

EC/Pacific States Interim Partnership Agreement: accession of Niue

2024/0010(NLE) - 19/06/2024 - Legislative proposal

PURPOSE: to approve, on behalf of the European Union, 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 with the African, Caribbean and Pacific Group of States. The Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part, which establishes a framework for an Economic Partnership Agreement, was signed in London on 30 July 2009. The Interim Partnership Agreement has been provisionally applied by the Independent State of Papua New Guinea and the Republic of Fiji since 20 December 2009 and 28 July 2014, respectively.

As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community.

Article 80 of the Interim Partnership Agreement lays down the provisions regarding the accession of other Pacific Islands States. Accordingly, the Independent State of Samoa and Solomon Islands have acceded to the Interim Partnership Agreement and have been provisionally applying it since 31 December 2018 and 17 May 2020, respectively. On 26 May 2023, Niue submitted an accession request together with a market access offer to the Union.

The Commission assessed Niue's offer and found it acceptable. Accordingly, the Commission concluded negotiations with Niue on 12 June 2023. In accordance with Article 76(3) of the Interim Partnership Agreement, the Union and Niue are to provisionally apply the Interim Partnership Agreement 10 days after notifying each other in writing of the completion of the procedures necessary for that purpose.

It is now necessary to approve the accession of Niue to the Interim Partnership Agreement, subject to Niue's deposit of the act of accession pursuant to Article 80(2).

CONTENT: the Council draft concerns the approval, on behalf of the Union, of 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.

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;

- 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;

- 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.

Lastly, 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.