

## European Union trade negotiations: state of play

### I. Completed negotiations (agreements not yet ratified)

- Canada
- Caribbean
- Eastern African Community
- Ecuador
- SADC EPA group
- Singapore
- West Africa

Agreement type	Country	General overview			Aspects related to GIs
		Conclusion of negotiations	Key issues	Next steps	GIs issues
<b>FREE TRADE AGREEMENT</b>	<b>Canada<sup>1</sup></b>	Negotiations were officially completed the 26 <sup>th</sup> of September 2014.	The CETA covers the following areas: trade in goods and services, investment, intellectual property (among which GIs), sustainable development, public procurement, labour and environmental issues and dispute settlement.	The Agreement is supposed to be ratified in 2015. If so, it will enter into force in 2016.	<p>The <u>agreement</u> covers 145 EU GIs, which enjoy a high level of protection, including enforcement mechanisms;</p> <ul style="list-style-type: none"> <li>- 125 EU GIs enjoy full protection;</li> <li>- For 20 EU GIs, exceptions to full protection have been provided;</li> <li>- The possibility of coexistence between GIs and pre-existing trademarks is provided;</li> <li>- The possibility to expand the list of GIs in the future is provided.</li> </ul>
<b>ECONOMIC PARTNERSHIP AGREEMENT</b>	<b>Caribbean<sup>2</sup></b>	The Agreement was signed in 2008. The European Parliament approved the text in 2009.	<ul style="list-style-type: none"> <li>- Liberalisation of trade in services and goods;</li> <li>- Enhance investment in the Caribbean;</li> <li>- Provisions to ensure free and fair competition;</li> <li>- Respect of the environment and people's rights;</li> <li>- The Agreement also sets a common institutional framework to ensure a proper implementation of the agreement: the Trade and Development Committee and the Joint CARIFORUM-EU Council.</li> </ul>	<p>The 3<sup>rd</sup> Joint CARIFORUM- EU Council meeting might take place in the first semester of 2015.</p> <p>The Trade and Development Committee will meet for the 4<sup>th</sup> time in November 2014.</p>	<ul style="list-style-type: none"> <li>- <a href="#">Article 145</a> is devoted to GIs;</li> <li>- According to the EPA (article 145 – E), the EU and the Caribbean countries shall start negotiations aimed at an agreement to protect GIs. There have been contacts between both sides in order to prepare negotiations.</li> </ul>

<sup>1</sup> <http://ec.europa.eu/trade/policy/countries-and-regions/countries/canada/>

<sup>2</sup> <http://ec.europa.eu/trade/policy/countries-and-regions/regions/caribbean>

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<b>ECONOMIC PARTNERSHIP AGREEMENT</b>	<b>Eastern African Community (EAC)<sup>3</sup></b>	Negotiations were concluded the 16 <sup>th</sup> of October 2014.	<ul style="list-style-type: none"> <li>- Free and unlimited access to the EU market for EAC products; EAC markets are not fully liberalised (degree of liberalisation: 80 % over the next 15 years).</li> </ul>	The EU and the EAC states are preparing the ratification process of the Agreement.	The Agreement does not cover GIs.
<b>FREE TRADE AGREEMENT</b>	<b>Ecuador<sup>4</sup> (Andean Community)</b>	<ul style="list-style-type: none"> <li>- In 2007, trade negotiations were launched in order to reach a trade agreement between the EU and the Andean Community (Peru, Colombia, Bolivia and Ecuador) ;</li> <li>- In 2009, Bolivia and Ecuador ended negotiations with the EU. Talks continued however with Peru and Colombia and the Agreement between the EU and these two countries was signed in 2012;</li> <li>- In January 2014, Ecuador restarted to negotiate with the EU. <a href="#">An agreement was finally</a> reached during the month of July 2014.</li> </ul>	<ul style="list-style-type: none"> <li>- This Agreement will allow Ecuador to join the existing agreement between the EU, of the one part, and Peru and Colombia, of the other part.</li> <li>- Liberalisation of agricultural trade ;</li> <li>- Better access of EU wines and spirits to Ecuadorian market (removal of non-tariff barriers to trade)</li> </ul>	The EU – Ecuador agreement will likely enter into force in 2016.	<ul style="list-style-type: none"> <li>- EU GIs to be protected in Ecuador will be the same ones that are currently protected in Peru and Colombia (<a href="#">Annex XIII –Appendix 1</a> of the trade agreement between the EU, Peru and Colombia).</li> <li>- The European Commission has informed us that Ecuador has submitted only one GI to be protected in the European Union: “Cacao Arriba”.</li> </ul>

<sup>3</sup> Kenya, Uganda, Tanzania, Burundi and Rwanda (<http://ec.europa.eu/trade/policy/countries-and-regions/regions/eac/>)

<sup>4</sup> <http://ec.europa.eu/trade/policy/countries-and-regions/regions/andean-community/>

Agreement type	Country	General overview			Aspects related to GIs
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<b>ECONOMIC PARTNERSHIP AGREEMENT</b>	<b>SADC EPA Group<sup>5</sup></b>	Launched in 2004, the negotiations were concluded on the 15 <sup>th</sup> of July 2014.	<ul style="list-style-type: none"> <li>- Trade in goods: duty-free, quota-free access to the EU market for Botswana, Lesotho, Mozambique, Namibia, and Swaziland. South Africa will enjoy better trading terms for wine, sugar, fisheries products, flowers and canned fruits;</li> <li>- Asymmetric market access;</li> <li>- Most of the new market access under the EPA concerns agricultural and fisheries products.</li> </ul>	The Agreement is now being "scrubbed" and prepared for signature.	<ul style="list-style-type: none"> <li>- The EPA includes a bilateral protocol between the EU and South Africa on the protection of GIs and on trade in wine and spirits.</li> <li>- South Africa will <a href="#">protect more than 250 EU names</a> spread over the categories of food, wines and spirits. The EU will protect 105 South African GIs.</li> <li>- Coexistence between GIs and pre-existing trademarks is provided.</li> </ul>

<sup>5</sup> Angola, Botswana, Lesotho, Mozambique, Namibia, South Africa and Swaziland (<http://ec.europa.eu/trade/policy/countries-and-regions/regions/sadc/>)

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FREE TRADE AGREEMENT	Singapore <sup>6</sup>	<p>Negotiations were launched in March 2010.</p> <p>They were fully completed the 17<sup>th</sup> of October 2014.</p>	<ul style="list-style-type: none"> <li>- Green growth: the agreement removes obstacles to trade and investment in certain green technologies, green public tendering and environmental services;</li> <li>- Market access in public procurement;</li> <li>- Improved regulatory framework for courier and postal services, telecommunications, financial services and international maritime transport;</li> <li>- Elimination of all tariffs.</li> <li>- The Commission's legal service is preparing a request to the European Court of Justice to clarify which provisions of the FTA with Singapore fall within the EU's exclusive or shared competence and which remain in the Member States' remit and require approval by national instances.</li> </ul>	<p>It has not been officially signed.</p>	<ul style="list-style-type: none"> <li>- The agreement includes a chapter devoted to intellectual property. Particularly, articles <a href="#">11(16) to 11(23)</a> deal with the protection of GIs;</li> <li>- According to the agreement, Singapore has to create a register for foreign GIs to be protected in its territory;</li> <li>- <a href="#">Annex 11-A</a> contains the list of European GIs to be applied for protection in Singapore. The EU's list contains 196 GIs. Singapore has not submitted any name;</li> <li>- The text sets an internal procedure in order to establish the final list of GIs to be effectively protected. The whole FTA cannot enter into force until the EU and Singapore have reached an agreement on the EU GIs to be protected.</li> </ul>

<sup>6</sup> <http://ec.europa.eu/trade/policy/countries-and-regions/countries/singapore/>

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<b>ECONOMIC PARTNERSHIP AGREEMENT</b>	<b>West Africa<sup>7</sup></b>	Negotiations were concluded in February 2014.	<ul style="list-style-type: none"> <li>- The agreement covers goods and development aspects;</li> <li>- The text includes clauses allowing for further negotiation on services and rules pillars.</li> </ul>	The Agreement is not yet signed.	The agreement does not cover GIs. However, it includes a rendez vous clause allowing for further negotiations in the field of IPRs, including GIs.

<sup>7</sup> Benin, Burkina Faso, Cape Verde, Ivory Coast, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo, Mauritania  
(<http://ec.europa.eu/trade/policy/countries-and-regions/regions/west-africa/>)

