



Council of the
European Union

Brussels, 6 July 2016
(OR. en)

10533/16

Interinstitutional File:
2016/0038 (NLE)

ACP 99
WTO 171
COAFR 191
RELEX 560

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion of the Economic Partnership Agreement between the East African Community Partner States, of the one part, and the European Union and its Member States, of the other part

COUNCIL DECISION (EU) 2016/...

of

**on the conclusion of the Economic Partnership Agreement
between the East African Community Partner States, of the one part,
and the European Union and its Member States, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 207(3) and (4), and Article 209(2), in conjunction with Article 218(6)(a), thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament^{1, *}

¹ Consent of ... (not yet published in the *Official Journal*).

* OJ: please complete the date of Parliament's consent to procedure 2016/0038 (NLE) in the footnote.

Whereas:

- (1) The Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part¹, calls for the conclusion of WTO-compatible Economic Partnership Agreements.
- (2) On 12 June 2002, the Council authorised the Commission to open negotiations for such Economic Partnership Agreements.
- (3) Those negotiations have been concluded, and an Economic Partnership Agreement between the East African Community Partner States (the Republic of Burundi, the Republic of Kenya, the Republic of Rwanda, the United Republic of Tanzania, and the Republic of Uganda), of the one part, and the European Union and its Member States, of the other part, (hereinafter referred to as the 'Agreement') was initialled on 16 October 2014.
- (4) In accordance with Council Decision No [...] of [...],^{2*} the Agreement was signed on [...] subject to its conclusion at a later date.

¹ OJ L 317, 15.12.2000, p. 3 Agreement as amended by the Agreement signed in Luxembourg on 25 June 2005 (OJ L 209, 11.8.2005, p. 27) and by the Agreement signed in Ouagadougou on 22 June 2010 (OJ L 287, 4.11.2010, p. 3.)

² OJ L

* OJ: please complete the publication reference, the date of signature of the Agreement and the footnote for Council Document 6296/16.

- (5) The Agreement has been provisionally applied since [...] pending its entry into force.*
- (6) The Agreement should be concluded on behalf of the European Union,

HAS ADOPTED THIS DECISION:

* OJ: please complete the date of provisional application, as published in the OJ C series by the Commission in accordance with Council Document 6296/16.

Article 1

The Economic Partnership Agreement between the East African Community Partner States, of the one part, and the European Union and its Member States, of the other part, is hereby approved on behalf of the Union.^{1*}

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 139 of the Agreement.²

Article 3

The Agreement shall not be construed as conferring rights or imposing obligations which can be directly invoked before Union or Member State courts and tribunals.

¹ The Agreement has been published in OJ L ... together with the decision on signature.

* OJ please complete the footnote with the publication details of the Agreement attached to Council Document 6298/16.

² The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at ...,

For the Council

The President
