



REPORT ON THE 1ST ROUND OF NEGOTIATIONS BETWEEN THE EU AND FIVE EASTERN AND SOUTHERN AFRICA COUNTRIES FOR THE DEEPENING OF THE CURRENTLY IMPLEMENTED ECONOMIC PARTNERSHIP AGREEMENT

15-17 January 2020

The EU and the five Eastern and Southern Africa countries (Comoros, Madagascar, Mauritius, Seychelles, Zimbabwe) implementing the interim Economic and Partnership Agreement met in Victoria (Seychelles) from 15 to 17 January to hold the first negotiating round (based on negotiating texts) for the deepening of this agreement, following the launch of the negotiations on 2 October 2019 in Mauritius.

To take into account the capacity of the five ESA countries (ESA-5), this round covered only five topics, namely rules of origin (ROO), technical barriers to trade (TBT), customs and trade facilitation (C&TF), sanitary and phytosanitary issues (SPS) and agriculture. This first round took place in a very good and constructive atmosphere, allowing progress on all five topics to a variable degree. On all topics but ROO, both parties established a basis for a joint working document including agreement on certain articles. On ROO, both sides defended their own proposal for use as a joint working document but agreed on the way forward to allow substantial discussions in the next round.

Overall, ESA-5 partners were well prepared and coordinated for this round, thus confirming their willingness and commitment to move fast in these negotiations. The EU agreed to organise the next round during the first week of July 2020 in Brussels to allow time for both sides to further work on the five topics but also prepare adequately for the new topics that will be raised at the next round (i.e. Services and Investment and, trade and sustainable development –TSD-). Remaining issues (Public Procurement, Intellectual Property Rights, Dispute Settlement, Competition and Institutional Provisions) are scheduled for discussion at the 3rd round planned in October-November 2020 in the ESA region.

More details about the five topics discussed in this round are included below.

Technical Barriers to Trade (TBT)

ESA-5 and the EU discussed their respective proposals and agreed to work on a common document. Very good progress on substantial articles, such as definition of international standards, standards, transparency, and marking and labelling where texts were overall agreed. ESA-5 and the EU also exchanged views on their respective policies on conformity assessment. Moreover, the EU also presented its proposal on inclusion of an article on Market surveillance, and ESA-5 recognised the importance of market surveillance as such. Cooperation and technical assistance will be discussed in the wider context of development cooperation.

SPS

Both parties noted a good level of convergence between their tabled independent drafts for an ambitious and comprehensive SPS chapter. Discussions focused on achieving a single negotiating text to use as a basis for the next round of negotiations.

More specifically, both parties agreed on the general objectives of the SPS chapter, cooperation on animal welfare, anti-microbiological resistance, sustainable food and food fraud as well as on other articles where the two texts coincided. Both sides tried to clarify their respective objectives and concerns, where they noted differences in their positions.

The next round will be an opportunity to deepen discussions on the remaining issues.

Customs and Trade Facilitation (C&TF)

The Parties exchanged views on their goals regarding C&TF. They started working on a common text on Custom and Trade Facilitation making progress on several issues. The Parties also identified the topics they will address in upcoming rounds. The round paved the way to an ambitious Custom and Trade Facilitation Chapter.

Rules of Origin (ROO)

The EU explained in detail the EU proposed text on (i) the general provisions and (ii) origin procedures. The EU stressed that the proposed text simplifies the current Protocol, providing for more flexibility and clarity thanks to a new structure, the reorganisation of some articles and simplification / updates made to the current text. ESA presented their proposals for amendments of the current text.

Both parties agreed to engage in the process of identifying areas of convergence as well as the principles on which they will engage in further discussions.

Agriculture

The discussions took place in a constructive and amical atmosphere. The Parties quickly came to a common understanding that the text of the agreement should be concise, inclusive and cover all the substantive issues. Both Parties discussed their own proposals in detail and eventually agreed to use concrete parts of these proposals for the first draft of the joint working document, which would serve as a starting point of the negotiations of the future Chapter on Agriculture.