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ECONOMIC COMMISSION FOR AFRICA

Interim Secretariat of the Preferential Trade Area  
for Eastern and Southern Africa (PTA)

First Meeting of the Council of Ministers of  
the Preferential Trade Area for Eastern and  
Southern Africa

Lusaka, Zambia, 22-25 June 1982

REPORT OF THE FIRST MEETING OF THE COUNCIL OF MINISTERS  
OF THE PTA FOR EASTERN AND SOUTHERN AFRICA 22 - 25 JUNE  
1982

A. INTRODUCTION

1. The First Meeting of the Council of Ministers of the Preferential Trade Area for Eastern and Southern African States was held in Lusaka, Republic of Zambia, from 22 to 25 June 1982.

2. This first meeting was convened in compliance with Article 11 of the PTA Treaty and the decision of the Summit Conference of Heads of State and Government held in Lusaka on 21 December 1981 which called for the convening of the Council of Ministers of the PTA to initiate the implementation process of the PTA.

B. ATTENDANCE AND ORGANIZATION OF WORK

Opening of the meeting

3. The meeting was formally opened by Hon. A.G. Zulu, MCC, MP., Secretary of State for Defence and Security, of the Republic of Zambia. Professor Adebayo Adedeji, Executive Secretary also delivered a statement. Votes of thanks were moved by the Hon. Minister from Djibouti and the Hon. Minister from the Republic of Kenya.

4. The meeting was attended by Ministers and Officials from the following member States of the Subregion: Angola, Botswana, Comoros, Djibouti, Ethiopia, Kenya, Lesotho, Malawi, Mauritius, Mozambique, Somalia, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe.

5. Also present were the following observers: Hon. Kanariye Serge, Minister of Planning from the Republic of Burundi and Mr. C. Munyakayanza, Secretary-General in the Ministry of Economy and Commerce of the Republic of Rwanda, the South West African People's Organisation (SWAPO) and the African National Congress of South Africa (ANC).

Election of the Bureau

6. The Meeting elected the following members of the Bureau:

Chairman	-	Hon. R.C. Sakuhuka (Zambia)
Vice-Chairman	-	H.E. P.D.G. Makoe (Lesotho)
Rapporteur	-	Hon. Z. Onyonka (Kenya)

C. AGENDA

7. The Meeting adopted the following agenda as amended:

- (i) Opening of the meeting
- (ii) Election of officers
- (iii) Adoption of the agenda
- (iv) Consideration of the report of the first meeting of Intergovernmental Commission of Experts held in Lusaka from 14 to 19 June 1982
- (v) Any other business
- (vi) Adoption of the report
- (vii) Closing of the meeting

D. ACCOUNT OF PROCEEDINGS

8. In his opening statement, Hon. A.G. Zulu, MCC, MP. Secretary for Defence and Security of the Republic of Zambia, welcomed the Honourable Ministers and Officials to the first meeting of the Council of Ministers of the Preferential Trade Area (PTA) for Eastern and Southern African States and extended, on behalf of His Excellency Dr. Kenneth David Kaunda, the President of the Republic of Zambia, the Party and its Government and the People of Zambia, warm and fraternal greetings to the meeting. He requested the delegates to enjoy the modest hospitality offered by Zambia. He also extended a special welcome to Professor Adebayo Adedeji the Executive Secretary of ECA and to all members of the ECA Secretariat.

9. He pointed out that the First Meeting of the Council of Ministers of the PTA for Eastern and Southern African States was being held under bleak political and economic conditions, hence the meeting was of crucial importance for the economic development of the subregion. He was confident that the PTA would provide a framework for the economic transformation of the subregion.

10. In his statement, Professor Adebayo Adedeji, Executive Secretary of ECA, expressed indebtedness to His Excellency Dr. Kenneth D. Kaunda, the President of the Republic of Zambia, the Party and its Government and People of Zambia for their unfailing support for the task of economic co-operation in Africa. He observed that PTA owed its success to the Leaders of Eastern and Southern African States, and congratulated the member States of Eastern and Southern Africa for entrusting the growth and future well being of the PTA in the able hands of His Excellency Dr. Kaunda, the President of the Republic of Zambia.

11. He highlighted the main agenda items of the meeting and stated that with respect to the work programme of the PTA for the period August 1982 - December 1982 attention would be focussed mainly on undertaking certain commencement activities that would get PTA off the ground. The activities included, inter-alia the preparation of various procedural, administrative and financial rules and regulations as well as the convening of the meetings of the policy organs of PTA.

The second phase of the work programme which covered the period January - December 1983, would be devoted to the promotion of trade, establishment of Trade and Development Bank as well as the implementation of protocols on Trade and Customs, Agriculture, Industry, Transport and Communications and the BLS. With respect to the proposed budget of the permanent secretariat of PTA, contributions to the budget would be made in accordance with the formula agreed upon during the Enlarged Conference of Ministers of Trade, Finance and Planning held in Addis Ababa in May 1981. On the question of recruitment of the PTA staff, he stated that the established procedures would be followed.

12. Finally he stressed that the PTA Treaty was aimed at enhancing the principle of self-help and collective effort in the task of economic transformation and development and observed that PTA went beyond mere trade and addressed itself virtually to every economic sector relating to the promotion of subregional economic integration and eventual establishment of subregional common market and an economic community. He therefore assured the member States of Eastern and Southern Africa of ECA's fullest co-operation and continued support.

13. In proposing a vote of thanks, Hon. Ibrahim Mohamed Sultan, Minister of Commerce and Planning of the Republic of Djibouti thanked on behalf of all the delegates, Hon. Grey Zulu, MCC, MP, Secretary of State for Defence and Security of the Republic of Zambia, for his inspiring opening address and requested him to convey the meeting's gratitude to His Excellency Dr. Kenneth David Kaunda, the President of the Republic of Zambia, the Party and its Government and the people of Zambia for their warm hospitality. He also thanked Professor Adebayo Adedeji, the Executive Secretary of ECA, for his untiring efforts towards making the PTA a reality.

14. In a further vote of thanks on behalf of the delegates, Hon. Zachary Onyonka, Minister of Economic Planning and Development of the Republic of Kenya also expressed gratitude to the Hon. A.G. Zulu, MCC, MP, Secretary of State for Defence and Security for his thought-provoking and eloquent address. He noted that the First PTA meeting was being held at a time when developed countries were creating new trade barriers; it was therefore imperative, for countries of the Eastern and Southern African subregion to expedite all measures aimed at making PTA a reality. In that regard he underscored the importance which the leaders of Eastern and Southern Africa had attached to the task of economic development - and the need for the member States to utilize their limited resources in order to realize the aspiration of the African people which was the prime objective of all the African States. There was not only a need to survive but also to survive and prosper. The resources needed in that respect were political will and commitment, he urged.

Consideration of the Report of the First Meeting of the Intergovernmental  
Commission of Experts held in Lusaka from 14 - 19 June 1982  
(Agenda item 4)

15. Under this agenda item, Mr. Francis M. Walusiku the Chairman of the First Meeting of the Intergovernmental Commission of Experts of the Preferential Trade Area was called upon to table the report of the Commission. Following a detailed presentation of the report, the Council of Ministers considered the report under the following sub-headings:

- (i) Work Programme and Management Plan for the PTA
- (ii) The BLS Protocol
- (iii) The Budget of the PTA for the period January-December 1983
- (iv) Arrangements for the appointment of the PTA Secretary-General and other core PTA staff and their job descriptions
- (v) Progress Report on the PTA Tribunal
- (vi) Rules and Regulations of the PTA Clearing House
- (vii) Inaugural Meetings of Technical Committees
- (viii) PTA Policy Organ Meetings

Work Programme and Management Plan

16. The Council of Ministers considered the work programme and management plan for the PTA for the period August-December 1982 and January-December 1983 and decided to adopt the work programme and plan as contained in Annex I.

The BLS Protocol

17. The Council of Ministers decided that the protocol relating to the unique situation of Botswana, Lesotho and Swaziland whose provisions had already been agreed upon by all member States of the PTA was now an integral part of the PTA Treaty. To this end, the Council of Ministers decided to recommend that the Protocol be initialled by the Authority at its inaugural meeting so that it would be incorporated into the Treaty.

The Budget of the PTA for the Period January - December 1983

18. In considering this item the Council emphasized that member States should endeavour to be self-reliant in the financing of the institutions of the PTA and urged that contributions should be made promptly. They therefore decided:

- (i) to adopt the indicative figures for individual country contributions shown in Annex II and decided that 50 per cent of each member's annual contribution to the 1983 PTA budget be paid not later than 15 December 1982 so that by January 1983 the PTA Secretariat would have funds to start its operations;

- (ii) that payments should be made in favour of the PTA and remitted to the Director, ECA/MULPOC, Box 30647, Lusaka, Zambia, it being understood that the Interim Secretariat would open a foreign currency account to this effect;
- (iii) that the level of classification of PTA staff be comparable to those of similar intergovernmental organizations.

Arrangements for the Appointment of the Secretary-General and other core PTA Staff and their job descriptions

19. Under this item the Council agreed that the minimum number of years of relevant experience stipulated for the various job descriptions be maintained as guidelines and that this together with other criteria would be applied with some flexibility particularly with regard to candidates coming from newly independent PTA countries. The Council further decided that the two years fixed term appointment be maintained, but that provision be made to give longer term appointment to deserving staff members after adequate years of satisfactory service.

20. After exhaustive discussion on the question of procedures for the appointment of the staff of the PTA, the Council decided as follows:

- (i) The job descriptions should be annexed to this report and that this would constitute the first stage of the process of notifying the member States about the posts to be filled within the PTA Secretariat (Annex III);
- (ii) The Executive Secretary of ECA would within ten days after the first meeting of the Council of Ministers send cables and letters to all member States formally requesting them to expedite submission of the candidates for the various posts to be filled in accordance with the job descriptions already circulated;
- (iii) Member States should ensure that nominations of candidates reach the Executive Secretary of ECA not later than 15 September 1982;
- (iv) Member States could submit candidates for more than one post;
- (v) Member States should provide comprehensive information on qualifications and background of the candidates submitted;
- (vi) For the interim period the interview panels comprising the Executive Secretary of ECA and representatives of member States that had not submitted candidates for the posts be constituted;
- (vii) Costs incurred by both members of the interview panel and prospective candidates in connexion with the interviews should be borne by the individual or the Governments concerned;

- (viii) With regards to the Secretary-General the interview panel would prepare a report on the candidates for the guidance of the Authority when deciding on his appointment;
- (ix) With regards to the core staff (Directors and other officers) the panel would prepare a report and make recommendations for submission to the second meeting of the Council of Ministers.

21. In conclusion the Council of Ministers emphasized the need to safeguard against the tendency of some countries viewing international organizations as areas for providing alternative employment for individuals whose services had been found unsatisfactory in their respective countries. In this regard, the Council appealed to member States to nominate the most competent candidates for the various posts.

#### Progress Report on the Statute of the Tribunal of the PTA

22. With regard to the Statute of the Tribunal of the Preferential Trade Area, the Council of Ministers noted the report of the Intergovernmental Commission of Experts and decided that draft Statute of the Tribunal should be transmitted to the Authority for enactment and promulgation in official gazette of the Authority as the first PTA Statute. (Annex IV)

#### Progress Report on the Rules and Regulations of the PTA Clearing House

23. The Council of Ministers noted the progress report on the Rules and Regulations of the PTA Clearing House, and decided that it should be submitted to the PTA Clearing and Payments Committee for finalization and subsequent submission to the next meeting of the PTA Council of Ministers (Annex V).

#### Arrangements for the Inaugural Meetings of Technical Committees

24. The Council of Ministers considered the arrangement for the inaugural meetings of the PTA Technical Committees and agreed that the Technical Committees on Agriculture, Customs and Trade, and Industry should take place in Lusaka, Zambia from 25-29 October 1982, and that the Technical Committees on Transport and Communications, and the Clearing and Payments should also take place in Lusaka, Zambia from 1-5 November 1982 (Annex VI).

#### Inaugural meeting of the Authority and the Second meetings of the Council of Ministers and Intergovernmental Commission of Experts

25. The Council of Ministers decided that the second meetings of the PTA Intergovernmental Commission of Experts, the Council of Ministers and the Inaugural meeting of the Authority will be held in Lusaka, Zambia from 9-11, 14-15 and 16-17 December 1982 respectively (Annex VII).

Any other business (Agenda item 5)

(a) Gold Mercury International Award

26. The Ethiopian delegation informed the meeting that the Pan African Conference would be held on the 28th November 1982 in Addis Ababa, Ethiopia in the United Nations Conference Building, Africa Hall and urged member States to identify candidates (both individuals and institutions) who had distinguished themselves in the areas of trade and economic co-operation within the region as well as for their creativity and outstanding contribution for national economic development for the Gold Mercury International Award.

(b) Establishment of the ICE and certain Technical Committees of the PTA as Institutions of the PTA

27. The Somali delegation pointed out that paragraph 1 of Article 11 of the PTA Treaty provided that the Intergovernmental Commission of Experts and the Technical Committees referred to in that Article were to be established at such times as the Council of Ministers would determine. Since no such determination had been made by the Council of Ministers, it was now necessary for the Council to do so not only in respect of Intergovernmental Commission of Experts but also in respect of the Technical Committees whose meetings had been scheduled to take place in October - November 1982. The meeting therefore adopted a resolution to formally legalize the position (see Annex VIII).

(c) Signification and Publication of Decisions Order

28. The meeting also decided that steps should be taken to regulate the designation, signification and publication of its decisions and directives and matters connected therewith. In this regard, and since the issue was within the competence of the Authority, the meeting recommended that the attached Draft Signification and Publication of Decisions Order (see Annex IX) be submitted for promulgation by the Authority.

Adoption of the Report (Agenda item 6)

29. The Council of Ministers unanimously adopted the report as amended.

Closing of the Meeting (Agenda item 7)

30. At the closing session Professor Adebayo Adedeji, the Executive Secretary of ECA congratulated the bureau and reiterated the need for immediate implementation of the decisions taken at the meeting. He urged the member States that had not ratified and signed the Treaty to do so without further delay, and appealed to Rwanda and Burundi to join the PTA.

31. In his vote of thanks, Hon. R.C. Nove, Minister of Trade and Commerce, Republic of Zimbabwe, thanked the Government of Zambia for the warm hospitality that it had extended to all the delegates. He also exhorted the member States that had not signed the PTA Treaty to do so, in order to allow for the establishment of a new economic order and an African Common Market by the year 2000 in



accordance with the Lagos Plan of Action. This He pointed out, would assist the member States of the subregion to wage both political and economic struggle against neocolonialism as well as to establish the basis for raising the quality of life for the millions of the African people. He then formally proposed a vote of thanks which is annexed (Annex X).

32. Finally, the Chairman of the Council of Ministers, Hon. R.C. Sakuhuka, Minister of Tourism and Acting Minister of Commerce and Industry thanked the delegates, the PTA Interim Secretariat for their contribution to the success of the meeting. He underscored the need for commitment if PTA were to become a reality and urged the member States to ensure that they paid in their fifty percent of assessed contribution by 15 December 1982.

33. He also urged member States to submit the names of their prospective candidates for the various PTA posts before 15 September 1982. He further confirmed the invitations that the Government of Zambia had extended to host all the scheduled PTA meetings.

34. The meeting was formally closed at 1800 hours.

## A N N E X E S

DRAFT WORK PROGRAMME AND MANAGEMENT PLAN FOR THE PREFERENTIAL TRADE  
AREA SECRETARIAT FOR THE PERIOD AUGUST TO DECEMBER 1982  
AND THE PERIOD JANUARY 1983 TO DECEMBER 1983

I. Phase I - August - December 1982

A. Preferential Trade Area Secretariat

- Preparation of draft staff rules and regulations
- Preparation of draft financial regulations
- Preparation of PTA rules of procedures
- Inaugural meetings of the Intergovernmental Commission and Committees
- Summit of Heads of State and Government of the PTA member States

B. Treaty

- Follow-up action on signing and ratification of the Treaty
- Continuation of negotiations with host Government on status, privileges and immunities of PTA staff and property
- Preparation of draft rules and regulations of the Intergovernmental Commission of Experts and the technical Committees.

C. Trade and Development Bank

- Convening of the Intergovernmental Team of Experts to review the technical study and charter of the Bank and make recommendations to Council of Ministers.
- Meeting of Attorneys-General or their representatives on finalization of the draft charter of the Bank

D. Protocol on reduction and elimination of trade barriers

- Assistance in the implementation of this protocol and in related negotiations on commodities (i.e. 180 days before relevant protocol comes into force as provided for under the Treaty)
- Up-dating of "Common List" products and related classification of goods
- Collection of up-to-date customs tariff rates in relation to "Common List" commodities

E. Protocol and customs co-operation

- Collection of information on customs regulations and procedures (tariff

F. Protocol on transit trade and transit facilities

- Preparation of draft customs nomenclature
- Preparation for the implementation of this protocol

G. Protocol on transport and communications, industrial and agricultural Development

- Collection of ~~data~~ and information with a view to required harmonization and/or establishment of related institutions in respect of:
  - transport and communications road, rail, sea, water etc.,
  - industrial priority sectors metallurgical, chemical etc.,
  - agricultural development, land and water resources, technology and marketing

H. Protocol on standardization

Collection of information on national standards and quality control measures (in collaboration with ARSO) with a view to harmonizing them.

I. Convening of the following meetings:

- |   |                     |
|---|---------------------|
| (a) Customs and Trade Committee             | 25-29 October 1982  |
| (b) Committee on Agricultural Co-operation  | 25-29 October 1982  |
| (c) Committee on Industrial Co-operation    | 25-29 October 1982  |
| (d) Clearing and Payments Committee         | 01-05 November 1982 |
| (e) Transport and Communications Committee  | 01-05 November 1982 |
| (f) Intergovernmental Commission of Experts | 09-11 December 1982 |
| (g) PTA Council of Ministers Meeting        | 14-15 December 1982 |
| (h) The Authority                           | 16-17 December 1982 |

J. Other activities (general)

- Preparation and/or printing of various forms required for the implementation of relevant protocols
- Establishment of modalities for the implementation of the above and other relevant protocols

II. Phase II - January - December 1983

A. Treaty

Start of PTA trading operations under Protocol on reduction and elimination of trade barriers (January)

B. Trade and Development Bank

- Preparation for, and meeting of Council of Ministers to consider and adopt charter of the Bank
- Arrangements to be made for appointment of Governors to the Board of Governors of the Bank
- Arrangements to be made for appointment of the Executive Directors and President of the Bank

C. Protocol on reduction and elimination of trade barriers

- Preparations for the second round of negotiations required to be held on the elapse of the first two years since the coming into force of the Treaty on reduction and elimination of trade barriers, including the revision of the "Common List"
- Convening of meeting of the Customs and Trade Committee to consider reduction and elimination of trade barriers (implementation measures)

D. Protocol on customs co-operation

- Application of SITC statistical standards to foreign trade
- Continuation of collection of information on customs regulations and procedures with a view to harmonizing them

E. Protocol on transit trade and transit facilities

Preparation of draft common terms and conditions for temporary admission of goods to be re-exported and practical arrangements to be made for the application of the protocol

F. Protocol and simplification and harmonization of trade documents and procedures

Submission of concrete proposals for the standardization of trade documents

G. Protocol on transport and communications

Preparation of draft common rules and regulations for road, maritime, and water transport (including proposals on creation of multinational enterprises)

H. Protocol on industrial development

Preparation of draft concrete proposals on co-operation in industrial priority sectors (creation of multinational enterprises etc...) and on harmonization of industrial policies

I. Preparation of the draft charter of multinational industrial enterprises

Preparation of the draft charter of the "Centre for the promotion of Industrial Development" (as required by relevant protocol)

J. Protocol on agricultural development

Preparation of draft concrete proposals on co-operation in agricultural priority sectors (creation of multinational enterprises, joint ventures etc.... and on harmonization of agricultural policies )

K. Protocol on standardization

Preparation of draft concrete proposals for harmonization of standards and quality control measures

L. Convening of the following meetings:

- (a) Intergovernmental Commission of Experts (at least once)
- (b) Customs and Trade Committee (at least once)
- (c) Clearing and Payments Committee (at least once)
- (d) Committee on Agricultural Co-operation (at least once)
- (e) Committee on Industrial Co-operation (at least once)
- (f) Transport and Communications Committee (at least once)
- (g) PTA Council of Ministers meeting (once)
- (h) The Authority (once)

CONTRIBUTIONS BY 12 COUNTRIES THAT HAVE SIGNED THE TREATY

	IO countries	(less Comoros and Djibouti)
	(US \$)	%
1. Comoros <sup>1/</sup>	0	0
2. Djibouti <sup>1/</sup>	0	0
3. Ethiopia	145,786	8.4
4. Kenya	347,628	20.0
5. Lesotho	62,355	3.6
6. Malawi	144,048	8.3
7. Mauritius	119,714	6.9
8. Somalia	83,213	4.8
9. Swaziland	175,334	10.1
10. Uganda	182,395	10.5
11. Zambia	151,000	8.7
12. Zimbabwe	326,660	18.8

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<sup>1/</sup> It should be noted from the above Table that Comoros and Djibouti have been exempted from payments of any contribution to the PTA budget in accordance with Article 38 of the Treaty.

JOB DESCRIPTIONS OF POSTS OF SECRETARY GENERAL AND CORE  
STAFF OF THE PTA SECRETARIAT

- (i) Category and level - Professional category DII  
Base pay (Net) US\$40,000 P.A.
- (ii) Duty Station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of Assignment -  
- For a term of 4 years with possibility of extension for a further period of years

Duties and responsibilities

The Secretary-General shall be the principal executive officer of the Preferential Trade Area for Eastern and Southern Africa (PTA) appointed by the Authority to be responsible for the following duties

- (a) Act as Secretary of the Authority and the Council of Ministers;
- (b) Prepare and submit reports on the activities of the PTA to all meetings of the Authority and the Council of Ministers;
- (c) Supervise the administration of the PTA and proper utilization of the financial resources;
- (d) Maintain a continuous review of the activities of the PTA and, in this regard, take such initiatives as may be appropriate, either on his own initiative or at the request of a member State made through the Intergovernmental Commission of Experts, and report the results of initiatives to the Commission as necessary;
- (e) On his own initiative or as may be assigned to him by the Authority for the Council, undertake such work and studies and perform such services as may be related to the aims of the PTA and to the implementation of the provisions of the PTA Treaty;
- (f) For the performance of the functions provided for in Article 9 of the PTA Treaty, collect information and verify matters of fact relating to the functioning of the PTA and, for that purpose, request, if necessary, a member State to provide information relating thereto;



- (g) Perform any other functions as may be determined, from time to time, by the authority or the Council of Ministers.

Qualifications and Experience

An advanced degree in economics, preferably with specialization in international economics or business administration. Should have not less than 15 years experience in a senior position in his government or a subregional, regional or international organization. Extensive experience at senior level in economic co-operation and/or trade negotiations between African countries would be an advantage.

Languages

Fluency in English or French or Portuguese. Working knowledge of one of the two other language would be an asset.

JOB DESCRIPTION OF DIRECTOR OF  
TRADE, MONETARY AND CUSTOMS DIVISION

- (i) Category and level - Professional category - P.5  
Base pay (net) US\$ 22,400.00 P.A.
- (ii) Duty Station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on a two year fixed term basis with possibility of extension

(v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Areas (PTA) for Eastern and Southern African States, the Director of the Division of Trade, Monetary and Customs shall:

(a) Monitor and provide support services in respect of all operations relating to the promotion of intra-PTA trade, monetary, financial co-operation and customs co-operation as stipulated in chapters 4 to 9 of the PTA Treaty. In particular he will assist member States of the PTA in implementing the relevant provisions of the Treaty, including the:-

- (i) protocol on reduction and elimination of trade barriers on selected commodities to be traded within the PTA;
- (ii) do on customs co-operation within the PTA;
- (iii) do on rules of origin for products to be traded between the member States of the PTA;
- (iv) do re-exports of goods within the PTA;
- (v) do transit trade and transit facilities;
- (vi) do clearing and payments arrangements;
- (vii) do standardization and quality control (the Director of Trade, Monetary and Customs Division will co-ordinate with the Director of Agriculture and Industry Division in effectively implementing this protocol as well as that on simplification and harmonization of trade documents and procedures);
- (viii) do the unique situation of the BLS States, provisions concerning the Eastern and Southern African Trade and Development Bank. In this case the Director will provide necessary assistance to PTA member States for the

- (b) act as Secretary at all meetings of the Technical Committees referred to Annexes I to V and X to XII;
- (c) undertake day-to-day administration of the Trade, Monetary and Customs Division;
- (d) undertake any other duties that may be assigned to him by the Secretary-General;

Qualifications and experience

An advanced degree in economics with specialization in international economics. Should have at least minimum of 8 years experience, time of which should be at a senior position, in his government or sub-regional, regional or international organization in the field of international trade and finance including familiarity with trade negotiations, implementation of trade liberalization process between African Countries and/or financial and monetary matters.

Languages

Fluency in English or French or Portuguese. Working knowledge of one of the two languages will be an advantage.

# JOB DESCRIPTION OF SENIOR TRADE EXPERT

- (i) Category and level
  - Professional category - P.4
  - Base pay (net) US\$18,620.00 P.A.
- (ii) Duty Station
  - Lusaka, Zambia
- (iii) Starting Date
  - 1 January 1983
- (iv) Duration of assignment
  - Initial appointment on a two year fixed-term basis with possibility of extension.

## (v) Duties and responsibilities

Under the over-all direction of the Secretary General of the Preferential Trade Area (PTA) for Eastern and Southern African States and the immediate supervision of the Director of the Trade, Monetary and Customs Division, the Senior Trade Expert shall:

- (a) assist in implementation the relevant provisions of the PTA Treaty and Protocols including those on reduction and elimination of trade barriers; rules of origin for products to be traded between the member States of the PTA; the re-export of goods within the PTA, transit trade and transit facilities; simplification and harmonization of trade documents and procedures, the unique situation of BLS States, standardization and quality control;
- (b) service the meetings of the Trade, Monetary and Customs Committee;
- (c) carry out any other duties that may be assigned to him by the Director of the Trade, Monetary and Customs Division.

## (vi) Qualifications and experience

An advanced degree in economics with specialization in international trade. Should have at least a minimum of 6 years experience, four of which should be in the relevant field in his government or in a sub-regional, regional or international organization in the field or international trade including familiarity with trade negotiations and implementation of trade liberalization process between African countries.

(vii) Languages

Fluency in English or French or Portuguese. Working knowledge of one of the two other languages would be an asset.

JOB DESCRIPTION OF STATISTICIAN

- (i) Category and level
  - Professional category - P. 3
  - Base pay (net) US\$15,400.00 P.A.
- (ii) Duty Station
  - Lusaka, Zambia
- (iii) Starting Date
  - 1 January 1983
- (iv) Duration of assignment
  - Initial appointment on a two year fixed term basis with possibility of extension.
- (v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area for Eastern and Southern African States (PTA) and the immediate supervision of the Director, Trade, Monetary and Customs Division, the Senior Statistician shall:

- (a) Assist in all matters relating to trade and other statistics;
- (b) Collect, compile and disseminate all the quantitative information, including trade information particularly import, export, terms of trade, balance of payments, prices, money and banking, exchange rate, tariffs etc, necessary for the implementation of the PTA Treaty;
- (c) Collect, compile and disseminate information on agriculture, industry, transport and communications, with reference to production, consumption, marketing, transport etc;
- (d) Carry out any other duties that may be assigned to him by the Director of the Trade, Monetary and Customs Division.

(vi) Qualifications and experience

An advanced degree in Statistics. Should have at least a minimum of 4 years experience, three of which should be in the relevant field in his government, or subregional, regional or international organization, in the field of statistics with specialization in trade statistics.

(vii) Languages

Fluency in English or French or Portuguese. Working knowledge of one of the other two languages would be an advantage.

## JOB DESCRIPTION OF SENIOR FINANCIAL EXPERT

- (i) Category and level - Professional category - P.4  
Base pay (net) US\$18,620.00 P.A.
- (ii) Duty Station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on two year fixed term basis with possibility of extension.

(v) Duties and responsibilities

Under the over-all direction of the Secretary General of the Preferential Trade Area (PTA) for Eastern and Southern African States and the immediate supervision of the Director of the Trade Monetary and Customs Division, the Senior Expert shall:

- (a) assist in implementing the relevant provisions of the PTA Treaty and Protocols including those on clearing and payments arrangements, and the establishment on a Trade and Development Bank for Eastern and Southern African States;
- (b) service the meetings of the Clearing and Payments Committee;
- (c) carry out any other duties that may be assigned to him by the Director of the Trade, Monetary and Customs Division.

(vi) Qualifications and experience

Should have an advanced degree in the money, banking or

fiscal fields and/or international finance. At least a minimum of 6 years experience, four of which should be in the relevant field in his central bank, ministry of finance, commercial bank or development bank or in a subregional, regional or international organization.

(vii) Language

Fluency in English or French or Portuguese. Working knowledge of one of the other two languages would be an advantage.

JOB DESCRIPTION OF SENIOR CUSTOMS EXPERT

- (i) Category and level - Professional category - P.4  
Base pay (net) US\$18,620,00 P.A.
- (ii) Duty Station - Lusaka, Zambia
- (iii) Starting Date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on a two year fixed term basis with possibility of extension.
- (v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area (PTA) for Eastern and Southern African States and the immediate supervision of the Director of the Trade, Monetary and Customs Division, the Senior Expert shall:

- (a) assist in implementing the relevant provisions of the PTA Treaty and Protocols including those on the reduction and elimination of trade barriers; customs co-operation within the PTA; rules of origin for products to be traded between the member States of the PTA; the re-export of goods within the PTA; transit trade and transit facilities; simplification and harmonization of trade documents and procedures; the unique situation of BLS States;

- (b) service the meetings of the Customs and Trade Committee;
- (c) carry out any other duties that may be assigned to him by the Director of the Trade, Monetary and Customs Division.
- (vi) Qualifications and experience

An advanced degree in Customs administration. Should have at least a minimum of 6 years experience, four of which should be in the relevant field in his government or in a subregional, regional or international organization in a senior position. Should preferably be familiar with implementation of trade liberalization process between African countries. Possession of a second degree in economics or finance would be an advantage.

(vii) Languages

Fluency in English or French or Portuguese. Working knowledge of one of the other two language would be an advantage.

JOB DESCRIPTION OF DIRECTOR - TRANSPORT AND  
COMMUNICATIONS DIVISION

- (i) Category and level - Professional category - P.5  
Base pay (net) US\$22,400.00 P.A.
- (ii) Duty Station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on a two year fixed term basis with possibility of extension.
- (v) Duties and responsibilities

Under the over-all direction of the Secretary General of the Preferential Trade Area (PTA) for Eastern and Southern African States, the Director of the Transport and Communication Division shall:



- (a) assist member States of the PTA in implementing the provisions of Annex III, on Protocol of Transport and Communications;
- (b) to act as secretary at all meetings of the Transport and Communications Committee referred to in Article 16 of Annex VII to the PTA Treaty;
- (c) undertake day-to-day administration of the Transport and Communications Division;
- (d) carry out any other duties that may be assigned to him by the Secretary-General
- (vi) Qualifications and experience

An advanced degree in transport economics or civil engineering or telecommunications engineering. Should have at least a minimum of 8 years experience five of which should be at a senior level in his government or subregional, regional or international organization in a senior position in transport and communications fields.

(vii) Languages

Fluency in English, French or Portuguese. Working knowledge of one of the other two languages would be an advantage.

JOB DESCRIPTION OF SENIOR TRANSPORT EXPERT

- |                             |  |
|-----------------------------|--|
| (i) Category and level      | - Professional category - P.4<br>Base pay (net) US\$18,620.00 P.A.                           |
| (ii) Duty station           | - Lusaka, Zambia   |
| (iii) Starting date         | - 1 January 1983   |
| (iv) Duration of assignment | - Initial appointment<br>on a two year fixed term<br>basis with possibility of<br>extension. |

(v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area (PTA) for Eastern and Southern African States and the immediate supervision of the Director of Transport and Communications Division, the Senior Transport Expert shall:

- (a) assist in implementating the relevant provisions of the PTA Treaty and Protocols including those on transport;
- (b) service the meetings of the Committee on Transport and Communications;
- (c) carry out any other duties that may be assigned to him by the Director of Transport and Communications Division.

(vi) Qualifications and experience

An advanced degree in transport economics or civil or highway engineering. Should have at least a minimum of 6 years experience, four of which should be in the relevant field in his government or subregional, regional or international organization in a senior position in the field of transport.

(vii) Language

Fluency in English or French or Portuguese. Working knowledge of one of the other two languages would be an advantage.

JOB DESCRIPTION OF SENIOR COMMUNICATIONS EXPERT

- (i) Category and level - Professional category - P.4  
Base pay (net) US\$18,620.00 P.A.
- (ii) Duty station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on a two year fixed term basis with possibility of extension.

(v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area (PTA) for Eastern and Southern African States and the immediate supervision of the Director of the Transport and Communications Division, the Senior Communications Expert shall:

- (a) assist in implementing the relevant provisions of the PTA Treaty and Protocols including those on communications;
- (b) service the meetings of the Committee on Transport and Communications Division;
- (c) carry out any other duties that may be assigned to him by the Director of the Transport and Communications Division;

(vi) Qualifications and experience

An advanced degree in telecommunications engineering. Should have at least six years experience, four of which should be relevant field in his government or subregional, regional or international organization in a senior position in the field of telecommunications;

(vii) Languages

Fluency in English or French or Portuguese. Working knowledge of one of the other two languages would be an advantage.

JOB DESCRIPTION OF DIRECTOR OF AGRICULTURE AND  
INDUSTRY DIVISION

- |                             |   |
|-----------------------------|---|
| (i) Category and level      | - Professional category - P.5<br>Base pay (net) US\$22,400.00 P.A.                        |
| (ii) Duty station           | - Lusaka, Zambia  |
| (iii) Starting date         | - 1 January 1983  |
| (iv) Duration of assignment | - Initial appointment on a two<br>year fixed term basis with<br>possibility of extension. |

(v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area (PTA) for Eastern and Southern African States, the Director of the Division of Agriculture and Industry shall:

- (a) assist member States of the PTA in implementing the provisions of Annexes VIII and IX of the Treaty;
- (b) to act as Secretary at all meetings of the Committees on Agricultural and Industrial co-operation;
- (c) co-operate and in particular with Director of Trade, Monetary and Customs Division in implementing the provisions of Annex XI of PTA Treaty on standardization and quality control;
- (d) undertake day-to-day administration of the Agricultural and Industrial Division;
- (e) undertake any other duties that may be assigned to him by the Secretary-General.

(vi) Qualifications and experience

Advanced degree in agricultural/Industrial economics. The candidate should have at least a minimum of 8 years experience, five of which should be in senior positions at national and/or multinational levels in Agricultural/Industrial activities including policies and strategies. Possession of an understanding of the linkages between agriculture and industry would be highly desirable.

(vii) Languages

Fluency in English or French or Portuguese. Working knowledge of the other two languages would be an advantage.

JOB DESCRIPTION OF SENIOR AGRICULTURAL EXPERT

- (i) Category and level - Professional category - P.4  
Base pay (net) US\$18,620.00 P.A.
- (ii) Duty station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on a two year fixed term basis with possibility of extension.

(v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area (PTA) for Eastern and Southern African States and the immediate supervision of the Director of Agriculture and Industry Division, the Senior Agricultural Expert shall:

- (a) assist in implementing the relevant provisions of the PTA Treaty and Protocols including those on co-operation in the field of Agricultural Development;
- (b) service the meetings of the Committee on Agricultural co-operation;
- (c) carry out any other duties that may be assigned to him by the Director of the Agriculture and Industry Division.

(vi) Qualifications and experience

An advanced degree in agriculture economics. Should have at least 6 years experience, four of which should be in the relevant field in his government or a subregional, regional or international organization in the field of food and agriculture.

(vii) Language

Fluency in English or French or Portuguese. Working knowledge of one of the other two languages would be an advantage.

# JOB DESCRIPTION OF SENIOR INDUSTRIAL EXPERT

- (i) Category and level - Professional category - P.4  
Base pay (net) US\$18,620.00 P.A.
- (ii) Duty station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on a two year fixed term basis with possibility of extension.

## (v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area (PTA) for Eastern and Southern African States and the immediate supervision of the Director of the Agriculture and Industry Division the Senior Industrial Expert shall:

- (a) assist in implementing the provisions of the PTA Treaty and Protocols relating to the field of Industrial Development;
- (b) undertake studies and related activities required to implement the provisions of the PTA Treaty and Protocols;
- (c) service the meetings of the Committee on Industrial co-ordination;
- (d) carry out any other duties that may be assigned to to him by the Director of the Agriculture and Industry Division.

## (vi) Qualifications and experience

Advanced degree in industrial economics or engineering with knowledge/background in economics. Should have at least a minimum of 6 years experience, four of which should be in the relevant field at national and/or multinational levels in the formulation/evaluation/Implementation of industrial policies and strategies and industrial planning and programming, taking account of sectoral linkage, particularly between industry and agriculture.

## (vii) Language

Fluency in English or French or Portuguese. Working knowledge of one of the other two languages.

# JOB DESCRIPTION OF DIRECTOR OF ADMINISTRATION

- (i) Category and level - Professional category - P.5  
Base pay (net) US\$22,400.00 P.A.
- (ii) Duty station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on a two year fixed term basis with possibility of extension.

## (v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area (PTA) for Eastern and Southern African States, the Director of the Division of Administration shall:

- (a) be responsible for the general administration of the PTA Secretariat;
- (b) be responsible for the training and welfare of the PTA Secretariat's staff;
- (c) be responsible for budget and planning, finance and accounting, conference services, general services procurement of office supplies, equipment and furniture, public relations and publicity, internal audit etc;
- (d) liaise with host government;
- (e) assist in mobilization of resources for PTA activities from national, subregional, regional, bilateral and multinational sources;
- (f) be the custodian of all the assets of PTA Secretariat;
- (g) assist the Board of Auditors in auditing the accounts of PTA Secretariat;
- (h) carry out any other duties that may be assigned to him by the Secretary-General.

## (vi) Qualifications and experience required

An advanced degree in business administration or finance. Not less than 8 years experience in general administration, five of which should be at a senior level in his government or subregional, regional or International organizations.

## (vii) Languages

# JOB DESCRIPTION OF FINANCE OFFICER

- (i) Category and level - Professional category - P.3  
Base pay (net) US\$15,400.00 P.A.
- (ii) Duty station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on a two year fixed term basis with possibility of extension.

## (v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area (PTA) for Eastern and Southern African States and the immediate supervision of the Director of Administration Division, the Finance Officer shall:

- (a) assist in all matters relating to finance and accounting, budget and financial planning, preparation of periodical financial statements;
- (b) assist in the collection of annual contributions from PTA member States towards PTA annual budget;
- (c) carry out any other duties that may be assigned to him by the Director of Administration.

## (vi) Qualifications and experience

Should have a degree in accounting or finance and at least four years experience, three of which should be in financial management;

## (vii) Languages

Fluency in English, French or Portuguese. Working knowledge of one of the two other languages would be an advantage.



#### JOB DESCRIPTION OF ADMINISTRATIVE OFFICER

- (i) Category and level - Professional category - P.3  
Base pay (net) US\$15,400.00 P.A.
- (ii) Duty station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on a two year fixed term basis with possibility of extension.

(v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area (PTA) for Eastern and Southern African States and the immediate supervision of the Director of Administration, the Administrative Officer shall:

- (a) assist in the recruitment and training of PTA Secretariat;
- (b) assist in the recruitment and training of PTA Secretariat general service staff;
- (c) assist in the running of general services;
- (d) assist in ensuring office-upkeep and maintenance
- (e) carry out any other duties that may be assigned to him by the Director of Administration.

(vi) Qualifications and experience

A degree in business administration, finance or law. Should have not less than four years experience, three of which should be in office administration and management.

(vii) Languages

Fluency in English or French or Portuguese. Working knowledge of one of the other two languages will be an advantage.

## JOB DESCRIPTION OF LEGAL SECRETARY

- (i) Category and level - Professional category - P.5  
Base pay (net) US\$22,400.00 P.A.
- (ii) Duty station - Lusaka, Zambia
- (iii) Starting date - 1 January 1983
- (iv) Duration of assignment - Initial appointment on a two year fixed term basis with possibility of extension.

(v) Duties and responsibilities

Under the over-all direction of the Secretary-General of the Preferential Trade Area (PTA) for Eastern and Southern African States, the Legal Secretary shall:

- (a) be principal legal adviser to the Authority of the PTA;
- (b) draft agreements, contracts and other legal documents relating to the PTA as and when necessary;
- (c) represent or cause to be represented the PTA in legal proceedings including proceedings before the Tribunal of the PTA;
- (d) provide legal assistance to all the institutions of the Preferential Trade Area;
- (e) upon request from member States provide them with all necessary legal assistance with regard to the implementation of the PTA Treaty and
- (f) carry out any other duties that may be assigned to him by the Authority, Council of Ministers or Secretary-General of the PTA.

(vi) Qualifications and experience

An advanced degree and professional qualifications in law. At least a minimum of eight years professional experience as a practicing lawyer, five of which should be in the area of international trade, experience in advising governments or inter-governmental organizations will be an advantage;

(vii) Languages

Fluency in English, French or Portuguese. Working knowledge of one of the other languages could be an asset.

ANNEX IV

Distr.  
LIMITED

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ECA/MULPOC/Lusaka/PTA/IX/3/Rev.3

March 1982  
Original: ENGLISH

ECONOMIC COMMISSION FOR AFRICA

Multinational Programming and Operational  
Centre (MULPOC) for Eastern and Southern  
African States

Meeting of Attorneys-General or their Senior  
Representatives from Eastern and Southern  
African States

29 March to 2 April 1982, Lusaka, Zambia

REVISED DRAFT STATUTE OF THE TRIBUNAL OF THE  
PREFERENTIAL TRADE AREA FOR EASTERN AND  
SOUTHERN AFRICAN STATES

Revised Draft Statute of the Tribunal of the  
Preferential Trade Area for Eastern and  
Southern African States

IN EXERCISE of the powers conferred upon the Authority of the Preferential Trade Area of Eastern and Southern African States by paragraph 2 of Article 10 of the Treaty for the Establishment of a Preferential Trade Area for Eastern and Southern African States, this Statute is hereby prescribed:

ARTICLE 1  
Interpretation

In this Statute:

"Authority" means the Authority of the Preferential Trade Area established by Article 6 of the Treaty;

"Council" means the Council of Ministers established by Article 7 of the Treaty;

"Member State" means a Member State of the Preferential Trade Area;

"Preferential Trade Area" means the Preferential Trade Area for Eastern and Southern African States established by Article 2 of the Treaty;

"Treaty" means the Treaty for the establishment of the Preferential Trade Area;

"Tribunal" means the Tribunal of the Preferential Trade Area established by Article 10 of the Treaty.

ARTICLE 2  
Competence of the Tribunal

1. The Tribunal established by Article 10 of the Treaty shall ensure the proper application and interpretation of the provisions of the Treaty and shall have jurisdiction to adjudicate upon such disputes as may be referred to it by the Member States in accordance with the provisions of the Treaty. It shall also possess the jurisdiction specifically conferred on it by this Statute.

2. The Tribunal shall be constituted and shall perform its duties in accordance with this Statute and the relevant provisions of the Treaty.

ARTICLE 3  
Composition of the Tribunal

1. There shall be a Chairman of the Tribunal who shall be appointed by the Authority from among nationals of the Member States who shall be persons of integrity, impartiality and independence and who fulfil the conditions required in their respective countries for the holding of the highest judicial offices or are jurists of recognized competence.
2. The Authority shall appoint nine persons of integrity, impartiality and independence from among nationals of the Member States, nominated by the Member States and having extensive knowledge or experience of industry, commerce or public affairs to form a Panel from which members of the Tribunal may be selected from time to time; provided that a Member State may only nominate a national of another with the prior consent of that other Member State.
3. The Tribunal shall be composed of the Chairman and four members chosen by lot by the Chairman from the Panel referred to in paragraph 2 of this Article; provided that no two members of the Tribunal may be nationals of the same Member State.

ARTICLE 4  
Term of Office

1. The Chairman and members of the Panel shall hold office for such period, not exceeding five years, as may be determined by the Authority and the period of office shall reflect the desirability of securing continuity in the composition of the Tribunal.
2. Where the term of office of a member of the Tribunal comes to an end before the decision or opinion of the Tribunal is delivered with respect to a matter which has been argued before the Tribunal, such member shall continue in office until the decision or opinion of the Tribunal is delivered.
3. The Chairman and members of the Panel shall be eligible for reappointment.
4. If the Chairman or a member of the Tribunal is directly or indirectly interested in a case before the Tribunal, he shall immediately report the nature of his interest to the Authority or the Chairman respectively, and if the interest is such that it would be undesirable for the Chairman or the member to take part in that case the Authority or the Chairman, as the case may be, shall replace him with another member of the Panel.

5. Where the Chairman is replaced in accordance with paragraph 3 of this Article, the member of the Panel appointed by the Authority to replace the Chairman shall act as Chairman for that case, and shall have during the period he is acting, all the powers and exercise all the functions of the Chairman.

#### ARTICLE 5

##### Oath

Upon appointment, the Chairman of the Tribunal and members of the Panel shall in public session individually undertake, by oath or affirmation, to perform their duties impartially and conscientiously and to preserve the secrecy of the Tribunal's deliberations.

#### ARTICLE 6

##### Chairman - Immunities and privileges, resignation, removal from office, vacancies

1. The Chairman and members of the Tribunal shall enjoy immunity from suit and legal process in respect of any words spoken or any act done or omitted to be done in the exercise of their judicial functions..
2. The Chairman of the Tribunal may at any time resign his office by letter delivered to the Secretary-General of the Preferential Trade Area for transmission to the Authority, but his resignation shall not take effect until his successor enters upon his duties.
3. A member of the Panel may at any time resign his office by letter delivered to the Chairman of the Tribunal for transmission to the Authority, but his resignation shall not take effect until his successor is appointed.
4. The Chairman and Members of the Tribunal may be removed from office by the Authority for stated misbehaviour, or for inability to perform the functions of their offices arising from infirmity of body or mind or from any other cause.
5. If the office of Chairman is vacant or if the person holding that office is for any reason unable to perform the functions of his office, then, until another person has been appointed by the Authority to, and has assumed the functions of that office or until the person holding that office has resumed those functions, as the case may be, those functions shall be performed by such persons as may be designated by the Authority.

6. The Chairman or Member of the Panel shall not be eligible for appointment to any post in the Preferential Trade Area for a period of twelve months after he has ceased to be Chairman or Member of the Panel, as the case may be.

ARTICLE 7

Replacement of Chairman or member

A person appointed to replace the Chairman of the Tribunal or a member of the Panel whose term of office has not expired shall be appointed in the same manner as the Chairman or that member was appointed and shall serve for the remainder of the Chairman's or that member's term of office.

ARTICLE 8

Decisions of the Tribunal

1. The Tribunal shall consider and determine every reference made to it pursuant to the Treaty in accordance with this Statute and the rules of procedure of the Tribunal and shall deliver in public session a reasoned decision which, subject to the provisions of this Statute as to rectification and review, shall be final and conclusive and shall not be open to appeal:

Provided that, if the Tribunal considers that in the special circumstances of the case it is undesirable that its decision be delivered in public, the Tribunal may make an order to that effect and deliver its decision before the parties in camera.

2. The Tribunal shall deliver one decision only in respect of every reference made to it, which shall be the decision of the Tribunal reached in camera by majority verdict. In the event of the members of the Tribunal being equally divided, the Chairman shall have a casting vote.

3. If a member of the Tribunal does not agree with the majority verdict reached in respect of any reference, he may either deliver a dissenting opinion or record his dissent in public, giving reasons therefore.

ARTICLE 9

Advisory opinions of the Tribunal

1. The Council may, on its own initiative or at the request of a Member State, request the Tribunal to give an advisory opinion regarding questions of law arising from the provisions of the Treaty and the Member States shall in the case of every such request have the right to be represented and take part in the proceedings.

2. A request for an advisory opinion under paragraph 1 of this Article shall be made in writing and shall contain an exact statement of the question upon which an opinion is required and shall be accompanied by all relevant documents likely to be of assistance to the Tribunal.

3. Upon receipt of a request under paragraph 2 of this article the Registrar shall forthwith give notice thereof to the Member States and notify them that the Tribunal will be prepared to accept, within a time to be fixed by the Chairman, written submissions, or to hear, at a hearing held for the purpose, oral submissions relating to the question.

4. The Tribunal shall deliver an advisory opinion in public, unless for stated reasons it makes on order to the contrary.

5. In the exercise of its advisory function the Tribunal shall be governed by the provisions of this Statute relating to references to the extent which it considers them applicable.

#### ARTICLE 10

##### Interim orders and directions of the Tribunal

The Tribunal may, in any case referred to it, make any interim order or issue any directions which it considers necessary or desirable.

#### ARTICLE 11

##### Intervention

A Member State which is not a party to a case before the Tribunal may, if it is able to establish to the satisfaction of the Tribunal that its interests are likely to be affected by the decision of the Tribunal, intervene in that case, but its submissions shall be limited to supporting or opposing the arguments of a party to the case.

#### ARTICLE 12

##### Acceptance of the Tribunal's decisions

1. The Member States shall not submit a dispute concerning the interpretation or application of the Treaty, so far as it relates to or affects the Treaty, to any methods of settlement other than those provided for in the Treaty.

2. Where a dispute has been referred to the Tribunal, the Member States shall not take any action which might endanger or which might aggravate the dispute.

3. A Member State shall take, without delay, the measures required to implement a decision of the Tribunal.



ARTICLE 13  
Registrar and Staff

1. The Tribunal shall appoint a Registrar from among the nationals qualified to hold high judicial office in the Member States of the Preferential Trade Area who shall hold office in the Tribunal on such terms and conditions as may be determined by the Tribunal, subject to this Statute and to the Rules of Procedure of the Tribunal.
2. Before entering upon his duties, the Registrar of the Tribunal shall undertake, by oath or affirmation sworn or made before the Chairman of the Tribunal, to perform his duties impartially and conscientiously and to preserve the secrecy of the Tribunal's deliberations.
3. The Tribunal shall have such officials and staff, who shall hold office in the service of the Tribunal as may be necessary to enable it to perform its functions.

ARTICLE 14  
Seat of the Tribunal

The seat of the Tribunal shall be at such place as may be decided by the Authority, but the Tribunal may in any particular case sit and exercise its functions elsewhere within the member States if it considers it desirable.

ARTICLE 15  
Sessions of the Tribunal

1. The dates and length of sessions of the Tribunal shall be determined by the Chairman having due regard to the business before the Tribunal.
2. Subject to this Statute and to the rules of procedure of the Tribunal, the Tribunal shall sit in plenary session only as composed in accordance with paragraph 3 of Article 3 of this Statute;

Provided that, in any case where the Tribunal has commenced the hearing of a case before it and not more than one member of the Tribunal is unable to continue such hearing and is temporarily absent therefrom, it shall be competent for the Tribunal, notwithstanding the temporary absence of such member and with the agreement of the parties to the case before it, to continue and determine the hearing of such case.

ARTICLE 16  
Functions of the Chairman

Notwithstanding the provisions of this Statute and the rules of procedure of the Tribunal the Authority may assign functions to the Chairman of the Tribunal in relation to administrative, procedural or other preliminary matters, not being matters falling to be determined by the Tribunal by interim order made under Article 10 of this Statute.

ARTICLE 17  
Duty to attend

Members of the Panel selected to constitute the Tribunal in accordance with paragraph 3 of Article 3 of this Statute shall, unless they are prevented from attending by illness or other serious reasons duly explained to the Chairman of the Tribunal attend all sessions of the Tribunal.

ARTICLE 18  
References

1. Matters in dispute shall be referred to the Tribunal by a reference addressed to the Registrar specifying the subject matter of the dispute and the parties to it.
2. The Registrar shall immediately send a copy of the reference to all parties concerned.

ARTICLE 19  
Representation before the Tribunal

Every party to a case before the Tribunal shall be represented by a person appointed by that party for the case; a representative need not be a legal practitioner but he may be assisted by a legal practitioner entitled to appear before a superior court of law of any of the member States.

ARTICLE 20  
Proceedings

1. The proceedings of the Tribunal shall consist of a written part and an oral part.
2. The written part of the proceedings shall include the reference, an application, the response to the application, the reply, the rejoinder and the submissions, together with all relevant papers and documents in support thereof.

3. The written part of the proceedings shall be presented to the Registrar in the order and within the time fixed by the rulers of procedure of the Tribunal or by the Tribunal in any particular case, and a copy of every paper or document presented by one party shall be communicated to the other party.

4. The oral part of the proceedings shall consist of the hearing by the Tribunal of witness, experts, representatives and advocates.

#### ARTICLE 21 Hearings

The hearing before the Tribunal shall be presided over by the Chairman and shall be in public, unless for some special reasons the Tribunal decides otherwise either on its own initiative or at the request of any party that the hearing be held in camera.

#### ARTICLE 22 Production of documents

1. The Tribunal may at any time request the parties to produce all documents and supply all information or explanations which the Tribunal considers desirable. Formal note shall be taken of any refusal.

2. The Tribunal may also request at Member State which is not a party to the case, or an institution of the Preferential Trade Area, to supply all information which the Tribunal considers necessary for the proceedings.

#### ARTICLE 23 Inquiries and expert opinions

The Tribunal may, in relation to any proceedings and at any time, charge any person, body or institution with the task of carrying out an inquiry or giving an expert opinion in accordance with the rules of procedure of the Tribunal.

#### ARTICLE 24 Witnesses

1. During the hearing, relevant questions may be put to the witnesses and experts in accordance with the rules of procedure of the Tribunal.

2. During the hearing, the Tribunal may examine the experts and witnesses and ask questions of the representatives and advocates in accordance with the rules of procedure of the Tribunal.

3. The Tribunal shall have, with respect to defaulting witnesses, the power to impose sanctions in accordance with the rules of procedure of the Tribunal.
4. Records shall be kept and maintained of each hearing and shall be signed by the Chairman and Registrar of the Tribunal.

ARTICLE 25  
Cause List

The cause List of Cases shall be compiled by the Chairman of the Tribunal.

ARTICLE 26  
Costs

Each party shall bear its own costs unless the Tribunal decides otherwise.

ARTICLE 27  
Interpretation of decisions

In case of difficulty as to the meaning or scope of a decision or an advisory opinion, the Tribunal shall interpret it upon the request of any party or any institution of the Preferential Trade Area establishing an interest therein.

ARTICLE 28  
Official languages

The official languages of the Tribunal shall be English, French and Portuguese.

ARTICLE 29  
Revision

1. An application for revision of a decision may be made to the Tribunal only when it is based upon the discovery of some fact of such nature as to be a decisive factor, which fact was, when the decision was given, unknown to the Tribunal and also to the party claiming revision, always provided that such ignorance was not due to negligence.
2. On an application for revision, the procedure shall commence, where the application is admissible, with a decision of the Tribunal explicitly finding that the new fact alleged does exist and is of such a character as to justify revision, and declaring the application admissible on that ground.
3. Before declaring an application for revision of a decision to be admissible, the Tribunal may require prior compliance with the terms of the decision.
4. No application for revision of a decision may be made after the expiry of five years from the date of the decision.

ARTICLE 30

ECA/MULPOC/Lusaka/PTA/CM/1/2  
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ARTICLE 31  
Amendment

The Authority may, after consultation with the Chairman of the Tribunal, by order from time to time, amend or add to this Statute and the Chairman of the Tribunal may, after consultation with the members of the Panel, propose amendments or additions to this Statute.

ANNEX V

Progress Report on the Drafting of the Rules and Regulations  
of the Clearing House for Eastern and Southern Africa

At the twelfth Annual meeting of the Eastern and Southern African Subregional Committee of the Association of African Central Banks held in Arusha, Tanzania, on 13 and 14 July 1981, the Central Bank Governors requested the African Centre for Monetary Studies to prepare the draft rules and regulations of the proposed Clearing House for Eastern and Southern Africa, taking into account the protocol relating to clearing and payments arrangements annexed to the PTA Treaty.

In response to the request, the African Centre for Monetary Studies set up a drafting committee to prepare the draft rules and regulations of the proposed Clearing House. The drafting committee include representatives from the African Centre for Monetary Studies, the West African Clearing House, the Economic Commission for Africa and the International Monetary Fund.

The meeting of the drafting committee was held on 11 and 12 January 1982 in Dakar, Senegal. The Committee completed the draft rules and regulations at this meeting.

The draft rules and regulations have since been circulated to the governors of the Central Banks of Eastern and Southern Africa by the African Centre for Monetary Studies. The Governors will consider and make the necessary amendments, if any, to the draft rules and regulations at the meeting of the Eastern and Southern African Subregional Committee of the Association of African Central Banks scheduled to be held in October 1982. The rules and regulations as amended, would then be submitted for consideration, amendment, if necessary, and approval, to the meeting of the Clearing and Payments Committee of the PTA which will be held in November 1982 in Lusaka, Zambia. Thereafter, the Clearing and Payments committee would report to the next meeting of the PTA Council of Ministers for the Council to take note of developments in this respect.

ANNEX VI

INAUGURAL MEETINGS OF THE PTA TECHNICAL COMMITTEES

1. Meeting of the Customs and Trade Committee 25-29 October 1982
2. Meeting of the Technical Committee on Industry 25-29 October 1982
3. Meeting of the Clearing and Payments Committee 1-5 November 1982
4. Meeting of the Technical Committee on Agriculture 1-5 November 1982
5. Meeting of the Transport and Communications Committee 1-5 November 1982

In compliance with Articles 12, 13, 19, 22, 23, 24, 25 of the PTA Treaty; the Council of Ministers decided that from 25 October to 5 November 1982 the inaugural meetings of the PTA Technical Committees in the fields of Trade, Clearing and Payments, Industry, Agriculture, Transport and Communications should be held in Lusaka, Zambia.

The purpose of the meetings will be to establish terms of reference and rules of procedure for the committees and formulate operational co-operation programmes and projects within the framework of the relevant Articles and Protocols of the Treaty.

Provisional agenda for the meetings are as follows:-

CUSTOMS AND TRADE COMMITTEE,  
Lusaka, Zambia, 25-29 October 1982

Provisional Agenda

1. Opening of the meeting
2. Election of Officers
3. Review and adoption of the terms of reference of the Customs and Trade Committee
4. Adoption of rules of procedure for the Committee
5. Consideration of substantive issues:
  - (a) Arrangements for Implementation of the Protocol on the Reduction and/or Elimination of Trade barriers to selected commodities to be traded within the Preferential Trade Area and the relevant provisions of the Treaty.
    - (i) Finalisation of the Common List
    - (ii) Preparations for negotiations on the reduction of tariff and non-tariff barriers on product by product:
      - dates for the first round of negotiations
      - drawing up of modalities for the negotiations
      - preparations for the introduction and implementation of the basic rates and standstill provisions as provided for in Article 6 of this Protocol.
  - (b) Arrangements for implementation of the Protocol relating to Customs co-operation and the relevant provisions of the Treaty including the determination of ways and means of effectively simplifying and harmonizing customs regulations and procedures and standardizing trade documents.
  - (c) Preparations for the implementation of the provisions of the Protocol on the Rules of Origin.
  - (d) Any other matter related to Article 13 to 22 of the Treaty.
6. Agenda and date for the next meeting
7. Any other business
8. Adoption of the report of the meeting.



TECHNICAL COMMITTEE ON INDUSTRY  
Lusaka, Zambia, 25-29 October 1982

Provisional Agenda

1. Opening of the meeting
2. Election of Officers
3. Review and adoption of the Terms of Reference of the Technical Committee on Industry
4. Adoption of the rules of procedure of the Committee
5. Consideration of substantive issues
  - (a) Arrangements on rationalisation of investment laws, consultancy, training, information and marketing.
  - (b) Consideration on review of project areas for industrial co-operation
    - (i) Review of on-going programmes and projects in the subregion
    - (ii) Review of the priority industrial areas in the protocol on co-operation in the field of industry
    - (iii) Draft charter of multinational industrial enterprises
  - (c) Consideration of the Industrial Development Decade for Africa
  - (d) Consideration of mechanisms for the promotion of industrial development
6. Agenda and date for the meeting of the Committee
7. Any other business
8. Adoption of the report of the meeting

CLEARING AND PAYMENTS COMMITTEE  
Lusaka, Zambia 1-5 November 1982

Provisional Agenda

1. Opening of the meeting
2. Election of Officers
3. Review and Adoption of the Terms of Reference of the Clearing and Payments Committee
4. Adoption of the rules of procedure for the Committee
5. Consideration of substantive issues:
  - (i) Consideration and adoption of the draft rules and regulations for the Clearing House for Eastern and Southern African States
  - (ii) Arrangements for the establishment of the Clearing House
  - (iii) Examination of a technical study on the trade and Development Bank and its Charter
6. Agenda and date for the next meeting
7. Any other business
8. Adoption of the report of the meeting

TECHNICAL COMMITTEE ON AGRICULTURE  
Lusaka, Zambia, 25-29 October 1982

Provisional Agenda

1. Opening of the meeting
2. Election of Officers
3. Review and adoption of Terms of Reference of the Technical Committee on Agriculture
4. Adoption of the rules of procedure for the Committee
5. Consideration of substantive issues
  - (a) Appraisal of existing intergovernmental organisations in agriculture:
    - (i) existing intergovernmental organisations in the subregion
    - (ii) their operational effectiveness
    - (iii) improvement required
  - (b) The establishment and management of national and subregional food security arrangements:
    - (i) food security policies
    - (ii) desirable level of strategic food reserves
    - (iii) infrastructural and other facilities
    - (iv) financing

- (c) Harmonization of agronomic research in the field of crop production, livestock, fisheries and forestry
    - (i) strengthening and co-ordination of existing national research and extension systems
    - (ii) inter-country co-operative research programmes
    - (iii) effective liaison between research and extension
    - (iv) development and spread of new technologies and innovations
  - (d) Harmonization of agricultural policies for increased food and agricultural production in the countries of the subregion
    - (i) co-ordination of policies
    - (ii) regular consultations on policies affecting the development of agricultural co-operation in the subregion
  - (e) Tariff and non-tariff barriers to intra-subregional trade in agricultural commodities
  - (f) Harmonization of policies on livestock production and diseases control
    - (i) vaccines production
    - (ii) co-ordinated research efforts
    - (iii) training
  - (g) Progress report on the establishment of a subregional maize research and distribution centre
6. Agenda and date for the next meeting
  7. Any other business
  8. Adoption of the report of the meeting

TRANSPORT AND COMMUNICATIONS COMMITTEE  
Lusaka, Zambia 1-5 November 1982

Provisional Agenda

1. Opening of the meeting
2. Election of Officers
3. Review and adoption of the terms of reference of the Committee on transport and Communications
4. Adoption of the rules of procedure for the committee
5. Consideration of the substantive issues:
  - (a) Plenary:

The development of transport and communications in the PTA area
  - (b) Transport Sub-Committee:
    - b.1 General and multimodal transport Harmonization of documentation, regulations and procedures concerning multimodal international transport and transit
    - b.2 Road transport
      - (i) The African Highway Code: Promotion of its implementation, discussions of other preventive measures to reduce the rate of road accidents
      - (ii) The study of the African Highway Master Plan focus in the PTA area
  - (c) Communications sub-Committee:
    - c.1 Telecommunications
      - (i) Intra-PTA telecommunications tariffs and harmonization of existing tariffs
      - (ii) Intra-PTA telecommunications operational procedures and standardization of existing procedures
  - (d) Transport sub-Committee:
    - b.3 Air Transport
      - (i) Harmonization of efforts for promotion of co-operation among the national airlines, as first step to the creation of multinational airlines (co-ordination of airlines schedules, pooling of air routes, pooling of commercial services, sharing of navigational and meteorological facilities etc.)

- (ii) Provision of and exchange of adequate air transport statistics among member States.

(c) Communications sub-committee:

c.2 Telecommunications

- (i) Relationship between existing PANAFTEL sub-regional co-ordinating committee of the whole and PTA's transport and communications sectoral committee.

(b) Transport sub-committee:

b.4 Railway transport

- (i) Harmonization of documentations, rules, regulations and procedures with view of elimination of non-physical barriers and increase safety in international railway transport.
- (ii) Harmonization of plans for development of railways
- (iii) Harmonization of training of railway personnel

b.5 Inland water

- (i) Harmonization of documentation, rules and regulations and tariffs for international inland water transport.
- (ii) Co-operation in the field of training of inland water transport personnel.

(c) Communications sub-committee:

c.3 Postal

Intra-PTA postal tariffs and harmonization of existing tariffs.

(b) Transport sub-committee:

b.6 Shipping, ports and freight booking Centres

- (i) Co-operation in training of ports and shipping personnel
- (ii) Co-operation in a creation of multinational coastal shipping line
- (iii) Co-operation in establishment and/or operation of national freight booking Centres

(c) Communications sub-committee:

c.4 Postal

- (i) Intra-PTA and harmonization and standardization of existing postal regulations
- (ii) Adoption of the draft report on telecommunications

(b) Transport sub-committee:

Adoption of the report of Transport sub-committee

(c) Communications sub-committee:

Adoption of the report

6. Agenda and date for the next meeting (Plenary session)
7. Any other business (Plenary session)
8. Adoption of the report of the meeting (Plenary session)

ANNEX VII

Dates for the second meetings of the PTA Intergovernmental Commission  
of Experts, and the Council of Ministers; and the inaugural meeting  
of the Authority

1. Commission of Experts  
9-11 December 1982
2. Council of Ministers  
14-15 December 1982
3. Authority  
16-17 December 1982



ANNEX VIII

RESOLUTION ON THE ESTABLISHMENT OF THE INTERGOVERNMENTAL COMMISSION OF EXPERTS AND CERTAIN TECHNICAL COMMITTEES OF THE PREFERENTIAL TRADE AREA FOR EASTERN AND SOUTHERN AFRICAN STATES AS INSTITUTIONS OF THE PREFERENTIAL TRADE AREA.

The First Meeting of the Council of Ministers of the Preferential Trade Area for Eastern and Southern African States.

Recalling Paragraph 1 of Article II of the Treaty for the establishment of the Preferential Trade Area for Eastern and Southern African States to the effect that the Intergovernmental Commission of Experts and certain Committees referred to therein shall be established as institutions of the Preferential Trade Area at such times as the Council of Ministers may decide,

1. Decides: That the Intergovernmental Commission of Experts referred to in Paragraph 1 of Article II of the Treaty for the establishment of the Preferential Trade Area for Eastern and Southern African States shall be deemed to have been established as an institution of the Preferential Trade Area as from the 14th of June 1982, and that all acts done by the said Intergovernmental Commission of Experts before the date of this resolution shall likewise be deemed to have been properly and lawfully done; and

2. That the following Committees set out in Paragraph 1 of Article II of the Treaty for the establishment of the Preferential Trade Area for Eastern and Southern African States are hereby established as institutions of the Preferential Trade Area:

- (a) the Customs and Trade Committee;
- (b) the Clearing and Payments Committee;
- (c) the Committee on Agricultural Co-operation;
- (d) the Committee on Industrial Co-operation; and
- (e) the Transport and Communications Committee

ANNEX IX

Signification and Publication of Decisions Order

THE TREATY FOR THE ESTABLISHMENT OF THE PREFERENTIAL TRADE AREA  
FOR EASTERN AND SOUTHERN AFRICAN STATES

IN EXERCISE of the powers conferred on the Authority by Article 6 of the Treaty for the establishment of the Preferential Trade Area of Eastern and Southern African States, the following Order is hereby made:-

THE SIGNIFICATION AND PUBLICATION OF DECISIONS ORDER 1982.

1. This order may be cited as the Signification and Publication of Decisions Order 1982.
2. In this Order the expression -
  - "the Council" means the Council of Ministers established by Paragraph 1 of Article 7 of the Treaty;
  - "Secretary-General" means the Secretary-General of the Preferential Trade Area provided for under Paragraph 2 of Article 9 of the Treaty or any person for the time being acting as such;
  - "Member States" means the Member State of the Preferential Trade Area;
  - "Preferential Trade Area" means the Preferential Trade Area for Eastern and Southern African States established by Article 2 of the Treaty;
  - "Treaty" means the Treaty for the establishment of the Preferential Trade Area.
3. The decisions and the directions of the Council which shall be styled "Decisions" shall be signified under the hand of the Secretary-General.
4. The Decisions of the Council shall be transmitted by the most convenient and expeditious means as circumstances may warrant, by the Secretary-General to the Member States.

5. The Secretary-General shall cause all Decisions of the Council to be published in the Official Gazette of the PTA.
6. All Decisions of the Council shall, unless otherwise specified therein, have immediate effect and shall be subject to the Treaty, be binding on the institutions of the PTA and on those to whom they are addressed.
7. This Order shall come into operation on the seventeenth day of December 1982 and shall also be deemed to apply to all Decisions of the Council taken before the coming into operation of this Order.

By Order of the Authority

Lusaka

..... day of ..... 1982

Adebayo Adedeji  
Executive Secretary  
United Nations Economic Commission  
For Africa

Secretary-General ad interim  
Preferential Trade Area for  
Eastern and Southern African  
States.

ANNEX X

RESOLUTION

Vote of thanks to the Government and People of the Republic of Zambia

The first meeting of the Preferential Trade Area Council of Ministers of Eastern and Southern African States held in Lusaka, Zambia from 22 to 24 June 1982;

Conscious of the fact that the facilities provided by the Government of Zambia for the holding of this First meeting of the PTA Council of Ministers have created conducive atmosphere for the successful deliberations of the meeting;

Recognizing the tremendous role that the Government and people of Zambia have played in the promotion and strengthening the growth of the PTA since the signing of its Treaty on 21 December 1981;

Further recognizing that the physical facilities have already been put at the disposal of the PTA Secretariat;

Noting with appreciation the incisive opening address of the Hon. Secretary of State for Defence and Security, Grey Zulu, and in particular his deep analysis of the effects of the international economic situation on African economies;

Aware that our economic development and independence can only be enhanced through our own concerted and collective effort;

1. Express its profound gratitude to his Excellency Dr. K.D. Kaunda, President of the Republic of Zambia, the Party and its Government and the people of Zambia for their brotherly welcome and hospitality and for going to length in making our stay both comfortable and enjoyable;
2. Further thanks the Government and the People of the Republic of Zambia for their effective support they have rendered to the success of the PTA;
3. Urges member States to redouble their efforts in making PTA a reality;
4. Request the Chairman of this First Meeting of the PTA Council of Ministers to transmit the present resolution of vote of thanks to the Government of the Republic of Zambia.

The First Meeting of the Council  
of Ministers of the Preferential  
Trade Area (PTA) for Eastern and  
Southern Africa

June 22 - 25 1982

LUSAKA (ZAMBIA)

Première réunion du Conseil de  
Ministres de la Zone d'Echanges  
Préférentiels (ZEP) pour les Etats  
de l'Afrique de l'Est et de  
l'Afrique Australe

Juin 22 - 25, 1982

Lusaka (Zambie)

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M. Mohamed Hassan - Conseiller Aux Affaires Etrangères

M. Allaoui Abdoulmagid, Inspecteur des Contributions Indirectes, Ministre  
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