

## Basic information

2008/0251(NLE)

NLE - Non-legislative enactments  
Decision

Awaiting final decision

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

### Subject

6.20.05 Multilateral and plurilateral economic and trade agreements and relations  
6.30 Development cooperation  
6.40.06 Relations with ACP countries, conventions and generalities

### Geographical area

Madagascar  
Mauritius  
Seychelles  
Zimbabwe

## Key players

European Parliament

### Committee responsible

INTA International Trade

### Rapporteur

CASPARY Daniel (PPE)

### Appointed

01/09/2009

Shadow rapporteur

LANGE Bernd (S&D)

KELLER Ska (Verts/ALE)

STURDY Robert (ECR)

MURPHY Paul (GUE/NGL)

### Former committee responsible

INTA International Trade

### Former rapporteur

### Appointed

### Committee for opinion

DEVE Development

### Rapporteur for opinion

SARGENTINI Judith (Verts /ALE)

### Appointed




18/09/2012

### Former committee for opinion

### Former rapporteur for opinion

### Appointed

|                               |                              |                     |             |
|-------------------------------|------------------------------|---------------------|-------------|
|                               | <b>DEVE</b> Development      |                     |             |
| Council of the European Union | <b>Council configuration</b> | <b>Meetings</b>     | <b>Date</b> |
|                               | Agriculture and Fisheries    | 2956                | 2009-07-13  |
| European Commission           | <b>Commission DG</b>         | <b>Commissioner</b> |             |
|                               | Trade and Economic Security  | DE GUCHT Karel      |             |

| Key events |   |  |         |
|------------|---|--|---------|
| Date       | Event   | Reference  | Summary |
| 16/12/2008 | Preparatory document  | COM(2008)0861<br> |         |
| 02/12/2009 | Additional information  |  | Summary |
| 04/07/2012 | Legislative proposal published                                  | 11699/2012   | Summary |
| 11/09/2012 | Committee referral announced in Parliament                      |  |         |
| 18/12/2012 | Vote in committee   |  |         |
| 19/12/2012 | Committee report tabled for plenary, 1st reading/single reading | A7-0431/2012   | Summary |
| 16/01/2013 | Debate in Parliament  |                 |         |
| 17/01/2013 | Decision by Parliament  | T7-0025/2013   | Summary |
| 17/01/2013 | Results of vote in Parliament                                   |                 |         |

| Technical information             |   |
|-----------------------------------|---|
| <b>Procedure reference</b>        | 2008/0251(NLE)  |
| <b>Procedure type</b>             | NLE - Non-legislative enactments  |
| <b>Procedure subtype</b>          | Consent by Parliament   |
| <b>Legislative instrument</b>     | Decision  |
| <b>Legal basis</b>                | Treaty on the Functioning of the European Union TFEU 218-p6a<br>Treaty on the Functioning of the European Union TFEU 211<br>Treaty on the Functioning of the European Union TFEU 207-p4 |
| <b>Stage reached in procedure</b> | Awaiting final decision   |
| <b>Committee dossier</b>          | INTA/7/00146  |




| Documentation gateway |
|-----------------------|
| European Parliament   |

| Document type   | Committee | Reference    | Date       | Summary |
|---|-----------|--------------|------------|---------|
| Committee draft report  |           | PE497.855    | 26/10/2012 |         |
| Amendments tabled in committee                                  |           | PE500.726    | 28/11/2012 |         |
| Committee opinion   | DEVE      | PE497.945    | 06/12/2012 |         |
| Committee report tabled for plenary, 1st reading/single reading |           | A7-0431/2012 | 19/12/2012 | Summary |
| Text adopted by Parliament, 1st reading/single reading          |           | T7-0025/2013 | 17/01/2013 | Summary |

#### Council of the EU

| Document type                      | Reference  | Date       | Summary |
|------------------------------------|------------|------------|---------|
| Document attached to the procedure | 05556/2009 | 30/04/2009 |         |
| Legislative proposal               | 11699/2012 | 04/07/2012 | Summary |

#### European Commission

| Document type                      | Reference  | Date       | Summary |
|------------------------------------|--|------------|---------|
| Preparatory document               | COM(2008)0861<br>   | 16/12/2008 | Summary |
| Document attached to the procedure | COM(2008)0863<br>  | 16/12/2008 | Summary |
| Commission document (COM)          | COM(2013)0086<br> | 19/02/2013 |         |

#### National parliaments

| Document type | Parliament /Chamber | Reference     | Date       | Summary |
|---------------|---------------------|---------------|------------|---------|
| Contribution  | PT_PARLIAMENT       | COM(2013)0086 | 04/07/2013 |         |

#### Additional information

| Source               | Document | Date |
|----------------------|----------|------|
| National parliaments | IPEX     |      |
| European Commission  | EUR-Lex  |      |

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

The Committee on International Trade adopted the report by Daniel CASPARY (EPP, DE) on the proposal for a Council decision on the conclusion of the 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.

The committee recommends that the European Parliament **give its consent to the conclusion of the agreement** considering that the signing of the agreement is a necessary step towards sustainable growth in the region. It also underlines the importance of the continued negotiations with a view to a full agreement for encouraging increased trade, investment and regional integration in the region.

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

2008/0251(NLE) - 17/01/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 494 votes to 97, with 33 abstentions, a legislative resolution on the proposal for a Council decision on the conclusion of the 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.

Parliament gave its consent to the conclusion of the Agreement.

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

2008/0251(NLE) - 16/12/2008 - Document attached to the procedure

**PURPOSE:** to propose the signature and provisional application of the **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.

**CONTENT:** the content of this provisional agreement is identical to that of the interim agreement establishing a framework for an Economic and Partnership Agreement with the countries concerned. For details, please refer to summary of the Commission's initial proposal of 16/12/2008.

To recall, this interim agreement concerns trade and development cooperation issues between the Community and its Member States and the Comoros, Madagascar, Mauritius, the Seychelles and Zimbabwe.

## **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.

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

2008/0251(NLE) - 04/07/2012 - Legislative proposal

**PURPOSE:** to conclude the 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:** on 12 June 2002 the Council authorised the Commission to open negotiations to conclude Economic Partnership Agreements with African, Caribbean and Pacific States (ACP States).

Negotiations for 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 (hereinafter referred to as the 'Interim EPA') were concluded on 28 November 2007 with the Seychelles, Zambia and Zimbabwe.

In accordance with the [Council Decision 2012/196/EC](#), the Interim EPA was signed with **Madagascar, Mauritius, the Seychelles and Zimbabwe** on 29 August 2009, subject to its conclusion.

The Interim EPA has been provisionally applied as from 14 May 2012, between the European Union and Madagascar, Mauritius, the Seychelles and Zimbabwe pending its entry into force.

The Interim EPA should be approved on behalf of the European Union.

**IMPACT ASSESSMENT:** no impact assessment was carried out.

**LEGAL BASIS:** Article 207 and Article 209(2), in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

**CONTENT:** under this draft Agreement, it is proposed that the 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, be approved on behalf of the European Union

### **Main objectives of the Economic Partnership Agreement:**

- contributing to the reduction and eventual eradication of poverty through the establishment of a strengthened and strategic trade and development partnership consistent with the objective of sustainable development, the Millennium Development Goals and the Cotonou Agreement;
- promoting regional integration, economic cooperation and good governance in the ESA region;
- promoting the gradual integration of the ESA region into the world economy, in conformity with its political choices and development priorities;
- fostering the structural adjustment of the ESA economies and diversification including value addition;
- improving the ESA region's capacity in trade policy and trade related issues;

- establishing and implementing an effective, predictable and transparent regional regulatory framework for trade and investment in the ESA region, thus supporting the conditions for increasing investment and private sector initiative and enhancing supply capacity, competitiveness and economic growth; and
- strengthening the existing relations between the Parties on the basis of solidarity and mutual interest. To this end, consistent with WTO obligations, the Agreement shall enhance commercial and economic relations, support a new trading dynamic between the Parties by means of the progressive, asymmetrical liberalisation of trade between them and reinforce, broaden and deepen cooperation in all areas relevant to trade and investment.

**In trade terms**, the specific objectives of this Agreement aim to:

- establish an agreement consistent with Article XXIV of General Agreement on Tariffs and Trade 1994 ("GATT 1994");
- establish the framework, scope and principles for further negotiations on trade in goods including **rules of origin, trade defence instruments, customs cooperation** and trade facilitation, sanitary and phytosanitary measures, technical barriers to trade, and agriculture, on the basis of the proposals already submitted; and
- establish a framework for and scope of potential negotiation in relation to other issues including trade in services, trade related issues as identified in the Cotonou Agreement and any other areas of interest to both Parties.

The Agreement also includes provisions to avoid and settle trade disputes between the Parties.

**Institutional arrangements:** institutional arrangements are provided including the establishment of an EPA Committee which shall be responsible for the administration of all matters under this Agreement, including development cooperation and for the fulfilment of any of the tasks mentioned in this Agreement.

**BUDGETARY IMPLICATION:** the proposal has no implications for the EU budget.