

ALLIANCE TREATY OBLIGATIONS AND PROVISIONS (ATOP)
CODING SHEET

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SECTION I: FORMATION, MEMBERS, AND DURATION

1. ATOP ID: 6080

2. COW Alliance # (if applicable): N/A

3. Signature date(s) (may vary for members in multilateral alliances):
February 20, 2014

4. Members of alliance (use COW country codes):
Kenya (501)
Uganda (500)
Rwanda (517)

5. Was the alliance signed during war? If so, which war, and which member(s) was at war? (check COW data)
No

6. Means by which alliance was established (e.g., treaty, executive agreement, diplomatic notes, etc.): (Only select "treaty" if the agreement requires ratification.)
Treaty

7. Was the treaty public, public but with secret articles, or secret? If secret articles, describe the content of secret articles.
Public

8. Are there provisions for adding additional members mentioned in the treaty? (Yes, No) If Yes, describe these provisions.
Yes – Article 15 (1) – "Members of the EAC may join this Pact as and when they are ready to do so."
Article 15 (2) – "This Pact shall remain open for accession by any other State as shall be approved by the Partner States through the policy organs from time to time.

9. Are specific state(s) mentioned as possible future members of the alliance? (Yes, No) If Yes, which state(s)?
Yes—members of the East African Community including Burundi, South Sudan, and Tanzania.

10. Are there specific provisions in the treaty concerning the length of time the treaty is to last? (Yes, No) If Yes, describe.
No

11. Are there conditions under which members may renounce the treaty? If Yes, describe these conditions.
Yes – Article 12 – "Any Partner State may withdraw from this pact upon the expiration of twelve months from the date of giving notice to that effect to the Summit and shall cease to enjoy all rights and benefits under this Pact."

12. Are there specific provisions in the treaty concerning renewal of the treaty? (Yes, No) If Yes, describe these provisions.
No, but the pact "shall be reviewed every 3 years".

13. Number of times alliance renewed, dates of renewal, and means by which alliance was renewed (Do not include automatic renewals):
N/A

14. Termination date(s) (may vary for members in multilateral alliances) and source(s) for termination dates(s):
Still in effect as 6/4/2020 as per East African Community:
<https://www.eac.int/communiqu/1536-communiqu%C3%A9-23rd-ordinary-meeting-of-the-east-african-community-monetary-affairs-committee>

15. Describe what caused the alliance to terminate.
N/A

SECTION II: OBLIGATIONS

16. Type of alliance (defense pact, neutrality pact, nonaggression pact, consultation pact, offense pact): (List all that apply to any member of the alliance.)

Non-aggression pact
Consultation

17. Type of alliance as coded in COW data (if applicable):

N/A

18. Describe the obligations of the alliance partners.

Non-Aggression: Article 3 – “Partner States shall settle any international dispute in which one or all members may be involved by peaceful means”

Consultation: Article 6 – “Threats to national security including armed attacks against a Partner State shall be considered threats to regional security. Such threat shall be met with immediate collective action by all Partner States”

Note: Article 1 defines “collective action” as “such action that Partner States may deem necessary included the use of armed force in support of a Partner State. Because collective action can include, but does not require the use of military force, Article 6 is coded as a consultation obligation.

19. Are any of the obligations contingent upon any of the following: specific adversary, specific location, specific ongoing conflict, number of adversaries, noncompliance with a specific demand, attack, nonprovocation of enemy, or prior agreement among partners?

Yes- Specific location

20. Describe the nature of the limits to obligations listed in #19.

From Article 1 “region” explicitly means the territory of the signatory states and a threat to regional security means a hostile act directed towards one or more partner states.

21. Are there any additional provisions for assistance in the event of war? (e.g., promise not to participate in economic sanctions against partner, promise not to aid internal or external enemies, etc.) (Yes, No) If Yes, describe.

No

22. Are there any additional limits to the alliance obligations or conditions under which treaty obligations do not apply that were not listed in #19? (Yes, No) If Yes, describe.

No

23. Is a specific target/threat mentioned as the object of the treaty? (Yes, No) (Answering Yes to this question does not necessarily mean that obligations are limited only to this adversary.) If Yes, list the target nation(s) (using COW country codes if possible) and describe the general nature of the reference to the target of the treaty.

No

24. Are the treaty obligations symmetric? (That is, do all members commit to the same obligations?) (Yes, No) If No, describe.

Yes

25. Does the treaty prohibit members from settling conflicts independently (no separate peace)? (Yes, No) If Yes, describe.

No

26. Does the treaty have provisions requiring that the contracting parties consult before making commitments to third parties (excluding no separate peace provisions discussed above)? (Yes, No) If Yes, describe these provisions.

No

27. Does the treaty specify that the contracting parties must not enter into any other alliances that are directed against the alliance in question? (Yes, No) If Yes, describe.

No

28. Additional coder comments regarding treaty obligations:

N/A

SECTION III: INSTITUTIONALIZATION OF THE ALLIANCE

29. Does the treaty make reference to the potential for conflict among members of the alliance? (Yes, No) If Yes, describe.
Article 3 – “Partner States shall settle any international dispute in which one or all members may be involved by peaceful means”

Article 5 – “Any Partner State that, in its opinion, considers its political sovereignty, territorial integrity and security to be under threat from another Partner State shall consult with such other Partner State first and then utilize the mechanism established under this pact. The procedure shall be specified in the Conflict Resolution Mechanism “ [Article 3]

Article 11 – “Any dispute among the Partner States arising from the interpretation and or implementation of this Pact shall be settled amicably. Where there is no resolution, the matter shall be referred to the EAC Court of Justice or any other mechanism agreed upon by the Partner States.”

Article 18 – “Any Partner State may report an alleged breach of the Pact to the Summit, which shall instruct the relevant organs to carry out an investigation, report thereon and make recommendations back to the Summit”
30. Does the treaty discuss mediation/arbitration or other means of settling disputes among the signatories? (Yes, No) If Yes, describe.
Yes – Article 11 – “...Where there is no resolution, the matter shall be referred to the EAC Court of Justice or any other mechanism agreed upon by the Partner States.”
31. Does the treaty require official contact among the military forces of the participating states? (Yes, No) If Yes, describe. (Note whether official contact is required only in the event of hostilities or also during peacetime.)
Yes –
Article 7 – “In order to realise the objective of this Pact, the Partner States shall cooperate and coordinate in all defense matters and shall facilitate interaction among their armed forces and defense related industries in the following and any other areas of mutual interest.”

Article 7a: “The training of military personnel in any field of military endeavor and, to that end, they may from time to time hold joint military exercises in each other’s territory.”

Article 7b: “Develop and coordinate common Defense Strategies/Policies, Mission of Forces, Doctrine and Readiness”

Article 7c: “Coordinate intelligence and information in all relevant matters”

Article 7e: “Coordination of military operations”
32. Does the treaty include provisions for military aid? (e.g., grants, loans, transfer of technology, training) (Yes, No) If Yes, describe these provisions.
No
33. Does the treaty provide for integrated command of military forces while the alliance is in effect (peacetime as well as wartime)? (Yes, No) If Yes, describe.
No
34. Does the treaty require subordination of the forces of one or more member states to another in the event of hostilities? (Yes, No) If Yes, describe.
No
35. Does the treaty establish any organizations? (include provisions for regularly scheduled meetings) (Yes, No) If Yes, describe.
No
36. Does the treaty provide for joint military bases, or for one or more states to place troops in the territory of one or more other states? (Yes, No) If Yes, describe.
No
37. Does the treaty specify contribution levels (funds, troops, etc.)? (Yes, No) If Yes, describe.
No
38. Does the treaty contain any provisions regarding coordinated increase of armaments, reduction of armaments, prohibition of weapons, or rules of warfare? (Yes, No) If Yes, describe such provisions.
No

39. Does the treaty explicitly permit or prohibit the acquisition of territory not currently held by either ally? (Yes, No) If Yes, describe reference.

No

40. Does the treaty include discussion of the division of gains from any future conflict? (Yes, No) If Yes, describe.

No

41. Does the treaty include discussion of demobilization/withdrawal following conflict? (Yes, No) If Yes, describe.

No

42. Are there any other provisions in the treaty that describe the means through which the states will coordinate their military efforts and policies? (Yes, No) If Yes, describe.

Yes – Article 6b stipulates that collective action in response to threats will be defined and authorized by the Summit of the East African Community.

43. Additional coder comments regarding references to alliance institutionalization:

Article 4 – “Military Preparedness – In order to effectively achieve the objectives of this Pact, Partner States shall individually and collectively, by means of continuous coordination maintain and develop their individual and collective defense capability.”

SECTION IV: TREATY CONTEXT

44. Does the treaty state that it nullifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are nullified and describe the treaty reference.

No

45. Does the treaty state that it modifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are modified and describe the treaty reference.

No

46. Does the treaty state that it includes any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are included and describe the treaty reference.

No

47. Does the treaty make any references to international organizations? (Yes, No) If Yes, list the international organization and describe the nature of the reference.

Yes –

United Nations – Article 3 for dispute resolution under the Charter of the United Nations. Article 6 (3) stipulates that any threats to national security will be immediately reported to the UN Security Council.

African Union – Article 13 states that nothing in this agreement is incompatible with the provisions of the AU Charter. Article 6 (3) stipulates that any threats to national security will be immediately reported to the African Union.

East African Community – Article 11 stipulates that any disputes in regards to this agreement will be sent to the EAC Court of Justice for resolution. Article 15 stipulates that any member of the EAC may join this agreement.

48. Does the treaty make any references to other existing alliances? (Yes, No) If Yes, list the alliance and describe the nature of the reference.

Yes – Article 13 (3) stipulates that this agreement is compatible with the African Union Charter (ATOP #4953)

49. Are there any companion agreements referenced in the treaty? (Yes, No) If Yes, describe the agreements.

No

50. Does the treaty include statements regarding non-military cooperation (e.g., economic, cultural, scientific exchange)? (Yes, No)

No

51. Does the treaty resolve other conflicts among the parties to the alliance? (Yes, No) If Yes, describe.

No

52. Does the treaty propose/enforce settlement of a conflict not involving parties to the alliance? (Yes, No) If Yes, describe.

No

53. Does the treaty propose other agreements among the contracting parties? (Yes, No) If Yes, describe.
No

54. Does the treaty mention unresolved conflicts among the contracting parties? (Yes, No) If Yes, describe.
No

55. Does the treaty include provisions for economic aid or other enticements (include trade concessions, post war recovery, etc.)? (Yes, No) If Yes, describe these provisions.
No

56. Does the treaty describe circumstances under which one party may intervene in the internal politics of another party or specifically commit the states to non-intervention? (Yes, No) If Yes, describe.
No

SECTION V: DOCUMENTATION

57. Additional coder comments on this alliance treaty:

58. Source of coding information (e.g., treaty, treaty and secondary sources, secondary sources only, etc.): Treaty

59. Treaty citation: UNTS # 53634

60. Date of last revision of this coding sheet: 6/4/2020

61. Coder: Nicholas Coulombe and Ashley Leeds