

**1<sup>st</sup> EAC – EC SENIOR OFFICIALS MEETING ON NEGOTIATIONS OF A  
COMPREHENSIVE EPA  
6<sup>th</sup> MARCH 2008, ARUSHA**

**Joint Conclusions**

Senior Officials from the East African Community (EAC) Partner States and the European Commission met in Arusha on 6<sup>th</sup> March 2008. The EAC delegation was led by Dr. Sam G. Nahamya, Chairman of the EAC Coordination Committee/Permanent Secretaries on EPAs. The delegation of the EC was led by Mr. Peter Thompson, from DG Trade and also included representatives of DG Development and EC Delegations in Kenya, Tanzania, and Uganda.

The main purpose of the meeting was to discuss state of play regarding the Framework EAC-EC EPA in the context of signature and ratification, notification to the WTO and implementation issues; discussion on negotiations in view of concluding a comprehensive EPA by 31<sup>st</sup> July 2009 in accordance with Article 37 of the Framework Agreement.

The Senior Officials recalled that the EAC Partner States and the EC initialled the Framework EPA in November 2007 in order to avoid disruption in the flow of trade between the Parties at the expiry of the trade regime under the Cotonou Partnership Agreement. They further recalled that the Framework Agreement provides for negotiations of the comprehensive EPA by 31<sup>st</sup> July 2009. The Senior Officials also noted EU Council Regulation 1528 of 2007 under which the EC has taken measures to ensure that there is no disruption in the flow of trade between the ACP countries that have initialled a Framework Agreement or an EPA (including EAC Partner States) and the EU with the expiry of the Cotonou trade regime.

The Senior Officials noted that since the initialling, work on correcting errors and omissions in the Framework Agreement has been going on and resolved to work jointly to conclude the exercise of cleaning up the Framework Agreement by the end of March 2008 in order to pave way for initialling the corrected Agreement to pave way for signing. The Senior Officials reiterated that the correction of errors does not constitute a renegotiation of the initialled Framework Agreement. Accordingly, they agreed that correction of errors in the texts, *except on the EAC proposal on Article 13*, was complete and noted that the EAC was finalizing the correction of errors in transposing her Market Access offer from HS 2002 to HS 2007. They therefore agreed to forward the proposed correction on Article 13 for further legal scrutiny with a view to verifying whether the proposed change by EAC is a substantive change. The Senior Officials agreed on the need to fulfill the requirement of notification of the Agreement to the WTO, after the signing and ratification, as a crucial step to prevent and counter criticism from other

WTO Members. To this end, there is a need to work on an information exercise prior to notification, including through a joint information event in Geneva for WTO Members.

The Senior Officials noted that implementation issues, such as formation of the EPA Council and establishment of the Special Committee on Customs Cooperation, would be addressed after the signing of the Framework EPA.

The Senior Officials resolved to work jointly in continuing with the negotiations of the Comprehensive EPA in accordance with Article 37 of the Framework Agreement. They agreed that negotiations would take place at technical, Permanent Secretaries/Senior Officials, and Ministerial levels.

The Senior Officials noted the challenge which exporters of tuna loins to the EU were facing due to shortage of originating fish. The EC explained that the way out of this challenge until the Framework Agreement is signed is for the concerned countries to apply for standard derogation providing all the required information in accordance with Article 36 of Annex II to the EC Regulation 1528 of 2007.

The Senior Officials deliberated on a negotiating structure to guide negotiations of the comprehensive EPA. They noted that the structure would be at three levels: Technical/Expert level, Permanent Secretary/Director (Senior Officials) and Ministerial levels. The Senior Officials also agreed that negotiations would cover the following clusters: Market Access, Trade in Services, Economic and Development Cooperation, Trade Related Issues, and Legal and Institutional Issues.

The Senior Officials further adopted a broad road map to enable them conclude negotiations of the Comprehensive EPA as scheduled. The broad road map foresees a Senior Officials meeting in April 2008, a Senior Officials meeting in June 2008, a Permanent Secretaries/Senior Officials meeting in September 2008, a Ministerial meeting in December 2008, a Permanent Secretaries/Senior Officials in February 2009, a Senior Officials meeting in April 2009 and Ministerial meeting in June 2009. The Senior Officials agreed that the broad road map annexed to this Joint Conclusion shall take into account the progress of the negotiations and can be adapted accordingly.

**Dr. Sam G. Nahamya**  
**Chairman,**  
**EAC Coordination Committee on EPAs**

**Peter Thompson**  
**Director,**  
**DG Trade, European**  
**Commission**