

COUNCIL DECISION**of 29 September 1970****on the conclusion of the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya****(70/545/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 228 thereof;

Having regard to the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, signed at Arusha on 24 September 1969;

Having consulted the European Parliament¹,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, the five Protocols attached thereto and the Annexes to the Final Act, signed at Arusha on 24 September 1969, are concluded, approved and confirmed on behalf of the Community.

Article 2

The President of the Council shall notify this Decision in accordance with Article 33 of the Agreement.

Done at Brussels, 29 September 1970.

*For the Council**The President*

S. von BRAUN

¹ OJ No C 2, 8.1.1970, p.6.

**Agreement establishing an Association between the European Economic Community and the
United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya
(70/546/EEC)**

CONTENTS

TEXT OF THE AGREEMENT

		Page
PREAMBLE		
Title I :	Trade	96
Title II :	Right of establishment and services	99
Title III :	Payments and capital	100
Title IV :	Institutional provisions	100
Title V :	General and final provisions	101

PROTOCOLS

Protocol No 1	concerning the implementation of Article 2 (2) of the Association Agreement	104
Protocol No 2	concerning unroasted coffee, cloves and tinned pineapple	104
Protocol No 3	concerning the implementation of Article 3 of the Association Agreement ..	105
Protocol No 4	concerning the concept of 'originating products' for the purpose of implementing the Association Agreement	111
Protocol No 5	concerning the implementation of the Association Agreement and the establishment of international agreements on the granting of generalized preferences	111

PREAMBLE

His Majesty the King of the Belgians,
The President of the Federal Republic of Germany,
The President of the French Republic,
The President of the Italian Republic,
His Royal Highness the Grand Duke of Luxembourg,
Her Majesty the Queen of the Netherlands,

Contracting Parties to the Treaty establishing the European Economic Community signed at Rome on 25 March 1957, hereinafter referred to as 'the Treaty', whose States are hereinafter referred to as the 'Member States', and

The Council of the European Communities
on the one hand, and

The President of the United Republic of Tanzania,
The President of the Republic of Uganda,
The President of the Republic of Kenya,

Contracting Parties to the Treaty for East African Cooperation establishing the East African Community, signed at Kampala on 6 June 1967, whose States are hereinafter referred to as the 'Partner States of the East African Community',

on the other hand.

Having regard to the Treaty establishing the European Economic Community:

Taking into consideration the Association Agreement signed at Arusha on 26 July 1968:

Wishing to demonstrate their common desire to maintain and strengthen their friendly relations, observing the principles of the Charter of the United Nations;

Resolved to develop economic relations between the Partner States of the East African Community and the European Economic Community;

Conscious of the importance of the development of cooperation and trade and of intra-African international economic relations;

Taking into consideration the Treaty for East African cooperation, establishing the East African Community;

Have decided to conclude an Agreement establishing an Association between the European Economic Community and the Partner States of the East African Community, in accordance with Article 238 of the Treaty establishing the European Economic Community;

and to this end have designated as Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:
Mr Joseph Van der Meulen,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:
Mr Günther Harkort,
State Secretary at the Ministry of Foreign Affairs;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Mr Yvon Bourges,
State Secretary at the Ministry of Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Mr Mario Pedini,
Deputy State Secretary at the Ministry of Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Mr Georges Dupong,
Minister of Education, Labour and Social Security;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

Mr H. J. de Koster,
State Secretary at the Ministry of Foreign Affairs;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Mr H. J. De Koster,
President in Office of the Council of the European Communities:

Mr Henri Rochereau,
Minister of the Commission of the European Communities;

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA:

Hon Abdulraman Mohamed Babu,
Minister for Commerce and Industry;

THE PRESIDENT OF THE REPUBLIC OF UGANDA:

Hon William Wilberforce Kalema,
Minister for Commerce and Industry;

THE PRESIDENT OF THE REPUBLIC OF KENYA:

Hon Mwai Kibaki,
Minister for Commerce and Industry;

Who, having exchanged their Full Powers, found in good and due form,

HAVE AGREED UPON THE FOLLOWING PROVISIONS:

Article 1

1. By this Agreement an Association is established between the European Economic Community and the Partner States of the East African Community.
2. The aim of the Association Agreement is to promote an increase of trade between the European Economic Community and the Partner States of the East African Community and thus contribute to the development of international trade.

TITLE I**TRADE***Article 2*

1. Products originating in the Partner States of the East African Community shall on importation into the European Economic Community, be admitted free of customs duties and charges having equivalent effect, but the treatment applied to these products may not be more favourable than that applied by the Member States among themselves.

2. The provisions of paragraph 1 above shall not, however, prejudice the import treatment applied to:

- such products listed in Annex II of the Treaty as come under a common organization of the market within the meaning of Article 40 of the Treaty;
- products subject, on importation into the European Economic Community, to specific rules as a consequence of the implementation of the common agricultural policy.

The provisions of Protocol No 1 to this Agreement stipulate the conditions under which the European Economic Community shall determine the treatment to be applied.

notwithstanding the general treatment in force *vis-à-vis* third countries, to the products referred to above, when such products originate in the Partner States of the East African Community.

With regard to unroasted coffee, cloves (whole fruit, cloves and stems) and tinned pineapple, the special provisions laid down in Protocol No 2 to this Agreement shall apply.

3. At the request of one or more Partner States of the East African Community, there shall be consultations within the Association Council regarding the conditions of application of this Article.

Article 3

1. Products originating in Member States shall, when imported into Partner States of the East African Community, benefit, under the terms of Protocol No 3 to this Agreement, from the elimination of any customs duties and charges having equivalent effect which the Partner States of the East African Community apply to imports of these products into their territories.

2. The Partner States of the East African Community may, however, retain or introduce, under the terms of Protocol No 3 to this Agreement, customs duties and charges having equivalent effect which are necessary to meet their development needs or which are intended to contribute to their budgets.

3. The customs duties and charges having equivalent effect levied by the Partner States of the East African Community in accordance with paragraph 2 above may not give rise, *de jure* or *de facto*, to any direct or indirect discrimination between Member States.

4. At the request of the European Economic Community, there shall be consultations within the Association Council regarding the conditions of application of this Article.

Article 4

1. In so far as the Partner States of the East African Community levy duties on exports of their products to Member States, these duties may not give rise, *de jure* or *de facto*, to any direct or indirect discrimination between Member States.

2. Without prejudice to the application of Article 14 (2), there shall be consultations within the Association Council if the application of such duties leads to serious disturbances in the conditions of competition.

Article 5

1. The European Economic Community shall not apply to imports of products originating in the Partner States of the East African Community any quantitative restrictions or measures having equivalent effect other than those that the Member States apply among themselves.

2. The provisions of paragraph 1 above, however, shall not prejudice the import treatment accorded to the products referred to in Article 2 (2a).

3. At the request of one or more Partner States of the East African Community, there shall be consultations within the Association Council regarding the conditions of application of this Article.

Article 6

1. The Partner States of the East African Community shall not apply any quantitative restrictions or measures having equivalent effect to the importation of products originating in Member States.

2. Notwithstanding the provisions of paragraph 1 above, the Partner States of the East African Community may retain or introduce new quantitative restrictions on the importation of products originating in Member States in order to meet their development needs or in the event of difficulties in their balance of payments or, where agricultural products are concerned, in connection with the development of the East African Common Market as provided for in the Treaty for East African Cooperation. Development needs are those listed in Article 2 of Protocol No 3 to this Agreement.

Application of such restrictions may not give rise, *de jure* or *de facto*, to discrimination against Member States *vis-à-vis* third countries.

3. Application of the measures referred to in paragraph 2 above shall be subject to the proviso that the Partner States of the East African Community keep opportunities of importation open, without discrimination, to products originating in the European Economic Community.

Nevertheless, where sales of a specific product meet with difficulties on the domestic market of the Partner States of the East African Community, those States may, notwithstanding the preceding subparagraph and subject to prior consultation within the Association Council, suspend imports of that product for a limited period, to be fixed case by case, on condition that they produce evidence of the existence of such difficulties and provide any explanations necessary for an assessment of the need to prohibit imports.

4. On the coming into force of this Agreement, the Partner States of the East African Community shall submit to the Association Council a list of the products subject to quantitative restrictions on imports applied in accordance with the provisions of paragraph 2 above, and any information they possess that may allow the Member States to know what opportunities there are for importing into the Partner States of the East African Community products subject to quantitative restrictions.

At the request of the European Economic Community, there shall be consultations within the Association

Council regarding the conditions of application of these restrictions.

5. The Partner States of the East African Community shall, upon the introduction of any new quantitative restrictions in accordance with the provisions of paragraph 2 above, immediately notify the Association Council. As soon as the notification has been given, there shall be consultations within the Association Council, at the request of the European Economic Community.

6. On the coming into force of this Agreement, the Partner States of the East African Community shall notify the Association Council of the foreign trade regulations applicable to Member States.

The Association Council shall be notified of any change in these regulations.

Article 7

The provisions of Articles 5 and 6 shall not prejudice the treatment that any Contracting Party signatory to a world agreement accords to any product under such an agreement.

Article 8

Without prejudice to special provisions for border trade or to Articles 9 and 10:

- (a) the treatment that the Partner States of the East African Community apply by virtue of this Title to products originating in Member States shall not be less favourable than that applied to products originating in the most favoured third country;
- (b) the treatment that the Partner States of the East African Community apply by virtue of this Title to their products on exportation to the European Economic Community shall not be less favourable than that applied to products exported to the most favoured third country.

Article 9

The Partner States of the East African Community may maintain or establish among themselves customs unions or free trade areas or conclude among themselves economic cooperation agreements.

The Association Council shall be kept informed by the Partner States of the East African Community.

Article 10

1. The Partner States of the East African Community may maintain or establish customs unions or free trade areas or conclude economic cooperation agreements with one or more African third countries at a comparable stage of development, provided that this does not lead to any change in the provisions concerning origin for the purpose of implementing this Agreement.

The Association Council shall be kept informed by the Partner States of the East African Community.

2. At the request of the European Economic Community, there shall be consultations within the Association Council.

3. If these consultations reveal any incompatibility between the undertakings given by the Partner States of the East African Community and the principles or provisions of this Agreement, the Association Council shall, in case of need, take any measures necessary for the smooth functioning of the Association. It may also make any recommendations deemed useful.

Article 11

The Partner States of the East African Community may likewise maintain or establish customs unions or free trade areas or conclude economic cooperation agreements with one or more other third countries, provided that such customs unions, free trade areas or economic cooperation agreements neither are nor prove to be incompatible with the principles or provisions of this Agreement.

The Association Council shall be kept informed by the Partner States of the East African Community.

At the request of the European Economic Community, there shall be consultations within the Association Council.

Article 12

The provisions of Articles 5 and 6 shall not preclude prohibitions or restrictions on imports, exports or transit justified on grounds of public morality, public policy, public security, the protection of human or animal life or health, or plant preservation, the protection of national treasures possessing artistic, historic or archaeological value, or the protection of industrial or commercial property.

However, such prohibitions or restrictions shall not constitute a means of arbitrary discrimination or a disguised restriction on trade.

Article 13

1. On matters of trade policy the Contracting Parties shall keep each other informed and, should one of them so request, shall consult within the Association Council for the purpose of the proper implementation of this Agreement.

2. The information given and the consultations held shall bear on measures concerning trade with third countries if these measures are likely to harm the interests of any Contracting Party.

Article 14

1. If serious disturbances occur in a sector of the economy of one or more Partner States of the East African Community or jeopardize their external financial stability, or if difficulties arise which result in a deterioration in the economic situation of a region in the East African Community, the Partner State or States concerned may, notwithstanding the provisions of Article 3 and 6, take the necessary protective measures.

These measures and the methods of applying them shall be notified immediately to the Association Council.

2. If serious disturbances occur in a sector of the economy of the European Economic Community or of one or more of its Member States or jeopardize their external financial stability, or if difficulties arise which result in a deterioration in the economic situation of a region in the European Economic Community, that Community may take, or may authorize the Member State or States concerned to take, the necessary protective measures, notwithstanding the provisions of Articles 2 and 5.

These measures and the methods of applying them shall be notified immediately to the Association Council.

3. For the purpose of implementing paragraphs 1 and 2 above, priority shall be given to such measures as would least disturb the functioning of the Association. These measures shall not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.

4. There shall be consultations within the Association Council regarding measures taken in implementation of paragraphs 1 or 2 above. Such consultations shall be held at the request of the European Economic Community in respect of measures under paragraph 1, and at the request of the Partner States of the East African Community in respect of those under paragraph 2.

Article 15

Without prejudice to the special provisions laid down in this Agreement, each Contracting Party shall refrain from any measure or practice of an internal fiscal nature that directly or indirectly leads to discrimination between its own products and like products originating in the territory of the other Contracting Parties.

TITLE II

RIGHT OF ESTABLISHMENT AND SERVICES

Article 16

The Partner States of the East African Community shall ensure that, in the matter of the right of establishment and the provision of services, there shall be no discriminatory treatment, *de jure* or *de facto*, between nationals or between companies of Member States.

Article 17

Should one or more Partner States of the East African Community grant nationals or companies of a non-Member State more favourable treatment as regards the right of establishment or provision of services, such treatment shall be extended by the Partner State or States concerned to nationals or companies of the Member States, except where it arises out of regional agreements.

Nevertheless, nationals or companies of a Member State may not, for a specific activity, benefit in a Partner State of the East African Community from the provisions of this Article if the Member state to which they belong does not grant the nationals or companies of the Partner State of the East African Community concerned, as regards the right of establishment or provision of services, the same advantages for the activity in question as those obtained by the Partner State of the East African Community through an agreement with a non-Member State referred to in the preceding paragraph.

Article 18

Without prejudice to the provisions relating to movements of capital, the right of establishment within the meaning of this Agreement shall include the right to engage in and to exercise self-employed activities: to set up and manage undertakings and, in particular, companies; and to set up agencies, branches or subsidiaries.

Article 19

Services within the meaning of this Agreement shall be deemed to be services normally provided against remuneration, provided that they are not governed by the provisions relating to trade, the right of establishment or movements of capital. Services shall include in particular activities of an industrial character, activities of a commercial character, artisan activities and activities of the liberal professions, excluding activities of employed persons.

Article 20

1. Companies within the meaning of this Agreement shall be deemed to be companies under civil or commercial law, including cooperative societies and other legal persons under public or private law, but not including non-profit-making bodies.

2. 'Company of a Member State or of a Partner State of the East African Community' shall mean any company constituted in accordance with the law of a Member State or of a Partner State of the East African Community and having its registered office, central administration or main establishment in a Member State or in a

Partner State of the East African Community; nevertheless, should it have only its registered office in a Member State or in a Partner State of the East African Community, its business must have an effective and continuous link with the economy of that Member State or of that Partner State of the East African Community.

TITLE III

PAYMENTS AND CAPITAL

Article 21

The Member States and the Partner States of the East African Community shall authorize payments relating to trade in goods and in services, and also the transfer of such payments to the Partner State of the East African Community or to the Member State in which the creditor or the beneficiary is resident, in so far as the movement of goods and services has been liberalized in pursuance of this Agreement.

Article 22

The Partner States of the East African Community shall treat nationals and companies of Member States on an equal footing in respect of investments made by them, of capital movements and of current payments resulting therefrom, and also of transfers connected with such operations.

TITLE IV

INSTITUTIONAL PROVISIONS

Article 23

1. For the purpose of attaining the aims set out in this Agreement, there shall be established an Association Council. It shall have the power to take decisions in the cases provided for in this Agreement: such decisions shall be binding on the Contracting Parties, who must take such measures as are required to implement these decisions.

The Association Council may examine all matters relating to the implementation of this Agreement; it may formulate appropriate recommendations, and it shall undertake the consultations provided for by this Agreement.

2. The Association Council shall periodically review the results of the Association arrangements, taking into account the objectives of this Association.

3. The Association Council shall lay down its rules of procedure.

Article 24

1. The Association Council shall be composed, on the one hand, of the members of the Council and of members of the Commission of the European Communities and, on the other hand, of members of the Government of each Partner State of the East African Community and of representatives of the East African Community.

Any member of the Association Council may send a representative in accordance with conditions to be laid

down in its rules of procedure. The Association Council shall meet either at the level of ministers or at the level of their representatives.

2. In the case of meetings at ministerial level, decisions of the Association Council may be validly made only if, for the European Economic Community, a member of the Council and a member of the Commission of the European Communities, and, for the Partner States of the East African Community, a member of the Government of each Partner State of the East African Community, are present.

3. The Association Council shall act by mutual agreement between the European Economic Community on the one hand and the Partner States of the East African Community on the other.

Article 25

The office of President of the Association Council shall be held alternately by a member of the Council of the European Communities and a member of the Government of a Partner State of the East African Community.

Article 26

Meetings of the Association Council shall be called once a year by its President.

The Association Council shall, in addition, meet whenever necessary, in accordance with the conditions to be laid down in its rules of procedure.

Article 27

The Association Council may decide to set up a committee to assist the Council in the performance of its task and, in particular, to ensure the continuity of cooperation necessary for the smooth functioning of the Association.

In its rules of procedure the Association Council shall determine the composition and duties of the committee and how it shall function.

The Association Council may delegate to the committee the exercise of the powers entrusted to it by this Agreement, under the terms and within the limits laid down by the Association Council.

Article 28

1. Any dispute concerning the interpretation or the application of this Agreement which arises between one or more Member States or the European Economic Community on the one hand, and one or more Partner States of the East African Community on the other, may be brought before the Association Council.

2. If the Association Council fails to settle the dispute at its subsequent meeting, either Party may notify the

other of the appointment of an arbitrator; the other Party must then appoint a second arbitrator within two months. For the application of this procedure, the European Economic Community and the Member States shall be deemed to be one Party to the dispute.

The Association Council shall appoint a third arbitrator.

The decisions of the arbitrators shall be taken by majority vote.

3. Each Party to the dispute must take the measures required for the implementation of the arbitrators' decision.

Article 29

A Parliamentary Committee of the Association shall meet once a year to discuss matters concerning the Association.

It shall be composed, on a basis of parity, of members of the European Parliament and of members of the Parliaments of the Partner States of the East African Community.

It shall lay down its rules of procedure.

TITLE V

GENERAL AND FINAL PROVISIONS

Article 30

No Treaty, convention, agreement or arrangement of any kind between one or more Member States and one or more Partner States of the East African Community may impede the implementation of the provisions of this Agreement.

Article 31

1. The Association Council shall be informed of any request for membership of or association with the European Economic Community made by any State.

2. Any request for association with the European Economic Community made by a State whose economic structure and production are comparable with those of the Partner States of the East African Community, and which, after examination by the European Economic Community, has been referred by the latter to the Association Council, shall be the subject of consultations within the Association Council.

Article 32

This Agreement shall apply to the European territory of the Member States and to the French overseas departments on the one hand, and to the territory of the Partner States of the East African Community on the other.

Article 33

1. As regards the European Economic Community, this Agreement shall be validly concluded by a decision of the Council of the European Communities taken in conformity with the provisions of the Treaty and notified to the Parties to this Agreement. It shall be ratified by the Signatory States in conformity with their respective constitutional requirements.

2. The instruments of ratification of the Signatory States and the act of notification of the conclusion of this Agreement by the European Economic Community shall be exchanged in Brussels.

Article 34

This Agreement shall come into force on the first day of the month following the date on which the instruments of ratification and the act of notification have been exchanged.

Article 35

1. This Agreement shall be concluded for a period of five years from its entry into force and shall expire by 31 January 1975 at the latest.

2. This Agreement may be terminated by the European Economic Community in respect of each Partner State of the East African Community, and by each Partner State of the East African Community in respect of the European Economic Community, upon six months' notice.

Article 36

1. Eighteen months before the expiry of this Agreement, the Contracting Parties shall examine the provisions that might be made for a further period.

2. The Association Council shall take any transitional measures required until a new agreement comes into force.

Article 37

The Protocols annexed to this Agreement shall form an integral part thereof.

Article 38

This Agreement shall be drawn up in two copies, in the German, French, Italian, Dutch and English languages, each of these texts being equally authentic.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent Accord.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente Accordo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

Geschehun zu Arusha am sechsundzwanzigsten Juli neunzehnhundertachtundsechzig

Fait à Arusha, le vingt-six juillet mil neuf cent soixante huit

Fatto a Arusha, il ventisei luglio millenovecentosessantotto

Gedaan te Arusha, de zesentwintigste juli negentienhonderd acht en zestig

Done at Arusha on the twenty-sixth day of July in the year one thousand nine hundred and sixty-eight

Pour Sa Majesté le Roi des Belges,
Voor Zijne Majesteit de Koning der Belgen.

Joseph VAN DER MEULEN

Für den Präsidenten der Bundesrepublik Deutschland,

Hans-Georg SACHS

Pour le Président de la République Française,

Yvon BOURGES

Per il Presidente della Repubblica Italiana,

Franco Maria MALFATTI

Pour Son Altesse Royale le Grand-Duc de Luxembourg,

Albert BORSCHETTE

Voor Hare Majesteit de Koningin der Nederlanden,

H.J. de KOSTER

Im Namen des Rates der Europäischen Gemeinschaften,

Pour le Conseil des Communautés Européennes,

Per il Consiglio delle Comunità Europee,

Voor de Raad der Europese Gemeenschappen.

Franco Maria MALFATTI

Henri ROCHEREAU

Mit dem Vorbehalt, dass für die Europäische Wirtschaftsgemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie den anderen Vertragsparteien Notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren stattgefunden haben.

Sous réserve que la Communauté Economique Européenne ne sera définitivement engagée qu'après notification aux autres Parties contractantes de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne.

Con riserva che la Comunità Economica Europea sarà definitivamente vincolata soltanto dopo notifica alle altre Parti Contraenti dell'espletamento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea.

Onder voorbehoud dat de Europese Economische Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstluitende Partijen van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures.

Provided that the Community shall be finally bound only after the other Contracting Parties have been notified that the procedures required by the Treaty establishing the European Economic Community have been completed.

For the President of the United Republic of Tanzania,

Aboud Mohamoud MAALIM

For the President of the Republic of Uganda,

William Wilberforce KALEMA

For the President of the Republic of Kenya,

Mwai KIBAKI

PROTOCOLS

PROTOCOL No 1

concerning the implementation of Article 2 (2) of the Association Agreement

THE CONTRACTING PARTIES,

HAVE AGREED upon the following provisions, which are annexed to the Agreement:

Article 1

1. After consultation within the Association Council, the European Economic Community shall determine, case by case, what treatment is to be accorded to imports of each of the products or groups of products referred to in Article 2 (2) of the Agreement, when such products originate in the Partner States of the East African Community, where these States have an economic interest in exporting the said products.

The treatment which the European Economic Community applies to these products shall be more favourable than the general treatment applied to like products originating in third countries.

2. However, if, in respect of a specific product, the economic situation of the European Economic Community so justifies, the latter may, by way of exception, refrain from according special treatment to imports of that product from the Partner States of the East African Community.

Article 2

If the products referred to in Article 2 (2a) of the Agreement are liable to customs duties at the time of importation into the European Economic Community and if no provision concerning trade in those products with third countries is laid down under the common agricultural policy, imports of such products into the European Economic Community shall, notwithstanding the provisions of Article 1 above and provided that these products originate in the Partner States of the East African Community, be governed by the provisions of Article 2 (1) of the Agreement.

Article 3

1. The treatment established for the various products on the basis of this Protocol shall be applied until the expiry of the Agreement.

2. However, in the event of a change in the Community organization of markets, the European Economic Community reserves the right, after consultation within the Association Council, to change the treatment established.

In such an event, the European Economic Community undertakes, in the framework of the new treatment, to maintain advantages for the Partner States of the East African Community comparable with those they enjoyed previously.

PROTOCOL No 2

concerning unroasted coffee, cloves and tinned pineapple

THE CONTRACTING PARTIES,

HAVE AGREED upon the following provisions, which are annexed to the Agreement:

Should imports into the European Community of unroasted coffee of heading No 09.01 A I of the Common Customs Tariff of the European Communities, of cloves (whole fruit, cloves and stems) of heading No 09.07 or of tinned pineapple of heading No 20.06 B II, originating in the Partner States of the East African Community, exceed the quantities stipulated below in the course of any given year, the European Economic Community

shall be authorized to take, subject to consultation with the Partner States of the East African Community, the necessary measures to avoid serious disturbances in traditional trade flows.

The annual quantities referred to in the first subparagraph of this Protocol shall be:

(a) Unroasted coffee	56 000 metric tons
(b) Cloves	120 metric tons
(c) Tinned pineapple	860 metric tons.

PROTOCOL No 3

concerning the implementation of Article 3 of the Association Agreement

THE CONTRACTING PARTIES,

HAVE AGREED upon the following provisions, which are annexed to the Agreement:

Article 1

For the purpose of implementing the provisions of Article 3 of the Agreement, the Partner States of the East African Community shall, on the date of coming into force of the Agreement, eliminate all customs duties and charges having equivalent effect other than those which are necessary to meet their development needs or which are intended to contribute to their budgets.

Article 2

The development needs of the Partner States of the East African Community referred to in Article 1 above are those arising from:

- the implementation of economic development programmes aimed at raising the general standard of living in the country in question;
- the needs of their economic development, in particular where necessary to encourage the setting-up of branches of production for the purpose of raising the country's general standard of living;
- the need to achieve equilibrium in their balance of payments and to alleviate such difficulties as arise in the main from their efforts to expand their domestic markets and from the instability of their terms of trade;
- the necessity to achieve a rapid and sustained growth of their country's receipts from exports.

Article 3

The Contracting Parties shall take note of the customs duties to be eliminated in accordance with the provisions of Article 1 above in respect of the products listed in the Schedule annexed to this Protocol.

Article 4

On the date of coming into force of the Agreement, the Partner States of the East African Community shall

communicate to the Association Council their customs tariff as it stands after application of the foregoing provisions. At the request of the European Economic Community, there shall be consultations within the Association Council on this tariff.

Article 5

The Partner States of the East African Community shall notify the Association Council of any amendment to the tariff so established, in particular of any increase in customs duties or charges having equivalent effect made to meet their development needs or which is intended to contribute to their budgets. At the request of the European Economic Community, there shall be consultations within the Association Council on these amendments.

Article 6

1. The advantages accorded to Member States *vis-à-vis* third countries in respect of the products listed in the Schedule annexed to this Protocol shall not be reduced during the life of the Agreement.
2. The Partner States of the East African Community may, however, make any adjustments in the Schedule of products annexed to this Protocol that are necessary to meet their development needs or are intended to contribute to their budgets, subject to prior consultation within the Association Council and provided that the overall volume of concessions and the balance of concessions among the Member States are maintained.
3. The Partner States of the East African Community shall inform the Association Council in due time of any changes which they contemplate making.

This notification shall be accompanied by information of an economic and/or financial nature whereby the necessity to make the contemplated changes in the Schedule can be assessed.

Article 7

At the request of the Partner States of the East African Community, there shall be consultations within the Association Council regarding the conditions of application of this Protocol.

ANNEX

Schedule of the products to which Article 3 of Protocol No 3 to the Agreement applies

East African Tariff No	Description of goods	Charges		
		Fiscal entry	Customs duty	
			Full	EEC
11.07	Malt, roasted or not	22 %	8 %	Free
12.06	Hop cones and lupulin	10 %	5 %	Free
15.07B	Olive oil	48 %	2 %	Free
16.04	Prepared or preserved fish, including caviar and caviar substitutes	47 ½ %	2 ½ %	Free
17.04	Sugar confectionery, not containing cocoa	47 %	3 %	Free
18.06	Chocolate and other food preparations containing cocoa	42 %	8 %	Free
21.06A	Bakers' yeast and household yeast	26 %	4 %	Free
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:			
	A. Still wine and grape must:			
	(1) Not in bottle	per gallon Sh 16/- or 66 ⅔ %	Free	Free
	(2) In bottle	per gallon Sh 19/50 or 66 ⅔ %	per gallon Cents 50 (*)	Free
	B. Sparkling wine:			
	(1) Champagne	per gallon Sh 31/30 or 66 ⅔ %	per gallon Sh 2/- (*)	Free
	(2) Other	per gallon Sh 21/90 or 66 ⅔ %	per gallon Sh 1/50 (*)	Free
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts:			
	A. Not in bottle	per gallon Sh 16/- or 66 ⅔ %	Free	Free
	B. In bottle	per gallon Sh 19/- or 66 ⅔ %	per gallon Sh 1/- (*)	Free
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages:			
	B. Brandy	per proof gallon Sh 195/-	per proof gallon Sh 5/- (*)	Free
30.03	Medicaments (including veterinary medicaments):			
	A. Prepared according to the British Pharmacopoeia, the National Pharmacopoeia of any Member State of the EEC, the British Pharmaceutical Codex, the US National Formula or the British Veterinary Codex, but not including any proprietary drugs or medicinal preparations	Free	Free	Free
32.04	Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo) or of animal origin:			

East African Tariff No	Description of goods	Charges		
		Fiscal entry	Customs duty	
			Full	EEC
	A. For colouring foodstuffs, beverages, cosmetics or toilet preparations	30 ½ %	7 %	Free
32.12	Glaziers' putty; grafting putty; painters' fillings, and stopping, sealing and similar mastics, including resin mastics and cements	21 %	9 %	Free
33.01	Essential oils (terpeneless or not); concretes and absolutes; resinoids:			
	A. For use in the manufacture of perfumery, cosmetics or toilet preparations	68 %	7 %	Free
	B. Other	23 %	7 %	Free
35.03	Gelatin (including gelatin in rectangles, whether or not coloured or surface-worked) and gelatin derivatives; glues derived from bones, hides, nerves, tendons or from similar products, and fish glues; isinglass:			
	A. Gelatin	22 %	8 %	Free
37.02	Film in rolls, sensitized, unexposed, perforated or not	27 %	3 %	Free
37.07	Other cinematograph film, exposed and developed, whether or not incorporating sound track, negative or positive:			
	C. Other:			
	(3) Of a width exceeding 16 mm	per linear foot Cents 23	per linear foot Cents 2 (*)	Free
48.01	Paper and paperboard (including cellulose wadding), machine-made, in rolls or sheets:			
	A. Paper:			
	(1) Cigarette	43 %	2 %	Free
48.10	Cigarette paper, cut to size, whether or not in the form of booklets or tubes	40 %	5 %	Free
58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanic' rugs and the like (made up or not)	25 %	5 %	Free
70.08	Safety glass consisting of toughened or laminated glass, shaped or not	25 %	5 %	Free
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	27 %	3 %	Free
70.13	Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses	30 %	3 ½ %	Free
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled:			
	C. Flat, uncoated:			
	(1) Of a thickness of 0.014 inches or less	per ft ² Cents 3 or 12 %	3 %	Free
73.27	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials, of iron or steel wire:			
	A. Wire grill	25 %	5 %	Free

East African Tariff No	Description of goods	Charges		
		Fiscal entry	Customs duty	
			Full	EEC
73.36	Stoves (including stoves with subsidiary boilers for central heating), ranges, cookers, grates, fires and other space heaters, gas rings, plate warmers with burners, wash boilers with grates or other heating elements, and similar equipment, of a kind used for domestic purposes, not electrically operated, and parts thereof, of iron or steel:			
	B. Other	25 %	5 %	Free
74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper:			
	B. Other	25 %	5 %	Free
84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilizing, pasteurizing, steaming, drying, evaporating, vaporizing, condensing or cooling, not being machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non-electrical:			
	A. Instantaneous and storage water heaters	12 %	3 %	Free
84.20	Weighing machinery (excluding balances of a sensitivity of 5 centigrammes or better), including weight-operated counting and checking machines; weighing machine weights of all kinds:			
	A. Weighing machine weights of all kinds	30 %	Free	Free
	B. Other	25 %	5 %	Free
84.51	Typewriters, other than typewriters incorporating calculating mechanisms; cheque-writing machines	26 %	4 %	Free
84.52	Calculating machines; accounting machines, cash registers, postage-franking machines, ticket-issuing machines and similar machines and similar machines incorporating a calculating device	28 %	2 %	Free
84.54	Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, coin-sorting machines, coin-counting and wrapping machines, pencil-sharpening machines, perforating and stapling machines)	23 %	7 %	Free
84.55	Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of a kind falling within heading No 84.51, 84.52, 84.53 or 84.54	21 %	9 %	Free
85.06	Electro-mechanical domestic appliances, with self-contained electric motor:			
	A. Electric fans	25 %	5 %	Free
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including those incorporating gramophones) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus:			
	A. Radio and television receiving sets and radiograms	each Sh 50/- or 47 %	3 %	Free
87.06	Parts and accessories of the motor vehicles falling within heading No 87.01, 87.02, or 87.03:			
	C. Other	28 1/3 %	5 %	Free

East African Tariff No	Description of goods	Charges		
		Fiscal entry	Customs duty	
			Full	EEC
90.01	Lenses, prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked; sheets or plates, of polarizing material: A. Suitable for use with the articles of subheading No 90.05, 90.07 B or 90.09 B	23 %	7 %	Free
90.02	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked: A. Suitable for use with the articles of subheading No 90.05, 90.07 B or 90.09 B	23 %	7 %	Free
90.05	Refracting telescopes (monocular and binocular), prismatic or not	23 %	7 %	Free
90.07	Photographic cameras; photographic flashlight apparatus: B. Other	25 %	5 %	Free
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers; any combination of these articles	25 %	5 %	Free
90.09	Image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers: B. Other	25 %	5 %	Free
90.16	Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, slide-rules, disc calculators and the like; measuring or checking instruments, appliances and machines, not falling within any other heading of this Chapter (for example micrometers, callipers, gauges, measuring rods, balancing machines); profile projectors: A. Measuring rods, tape measures, spring rules and the like	23 %	7 %	Free
91.01	Pocket-watches, wrist-watches and other watches, including stop-watches	27 ½ %	2 ½ %	Free
91.02	Clocks with watch movements (excluding clocks of heading No 91.03)	25 %	5 %	Free
91.04	Other clocks: A. Tower clocks B. Other	Free 25 %	Free 5 %	Free Free
92.01	Pianos (including automatic pianos, whether or not with keyboards); harpsichords and other keyboard stringed instruments; instruments; harps but not including aeolian harps	25 %	5 %	Free
92.02	Other string musical instruments	25 %	5 %	Free
92.03	Pipe and reed organs, including harmoniums and the like	25 %	5 %	Free
92.04	Accordions, concertinas and similar musical instruments; mouth organs	25 %	5 %	Free
92.05	Other wind musical instruments	25 %	5 %	Free
92.06	Percussion musical instruments (for example drums, xylophones, cymbals, castanets)	25 %	5 %	Free
92.07	Electro-magnetic, electrostatic, electronic and similar musical instruments (for example, pianos, organs, accordions)	25 %	5 %	Free

East African Tariff No	Description of goods	Charges		
		Fiscal entry	Customs duty	
			Full	EEC
92.08	Musical instruments not falling within any other heading of this Chapter (for example, fairground organs, mechanical street organs, musical boxes, musical saws); mechanical singing birds; decoy calls and effects of all kinds; mouth-blown sound signalling instruments (for example, whistles and boatswains's pipes)	25 %	5 %	Free
92.09	Musical instrument strings	25 %	5 %	Free
92.10	Parts and accessories of musical instruments (other than strings), including perforated music rolls and mechanisms for musical boxes; metronomes, tuning forks and pitch pipes of all kinds	25 %	5 %	Free
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record-players and tape decks, with or without sound heads; television image and sound recorders and reproducers, magnetic	30 %	7 ½ %	Free
92.12	Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording:			
	C. Gramophone records	each Sh 1/25 or 32 ½ %	5 %	Free
	D. Other	25 %	5 %	Free
92.13	Other parts and accessories of apparatus falling within heading No 92.11	35 %	2 ½ %	Free

(*) These concessionary rates will be altered to their metric equivalents on 1 January 1970.

PROTOCOL No 4

concerning the concept of 'originating products' for the purpose of implementing the Association Agreement

THE CONTRACTING PARTIES,

HAVE AGREED upon the following provisions, which are annexed to the Agreement:

Article 1

On the basis of a draft prepared by the Commission of the European Communities, the Association Council shall lay down at its first session the definition of the concept of 'originating products' for the purpose of implementing Title I of the Agreement. It shall also determine the methods of administrative cooperation.

Article 2

The Member States and the Partner States of the East African Community shall apply their respective regulations until the provisions referred to in Article 1 become operative.

PROTOCOL No 5

concerning the implementation of the Association Agreement and the establishment of international agreements on the granting of general preferences

THE CONTRACTING PARTIES,

Desirous of stating clearly their position on the compatibility of the preferences granted to the European Economic Community by the Partner States of the East African Community with the generalized preferences in the framework of the United Nations Conference on Trade and Development,

HAVE AGREED on the following provisions, which shall be annexed to the Agreement:

The provisions of the Agreement, and in particular Article 3 thereof, do not conflict with the establishment of a general system of preferences and do not prevent the Partner States of the East African Community from participating therein.

Zu Urkund dessen haben die Bevollmächtigten der Vertragsparteien die fünf vorstehenden Protokolle unterschrieben.

En foi de quoi, les plénipotentiaires des Parties Contractantes ont signé les cinq Protocoles dont le texte précède.

In fede di che, i plenipotenziari delle Parti Contraenti hanno firmato i cinque Protocolli il cui testo precede.

Ten blijke waarvan de gevolmachtigden van de Overeenkomstsluitende Partijen de vijf bovenstaande Protocollen hebben ondertekend.

In witness whereof, the Plenipotentiaries of the Contracting Parties have signed the five foregoing Protocols.

Geschehen zu Arusha am 24. September neunzehnhundertneunundsechzig.

Fait à Arusha, le 24 Septembre mil neuf cent soixante-neuf.

Fatto a Arusha, il 24 settembre millenovecentosessantanove.

Gedaan te Arusha, 24 September negentienhonderdnegenenzestig.

Done at Arusha on 24 September nineteen hundred and sixty-nine.

**Pour Sa Majesté le Roi des Belges,
Voor Zijne Majesteit de Koning der Belgen,
Joseph VAN DER MEULEN**

**Für den Präsidenten der Bundesrepublik Deutschland,
Günther HARKORT**

**Pour le Président de la République Française,
Yvon BOURGES**

**Per il Presidente della Repubblica Italiana,
Mario PEDINI**

**Pour Son Altesse Royale le Grand-Duc de Luxembourg,
Georges DUPONG**

**Voor Hare Majesteit de Koningin der Nederlanden,
H.J. de KOSTER**

Im Namen des Rates der Europäischen Gemeinschaften,

Pour le Conseil des Communautés Européennes,

Per il Consiglio della Comunità Europea,

Voor de Raad der Europese Gemeenschappen,

Franco Maria MALFATTI

Henri ROCHEREAU

Mit dem Vorbehalt, dass für die Europäische Wirtschaftsgemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie den anderen Vertragsparteien notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren stattgefunden haben.

Sous réserve que la Communauté Economique Européenne ne sera définitivement engagée qu'après notification aux autres Parties contractantes de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne.

Con riserva che la Comunità Economica Europea sarà definitivamente vincolata soltanto dopo notifica alle altre Parti Contraenti dell'espletamento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea.

Onder voorbehoud dat de Europese Economische Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstluitende Partijen van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures.

Provided that the Community shall be finally bound only after the other Contracting Parties have been notified that the procedures required by the Treaty establishing the European Community have been completed.

**For the President of the United Republic of Tanzania,
Aboud Mohamoud MAALIM**

**For the President of the Republic of Uganda,
William Wilberforce KALEMA**

**For the President of the Republic of Kenya,
Mwai KIBAKI**

FINAL ACT
and Declarations annexed
(70/547/EEC)

The Plenipotentiaries of

His Majesty the King of the Belgians,

The President of the Federal Republic of Germany,

The President of the French Republic,

The President of the Italian Republic,

His Royal Highness the Grand Duke of Luxembourg,

Her Majesty the Queen of the Netherlands, and

The Council of the European Communities,

on the one hand, and of

The President of the United Republic of Tanzania,

The President of the Republic of Uganda,

The President of the Republic of Kenya,

on the other hand,

assembled at Arusha on 24 September nineteen hundred sixty-nine for the purpose of signing an Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, have adopted the following instruments:

- The Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya.

- The Protocols listed below:
 - Protocol No 1 concerning the implementation of Article 2 (2) of the Association Agreement;
 - Protocol No 2 concerning unroasted coffee, cloves and tinned pineapple;
 - Protocol No 3 concerning the implementation of Article 3 of the Association Agreement;
 - Protocol No 4 concerning the concept of 'originating products' for the purpose of implementing the Association Agreement;
 - Protocol No 5 concerning the implementation of the Association Agreement and the establishment of international agreements on the granting of general preferences.

The Plenipotentiaries have equally adopted the declarations which are enumerated below and annexed to this Final Act:

1. Declaration by the Delegation of the European Economic Community concerning nuclear products (Annex I);

2. Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning Article 2 of the Association Agreement (Annex II);
3. Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning petroleum products (Annex III);
4. Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning a good offices procedure (Annex IV).

The Plenipotentiaries have furthermore taken note of the declarations which are enumerated below and annexed to this Final Act:

1. Declaration by the Delegation of the Partner States of the East African Community concerning the implementation of Article 6 (2) of the Association Agreement (Annex V);
2. Declaration by the Delegation of the Partner States of the East African Community concerning the implementation of Articles 6 and 22 of the Association Agreement (Annex VI);
3. Declaration by the Delegation of the European Economic Community concerning the implementation of Protocol No 4 to the Association Agreement (Annex VII);
4. Declaration by the Representative of the Government of the Federal Republic of Germany concerning the definition of German nationals (Annex VIII);
5. Declaration by the Representative of the Government of the Federal Republic of Germany concerning the application of the Association Agreement to Berlin (Annex IX).

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diese Schlussakte gesetzt.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent Acte final.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente Atto finale.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Slotakte heben gesteld.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Final Act.

Geschehen zu Arusha am 24. September neunzehnhundertneunundsechzig.

Fait à Arusha, le 24 septembre mil neuf cent soixante-neuf.

Fatto a Arusha, il 24 settembre millenovecentosessantanove.

Gedaan te Arusha, 24 september negentienhonderdneuenzestig.

Done at Arusha on 24 September nineteen hundred and sixty-nine.

Pour Sa Majesté le Roi des Belges,
Voor Zijne Majesteit de Koning der Belgen,

Joseph VAN DER MEULEN

Für den Präsidenten der Bundesrepublik Deutschland,

Günther HARKORT

Pour le Président de la République Française,

Yvon BOURGES

Per il Presidente della Repubblica Italiana,

Mario PEDINI

Pour Son Altesse Royale le Grand-Duc de Luxembourg,

Georges DUPONG

Voor Hare Majesteit de Koningin der Nederlanden,

H.J. de KOSTER

Im Namen des Rates der Europäischen Gemeinschaften,

Pour le Conseil des Communautés Européennes,

Per il Consiglio delle Comunità Europee,

Voor de Raad der Europese Gemeenschappen,

H.J. de KOSTER

Henri ROCHEREAU

Mit dem Vorbehalt, dass für die Europäische Wirtschaftsgemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie den anderen Vertragsparteien notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren stattgefunden haben.

Sous réserve que la Communauté Economique Européenne ne sera définitivement engagée qu'après notification aux autres Parties Contractantes de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne.

Con riserva che la Comunità Economica Europea sarà definitivamente vincolata soltanto dopo notifica alle altre Parti Contraenti dell'espletamento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea.

Onder voorbehoud dat de Europese Economische Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstsluitende Partijen van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures.

Provided that the Community shall be finally bound only after the other Contracting Parties have been notified that the procedures required by the Treaty establishing the European Economic Community have been completed.

For the President of the United Republic of Tanzania,

Abdulraman Mohamed Babu

For the President of the Republic of Uganda,

William Wilberforce KALEMA

For the President of the Republic of Kenya,

Mwai KIBAKI

ANNEX I

Declaration by the Delegation of the European Economic Community concerning nuclear products

It follows from the combined provisions of the Treaty establishing the European Atomic Energy Community and the Treaty establishing the European Economic Community that the provisions of Title I of the Agreement shall apply to the goods and products covered by Articles 92 onwards of the Treaty establishing the European Atomic Energy Community.

*ANNEX II***Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning Article 2 of the Association Agreement**

The Contracting Parties agree to hold consultations within the Association Council as regards any difficulties which may arise in respect of goods and products exported from the Partner States of the East African Community competing with like products originating in the Associated African and Malagasy States or in other Associated States, Countries or Territories whose economic structure and production are comparable with those of the Associated African and Malagasy States.

*ANNEX III***Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning petroleum products**

In respect of petroleum products, the European Economic Community reserves the right to change the arrangements stipulated in Title I of the Agreement when a common policy is established.

In this event, the European Economic Community shall accord imports of such products originating in the Partner States of the East African Community advantages comparable with those stipulated in the Agreement.

*ANNEX IV***Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning a good offices procedure**

Any Contracting Parties that are parties to a dispute within the meaning of Article 28 of the Agreement are prepared, if circumstances permit, and subject to the Association Council being informed so that any parties concerned may assert their rights, to have recourse, before bringing the dispute before the Association Council, to a good offices procedure.

*ANNEX V***Declaration by the Delegation of the Partner States of the East African Community concerning the implementation of Article 6 (2) of the Association Agreement**

The Partner States of the East African Community undertake not to apply any quantitative restrictions in such a way as would diminish the effect of the tariff advantages granted to the European Economic Community and set out in the Schedule annexed to Protocol No 3.

*ANNEX VI***Declaration by the Delegation of the Partner States of the East African Community concerning the implementation of Articles 6 and 22 of the Association Agreement**

The Partner States of the East African Community have noted the anxieties expressed by the Member States of the European Economic Community as regards the implementation of the provisions of Articles 6 and 22 of the Agreement, and hereby undertake not to treat the said Member States or their nationals or companies less favourable than the most favoured third country.

ANNEX VII**Declaration by the Delegation of the European Economic Community concerning the implementation of Protocol No 4 to the Association Agreement**

During the negotiations the Delegation of the European Economic Community informed the Delegation of the Partner States of the East African Community that it is important that the definition of the concept of 'originating products' for the purpose of implementing the Agreement should as far as possible be identical with the definition of the concept of 'originating products' for the purpose of implementing the Association Convention signed at Yaoundé on 29 July 1969.

ANNEX VIII**Declaration by the Representative of the Government of the Federal Republic of Germany concerning the definition of German nationals**

All Germans within the meaning of the Basic Law for the Federal Republic of Germany shall be deemed to be nationals of the Federal Republic of Germany.

ANNEX IX**Declaration by the Representative of the Government of the Federal Republic of Germany concerning the application of the Association Agreement to Berlin**

The Agreement shall also apply to Land Berlin unless the Government of the Federal Republic of Germany makes a declaration to the contrary to the other Contracting Parties within a period of three months from the coming into force of the Agreement.
