

EC/Eastern and Southern Africa States (ESA) agreement: interim agreement establishing a framework for Economic Partnership Agreement (EPA)

2008/0251(NLE) - 16/12/2008

PURPOSE: to propose the conclusion of an **interim agreement establishing a framework for an Economic Partnership Agreement** between Eastern and Southern Africa States on the one part and the European Community and its Member States on the other part.

PROPOSED ACT: Council Decision.

BACKGROUND: the interim agreement has been negotiated to avoid disrupting trade with the Community on the expiry of the trade regime set out in Annex V of the Cotonou Agreement on 31 December 2007 and the World Trade Organisation (WTO) waiver covering that trade regime. These negotiations were concluded by the initialling of the interim agreement establishing a framework for an EPA on 28 November 2007 with Seychelles, Zambia and Zimbabwe, on 4 December 2007 with Mauritius and on 11 December 2007 with Comoros and Madagascar.

As a result, 5 of these 6 ESA States (Comoros, Madagascar, Mauritius, Seychelles, Zimbabwe) were included in the list of countries in Annex 1 of [Council Regulation \(EC\) No 1528/2007](#) adopted by Council on 20 December 2007 that have benefited from the Community market access offer made in the context of EPAs from 1 January 2008. Their inclusion on this list will become permanent following the entry into force of the interim agreement establishing a framework for an EPA. This will ensure a harmonised trade regime with the EU providing improved market access for all initialling ESA States, including the two countries recognised as Least Developed Countries by the United Nations. Given that Zambia did not table a market access offer, it was not included in the Regulation. As a LDC, Zambia continues to benefit from the Everything But Arms (EBA) trade regime.

CONTENT: the scope of the interim agreement establishing a framework for an EPA between ESA States and the Community and its Member States will be extended by the outcome of **negotiations for a comprehensive EPA** reached by December 2008.

The agreement currently includes all the measures necessary to establish a Free Trade Area compatible with the provisions of Article XXIV of the GATT 1994.

This Agreement also contains provisions on:

- rules of origin,
- non-tariff measures,
- trade defence measures,
- dispute avoidance and settlement,
- fisheries,
- development and administrative and institutional provisions.

The negotiation of a full EPA continues consistently with the directives for EPAs with ACP States adopted by Council on 12 June 2002.

The institutional provisions include an EPA Committee composed of representatives of the Parties to be responsible for the administration of all matters under the agreement.

Provisional application: pending the entry into force of the interim agreement (see COM(2008)0863) establishing a framework for an EPA, the interim agreement foresees the provisional application of the Agreement.

It should be noted that the European Parliament will be called upon to give its assent to the conclusion of the EPA.