



Brussels, 11.2.2016
COM(2016) 63 final

ANNEX 2

ANNEX

to the

Proposal for a Council Decision

on the signature and provisional application of the Economic Partnership Agreement (EPA) between the East African Community (EAC) Partner States, of the one part, and the European Union and its Member States, of the other part

ANNEX I

CUSTOMS DUTIES ON PRODUCTS ORIGINATING IN THE EAC PARTNER STATES

1. Without prejudice to paragraph 4, customs duties of the EU (hereinafter "EU customs duties") shall be entirely eliminated on all products of Chapters 1 to 97 of the Harmonized System, except those of Chapter 93 thereof, originating in an EAC Partner State on the date of entry into force of this Agreement. For products of Chapter 93, the EU shall continue to impose the applied Most Favoured Nation duty rate (hereinafter "MFN duty rate").
2. The importation of products of tariff heading 1701 originating in any EAC Partner State that is recognised by the United Nations as a least developed country shall remain subject to the provisions of Article 51¹.
3. As of 1 October 2015, for the purpose of the application of the provisions of Article 50, disturbances in the markets of products of tariff heading 1701 may be deemed to arise in situations where the EU market price of white sugar falls during two consecutive months below 80 per cent of the EU market price for white sugar prevailing during the previous marketing year.
4. Paragraph 1 shall not apply to products of tariff headings 1701 and 0803 0019 originating in EAC Partner States and released for free circulation in the French overseas departments. This provision shall be applicable for a period of ten (10) years from the date of entry into force of this Agreement. This period shall be extended for a further period of ten (10) years unless the Parties agree otherwise.

¹ For this purpose and by derogation from Article 50, an individual State recognised by the United Nations as a least developed country may be subject to safeguard measures.