

The Fourth Round of Negotiations of an Association Agreement

The round took place in Brussels from 14th to 18th July. At the conclusion of the official part of the discussion the parties seemed happy about the advances achieved: see the [final communiqué from the EU and Central America](#). However, the advances made are over the relatively straightforward issues while the difficult ones have been left for the future. Thus, there are a lot of controversial matters for which Central America is by no means prepared. In this way they leave a challenging agenda for the other rounds. Apparently the EU softened its position – which in the third round was described as very difficult – and offered a large part of the benefits of the GSP-plus. What they are offering is tax-free access to 90 per cent of the products, but these do not include the key products for the most. Thus, negotiations over the elimination of duties on products such as sugar, bananas and coffee remain pending. Regarding bananas, the EU have only negotiated under the umbrella of the WTO in Geneva, where it has demonstrated over this period a willingness to progressively reduce duties from €176 to €116 per ton for bananas from Latin America.

In other commercial areas such as Competition, Copyright, Rules of Origin maybe some advances have been made, but problems remain which are difficult to solve. One issue is that Central America still doesn't have the national policies nor even less the regional policies necessary to comply with the sophisticated regulations which the EU requires.

In the political dialogue, the EU has stopped demanding that Central America give their support to the International Criminal Court. They have accepted that the Central American countries which haven't given their support can 'make steps' in this direction but without imposing a time limit for completion. The new European guideline regarding migration (see below) caused tension at the discussion table. The Central American countries insisted that migration is also an issue in the negotiations, not only a security matter, as the EU suggests. They decided that during the fifth round of negotiations members of the EU will have a workshop in Guatemala with Central American experts in order to see the implications and concerns raised by the new guidelines.

There is a tendency to integrate the different pillars of the negotiation. The round began already with a full session about regional integration, including the three pillars. They are concretizing cooperation over commercial areas in which cooperation is needed. For example, in order to meet the European demands in the fields of plant and animal health, technical assistance will be required. This type of requirement is being discussed now on the cooperation table.

In the light of the problem of 'acceleration of the negotiations', highlighted before, there is a small change. They are still planning to complete the five rounds planned for this year, but the Central Americans have not been willing to fix dates for the rounds in 2009, leaving open the possibility to adapt the length of time that they need for their preparation.

Calendar of the negotiations: Fifth round – Guatemala, 6 – 10 October
 Sixth round – Brussels, December (exact dates to be agreed)

Understanding the Commercial Agreements

In order to understand the consequences of each area of the commercial agreement, the British organisations ActionAid, Christian Aid and Oxfam GB have put together an excellent manual: [Tackling EU Free Trade Agreements](#). The manual explains each one of the major commercial areas, their possible risks and impacts. It is based on a lot of experience of past negotiations, academic evidence and case studies. On each theme the manual describes how the developing countries could *potentially* benefit or take preventative measures against negative effects of the agreement. But it also realistically shows what the obstacles are to ensuring that the agreements are beneficial.

This EU FTA manual is a recommended tool for advocacy. It can be used to develop alternative proposals or as a source of information on which to base new positions and protests.

Migration: the Return Directive

While the EU is negotiating to open borders for products, it is increasingly closing borders to people. After three years of negotiations, in June they approved a controversial Return Directive which regulates the standards and proceedings for illegal immigrants in the Member States of the EU. Instead of protecting the fundamental rights of the immigrants – which would have been in line with EU principles – the directive increases the possibility of deportation and stipulates a time period of five years in which an expelled immigrant can not immigrate again. Furthermore it increases the possibility of detaining immigrants without documents for 18 months and the detention of minors.

This directive is not consistent with international agreements and it has been heavily criticised by civil society organisations in many countries of the world: for example from Latin America by [Chaac, Honduras](#) and Red GE, Peru. At the official level, protests have mainly come from Latin America: Bolivia, Ecuador, Venezuela and Brazil.

The approval of this law is irreversible. The member states have two years for its implementation at national level. During its implementation the directive can be re-debated following social protests. But from the leaders of the EU nothing good can be expected; on the contrary, the current president of the EU, France, has declared migration as a top priority and has launched an agenda to achieve more agreements of 'solidarity' (called a pact) between European countries, which will restrict the entrance of immigrants even further. More information in [EU News](#).

Negotiations in the Andean region suspended

A few days before the round, planned for 7th to 11th July, the EU unilaterally suspended the fourth round of negotiations for the CAN-EU association agreement. The official reason was 'technical': the Andean countries had not achieved a consensus and had not sent their regional offers before the deadline. Certainly the lack of unity in the Andean region was a difficulty. But it is no secret that the EU does not like the counter-proposals of Bolivia which does not want to negotiate all the points on the agenda imposed by the EU. In respect to this, the EU said that the commercial agreement is not a 'dish on the menu' which the countries choose whether or not to discuss. Recently Ecuador also stated its position more clearly. Correa has declared his position in a letter to the EU on 10th July.

What is certain is that the difficulties in the Andean region have increased the pressure to present the negotiations with Central America as a success.