimum utilization of the fisheries and other resources of the Lake;
- b) enhance capacity building of existing institutions and develop additional institutions dedicated to, or likely to contribute to, the purposes of this Convention in cooperation with existing institutions established in or by the Contracting Parties and with such international, regional or non-governmental organizations as may be appropriate;

- c) provide a forum for discussion of the impacts of initiatives dealing with the environment and water quality in the Lake basin and maintain a strong liaison with the existing bodies and programs;
- d) provide for the conduct of research concerning the waters of Lake Victoria, including without limitation the quality of such waters, in particular with respect to supporting the living resources of the Lake and the nature, extent and pathways of its pollution and other forms of environmental degradation;
- e) encourage, recommend, coordinate and, as appropriate, undertake training and extension activities in all aspects of fisheries;
- f) consider and advise on the effects of the direct or indirect introduction of any non-indigenous aquatic animals or plants into the waters of Lake Victoria or its tributaries and to adopt measures regarding the introduction, monitoring, control or elimination of any such animals or plants;
- g) serve as a clearing-house and data bank for information on Lake Victoria fisheries and promote the dissemination of information, without prejudice to industrial property rights, by any appropriate form of publication;
- h) in respect of any or all of the foregoing, adopt budgets, seek funding, formulate plans for financial management and allocate funds to activities of the Organization, or to such activities of the Contracting Parties as it may determine to be in furtherance of the purposes of this Convention;
- i) undertake such other functions as it may determine to be necessary or desirable in order to achieve the purposes of this Convention.

ARTICLE III

Seat

1. The seat of the Organization shall be in the Republic of Uganda. The Host State undertakes to accord, in respect of the Organization, its staff and its property, the privileges, immunities and facilities set out in the Annex to this Convention.

2. The Council of Ministers may authorize the establishment of centres of the Organization in the territory of any of the Contracting Parties and may authorize the Organization to enter into agreements for this purpose with the State on whose territory such centres are to be located. Any agreement concluded with such a host State shall include all the provisions contained in Part A of the Headquarters Agreement annexed to this Convention.

ARTICLE IV

The organs of the Organization

1. The organs of the Organization are:

- a) the Council of Ministers;
- b) the Executive Committee;
- c) the Fisheries Management Committee, the Scientific Committee, and such other committees, sub-committees and working groups as may be established;
- d) the Permanent Secretariat.

2. The Council of Ministers may set up such committees or other subsidiary bodies as it may deem necessary for the performance of the functions of the Organization.

3. The Executive Committee may set up such sub-committees or working groups as it may deem necessary for the work of the committees or the Executive Committee itself.

ARTICLE V

The Council of Ministers

1. The supreme body of the Organization shall be the Council of Ministers consisting of the Ministers responsible for fisheries of the Contracting Parties or their authorized representatives.

2. Each Contracting Party shall endeavour to ensure that the heads of the departments responsible for fisheries management, fisheries research, environment, industry and tourism are represented in its delegation.

3. The Council of Ministers shall elect a Chairman, who shall serve for a two-year term. The chairmanship of the Council of Ministers shall rotate every two years among the members of the Council in accordance with the alphabetical order of the names of the Contracting Parties.

4. The Council of Ministers shall hold a regular session once every two years at such time and place as it shall determine. The Council of Ministers may hold special sessions if it so decides or at the request of any Contracting Party. The Chairman shall inform the Contracting Parties of the date and place of any session. No session of the Council of Ministers shall take place unless all three Ministers or their authorized representatives are present.

5. The Council of Ministers shall adopt its own Rules of Procedure. As far as possible decisions of the Council of Ministers will be taken by consensus. Where it is not possible to reach consensus the matter will be decided by majority vote. Each Contracting Party shall have one vote.