

TGCL

Tanzanian-German Centre for
Eastern African Legal Studies

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

TGCL bulletin 2013



BULLETIN 2013

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

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



CREDITS

TGCL BULLETIN 2013

PUBLISHER

Tanzanian-German Centre for Eastern African Legal Studies (TGCL) at the University of Dar es Salaam School of Law in cooperation with the University of Bayreuth

CONTACT

TGCL
University of Dar es Salaam
School of Law
PO Box 35093
Dar es Salaam, Tanzania
tel +255 22 2410-102
fax +255 22 2410-103

tgcl-manager@uni-bayreuth.de
www.tgcl.uni-bayreuth.de

EDITORIAL BOARD

Johannes Döveling
Naomi N. Gichuki
Benedict T. Mapunda
Bonaventure I. Rutinwa
Ulrike Wanitzek (editor-in-chief)

PROOFREADING

Ruth Schubert

LAYOUT

Yannick Tylle

PHOTOGRAPHS

TGCL
Yannick Tylle

© 2013 TGCL

EDITORIAL

DEAR READER,

In this issue of the annual TGCL bulletin, we report on the activities at the Tanzanian-German Centre for Eastern African Legal Studies (TGCL) during the year 2013. The highlight of this year was the celebration of our fifth anniversary with an international conference and a TGCL students and alumni meeting on 25 and 26 October, 2013 in Dar es Salaam, which is reported upon in the following pages. It was a great honour to receive so many illustrious guests from near and far at the conference. Academically, the contributions by, and discussions with, legal experts from East Africa and Europe were highly enriching and stimulating. And, not least, the reunion of the 'TGCL Family', with nearly all TGCL students and alumni and their lecturers and supervisors from the University of Dar es Salaam School of Law, was a heart-warming experience.



The fifth anniversary of the TGCL also marked the successful completion of our initial five-year funding period (2008-2013). After a positive external evaluation of the centre's performance in 2012, academics from the partner universities of Bayreuth and Dar es Salaam sat together and developed concepts to ensure the long-term sustainability of the centre. An independent panel of experts approved these concepts and granted a second and final funding period for the TGCL for the years 2014 to 2018.

The challenge for the years to come will be to further specify the concepts of sustainability developed so far and to take the measures required in order to make the TGCL fit to stand on its own feet before the end of the second funding period. This will be a gradual process which must be carefully designed and diligently carried out, so that best use is made of the remaining time. It is my belief that together we will achieve our common goal of making the TGCL a sustainable institution of legal learning.

Prof. Ulrike Wanitzek
TGCL Project Leader

CELEBRATION OF TGCL'S FIFTH ANNIVERSARY



Participants of the TGCL Anniversary Conference at Seascope Hotel, Dar es Salaam.

On 25 and 26 October, 2013, the Tanzanian-German Centre for Eastern African Legal Studies (TGCL) celebrated its fifth anniversary with a conference on "Regional Integration and Law: East African and European Perspectives" in Dar es Salaam. The anniversary conference brought together academics, students, politicians, lawyers and other stakeholders, who analysed processes of regional integration with a special focus on harmonisation of laws.

As the TGCL is a joint project of the Universities of Bayreuth and Dar es Salaam, both Universities were represented at the event by their Deputy Vice-President and Deputy Vice-Chancellor, respectively, i.e. Prof. Anna Köhler (Bayreuth) and Prof. Florens D.A.M. Luoga (Dar es Salaam) (see group photo above, first row, sitting, third and fourth from the right). The German Academic Exchange Service (DAAD), through which the TGCL is funded, was represented by Dr Dorothee Weyler, in charge of the Centres of African Excellence at the DAAD from the very beginning of the programme in

2008 (see group photo above, first row, second from the left). The presence of representatives of the French and German Embassies in Tanzania marked the 50th anniversary of the French-German Élysée friendship treaty and mirrored the close relationship between these two European countries. Reflecting our academic focus on the law of regional integration, the keynote speech was given by Hon. Joyce Mapunjo, Permanent Secretary of the Ministry of East African Cooperation (see group photo above, first row, fourth from the left).

The academic programme started with a panel on European legal perspectives. Professor Olivier Dubos from the University of Bordeaux and Professor Bernd Kannowski from the University of Bayreuth provided insights into French and German views on regional integration and harmonisation of laws in the European Union. The second panel provided East African legal perspectives. Professor Luitfried X. Mbunda, then of the University of Dar es Salaam School of Law, presented a paper on the enforcement of constitutional judicial review in Tanzania, while

Thanks to the friendliness and efficiency of the TGCL administrative staff and conference ushers, the smooth running and pleasant atmosphere of the conference were ensured.



Dr Khoti C. Kamanga from the same institution compared fundamental principles of European Union law with those of the East African Community. Prof. Ambreena Manji, then Director of the British Institute in Eastern Africa, Nairobi, discussed themes in contemporary land law reform in Eastern Africa.

In panel three, the legal and institutional framework of combating counterfeit and substandard pharmaceuticals in East Africa was analysed through a comparison between the legal positions in Tanzania and Kenya. TGCL alumna Dr Grace Kamugisha Kazoba from the Institute of Finance Management in Dar es Salaam discussed this with regard to Tanzanian law, and Prof. John Harrington, then Fellow at the British Institute in Eastern Africa and the African Population and Health Research Centre in Nairobi, with regard to Kenyan law.

Prof. Gamaliel Mgongo Fimbo from the Univer-

sity of Dar es Salaam School of Law, TGCL Manager Johannes Döveling from the University of Bayreuth and TGCL alumna Jolly Ntungire, from the Ministry of Foreign Affairs in Kigali, chaired the three panels. Closing remarks were made by Prof. Josaphat L. Kanywanyi from the University of Dar es Salaam School of Law.

The presence of legal experts from both the East African Community and the European Union led to numerous comparative questions and contributions. This included discussions on the French-German Élysée Treaty, a bilateral treaty entered into 50 years ago after the Second World War for reconciliation between the two countries. The discussants agreed on the resulting significant social and economic benefits of regional integration and it became clear that such a friendship treaty has the potential to help building a strong regional bloc.

(Johannes Döveling and Ulrike Wanitzek) ■

ALUMNI MEETING

The number of TGCL Alumni has grown steadily over the last five years, and as statistics indicate, TGCL has trained 64 LLM students and 19 PhD students since its inception in 2008. To commemorate the fifth anniversary of the TGCL, the centre hosted a conference at the Seascope Hotel, Dar es Salaam, which brought together nearly all of the students that had been trained at the centre. Since it was a two day conference, the afternoon of the second day was reserved specially for the TGCL Alumni Association meeting.

During the first two years following its foundation in 2011, the Association was chaired by Dr Grace Kamugisha Kazoba, who was also the first PhD graduate of the TGCL. She ably led the participants through the meeting. All the participants introduced themselves in the order of their year of admission.

Among the top items on the agenda was the issue of establishing a journal for TGCL students to publish their work, in particular for the PhD students, who are required by the postgraduate rules of the University of Dar es Salaam to publish a section of their work in a reputable journal. Dr Kamugisha informed the students of the steps taken and the progress made so far, and it was agreed that efforts should be increased in order to provide the students with a forum through which to publish their work.



The major highlight of the TGCL alumni meeting was the election of new officials, since the current ones had concluded their two-year mandate. Candidates were nominated and the members present voted.

The meeting was a refreshing end to a rigorous conference and served to strengthen the already good networks that the TGCL Alumni have developed among themselves over the years.

(Naomi Gichuki) ■

TGCL students and alumni attend their Alumni Association meeting.

NEW TGCL ALUMNI ASSOCIATION LEADERSHIP

Chairperson:	Dr Lillian Mongella (Tanzania)
Vice Chairperson	Mathias Sylvester Nkuhi (Tanzania)
Secretary	Naomi Gichuki (Kenya)

THE ACADEMIC YEAR 2012/2013 AT THE TGCL

The 2012/2013 academic year began on 1 October, 2013, with PhD and LLM students drawn from all five countries of the East African Community. All students were formally introduced to the project management and given their scholarship contracts. A welcome dinner that also doubled up as a TGCL alumni meeting was held on 5 October, 2012, at the Protea Hotel in Dar es Salaam.

Being a rigorous programme, studies commenced immediately on the afternoon of 1 October when the new students were introduced to a two-week workshop on transferable academic skills by Prof. Bart Rwezaura. In this workshop, the students were accorded practical training on proposal writing and on the various stages of the research cycle. The workshop was intensive and presented students with the opportunity to develop sound presentation and academic writ-



TGCL Manager, Johannes Döveling, introducing the students to German and European Union law.



ing skills, since they were all required to prepare academic articles to the standard of publication in an international journal.

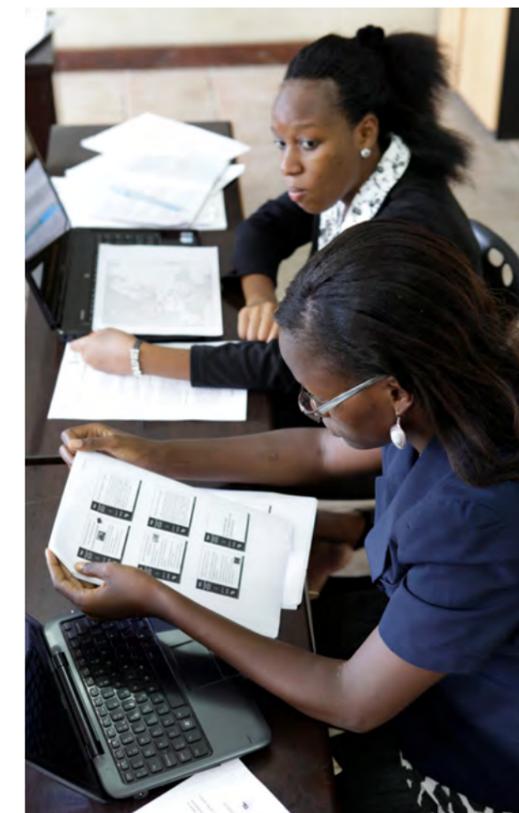
The programme requires all students, both PhD and LLM, to write dissertations in law on research topics central to the integration process of the East African Community. The students were assigned supervisors within a fortnight and were thus able to begin academic research on the topics of their dissertations, which included good governance, human rights, environmental protection, analysis of legal and regulatory frameworks in petroleum production, land rights, peace and security in East Africa, the East African Community common market and the role of the East African Court of Justice in resolution of trade disputes.

Classes in Comparative Constitutional Law were ongoing right from the beginning, under the tutelage of the late Dr Sengondo Adrian Mvungi. Other academic courses offered were in the fields of Human Rights and East African Com-

munity Law. Mr James Jesse ably fulfilled the task of training the students in human rights, and required them to make academic presentations and prepare journal articles on different topics relevant to the human rights arena in East Africa. Dr Kennedy Gastorn was the course convenor for East African Community Law and was able to take the students through the different facets of the Community. The centre was privileged to host Prof. John Eudes Ruhangisa, then Registrar of the East African Court of Justice, as a guest lecturer. He held a workshop on the workings of the East African Court of Justice, and indeed, what better person was there to train the students but the Registrar himself. The course helped to create a sense of the practical working of the court, and for all students it was a great opportunity to learn about the challenges and successes of the organs of the East African Community.

We began our German language class with Ms Monika Spohr in January 2013, and exami-

nations for all academic courses followed soon afterwards in February. Part of the value addition process at the TGCL is the requirement for students to attend workshops held at different times of the year, hosted by visiting European lecturers. These workshops offered an excellent opportunity for students to engage in comparative discourses that enriched their academic knowledge with a practical understanding of the mechanisms of regional integration. All workshops provided a platform for students to compare different legal issues in the European Union with those in the East African Community. In the 2012/2013 academic year, we had workshops with visiting professors from Germany, namely, Prof. Torsten Kühlmann who taught on global leadership and management, Prof. Hartmut Hamann who taught on Economic Law and Mr Johannes Döveling who facilitated an



TGCL students attending lectures at the University of Dar es Salaam School of Law.



Dr Saudin Mwakaje (last row, centre) and Prof. Michael Grünberger (last row, third from left) with participants of their joint Seminar on Intellectual Property Law, and with TGCL representatives.

intensive two-week workshop on German and European Union Law.

As a special event, a “TGCL Advanced Legal Training Seminar” on Intellectual Property Law took place which included also external participants from various practical legal fields. The seminar was jointly taught by Prof. Michael Grünberger of the University of Bayreuth and Dr Saudin Mwakaje of the University of Dar es Salaam. The tandem teaching was especially interesting since the students were taught by experts in the field who were able to compare different aspects of intellectual property law in the European Union and the East African Community.

As in previous years, the TGCL students visited the Prevention and Combating of Corruption Bureau (PCCB) in Dar es Salaam. Moreover, the students met the Rwandan Ambassador in Tanzania in preparation for their study trip to Kigali. Not everything in the TGCL is academic. We

can attest to the fact that our regular meetings with our trusted and reliable Student Adviser, Dr Steven Bwana, Judge of the Court of Appeal of the United Republic of Tanzania, helped to enhance our professional and personal growth by giving us the chance to address different issues including leadership, time management, the role of lawyers in family and society, professional ethics and decision-making.

Overall, the academic year was intense, engaging and life-changing in the sense that students were exposed to critical and analytical thinking on practical legal issues that shape the governance and policies of their respective countries. It was also a great opportunity to embrace diversity since many different cultures, views and practices were represented in the different nationalities of the students at the TGCL with participants of their joint Seminar on Intellectual Property Law and TGCL representatives..

(Naomi Gichuki) ■

TGCL-KAS CONFERENCE

On 24 May, 2013, constitutional law experts from Tanzania and Kenya came together in Dar es Salaam for a knowledge exchange on constitutional reform processes. The conference on “Constitutional Reform Processes in Tanzania and Kenya” was hosted by the Tanzanian-German Centre for Eastern African Legal Studies (TGCL) in cooperation with the German Konrad Adenauer Foundation (KAS). In his welcoming remarks, the then German Ambassador to Tanzania, H. E. Klaus-Peter Brandes, underscored the importance of a constitution as the bedrock of democracy. The keynote speech on “The Independence of the National Electoral Commission of Tanzania (NEC)

as an oversight Constitutional Organ” was delivered by Hon. Justice Damian Lubuva, Chairperson of the NEC. He emphasised the decisive role of the structural and functional independence of the NEC for the electoral process. Commenting on the keynote speech, Professor Gamaliel Mgongo Fimbo (University of Dar es Salaam) criticised that NEC Commissioners are being appointed by the President who also acts as the chairman of a political party. Insights from the constitutional reform process in Kenya were presented by Commissioner Catherine Mumma of the Kenyan Commission for the Implementation of the Constitution. (Johannes Döveling) ■

WORKSHOP ON E-RESOURCES

The German Academic Exchange Service (DAAD) Nairobi Office partnered with the Information Training and Outreach Centre for Africa (ITOCA) to deliver a four-day workshop to DAAD Masters and PhD students in Tanzania. TGCL brought students from the legal field, with other institutions fronting scholars in literature, engineering and architecture, health and agricultural sciences.

The objective of the workshop was to create awareness among the scholars on existing e-resources and to impart skills that enable scholars to effectively access and utilise online library resources in their research work. Students were taught how to navigate and tap into libraries, databases, journal directories and open access repositories in order to retrieve, extract and use scholarly information.

Another important aspect of the workshop was the training on management of digital information. The students were introduced to and taught how to make use of bibliographic management

software, as well as Web 2.0 tools to enhance management of their scholarly and academic writing. The group was then taught how to subscribe to academic databases and receive updates whenever works pertaining to their specific research interests are published. This is especially beneficial because it helps students to stay abreast of new developments in their areas of interest.

The workshop’s area of focus was not solely on tapping into e-resources. The students also received hands-on training on how to write proposals, both for academic purposes and for grant-seeking. Christoph Hansert, DAAD Regional Director, gave a presentation explaining the benefits of studying in Germany, as well as other opportunities available to current, continuing and future students of DAAD. The workshop culminated in the presentation of certificates to the participants during a cocktail party held at the residence of the German Cultural Attaché to Tanzania. (Naomi Gichuki) ■

TGCL STUDY TRIP TO RWANDA

From 5 to 9 May, 2013, a study trip took ten TGCL students to Kigali. They were accompanied by TGCL Student Adviser Hon. Justice Dr Steven Bwana and TGCL Manager Johannes Döveling, as well as Ms Jolly Ntungire, TGCL alumna from Rwanda.

SUPREME COURT OF RWANDA

At the Supreme Court of Rwanda in Kigali, we were received by the Chief Justice, Hon. Sam Rugege. His Lordship told us about the reform of the judicial system of Rwanda after the genocide. Since 1994, the judiciary has been rebuilt and staffed with competent personnel. The new Constitution of Rwanda of 2003 centralised the Supreme Court and provided for the proper structuring and accessibility of other courts. Since 2004, various laws have been reformed to ensure the efficiency of the judicial system and to strengthen the rights of litigants. Commercial laws have been reformed and commercial courts established, which has improved the investment climate and the general economic situation in the country. The Gacaca Courts were introduced out of necessity to deal with the overwhelming number of cases arising from the genocide. These courts were concerned with reconciliation, justice and non-tolerance of impunity. In structure, the system had always been in place. It was composed of elders who resolved simple disputes in the communities and also promoted reconciliation. In the last twelve years, the concept of Gacaca was modernised, doing away with gender

discrimination and staffing the courts with people of integrity who were qualified to handle genocide suspects. Appearing on behalf of the suspects was not restricted to lawyers. The Gacaca Courts were brought to an end in June, 2012. They handled close to 200 million cases (such as genocide, property disputes, offences like rape). Those convicted were imprisoned but remorseful convicts were given a lesser punishment, like community service. They also helped to reveal where they buried the people they killed. His Lordship further told us that Rwanda runs a hybrid system, comprising common law, civil law and customary law. With regard to the East African Community (EAC), Rwanda has been on the frontline in respect of pushing for the common market, and has done away with the requirement of work permits for citizens of the EAC Partner States who intend to work in Rwanda. Moreover, a sub-registry of the East African Court of Justice was opened up in Kigali recently.

(Madinah Nyende) ■

INSTITUTE OF LEGAL PRACTICE AND DEVELOPMENT

The Institute of Legal Practice and Development (ILPD) is located in Nyanza in the Southern Province of Rwanda. We were received by the Rector, Professor Nick Johnson, and by the Vice Rector for Academic Affairs and Research, Professor Nick Huls.

The ILPD aims at improving the quality and delivery of justice and legal services by the provision of high-quality training and research and by making a contribution to policy. The courses taught are approved and supervised by the Higher Education Council of Rwanda while the Institute as such is supervised by the Rwandan Ministry of Justice. The courses lead to two major postgraduate diplomas, the Diploma in Legal Practice (DLP) for judges, prosecutors and lawyers, and the Diploma in Legislative Drafting (DLD) for government lawyers and others responsible for drafting laws. In addition, the ILPD runs a wide range of continuing legal education (CLE) courses to ensure that all legal professionals are kept up to date.

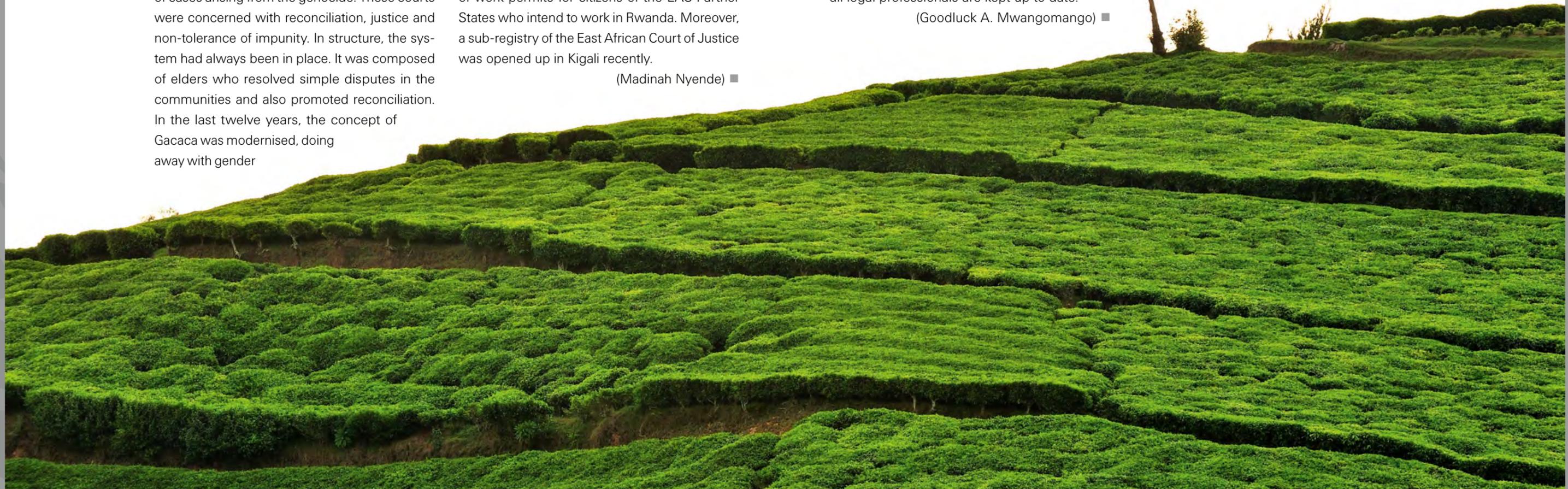
(Goodluck A. Mwangomango) ■

NATIONAL PUBLIC PROSECUTION AUTHORITY

On 7 May, 2013, we had a meeting with the Rwandan Prosecutor General, Hon. Martin Ntaga, at the National Public Prosecution Authority (NPPA) in Kigali. After the end of the genocide, Rwanda carried out various legal reforms, under which the task of prosecution was assigned to one body, namely the NPPA, and for the first time the body was independent. The independence of the NPPA is enhanced by its financial and administrative autonomy. The Genocide Unit of the NPPA deals with investigating the whereabouts of genocide fugitives and it works with other countries in order to bring the fugitives to justice. A new regime of transfer law was created in 2007 to deal with the transfer of cases from other countries to Rwanda and from Rwanda to other countries.

(Magdalena Sylister) ■

Tea plantations near Gisenyi in Rwanda.





TGCL Student Adviser Dr Bwana (left) and the students group visiting the King's palace in Nyanza, Rwanda.

GISOZI GENOCIDE MEMORIAL CENTRE

The TGCL group visited Gisozi Genocide Memorial Centre in Kigali. In 1994, Rwanda lost more than 1 million persons who died as a result of the genocide which took place in only 100 days, while more than 3 million Rwandans took refuge in neighbouring countries.

After the genocide mayhem, many shallow mass

graves existed around Kigali city, and thousands of unidentified corpses were discovered, with no families to accord them a decent burial. Therefore the Memorial Centre was set up and became 'home' to approximately 250,000 victims of the 1994 genocide. Mass graves were constructed and filled with coffins each containing the remains of up to about 50 victims because of the impossibility of ensuring that individual remains remained intact. At the end of the mass graves is a wall painted black and displaying names. This is referred to as the Wall of Names, a reminder of the victims. Quiet individual reflection is made possible in the beautifully designed Memorial Gardens. The permanent exhibition tells – in three languages, Kinyarwanda, French and English – the story of how the genocide evolved and was executed.

Passing by the 'Windows of Hope', we reached the section on the genocide heroes, i.e., people who rescued victims and resisted the genocide. These were only a few; however, their efforts to save lives are honoured through this section of the exhibition. (Jackline Asiimwe) ■

OFFICE OF THE OMBUDSMAN

At the office of the Ombudsman in Kigali, the TGCL group was received by Permanent Secretary Mr Mbarubukeye Xavier and was informed by him on the working of his office. The Ombudsman office is an independent public institution established in 2003 by Article 182 of the Constitution of the Republic of Rwanda. Accordingly, the office acts as a link between citizens and public and private institutions. It prevents and fights against injustice, corruption and other related offences in the public and private administration. Within this context, the Office of the Ombudsman receives and examines complaints from individuals and from independent associations relating to the acts of civil servants, state organs and private institutions. (Nina Sokoine) ■

MINISTRY OF EAST AFRICAN COMMUNITY

One of the main objectives of the TGCL is to widen the students' scope of understanding of issues pertaining to the East African Community. The visit to the Rwandan Ministry of East African Community in Kigali was therefore of great interest to them. The Ministry is charged with the coordination of cooperation activities and implementation of the EAC Protocols in Rwanda, including law harmonisation. The Permanent Secretary who received the group highlighted the direct applicability of EAC law, though implementation thereof presents challenges to the Community. He emphasised that the process of integration is a gradual one.

(Aderickson Njunwa) ■

TGCL AUTUMN UNIVERSITY 2013

The 2013 Autumn University in Germany took place from 6 to 12 November, 2013, and included visits to Halle/Saale, Berlin, Bayreuth and Nuremberg. The visiting group consisted of 23 LLM students from the TGCL – 13 students who studied in the academic year 2013/2014 and ten students who studied in 2012/2013.

HALLE CONFERENCE

The TGCL students had the privilege of being invited to the Max Planck Institute for Social Anthropology, Halle/Saale, on 6 and 7 November, 2013, to attend a conference commemorating 40 years of the African Law Association. The theme was "Negotiated Normative Spaces: Insights from and into African Judicial Encounters". The presentations centred on five main concerns, namely, state courts and other religious or transnational judicial bodies in Africa; judicial pluralism; the new wave of constitutionalism; the mechanisms by which particular judicial institutions have re-emerged and the extent to which they have been able to regulate conflicts; how constitutions have dealt with constitutionally enshrined individual and group rights, and the concept of resources and distribution of land rights. The fact that the conference participants were all from different countries created an excellent platform for comparative analysis of the different judicial frameworks within and from which justice is dispensed. A highlight of the conference was a public lecture by world renowned constitutional lawyer Prof. Yash Pal Ghai. The lecture was titled "Fortunes of Constitutions in Africa and the Problematic of Constitutionalism". The discussant was Prof. Ben Chigara. The lecture was a follow-up to an earlier presentation titled "Constitution Building in Africa: Opportunities and Challenges". It was of particular significance since the East African Community (EAC) is currently making efforts at entrenching sound principles of governance and constitutionalism in the constitutions of EAC Partner States.

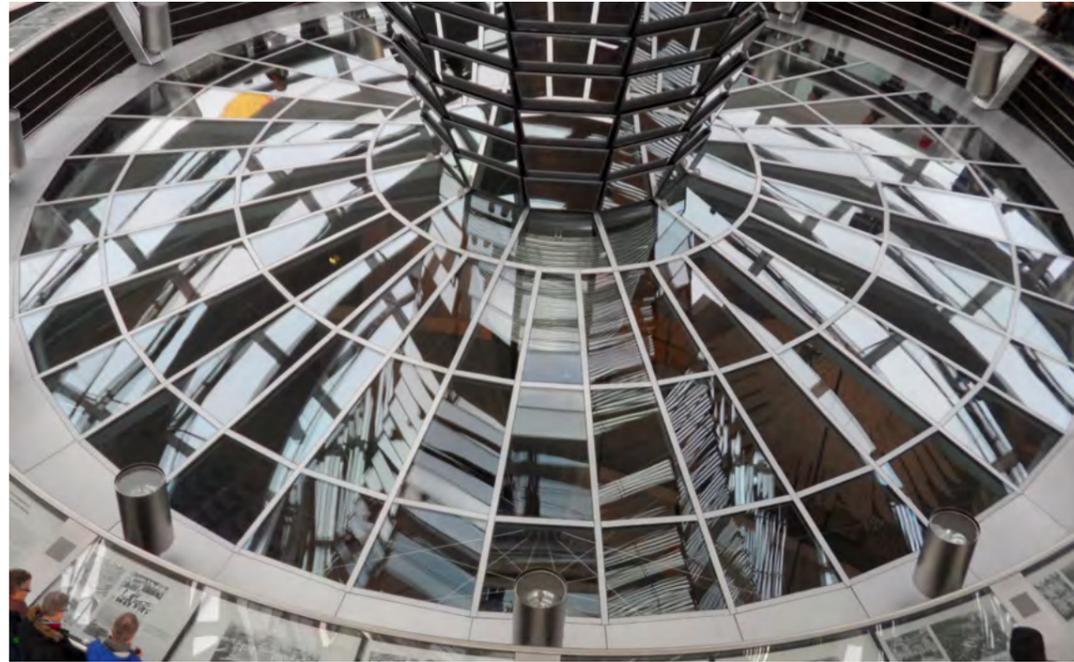
(Naomi Gichuki) ■



Sightseeing in Halle/Saale on a cold autumn day in Germany.

BUNDESTAG (BERLIN)

The Bundestag, the Parliament of the Federal Republic of Germany, is located in Berlin, near the Brandenburg Gate, and has a rich architectural and political history. The participants toured the Bundestag under the direction of a professional guide, whose insights were enriched by the fact that he is a researcher in political science. We were enthralled by the rich history behind the construction design, structure and significance of the building itself. In the plenary area we were informed about various aspects of German leg-



A view inside the glass dome of the Reichstag building in Berlin.

islative mechanisms and requirements. The discussion centred on issues central to governance and politics, including gender balance and women's representation in Parliament; the office, role and responsibilities of the Chancellor; the representation of political parties in Parliament; and the relationship between the Bundestag and the Bundesrat.

Before moving on to the next part of the programme, we got the chance to enjoy the informative history exhibition and a breath-taking view of Berlin's skyline from the dome, which is both a striking and defining feature of the Bundestag. (Jonathan Wilfred Mndeme) ■

MINISTRY OF JUSTICE IN BERLIN

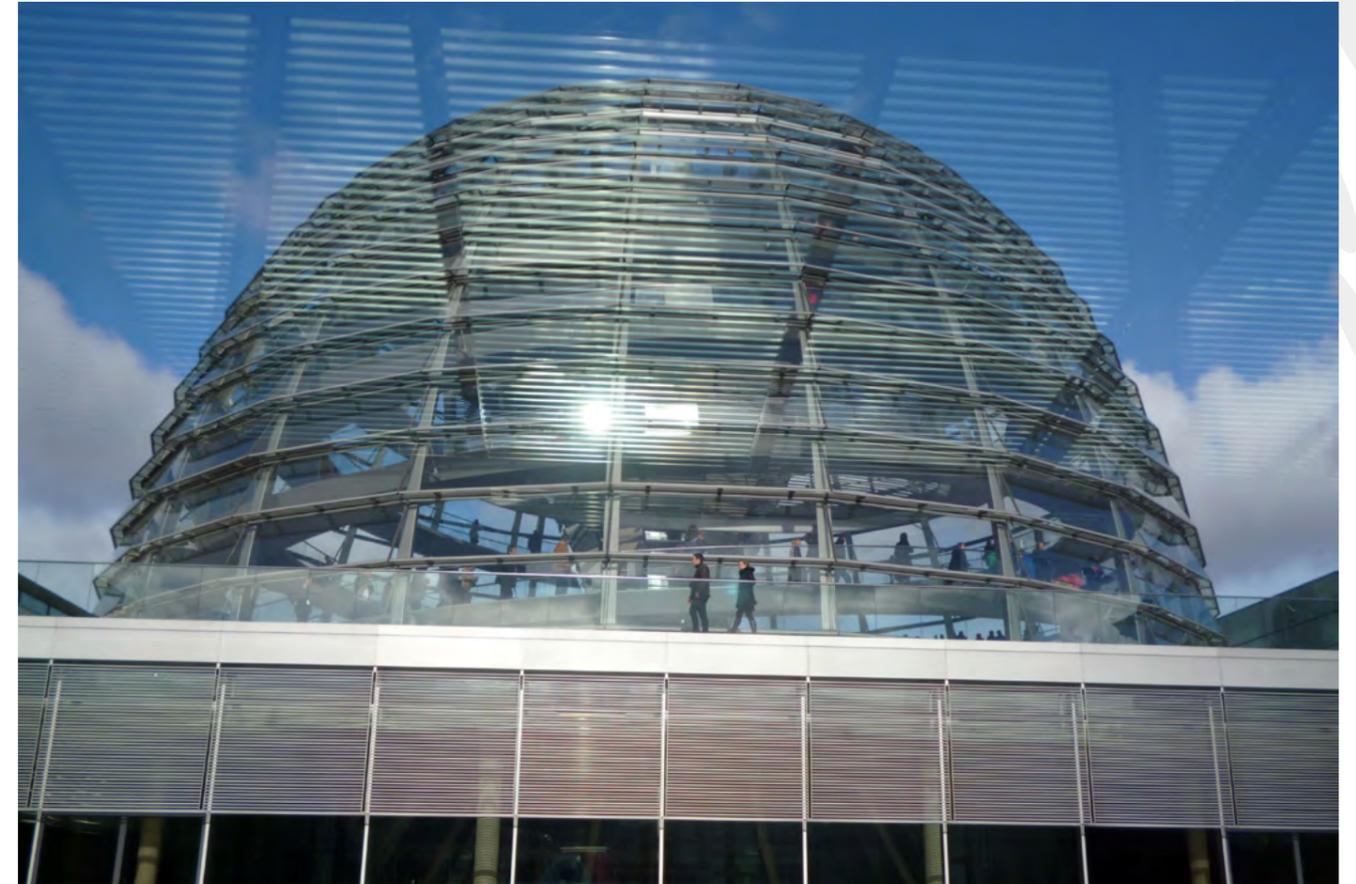
At the Federal Ministry of Justice, the TGCL team was received and hosted by Dr Ivo Thiemrodt and Dr Sigrid Jacoby. We were given an overview of the structure of the Ministry and were informed that it had close working contact with

legal practitioners from all 16 states of the Federal Republic of Germany.

We were then invited to a discussion that began with an introduction to the main tasks of the Ministry, these being the drafting of legislation, scrutiny of legislation drafted by other ministries, as well as administrative oversight duties over federal courts.

Of interest to the students, especially in terms of comparative practice, was the discussion on the different procedures and stages of the law-making process before legislation goes to Parliament and is passed into law. The Ministry officials informed the participants about the necessity of scrutinising any draft legislation to ensure that it is in conformity with European Union Law and with the Constitution, and that it does not clash with other existing legislation dealing with the same subject matter.

The participants then engaged in a discussion of the perceptions and perspectives of the European Union, the East African Community, and regional integration in general. (Naomi Gichuki) ■



INFORMATION OFFICE OF THE EUROPEAN PARLIAMENT

The Information Office of the European Parliament in Berlin is located in Unter den Linden, the main boulevard in the central Mitte district, a stone's throw away from the iconic Brandenburg Gate.

The European Parliament has offices in each EU Member State which serve as the link between the Parliament and the citizens. The principle behind this is to bring the Parliament closer to the citizens, thus making it easier for them to access information and to interact more closely with the Parliament which, in the long run, helps create a sense of ownership and belonging among the ordinary citizens.

At the office, we received lectures on the European Union institutions and how they work. We further discussed the election (directly by citizens) and functions of the European Parliament, its places of work, namely, Strasbourg, Brussels and Luxembourg), the composition of the Parliament and the proportionate distribution of seats among the Member States, the law-making process of the European Union and the decisive role of the European Parliament in the budget process. We also discussed the relationship between EU institutions and national institutions, as well as the relationship between EU law and national law. (Nina Sokoine) ■

The glass dome of the Reichstag building in Berlin.

TGCL students meet Prof. Michael Grünberger (back row, centre) at the University of Bayreuth, together with their hosts, Prof. Ulrike Wanitzek (left) and Mr Johannes Döveling (back row, right).



GERMAN FEDERAL FOREIGN OFFICE (*AUSWÄRTIGES AMT*) IN BERLIN

The visit to the German Foreign Office (*Auswärtiges Amt*) was very interesting for us since we got to visit the institution behind our sponsorship in respect of the TGCL programme. We were given information about how Germany has been funding education across the world through organisations such as the DAAD of which TGCL students are beneficiaries.

We had a very informative discussion with our hosts which focused on German foreign policy and Germany's position in the European Union (EU). We also looked at Germany's role in other international bodies of which it is a member, such as the North Atlantic Treaty Organisation (NATO), the United Nations (UN), the Group of Eight (G8), the Group of Twenty (G20) and the Organisation for Economic Cooperation and Development (OECD). (Magdalena Sylister) ■

UNIVERSITY OF BAYREUTH

At the University of Bayreuth the students were welcomed by the Deputy Dean of the Faculty of Law, Business and Administration, Prof. Knut Werner Lange, and by the Director of the Institute of African Studies, Prof. Ute Fendler.

This was followed by an academic programme, with introductory lectures by Johannes Döveling on European Union law and German law. A supplementary comparative legal workshop was held with Prof. Michael Grünberger, which was also a pleasant opportunity both for him and some of the students to see each other again after having been together during the Seminar on Intellectual Property Law held in Dar es Salaam a few months before (see above). Finally, the students attended a hearing at the Bayreuth High Court. ■

OBITUARIES

PROF. WAMBALI

Prof. Michael Kajela Beatus Wambali was born on 29 March, 1954 in Rukwa Region (now Katavi Region). In 1981, he gained his Bachelor of Laws degree from the University of Dar es Salaam, followed by a Master of Laws in 1985. He obtained his PhD in Law from the University of Warwick, England, in 1997. Prof. Wambali joined the School of Law, University of Dar es Salaam, as Tutorial Assistant in 1982. At the time of his demise in 2013, he was an associate professor. During his time at the university, Prof. Wambali held different administrative positions. In 1996, he was appointed the Head of the Department

of Criminal and Civil Law. From 2010 he was the Acting Head of the Department of Public Law. Prof. Wambali's areas of academic interest included Constitutional and Human Rights Law, Criminal Law and Criminal Procedure Law and the Law of Evidence. He will be remembered for his special mode of delivery in lecture theatres, and his friendly manner made him loved both by students and colleagues.

At the TGCL, Prof. Wambali supervised a number of LLM and PhD students.

His demise on 4 April, 2013 was a great shock. May he rest in peace. ■

DR MVUNGI

Dr Edmund Sengondo Adrian Mvungi was born on 1 November, 1952 in Mwangi District, Kili-manjaro Region. He obtained his Bachelor of Laws from the University of Dar es Salaam in 1981, and his first Master of Laws from the same university in 1988. He would later receive his second Master of Laws from Hamburg University (FRG), followed by a Doctor of Laws, also from Hamburg, in 1994. Prior to his employment at the University of Dar es Salaam, Dr Mvungi worked for various newspapers. In 1983, he joined the university as a tutorial assistant in the School of Law, rising to become a senior lecturer in 1997. He retired in 2012.

Dr Mvungi published extensively in both local and international journals. He authored one book and

co-authored several others.

Apart from his academic activities, Dr Mvungi was also engaged in many other activities as a legal expert and as a politician. At the time of his death, he was a member of the Constitutional Review Commission of Tanzania and a board member of the Legal and Human Rights Centre in Tanzania.

Dr Mvungi lectured at TGCL from October 2010 to February 2013. He was one of the few constitutional lawyers in Tanzania and his presence at TGCL benefitted our students beyond measure. News of his demise on 12 November, 2013 came as a big shock. He will always be remembered. May he rest in peace. ■

2013 LLM STUDENTS, DISSERTATIONS AND SUPERVISORS

REBECCA ATWIINE (UGANDA)



Implementation of the East African Community Common Market Protocol: The Case of the Insurance Industry in Uganda

Supervisor: Dr B. T. Mapunda

JEBBY GONZA (TANZANIA)



Facilitating Access to Justice through Legal Aid to the Indigent in East Africa: A Case Study of Tanzania and Kenya

Supervisor: Dr B. T. Mapunda

PETRO MSELEWA (TANZANIA)



Service Tenancies in Public Corporations in Tanzania: Law and Practice

Supervisor: Prof. G. M. Fimbo

IRENE LULU NYANGE (TANZANIA)



Harmonisation of Electronic Commerce Laws in the East African Community: Lessons from the European Union

Supervisor: Dr. Z. Lukumay

VERONICA BUCHUMI (TANZANIA)



Adequacy of Sub-Regional Responses by the East African Community in Addressing Trafficking in Persons

Supervisor: Dr K. Kamanga

JEAN-PIERRE KAMANA KARINJABO (RWANDA)



Free Movement of Goods Under the Legal Framework of the East African Community: A Case Study of Rwanda

Supervisor: Prof. H. I. Majamba

CHARLES MUNYUA (KENYA)



Progress, Challenges and Opportunities towards Realising Cross Border Legal Practice in the East African Community: A Case Study of Kenya and Tanzania

Supervisor: Dr A. M. Mapunda

HADIJA RAMADHANI (TANZANIA)



Violations of Women's Land Rights in Tanzania

Supervisor: Dr B. T. Mapunda

MAURICE TIBERIO DATUKOWO (SOUTH SUDAN)



Problems and Barriers in Implementing Laws of South Sudan on Water Pollution: A Case Study of Juba

Supervisor: Prof. H. I. Majamba

GERTRUDE KAYITESI (RWANDA)



Harmonisation of Laws in the East African Community: Context and Strategy

Supervisor: Dr A. M. Mapunda

EMMANUEL ELAU (UGANDA)



Freedom of Expression, the Press and the East African Community: The Ugandan Perspective

Supervisor: Dr A. M. Mapunda

EMMA KIMARIO (TANZANIA)



Disparities in Social Security Benefits and Their Impact on the Common Market Protocol: A Case Study of Kenya and Tanzania

Supervisor: Dr A. M. Mapunda

GILBERT HAGABIMANA (BURUNDI)



The Role of Regional Courts in the Promotion of Regional Integration: A Case Study of the European Court of Justice (ECJ) and the East African Court of Justice (EACJ)

Supervisor: Dr K. Kamanga

JONATHAN WILFRED MNDEME (TANZANIA)



Land Rights and Land Investment in Tanzania: Towards Addressing Fears, Concerns and Challenges on Land Matters in the East African Community

Supervisor: Prof. G. M. Fimbo

TGCL STUDENT REPRESENTATIVES

Charles Munyua was the TGCL Student Representative in the academic year 2013/2014 and Hadija Ramadhani was the Deputy Student Representative. We thank them warmly for their tireless efforts to work for the group and for the study programme.

2013 GRADUATION

The year 2013 saw a large number of TGCL students graduate from the University of Dar es Salaam School of Law both with Masters' and PhD degrees. A total of 16 TGCL students were awarded degrees. Mahadhi Juma Maalim was awarded a PhD degree, and the following students all graduated with Masters' Degrees: Jackline Asiimwe (Uganda), Désiré Bigirimana (Burundi), Naomi Gichuki (Kenya), Kamru Habibu (Tanzania), Desderia Haule (Tanzania), Amos Kiiza (Rwanda), Matilda Lameck (Tanzania), Domina Madeli (Tanzania), Mathias Sylvester Nkuhi (Tanzania), Bethy Sanare (Tanzania), Stephano Seba (Tanzania), John Seka (Tanzania), Nina Sokoine (Tanzania), Magdalena Sylister (Tanzania) and Hannah Wanderi (Kenya).

We congratulate these TGCL students for successfully completing their studies and wish them the very best in their future endeavours.



UNIVERSITY OF
DAR ES SALAAM

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

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

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

www.tgcl.uni-bayreuth.de

DAAD

Deutscher Akademischer Austausch Dienst
German Academic Exchange Service