



IN THE EAST AFRICAN COURT OF JUSTICE
AT ARUSHA
FIRST INSTANCE DIVISION



(Coram: Monica K. Mugenyi, PJ; Isaac Lenaola, DPJ; Faustin Ntezilyayo, J; Fakihi A. Jundu, J; Audace Ngiye, J)

APPLICATION NO. 08 OF 2015

(Arising from Reference NO. 5 of 2015)

RWENGA ETIENNE 1ST APPLICANT

MOSES M.MARUMBO 2ND APPLICANT

VERSUS

SECRETARY GENERAL,

EAST AFRICAN COMMUNITY..... RESPONDENT

24th November 2015

Heck

REASONED RULING OF THE COURT

A. INTRODUCTION

1. The Applicants, Mr. Rwenga Etienne and Mr. Moses Marumbo, are natural persons, adult citizens of the Republic of Rwanda, and the United Republic of Tanzania, respectively. The Respondent is self-defining and sued as such under Article 4(3) of the Treaty for the Establishment of the East African Community (“The Treaty”).
2. On 9th September 2015, the Applicants filed **Reference No. 5 of 2015 Rwenga Etienne and Moses Marumbo vs. The Secretary General, East African Community**, as well as the present Application before this Court.
3. The Applicants by the said application sought interim orders pending the hearing of **Reference No. 5 of 2015** and specifically sought orders restraining the Respondent, his agents, assignees, servants or any other persons drawing orders from the Respondent from continuing with the process of the recruitment of the Registrar of the East African Court of Justice (“The Court”).
4. The Application is premised on the following grounds:-
 - a) That Article 45(1) of the Treaty provides for requirements for the appointment of the Registrar of the East African Court of Justice;*

