

THE CONSTITUTION
OF
LAKE KYOGA
INTEGRATED MANAGEMENT ORGANISATION
(LAKIMO)

Be it adopted by the Parties on

this 19th day of February 2004

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PREAMBLE

The **Local Government of the District of Apac**, the **Local Government of the District of Kaberamaido**, the **Local Government of the District of Kamuli**, the **Local Government of the District of Katakwi**, the **Local Government of the District of Kayunga**, the **Local Government of the District of Kumi**, the **Local Government of the District of Lira**, the **Local Government of the District of Nakasongola**, the **Local Government of the District of Pallisa**, and the **Local Government of the District of Soroti**:

CONSCIOUS of the benefits to be derived from multi-sectoral and close co-operation and the maintenance of mutually beneficial working relationship with each other;

ACKNOWLEDGING our responsibility to contribute to poverty eradication among, and to improve the livelihoods of the lake dependent communities through the sustainable management of the Lake Kyoga resources **AND AWARE** of the need to conserve these resources on a sustainable basis for the benefit of the lake communities, the people of Uganda, the East African region and the international community; and

DESIRING to promote ecosystem integrity, biodiversity conservation as well as socio-economic development in Lake Kyoga area and across Uganda;

APPRECIATING the importance of co-management of natural resources in the Lake Kyoga as well as the importance of effective involvement and participation of the local fisher folk and **HAVING** undertaken a comprehensive bottom-up consultative process that has involved a broad range of stakeholders including diverse groups of local community interests; and

HAVING DECIDED to associate through a lake-wide institutional framework to promote poverty eradication and the social and economic development of the Lake Kyoga communities through coordinated and integrated management and development of the Lake Kyoga natural resources;

RECOGNIZING the effective participation and contribution of the Department of Fisheries Resources (DFR); Wetlands Inspection Division (WID); Directorate of Water Development (DWD); the National Environment Management Authority (NEMA) and the Ministry of Local Government in the formulation and adoption of this Constitution; and

IN ACCORDANCE with Section 9 of the Local Government Act, 1997 as amended.

AND THROUGH WE the authorized representative members here present and whose signatures are appended hereinafter on this day of , **2004**;

NOW THEREFORE, DO HEREBY, AGREE TO THE FOLLOWING CONSTITUTION:

ARTICLE I:

CITATION

- (1) This Constitution may be cited as “the Constitution of the Lake Kyoga Integrated Management Organisation”.

ARTICLE II

INTERPRETATION

- (1) For the purposes of this Constitution, unless the context otherwise requires, the following terms shall have the meanings ascribed to them under this article:

“Cooperating local governments” means the Local Government of Apac, the Local Government of Kaberamaido, the Local Government of Kamuli, the Local Government of Katakwi, the Local Government of Kayunga, the Local Government of Kumi, the Local Government of Lira, the Local Government of Nakasongola, the Local Government of Pallisa, and the Local Government of Soroti and shall include lower levels of local governments in these districts as the case may be; provided that where another local government or lower local government accedes to this Constitution, the term ‘Cooperating local governments’ shall be construed accordingly to include such acceding local governments.

“Relevant lead agency” refers to any lead agency that may have legal or administrative mandate to do any act under an existing law with respect to Lake Kyoga.

"Lake Kyoga" means Lake Kyoga, Lake Kwanja, Lake Bisina and other minor lakes and their associated wetlands and other natural resources within the area of the cooperating districts.

"Lead agency" means any Ministry, department, parastatal agency, Local Government system or public officer in which or to whom any law vests functions of control or management of any segment of the environment.

"The Organisation" unless the context otherwise requires means Lake Kyoga Integrated Management Organisation (LAKIMO).

"The Executive Committee or the Committee" refers to the Executive Committee of the Lake Kyoga Integrated Management Organisation established under Article VIII of this Constitution.

"The Lake Kyoga Assembly" refers to the Lake Kyoga Assembly of the Lake Kyoga Integrated Management Organisation established under Article IX of this Constitution.

"The Assembly" refers to the Lake Kyoga Assembly.

"The Secretariat" refers to the Secretariat of the Lake Kyoga Integrated Management Organisation established under Article XII of this Constitution.

"Member" unless expressly stated does not include ex-officio members.

"Baria" means a member of the crew of a boat or canoe.

"Beach Management Unit" or "BMU" has the same meaning as defined in Statutory Instrument No. 35, The Fish (Beach Management) Rules 2003.

ARTICLE III:

NAME

- (1) The name of the Organisation shall be Lake Kyoga Integrated Management Organisation hereinafter referred to as the Organisation or LAKIMO.
- (2) The Lake Kyoga Assembly shall at its first meeting immediately after the coming into force of this Constitution determine by resolution the physical location of the offices of the Organisation.
- (3) LAKIMO shall be a lake-wide management institution and shall have legal personality with the power to hold property, sue and be sued in its own name.

ARTICLE IV:

CO-OPERATION

- (1) The parties undertake, respectively, to promote the socio-economic development of the Lake Kyoga communities by ensuring that Lake Kyoga is managed with the broad management objectives contained in this Constitution, and in particular with the respective Management Plans that will be developed and jointly agreed upon between the local communities, Local Governments and the relevant lead agencies.
- (2) The cooperating Local Governments undertake equally and jointly to work together with the Lake Kyoga communities and other stakeholders to contribute to poverty eradication and improving livelihoods of the lake dependent communities by:
 - (i) Achieving co-ordination of the sustainable management and development of Lake Kyoga natural resources;
 - (ii) Consulting, assisting and supporting each other in the implementation of the management objectives set out in this Constitution and in national policies, plans and laws regarding the sustainable management of Lake Kyoga natural resources;
 - (iii) Using their best endeavours to harmonize legislation, policies, local ordinances and by-laws, and management interventions to facilitate integrated and complementary conservation and sustainable development activities in Lake Kyoga.
- (3) In exercising their administrative or legal mandates as the case may be, with respect to activities or interventions in Lake Kyoga, the parties shall, where necessary, consult and seek the joint agreement on such activities or interventions through the Executive Committee or other structures of LAKIMO.
- (4) The cooperating Local Governments define sub-regions of Lake Kyoga as follows: eastern (includes, Katakwi, Kumi, Soroti and Kaberamaido districts), western (includes Nakasongola, Apac and Lira districts) and southern (includes Kayunga, Kamuli and Pallisa districts).

ARTICLE V:

VISION

(1) The vision of LAKIMO is good standards of living, free from poverty, within lake dependent communities by using and sustainably managing productive natural resources in a clean and healthy environment.

ARTICLE VI:

PURPOSE

(1) The purpose for which LAKIMO is formed is to provide a framework for coordination and coherence in the integrated, participatory planning and sustainable management of Lake Kyoga natural resources for the socio-economic benefits of lake-dependent communities.

ARTICLE VII:

OBJECTIVES

- (1) The objectives for which LAKIMO is formed are to:
- (i) Contribute to poverty eradication and the social and economic development of the Lake Kyoga communities through the integrated and sustainable management of the Lake Kyoga natural resources;
 - (ii) Ensure collection, exchange and use of information in order to improve the management and sustainable use of the Lake Kyoga natural resources;
 - (iii) Increase security of access to and benefits from Lake Kyoga natural resources for dependent local communities, especially for the poor and marginalised sections of society in these communities;
 - (iv) Promote alliances in the management of the Lake Kyoga natural resources by encouraging operational, economic and other partnerships among the respective central government agencies,

the co-operating local governments, private sector, local communities and civil society Organisations;

- (v) Develop a framework in which local communities, including poor marginalised stakeholders, can effectively participate in the management and sustainable use of the Lake Kyoga natural resources;
- (vi) Establish and manage funding mechanisms and financial resources for the sustainable management of Lake Kyoga natural resources including the establishment of trust funds, endowments or any other funding mechanism as may from time to time, by resolution, be determined by the Lake Kyoga Assembly;
- (vii) Ensure effective and coordinated implementation of all agreed management plans of the Organisation;
- (viii) Monitor and evaluate progress and performance of implementing all agreed management plans undertaken by or through the Organisation;
- (ix) Promote compliance with the requirements of relevant national policies, plans and legislation and promote the implementation of international obligations imposed by international conventions or treaties to which Uganda is a party.

ARTICLE VIII:

STRUCTURES OF THE ORGANISATION

- (1) The following shall be the structures of LAKIMO:
 - (i) Lake Kyoga Assembly;
 - (ii) The Executive Committee;
 - (iii) The Secretariat.
- (2) The Organisation shall promote and support the establishment and operation of Beach Management Units at landing sites, sub-county and district level in accordance with the principles set out in article XIV of this Constitution or as the Assembly may deem fit.

ARTICLE IX

LAKE KYOGA ASSEMBLY

A: Composition

- (1) There shall be a Lake Kyoga Assembly whose composition shall be as set out in this article and which shall be the highest policy and decision-making organ of the Organisation.
- (2) The Lake Kyoga Assembly shall be comprised of the following official members:
 - (i) Three persons from each District BMU Committee elected in accordance with procedures set out in Article XV 1 (i, ii and iii) and Article XVII 1 (i, ii and iii) of this constitution. At least one of the three shall be female; one of the three shall also be a member of the Kyoga BMU Committee;
 - (ii) Three persons from civil society representing wetland and other natural resource management organisations, one from each of the three sub-regions bordering Lake Kyoga within the area of cooperating Local Governments;
 - (iii) One person from civil society representing water user associations/committees;
 - (iv) Three Sub-county Chiefs, one from each of the three sub-regions bordering Lake Kyoga within the area of cooperating Local Governments;
 - (v) Three Sub-county Chairpersons, one from each of the three sub-regions bordering Lake Kyoga within the area of cooperating Local Governments;
 - (vi) Ten District Fisheries Officers, one from each of the of cooperating Local Governments;
 - (vii) Three District Environment Officers, one from each of the three sub-regions bordering Lake Kyoga within the area of cooperating Local Governments;
 - (viii) Three District Wetland Officers, one from each of the three sub-regions bordering Lake Kyoga within the area of cooperating Local Governments;

- (ix) Three District Community Development Officers, one from each of the three sub-regions bordering Lake Kyoga within the area of cooperating Local Governments;
 - (x) Three District Planning Officers, one from each of the three sub-regions bordering Lake Kyoga within the area of cooperating Local Governments;
 - (xi) Three District Secretaries of Production, one from each of the three sub-regions bordering Lake Kyoga within the area of cooperating Local Governments;
 - (xii) Three District Speakers, one from each of the three sub-regions bordering Lake Kyoga within the area of cooperating Local Governments;
 - (xiii) One District Director of Health Services, representing all cooperating Local Governments;
 - (xiv) One District Water Officer, representing all cooperating Local Governments;
 - (xv) One District Forestry Officer representing all cooperating Local Governments;
 - (xvi) One District Agriculture Officer representing all cooperating Local Governments;
 - (xvii) Chief Administrative Officers from each of the cooperating Local Governments;
 - (xviii) District Chairpersons from each of the cooperating Local Governments;
- (3) The following shall be ex-officio members of the Lake Kyoga Assembly;
- (i) Three representatives of registered NGOs or CBOs undertaking programmes in the area of natural resources, representing one NGO or CBO from each of the sub-regions within the area of cooperating Local Governments;
 - (ii) Three persons representing the private sector, one from each of the sub-regions within the area of cooperating Local Governments;

- (iii) The Regional Fisheries Officer of the DFR responsible for Lake Kyoga;
 - (iv) Representatives from the national agencies DFR, WID, DWD, NEMA, MoLG;
 - (v) Resident District Commissioners from each of the cooperating Local Governments.
- (4) The cooperating Local Governments will agree which districts will provide specific district government and sub-county representatives to ensure equal representation, wherever possible, of districts and regions.

B: Functions of the Organisation

- (1) The Lake Kyoga Assembly shall be responsible for the implementation of the objectives and principles of the Organisation set out in this Constitution.
- (2) Without prejudice to the generality of the foregoing provision, the Lake Kyoga Assembly shall have the following functions:
 - (i) Consider, adopt and ensure harmony of the management plans and projects to be implemented by or through the relevant lead agencies and other parties to this Constitution;
 - (ii) Ensure review, harmonization and monitoring of policies, ordinances and by-laws in all the cooperating Local Governments;
 - (iii) Consider and approve the plans, annual budgets, audit reports and other financial transactions of the Organisation as well as other joint projects proposed for implementation by the Organisation;
 - (iv) Undertake advocacy to ensure that any legal, policy and administrative reforms at all levels are pro-poor and gender sensitive, and create an enabling environment for the participatory integrated management of Lake Kyoga natural resources;
 - (vi) Make provisions for the management of the funds and assets of the Organisation;
 - (vii) Approve auditors and cause the annual audits of the Organisation to be undertaken;

- (vi) Establish mechanisms to ensure sustainable funding for the integrated management and development of Lake Kyoga;
- (viii) Ensure that the activities and management plans of the Organisation are integrated in the work plans and budgets of cooperating Local Governments and the respective lead agencies;
- (ix) Annually review, update, and approve the Lake Kyoga Management Plan.
- (x) Undertake lobbying and advocacy to ensure that District and Sub-county plans and budgets take into account the priorities of poor people and support the sustainable use and management of the Lake Kyoga natural resources; and
- (xi) Upon the advice of the Executive Committee, appoint Standing Committees to perform such functions as may be deemed necessary.

C: Officials of the Organisation

- (1) The Lake Kyoga Assembly shall have a Chairperson, a Vice Chairperson and a Treasurer:
 - (i) The Chairpersons representing the cooperating Local Governments shall hold the Chairpersonship of the Lake Kyoga Assembly for one year. Each year, the LAKIMO Chairperson will be elected by the ten Chairpersons of the cooperating Local Governments;
 - (ii) The Vice Chairperson and the Treasurer shall be elected by the Lake Kyoga Assembly every one year;
 - (iii) The Vice Chairperson and the Treasurer shall not at any one time come from the same Local Government or the Local Government holding the Chairpersonship of the Organisation;
 - (iv) The Lake Kyoga Assembly shall develop and adopt rules and procedures for the election of the Chairperson, Vice Chairperson and Treasurer and the removal of the officials of the Organisation from office.

D: Term of Office and Meetings of the Lake Kyoga Assembly

- (1) A member of the Lake Kyoga Assembly shall hold office, with the exception of the Assembly Chairperson, Vice Chairperson and Treasurer, for a period of two years; all members, with the exception of the Assembly Chairperson, Vice Chairperson and Treasurer, shall serve for a maximum of four consecutive years provided that any such member is eligible for re-election;
- (2) The Lake Kyoga Assembly shall meet as regularly as possible but not less than once in a year;
- (3) The Secretariat shall in consultation with the Lake Kyoga Assembly develop guidelines, rules and procedures for the conduct of the Assembly business provided that such guidelines shall not become effective unless the Assembly by Resolution has adopted them;
- (4) The guidelines developed and adopted pursuant to this article shall include the following:
 - (i) The procedure for decision making at the meetings of the Lake Kyoga Assembly; and
 - (ii) The eligibility, manner and election of the Lake Kyoga Assembly Chairperson, Vice Chairperson and Treasurer

ARTICLE X:

THE EXECUTIVE COMMITTEE

A: Composition

- (1) There shall be an Executive Committee of the Organisation, which shall be comprised of the following:
 - (i) Six representatives from Beach Management Units, who are members of the Lake Kyoga Assembly and elected at a general meeting of the Lake Kyoga Assembly, two of whom shall be baristas, two shall be boat owners and two shall be fishmongers or fish processors, of these six, at least two shall be female and there should be two persons from each sub-region of Lake Kyoga;

- (ii) One Sub-county Chief and one LCIII Chairperson who are members of the Lake Kyoga Assembly and elected at a general meeting of the Lake Kyoga Assembly;
 - (iii) One District Fisheries Officer who is a member of the Lake Kyoga Assembly and elected at a general meeting of the Lake Kyoga Assembly;
 - (iv) One District Environment Officer who is a member of the Lake Kyoga Assembly and elected at a general meeting of the Lake Kyoga Assembly;
 - (v) One District Wetlands Officer who is a member of the Lake Kyoga Assembly and elected at a general meeting of the Lake Kyoga Assembly;
 - (vi) One District Planning Officer who is a member of the Lake Kyoga Assembly and elected at a general meeting of the Lake Kyoga Assembly;
 - (vii) Three Chief Administrative Officers representing the Cooperating Local Governments who are members of the Lake Kyoga Assembly and elected at a general meeting of the Lake Kyoga Assembly and who represent each of the three sub-regions of Lake Kyoga;
 - (viii) Three District Chairpersons representing the cooperating Local Governments who are members of the Lake Kyoga Assembly and elected at a general meeting of the Lake Kyoga Assembly and who represent each of the three sub-regions of Lake Kyoga;
 - (ix) The Chairperson, Vice Chairperson and the Treasurer of the Lake Kyoga Assembly.
- (2) The Chairperson of the Lake Kyoga Assembly shall be the Chairperson of the Executive Committee.
 - (3) The Executive Committee may co-opt ex-officio members as it deems fit.

B: Functions of the Executive Committee

- (1) Without prejudice to the functions of the Lake Kyoga Assembly set out herein, the Executive Committee shall have the following functions and responsibilities;
 - (i) Implement the decisions of the Lake Kyoga Assembly;

- (ii) Coordinate policy formulation at all levels of LAKIMO;
- (iii) Monitor policy implementation at all levels;
- (iv) Commission the preparation of a Lake Kyoga Management Plan (LKMP) for its consideration and approval;
- (v) Support and monitor progress in the implementation of community projects;
- (vi) Mobilize and sensitize communities about government policies, plans and programmes and ensure that these policies, plans and programmes remain focused on the poor people;
- (vii) Ensure integrated planning of Lake Kyoga by supporting interaction of officials from the Cooperating Local Governments and their counterparts from Central Government Agencies;
- (viii) Identify and mobilize financial resources and advocate for adequate budgetary allocations to ensure sustainability of the Organisation;
- (ix) Review the agreed contributions of the cooperating Local Governments after every two years and make appropriate recommendations to the Lake Kyoga Assembly;
- (x) Mobilize and advocate for the equitable allocation of sufficient funds for fish landing site institutions;
- (xi) Monitor, evaluate and review the operations of the various structures of the Organisation and make appropriate recommendations to the Lake Kyoga Assembly and the parties to this Constitution;
- (xii) Advocate for the incorporation of LAKIMO Plans into the District and Sub-county Development processes and plans;
- (xiii) Ensure that plans and interventions are pro-poor and address the needs and aspirations of community stakeholders;
- (xiv) Commission and approve where necessary technical assistance to guide and support activities of LAKIMO;
- (xv) Prepare and submit annual reports to the Lake Kyoga Assembly;
- (xvi) Approve quarterly work plans and budgets, technical reports and budgets for all levels of LAKIMO;

- (xvii) Ensure relevant training and capacity support is identified and secured for all levels of LAKIMO;
 - (xviii) Establish Standing and ad hoc Committees as approved by the Lake Kyoga Assembly;
 - (xix) Develop and adopt guidelines and procedures for the recruitment, employment, performance, terms of service and any other matters pertaining to the staff of the Secretariat;
 - (xx) Identify and recruit the staff of the Secretariat and such other staff or personnel of the Organisation;
 - (xx) Oversee the operations of the Secretariat;
- (2) The Executive Committee shall promote and support effective participation of representatives of Beach Management Units, local community wetland management organisations and community water user associations/committees and in that regard shall:
- (i) Initiate programmes aimed at enhancing the capacity of these institutions and their individual representatives to effectively participate in the structures of the Organisation;
 - (ii) Initiate and implement proposals for affirmative action or other forms of intervention to achieve this objective.
- (3) Individual persons shall be members of the Executive Committee in a representative capacity representing the agencies or offices referred to in clause A (1) above.
- (4) The Executive Committee shall meet be at least once every three months.

ARTICLE XI:

STANDING COMMITTEES AND AD HOC TECHNICAL COMMITTEES

- (1) The Lake Kyoga Assembly may, on the recommendation of the Executive Committee, establish Standing Committees and ad hoc Technical Committees.
- (2) The Assembly shall, at its first meeting, consider the establishment of the following Committees:
 - (a) Planning and Finance Committee; and
 - (b) Fisheries Management Committee.
- (3) The membership of any Standing Committee or ad hoc Technical Committee shall not exceed fifteen;
- (4) A recommendation of the Executive Committee or a resolution of the Assembly establishing a Standing Committee or ad hoc Technical Committee shall set out in detail the mandate, responsibilities and, if applicable, the duration of the Committee, as well as the financial resources to support its operations;
- (5) Any ad hoc technical committee established pursuant to this article shall be rendered the full support of the Secretariat of the Organisation.

ARTICLE XII:

THE SECRETARIAT

- (1) LAKIMO shall have a Secretariat, which shall be headed by an Executive Secretary supported by such other staff as from time to time be determined by the Executive Committee. The Executive Secretary will serve as the Accounting Officer of LAKIMO and will report to the Chairperson of the Executive Committee.
- (2) The Secretariat shall have the following functions and responsibilities:
 - (i) Ensure and coordinate the implementation of the decisions and/or resolutions of the Executive Committee and the Lake Kyoga Assembly;

- (ii) Act as Secretariat to the Executive Committee, the Lake Kyoga Assembly and any Standing Committees and ad hoc Technical Committees;
 - (iii) As an information centre for LAKIMO, be responsible for the proper recording, documentation, dissemination and custody of all information relating to the operations of the Organisation;
 - (iv) Provide support to the other organs of the Organisation including provision of technical guidance in inter-sectoral planning and coordination as well as implementation of work plans;
 - (v) Ensure proper and timely exchange of information between and among the organs of the Organisation on the one hand and between the Organisation and other local, national, regional and international institutions on the other.
- (i) Receive and put on record ratifications by the parties of any policies, resolutions, decisions and other instruments adopted by the organs of the Organisation;
 - (ii) Prepare annual reports of the Organisation for presentation to the Executive Committee and the Lake Kyoga Assembly;
 - (iii) Prepare quarterly financial reports;
 - (iv) Prepare annual work plans and budgets of the Organisation.
 - (v) Undertake any other tasks that may be assigned to the Secretariat by the Executive Committee and the Lake Kyoga Assembly;
- (3) In the performance of its functions under this article, the Secretariat shall operate under the direction and guidance of the Executive Committee and the Lake Kyoga Assembly.

ARTICLE XIII:

GENERAL PROVISIONS

WITH RESPECT TO THE PROCEEDINGS OF THE STRUCTURES OF THE ORGANISATION

- (1) The official language of the Organisation shall be English and any local languages agreed by the Lake Kyoga Assembly;

- (2) All the proceedings of any of the structures of the Organisations shall be recorded in English and a certified copy thereof deposited with the Secretariat;
- (3) Without prejudice to the provisions of clause 1 and 2 of this Article, the proceedings of BMUs, wetland management organisations and water user associations formed pursuant to article XIII of this Constitution may be recorded in a local language;
- (4) Any BMU, wetland management organisation and water user association that is a member of the Lake Kyoga Assembly shall transmit certified copies of the proceedings of their meetings to the Secretariat immediately they are certified by signature of an authorized officer of that institution;
- (5) All the records, documents and audited books of accounts of any of the structures of the Organisation or such documents as are deposited with the Secretariat shall be part of the public record and shall be available for public inspection on request;
- (6) Records of any of the structures of the Organisations shall be considered authentic if they are signed by the Chairperson and any other person officially designated for that purpose.

ARTICLE XIV:

BEACH MANAGEMENT UNITS

- (1) In accordance with the objectives set out in Article VII of this Constitution, and subject to any law for the time being in force, LAKIMO shall encourage the formation and effective operation of Beach Management Units at gazetted and designated fish landing sites;
- (2) The Beach Management Units shall conform to the following principles:
 - (i) Representation with a clear poverty focus and gender balance in its elected Committee;
 - (ii) Objectives that promote the sustainable use and management of the Lake Kyoga natural resources;
 - (iii) A set of Operating Rules that provides for tenure of office and change of leadership through regular, fair and free elections;

- (iii) Autonomy and independence in the conduct of the affairs of the institution.
- (3) The LAKIMO shall provide guidance and mentoring to the BMUs formed pursuant to this Constitution;
- (4) A BMU formed pursuant to this Constitution shall be entitled to any or all of the following privileges:
 - (i) Representation in the organs of the Organisation including the Lake Kyoga Assembly and the Executive Committee;
 - (ii) Access to financial contributions from the Organisation, local government budgets or the respective lead agencies as may from time to time be determined by the Executive Committee in conformity with government or local government financial regulations;
 - (iii) Priority in the implementation of projects, plans and other management arrangements being pursued by the parties to this Constitution at the respective landing sites; and
 - (iv) Access to financial resources provided under any special funding mechanisms for the sustainable management of Lake Kyoga such as trust funds, endowments, as the case may be.
- (5) For the avoidance of doubt, a BMU pursuant to this article shall be solely guided by BMU individual Operating Rules, national Guidelines and by the law prevailing at the time in so far as the conduct or management of its affairs is concerned.

ARTICLE XV:

OBLIGATIONS OF BEACH MANGEMENT UNITS

- (1) Without prejudice to their individual Operating Rules, any Beach Management Unit formed pursuant to the provisions of this Constitution, and entitled to the rights and privileges provided for under this Constitution shall undertake all of the following obligations:
 - (i) Each BMU Assembly shall elect its BMU Committee subject to any law for the time being in force;

- (ii) All BMU Committees within each sub-county of a cooperating District shall meet to elect a Sub-county BMU Committee comprising ten members of whom three shall be barias, three shall be boat owners, three shall be from the "others" category as defined in the Fish (Beach Management) Rules, Statutory Instrument No.35 and one shall be a fishmonger, and of these ten members at least three shall be female;
- (iii) All Sub-county BMU Committees within each cooperating District shall meet to elect a District BMU Committee comprising ten members of whom three shall be barias, three shall be boat owners, three shall be from the "others" category as defined in the Fish (Beach Management) Rules, Statutory Instrument No.35 and one shall be a fishmonger, and of these ten members at least three shall be female;
- (iv) Undertake community mobilization and awareness programmes that promote the sustainable use and management of the Lake Kyoga natural resources;
- (v) Undertake monitoring and surveillance of illegal activities pertaining to the utilization and management of the Lake Kyoga natural resources and the implementation of government policies and laws on natural resources;
- (vi) Develop internal mechanisms for the management and resolution of conflicts over natural resources use and other related matters;
- (vii) Prepare and implement development plans for the landing sites where they operate;
- (viii) Collaborate with government and local governments in the collection, use and dissemination of information for the proper management of Lake Kyoga natural resources;
- (ix) Identify and submit proposals to be included in bye-laws and ordinances;
- (x) Promote and support the implementation of by-laws and ordinances.
- (xi) Advocate for the integration of lake wide plans and local plans into local government development plans.
- (xii) Initiate, encourage, support and participate in self-help projects and mobilize people, materials and technical assistance in relation thereto.

ARTICLE XVI:

OBLIGATIONS OF SUB-COUNTY BMU COMMITTEE

- (1) Without prejudice to their individual Operating Rules, any Sub-county BMU Committee formed pursuant to the provisions of this Constitution, and subject to any law for the time being in force, and entitled to the rights and privileges provided for under this Constitution shall undertake all of the following obligations:
 - (i) Each Sub-county Beach Management Unit Committee shall invite the following to be ex-officio members: one Fisheries Officer, one member of the sub-county technical planning committee and the Secretary for Production;
 - (ii) Represent the interests and concerns of all BMUs within their respective sub-county;
 - (iii) Lobby for the inclusion of BMU plans into sub-county development plans.

ARTICLE XVII:

OBLIGATIONS OF DISTRICT BMU COMMITTEE

- (1) Without prejudice to their individual Operating Rules, any District BMU Committee formed pursuant to the provisions of this Constitution, and subject to any law for the time being in force, and entitled to the rights and privileges provided for under this Constitution shall undertake all of the following obligations:
 - (i) Each District Beach Management Unit Committee shall invite the following to be ex-officio members: one District Fisheries Officer, one District Wetlands Officer, one District Environment Officer and Secretary for Production and any other relevant officer;
 - (ii) District Beach Management Unit Committees from all of the Cooperating Districts shall meet once every two years to elect a Kyoga BMU Committee comprising ten members of whom three shall be barias, three shall be boat owners, three shall be from the "others" category as defined in the Fish (Beach Management) Rules, Statutory Instrument No.35 and one shall be a fishmonger, and of these ten members at least three shall be female. There

shall be equal numerical representation of each Cooperating District in the Kyoga BMU Committee;

- (iii) District Beach Management Unit Committees from all of the Cooperating Districts shall meet once every two years to elect representatives to the Lake Kyoga Assembly comprising twenty members of whom six shall be barias, six shall be boat owners, six shall be from the "others" category as defined in the Fish (Beach Management) Rules, Statutory Instrument No.35 and two shall be fishmongers, and of these twenty members at least seven shall be female. There shall be equal numerical representation of BMU representatives from each Cooperating District in the Lake Kyoga Assembly;
- (iv) Represent the interests and concerns of all BMUs within their respective district;
- (v) Lobby for the inclusion of BMU plans into district development plans.

ARTICLE XVIII:

OBLIGATIONS OF KYOGA BMU COMMITTEE

- (1) Without prejudice to their individual Operating Rules, the Kyoga BMU Committee formed pursuant to the provisions of this Constitution, and subject to any law for the time being in force, and entitled to the rights and privileges provided for under this Constitution shall undertake all or any of the following obligations:
 - (i) All members of the Kyoga BMU Committee shall be members of the Lake Kyoga Assembly;
 - (ii) All members of the Kyoga BMU Committee shall also be members of the LAKIMO Fisheries Management Committee pursuant to the provisions of this Constitution;
 - (iii) The Kyoga BMU Committee will undertake its fisheries planning and management functions as part of and through the LAKIMO Fisheries Management Committee.

ARTICLE XIX:

ROLE OF LEAD AGENCIES

- (1) Subject to the Local Government Act, 1997, the relevant lead agencies shall have the following responsibilities with respect to the parties to this Constitution and the Organisation;
 - (i) Monitor and co-ordinate Government initiatives and policies as they relate to the work and mandate of LAKIMO;
 - (ii) Co-ordinate and advise the Organisation in relation to its projects and programmes;
 - (iii) Assist in the provision of technical assistance to the parties to this Constitution and LAKIMO;
 - (iv) Promote and advocate for LAKIMO;

ARTICLE XX:

SPECIAL PROVISIONS REGARDING FINANCING

- (1) LAKIMO shall raise its funds from any or all of the following sources:
 - (i) Agreed contributions from the Local Governments that are members of the Lake Kyoga Assembly;
 - (ii) Other contributions from district resources;
 - (iii) Central Government grants;
 - (iv) Contributions and donations from NGOs, donors and individuals.
 - (v) Contributions from Beach Management Units and other community-based organisations that are members of the Lake Kyoga Assembly.
 - (vi) Trust funds, endowments or any other funding mechanism established by the Organisation.
- (2) Signatories to LAKIMO Bank account:

- (i) The Executive Secretary shall be the principle signatory to all the bank accounts of the Organisation;
 - (ii) Other signatories to all the bank accounts of the Organisation will be agreed at the first meeting of the Organisation.
- (3) In order to discharge their obligations under this constitution, the parties shall annually make available sufficient funds to cover any agreed expenses that may arise from the implementation of this Constitution;
- (4) The Parties undertake to use their best endeavors to obtain financial and other means of support from their own as well as from other sources for the promotion of the objectives set out in this Constitution and the implementation of the relevant Management Plans and programmes endorsed by the relevant structures of the Organisation;
- (5) Without prejudice to the generality of the foregoing provisions, each of the Cooperating Local Governments shall make annual financial contributions to the Organisation;
 - (i) The annual financial contributions shall be agreed upon at the Assembly and reviewed every two years at the meetings of the Assembly.
 - (ii) A Resolution of the Assembly setting the annual financial contributions shall, inter alia, provide for the mode of payment of such contributions;
- (6) Without prejudice to the provisions of paragraph (3) and (4) of this Article, the respective national Government agencies may undertake to use their best endeavours to allocate special funds to support the operations of LAKIMO in their annual budgets and plans.

ARTICLE XXI:

FUNDS, ASSETS, AND BORROWING POWERS

- (1) The Organisation, with prior approval of the Lake Kyoga Assembly, shall have borrowing powers as defined in the LAKIMO Regulations and shall have powers to raise its own funds through donations, grants and any other source of funds whose effects will not constitute an increase in the Organisation's financial liabilities;

- (2) The Executive Committee shall develop financial policies and procedures of the Organisation for approval by the Lake Kyoga Assembly;
- (3) The financial year of the Organisation shall start from the 1st day of July of each calendar year and end on the 30th day of June of the following calendar year and the books of accounts of the Organisation shall be closed on the last day of each of its financial years;
- (4) Unless otherwise provided, all the assets acquired with the funds of the Organisation shall constitute assets of the Organisation and shall be vested as such;
- (5) The Lake Kyoga Assembly shall develop and adopt rules and guidelines for procurement and disposition of the assets of the Organisation.

ARTICLE XXII:

COMMON SEAL

- (1) The Organisation shall have a common seal and the Executive Committee shall provide for its safe custody and use;
- (2) The Seal shall only be used by the Authority of the Executive Committee and every instrument to which the Seal shall be affixed shall be signed by the Chairperson and shall be countersigned by the Executive Secretary or by another member of the Executive Committee appointed by the Executive Committee for that purpose.

ARTICLE XXIII:

SETTLEMENT OF DISPUTES

- (1) Any dispute arising in the course of working towards the objectives set out in this Constitution shall as far as possible, be settled in an amicable manner and by consensus;
- (2) If an amicable settlement is not reached after mediation has been attempted, it shall be settled through arbitration by an Arbitration Tribunal appointed on the basis that each Affected Party shall appoint up to two arbitrators and the arbitrators so appointed by the Parties shall appoint

amongst themselves a chairperson of the Tribunal who shall have a casting vote;

- (3) The Arbitration Tribunal shall decide upon its own procedures;
- (4) The decision of the Tribunal shall be in writing supported by a simple majority of its members;
- (5) Such a decision shall be binding on the parties.

ARTICLE XXIV:

ACCESSION AND OBSERVER STATUS

- (1) Any Local Government may apply to the Executive Committee for accession to the Constitution and membership of LAKIMO;
- (2) On application for accession by any Local Government that is not an original party to this Constitution, the Executive Committee shall with appropriate recommendations lay such application to the Lake Kyoga Assembly, which may admit such Local Government upon such terms, and conditions as may be approved by the Assembly.
- (3) An international organisation, local non-governmental organisation or Government funded project or programme may apply for an observer status with the organisation;
- (4) An application for observer status shall be addressed to the Chairperson of the organisation and shall specify the reasons for the application, the structure of the organisation in which observer status is sought and a declaration that the applicant will abide by the provisions of this Constitution and any such other subsequent amendments.
- (5) The Lake Kyoga Assembly shall determine any application made under this article .
- (6) Upon the granting of observer status, an observer organisation shall have the right to participate and contribute to the deliberations of the structures of LAKIMO provided that such an observer organisation shall not have the right to vote.
- (7) Notwithstanding the provisions of this article regarding observer status, the Executive Committee shall at its first meeting, on behalf of the Lake

Kyoga Assembly and by resolution grant observer status to organisations or projects that have supported the formation of the LAKIMO.

ARTICLE XXV:

RESERVATION AND WITHDRAWAL

- (1) This Constitution shall be accepted as a single undertaking and no reservation shall be made with respect to any of its provisions;
- (2) All the original parties to this Constitution undertake to use their best endeavors to continue being members of LAKIMO provided that if any of these parties wish to withdraw from the Organisation, the following procedure shall be complied with:
 - (i) the party that wishes to withdraw must have been a member of the organisation for a minimum of four years.
 - (ii) A notice of intention to withdraw from the membership of LAKIMO shall be addressed to the Chairperson of the Organisation and copied to all the signatories to this Constitution and shall be effective six months upon its receipt by the LAKIMO Secretariat;
 - (iii) Upon withdrawal from the Organisation by any party, no claims shall be made on the assets or other property of the Organisation but such party shall discharge all its outstanding liabilities.
- (3) The Chairperson of the Executive Committee shall inform all the members of the Lake Kyoga Assembly of any such withdrawals as soon as possible but in any case not later than the meeting of the Assembly preceding such withdrawal.
- (4) Any party that has been granted observer status may withdraw from the Organisation by notifying the Executive Committee and such withdrawal shall take effect two months from the date of receipt of the notification by the Secretariat.

ARTICLE XXVI:

PROCEDURE FOR ENTRY INTO FORCE

- (1) Upon the ratification of this Constitution by the parties, the Ministry of Local Government shall transmit to the Attorney General of the Republic of Uganda a copy thereof, accompanied by endorsements by the authorized representatives of the Parties to this Constitution, for certification of compliance with the national Constitution and other national laws;
- (2) Upon certification of this Constitution by the Attorney General of Uganda, this Constitution shall be signed at an Extra-Ordinary Meeting of, and upon signature by the authorized representatives of all the parties mentioned in the Preamble;
- (3) This Constitution shall come into force after the Chairperson of the Executive Committee has deposited copies with original signatures with the Attorney General.
- (4) At the time of transmission of the copies of the Constitution to the Attorney General, the Chairperson of the Executive Committee shall transmit equally authentic copies to all the parties to this Constitution.

ARTICLE XXVII:

AMENDMENT OF THE CONSTITUTION

- (1) Any cooperating Local Government of the Lake Kyoga Assembly may propose a motion for a resolution to amend this Constitution.
- (2) A motion for a resolution to amend any of the provisions of this Constitution shall be addressed to the Chairperson of the Organisation and shall be submitted in writing to the Secretariat.
- (3) Where it is intended to debate a motion to amend the Constitution, the notice convening the Lake Kyoga Assembly where the motion is to be debated or adopted shall state the facts and the general nature of the proposed amendment.
- (4) A motion for a resolution to amend this Constitution shall be considered adopted if it is debated, and adopted through a secret ballot, by two thirds

of the members of the Lake Kyoga Assembly registered and in attendance at the meeting where such motion is debated and passed.

ARTICLE XXVIII:

DISSOLUTION

- (1) A motion for a resolution to dissolve LAKIMO shall be considered adopted if it is debated, and adopted through a secret ballot, by two thirds of the members of the Lake Kyoga Assembly registered and in attendance at the meeting convened for that purpose where such a motion is debated and passed.
- (2) Notwithstanding Article XXI of this Constitution, upon dissolution, the assets of LAKIMO shall in the first instance be applied to settle all outstanding liabilities of the Organisation and any remaining assets shall be shared among the co-operating local governments on an equitable basis.

Signed for and on behalf of
Apac Local Government:
Chairman LCV

In the presence of
Chief Administrative Officer
Apac Local Government:

Signed for and on behalf of
Kaberamaido Local Government:
Chairman LCV

In the presence of
Chief Administrative Officer
Kaberamaido Local Government:

Signed for and on behalf of
Kamuli Local Government:
Chairman LCV

In the presence of
Chief Administrative Officer
Kamuli Local Government:

Signed for and on behalf of
Katakwi Local Government:
Chairman LCV

In the presence of
Chief Administrative Officer
Katakwi Local Government:

Signed for and on behalf of
Kayunga Local Government:
Chairman LCV

In the presence of
Chief Administrative Officer
Kayunga Local Government:

Signed for and on behalf of
Kumi Local Government:
Chairman LCV

In the presence of
Chief Administrative Officer
Kumi Local Government:

Signed for and on behalf of
Lira Local Government:
Chairman LCV

In the presence of
Chief Administrative Officer
Lira Local Government:

Signed for and on behalf of
Nakasongola Local Government:
Chairman LCV

In the presence of
Chief Administrative Officer
Nakasongola Local Government:

Signed for and on behalf of
Pallisa Local Government:
Chairman LCV

In the presence of
Chief Administrative Officer
Pallisa Local Government:

Signed for and on behalf of
Soroti Local Government:
Chairman LCV

In the presence of
Chief Administrative Officer
Soroti Local Government:

