Basic information

2023/0456(NLE) NLE - Non-legislative enactments	Procedure completed, awaiting publication in Official Journal
EC/Pacific States Interim Partnership Agreement: accession of Tuvalu **Subject** 3.15.15.06 Fisheries agreements with Pacific countries 6.20.05 Multilateral and plurilateral economic and trade agreements and relations 6.40.06 Relations with ACP countries, conventions and generalities **Geographical area** Tuvalu	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	JOŃSKI Dariusz (EPP)	30/09/2024
	Shadow rapporteur ASSIS Francisco (S&D) FRAGKOS Emmanouil (ECR) COWEN Barry (Renew) KENNES Rudi (The Left) AUST René (ESN)	

Former committee responsible	Former rapporteur	Appointed
INTA International Trade		

Former committee for opinion	Former rapporteur for opinion	Appointed
DEVE Development	The committee decided not to give an opinion.	

Council of the European Union

European Commission

Commission DG	Commissioner
Trade and Economic Security	DOMBROVSKIS Valdis

Key events

Date	Event	Reference	Summary
11/12/2023	Preparatory document	COM(2023)0785	Summary
22/02/2024	Legislative proposal published	05757/2024	Summary
11/03/2024	Committee referral announced in Parliament		
13/11/2024	Resumption of business from the previous parliamentary term		
03/12/2024	Vote in committee		
05/12/2024	Committee report tabled for plenary, 1st reading/single reading	A10-0025/2024	
18/12/2024	Decision by Parliament	T10-0071/2024	Summary
18/12/2024	Results of vote in Parliament		
27/01/2025	Act adopted by Council after consultation of Parliament		

Technical information

Procedure reference	2023/0456(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legal basis	Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 207-p4
Stage reached in procedure	Procedure completed, awaiting publication in Official Journal
Committee dossier	INTA/10/00315

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE765.181	14/11/2024	
Committee report tabled for plenary, 1st reading/single reading		A10-0025/2024	05/12/2024	
Text adopted by Parliament, 1st reading/single reading		T10-0071/2024	18/12/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	05757/2024	22/02/2024	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2023)0785	11/12/2023	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

EC/Pacific States Interim Partnership Agreement: accession of Tuvalu

2023/0456(NLE) - 22/02/2024 - Legislative proposal

PURPOSE: to approve, on behalf of the European Union, the accession of Tuvalu to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part, subject to Tuvalu's deposit of the act of accession pursuant to Article 80(2) thereof.

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 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. The Independent State of Samoa, and Solomon Islands acceded to the Interim Partnership Agreement in accordance therewith, and have been provisionally applying it since 31 December 2018 and 17 May 2020, respectively.

On 31 March 2023, Tuvalu submitted a request for accession together with a market access offer to the Union.

The Commission has assessed Tuvalu's offer and, after amendments, found it acceptable. Accordingly, the Commission concluded negotiations with Tuvalu on 27 April 2023. In accordance with Article 76(3) of the Interim Partnership Agreement, the Union and Tuvalu are to provisionally apply the Agreement 10 days after notifying each other in writing of the completion of the procedures necessary for this purpose. The accession of Tuvalu to the Interim Partnership Agreement should be approved on behalf of the Union, subject to Tuvalu's deposit of the act of accession pursuant to Article 80(2) thereof.

CONTENT: the Council draft concerns the approval, on behalf of the Union, of the accession of Tuvalu to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part, subject to Tuvalu's deposit of the act of accession pursuant to Article 80(2) thereof.

The interim EPA is a development-oriented trade agreement, which offers asymmetric market access to Tuvalu and allows it to shield sensitive sectors from liberalisation, while providing a large number of safeguards and a clause for infant industry protection.

In particular, the interim Agreement:

- contains provisions on the rules of origin that facilitate Tuvalu'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 Tuvalu from paying customs duties. It satisfies the criteria established in Article XXIV of the GATT 1994 (to eliminate duties and other restrictive regulations of commerce with respect to substantially all trade between the parties). The offer meets WTO threshold, i.e. 80.2% of liberalisation (in tariff lines), corresponding to 82.1% in volume of EU exports over 20 years. Tuvalu will benefit from maintaining its duty-free quota-free access into the EU market;

- 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.

EC/Pacific States Interim Partnership Agreement: accession of Tuvalu

2023/0456(NLE) - 18/12/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 533 votes to 74, with 26 abstentions, a legislative resolution on the draft Council decision on the accession of Tuvalu to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part.

Parliament **gave its consent** to the accession of Tuvalu to the Agreement.

Tuvalu will lose the EU's Everything-But-Arms (EBA) preferences soon as it is expected to graduate from the Least Developed Countries (LDC) status in 2024.

In order to support its transition and to maintain full duty-free-quota-free access to the EU market, it will be beneficial for Tuvalu to accede to the interim EPA between the EU and the Pacific States (Fiji, Papua New Guinea, Samoa and Solomon Islands).

The interim EPA is a development-oriented trade agreement, which offers asymmetric market access to Tuvalu and allows it to shield sensitive sectors from liberalisation, while providing a large number of safeguards and a clause for infant industry protection.

In particular, the interim EPA:

- contains the rules of origin that facilitate Tuvalu’s exports into the EU;

- establishes the conditions for EU economic operators to take full advantage of the opportunities between the respective economies;

- establishes a set of disciplines in the areas of sustainable development; Technical Barriers to Trade (TBT); and Sanitary and Phyto-Sanitary measures (SPS), among others.

EC/Pacific States Interim Partnership Agreement: accession of Tuvalu

2023/0456(NLE) - 11/12/2023 - Preparatory document

PURPOSE: to approve, on behalf of the European Union, the accession of Tuvalu to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part (the ‘Interim Partnership Agreement’), subject to Tuvalu’s deposit of the act of accession pursuant to Article 80(2) thereof.

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.

On 30 July 2009 the EU signed an interim EPA between the Union, 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 31 March 2023, Tuvalu submitted a request to the Commission, together with a market access offer, to accede to the interim EPA. The Commission assessed the offer and, after amendments, found it to be acceptable. Accordingly, it concluded negotiations on behalf of the Union on 28 April 2023.

In accordance with Article 76(3) of the Agreement, the Union and Tuvalu are to provisionally apply the Agreement 10 days after notifying each other in writing of the completion of the procedures necessary for this purpose.

The accession of Tuvalu to the Interim Partnership Agreement should be approved on behalf of the Union, subject to Tuvalu’s deposit of the act of accession pursuant to Article 80(2) thereof.

It is now necessary to approve the accession of Tuvalu to the Interim Partnership Agreement on behalf of the European Union.

CONTENT: the Commission proposes that the Council should decide to approve on behalf of the Union, the accession of Tuvalu to the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part, subject to Tuvalu’s deposit of the act of accession pursuant to Article 80(2) thereof.

The proposal contains provisions on the approval, on behalf of the Union, of the accession of Tuvalu 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. It specifies that the approval of the accession must not be construed as conferring rights or imposing obligations which can be directly invoked before the Union or Member State courts or tribunals.

The interim EPA is a development-oriented trade agreement, which offers asymmetric market access to Tuvalu and allows it to shield sensitive sectors from liberalisation, while providing a large number of safeguards and a clause for infant industry protection.

In particular, the interim Agreement:

- contains provisions on the rules of origin that facilitate Tuvalu’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 Tuvalu from paying customs duties. It satisfies the criteria established in Article XXIV of the GATT 1994 (to eliminate duties and other restrictive regulations of commerce with respect to substantially all trade between the parties). The offer meets WTO threshold, i.e. 80.2% of liberalisation (in tariff lines), corresponding to 82.1% in volume of EU exports over 20 years. Tuvalu will benefit from maintaining its duty-free quota-free access into the EU market;

- 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.

Budgetary implications

Tuvalu is expected to graduate from the Least Developed Countries category in 2024. It will continue to benefit from the EU’s 'Everything But Arms' preferences, which offers duty-free quota-free access to EU market for all products (except arms and ammunitions), for a transitional period of three years thereafter. There will be no budgetary implications as the accession to the Agreement will continue Tuvalu’s market access into the EU on the same terms of preferences.