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RECOMMENDATION

on the proposal for a Council decision concluding the additional protocol to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union
(COM(2005)0372 - C6-0350/2005 - 2005/0152(AVC))

Committee on Development

Rapporteur: Miguel Angel Martínez Martínez

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	4
EXPLANATORY STATEMENT	5
PROCEDURE.....	7

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a Council decision concluding the additional protocol to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union
(COM(2005)0372 -C6-0350/2005 - 2005/0152(AVC))**

(Assent procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2005)0372)¹,
 - having regard to the Council Decision 2005/206/EC of 28 February 2005² on the signing and provisional application of the above-mentioned Protocol,
 - having regard to the request for assent submitted by the Council pursuant to Article 300(3), second subparagraph, in conjunction with Article 310 and Article 300(2), first subparagraph of the EC Treaty (C6-0350/2005),
 - having regard to Rules 75 and 83(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Development (A6-0328/2005),
1. Gives its assent to the conclusion of the above-mentioned Protocol;
 2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and the Republic of South Africa.

¹ Not yet published in OJ.

² OJ L 68, 15.3.2005, p. 32.

EXPLANATORY STATEMENT

The peaceful transition from the horrible apartheid dictatorship to a free and democratic country in South Africa has been one of the most encouraging events in the history of sub-Saharan Africa in recent decades. The European Union made a significant contribution to the consolidation of democracy in South Africa in particular through the European Programme for Reconstruction and Development, the agreement on the partial access of South Africa to the Lomé Agreement and now the Cotonou partnership agreement and the Trade, Development and Cooperation Agreement between the European Union and the Republic of South Africa (TDCA).

The TDCA created a new trade and development relationship between South Africa and the EU. Negotiated over the course of almost four years, and finally concluded in late 1999, it entered into force on a provisional basis in January 2000. The agreement is a product of detailed negotiations between the EU and South Africa and reflects the judgements and interests of each party. It complies with the principles of the World Trade Organisation and the rules of the global trading system.

The broad components of the TDCA are tariff liberalisation and provisions for a Free Trade Area, specific trade-related issues, political dialogue, economic cooperation and development cooperation. The agreement also allows the qualified accession to the ACP-EU Cotonou Partnership Agreement and contains a Science and Technology Agreement. Provisions on the Wine and Spirit sector were finally added to the TDCA, while an intended cooperation agreement on fisheries could not be concluded.

The TDCA identifies a number of objectives including support for the South African transition to sound economic and social stability and the promotion of economic and political regional cooperation. South Africa's integration into the global economy should be facilitated by support for trade expansion measures. Last, but not least, the agreement is based on the respect for democratic principles, human rights and good governance.

With the TDCA, South Africa was the first developing country that entered into a free trade agreement with the European Union. It is thus an innovative and trailblazing agreement, leading the way for future trade relations among industrialised and developing countries, especially with regard to reciprocal trade relations between African countries and the EU. The negotiations on the Economic Partnership Agreements between the EU and ACP countries can be considered as a continuation of the path initiated by the TDCA, although the relative competitiveness of the South African economy does not allow a simple comparison with the other sub-Saharan countries in Africa and the Caribbean and Pacific states.

The agreement was welcomed by the European Parliament when it was concluded, with Parliament considering it a good agreement as it goes beyond trade issues and tries to support South Africa's integration into world trading and the global economy. It is a far more important agreement for South Africa than for the EU, given that, in 2004, 41.5% (€ 17.2 billion) of all South African imports came from the EU and 34.5% (€ 12.8 billion) of all South African exports went to the EU. For the EU, the imports from and exports to South Africa represent only a small share of its overall trade flows (1.5% of all imports and 1.7% of all exports in 2004), which illustrates the inequality of the trading relationship between the EU

and South Africa, and underlines the need for continued EU support for the economic, social and political development of this important country.

After the accession of 10 new Member States to the European Union on 1 May 2004, the Commission negotiated an additional protocol. On 28 February 2005 the Council adopted a decision for the signing and provisional application of the additional protocol, which was signed on 25 June 2005. The additional protocol presented now by the Commission provides for the necessary adaptations ensued from the accession of the 10 new Member States. The protocol includes the 10 new partner countries in the institutional provisions of the TDCA and adds the new languages (use of official languages, translation of provisions for rules of origin). Concerning trade provisions, the additional protocol provides for a review of tariff quotas based on the traditional trade between the 10 new Member States and South Africa. In practice, this concerns only the tariff quotas for "global prepared fruit" (increase by 1 225 tonnes) and for "global mixed prepared fruit" (increase by 340 tonnes).

The additional protocol has obviously a technical character. However, its political importance lies in the fact that it includes the 10 Member States that joined the Union in 2004 in the TDCA which has been one of the most significant political and economic agreements with countries of the developing world. Because of the political importance and the generally positive view of Parliament on the TDCA, the rapporteur proposes to give Parliament's assent to the Commission proposal.

PROCEDURE

Title	Proposal for a Council decision concluding the additional protocol to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic to the European Union	
References	COM(2005)0372 - C6-0350/2005 - 2005/0152(AVC)	
Legal basis	Articles 300(3), second subparagraph, and 310 EC	
Basis in Rules of Procedure	Rules 75 and 83(7)	
Date of request for Parliament's assent	30.8.2005	
Committee responsible Date announced in plenary	DEVE 15.11.2005	
Committee(s) asked for opinion(s) Date announced in plenary	INTA 15.11.2005	
Not delivering opinion(s) Date of decision	INTA 12.9.2005	
Enhanced cooperation Date announced in plenary		
Rapporteur(s) Date appointed	Miguel Angel Martínez Martínez 26.10.2005	
Previous rapporteur(s)		
Simplified procedure Date of decision		
Legal basis disputed Date of JURI opinion		
Discussed in committee	5.10.2005	24.10.2005
Date adopted	24.10.2005	
Result of final vote	for: 30 against: 0 abstentions: 1	
Members present for the final vote	Margrete Auken, Margrietus van den Berg, Danutė Budreikaitė, Marie-Arlette Carlotti, Thierry Cornillet, Nirj Deva, Koenraad Dillen, Fernando Fernández Martín, Michael Gahler, Héléne Goudin, Filip Andrzej Kaczmarek, Maria Martens, Miguel Angel Martínez Martínez, Gay Mitchell, Józef Pinior, Toomas Savi, Pierre Schapira, Jürgen Schröder, Feleknas Uca, Anna Záborská, Mauro Zani	
Substitutes present for the final vote	Marie-Hélène Aubert, Milan Gaľa, Alain Hutchinson, Linda McAvan, Manolis Mavrommatis, Karin Scheele, Anne Van Lancker, Anders Wijkman, Zbigniew Zaleski, Gabriele Zimmer	
Substitutes under Rule 178(2) present for the final vote		
Date tabled – A6	17.11.2005	A6-0328/2005
Comments		