



DECLARATION
OF THE 18TH MEETING OF THE ACP MINISTERIAL TRADE COMMITTEE
ON ACP-EU ECONOMIC PARTNERSHIP AGREEMENTS

The ACP Group Trade Ministers, meeting in Brussels from 24 to 26 June 2015;

HAVING considered the state of play of the EPA negotiations and the implementation processes in the various ACP configurations;

NOTING that the signing of the EU-West Africa Agreement is on course, with only two ECOWAS countries and Mauritania are yet to sign, while the 28 EU Members States have signed the Agreement;

NOTING that the legal scrubbing is progressing in the case of the East Africa Community and SADC EPA regions; **NOTING**, however, that for the latter region, certain concerns persist regarding issues such as trade in arms, realigning the new EPA with the TDCA and provisions for entry into force;

NOTING that the implementation of a comprehensive EPA for the CARIFORUM is on course, with difficult issues being addressed in the joint EPA committees, notably the key implementation challenges highlighted by the monitoring study that was commissioned by the EU and the one conducted by the Economic Commission for Latin America and the Caribbean (ECLAC), while real, tangible benefits from the EPA are yet to be realized;

SERIOUSLY CONCERNED by the EU's unilateral decisions, particularly the release on 17 June 2015 of its own list of alleged international tax havens, based on obscure and subjective procedures, which are compromising the gains from the regional EPA, especially in the services sector, on which most of the Caribbean and other ACP Island States and small economies rely;

CONCERNED that the Pacific region has not met formally with the EU at the political level since 2007;

NOTING that the European Commission has proposed to the Pacific region to reform its fisheries management systems as a precondition to the completion of the negotiations for a comprehensive PACP-EU EPA;

ENCOURAGED that a meeting of the contact group was held between Central Africa and the European Union on 19 June 2015, after almost 4 years with no meeting whatsoever between the two parties;

SATISFIED that for the ESA region, significant progress has been reported in the four countries that are implementing an interim EPA with regular joint meetings having taken place;

FURTHER ENCOURAGED by the decision of the ESA region to proceed with the negotiation of a comprehensive EPA, building on the interim EPA based on the jointly agreed and improved text;

DISAPPOINTED, however, that the region's request to continue with the negotiations for a comprehensive EPA has been turned down by the EU, ostensibly due to lack of adequate market access offers from all the 11 ESA member countries;

NOTING that for the regions that have not completed their negotiations, the areas of divergence remain more or less the same, and deal with the provisions for development, market access offers, transition periods, and the non-execution clause. With regard to implementation, progress has been made in some areas while challenges remain in others;

Hereby declare as follows:

1. The EU should engage with the various ACP regions based on the fundamental principle that EPAs are, first and foremost, true development instruments and not simply trade liberalization agreements;
2. In order to be development instruments, foster the smooth and gradual integration of ACP States into the global economy and build export capacity, the EPAs must contain provisions to help ACP States build competitiveness, address supply- and demand-side constraints, and trade-related infrastructure challenges;
3. Achievement of the development objectives require the provision of sufficient and appropriate resources; to that end, the EU should engage with ACP States in identifying mechanisms and sources of funding to complement and amplify the effects of the resources already identified for the financing of the activities necessary for the structural transformation of the economies of the EPA signatory States. Such support should be compact, taking account of the scope and level of liberalization, as well as the degree of commitments made in the EPAs;
4. EPA negotiations and implementation should be based on principles such as variable geometry, greater focus on the development dimension, special and differential treatment and recognition of the unique challenges of the ACP States;
5. The implementation experience of the EU-CARIFORUM EPA provides a useful lesson for other regions that have recently concluded agreements, as well as those still involved in negotiations;
6. There is need to undertake reforms, including fiscal reforms that could enable our economies to derive benefits and obviate challenges in the implementation of EPAs;
7. The conclusion of separate EPAs within different groupings in Africa that do not correspond to existing regional integration arrangements, with different tariff phase-down commitments both in terms of products and time frames, different exclusion lists, rules of origin and legal provisions would complicate processes to forge common policy positions in the unfolding integration agenda. Therefore ACP States and regions should establish a mechanism through which they could address any impediment to their regional integration agenda that arises from commitments made in the EPAs;

8. The implementation of the COMESA-EAC-SADC free trade agreement launched on 10 June 2015 at the Tripartite Summit in Sharm El Sheikh, Egypt, as well as the negotiations of the Continental Africa Free Trade Area launched by the Africa Union Summit on 15 June 2015 in Johannesburg, South Africa, are welcome developments which will contribute to building an All-ACP Trade Cooperation Framework and which should be supported and not disrupted by the EPA process;
9. The EU's proposal that the signing, ratification and implementation of agreements concluded last year be completed by October 2016, should take cognizance of the impact that this deadline could have on the ACP-EU common objective of strengthening regional integration; In this regard, the EU should refrain from setting unilateral deadlines as such actions tend to be counterproductive and create friction in the partnership with ACP States;
10. The European Commission should convene meetings with regions that are yet to conclude full EPAs, and in the case of the Pacific region, convene a Joint Pacific - European Commission Ministerial Meeting to address the remaining contentious issues and to work constructively in the true spirit of goodwill and partnership to conclude a development-friendly comprehensive EPA by 31 December 2015;
11. The EU should immediately withdraw its black list, and refrain from such publications without due process as agreed at international level;
12. The EU is called upon to match the flexibility demonstrated by the ACP EPA regions, in order to ensure speedy conclusion of inclusive agreements that embrace all members in ACP regional groupings; and
13. The principle of the "capacity to implement" should be applied in the application of the EPAs; it would be useful to discuss this matter further at the joint EPA Committee meetings.

Brussels, 26 June 2015

