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Sustainable Economic Development Department

Brussels, 11 July 2007

**6TH MEETING OF THE GROUP OF EXPERTS
IN CHARGE OF THE RULES OF ORIGIN**

ACP HOUSE, Brussels
9 and 10 July 2007

SUMMARY CONCLUSIONS

The Group of Experts on Rules of Origin held its 6th meeting on 9 and 10 July 2007, to undertake the following tasks:

1. Take stock of the activities in the area of rules of origin on negotiations at regional and all-ACP level.
2. Consider a draft model Protocol elaborated and amended to serve as a tool for negotiations at regional level.
3. Have an exchange of view on the EU Convention on the Rules of Origin for the EPA negotiations.

In this context, the members of the Group of Experts received presentations from:

- the ACP Secretariat and the Representatives of the six negotiating regions on the update on the negotiations in the area;
- Mr. Stefano Inama of UNCTAD, on a draft Model Protocol; and
- Dr. Lorand Bartels of University of Cambridge on the legal implications of the EU Convention on Rules of Origin with focus on cumulation rules.

A proposal elaborated by ESA Region on specific rules and fisheries was also distributed to the Group of Experts. It is herewith attached.

The deliberations that ensued following the presentations can be summarized as follows:

- The Group recognised that there is limited time to comprehensively conclude the negotiations on rules of origin and in that light recognise

the need to work on an approach based on two phases, beginning with the transitional arrangements that improve upon the Cotonou rules of origin.

- It is important to identify the aspects of the Cotonou rules that need to be improved. The regions should consult their producers and exporters for the elaboration of specific proposals for products. To this end, it would be necessary to concentrate on the products or sectors which are the most important for the exportation of the countries concerned.
- The Group of Experts recognised that the ideal situation would be to have identical rules including facilitation of cumulation and administrative cooperation process. The regions may therefore consider to adhere as much as possible to this principle. There is need to continue to reflect on different options of cumulation.
- It is important to take into account the real situation of the various regions.
- It is essential to base everything on the Cotonou acquis, bearing in mind the main concerns of the ACP countries in relation to concepts such as asymmetry, cumulation, derogation, automatic derogation, value tolerance and administrative cooperation.
- The mechanism of communication needs to be improved. To this end, all the regions have to communicate to the Secretariat the work they have done in the area, for the information of other regions and for comparison. All the regions shall send their proposals to the ACP Secretariat by the end of August 2007. The draft legal texts of the region need also to be sent.

- There is need to make a reference to the criterion of CTH in the draft model Protocol which is a tool to be utilised by the regions to elaborate their proposal.
- The draft model Protocol constitutes a good basis and the regions can add to it.
- The issue of administrative procedures needs to be addressed during the next meeting of the Group of Experts. In this regard, the issue of registration of exporters as proposed by the EC needs to be discussed further.
- To avoid being put in a position of merely reacting to proposals coming from the EC, it is necessary to arrive at a concrete proposal to be submitted to the EC.
- It is recommended that the Experts Group meets more frequently.

THE WAY FORWARD

The Group recommended that at the next Group of Experts meeting discussion will focus on the following:

- The differences among regions on the main text of EPAs Rules of Origin based on their proposals.
- The product specific rules of origin that the ACP regions have identified.

To assist in focusing the discussions two documents will be prepared:

- A main text highlighting the differences among the protocols presented by the regions.
- An updated template containing the product specific rules of origin presented by the regions.

In order to facilitate the work of the ACP Secretariat, the ACP regions will make efforts to send to the ACP Secretariat the draft of the main text and the product specific rules of origin by the end of August.
