

8. If an importing party subjects imports of a product to an administrative procedure having as its purpose the rapid provision of information on the trend of trade flows liable to give rise to the problems referred to in this Article, it shall inform the Committee of Senior Officials without delay.

9. The WTO Agreement shall not be invoked to preclude a Party from adopting safeguard measures in conformity with this Article.

PART III

FISHERIES

TITLE I

GENERAL PROVISIONS

ARTICLE 51

Scope and Principles

1. The cooperation in fisheries trade and development shall cover marine, inland fisheries and aquaculture.
2. The Parties recognise that fisheries constitute a key economic resource of the EAC Partner State(s), contribute significantly to the economies of the EAC Partner State(s) and have great potential for future regional economic development and poverty reduction. It is also an important source of food and foreign exchange.
3. The Parties further recognise that fisheries resources are also of considerable interest to both the UK and the EAC Partner State(s), and agree to cooperate for the sustainable development and management of the fisheries sector in their mutual interests taking into account economic, environmental and social impacts.
4. The Parties agree that the appropriate strategy to promote the economic growth of the fisheries sector and to enhance its contribution to the economy of the EAC Partner State(s), while taking into consideration its long term sustainability, is through increasing value-adding activities within the sector.

ARTICLE 52

Principles of Cooperation

1. The principles of cooperation in fisheries shall include:

8. 如果进口方将某产品的进口置于旨在快速提供贸易流趋势信息的行政程序下，该信息可能导致本文所述的问题，则应立即通知高级别官员委员会。

9. 世界贸易协定不得被援引以阻止一方根据本文采取保障措施。

PART III

FISHERIES

TITLE I

GENERAL PROVISIONS

第51条

范围和原则

1. 渔业贸易和发展的合作应涵盖海洋渔业、内陆渔业和水产养殖。
2. 各方承认，渔业是东非共同体伙伴国（地区）的关键经济资源，对东非共同体伙伴国（地区）的经济有重要贡献，并且在未来区域经济发展和减贫方面具有巨大潜力。它也是粮食和外汇的重要来源。
3. 各方进一步承认，渔业资源对英国和东非共同体伙伴国（地区）都具有相当大的兴趣，并同意在相互利益下合作，考虑到经济、环境和社会影响，以促进渔业部门的可持续发展和管理。
4. 各方同意，促进渔业部门经济增长并增强其对东非共同体伙伴国（地区）经济贡献的适当策略，同时考虑到其长期可持续性，是通过在该部门内增加增值活动来实现的。

ARTICLE 52

合作原则

1. 渔业合作的原则应包括：

- (a) supporting the development and strengthening of regional integration;
- (b) providing special and differential treatment;
- (c) taking into account the best available scientific information for the resource assessment and management;
- (d) ensuring functioning monitoring systems of the environmental, economic and social impacts in the EAC Partner State(s);
- (e) ensuring conformity with existing national laws and relevant international instruments including the United Nations Convention on the Law Of the Sea (UNCLOS), regional and sub-regional agreements; and
- (f) ensuring preservation and priority of particular needs of the artisanal/subsistence fishery.

2. These guiding principles should contribute to sustainable and responsible development of the living inland, marine resources, aquaculture and to optimising the benefits of this sector for present and future generations, through increased investment, capacity building and improved market access.

3. The Parties shall cooperate to ensure that financial and other support will be provided to improve the competitiveness and production capacity of the processing factories, the diversification of the fishing industry and development and improvement of port facilities in the EAC Partner State(s).

4. Detailed areas of cooperation are identified under Title IV of Part V of this Agreement.

TITLE II
MARINE FISHERIES

ARTICLE 53
Scope and Objectives

- 1. The provisions of this Title shall apply to the utilisation, conservation and management of marine fisheries resources to optimise the benefits from fisheries for the EAC Partner State(s) through investment, capacity building and improved market access.
- 2. The objectives of cooperation are to:

(a)支持区域一体化的发展和加强； (b) 提供特殊与差别待遇； (c) 在资源评估和管理中考虑最佳可用科学信息； (d) 确保在东非共同体伙伴国（EAC Partner State(s)）中有效运行的监测系统，以评估环境、经济和社会影响； (e) 确保与现有的国家法律和相关国际文书，包括联合国海洋法公约（UNCLOS）、区域和次区域协定相一致；以及 (f) 确保保护和优先考虑小规模/生计渔业（artisanal/subsistence fishery）的特定需求。

2. 这些指导原则应有助于内陆和海洋生物资源、水产养殖的可持续和负责任发展，并通过增加投资、能力建设和改善市场准入，为当代和子孙后代优化该部门的利益。

3. 各方应合作确保向东非共同体伙伴国提供财政和其他支持，以提高加工工厂的竞争力、生产能力、渔业的多样化以及港口设施的发展和改善。

4. 合作的具体领域在本协议第五部分第四部分的标题下确定。

标题 II
海洋渔业

第53条
范围和目标

- 1. 本标题的规定应适用于海洋渔业资源的利用、保护和管理，以通过投资、能力建设和改善市场准入，为东非共同体伙伴国优化渔业效益。
- 2. 合作的目标是：

- (a) promote sustainable development and management of fisheries;
- (b) strengthen cooperation to ensure the sustainable exploitation and management of fisheries resources as a strong basis for regional integration, given the straddling and migratory species which are shared among coastal EAC Partner States and given that no individual EAC Partner State has the capacity to ensure sustainability of the resource;
- (c) ensure a more equitable share of the benefits derived from the fisheries sector;
- (d) ensure effective Monitoring Control and Surveillance (MCS) necessary for combating Illegal, Unreported and Unregulated (IUU) fishing;
- (e) promote effective exploitation, conservation and management of the living marine resource in the Exclusive Economic Zone (EEZ) and waters in which the EAC Partner State(s) have jurisdiction based on international instruments, including UNCLOS, for the social and economic benefit of the Parties;
- (f) promote and develop regional and international trade based on best practices;
- (g) create an enabling environment, including infrastructure and capacity building, for the EAC Partner State(s) to cope with the stringent market requirements for both industrial and small scale fisheries;
- (h) support national and regional policies aimed at increasing productivity and competitiveness of the fisheries sector; and
- (i) build links with other economic sectors.

ARTICLE 54

Fisheries Management and Conservation Issues

1. A precautionary approach shall be applied in determining levels of sustainable catch, fishing capacity and other management strategies to avoid or reverse undesirable outcomes such as over-capacity and over-fishing, as well as undesirable impacts on the ecosystems and artisanal fisheries.
2. Each EAC Partner State may take appropriate measures, including seasonal and gear restrictions in order to protect its territorial waters and ensure the sustainability of the artisanal and coastal fisheries.

(a)促进渔业的可持续发展和管理；(b)加强合作，以确保渔业资源的可持续开发和管理可持续性，作为区域一体化的重要基础，考虑到跨界和迁徙物种在沿海东非共同体伙伴国之间共享，并且由于没有单个东非共同体伙伴国具备确保资源可持续性的能力；(c)确保从渔业部门产生的利益得到更公平的分享；(d)确保有效监控、控制与监视（MCS），以打击非法、未报告和未管制（IUU）捕捞；(e)促进在专属经济区（EEZ）以及东非共同体伙伴国（EAC Partner State(s)）根据国际文书（包括联合国海洋法公约UNCLOS）拥有管辖权的海域中，对活体海洋资源进行有效开发、保护和管理的可持续性，以实现各方的社会和经济利益；(f)基于最佳实践，促进和发展区域和国际贸易；(g)为东非共同体伙伴国（EAC Partner State(s)）创造有利环境，包括基础设施和能力建设，以应对工业和小规模渔业的严格市场要求；(h)支持旨在提高渔业部门生产力和竞争力的国家及区域政策；以及(i)与其他经济部门建立联系。

ARTICLE 54

渔业管理及保护问题

1. 在确定可持续捕捞量、捕捞能力和其他管理策略时，应采用预防性方法，以避免或扭转过度能力、过度捕捞等不希望的结果，以及生态系统和小规模渔业的不希望的影响。
2. 每个东非共同体伙伴国都可以采取适当措施，包括季节性和渔具限制，以保护其领海并确保小规模 and 沿海渔业的可持续性。

3. The Parties shall promote the membership of all the concerned EAC Partner State(s) to the Indian Ocean Tuna Commission (IOTC) and other relevant fisheries organisations. The EAC Partner State(s) concerned, with the UK, shall coordinate action to ensure the management and conservation of all fish species, including tuna and tuna-like resources and facilitate relevant scientific research.
4. Where there is insufficient scientific evidence for the competent national management authority to determine limits and target levels of sustainable catch in an EAC Partner State's EEZ, the Parties in consultation with the competent national authority and together with IOTC and, where relevant, other regional fisheries organisations, shall cooperate to support such scientific analysis.
5. The Parties agree to take appropriate measures where an increase in effort results in catch levels above the target sustainable level established by the competent national authority.
6. In order to conserve and manage straddling stocks and highly migratory fish stocks, the UK and the EAC Partner State(s) shall ensure compliance by vessels flying their flags with relevant national, regional and sub-regional fisheries management measures and related national laws and regulations.

ARTICLE 55

Vessel Management and Post-Harvest Arrangements

1. Vessel management and post-harvest arrangements emerging from the IOTC and any other relevant regional fisheries organisations will be observed. The EAC Partner State(s) and the UK shall set out minimum terms and conditions with respect to monitoring, control and surveillance of UK fishing vessels operating in the waters of the EAC Partner State(s), which should include the following:
- (a) A Vessel Monitoring System (VMS) will be set up for the EAC Partner State(s), and all EAC Partner State(s) will use a compatible VMS. Those EAC Partner State(s) which do not have a VMS may be assisted by the UK to set up a compatible VMS.
 - (b) In addition to a compulsory compatible VMS system, all coastal EAC Partner State(s), in conjunction with the UK, will develop other mechanisms to ensure effective Monitoring, Control and Surveillance (MCS) and the UK may support the EAC Partner State(s) to put such an agreed system in place and assist in implementation.

3. 各方应促进所有相关东非共同体伙伴国加入印度洋金枪鱼委员会（IOTC）和其他相关渔业组织。相关东非共同体伙伴国与英国应协调行动，以确保所有鱼类的管理和保护，包括金枪鱼和类似金枪鱼资源的保护，并促进相关科学研究。
4. 当有管辖权的国家管理机构在东非共同体伙伴国的专属经济区内，因缺乏科学证据而无法确定可持续捕捞量的限制和目标水平时，各方应与有管辖权的国家当局协商，并与印度洋热带渔业委员会以及相关的区域渔业组织合作，共同支持此类科学分析。
5. 各方同意采取适当措施，当努力增加导致捕捞水平超过有管辖权的国家当局建立的目标可持续水平时。
6. 为了保护和管理跨区域种群和高度洄游鱼类种群，英国和东非共同体伙伴国应确保悬挂其旗帜的船舶遵守相关的国家、区域和次区域渔业管理措施以及相关的国家法律和法规。

ARTICLE 55

船舶管理和产后安排

1. 来自印度洋热带渔业委员会和任何其他相关区域渔业组织的船舶管理和产后安排将被遵守。东非共同体伙伴国和英国应就英国在东非共同体伙伴国水域作业的渔船的监测、控制和监视制定最低条款和条件，这些条款和条件应包括以下内容：
- (a) 将为东非共同体伙伴国设立船舶监测系统（VMS），所有东非共同体伙伴国将使用兼容的VMS。没有船舶监测系统的东非共同体伙伴国可能由英国协助设立兼容的VMS。(b) 除了强制使用的兼容VMS系统外，所有沿海东非共同体伙伴国将联合英国，开发其他机制以确保有效的监测、控制与监视（MCS），英国可能支持东非共同体伙伴国实施已商定的系统并协助实施。

- (c) The UK and the EAC Partner State(s) shall have the right of placing observers, whether in national or international waters, with the procedures concerning the deployment of observers being well stipulated. Observers are to be paid by the national governments but all costs on board are to be met by the ship-owner. The UK may support the costs of training observers.
- (d) Common systems of reporting of fishing will be developed and used throughout the region, with minimum terms set for reporting.
- (e) All vessels that land or tranship their catch within an EAC Partner State shall do so in ports or outer-port areas. No transhipment shall be allowed at sea, except on particular conditions foreseen by the relevant Regional Fisheries Management Organisation (RFMO). The Parties shall cooperate to develop and modernise landing or transhipment infrastructure in ports of the EAC Partner State(s), including development capacity of fish products.
- (f) Discards reporting shall be compulsory. Priority should be given to avoiding discards through the use of selective fishing methods in line with principles of the IOTC and relevant regional fisheries organisations. As far as possible, by-catch shall be brought ashore.

2. The Parties agree to cooperate in developing and implementing national/regional training programmes for EAC nationals in order to facilitate their effective participation in the fishing industry. If the UK negotiates a bilateral fisheries agreement, employment of nationals of the EAC Partner State(s) shall be encouraged. The International Labour Organisation (ILO) Declaration on fundamental principles and rights at work shall apply as of right to seamen signed on UK vessels.

3. The Parties shall undertake coordinated efforts to improve the means for preventing, deterring, and eliminating IUU fishing, and to this end take appropriate measures. Fishing vessels involved in IUU fishing should be confiscated and the owners prosecuted by the competent authorities. They should not be allowed to fish again in waters of the EAC Partner State(s) concerned unless prior authorisation has been obtained from both the flag State and the concerned EAC Partner State(s) as well as, where relevant, the RFMO concerned.

(c)英国和东非共同体伙伴国应有权在国家或国际水域部署观察员，观察员的部署程序应明确规定。观察员应由国家政府支付报酬，但船上所有费用应由船东承担。英国可能支持观察员的培训费用。

(d) 捕鱼报告共同系统将在整个地区得到发展和使用，并设定报告最低标准。(e) 所有在东非共同体伙伴国境内卸货或转运渔获的船舶，均应在港口或外港区域进行。除相关区域渔业管理组织（RFMO）预见的特定条件外，不得在海上进行转运。缔约方应合作发展和现代化东非共同体伙伴国的港口卸货或转运基础设施，包括鱼产品开发能力。(f) 废弃物报告将强制执行。应优先通过使用符合印度洋热带渔业委员会（IOTC）及相关区域渔业组织原则的选择性捕鱼方法来避免废弃物。尽可能地将兼捕上岸。

2. 缔约方同意合作开发和实施针对东非共同体公民的国家/区域培训计划，以促进其有效参与渔业。如果英国谈判双边渔业协定，应鼓励雇佣东非共同体伙伴国公民。国际劳工组织（ILO）关于工作基本原则和权利宣言应自动适用于在英国船舶上签约的船员。

3. 各方应采取协调行动，改善预防、制止和消除非法、未报告和不管制捕捞的手段，并为此采取适当措施。参与非法、未报告和不管制捕捞的渔船应被没收，并由主管当局对船主提起诉讼。除非事先获得船旗国和有关东非共同体伙伴国的授权（如适用，还应获得相关区域渔业管理组织），否则不得允许其在有关东非共同体伙伴国的水域再次捕捞。

TITLE III
INLAND FISHERIES AND AQUACULTURE DEVELOPMENT

ARTICLE 56

Scope and Objectives

1. The provisions of this Title shall apply to inland fisheries, coastal and aquaculture development in the EAC Partner State(s) with respect to capacity building, technology transfer, SPS standards, investment and investment finance, environmental protection as well as legal and regulatory frameworks.
2. The objectives of cooperation in inland fisheries and aquaculture development will be to promote sustainable exploitation of inland fisheries resources, and enhance aquaculture production, remove supply-side constraints, improve fish and fish products quality to meet international SPS measures, improve access to the market of the UK, address intra regional trade barriers, attract capital inflows and investment into the sector, build capacity and enhance access to financial support for the private investors for inland fisheries and aquaculture development.

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 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 are those covered by Annex I of 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;

PART III
内陆渔业和水产养殖发展

ARTICLE 56

范围和目标

1. 本部分的条款应适用于东非共同体伙伴国（地区）的内陆渔业、沿海和水产养殖发展，涉及能力建设、技术转让、SPS标准、投资和投资融资、环境保护以及法律和监管框架。
2. 内陆渔业和水产养殖发展的合作目标将促进内陆渔业资源的可持续开发，提高水产养殖生产，消除供给侧约束，提高鱼和鱼产品质量以满足国际SPS措施，改善对英国市场的准入，解决区域内部贸易壁垒，吸引资本流入和投资进入该领域，建设能力并增强私人投资者在内陆渔业和水产养殖发展方面的资金支持。

PART IV
农业

第57条

范围和定义

1. 本部分的规定适用于作物、牲畜，包括有益昆虫。
2. 为本部分和第五部分第二编之目的，下列定义应适用：
- (a) 农业 包括作物、牲畜和有益昆虫；(b) 农产品 是指世界贸易组织农业协定附件一中所涵盖的内容；(c) 农业融资 是指为支持整个价值链中的农业相关活动提供财务资源，例如投入品供应、农业服务、生产、储存、分销、产品转化和营销；