

PART I

GENERAL PROVISIONS

ARTICLE 1

Scope of the Agreement

The Parties hereby establish an Economic Partnership Agreement (EPA) (hereinafter referred to as "this Agreement"). This Agreement covers:

- (a) general provisions;
- (b) trade in goods;
- (c) fisheries;
- (d) agriculture;
- (e) economic and development cooperation;
- (f) institutional provisions;
- (g) dispute avoidance and settlement;
- (h) general exceptions;

- (i) general and final provisions; and
- (j) Annexes, Protocols and Joint Statements.

ARTICLE 2

Objectives

1. The objectives of this Agreement are to:
 - (a) contribute to economic growth and development through the establishment of a strengthened and strategic trade and development partnership consistent with the objective of sustainable development;
 - (b) promote regional integration, economic cooperation and good governance in the EAC Partner State(s);
 - (c) promote the gradual integration of the EAC Partner State(s) into the world economy, in conformity with their political choices and development priorities;
 - (d) foster the structural transformation of the economies of the EAC Partner State(s), and their diversification and competitiveness by enhancing their production, supply and trading capacity;
 - (e) improve the capacity of the EAC Partner State(s) in trade policy and trade-related issues;

- (f) establish and implement an effective, predictable and transparent regulatory framework for trade and investment in the EAC Partner State(s), thus supporting the conditions for increasing investment and private sector initiatives; and
- (g) strengthen the existing relations between the Parties on the basis of solidarity and mutual interest. To this end, consistent with their WTO rights and obligations, this Agreement shall enhance commercial and economic relations, support a new trading dynamic between the Parties by means of the progressive, asymmetrical liberalisation of trade between them and reinforce, broaden and deepen cooperation in all areas relevant to trade and investment.

2. This Agreement also aims, consistent with Articles 34 and 35 of the Cotonou Agreement and the corresponding provisions of its successor agreement, to:

- (a) establish an agreement consistent with Article XXIV of the General Agreement on Tariffs and Trade 1994 (GATT 1994);
- (b) facilitate continuation of trade by the EAC Partner State(s) under terms no less favourable than those under the Cotonou Agreement or its successor agreement;
- (c) establish the framework and scope of potential negotiation in relation to other issues including trade in services, trade-related issues as identified in the Cotonou Agreement or its successor agreement and any other areas of interest to both Parties;

ARTICLE 3

Rendez-vous Clause

The Parties undertake to conclude the negotiations on the subject matters listed below, within five (5) years from the date of entry into force of this Agreement:

- (a) trade in services;
- (b) trade-related issues, namely:
 - (i) competition policy;
 - (ii) investment and private sector development;
 - (iii) trade, environment and sustainable development;
 - (iv) intellectual property rights;
 - (v) transparency in public procurement;
- (c) any other areas that the Parties may agree upon.

ARTICLE 4

Principles

This Agreement is based on the following principles:

- (a) building on the *acquis* of the Cotonou Agreement and its successor agreement;
- (b) strengthening integration in the EAC region;
- (c) ensuring asymmetry, in favour of the EAC Partner State(s), in the liberalisation of trade and in the application of trade-related measures and trade defence instruments;
- (d) allowing the EAC Partner State(s) to maintain regional preferences with other African countries and regions without an obligation to extend them to the EU; and
- (e) contributing to enhancing the production, supply and trading capacity of the EAC Partner State(s).