Council of the European Union

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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	27 March 2019
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2019) 154 final - ANNEX - PART 1/2
Subject:	ANNEX to the Proposal for a Council Decision on the position to be adopted, on behalf of the European Union, in the Trade Committee established under the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part, as regards a recommendation for certain amendments to be made to the Agreement to take account of the accession of Samoa and of future accessions of other Pacific Islands

Delegations will find attached document COM(2019) 154 final - ANNEX - PART 1/2.

Encl.: COM(2019) 154 final - ANNEX - PART 1/2

EUROPEAN
COMMISSION

Brussels, 26.3.2019
COM(2019) 154 final

ANNEX – PART 1/2

ANNEX

to the

Proposal for a Council Decision

on the position to be adopted, on behalf of the European Union, in the Trade Committee established under the Interim Partnership Agreement between the European Community, of the one part, and the Pacific States, of the other part, as regards a recommendation for certain amendments to be made to the Agreement to take account of the accession of Samoa and of future accessions of other Pacific Islands

ANNEX

RECOMMENDATION No 01/2019 OF THE EPA TRADE COMMITTEE SET UP BY THE INTERIM PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN COMMUNITY, OF THE ONE PART, AND THE PACITIC STATES, OF THE OTHER PART

of …

as regards the accession of Samoa and the future accessions of other Pacific States

THE TRADE COMMITTEE,

Having regard to the Interim Partnership Agreement, which establishes a framework for an Economic Partnership Agreement (hereinafter referred to as the "Agreement") between the European Union, of the one part, and the Pacific States, of the other part[1], signed in London on 30 July 2009 and in particular Articles 68, 78 and 80, thereof,

Whereas:

(1) Papua New Guinea and the Republic of the Fiji Islands signed the Agreement on 30 July 2009 and 11 December 2009, respectively and are provisionally applying the Agreement since 20 December 2009 and 28 July 2014, respectively.

(2) On 5 February 2018, the Independent State of Samoa (Samoa) submitted an accession request together with a GATT 1994 Article XXIV compliant market access offer to the Parties for decision. Accordingly, Samoa acceded to the Agreement on 21 December 2018 and is provisionally applying it since 31 December 2018.

(3) In the ligth of Samoa's accession, the Trade Committee has reviewed the Agreement and recommends to the Parties the adoption of technical amendments to the Agreement in order to list Samoa as a Party to the Agreement and to add its market access offer to Annex II to the Agreement.

(4) Similar amendments will need to be made to the Agreement each time a new Pacific Island accedes to the Agreement.

(5) The Trade Committee suggests that the Trade Committee be empowered to decide on any technical modification to the Agreemenmt that might be necessary following the accession of a new Pacific Islands,

HAS ADOPTED THIS RECOMMENDATION:

The Trade Committee recommends that the Parties:

1. replace paragraph 1 of Article 70 of the Agreement by the following:

[1] OJ L 272, 16.10.2009, p. 1.

'1. For the purposes of this Agreement the 'Contracting Parties' shall be the European Community, referred to as the 'EC Party', on the one part, Papua New Guinea, the Republic of the Fiji Islands and the Independent State of Samoa, referred to as the 'Pacific States', on the other part.'.

2. add the following paragraph 3 in Article 80 of the Agreement:

'3. The Trade Committee may decide on any technical modification to the Agreement that might be necessary following the accession of a new Pacific Islands.'.

3. in Annex II to the Agreement, add the text of the agreed market access offer of the Independent State of Samoa, set out in the Annex to this recommendation.

4. in Annex X to Protocol II to the Agreement, remove the reference to the Independent State of Samoa from the list of "Other ACP States".

Adopted at … on …

For the Trade Committee

On behalf of the EU

On behalf of the Pacific States