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**ACP 120**  
**WTO 115**  
**COAFR 325**  
**RELEX 1519**

### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: Draft RECOMMENDATION OF THE COMMITTEE OF SENIOR OFFICIALS ESTABLISHED BY THE ECONOMIC PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN UNION, OF THE ONE PART, AND THE REPUBLIC OF KENYA, MEMBER OF THE EAST AFRICAN COMMUNITY, OF THE OTHER PART on participation in the EPA Consultative Committee

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DRAFT

**RECOMMENDATION No .../... OF THE COMMITTEE OF SENIOR OFFICIALS  
ESTABLISHED BY THE ECONOMIC PARTNERSHIP AGREEMENT  
BETWEEN THE EUROPEAN UNION, OF THE ONE PART,  
AND THE REPUBLIC OF KENYA,  
MEMBER OF THE EAST AFRICAN COMMUNITY, OF THE OTHER PART**

**of ...**

**on participation in the EPA Consultative Committee**

THE COMMITTEE OF SENIOR OFFICIALS,

Whereas:

- (1) Article 108 of the Economic Partnership Agreement (EPA) between the European Union, of the one part, and the Republic of Kenya, Member of the East African Community, of the other part (the ‘Agreement’), established the EPA Consultative Committee with the task of assisting the Committee of Senior Officials to promote dialogue and cooperation between representatives of the private sector, organisations of civil society, including the academic community, and social and economic partners, on all matters covered under the Agreement.
- (2) Article 108(2) of the Agreement provides that participation in the EPA Consultative Committee shall be decided by the EPA Council, upon recommendations from the Committee of Senior Officials, with a view to ensuring a broad representation of all interested parties,

RECOMMENDS:

### *Article 1*

The EPA Consultative Committee (the ‘Committee’) shall include the representatives of organisations of civil society selected by the EPA Council in accordance with Article 2.

### *Article 2*

1. The Committee shall include members of the Domestic Advisory Groups set up by each of the Parties to the Agreement.
2. Each Party shall propose representatives of organisations of the civil society, so as to ensure adequate and balanced representation of the respective Domestic Advisory Groups.
3. In line with Article 15 of Annex V to the Agreement, each Party shall ensure that there shall be a balanced representation of independent civil society organisations including non-governmental organisations, business and employers’ organisations as well as trade unions active on economic, sustainable development, social, human rights, environmental and other matters.

4. Selected representatives shall serve for the duration of their membership of the respective Domestic Advisory Group. Relevant expertise and broad sectoral representation shall be ensured.
5. For the purpose of this Recommendation, ‘organisations of civil society’ includes institutions, associations, foundations, advocacy groups and other entities of a non-governmental nature which have a non-profit making aim and which are able to provide advice or contribute specialised information on matters covered by the Agreement, as well as representatives of the academic community.

### *Article 3*

1. The EPA Council shall expeditiously discuss and approve the two lists of standing members, one proposed by the Republic of Kenya and the other by the European Union.
2. The EPA Council may modify or consolidate the two lists of members of the Committee when necessary.
3. Any vacancy in the membership of the Committee shall not invalidate the constitution of the Committee or impair the right of the remaining members to act.

*Article 4*

This Recommendation is addressed to the EPA Council.

Done at ..., ...

*For the Committee of Senior Officials  
Co-chairs*

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