

Global Journal of Arts Humanity and Social Sciences
ISSN: 2583-2034
Abbreviated key title: Glob.J.Arts.Humanit.Soc.Sci
Frequency: Monthly
Published By GSAR Publishers
Journal Homepage Link: <https://gsarpublishers.com/journal-gjahss-home/>

Volume - 6 | Issue - 2 | February 2026 | Total pages 178-185 | DOI: 10.5281/zenodo.18693693

Barriers to Enforcement of EACJ Human Rights Decisions in Tanzania

By

Professor John Eudes Ruhangisa¹ and Moses Matiko Misiwa²

¹ Professor John Eudes Ruhangisa is a professor of Law at Tumaini University-Makumira

² Moses Matiko is a student of PhD at St. Augustine University of Tanzania



Article History

Received: 05- 02- 2026

Accepted: 14- 02- 2026

Published: 16- 02- 2026

Corresponding author

**Professor John Eudes
Ruhangisa**

Abstract

This paper examines the barriers to enforcement of human rights decisions issued by the EACJ within the Tanzanian legal and institutional context. Despite Tanzania's formal commitment to regional integration under the EAC Treaty, the domestic realization of EACJ rulings remains limited and inconsistent. The study adopts a doctrinal and socio-legal methodology, analysing treaty provisions, domestic legislation, jurisprudence, and institutional practices that shape compliance dynamics. Findings reveal that enforcement challenges stem primarily from structural dualism in treaty domestication, where international and regional obligations lack automatic internal effect absent explicit legislative incorporation. Judicial conservatism and the absence of clear procedural mechanisms for registration and execution of EACJ judgments further constrain enforceability. Additionally, executive dominance in foreign affairs and compliance decisions contributes to selective or delayed implementation, reflecting tensions between sovereignty concerns and supranational adjudication. Also, weak awareness among legal practitioners and limited civil society mobilisation as practical impediments to strategic litigation and follow-up enforcement. Comparative insights from other EAC Partner States suggest that robust domestication statutes, judicial dialogue, and compliance monitoring mechanisms significantly enhance adherence to regional court decisions. The paper concludes that Tanzania's compliance deficit is less a product of legal incapacity than of institutional design and political will. It recommends targeted reforms, including enactment of a Regional Judgments Enforcement Act, enhanced judicial training on EAC law supremacy, and strengthened parliamentary oversight of treaty obligations. These measures are essential to reinforce rule of law, deepen regional integration, and ensure meaningful protection of human rights under the EAC legal order.

1.0 Introduction: Barriers to Enforcement of EACJ Human Rights Decisions in Tanzania

The East African Court of Justice (EACJ) plays a pivotal role in promoting human rights and the rule of law within the East African Community (EAC) member states, including Tanzania. As a regional judicial body, the EACJ provides a forum for individuals, organizations, and states to seek redress for human rights violations and to interpret regional treaties and agreements. However, despite the Court's authority and significant rulings, the enforcement of its decisions remains a complex and often contentious issue, particularly in Tanzania.

Tanzania, as a founding member of the EAC, has committed to upholding the principles enshrined in the EAC Treaty, which includes respect for human rights. Yet, several barriers hinder the effective implementation of EACJ human rights decisions within the country. These obstacles include legal, political, and institutional challenges, such as the lack of a robust legal framework for enforcing regional court decisions, resistance from national authorities, and the limited understanding and recognition of the EACJ's authority by Tanzanian courts. Additionally, domestic legal and constitutional provisions often conflict with EACJ rulings, further complicating enforcement.



This introduction sets the stage for a deeper exploration of the specific barriers that prevent the full realization of the EACJ's human rights rulings in Tanzania. It highlights the gap between regional judicial decisions and their actual impact on national legal systems, and provides insight into the broader implications for human rights protections in the region. By examining these barriers, we can better understand the challenges of fostering stronger integration and legal coherence within the East African Community.

1.1. Political Resistance

One of the foremost challenges to enforcing EACJ decisions in Tanzania is political resistance. The relationship between national governments and regional institutions can be fraught with tension, particularly when court rulings are perceived to undermine national sovereignty. In Tanzania, there have been instances where political leaders have publicly criticized EACJ decisions, viewing them as overreach into domestic affairs. This resistance can manifest in various forms, including refusal to implement court orders or mobilizing public sentiment against the court's authority.

Political factors often intersect with issues of nationalism and state power, leading to a reluctance to comply with external judicial mandates. As a result, the EACJ's decisions may be sidelined or ignored, further entrenching a culture of impunity for human rights violations.

1.2. Political Resistance to EACJ Human Rights Decisions in Tanzania

The enforcement of decisions made by the East African Court of Justice (EACJ) in Tanzania is significantly hampered by political resistance. This resistance manifests in several ways, creating obstacles to the realization of human rights as upheld by the EACJ. Here are the key aspects of how political resistance hinders enforcement:

1.3 Sovereignty Concerns

At the heart of these challenges is the principle of sovereignty. Sovereignty is defined as the supreme, absolute, and uncontrollable power by which an independent state is governed, serving as the source of all specific political powers. It also embodies the deliberate independence of a state, along with the right and authority to regulate its internal affairs without interference from foreign entities.¹ According to the Montevideo Convention, independence is characterized by the capacity to enter into relations with other states.²

The term sovereignty also denotes supreme authority within a territory. As regional integration inherently requires participants to cede some degree of their sovereignty for the sake of cooperation, a fully developed integration entails a concrete, albeit partial, transfer of national sovereignty to the regional community, particularly concerning foreign policy control. Additionally, the

¹ <http://legal-dictionary.thefreedictionary.com> – Accessed on 1/10/2024.

² Article I of the Montevideo Convention on the Rights and Duties of States.

authority over trade shifts from national governments to regional entities.

Sovereignty is a complex concept that varies based on historical and social contexts. It comprises three key elements: autonomy, control, and legitimacy. In this framework, autonomy refers to the independence in policymaking and action; control signifies the ability to produce effects; and legitimacy denotes the recognized right to create rules.³

In the integration process, a state relinquishes some of its rights and powers to a supranational authority, a concept known as supranationalism, while still maintaining its sovereignty. It is often argued that sovereignty is a characteristic unique to states. Sovereignty encompasses the state's right to exercise its highest authority within its territory and has two dimensions: internal and external. Internal sovereignty refers to the legitimate authority of the state and its institutions to wield power within its borders, whereas external sovereignty pertains to the state's right to judicial equality and territorial integrity within the international system, which is contingent upon the recognition of its internal sovereignty by other states.⁴

Sovereignty refers to the supreme legal authority of a state to create and enforce laws within its territory. This means that the state operates independently from the authority of any other state and is considered equal to other states under international law. With sovereignty, a state holds the highest power within its borders, meaning no external actor can influence its decision-making. This includes the authority to make decisions regarding consumer protection. However, this presents a challenge for regional integration, as states are sovereign entities. To address this, there is a need for a higher authority, leading to the concept of supranationality.⁵

Sovereignty and regional integration present a significant dilemma for decision-makers. A nation that wishes to maintain full national sovereignty must forgo regional integration. Conversely, if a nation opts for regional integration, it must relinquish key aspects of its exclusive sovereignty over certain public policies. This dynamic was evident in Western Europe during its integration process, where leading nations like Germany and France decided to cede control over crucial resources, specifically iron and coal, which were vital for war efforts.⁶

³ MATTLI, W Sovereignty Bargains in Regional Integration, p 149 –150 See <http://www.jstor.org> - Accessed on 7/10/2024

⁴ <http://helda.helsinki.fi/bitstream/handee/10138/21770/regional.pdf?square=2> –Accessed on 7/10/2024

⁵ <http://helda.helsinki.fi/bitstream/handee/10138/21770/regional.pdf?square=2> –Accessed on 7/10/2024

⁶ ALMEIDA, P.R (2013) Sovereignty and Regional Integration in Latin America; A Political Conundrum? Contexto Intenacional Rio De Janero, Vol. 35 p 470 - 496.

Political leaders in Tanzania often view EACJ decisions as infringements on national sovereignty. This perception can lead to a reluctance to comply with court rulings that may conflict with governmental interests or policies. Politicians may prioritize national laws over regional commitments, fostering a narrative that portrays compliance as undermining the country's autonomy.

1.4 Government Rhetoric and Public Sentiment

When political leaders publicly criticize or dismiss EACJ rulings, it can shape public opinion against the court. This rhetoric can lead to a nationalistic backlash, where citizens rally around the idea of defending the nation against perceived external interference. Such a sentiment diminishes pressure on the government to enforce EACJ decisions, reinforcing a culture of non-compliance.

1.5 Selective Implementation of Laws

Political resistance may result in selective enforcement of laws and court decisions. In cases where EACJ rulings align with the interests of those in power, they may be implemented more readily. Conversely, when rulings challenge the status quo or threaten political interests, there may be deliberate delays or outright refusal to comply, undermining the authority of the EACJ.

1.6 Influence of Political Patronage

In a political landscape marked by patronage networks, key stakeholders may resist EACJ decisions to protect their interests or those of their allies. Officials may fear that compliance could expose them or their associates to accountability for human rights violations, leading to active obstruction of enforcement efforts.

1.7 Weak Political Will

The lack of political will to uphold human rights as mandated by the EACJ can stem from a focus on maintaining power and control rather than ensuring justice. When leaders prioritize political stability over human rights, the enforcement of EACJ decisions is often deprioritized or ignored entirely as elaborated and seen in the case here under,

- **Tito Elias Magoti & Another V. The Attorney General of The United Republic Of Tanzania**⁷

The case of **Tito Elias Magoti & Another v. The Attorney General of the United Republic of Tanzania** involved a legal challenge concerning the enforcement of the Cybercrimes Act and its implications for freedom of expression and due process. The petitioners argued that certain provisions of the Act were unconstitutional, particularly regarding the restrictions placed on online speech and the potential for misuse against critics of the government. They contended that these provisions violated their rights to freedom of expression and a fair trial. The case highlighted significant concerns about the balance between maintaining order and protecting individual rights in the digital landscape in Tanzania.

1.8 Institutional Fragmentation

Political resistance can exacerbate existing institutional fragmentation within the Tanzanian government. Different branches of government may have conflicting interests, leading to inconsistencies in the enforcement of EACJ decisions. For instance, the executive branch may resist compliance while the judiciary may recognize the importance of upholding human rights. **Christopher Mtikila vs Attorney General**⁸ case the court recognized independent candidate as a human right but the government decided to take another move of changing the constitution to bar that right.

Another case is elaborated hereunder,

- **Ololosokwan Village County Council & 3 Others V. The Attorney General of The United Republic of Tanzania**⁹

The case of **Ololosokwan Village County Council & 3 Others v. The Attorney General of the United Republic of Tanzania** involved issues of land rights and community representation. The petitioners, representing Ololosokwan Village, challenged the government's actions regarding land use and allocation, arguing that these actions violated their rights as indigenous people to land and resources.

Specifically, the case addressed the conflict between local communities and state interests, particularly in relation to land designated for conservation or tourism. The petitioners sought recognition of their land rights and called for adherence to both national laws and international human rights standards concerning indigenous peoples' rights.

This case highlighted the ongoing struggles over land tenure, community participation in decision-making, and the need for legal protections for indigenous communities in Tanzania.

Political resistance in Tanzania plays a critical role in hindering the enforcement of EACJ human rights decisions. Sovereignty concerns, governmental rhetoric, selective implementation, political patronage, weak political will, and institutional fragmentation all contribute to a landscape where compliance with regional rulings is often compromised. Addressing these challenges requires a concerted effort to promote the importance of human rights within the political discourse and strengthen the mechanisms for accountability at both national and regional levels.

2.0 Legal Constraints

Tanzania's legal framework presents another significant barrier to the enforcement of EACJ decisions. Although the country is a signatory to various international human rights treaties and has committed to upholding the rule of law, domestic laws sometimes conflict with regional obligations. For instance, there may be

⁸ (1995) TLR 31 (Court of Appeal of Tanzania).

⁹ Application No. 2 Of 2022 (Arising From Reference No. 10 Of 2017)

⁷ Reference No. 2 Of 2020



discrepancies between Tanzanian laws and the EACJ's interpretations of human rights, leading to ambiguity in enforcement.

Moreover, the legal system in Tanzania is often characterized by a lack of clarity regarding the relationship between international and national law. This uncertainty can result in judicial reluctance to enforce EACJ decisions, as local courts may prioritize national legislation over regional obligations. The absence of clear guidelines on the incorporation of international law into domestic practice further complicates enforcement efforts.

- **Legal And Human Rights Centre & Another V. The Attorney General of The United Republic Of Tanzania**¹⁰

The case of **Legal and Human Rights Centre & Another v. The Attorney General of the United Republic of Tanzania** involved a challenge to the constitutionality of certain provisions of the Cybercrimes Act. The petitioners argued that the law infringed on rights to freedom of expression and privacy, particularly regarding vague definitions and harsh penalties for online speech. They contended that these provisions disproportionately affected human rights activists and journalists, creating a chilling effect on free expression. The case emphasized the tension between regulating online behavior and protecting fundamental rights in Tanzania.

2.1 Legal Constraints Hindering EACJ Human Rights Decisions in Tanzania

The enforcement of human rights decisions made by the East African Court of Justice (EACJ) in Tanzania is significantly challenged by various legal constraints. These constraints create obstacles that complicate compliance and implementation. Here are the key ways in which legal issues hinder the enforcement of EACJ decisions:

2.2 Conflicts Between National and Regional Law

Tanzania's legal framework often presents conflicts between national laws and EACJ rulings. The lack of harmonization between domestic legislation and regional obligations can create uncertainty regarding which laws take precedence. Courts may hesitate to enforce EACJ decisions that contradict national laws, leading to inconsistencies in legal interpretations and enforcement.

2.3 Limited Incorporation of International Law

Although Tanzania is a signatory to various international human rights treaties, there is often limited incorporation of international law into domestic legal practice. This can create a gap where EACJ decisions, which rely on international human rights standards, may not be recognized or enforced by local courts. The absence of clear mechanisms for integrating regional judgments into the national legal framework hampers compliance efforts.

2.4 Judicial Reluctance

Judges in Tanzania may be reluctant to enforce EACJ decisions due to fear of political repercussions or pressure from the government. This apprehension can result in a lack of judicial activism when it comes to applying EACJ rulings, leading to a failure to uphold the rights affirmed by the court. When judges prioritize political stability over legal obligations, the effectiveness of the EACJ is undermined.

2.5 Insufficient Legal Framework for Enforcement

The Tanzanian legal system may lack specific laws or mechanisms designed to facilitate the enforcement of EACJ decisions. Without established procedures for implementing court rulings, there may be ambiguity regarding how to execute these decisions. This insufficiency can lead to delays and inadequate responses to human rights violations, effectively nullifying the impact of EACJ rulings.

2.6 Ambiguities in Legal Provisions

The legal language used in both national laws and EACJ decisions may contain ambiguities that complicate enforcement. Vague provisions can lead to varying interpretations, making it difficult for authorities to implement decisions consistently. This ambiguity can create loopholes that allow for non-compliance, as stakeholders may exploit these gaps to justify inaction.

2.7 Overburdened Judicial System

Tanzania's judicial system faces significant challenges, including backlogs and resource constraints. An overburdened court system can lead to delays in hearing cases related to EACJ decisions, ultimately stalling enforcement efforts. The lack of timely judicial action diminishes the effectiveness of the EACJ's rulings, particularly in urgent human rights situations.

Legal constraints pose significant challenges to the enforcement of EACJ human rights decisions in Tanzania. Conflicts between national and regional laws, limited incorporation of international norms, judicial reluctance, insufficient enforcement mechanisms, ambiguities in legal provisions, and an overburdened judicial system all contribute to a complex landscape that hinders compliance. To improve the enforcement of EACJ decisions, it is essential to address these legal barriers through legislative reform, better integration of international law, and the strengthening of judicial independence.

3.0 Institutional Inefficiencies

Institutional inefficiencies within Tanzania's judicial and administrative systems also impede the enforcement of EACJ decisions. The judicial system in Tanzania has been criticized for being overburdened, under-resourced, and lacking in transparency. These issues can lead to delays in the implementation of court orders and decisions, undermining the timely protection of human rights.

Furthermore, there is often a disconnect between various state institutions responsible for upholding human rights and enforcing legal decisions. For example, law enforcement agencies may not be adequately trained or motivated to implement EACJ rulings, resulting in a lack of coordination between different branches of

¹⁰ Reference No. 19 Of 2019

government. This fragmentation can create obstacles to the effective enforcement of human rights decisions.

3.1 Institutional Inefficiencies Hindering EACJ Human Rights Decisions in Tanzania

The enforcement of human rights decisions issued by the East African Court of Justice (EACJ) in Tanzania is significantly affected by institutional inefficiencies. These inefficiencies can manifest in various ways, creating obstacles that impede the effective implementation of court rulings. Here are the key aspects of how institutional inefficiencies hinder enforcement:

3.2 Under-resourced Judicial Institutions

Tanzania's judicial system often faces resource constraints, including insufficient funding, inadequate infrastructure, and a lack of qualified personnel. These limitations can lead to delays in processing cases related to EACJ decisions and may result in the prioritization of less urgent matters over human rights issues. As a result, enforcement actions can be significantly delayed or neglected.

3.3 Fragmentation of Responsibilities

There is often a lack of coordination among various government institutions responsible for upholding human rights and enforcing EACJ rulings. This fragmentation can lead to overlaps in responsibilities or gaps where no institution takes ownership of enforcement. Without clear lines of authority and accountability, compliance with EACJ decisions becomes inconsistent and ineffective.

3.4 Ineffective Communication and Training

Many officials within law enforcement and the judiciary may lack awareness or understanding of EACJ decisions and the importance of compliance. Ineffective communication regarding the court's rulings can hinder their implementation. Additionally, inadequate training for judicial and law enforcement personnel on human rights standards can further obstruct enforcement efforts.

3.5 Bureaucratic Delays

Bureaucratic inefficiencies can lead to significant delays in the implementation of EACJ decisions. Complex administrative processes may slow down the necessary actions required for compliance, such as executing court orders or providing remedies to victims of human rights violations. This sluggishness can erode public trust in the judicial system and diminish the impact of the EACJ's rulings.

3.6 Lack of Monitoring Mechanisms

Without effective monitoring and evaluation mechanisms, it is challenging to assess compliance with EACJ decisions. Institutional inefficiencies often result in inadequate tracking of enforcement actions and outcomes. This lack of oversight means that violations may go unaddressed, and authorities may not be held accountable for non-compliance.

3.7 Political Interference

Institutional inefficiencies can be exacerbated by political interference, where government actors exert influence over judicial processes or enforcement actions. This interference can undermine

the independence of the judiciary and law enforcement agencies, leading to biased or selective enforcement of EACJ decisions. When political interests override institutional mandates, human rights protections are often compromised.

Institutional inefficiencies significantly hinder the enforcement of EACJ human rights decisions in Tanzania. Under-resourced institutions, fragmentation of responsibilities, ineffective communication, bureaucratic delays, lack of monitoring mechanisms, and political interference all contribute to a challenging environment for compliance. To enhance the enforcement of EACJ decisions, it is essential to strengthen institutional capacity, improve coordination among agencies, and foster a culture of accountability and respect for human rights within the Tanzanian legal framework.

3.8 Public Awareness and Advocacy

Another barrier to enforcement is the limited public awareness of the EACJ and its rulings. Many Tanzanians may not be familiar with the court's role or its decisions, which can lead to a lack of pressure on the government to comply. Civil society organizations play a vital role in advocating for human rights and informing the public about regional mechanisms, but they often face their own challenges, including repression and limited resources.

When citizens are unaware of their rights as affirmed by the EACJ, there is little incentive for the government to prioritize compliance. Enhanced public education and advocacy efforts are essential for fostering a culture of accountability and promoting the enforcement of human rights decisions.

3.9 Limited Public Awareness and Advocacy Hindering EACJ Human Rights Decisions in Tanzania

The enforcement of human rights decisions made by the East African Court of Justice (EACJ) in Tanzania is also significantly affected by the lack of public awareness and advocacy regarding these rulings. Here are the key ways in which these factors hinder enforcement:

3.9.1 Lack of Knowledge About EACJ

Many Tanzanians are unaware of the existence and role of the EACJ, as well as its decisions on human rights issues. This lack of awareness means that citizens may not know their rights as outlined by the EACJ or the mechanisms available for seeking redress. Without this knowledge, there is minimal public pressure on the government to comply with EACJ rulings, leading to a culture of non-compliance.

3.9.2 Inadequate Advocacy from Civil Society

Civil society organizations play a crucial role in advocating for human rights and informing the public about regional legal mechanisms like the EACJ. However, many of these organizations face challenges, such as limited resources, government restrictions, and political pressure. This hampers their ability to effectively raise awareness about EACJ decisions and mobilize public support for enforcement.

3.9.3 Marginalization of Human Rights Issues



Human rights issues may not be prioritized in public discourse, especially when other pressing concerns dominate the political landscape. As a result, EACJ decisions can be overlooked in favor of more immediate or politically popular issues. This marginalization further weakens advocacy efforts and reduces the visibility of EACJ rulings among the general public.

3.9.4 Fear of Repercussions

Individuals and organizations advocating for human rights may face intimidation, harassment, or legal repercussions from authorities. This fear can deter effective advocacy and discourage citizens from speaking out about EACJ decisions or holding the government accountable. The resulting climate of fear stifles public discourse and diminishes the chances of successful enforcement.

3.9.5 Limited Engagement with Local Communities

Advocacy efforts may not effectively reach local communities, particularly in rural areas where access to information is limited. Without localized campaigns that explain the significance of EACJ decisions, many individuals may remain unaware of their rights and the avenues available for redress. This disconnect weakens the overall impact of advocacy efforts.

3.9.6 Insufficient Media Coverage

The media plays a critical role in raising public awareness about human rights issues and EACJ rulings. However, media coverage on these topics can be sparse or sensationalized, leading to misunderstandings or a lack of nuanced reporting. When the media does not adequately inform the public about EACJ decisions and their implications, it hinders the development of a well-informed citizenry that can advocate for enforcement.

Limited public awareness and inadequate advocacy significantly hinder the enforcement of EACJ human rights decisions in Tanzania. The lack of knowledge about the court and its rulings, coupled with insufficient civil society support, marginalization of human rights issues, fear of repercussions, limited community engagement, and insufficient media coverage, creates an environment where compliance is often overlooked. To improve enforcement, it is essential to enhance public awareness and advocacy efforts, ensuring that citizens understand their rights and the mechanisms available to them. Engaging civil society and the media effectively can foster a culture of accountability and support for the EACJ's critical role in promoting human rights in the region.

Conclusion

The enforcement of EACJ human rights decisions in Tanzania is fraught with challenges, ranging from political resistance and legal constraints to institutional inefficiencies and limited public awareness. Addressing these barriers requires a multi-faceted approach that includes strengthening legal frameworks, enhancing institutional capacity, and promoting public understanding of human rights mechanisms. Only through concerted efforts at both the national and regional levels can the EACJ's crucial role in

safeguarding human rights be fully realized in Tanzania and the broader East African region.

BIBLIOGRAPHY

Books

1. Amin. M. E (2005) Social science Research: Conception, Methodology Analysis. Makerere University Kampala. Uganda. P.33.
2. Bordens K. et al (2011). Research Design and methods: A process Approach. 8thed. New York USA. McGraw – Hill Companies inc.
3. Boyce C and Palena. N. (2000) Conducting in Depth Interviews: A guide for Designing and conducting in Depth Interviews for Evaluation Watertown path finder International.
4. Brewer . G. (1999) The Challenges of Interdisciplinary. Policy Sciences vol. 327 P.328
5. Cheshire G.C (1961); Private International Law, 6th Edition, Oxford University Press, Oxford at The Clarendon Press.
6. Collins L at At (Eds) (1993); Decey and Morris. The Conflicts of Laws, 12th Edition, Sweet and Maxwell, Volume 2, London.
7. Creswell. J.W. (2003) Research Design: Qualitative, Quantitative and Mixed Methods. 2nd Ed. Sage Publication. London. p. 12
8. David and BeeverKisch (2010); The Conflicts of Law, 7th Edition, South Asian Edition, Sweet and Maxwell, London, 2010.
9. Dent Chris: A law Student oriented Taxonomy for Research in Law P.76.
10. Dobinson, I., & Johns, F. (2007). Qualitative legal research. *Research methods for law*, 16: p.20
11. Etyang Fredrick (2018) A step – by Step Practical Guide to Mastering Research. FEM consultants and Research Centre ltd. Kampala Uganda. P. 117.
12. Given L.M (2008). The Sage Encyclopedia of Qualitative Research Methods. First (1) Edition. Los Angeles. SAGE.
13. Hutchison Terry and Duncan Nigel (2021). Defining and Describing What We do: Doctrine Legal Research. Deakin Law Review vol. 17 P.116.
14. Ian Dobison and Francis John (2003) Qualitative Legal Research Methods for Law p.22.
15. Juenger, Fredrick K. (1993); Choice of Law and Multstate Justice, Martinus Nijhof, Kluwer. McClean
16. Kingsbury. B (2012) Global Administrative Law in the Institutional Practice of Global Regulatory Governance in Cisse. H, et al (2012) World Bank Legal Review: Intnal Financial Institutions and Global Legal Governance e-Book.
17. Kothari C.R (2004) *Research Methodology: Methods and Techniques*. New International(P) Limited New Delhi

18. Minow. W (2013) Archetypal Legal Scholarship: A Field Guide. *Journal of Legal Education*. vol. 63 issue 1.P. 65
19. Moniwekesa (2016) *Research Methods for Lawyers and Other Professionals* link Limited Nairobi. Kenya P. 115.
20. Mugalakwa. M. (2006) the use of Documentary Research Methods in social Research Reports. *African Sociological Review*. vol. 10 issue.2.2 p. 221.
21. Mugalakwa. M. (2006). Use of Documentary Research Methods in social Research. *Report African sociological Review*; vol. 10 issue. 2. P. 221.
22. Oso, W. Y., & Onen, D. (2009). *A general guide to writing research proposal and report*. Jomo Kenyatta Foundation. p74.
23. Poll C. & Hirsch. H. (2007) Methodological Challenges of Trans-disciplinary Research. *Science Natures, Science Societies*; 16(2):11.
24. Poll. C. (2005) Trans Disciplinary collaboration: *Environmental Research*. *Future*, 37(10): 1161.
25. Wekesa, M. (2016). *Research Methods for Lawyers and other Professionals*.P.20
26. Wing Hong Chui (2007) *Quantitative Legal Research in McConville Mike and Wing Hong Chui (eds) Research Methods of Law, First Edition* Edinburg University Press, Ltd.
27. World Bank (2010) *Public Sector Accounting and Auditing in South Asia: A Comparison to International Standards*. World Bank Publication.
28. Majamba, H,I, *Fundamentals of Legal Research: A Student's Companion*,2009. Maina, C,P., *Human Rights in Tanzania: Selected Cases & Materials*,Koln, Koppe Verlag Publishers, 1997.
29. Mugwanya,G.W., *Human rights in Africa Enhancing Human Rights Through the African Regional Human Rights*,New York, Transnational Publishers Inc.2003.
30. Mvungi,S.E.A.,(ed) *Draft Treaty for Establishment of East African Community: Critical Review*,Dar es Salaam,Dar es Salaam University Press,2002.
31. Myneni, S, R., *Jurisprudence (Legal Theory)*, 2nd Ed. India, Asia Law House, 2001.
32. North P. and Fawcett J.J (1999); *Cheshire and North's Private International Law, 13th Edition*, Oxford University Press, Oxford.
33. North P. M and Fawcett J.J (1992); *Cheshire and North's Private International Law, 12th Edition*, Butterworth, London.
34. O'Byrne,J.D *Human Rights: An Introduction*, Harlow: Pearson Education, 2003. Odinkalu, C.A., "The Individual Complaints Procedure of the African Commission on Human and Peoples Rights: A preliminary Assessment; *Transitional Law and Contemporary Problems*, 1998, Vol. 8.
35. Onyango, J.O., "Human Rights and Sustainable Development in Contemporary Africa: A new Down or Retreating Horizon?"; *Buffalo Human Rights Law Review* Vol.16 No.36,2000.
36. Ugirashebuja,Ruhangisa,Ottervanger,and Cuyvers(Eds) *Eat African Community Law,Institutional,Substantive and Comparative EU Aspects*

Articles and reports

1. Ruhangisa Eudes John,Regional Intergration in Africa with specific focus on the East African Community,(2011) volume1,Zanzibar yearbook of law.p.144
2. Ebobrah,S.T (2009), "Litigating Human Rights before Sub Regional Courts: Prospects and Challenges", *African Journal of International and Comparative law (Rodica)* Vol 17, No 1 at 82.
3. Ruhangisa,J.,(2011), Procedures and functions of the East African Court of Justice', in Gastorn,K., Sippel,H.,&Wanitzek,U., (eds),(2011), *Processes of Legal Integration in the East African Community'*, Dar es Salaam: Dar es Salaam University Press , p.146.
4. Franceschi,L.,(2011) *The African Human Rights Judicial System: A Proposal for Streamlining Structures and Domestication Mechanisms viewed from Foreign Affairs Power Perspective*, University of Navarra-School of Law.(PhD. Thesis).
5. Gastorn, K., The legality of the appellate division and the Human Rights Jurisdiction of the East African Court of Justice of the East African Community"; *Africa Nazarene University Law Journal*, Vol .3, No.,2015 pp 41-64.
6. Gastorn ,K.,"The East African Community and the Sovereignty Relinquishment Trail in the Constitution making process in Tanzania"; *Nyerere Law Journal*, Vol 1, 2014, p.35.
7. Kamanga,K.C., "Some Constitutional Dimensions of the East African Cooperations" in J.OlokaOnyango (ed), *Constitutional development in East Africa for year 2001*, Dar es Salaam, E&D Limited, 2003, P.P 114-118.
8. Mkizungo,J,(2011) *The Role and Significance of the East African Court of Justice in the Promotion and protection of Human Rights*; University of Dar es Salaam, Thesis(LL.M).
9. Mujuzi, D.J., *African States and the Right to Freedom from Torture: An International Perspective*; *East Africa Journals of peace and Human rights*, Vol. 14, No.1 (2008).
10. Oppong Richard F., (2007), *Private International in Africa: The Past, Present and Future*. In *American Journal of Comparative Law*, Volume 55, 2007.
11. Leon P.S. G (1983); *The Recognition and Enforcement of Foreign Judgements in South Africa*, 16 *Comparative and International Law Journal*, South Africa International and Comparative Law Quarterly, Volume 55, October 2006.
12. Oppong Richard F, (2006), *Common Law Regime for Enforcing Foreign Judgements*, In *International and Comparative Law Quarterly*, Volume 55, October 2006.

13. **Dr.Neema Bhoke Mwita** (2022) an Appraisal of the Jurisprudence behind Jurisdiction and admissibility criteria of the East African Court of Justice visa vis lessons from United Nations system, The European

Union and the African human rights system;
Commonwealth Law Review Journal-Annual Volume 8
ISSN 2581 3382

