

Joint Statement from the Fourth Meeting of the CARIFORUM-EU Consultative Committee

1. The fourth Meeting of the CARIFORUM-EU EPA Consultative Committee (CC) took place on 3rd and 4th December 2018 in Castries, Saint Lucia, co-chaired from the CARIFORUM side by Dav-Ernan Kowlessar and from the EU side by Brenda King. According to the Economic Partnership Agreement (EPA) between the CARIFORUM States and the European Union, the task of the CC is to assist the Joint CARIFORUM-EU Council in promoting dialogue and cooperation between representatives of organisations of civil society. The agreement also recognises the role of the CC in monitoring the implementation of all economic, social and environmental aspects of the EPA and in strengthening dialogue between representatives of civil society.
2. In order for the CC to fulfil its role and to provide added value to EPA implementation, it needs (1) the monitoring and evaluation framework to be in place and implemented, and (2) to be made aware of its budget allocation under the 11th EDF so it can (a) plan for its meetings, (b) manage its work plan, and (c) identify which organisation will act as Secretariat to the CARIFORUM side of the CC. This is vital for the CC to achieve its 3 main goals which are: (i) to be an advocate; (ii) to provide technical support and advice; and (iii) to increase visibility and awareness, inter alia via the dissemination of information.
3. The CC repeats its call for permanent observer status at the Trade and Development Committee (T&DC) in order to guarantee the timely and relevant contribution of the CC to the Joint Council.
4. The CC thanks the EU Commission for the introduction of the new facility that allowed the delegates to attend the 4th meeting of the CC. The Co-chairs welcome the opportunity to discuss with the Commission how this facility can be further improved.
5. The CC welcomed the exchange with the representatives from the CARIFORUM Directorate and from the EU Delegation to CARIFORUM at the meeting, which was valuable and appreciated, as it reflected the acknowledgement of the CC's role in the implementation of the EPA. In addition, the CC especially welcomed the presence of the representative of the Parties from Saint Lucia at the morning session of the first day . The CC strongly encourages that this good practice continues at future meetings of the CC.
6. The CC highlights that, given the slow pace of the implementation of the EPA and the marginal benefits achieved to date, the CC therefore requests that it receives the Terms of Reference for the 2020 EPA Review as it is important that this incorporates recommendations from the previous review. The CC also wants to be an active partner in this review as it is of crucial importance to more directly involve civil society organisations to ensure that the benefits of the agreement are realised.
7. The CC additionally calls for this review to include detailed analyses on the impacts of the EPA on trade in goods and services as well as investments. Furthermore, the analysis needs to include the relevant UN Sustainable Development Goals (SDGs) including indicators that measure social and environmental impacts, ILO core labour standards and Decent Work.

8. The CC regrets that most CARIFORUM member countries do not yet apply the regional preference clause, which is key for promoting intra-regional trade, regional integration and the development of regional value chains. The CC strongly recommends that this be a focus for resolution in the upcoming review.
9. The CC regrets that some CARIFORUM participants were not able to obtain a Visa to attend the fourth meeting being held in a CARIFORUM member state. This brings to focus our call for implementation of the regional preference clause and the mechanisms for temporary entry of Natural persons (Mode 4).
10. On Post-Cotonou negotiations, the CARIFORUM side of the CC should contribute to the development of the future priorities for the CARIFORUM region and wants the opportunity to engage directly with the technical expert, based in Brussels, that will support this process.
11. The CC appreciates that the ‘octroi de mer’ aims to support local industries in outermost regions (ORs) until 2020. This decision is based on TFEU Article 349 which calls for specific measures to address the structural factors of these regions, namely small size, remoteness and dependency on a limited range of exports. The combination and permanency of these factors impede the development of the ORs, inter alia through diseconomies of scale. The CC aims to highlight that CARIFORUM SIDS share these same features, so this should be taken into account within the EPA implementation framework as regards Other Duties and Charges (ODCs). The CC considers that under the principle of coherence and analytical parallelism, since ‘octroi de mer’ is grandfathered under the EPA, some flexibility should remain as for the elimination of ODCs under the same circumstances and respecting a reasonable and jointly agreed framework.
12. The CC requests that the T&DC pays attention to Article 16 para. 3 of the EPA, which refers to the elimination of ODCs on EU products by CARIFORUM States by December 2018. The CC asks for an update on which CARIFORUM States have or have not, or cannot eliminate the ODCs due to economic problems and request that there is some flexibility from the EU.
13. The CC wants to facilitate a bridge between civil society organisations from Europe and the CARIFORUM region by creating an online medium to share knowledge and opportunities for capacity building, projects and programmes. We believe this will create more impactful partnerships amongst for example; employers, capital, consumers, youth and trade unions.
14. The CC notes that most EU Member States have not yet put in place the administrative arrangements to facilitate the market access granted under Article 83 of the EPA for Contractual Service Suppliers (CSS) and Independent Professionals (IPs) from CF states and requests that this be established. [see annex]
15. The CC welcomes the EU’s second Report on Implementation of EU Free Trade Agreements and notes that it confirms the initial analysis of the CC that CF Trade in Services have increased approximately seven fold between 2013 and 2016. Given the lack of disaggregated data to understand these figures, and the absence of a monitoring and evaluation framework, the CC proposes that a project be defined and managed by a CC sub-group to better understand the sub-sectors and regions that account for these changes.

16. The CC notes the recent adoption by the European Union of the Regulation (EU) 2018/848 on organic agriculture, which, amongst other changes, replaces the current import regime based on “equivalence” to a need to prove “full compliance” with EU rules and the list of authorised substances. While acknowledging the new EU rules bring clarity and improvements in certain points in the implementation of the EU Organic Regulation, the CC recommends that technical assistance is provided to help with this transition.

 17. The CC purports that, in view of fulfilling its role as an advocate, it will produce regular views on topics relevant to the EPA and its operation. The dissemination to the relevant stakeholders will raise visibility, awareness and understanding of the EPA. The CC would therefore want to access the necessary resources including the existing communications infrastructure.
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ANNEX

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It further notes that Germany only recently ratified the EPA and German immigration authorities had indicated in 2013 that none of the immigration-related elements of the EPA could be “provisionally applied” until the EPA was ratified. Therefore, as part of the 10-year review of the EPA, it would be important to obtain responses by EU Member States to the following questions:-

- a. Have administrative measures been established in (country) immigration and/or work permit regulations to facilitate the entry of the following categories of service suppliers from the 15 CARIFORUM countries into (country) jurisdictions to supply services to clients there, subject to the provisions in the EPA: Contractual Service Suppliers (CSS); Independent Professionals (IPs)?
- b. Have any service suppliers from any of the 15 CARIFORUM countries been granted entry to supply services in (country) as provided for under the EPA over the past nine (9) years? If so, which categories – CSS or IP?
- c. What specific type of documentation or authorization is required by a service supplier from a CARIFORUM member country to supply services in (country) jurisdiction or territory – a work permit, or some other special document? And what is the particular process or procedure for obtaining this?