



EAST AFRICAN COMMUNITY EAST AFRICAN LEGISLATIVE ASSEMBLY

RESOLUTION OF THE ASSEMBLY URGING THE EAC PARTNER STATES TO HALT THE SIGNING OF THE EU-EAC EPAs UNTIL REVISIONS ARE MADE TO THE FRAMEWORK AGREEMENT

By: Hon. Dr. James Ndahiro

WHEREAS the European Union (EU) is negotiating new trade deals with African, Caribbean and Pacific (ACP) Countries under the framework of the Economic Partnership Agreements (EPAs);

AND WHEREAS a number of African Countries including EAC Partner States signified their willingness to sign the EPAs Framework by the act of initialing non-binding agreements to indicate their good faith to proceed with the arrangements to negotiate comprehensive EPAs;

AND WHEREAS the EU previously engaged the EAC Partner States at bi-lateral level before adopting the current regional approach which therefore necessitates a review of the text in accordance with the EAC approval process;

COGNIZANT of the fact that the EAC Partner States and stakeholders including Parliaments are aware of the regional approach and have raised some concerns in a bid to revise the EPAs Framework prior to signing. The views which stakeholders feel should be incorporated in the framework to form the basis for negotiating a comprehensive framework; which procedure the EU has not agreed to are as follows;

- *that Articles 16, 32 and 36 have not been resolved between the negotiators and should therefore be resolved first;*
- *that the Singapore issues that include investment, government procurement amongst others are unresolved matters at the WTO;*
- *that the Doha development agenda and the Doha Ministerial Statement both emphasize the need to respect the special and differential treatment accorded to developing countries by the WTO instruments and concerned that the current EPA text does not take this into consideration;*
- *that EAC countries production capacities are not as competitive as EU's and in terms of trade, this may most likely displace EAC's products on the market thereby undermining or negatively impacting on the EAC's industrialization Policy Framework including tariff regimes;*

- *that food security and Agriculture which is the bedrock of the region's economy yet at the same time EU countries effectively subsidize farmers; which situation may expose EAC's farmers in the EAC region to unfair competition particularly in the dairy sector; **AND CONCERNED** that this may worsen the food security situation of the region;*
- *that the relationship if not well and fairly negotiated will expose EAC countries to unfair trading terms with the EU which has stringent protectionist policies, and this will not be commensurate to our aspired development benchmarks;*

NOTING the validity of the various arguments raised confirming that the Framework as it exists is outdated as evidenced by *Article 32* of the EPAs framework and as evidenced by the current developments in the EAC such as the regional approach;

AWARE that the EPAs is supposed to provide an excellent opportunity not only for free trade, but most importantly the opportunity for fair trade between the EU and EAC/or individual EAC Partner States amongst others;

CONCERNED HOWEVER that the outstanding issues if not resolved and included in the EPAs framework will bind the EAC to poor trading terms on the presumption that these issues will not be discussed during the negotiation of the comprehensive EPAs;

NOW THEREFORE this Assembly do resolve as follows:

1. **THAT** the Council of Ministers delays the signing of the EPAs Framework with a view to urging the EU to work with EAC Partner States to review and revise the Framework to include interests of both parties.
2. **THAT** the draft Framework be subjected to the Parliamentary approval process both in the Partner States and at regional level.

Done at Mombasa on the 3^d day of June 2010.