

JOINT STATEMENT ON RULES OF ORIGIN  
BY THE EUROPEAN UNION AND THE REPUBLIC OF KENYA

The European Union, of the one part, and the Republic of Kenya, of the other part, (for the purposes of this Joint Statement hereinafter referred to as "the Parties"),

RECALLING their shared values and the strong cultural, political, economic and cooperation ties which unite them;

RECALLING the Cotonou Agreement and its successor agreement;

RECALLING the Treaty Establishing the East African Community (EAC), signed in Arusha on 30 November 1999, and its Protocol on the Establishment of the East African Community Customs Union;

RECALLING the EU-EAC EPA;

REAFFIRMING their commitment to strengthen cooperation on bilateral, regional and global issues of common concern;

Confirm the text of Article 9 of this Agreement on rules of origin and agree that the Protocol on rules of origin of the EU-EAC EPA will be the basis for the future protocol on rules of origin to be adopted pursuant to Article 9(2) of this Agreement, including its structure, with some limited adjustments necessary in particular to take account of the bilateral nature of this Agreement. Each Party may make appropriate proposals for such adjustments, bearing in mind the future regional dimension of that protocol. Until such protocol on rules of origin is adopted by the Parties, and pursuant to Article 9(1) of this Agreement, each Party shall apply the rules of origin included in Regulation (EU) 2016/1076 of the European Parliament and of the Council (Market Access Regulation)<sup>1</sup> as the applicable law of the importing Party. The Parties will adopt a protocol on rules of origin pursuant to Article 9(2) of this Agreement covering both exports from the European Union and the Republic of Kenya as soon as possible after this Agreement becomes applicable. Discussions on such protocol will start immediately.

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<sup>1</sup> Regulation (EU) 2016/1076 of the European Parliament and of the Council of 8 June 2016 applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements (recast) (OJ EU L 185, 8.7.2016, p. 1).