

## PART IV

### AGRICULTURE

#### ARTICLE 57

##### Scope and Definitions

1. The provisions of this Part shall apply to crops and livestock, including productive insects.
2. For the purposes of this Part and Title II of Part V, the following definitions shall apply:
  - (a) "agriculture" includes crops, livestock and productive insects;
  - (b) "agricultural products" means those covered by Annex I to the WTO Agreement on Agriculture;
  - (c) "agricultural financing" means providing financial resources in support of agricultural related activities along the whole value chain, such as input supplies, agricultural services, production, storage, distribution, product transformation and marketing;
  - (d) "agricultural inputs" means all substances or materials, equipment and tools used in the production and handling of agricultural products;

- (e) "sustainable agriculture technology" means technology designed with special consideration of its environmental, social and economic impacts;
- (f) "food and nutrition security" means that all people at all times have both physical and economic access to safe, sufficient and nutritious food to meet their needs for a productive and healthy life;
- (g) "livelihood security" means adequate and sustainable access to income and resources to meet basic needs in an equitable manner (including adequate access to food, potable water, health facilities, educational opportunities, housing and time for community participation and social integration);
- (h) "natural disaster" means the consequence of natural calamities, such as droughts, earthquakes, landslides, volcanic eruptions, floods, pests and diseases;
- (i) "small-scale farmers" means producers with limited resources and own small land holdings of less than two (2) hectares and whose scale of operations is too small to attract the provision of services needed to significantly increase productivity and leverage market opportunities;
- (j) "sustainable development" in the context of this Part includes the management and protection of the natural resource base for economic and social development in such a manner as to aim at meeting human needs for present and future generations.

## ARTICLE 58

### Objectives

1. The Parties agree that the fundamental objective of this Part is sustainable agricultural development which includes, but is not limited to, food and livelihood security, rural development and poverty reduction in the EAC Partner State(s).
2. The objectives of this Part are to:
  - (a) foster cooperation between the Parties with a view to creating wealth and improving the quality of life of those engaged in agricultural activities through increased production, productivity and market share;
  - (b) improve food and nutrition security in the EAC Partner State(s) by promoting value addition, increasing output, quality, safety, market integration, trade, availability and accessibility;
  - (c) contribute to the provision of gainful employment throughout the value chain of the modernised agricultural sector;
  - (d) develop modern and competitive agriculture-based industries;
  - (e) promote the sustainable use and management of natural and cultural resources, by developing environmentally friendly and sustainable technologies that improve agricultural productivity;

- (f) contribute to competitiveness by promoting value addition throughout the supply chains to access markets;
- (g) improve producers' revenue by developing the marketing of value added agricultural products in the marketplace;
- (h) facilitate the adjustment of the agricultural sector and the rural economy to cope with global economic changes;
- (i) mobilise and increase the economic performance of small-scale farmers through capacity building of farmers' organisations;
- (j) improve trade and market facilitation for agricultural commodities in order to increase foreign exchange earnings;
- (k) improve infrastructure within the EAC Partner State(s) for enhancing the production, productivity, marketing and distribution of agricultural inputs and products, with particular attention to storage, grading, handling, packing and transport.

## ARTICLE 59

### General Principles

1. The Parties recognise the importance of agriculture in the economies of the EAC Partner State(s) as the main source of livelihood for the majority of the population of the EAC Partner State(s), as the primary factor to ensure food and nutrition security, as a potential sector for high growth and added value, and as a source of export earnings.
2. In view of the multi-functional role agriculture plays in the economy of the EAC Partner State(s), the Parties agree to use a comprehensive approach to agriculture as a basis for sustainable development.
3. The Parties agree to cooperate in promoting the sustainable growth of the agriculture sector, taking into account its multiple facets and the diversity of the economic, social and environmental characteristics as well as development strategies of the EAC Partner State(s).
4. The Parties recognise that deeper integration of the agricultural sector across the EAC Partner State(s) will contribute to the expansion of inter-regional markets, and increase the scope for investment and private sector development.
5. The Parties recognise the importance of supporting agricultural production, the promotion of value addition, agricultural trade and market development initiatives through appropriate instruments, and the provision of appropriate regulatory framework to respond to changing market conditions. In this respect, the Parties resolve to work together to attract necessary investment into the EAC Partner State(s).

6. The Parties agree that agricultural priorities considered in this Part shall be clearly linked to the regional overarching policy framework for food and nutrition security and poverty reduction to ensure consistency and guidance of the regional development agenda.

## ARTICLE 60

### Comprehensive Dialogue

1. The Parties shall establish an EAC Partner State(s)-EU Comprehensive Dialogue on Agriculture and Rural Development Policy (hereinafter referred to as the "Agriculture Dialogue") on all matters covered in this Part. The Agriculture Dialogue shall monitor progress in implementing this Part and shall provide a forum for exchange and cooperation on the Parties' respective domestic agricultural policies and, in particular, the role of agriculture in the EAC Partner State(s) in raising farm incomes, food security, sustainable use of resources, rural development and economic growth.
2. The Agriculture Dialogue shall take place within the Committee of Senior Officials.
3. The Parties shall establish the working procedures and modalities of the Agriculture Dialogue by mutual agreement.

## ARTICLE 61

### Regional Integration

The Parties recognise that the integration of the agricultural sector across EAC Partner States, through the progressive removal of barriers, the provision of an appropriate regulatory and institutional framework, and the harmonisation and convergence of policies, will contribute to the deepening of the regional integration process and thus contribute to the expansion of regional markets, which will increase the scope for investment and private sector development.

## ARTICLE 62

### Enabling Policies

The Parties recognise the importance of adopting and implementing policies and institutional reforms to enable and facilitate the achievement of the objectives of this Part.

## ARTICLE 63

### Sustainable Agricultural Development

The Parties shall cooperate to achieve sustainable agricultural development with a special focus on supporting vulnerable rural populations in the EAC Partner State(s) in light of the changing world production and trade patterns as well as consumer tastes and preferences.

## ARTICLE 64

### Food and Nutrition Security

1. The Parties agree that the provisions of this Agreement shall enable the EAC Partner State(s) to implement effective measures to achieve food and nutrition security and sustainable agricultural development, and to develop commercial agricultural markets in the region to ensure food and nutrition security.
2. The Parties shall ensure that actions taken under this Part aim at enhancing food and nutrition security, and avoid the adoption of measures that could endanger achievement of food and nutrition security at the household, national and regional levels.

## ARTICLE 65

### Value Chain Management

The Parties agree to have a regional strategy for enhancing supply capacities in agriculture, identifying high value agricultural sub-sectors for which the region has competitive advantage, and capitalise on investments that can facilitate the shift from comparative to competitive advantages.



## ARTICLE 66

### Early Warning Systems

The Parties recognise the need to establish, improve and enhance food security information systems, including national early warning systems, as well as vulnerability assessment and monitoring systems, and to implement capacity building actions, in conjunction with, and through, existing international and regional mechanisms.

## ARTICLE 67

### Technology

The Parties recognise the importance of modern and sustainable agricultural technologies and agree to develop and promote the use of modern agricultural technologies that include:

- (a) sustainable irrigation and fertigation technologies;
- (b) tissue culture and micro propagation;
- (c) improved seed;
- (d) artificial insemination;
- (e) integrated pest management;

- (f) product packaging;
- (g) post-harvest handling;
- (h) accredited laboratories;
- (i) biotechnology;
- (j) risk assessment and management.

## ARTICLE 68

### Domestic Policy Measures

1. Each Party shall ensure transparency in the area of agricultural support related to trade in agricultural products. To this end, the EU shall report periodically within the Agriculture Dialogue to the EAC Partner State(s) on the legal basis, form and amount of such support. Such information is deemed to have been provided if it is made available by the Parties or on their behalf on a publicly accessible website.

2. The EU shall not grant export subsidies for any agricultural product to the EAC Partner State(s), after the date of entry into force of this Agreement. This prohibition shall be reviewed by the EPA Council after forty-eight (48) months.

3. Furthermore, the Committee of Senior Officials shall examine issues that may arise in relation to the access of the Parties' agricultural products to each other's markets. The Committee may make recommendations to the EPA Council in accordance with Article 107.

## ARTICLE 69

### Production and Marketing of Agricultural Commodities

1. The Parties recognise the challenges faced by the EAC Partner State(s) due to their dependence on the export of primary agricultural commodities, which are subject to high price volatility and declining terms of trade, for foreign exchange earnings.
2. The Parties therefore agree to:
  - (a) strengthen public-private partnership in investments for production, processing and marketing of agricultural commodities;
  - (b) cooperate in developing capacities to access niche markets and facilitate compliance with commodity standards to meet such markets requirements;
  - (c) support diversification of agricultural production and export products in the EAC Partner State(s);
  - (d) improve producers' revenue by developing the marketing of value added agricultural products in the market place.

## ARTICLE 70

### Monitoring

The Parties agree that the EPA Council shall review and monitor the implementation of their obligations under this Agreement. The EPA Council shall provide effective surveillance of compliance with obligations through ensuring transparency and give the Parties an opportunity to assess the contribution of those obligations to their long-term objective of establishing a fair and market-oriented agricultural trading system.

## ARTICLE 71

### Net Food-Importing Countries

1. The Parties recognise the importance of addressing the concerns of the net food-importing EAC Partner State(s). Therefore, the objective of this Article is to assist States that are net food importers to develop programmes to ensure food security.
2. The Parties agree to:
  - (a) address constraints on food production, storage and distribution in the EAC Partner State(s);

- (b) source food aid from within the EAC Partner State(s) and other African regional economic communities;
  - (c) improve the coordination of food aid.
3. The Parties agree to maintain an adequate level of food aid, taking into account the interests of food aid recipients, and to ensure that the measures mentioned in paragraph 2 do not unintentionally impede the delivery of food aid provided to deal with emergency situations.
4. The Parties shall ensure that food aid is provided in full conformity with the measures that aim at preventing commercial displacement, which include:
- (a) ensuring that all food aid transactions are needs-driven and in full grant form; and
  - (b) not tying them directly or indirectly to commercial exports of agricultural products or of other goods and services.

## ARTICLE 72

### Importance of Certain Sectors

1. The Parties recognise that:
  - (a) the provision of adequate access to food, clean and safe drinking water, health facilities, educational opportunities, housing, community participation and social integration is important for the livelihood security of rural populations;
  - (b) agricultural infrastructure development, including production, processing, marketing and distribution, plays a crucial role in the social-economic rural development and regional integration of the EAC Partner State(s);
  - (c) technical support services, such as agricultural research, extension and advisory services training, are important in increasing agricultural productivity;
  - (d) facilitating agricultural financing is an important measure for transforming the agricultural sector in the EAC Partner State(s) as financing is required for agricultural technology development, agricultural credit and insurance, infrastructure development and markets as well as farmer training; and
  - (e) sustainable rural development is important to improve standards of living of the rural population of the EAC Partner State(s).

2. The Parties agree to cooperate in the areas of livelihood security, agricultural infrastructure, technical support services, agricultural financing services and rural development, as provided for in Title II of Part V.

## ARTICLE 73

### Exchange of Information and Consultation

1. The Parties agree to exchange experience and information on best practices, and to consult each other on all issues in pursuit of the objectives of this Part.

2. The Parties agree to:

- (a) exchange information on agricultural production, consumption and trade and on the respective market developments for agricultural products;
- (b) exchange information on investment opportunities and incentives available in the agricultural sector, including small-scale activities;
- (c) exchange information on agricultural policies, laws and regulations between them;
- (d) discuss policy and institutional changes needed to underpin the transformation of the agricultural sector, as well as the formulation and implementation of regional policies on agriculture, and rural development in pursuit of regional integration;