



Procedure file

Basic information		
NLE - Non-legislative enactments Decision	2008/0251(NLE)	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 Seychelles Madagascar Zimbabwe Mauritius		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	INTA International Trade		01/09/2009
		PPE CASPARY Daniel	
		Shadow rapporteur	
		S&D LANGE Bernd	
		ALDE RINALDI Niccolò	
		Verts/ALE KELLER Ska	
		ECR STURDY Robert	
	Former committee responsible		
	INTA International Trade		
	Committee for opinion	Rapporteur for opinion	Appointed
	DEVE Development		18/09/2012
		Verts/ALE SARGENTINI Judith	
	Former committee for opinion		
	DEVE Development		
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2956	13/07/2009
European Commission	Commission DG	Commissioner	
	Trade	DE GUCHT Karel	

Key events			
15/12/2008	Preparatory document	COM(2008)0861	
02/12/2009	Additional information		Summary
03/07/2012	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	Results of vote in Parliament		
17/01/2013	Decision by Parliament	T7-0025/2013	Summary

Technical information

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

Documentation gateway

Document attached to the procedure		COM(2008)0863	16/12/2008	EC	Summary
Preparatory document		COM(2008)0861	16/12/2008	EC	
Document attached to the procedure		05556/2009	30/04/2009	CSL	
Legislative proposal		11699/2012	04/07/2012	CSL	Summary
Committee draft report		PE497.855	26/10/2012	EP	
Amendments tabled in committee		PE500.726	28/11/2012	EP	
Committee opinion	DEVE	PE497.945	06/12/2012	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0431/2012	19/12/2012	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0025/2013	17/01/2013	EP	Summary
Document attached to the procedure		COM(2013)0086	19/02/2013	EC	

Additional information

National parliaments	IPEX
----------------------	----------------------

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

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)

The Lisbon Treaty, which entered into force on 1 December 2009, amended the EU's two core treaties, the Treaty on European Union (TEU) and the Treaty establishing the European Community (EC Treaty). The latter was renamed the Treaty on the Functioning of the European Union (TFEU).

These changes had various consequences for many ongoing procedures. First of all, the articles of the TEU and of the old EC Treaty that constitute the legal basis of all the proposals founded on those Treaties were renumbered in accordance with the table of equivalences mentioned in Article 5 of the Lisbon Treaty.

In addition, some proposals underwent a change to their legal basis going beyond a mere change to their numbering, and this resulted in changes to the type of procedure.

The Lisbon Treaty also introduced new concepts of decision-making procedure. The old "codecision procedure" was extended to new areas and renamed the "ordinary legislative procedure". A new "consent procedure" replaced the old "assent procedure". New interinstitutional procedures were also set up for the adoption of certain non-legislative acts, for example the conclusion of some international agreements.

The ongoing proposals concerned by these changes were formally modified by the Commission in a Communication published on 2 December 2009 ([COM\(2009\)0665](#)).

In the case of the proposal for a Council Decision concluding 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 entry into force of the Lisbon Treaty had the following impacts:

- the old legal basis ? Treaty/EC/Art.133, Art 181, Art.300(3) 2nd para. - became Art 207(4) first para, Art.211, Art 218 (6)(a) of the TFEU. Please note that the numbering of the old legal basis corresponds to the consolidated version of the Treaty that was applicable immediately before the entry into force of the Lisbon Treaty, and may differ from the references in the original Commission proposal;
- the proposal, which had previously fallen under the old assent procedure (AVC), was classified as an interinstitutional non-legislative procedure (NLE).

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

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.

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)

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.