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**EPA Negotiations Coordination Meeting**

**22-23 July 2009**

**Gaborone, Botswana**

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**Recommendations of the Meeting**



## **Agenda Item I. State of Play in EPAs Negotiations, Views on Progress, Achievements and challenges on contentious Issues,**

### **1. In the discussions the following recommendations were made;**

- i. There is need to ensure that African Countries are not disadvantaged if EPAs are concluded before the Doha Round. From a technical point of view, there could be merit and wisdom for those regions that are still negotiating EPAs to incorporate flexibilities achieved at the WTO in their EPA texts.*
- ii. There is need to ensure that the contentious issues that have been agreed on between African negotiating parties and the EC are put in legal language that is binding on both parties.*
- iii. The Regional Economic Communities and EPA negotiating groups should work together and exchange relevant information and experiences more frequently. The African Union Commission should facilitate this.*
- iv. There should be high level political engagement by the African Union and other regional bodies for the resolution of those contentious issues that have not been resolved so far such as the MFN provision, safeguards as well as the definition of parties among others.*

## **Agenda Item II. Presentation on the State of play of WTO negotiations**

### **2. In the discussions, the following recommendations were made,**

- i. The African Group should closely analyze the implications of engaging in discussions on schedules of commitments at this stage of the negotiations on modalities and envisage options that will protect the interests of African countries in the DDA.*
- ii. Services negotiations in WTO should inform EPA negotiations. The latest development on domestic regulations disciplines should inform regions that intend to negotiate services. The African Union should play an active role in facilitating closer collaboration between the EPA and WTO processes.*
- iii. The Ambassadors in Brussels, Geneva, Addis Ababa and the regions should closely collaborate to ensure that positive outcomes of the Doha round can be taken on board in the EPA negotiations. Focal points in Geneva should regularly meet with the Brussels Based Ambassadors and or EPA negotiators to exchange notes on developments.*
- iv. There should be coherence in the EPAs and the WTO negotiations in the area of safeguards. Safeguard provisions in EPAs should be referenced to in the WTO provisions. There should be a clause in EPAs that gives African countries opportunity to refer to the SSM provisions if it is agreed in WTO negotiations.*
- v. Regions can incorporate by reference in the EPA texts any positive benefits derived from the DDA negotiations.*



- vi. African Group in the WTO should spearhead efforts to secure amendments to Article XXIV of GATT 94. There is still time to do this work as it is part of the single undertaking, in light of the mandate given by African Ministers of trade during their meeting in Addis in March this year*
- vii. There should be reports to the RECs, EPA negotiators (regional and national), Brussels and Addis Ababa based Ambassadors regarding the developments in the WTO that are crucial to EPAs – the UNECA and /or AU office in Geneva should help in this regard.*

#### **Agenda Item IV. The global economic crisis and the EPA negotiations**

##### **3. In the discussions, the following recommendations were made**

- i. African countries should ensure that EPAs provide adequate policy space to be able to deal with the present and future crises.*
- ii. There is need to carry forward the message in the African common position on the global crisis particularly on the need for policy space and additional resources to international fora such as the G-8, G-20 and other UN High Level Conferences in a coherent and consistent manner.*
- iii. There is a need for high level engagement with the EU on the issue of additional resources to address the development dimension of the EPAs.*
- iv. We acknowledge the work done by the AU to accelerate the promotion of intra and inter REC trade and urge that efforts in this regard be intensified.*
- v. The AU should establish a Research and Analysis Division that should advise the continent on trade issues.*

#### **Agenda item V. Strategies to ensure that EPAs deliver on development and support regional and continental integration**

##### **4. In the discussions, the following recommendations were made**

- i. Ensure coherence between the EPA and existing or planned regional and continental integration initiatives.*
- ii. Facilitate the implementation of regional protocols, such as trade facilitation, investment codes, regulation of services and customs etc.*
- iii. Develop Aid for Trade strategies at regional and national levels to access funds that are made available.*
- iv. Have a comprehensive approach to regional integration that focuses not only on tariff commitments, but also on areas such as trade facilitation, trade in services, agricultural policies etc.*
- v. AU and RECs should facilitate the smooth flow of information on the new developments in EPA negotiations.*



- vi. The AU and ECA should further undertake work and sensitisation initiatives to enable better understanding of the concept of Aid for Trade in the overall context of ODA.*

**Agenda Item VI. Strategy for the negotiation of trade related issues and trade in services in the EPAs**

**5. In the discussions, the following recommendations were made**

- i. The framework agreement should address technical cooperation needs particularly in trade related issues with emphasis on capacity building. The agreement should also include provisions on monitoring.*
- ii. We urge the EU to provide stronger cooperation commitments and greater flexibilities for longer implementation and transition periods.*
- iii. Allow for a framework on trade in services based on the principle of asymmetry to take into account the specific development requirements, needs and priorities of African EPA regions which allows them to undertake commitments in sectors of interest to them.*
- iv. Urge African EPA regions to extend any commitments under trade in services given to the EU to other African countries in order to facilitate the building of regional and continental markets.*
- v. Scheduling of commitments in services should be based on the positive listing approach and negotiating parties should respect the GATS architecture.*
- vi. Member states should have the right to regulate and introduce new regulation under the EPAs*
- vii. Regions could proceed on the basis of the principle of variable geometry and allow countries that are ready to open up more sectors can do so.*

**Agenda Item VII. EPA template**

**6. In the discussions, the following recommendations were made**

- i. The EPA template should not be prescriptive. Regions are urged to use it as a broad set of guidelines in the EPA negotiations as directed by Ministers during the Trade Ministers Meeting held in Addis Ababa in March 2009. The decision of the Ministers should be reflected on the template.*
- ii. The EPA model template should be finalized and widely circulated to the member states and all the regional economic communities*



## **Agenda Item VIII. Strategies for the successful conclusion of EPA negotiations**

7. *A number of options were discussed in the presentation on strategies for concluding the EPAs. It was agreed that the negotiating groups should remain engaged in the process. The following recommendations were made with respect to the options for negotiations:*
- i. Link liberalisation commitments to the attainment of certain development benchmarks. Urge the EC to commit development assistance for the attainment of these development benchmarks.*
  - ii. Urge the EC to provide the flexibility in the negotiations taking into account our concerns and development needs to ensure that no African country is worse off at the end of the negotiations.*
  - iii. Request for debt moratorium.*

### ***In terms of strategies:***

- i. Regions should be better engaged with each other within the continental framework.*
- ii. Involve the highest political level to highlight to EC the adverse consequences of EPAs on the already difficult regional integration. To intensify AU efforts to resolve regional integration challenges.*
- iii. Mobilise more capacity for engaging in the negotiations and to work closely with regional and other partners with capacity to undertake relevant analysis which can be of benefit to the entire continent.*

