

EC/Pacific States Interim Partnership Agreement: accession of Niue

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PURPOSE: to approve the accession of Niue to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: on 12 June 2002, the Council authorised the Commission to open negotiations for Economic Partnership Agreements (EPA) with the African, Caribbean and Pacific Group of States (ACP countries).

On 30 July 2009, the EU signed an interim EPA between the Union (the European Community at the time), of the one part, and the Pacific States, of the other part. The interim EPA has been provisionally applied by Papua New Guinea and the Republic of Fiji since 20 December 2009 and 28 July 2014, respectively.

Article 80 of the interim EPA provides for the possibility for other Pacific Islands to accede to the Agreement. Accordingly, the Independent State of Samoa and Solomon Islands acceded to the Agreement and are provisionally applying it since 31 December 2018 and 17 May 2020, respectively.

On 26 May 2023, Niue has submitted a request to the Commission, together with a market access offer, to accede to the interim EPA. The Commission has assessed the offer and found it to be acceptable. Accordingly, it has concluded negotiations on behalf of the Union.

CONTENT: the proposal for a Council Decision constitutes the legal instrument for the approval, on behalf of the European Union (EU), of **the accession of Niue to the interim Partnership Agreement between the European Union, of the one part, and the Pacific States, of the other part.**

The Economic Partnership Agreement contains provisions on Sustainable Development, whereby the Parties reaffirm that the objective of sustainable development shall be an integral part of the provisions of this Agreement, consistent with the overarching objectives and principles set out in Cotonou Agreement, and especially the general commitment to reduce and eventually eradicate poverty in a way that is consistent with the objectives of sustainable development.

The interim EPA is a development-oriented trade agreement, which offers asymmetric market access to Niue and allows it to shield sensitive sectors from liberalisation, while providing a large number of safeguards and a clause for infant industry protection. It further contains provisions on the rules of origin that facilitate Niue's exports into the EU.

The interim EPA establishes the conditions for EU economic operators to take full advantage of the opportunities between the respective economies. Over the course of its implementation, the interim EPA will largely relieve EU exporters of industrial products to Niue from paying customs duties.

The interim EPA also establishes a set of disciplines in the areas of sustainable development; Technical Barriers to Trade (TBT); and Sanitary and Phytosanitary (SPS) measures among others. Furthermore, the Parties to the interim EPA participate in the Trade Committee established under the Agreement. The possibility of the EU to avail itself of the bilateral dispute settlement mechanism foreseen under the Agreement contributes to the objective of securing a transparent, non-discriminatory and predictable environment for EU operators in the Pacific countries.

The proposal contains provisions on the approval, on behalf of the Union, of the accession of Niue to the interim EPA and on notifications in order to express the consent of the European Union to accession and the provisional application of the Agreement.

Budgetary implications

Niue will benefit from full duty-free quota-free access to the EU market for all products, in exchange for gradually opening up of its market for EU products. There will be no budgetary implications as the accession to the Agreement will largely continue Niue's market access (under standard GSP) into the EU on the same terms of preferences.