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By Order of the Council and Authority

Sindiso N. Ngwenya
Secretary-General
COMESA

IT IS HEREBY NOTIFIED that the COMESA Authority of Heads of State and Government at their Thirteenth Summit held from 7th to 8th June, 2009 at Victoria Falls, Zimbabwe and the COMESA Council, at its Twenty-Sixth Meeting held from 2nd to 4th June, 2009 at Victoria Falls, Zimbabwe issued the following Legal and General Notices:

LEGAL AND GENERAL NOTICES

PART I - Legal and General Notices Issued by the Authority

(a) Decisions of the COMESA Authority

Renewal of the terms of office of some of the Judges of the Court

4. HAVING REGARD TO Article 20(1) of the Treaty establishing the Common Market for Eastern and Southern Africa, providing that the Authority shall appoint Judges of the COMESA Court of Justice, the Authority of COMESA has reappointed the following Judges to serve for a further period of five years with effect from 4th June, 2008:

- (a) Honourable Justice Keshoe P. Matadeen, (Mauritius, Appellate Division);
- (b) Honourable Justice Duncan G. Tambala, (Malawi Appellate Division) ;
- (c) Honourable Justice Luke Malaba (Zimbabwe, First Instance Division)
- (d) Honourable Justice James Munange Ogoola (Uganda, First Instance Division); and
- (e) Honourable Justice Hortense Rabenjarivelo neé Rakotomena (Madagascar, First Instance Division).

Trade Development

Decision

5. The Authority emphasized that the development of the ESA region remains central to the EPA and WTO negotiations.

Launch of the Customs Union

Decision

6. The Authority agreed to launch the COMESA Customs Union in accordance with their decision of the Twelfth Summit.

Decision

7. The Authority further endorsed the establishment of the COMESA Task Force on the Customs Union for monitoring the implementation and operations of the Customs Union.

Transport and Communications

Decision

8. The Authority directed the Secretariat to implement Aid for Trade programmes for other regional corridors as was done for the North South Corridor.

Industry and Energy

Decision

9. The Authority urged Member States to implement COMESA Energy Programmes and to cooperate in, the development of energy generation and transmission infrastructure as well as in, trade in energy services in order to alleviate the current energy crisis that the region is facing.

Agriculture

Decision

10. The Authority urged all Member States to adopt CAADP Compacts and to fully participate in all the COMESA agriculture programs, given the critical importance of the sector to the food and nutrition security of the region and to the livelihood of the vast majority of the population.

Monetary Affairs

Decision

11. The Authority launched the Regional Payment and Settlement System.

Gender

Decision

12. The Authority urged the Member States to mainstream gender into their national policies and programmes and to establish gender focal points where there are none.

Climate Change Programme

Decisions

13. The Authority:

- (a) endorsed the COMESA Climate Change Framework, the African Bio-Carbon Initiative and the Common African Position on Climate Change; and
- (b) supported the Common African Position at the forthcoming AU Summit and to call for the continued cohesiveness of the Africa Group in the Climate Change negotiations.

The COMESA-EAC-SADC Tripartite

Decisions

14. The Authority:

- a) endorsed the decisions of the COMESA-EAC-SADC Tripartite Summit; and
- b) directed the Secretariat in collaboration with the Tripartite Task Force to;
 - (i) expedite the completion of the study on the single FTA;
 - (ii) organize a High Level Conference for mobilization of resources for the development of the Northern Corridor (from Mombasa to Goma via Kampala and to Kigali and Bujumbura) and the Lamu-Southern Sudan-Ethiopia Corridor, the Djibouti to Addis Ababa Corridor and the Central Corridor from Dar-es-Salaam to Goma through Kigali and to Bujumbura and other Corridors in the Eastern and Southern Africa Region;
 - (iii) develop a programme to implement air and oceanic links between island Member States and with the mainland Member States as well as develop port infrastructure in order to enhance regional integration;
 - (iv) submit a report in the assessment being carried out on other corridors to the next meeting of the Council of Ministers.

COMESA Institutions

Decisions

15. The Authority awarded the hosting of the COMESA Institutions to the Member States indicated as follows:

- (a) COMESA Competition Commission-Republic of Malawi;
- (b) COMESA Telecommunications Company (COMTEL)-Republic of Djibouti; and
- (c) Federation of Women in Business (FEMCOM)-Republic of Malawi.

PART II - Legal and General Notices Issued by the Council

(b) Legal and Institutional Matters

Seat of the COMESA Court of Justice

Decision

16. Council endorsed the Decision of the Ministers of Justice and Attorneys General that before the end of the appointed period of eighteen months, from 4 April, 2008 an assessment should be made of the progress made on the permanent infrastructure of the Court in line with the decision of the Twelfth Meeting of the Ministers of Justice and Attorneys General held in Djibouti on 4 April, 2008 before 4 October, 2009.

Amendment to the Treaty

Decisions

17. Council endorsed the Decisions of the Ministers of Justice and Attorneys General that:

- (a) The proposed amendment of Article 185 of the Treaty to include Arabic as a fourth official language of COMESA, be implemented in accordance with Article 190 of the Treaty; and
- (b) Due to the urgent need for the introduction of Arabic as an official language of COMESA and the delay in circulating the Council proposal for amendment, consideration should be given for the expedited entry into force of the amendment through adoption by the Authority as provided for under Article 190(5).

(c) Multilateral and Bilateral Arrangements

Status of ESA-EC EPA Negotiations

Decisions

18. Council decided that the Secretariat should liaise with EAC and SADC Secretariats to organize experts' meetings of the three configurations to implement the Tripartite Summit decision on the coordination and harmonization of EPA positions

The U.S. Africa Growth and Opportunity Act (AGOA)

Decision

19. Council directed that since the third-country fabric provision ran up to 2012, while the current AGOA ran up to 2015, the Secretariat should bring this to the attention of the US Government requesting that the two periods expire in 2015.

(d) Trade Development

Draft Agreement on the Application of Sanitary and Phytosanitary Measures

Decision:

20. Council endorsed the Decision of the Ministers of Justice and Attorneys General that :

- a) The draft Agreement on the Application of Sanitary and Phytosanitary Measures should be transformed into Regulations; and
- b) The draft Regulations on the Application of Sanitary and Phytosanitary measures be referred to the Legal Drafting Sub-Committee for consideration.

Implementation of the COMESA Simplified Trade Regime

Decisions

21. Council decided that the Secretariat should facilitate bilateral meetings at the Permanent Secretary and Ministerial levels to finalize the common lists of products to be traded under the STR to enable their gazetting by the respective Member States.

22. Council further decided that Member States should own the process of finalising the internal procedures for implementing and gazetting the STR.

23. Council agreed that Member States should own the process and take the required measures, particularly the internal legal measures required to gazette the common lists of eligible products. Council noted that the Secretariat was in the process of facilitating the meetings of the Member States.

Elimination of Non-Tariff Barriers (NTBs)

Tripartite Meetings on NTBs

Decision

24. Council decided that:

- (a) Member States of the three RECs, namely EAC, COMESA and SADC, should adhere to their respective specific Treaty provisions prohibiting the application of Non-Tariff Barriers;
- (b) The three RECs should scale up their efforts for establishing an inter-regional framework for collaboration on NTB matters in accordance with the Tripartite decisions;
- (c) Mechanism for expeditious resolution of NTBs should be operationalised;
- (d) The RECs should harmonise the NTB reporting forms, and the elimination processes;
- (e) The Secretariat should provide technical opinion on reported NTBs to facilitate immediate removal;
- (a) Zambia should continue with bilateral consultations in order to resolve the matter concerning milk imports from Kenya into Zambia; and
- (b) Countries which have not submitted the NMCs and NEPs work programmes and budgetary estimates based on the guidelines submitted by the Secretariat are invited to do so expeditiously so as to facilitate the implementation of the NTB elimination matrices.

Study on Impact of Non Tariff Barriers in the COMESA region

Decisions

25. Council decided as follows:

- (a) Technical assistance and other resources are required at the national and regional level for an effective NTB reporting, monitoring and reduction/ elimination process;
- (b) The National NTB Monitoring Committee (NMC) structures should be formalised in all COMESA Member States for purposes of legitimacy and sustainability of operations;
- (c) Adequate resources need to be sourced by Member States and Secretariats for the NMCs and National Enquiry Point (NEP) to work effectively and consistently;

- (d) The involvement of the private sector in the NMCs is important and should be vigorously encouraged. The NMCs should be co-chaired by the public and private sectors;
- (e) The specific findings of the final report of the Impact Study should be integrated into an update of the COMESA Matrix for the Elimination of NTBs;
- (f) National NTB impact studies should be undertaken in COMESA Member States at least every two years in order to track progress in the elimination process;
- (g) The three Secretariats should coordinate the implementation of future studies; and
- (h) Increased attention should be paid to:
 - (i) Capacity building and providing good working conditions to officials at border points;
 - (ii) Encouraging and implementing a secure whistle-blowing system for corrupt practices;
 - (iii) Attracting more resources to implement electronic document transaction systems at all major border crossings and goods clearance facilities; and
 - (iv) The time release methodology should be used in determining the occurrence of NTBs in the region.

Progress Report on COMESA Trade Point Programme

Preparations for the COMESA Region in becoming the 1st “Secure Paperless 21st Century Economy”

Decision

26. Council decided as follows:

- (a) The Secretariat should work with partners that can support Member States that are ready to adopt the system for its implementation at national level as well as at regional level; and

- (b) The Secretariat is requested to work out the details of implementing the Single Window System for interested Member States.

Industrial Rebates

27. Council requested the Secretariat to undertake a study on industrial rebates and to finalise the ongoing studies on rules of origin.

(d) Customs Cooperation

Decisions

28. The Council decided as follows:

- (a) All Member States be urged to submit the required information on trade relations with third countries to the Secretariat as directed by Council to enable the Secretariat to undertake the necessary analysis; and
- (b) With regard to inconsistencies between provisions of agreements with third countries and the customs union regulations, Council decided that COMESA should consider using derogations under the principle of allowing Member States policy space.

Introduction of an additional 5% tariff band to the COMESA External Tariff

Decision on the 5% tariff band

29. Council decided that:

- (a) Member States with the 5% tariff band may continue to apply it after the launch of the Customs Union during the transitional period;
- (b) The study on the 5% tariff band should be completed and submitted to the next meeting of the Trade and Customs Committee, and the study should assess the implications for revenue losses and competitiveness of introducing the 5% tariff band; and
- (c) The study will take into account the need to attain harmonisation with the CET tariff structures as per the COMESA-EAC-SADC Tripartite Summit Decisions

Average tariff rates of the COMESA CET and their implications on WTO Tariff Bindings of Member States

Decisions

30. Council decided as follows:

- (a) That the affected COMESA Member States that have bound tariffs at the WTO below the COMESA CET start preparing to renegotiate the modification of their WTO bound tariffs pursuant to Article XXVIII of the GATT. The negotiations will have to be done bilaterally with respective WTO Members with whom the bound tariffs were initially negotiated and any other WTO Members identified to have principal supplying or substantial interests in the bound tariffs to be modified;
- (b) That the COMESA Member States that are implementing World Bank and IMF funded programmes and have applied tariff rates below or above the COMESA CET have, depending on their commitments made in their Letters of Intent to the IMF, may have to consider consulting the two institutions;
- (c) The COMESA Customs Union should be notified to the WTO Committee on Trade and Development under the Enabling Clause; and
- (d) COMESA should consider assisting affected Member States in the renegotiations.

Standstill Clause

Decision

31. Council decided that there should not be a standstill provision in the instruments of the customs union.

CUSTOMS UNION ROADMAP

32. Council decided that:

- (a) Schedule I (containing products aligned to the CET) should be adopted;
- (b) All Member States should submit their lists of sensitive products and tariff alignment schedules for attachment as Schedule II;
- (c) The Member States should be allowed a period of three years, to align their national tariffs with the COMESA CET, provided that after 18 months from the date of the launch, the period of three years may be reviewed by Council for a period not exceeding five years from the date of the launch;

- (d) The CET should be based on the CTN and Member States should implement the COMESA CTN in the national tariff; and
- (e) The Secretariat be requested to develop appropriate work programmes on challenges identified by the Workshop of Stakeholders on the Customs Union.

(f) TRADE RELATION ISSUES

Decisions

33. Council decided that the following tasks should be undertaken by the Secretariat after adoption of the Regulations on Trade in Services:

- (a) Prepare negotiating guidelines that could include possible priority sectors, modalities for negotiations and any existing commitments;
- (b) Submit the guidelines to Member States who should give their inputs within two weeks of receiving the guidelines;
- (c) Write a letter to Member States advising that the region had adopted a positive list approach to services liberalisation upon adoption of the Regulations. Member States shall submit their requests and offers to the Secretariat;
- (d) Consider the possibility of drawing a matrix of specific commitments on trade in services made by Member States including at the WTO and other regional organisations;
- (e) Consider the possibility of convening a meeting for negotiations after receiving the request and offers; and
- (f) Arrange capacity building activities for preparing schedules of specific commitment for interested Member States.

34. Council further decided that:

- (a) The Regulations on Trade in Services be adopted by the Council; and
- (b) The following text be adopted as Article 12 on the level of commitments.

Level of Commitments in implementation :

- I. The liberalization process shall be concluded by the Committee on Trade in Services and according to negotiating modalities to be established by Member States taking into account the different levels of development among the Member States and Special and Differential Treatment may be granted based on the level of commitments that will be submitted at a later stage of negotiations.
- II. The Liberalisation process under paragraph 1, shall be conducted with the aim of promoting the economic growth and development of the Member States, in conformity with the principle of asymmetry. Special flexibility to such Member States may inter alia take the form of (a) a transition period for liberalization; and (b) opening fewer sectors or types of transactions.

Regional Competition Commission

Decisions

35. Council decided that:

- (a) The budget for the COMESA Competition Commission for the fiscal years 2010 and beyond be considered by the relevant Policy Organs during 2009 and subsequent years;
- (b) In terms of the Commission's staff complement, a Member State should second an appropriately qualified competition practitioner to act as Director of the Commission as soon as possible pending the recruitment of the full time Director; and
- (c) The Secretariat should prepare Terms of Reference for the acting director of the Commission.

Standardization and Quality Assurance

Decisions

36. Council decided that:

- (a) the proposed Mechanism for Implementation of COMESA Harmonized Standards as well as the Regional Technical Regulatory Framework for implementation of Technical regulations be submitted to the relevant technical Committees;
- (b) member States that have not yet adopted COMESA Harmonized Standards be urged to do so;

- (c) Directed the Secretariat to mobilize resources to provide some assistance to facilitate harmonization of standards under the new arrangement;
- (d) Timeframe be proposed in the SQA Policy for the implementation of the harmonisation process; and
- (e) the proposed SQA Policy be submitted to the relevant Committees for consideration before submission to Council.

Frameworks on Standardization, Accreditation, Metrology and Conformity (SAMC).

Decision

37. Council decided that the frameworks be submitted to the relevant Committee for consideration before adoption by Council.

(g) Transport and Communications

VSAT Closed User Group Communications Network

Decisions

38. Council welcomed the presentation on the Buy African Build Africa (BABA) program and urged Member States to embrace initiatives that lead to enhanced value addition on products from the region.

39. Council urged that the BABA program be brought to the attention of the private sector, starting with the COMESA Business Forum to be held in Victoria Falls Zimbabwe on 4-5 June 2009.

(h) Private Sector Development

Programme for Building African Capacity for Trade, PACT II Programme

Decision

40. Council decided that more funding should be sought in order to include in the programme other key priority sectors particularly the cotton, textiles and clothing sector as this was of key interest to some Member States and emphasized that

the programme should address capacity building support and improved skills training needs of Member States.

Decision

41. Council directed the Secretariat to mobilise financial resources to support micro-financing for SMEs in the Member States.

(i) Agriculture

Comprehensive Africa Agriculture Development Programme (CAADP)

Decisions

42. Council decided that:

- (a) In order to expedite CAADP implementation, authorisation be given for the signing of the MoU with the Norman Borlaug Institute and Tufts University, in addition to MoUs already signed with regional universities; and
- (b) Member States are requested to expedite the completion of National CAADP Compacts to allow for increased investment in agriculture and thus expanded agricultural trade

Fisheries Development

43. Council also noted that COMESA in September 2008 convened a workshop on fisheries development in Nairobi, Kenya to explore the possibility of developing a COMESA wide strategy on fisheries development.

Decisions

44. Council decided that:

- (a) Member States submit irrigation development support needs to the Secretariat for consideration under various irrigation development partnerships; and
- (b) Member States participate in the forth-coming Joint Ministerial Meeting of Agriculture and Environment Ministers in Cairo in August 2009.

Decisions

45. Council decided that:

- a) ACTESA, whose membership includes WFP, DfID, USAID, AGRA, Regional Farmer Organizations and traders, among others, be formally recognized as a specialized agency of COMESA as provided for under Article 182 of the Treaty;
- b) In accordance with the provisions of article 182, the Secretariat shall conclude an MoU with ACTESA covering activities, and administrative and financial arrangements, and
- c) Member States submit names of appropriate representatives to participate in the various agro training and capacity building activities under ACTESA and the AAMP.

(j) Monetary Affairs

Decisions

46. The Council decided as follows:

- (a) The Secretariat should undertake computations in order to examine the implications on Member States' contributions of raising community levies using the above mentioned bases; and the study on the framing and operating options of the Community Levy should take account of the need to maintain competitiveness, the on-going discussions on the similar subject by the African Union and the options of the relying on the pool of revenues under the Customs Union;
- (b) In view of different initiatives on Community Levy within the RECs, the Secretariat in consultation with other regional organisations need to harmonize the proposed Community Levies by RECs based on the Tripartite Agreement to harmonise the activities of COMESA, SADC and EAC; and
- (c) Member States should proceed with internal consultations leading to submission of reports by September 2009.

(k) Information Networking

E-Legislation Programme

Decisions

47. Council decided that:

- (a) Member States are urged to accede to the UN Convention on the Use of Electronic Communications in International Contracts (2005), and to incorporate the provisions of the Convention in their respective national laws, particularly, in view of the launch of the Customs Union. Member States are therefore encouraged to set a deadline for the enactment of these laws;
- (b) The Secretariat should develop regulations to enable member States facilitate secure electronic transactions;
- (c) The COMESA Court of Justice should be empowered to facilitate online mediation to resolve disputes that may arise from electronic transactions; and
- (d) COMESA's e-Legislation programme should have a component on e-Waste, specifically to outline how such waste should be disposed of in the Member states.

IT Master Plan

Decision

48. Council decided that:

- (a) The Secretariat should update the IT Master Plan to include the proposed programmes and projects and list them in the order of the suggested priorities;
- (b) Member States are encouraged to develop standard information systems which may be shared with other Member States; and
- (c) Member States should share their respective I.T. Master Plans and ICT policies with the Secretariat.

Geographical Information Systems (GIS)

Decisions

49. Council decided that:

- (a) The Secretariat should create an enabling environment for Geographical Information Systems (GIS) to facilitate informed decision-making for the region's programmes; and

- (b) Member States should collaborate with the Secretariat to provide the necessary data from various programmes to facilitate the development of useful regional GIS applications.

ASYCUDA

Decisions

50. Council decided that:

- (a) Member States should provide the necessary resources to support, maintain and modernise Customs systems, based on options provided in the study on sustainability, with high-level government support;
- (b) The Secretariat should set up a Regional Customs Modernisation Centre to assist in customs modernisation and capacity building which will ensure ownership by COMESA of the implementation process;
- (c) The Secretariat, with UNCTAD support should develop an ASYCUDA online training for delivery on the COMESA e-Learning platform;
- (d) The Secretariat should provide a link on its web portal to the ASYCUDA website to facilitate discussions and sharing of information;
- (e) Member States should consider a staff retention strategy to ensure continued support of ASYCUDA systems; and
- (f) UNCTAD and COMESA Secretariat should work out a strategy for the upgrading of ASYCUDA implementation in the region.

Charging Policy

Decision

51. Council decided that the Secretariat should identify the appropriate mechanisms for implementation as a means of sustainability of information systems.

Report on Study on Free Open Source Software (FOSS)

Decision

52. Council decided that Member States should update their ICT policies to include FOSS.

E-Government

Decision

53. Council decided that:

- (a) Member States should ensure that the e-Government programme is given prominence and led at the highest political level;
- (b) The Secretariat should collaborate and harmonise with other Regional Economic Communities in the implementation of the e-Government programme;
- (c) The Secretariat is urged to establish modalities for capacity development within the e-Government programme;
- (d) Member States are encouraged to have a link to the e-Government portal from their national e-Government portals; and
- (e) Member States should provide the COMESA Secretariat with their focal points on e-Government programmes to ensure the provision and relevance of information on the portal.

E-Learning

Decision

54. Council decided that:

- (a) The Secretariat should enter into a Memorandum of Understanding with the Kenya e-Learning Centre to ensure maximum operation of the installed e-Learning platform;
- (b) The Secretariat should organise a workshop on e-Learning Strategies to work out the implementation modalities for the MoU; and
- (c) Member States should provide the Secretariat with their e-Learning focal points for the successful implementation of the e-Learning programme.

Regional Data Centre

Decisions

55. Council decided that:

- (a) Council decided that the Secretariat should conduct a study to draw up the Terms of Reference for setting up of a data centre for effective storage of the information that it hosts in the various systems and to serve as a regional infrastructure to promote secure electronic transactions; and
- (b) Council decided that the Secretariat should pursue the implementation of the work plan for IT and prioritize for implementation as approved in the IT Master Plan.

(l) Regional Multidisciplinary Centre of Excellence

Decision

56. Council decided that the Secretariat should work closely with Mauritius to fast track the completion of the paper on the Regional Multidisciplinary Centre Excellence.

(m) Technical Cooperation and Resource Mobilisation

European Union

10th EDF Programming

Decisions

57. Council endorsed the revised COMESA Aid for Trade Strategy.

(n) Gender

Development of the COMESA Gender Mainstreaming Toolkit

Decision

58. Council decided that the Secretariat should:

- (a) Continue to engage the COMESA Gender Technical Officers from Member States in the development of Gender Monitoring Toolkit to ensure ownership; and
- (b) Invite Directors of Gender from National Gender Ministries and Gender Focal Points during the initial conceptual stages for their technical inputs before the Framework for Gender Mainstreaming Toolkit would be considered by the next Policy Organs Meetings.

Gender Sensitization and training for Programme and Project Officers at regional and national levels

Decision

59. Council decided that the tools should be adopted for use by Member States.

Strengthening Gender Management Systems at National and Regional Level

Decisions

60. Council decided that Member States should:

- (a) Share best practices and existing national institutional frameworks as a way of strengthening regional integration;
- (b) Promote Economic Empowerment of Women through Trade and Private Sector Participation; and
- (c) Institutionalize exchange visits and study tours in order to share experiences.

Findings of the FTA Study of 2008

Decision

61. Council decided that:

- a) The Secretariat should use the findings of this study to produce pamphlets that should inform traders in COMESA about the trade regime and how they can maximize from it; and
- b) The Secretariat should mobilize resource in order to implement the Gender Mainstreaming Strategic Action Plan, taking into account that Member State expect technical support from COMESA Secretariat.

Implementing the COMESA Gender Mainstreaming Strategic Action Plan

Decision

62. Council decided that the Secretariat should elaborate a comprehensive and overarching program on public health, covering the trade and investment aspects of major diseases in the region.

(o) Climate Change

Decisions

63. Council endorsed the COMESA Framework on Climate Change, as well as the African Bio-Carbon Initiative and the Common African Position on Climate Change

64. Council further requested the Authority to support the Common African Position at the forthcoming AU Summit and to call for the continued cohesiveness of the Africa Group in the Climate Change negotiations.

(p) COMESA-EAC-SADC TRIPARTITE ARRANGEMENT

Status of Implementation of the Decisions of the First COMESA-EAC-SADC Tripartite Summit

Decisions

65. Council directed that the Secretariat in collaboration with the Tripartite Task Force to:

- (a) expedite the completion of the study on the single FTA;
- (b) to organize a High Level Conference for mobilization of resources for the development of the Northern Corridor (from Mombasa to Goma via Kampala and to Kigali and Burundi, and the Lamu-Southern Sudan-Ethiopia corridor;
- (c) to develop a programme to implement air and oceanic links between island member States and with the mainland member States as well as develop port infrastructure in order to enhance regional integration; and
- (d) the Secretariat should submit a report on the assessment being carried out on other corridors to the next meeting of Council of Ministers.

(q) COMESA Institutions

PTA Bank

Decision

66. Council urged those member States who have not paid their respective contributions to the Bank's General Capital Increase to do so.

RE-Insurance Company

Decisions

67. Council decided that:

- (a) Ethiopia, Libya, Swaziland and Malawi should make every effort to take up their shares in ZEP-RE;
- (b) All Member States who are not full participants in its activities should consider doing so in line with the previous decisions of the Council of Ministers and Authority of Heads of State and Government; and
- (c) Existing members should consider augmenting their participation by taking up more shares in the Company.

COMESA Regional Investment Agency (RIA)

Decision

68. The Council decided that:

- (a) the tenure of the Board be extended for a further period of 2 years to enable the completion of the review of the Charter to be carried out; and
- (b) the review of the Charter should include proposals on rotation of the members of the Board to ensure rotation of the representation from all member States.

African Trade Insurance Agency (ATI)

Decision

69. Council urged COMESA Member States, which are not yet ATI members to consider joining the Agency and by doing so bring the benefits of ATI's products to investors and the business communities in their respective countries.

Leather and Leather Products Institute (LLPI)

Decisions

70. Council decided as follows:

- (a) A comprehensive LLPI Strategy for the entire region with an implementable work-plan and with clear outcomes that would benefit COMESA member States especially Small and Medium Enterprises for value addition should be completed before October 2009;
- (b) In light of the PACT II project being implemented by COMESA in partnership with ITC and which LLPI will be an implementing partner on the Leather and Leather products component, a comprehensive report on all projects that have been implemented country – by – country, based on value chain should be produced;
- (c) LLPI should produce a detailed report to member States that are members of the LLPI who are questioning the implementation of the projects and how the projects have benefited member States;
- (d) There should be an evaluation of the projects that have completed and closed to determine their impact on the sector development at the national and enterprise level;
- (e) The reports should be sent to member States and cooperating partners to demonstrate the efficiency and effectiveness of implementing these projects; and
- (f) The status of all MOUs that the LLPI is signing with member States Country Units should be reported on indicating their benefits to members States highlighted.

Sindiso Ngwenya
SECRETARY GENERAL