



**THE CONSTITUTION OF THE
EAST AFRICAN TRADE UNION CONFEDERATION**

AS AMENDED BY THE SUMMIT ON 24th JULY 2012, ARUSHA, TANZANIA

PREAMBLE

The establishment of the East African Cooperation is a new outlook of bold political will among the East African states which has given an opportunity to workers to initiate cooperation and solidarity. Such manifestation can only be achieved by examining suitable areas of cooperation. As a result of constant consultations between the leaders of COTU (K), NOTU (U), and the then TFTU on the need for East African Trade Union Co-operation, a meeting of the three National Trade Union Centres was held in Arusha on 8th September, 1988, which came up with an agreement to form East African Trade Union Confederation.

In view of the above, the founder members are the following:

- (a) Central Organisation of Trade Unions (Kenya) (COTU (K))
- (b) National Organisation of Trade unions (Uganda) (NOTU (U))
- (c) Tanzania Federation of Trade Unions (TFTU), which later became the Trade Union Congress of Tanzania (TUCTA) in Tanzania Mainland and in Zanzibar formed their own national centre i.e. Zanzibar Trade Union Congress (ZATUC).

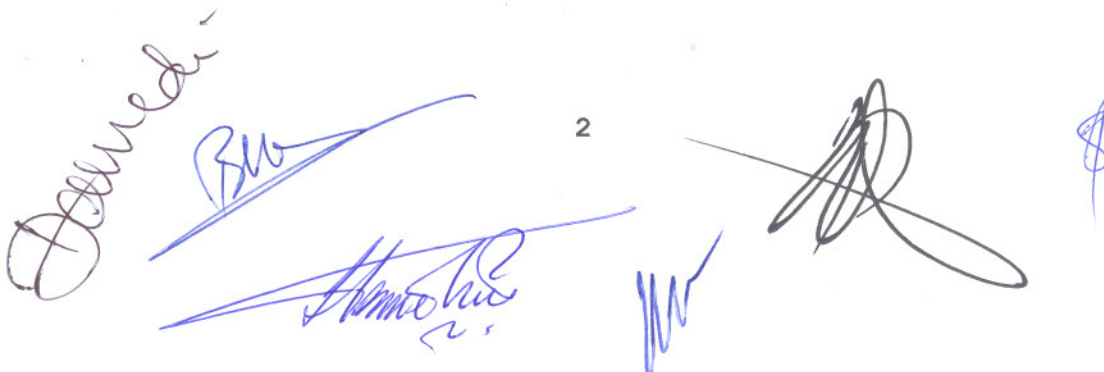
The Desire to establish trade union cooperation in East Africa is of historical linkage with the countries of the Region before and after attainment of freedom and independence from colonial domination. The peoples of these three countries comprising Kenya, Uganda and Tanzania are interrelated in many respects including cultural, ecological and environmental spheres.

The independence of the East African countries enhanced the opportunity of positive integration. This challenge of the aspirations of the people of the Region was realized with the formation of the East African Community for an Economic Treaty. The Treaty enabled the Region to pool together important common services. However, this valuable instrument collapsed in 1977, an unfortunate episode in the history of East Africa. It accelerated disintegration of the peoples in the Region with adverse impact, such history engraved with a painful experience.

A positive new trend of the situation in the Region has prevailed resultant of the signing of the treaty for Re-establishment of the East African community on November 30th, 1999. It also led to re-opening of borders between Kenya and Tanzania and resumption of Cooperation in the Social economic and political spheres and a drive towards a resumption of some common services in the region. It entered into force on July 7th, 2000 and the East African Community was officially launched on January 15th, 2001.

Currently, EATUC has the observer status at all EAC meetings including the Summit. There is a cordial working relationship with their counterparts- East African Business Council through consultation and information sharing. This position has greatly strengthened the role of EATUC in EAC activities especially in the areas of labour and social dialogue.

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The bottom of the page features several handwritten signatures and initials in blue ink. On the left, there is a large, stylized signature that appears to be 'Demedi'. To its right are several other signatures, including one that looks like 'Bw' and another that is more complex and cursive. There are also some initials and a small mark on the far right.

PART ONE

ESTABLISHMENT, VALUES AND OBJECTIVES OF THE CONFEDERATION

ARTICLE 1:

NAME AND AREA OF OPERATION.

- a. The cooperation between the founder national centres of the trade unions in East Africa shall be called the East African Trade Union Confederation, thereafter referred to as EATUC.
- b. EATUC is a sub-regional organisation established for the promotion, advancement, development and protection of trade union rights in East Africa and is committed to ensure that trade unions become full partners in the development activities of the East African Community.

ARTICLE 2

HEADQUARTERS AND REGISTRATION

- a. The location of the headquarters office of the East African Trade Union Confederation shall be Arusha.
- b. East African Trade Union Confederation shall be incorporated under the laws of the country in which the Headquarters office is located

ARTICLE 3

CORE VALUES

- a. The East African Trade Union Confederation shall be guided by the ideals of democracy, human rights, equality and social justice for all.
- b. The East African Trade Union Confederation shall be independent of every government. It shall be self-governing and not subject to control by any political party or ideological or religious grouping.
- c. EATUC shall seek to develop effective coordination with regional and sub-regional trade union organizations in Africa and ensure the development of a common platform of action
- d. EATUC shall establish structured partnership with the International Trade Union Confederation (ITUC) and ILO
- e. EATUC shall seek for partnership with friendly organisations
- f. The East African Trade Union Confederation shall not interfere in the internal affairs of member organisations. It shall respect internal freedom and diversity of expression in

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accordance with the principles of the constitution.

ARTICLE 4:

GOALS AND OBJECTIVES

The EATUC goal shall be to integrate workers' interests and efforts in the East African region with a view to develop a common approach towards enhancing social and economic justice, through the participation of workers' organisations at all levels of regional integration

The objectives of the EATUC shall be to:

- i. Liaise with East African Community
- ii. Promote Decent work and improving terms and conditions of service;
- iii. Promote occupational health and safety and working environment;
- iv. Harmonise labour laws and legislation and respect of ILO core conventions;
- v. Promote and defend human and trade union rights;
- vi. Promote gender and equality issues;
- vii. Promote programmes for young workers so as to encourage them to take an active part in the trade union movement in the region
- viii. Engage EAC in all the processes of regional integration to ensure that workers issues and interests are accommodated in the protocols, policies and programmes
- ix. Eliminate all forms of discrimination based on religion, race, colour, disabilities, sex and political affiliation;
- x. Eliminate all forms of child labour;
- xi. Promote conflict resolution;
- xii. Eliminate hunger through food security;
- xiii. Promote workers education activities;
- xiv. Fight against HIV and AIDS
- xv. Integrate Labour Migration into workers education
- xvi. Use ICT to promote interests of workers

- xvii. Use Research as tool to promote workers rights

ARTICLE 5

FUNCTIONS OF EATUC

The functions of EATUC shall be to:

- a. Develop in concrete terms cooperation and solidarity of purpose among the members of the EATUC in the fields of labour, workers' education, economic and research, women and youth activities and generally in all matters related to workers;
- b. Hold consultative meetings to exchange information and experience on the situation of the trade unions and labour in general in the Region as well as the economic policies of the East African countries vis-à-vis the rest of the world;
- c. Study the economic policies of the member states in the Region and their impact on employment, economic and social advancement of the workers in the overall development process of the Region;
- d. Seek consultation, participation and representation in all general matters affecting the East African workers being initiated by the East African Governments, its bodies and Corporations;
- e. Work in uniformity with and in establishing common position for defence of the interests of workers of the Region at any international forum dealing with labour and related social economic and political problems.

PART TWO

MEMBERSHIP, RIGHTS AND OBLIGATIONS

ARTICLE 6:

MEMBERSHIP

- a. The East African Trade Union Confederation shall be composed of organisations of National Trade Union Federations upholding the principles of independent trade unionism and aspiring to enhance democracy, human rights and social justice in their respective countries and to improve the living and working conditions of their members.
- b. Any National Trade Union Federation in the region shall have the right to apply for membership and shall be admitted as a member of EATUC by the SUMMIT provided that the applicant:

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- i. subscribes to the core values, goals and objectives as described in Articles 3 and 4 and is thereby actively engaged in promoting the overall trade union interests of its members;
 - ii. pledges to fulfill the obligations of membership as described in Article 7;
 - iii. practices internal democracy in the designation of its leadership, in the determination of its goals, policies and activities and in the management and administration of all of its affairs;
 - iv. is self-governing and not under the control of any political party, government and ideological or religious grouping;
 - v. is not part of an organisation already in membership, such that acceptance of the application would create double affiliation unless recommended by the member country delegation.
 - vi. Only applications duly authorised by the applicant's governing body shall be taken into consideration by the Committee of Experts.
- c. There will be consensus among founder members on future affiliation of new members
- d. Membership Application shall be addressed to the Chairperson.

ARTICLE 7

RIGHTS AND OBLIGATIONS

- a. Every member organisation shall have the same constitutional rights and shall be bound by the same constitutional responsibilities, including the payment of membership fees as provided under Article 14.
- b. From the date of admission to the East African Trade Union Confederation every member organisation shall accept the following obligations:
- i. to promote their members' awareness of the objectives and functions of the East African Trade Union Confederation;
 - ii. to promote the interests of the East African Trade Union Confederation;
 - iii. to inform the East African Trade Union Confederation about all major actions taken in pursuance of the EATUC objectives;
 - iv. to keep EATUC informed of its policies, national activities as well as major developments within its country.

ARTICLE 8

SUSPENSION AND WITHDRAWAL OF MEMBERSHIP

- a. The SUMMIT shall have the power to suspend or expel any member organisation for action, or lack of thereof, deemed by the SUMMIT to be in violation of its Constitution, or against interests of EATUC
- b. Any organization which is more than twelve (12) months in arrears of the payment of its membership dues, without the approval of the SUMMIT, shall be considered as nonmember
- c. Any member that has been suspended or excluded other than being in arrears of the payment of membership dues shall have the right of appeal to the SUMMIT.
- d. Any organisation shall have the right to withdrawal from the regional organisation subject to six months notice.
- e. Only notifications of withdrawal duly authorised by the member's governing body shall be taken into consideration by the Committee of Experts.

PART THREE

ORGANISATION, STRUCTURES AND FUNCTIONS

ARTICLE 9

EATUC ORGANS

The organisational structure of EATUC shall include at least 30% of women in its decision making Organs. The structure shall comprise of:

- (a) The SUMMIT
- (b) Committee of Experts
- (c) Women Committee
- (d) Youth Committee
- (e) Other Committees
- (f) Secretariat

ARTICLE 10

THE SUMMIT

- a. The SUMMIT is the highest Authority of the Confederation. The SUMMIT comprises the Secretaries General of affiliated organisations plus one elected woman leader.
- b. An ordinary session of the SUMMIT shall
 - i. adopt its rules of procedure and agenda;
 - ii. elect the Chairperson
 - iii. determine the policies, principles of action and programmes of EATUC;
 - iv. consider the activity report of the secretariat;
 - v. consider the audited financial report, adopt the general budget, and determine the membership fees.
- c. The SUMMIT shall have the authority to amend the Constitution by a two-thirds majority vote and to take final decisions in case of applications for membership, the suspension or expulsion of member organisations.
- d. In the event that all Secretaries General are men and taking into account the promotion of gender parity, the SUMMIT shall elect one top woman leader from the member national trade union federations as a member to the SUMMIT for a period of 3 years and vice versa.

ARTICLE 11

CHAIRPERSON

- a. The Confederation shall elect the Chairperson for a period of three years. This position is not eligible for re-election until all Members of the Confederation have had the chance to the Chair in rotation.
- b. In the absence of the Chairperson a representative from the federation members present may elect someone to chair the meeting for that particular session.

- c. The Chairperson shall be responsible for conducting the sessions; submit for approval the records of the meetings and direct all debates until submission to a vote.

ARTICLE 12

COMMITTEES OF THE CONFEDERATION

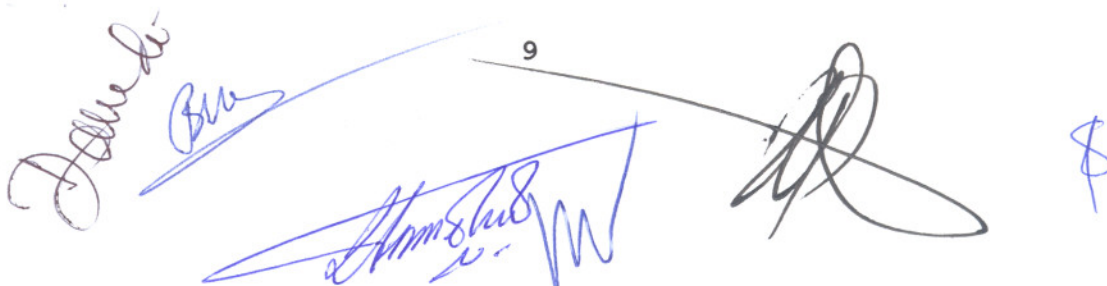
- a. There shall be a standing committee of experts comprising representatives of each National Trade Union Federation. The size and composition of the delegation shall depend on the subject matter to be discussed. Each Federation shall have a Co-ordinator who shall be a member of the team of experts.
- b. The following shall be the committees of experts
- i. Social and Economic
 - ii. Occupational Health and Safety
 - iii. Education and Organising
 - iv. Research
- c. Women Committee
There shall be established a Women Committee that shall comprise of one woman member from each Affiliate of the Confederation.
- d. Youth Committee
There shall be established a Youth Committee that shall comprise of one youth member from each Affiliate of the Confederation. The Youth Committee shall elect one member to become a delegate of the Summit
- e. The committees shall meet at least twice a year, save for the Women and Youth Committees that shall meet once yearly.
- f. The SUMMIT may appoint ad hoc committees of any nature as and when necessary.
- g. The SUMMIT may also appoint a Patron whose functions shall be:
- i. To encourage and foster trade union development in the region
 - ii. To advise EATUC Secretariat and SUMMIT on matters related to labour, human and trade union rights in the East African Community

ARTICLE 13

OFFICERS OF THE CONFEDERATION

- a. The EATUC Summit shall appoint an Executive Secretary on permanent basis.

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- b. The appointment of the Executive Secretary shall be supported by any of the member National Trade Union Federation and on terms and conditions decided upon by the Confederation.
- c. The Executive Secretary shall be an Ex-official to the SUMMIT and shall liaise with the EAC in consultation with the Chairperson, and shall seek financial and material assistance for activities from friendly organisations
- d. The duties of the Executive Secretary shall include the design of the programmes and Budget of the Confederation, that of Chief Rapporteur, co-ordination of activities, dissemination of information, organising and implementation of the activities of the Confederation, and financial management
- e. The Executive Secretary shall also attend all Committee meetings and be the Rapporteur of the Committee of Experts.
- f. The Executive Secretary shall liaise with the EAC
- g. Vacancies shall be advertised internally with equal opportunities accorded to all member countries

PART FOUR

FINANCIAL OBLIGATIONS

ARTICLE 14

FINANCE AND ACCOUNTS

- a. Each of the Member National Federations shall contribute an amount which be determined by the SUMMIT from time to time
- b. The funding of EATUC programmes shall be determined in accordance with the size of the programme and costs shared among members of the Confederation
- c. EATUC may raise funds for its activities and programmes as the need may be
- d. EATUC shall have a secretariat whose costs shall be borne by the members shared equally between them as determined by the Authority.
- e. The Executive Secretary in consultation with the committee of experts shall prepare the EATUC Budget and submit it to the SUMMIT for approval and endorsement
- f. The Executive Secretary shall be entrusted with the management of income and expenditures. Expenditures shall be governed by the Financial Regulations within the framework of the annual budget. This budget shall be submitted to the SUMMIT for

approval and endorsement.

- g. All money transfers shall be done through EATUC's Bank Account(s) as directed by the SUMMIT
- h. Signatories of EATUC Account shall be any two of the following:
 - a. Chairperson
 - b. Executive Secretary
 - c. Secretary General of the host national centre
- i. The accounts of EATUC shall be closed on December 31 of each year, and shall be audited by a qualified accountant registered according to the international standards.
- j. Only EATUC tangible properties shall be considered as security for financial liabilities. Elected members shall not be held legally responsible for such liabilities.
- k. The financial year shall be the calendar year.

PART FIVE

MEETINGS OF THE CONFEDERATION

ARTICLE 15

GENERAL MEETINGS OF THE CONFEDERATION

- a. The Confederation shall meet in Ordinary Session once every year.
- b. An Extraordinary Session may be convened at a request of a member of the Confederation provided one other member seconds it. However, such an indication to convene the Extraordinary Session shall be communicated to all members and shall be held at least fifteen days after receiving such notice.
- c. The agenda of the Extraordinary Session must be communicated to the members of the Confederation at least fifteen days before convening of the meeting. The Session shall only discuss the items submitted for consideration in the request.
- d. The Committee of Experts may be convened twice a year. One such a meeting shall precede the sitting of Ordinary Session of the Confederation.
- e. The Women and Youth Committees meetings shall precede the meeting of the Summit.
- f. A verbatim record of the sitting of the SUMMIT and Committees of Experts shall be kept, published or distributed to member organisations
- g. The Executive Secretary shall keep all the minutes of meetings

ARTICLE 16

QUORUM

A quorum of any meeting of the Confederation and its supporting organs shall be made up of a half of members.

ARTICLE 17

VENUE OF MEETINGS

- a. The Sessions of the Confederation shall be held at the Headquarters or elsewhere after consultation with the Chairperson.
- b. In the event of the Session of the Confederation being held in any country at the invitation of a member National Trade Union Federation, the latter shall be responsible for local costs of attending delegations. Such commitment to the Confederation shall constitute a contribution to the activities of the Confederation by its members. Otherwise, any member of the Confederation may invite the Confederation to hold any Session.
- c. Members of the Confederation shall be responsible for their own travelling expenses to attend any Session or meeting.

ARTICLE 18

AGENDA

- a. The provisional agenda shall be drawn up by the Executive Secretary in consultation with the Chairperson. Such agenda shall be communicated to all members of the Confederation at least fifteen days before convening any Session.
- b. The agenda of an ordinary session shall consist in particular:
 - i. Minutes of the previous meeting;
 - ii. Report of the Executive Secretary on the activities of the Confederation
 - iii. Financial report;
 - iv. Programme of the Confederation for the coming period
 - v. Items decided by members of the Confederation after consultation with Chairperson;
 - vi. Any other business;
 - vii. Venue and date of next sitting of session of the Confederation.

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ARTICLE 19

MEETING PROCEDURES

The procedure of conducting meetings of the Confederation and the Committee of Experts shall be governed by the general acceptable standards and practice. This procedure may include suspension or adjournment of debates of the meeting, procedural motions and preparation of resolutions or statements.

ARTICLE 20

VOTING

- a. All necessary measures shall be taken to ensure that issues are amicably agreed upon by all the member organisations
- b. In the event that a decision needs to be voted on, the basis for calculation of the simple majority takes precedence except for the amendment of the Constitution

ARTICLE 21

OBSERVERS

The Confederation through the Chairperson may invite and admit at its meeting any observer for a particular purpose; but such an observer shall have no voting right.

ARTICLE 22

WORKING LANGUAGE

The working language of the Confederation shall be English and Kiswahili.


ARTICLE 23

INTERPRETATION

In the event of question or doubt as to the interpretation of the provisions of the Constitution, the English text shall be considered as original and authentic.

ARTICLE 24

AMENDMENTS TO THE CONSTITUTION

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- a. Notices of motion to amend the Constitution shall be circulated to all member organisations at least 30 days prior to the opening of the SUMMIT together with any comments which the Committee of Experts/Secretariat may wish to communicate to

members.

- b. A proposed amendment to the Constitution shall be adopted by consensus of the SUMMIT and shall enter into force immediately.

ARTICLE 25

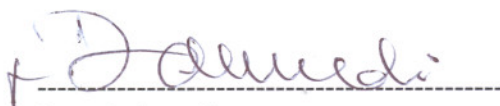
DISSOLUTION

- a. The SUMMIT shall be the only body authorised to decide upon the dissolution of the East African Trade Union Confederation, provided that a proposal to that effect has been placed on the SUMMIT agenda, and provided that at least six months notice has been given to a specific motion to this effect.
- b. A resolution calling for dissolution shall be implemented, provided that it has secured at least a two third majority of attending members. In case of dissolution after the discharge of all debts and liabilities any remaining monies or assets shall not be distributed among members but shall be transferred to another organisation with more or less similar objectives.

DONE at Arusha, Tanzania on the 24th day of July, in the year two thousand and twelve.

Signatories

For COTU (K)



Francis Atwoli

Secretary General

For NOTU



Peter Werikhe

Secretary General

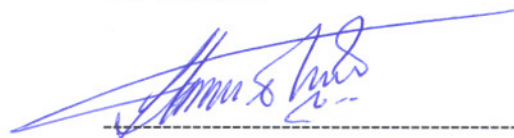
For TUCTA



Nicholas Mgaya

Secretary General

For ZATUC



Khamisi Mwinyi Mohammed

Secretary General

For COSYBU

*P.O. Executive Secretary
Rufan Aguirre
BSP*

Tharcisse Gahungu

President

For CESTRAR

ES

Eric Manzi

Secretary General