

FINAL ACT

The representatives of

THE REPUBLIC OF BURUNDI

THE REPUBLIC OF KENYA

THE REPUBLIC OF RWANDA

THE UNITED REPUBLIC OF TANZANIA

THE REPUBLIC OF UGANDA

hereinafter referred to as the "EAC Partner States",

on the one part, and

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

and

THE EUROPEAN COMMUNITY (EC),

hereinafter jointly referred to as the "EC Party",

on the other part,

meeting at [town, country] on the [day] of [month] 2009 for the signature of the Agreement establishing a Framework for an Economic Partnership Agreement between the East African Community Partner States on one part and the European Community and its Member States on the other part, have at the time of signature of the Agreement:

– adopted the following Annexes, Protocols and the following Joint Declarations:

ANNEX I: Customs Duties on Products Originating in the EAC Partner States

ANNEX II: Customs Duties on Products Originating in the EC Party

PROTOCOL 1: Concerning the Definition of the Concept of "Originating Products" and Methods of Administrative Cooperation; and the Annexes thereto

PROTOCOL 2: On Mutual Administrative Assistance in Customs Matters; and the Annexes thereto

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Final Act.

Done at [town, country] on the [...] day of [month] in the year two thousand and nine.

JOINT DECLARATION
CONCERNING THE PRINCIPALITY OF ANDORRA

1. Products originating in the Principality of Andorra falling within Chapters 25 to 97 of the Harmonised System shall be accepted by the EAC Partner States as originating in the European Community within the meaning of this Agreement.
2. Protocol 1 shall apply *mutatis mutandis* for the purpose of defining the originating status of the above-mentioned products.

JOINT DECLARATION
CONCERNING THE REPUBLIC OF SAN MARINO

1. Products originating in the Republic of San Marino shall be accepted by the EAC Partner States as originating in the European Community within the meaning of this Agreement.
2. Protocol 1 shall apply *mutatis mutandis* for the purpose of defining the originating status of the above-mentioned products.

JOINT DECLARATION
CONCERNING TUNA QUOTAS

This Joint Declaration clarifies the application for the year 2009 of Article 41(8) of Protocol 1 to the Framework Economic Partnership Agreement concerning the definition of the concept of "originating products" and methods of administrative cooperation which provides for the automatic derogation for an annual quota of 2.000 tons of tuna loins.

Parties note that the derogations for processed tuna granted under Regulation (EC) No. 1528/2007 are an advanced provisional application of the automatic derogation included in the Framework Economic Partnership Agreement as provided for in Article 45(6) thereof. Therefore, the Parties note that the global annual quota of a total of 2.000 tons of tuna loins will be respected in 2009 under the combination of the derogation granted under Council Regulation (EC) No. 1528/2007 and the automatic derogation included in the Framework Economic Partnership Agreement.

To this end, the Parties note that the global annual quota of the automatic derogation for 2009 after the Agreement is provisionally applied will be reduced by the quantities effectively used from 1 January 2009 until the date of provisional application of the Framework Economic Partnership Agreement as regards the EAC Partner State benefiting from the derogation granted under Regulation (EC) No. 1528/2007. In order to facilitate this understanding, these quantities will be notified to the EC within a period of 60 days following the date of provisional application of the Framework Economic Partnership Agreement as regards the EAC State benefiting from the derogation.

The adapted 2009 automatic derogation quota will be implemented through a Decision of the Customs Cooperation Committee provided for in Article 43 of Protocol 1 concerning the definition of the concept of "originating products" and methods of administrative cooperation.