Department for International Trade
Department for Business, Energy & Industrial Strategy

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The Rt Hon. The Lord Goldsmith QC
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By email: goldsmithp@parliament.uk

24 February 2021

Dear Peter,

Thank you to your Committee and officials for the report on the Economic Partnership Agreement (EPA) with Kenya which was published on 3 February. I am writing to inform you of our approach to the ratification of this agreement, and to confirm our intention to delay it until Parliament has had an opportunity to debate it on the 2 March.

The Government believes it provided sufficient explanatory materials when the agreement text was published in both Houses of Parliament and on Gov.uk on 17 December, and that we followed the statutory process for laying agreements under the Constitutional Reform and Governance Act 2010 (CRaG). The Government therefore made the decision to not extend CRaG, which concluded on 10 February.

The United Kingdom and Kenya negotiated an agreement that is open for any other East African Community (EAC) Partner State to accede to in the future, and we maintained a dialogue with EAC partners throughout the negotiations. This agreement allows for the effects of the EU's Market Access Regulation (MAR) to be replicated in respect of Kenya, whilst the United Kingdom's Generalised Scheme of Preferences (GSP) Framework for Least Developed Countries enables all other EAC Partner States to also continue to benefit from duty-free, quota-free access to the United Kingdom as they previously did.

I laid a Written Ministerial Statement on 10 February alongside my letter to you which provided further detail in response to the Committee's report. The Government supports effective parliamentary scrutiny of the agreement and will facilitate a debate in Parliament on this agreement in the coming weeks.

As such, the Government intends to delay the ratification of this agreement until after the debate on it has been held in Parliament, to allow scrutiny and debate of our approach to take place.

If you have any further questions, please do get in touch.

Yours sincerely,

Lord Grimstone of Boscobel, Kt
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