

# The Tanganyika Law Society

The Bar Association Of Tanzania Mainland

APPOINTMENT OF A TEAM OF EXPERTS TO ANALYSE THE PROPOSED  
INTERGOVERNMENTAL AGREEMENT BETWEEN THE UNITED REPUBLIC OF  
TANZANIA AND THE EMIRATE OF DUBAI CONCERNING ECONOMIC AND SOCIAL  
PARTNERSHIP FOR DEVELOPMENT AND IMPROVING PERFORMANCE OF SEA AND  
LAKE PORTS IN TANZANIA – October 2022.

The Governing Council of Tanganyika Law Society, has taken note of a proposed intergovernmental agreement stated above and which TLS became aware of on 6th June 2023. TLS took notice of the call for a public hearing and invitation to stakeholders by the Parliament of Tanzania to submit comments in respect to the above stated agreement. The said public hearing was meant to happen on 7<sup>th</sup> June 2023. TLS also took notice of the rapidity and alacrity through which the matter is handled. Given the nature, potential implications, urgency and sensitivity of this proposed agreement, the Governing Council of TLS has decided to appoint a team of experts from among its membership to analyse the proposed agreement (which is hereby attached). The following are hereby duly appointed by GC in that regard:-

1. Adv. Aisha Sinda, TLS Vice President – Team Chairperson
2. Senior Adv. Dr Hawa Sinare – Vice Chairperson of the Team
3. Senior Adv. Mpale Kaba Mpoki – Member
4. Adv. Stephen Mwakibolwa – Member
5. Adv. Mackphason Mshana - Secretary

### **Scope of work**

The team shall immediately convene, and undertake the following: -

1. Analysis of the proposed intergovernmental agreement between the united republic of Tanzania and the Emirate of Dubai concerning economic and social partnership for development and improving performance of sea and lake ports in Tanzania – October 2022
2. Consultations with such relevant individuals who may provide additional information to enrich the analysis, findings and recommendations
3. Comparative study on similar inter-governmental agreements in other jurisdictions - particularly those involving the Emirate of Dubai
4. By 12<sup>th</sup> June to provide a detailed report of the analysis with recommendations to TLS Governing Council including:
  - a. Legal status of the clauses/terms which have stirred up the public outcry – i.e. Termination; dispute settlement; tenure; scope; sovereignty; and all such other terms that appear to be controversial;
  - b. Legal status of the agreement ratification process;
  - c. Legal implications to the Country and foreseeable legal matters in future
  - d. Possible steps that TLS can take in order to address any such controversies, anomalies or legal issues if any
  - e. Any other aspect that the team will deem important to address

Dated at Dar es Salaam this 7<sup>th</sup> June 2023 with an approval of the Governing Council of TLS

**Harold Sungusia**  
**TLS President – 2023/2024**