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OF ECONOMICS AND
POLITICAL SCIENCE ■

Sustainability Impact Assessment in Support of Negotiations with Partner Countries in Eastern and Southern Africa in view of Deepening the Existing Interim Economic Partnership Agreement

SIA Report on Trade in Goods • 8 February 2021



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Abbreviations

AfCFTA	African Continental Free Trade Area
ACP	African-Caribbean-Pacific
COMESA	Common Market for Eastern and Southern Africa
CITES	Convention on International Trade in Endangered Species
CSR	Corporate Social Responsibility
DG Trade	Directorate-General for Trade
EALA	East Africa Legislative Assembly
EAC	Eastern African Community
ESA	Eastern and Southern Africa
EPA	Economic Partnership Agreement
EC	European Commission
EPA	Economic Partnership Agreement
EU	European Union
ESA5	Five ESA Countries
FDI	Foreign Direct Investment
FTA	Free Trade Agreement
GHG	Greenhouse Gas
GDP	Gross Domestic Product
HDI	Human Development Index
IUU	Illegal, Unreported and Unregulated Fishing
IOC	Indian Ocean Commission
IOTC	Indian Ocean Tuna Commission
ILO	International Labour Organisation
ITC	International Trade Centre
IL	Intervention Logic
LDC	Least Development Country
LSE	London School of Economics and Political Science
MOSC	Maison des Organisations de la Société Civile
MSME	Micro, Small & Medium Enterprises
MFN	Most Favoured Nation
NGO	Non-Governmental Organisation
NTM	Non-tariff Measures
OECD	Organisation for Economic Co-operation and Development
ORs	EU's Outermost Regions
OCT	Overseas countries and territories
OIE	World Organisation for Animal Health
PPPs	Public-private Partnerships
PPP	Purchasing Power Parity
RBC	Responsible Business Conduct
REACH	Registration, Evaluation, Authorisation and Restriction of Chemicals
RECs	Regional Economic Communities
REX	Registered Exporter Scheme
ROO	Rules of Origin
SEATINI	The Southern and Eastern Africa Trade Information and Negotiations Institute
SPS	Sanitary and Phytosanitary Measures
SME	Small and Medium Size Enterprise

SAPSN	Southern Africa People's Solidarity Network
SADC	Southern African Development Community
SFPA	Sustainable Fisheries Partnership Agreement
SITC	Standard International Trade Classification
SOE	State-owned Enterprises
SIA	Sustainability Impact Assessment
SDGs	Sustainable Development Goals
SFPA	Sustainable Fishery Partnership Agreement
TBT	Technical Barriers to Trade
TSD	Trade and Sustainable Development
TFA	Trade Facilitation Agreement
TOR	Terms of Reference
UNFCCC	UN Framework Convention on Climate Change
UK	United Kingdom
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
VAT	Value Added Tax
WTO	World Trade Organisation

Executive Summary

Based on the screening of potential provisions for trade in goods, agriculture, fisheries and development cooperation as well as a detailed assessment of horizontal and sectoral measures, behind-the-border issues and relevant legislative frameworks, this report identified the following key potential economic, social, human rights and environmental impacts of the comprehensive EU-ESA5 EPA.

Economic impacts:

- **A major economic impact is considered to originate from potential rules of origin provisions.** In fact, based on favourable rules of origin, the agreement could provide duty free quota free access for ESA5 countries to the EU market.
- In addition, **provisions regarding technical barriers to trade are expected to have major economic impacts in all economic sectors.**
- **SPS measures are another area where major economic impacts are expected, in particular in sectors such as food products as well as livestock and live animals, and pesticides.** There are significant challenges for ESA5 companies in complying with EU Standards and SPS measures, in particular for SMEs. ESA5 countries will likely upgrade their standards as ESA5 exporters would face more competition from other regions, which may also lead to increase export diversification, increased competitiveness and higher standards for exporters. Promotion of trade in sustainable products could support economic diversification and economic growth in ESA5 countries, including SMEs.
- Potential customs procedures (trade facilitation) provisions are likely to facilitate increased commercial activity and lead to cost savings for ESA5 countries. Compared to other likely impacts, these economic impacts are, however, expected to be relatively small.
- Depending on their level of restrictiveness, potential registration and **import/export licensing regulations are expected to have a minor economic impact, mainly indirectly through better implementation of higher standards at company level.**
- As concerns fisheries and agriculture, extensive market opening in key agricultural products like dairy and beef, poultry, vegetables could represent a potential business risk for local farmers in ESA5 countries, e.g. the fisheries sector in Comoros.

Environmental impacts:

- One possible environmental impact is the potential reduction of pests and diseases in agriculture due to the **implementation of SPS measures, which could also help to improve animal welfare through promotion of OIE standards.**
- A potential negative environmental effect of increased SPS provisions could be that it encourages the livestock sector in ESA5 countries to develop for export (particularly the larger ones, Madagascar and Zimbabwe), which could cause land use change, increased emissions and potentially deforestation damaging to biodiversity.
- Under TBT measures, greater adherence to international standards could improve consumer safety also for goods produced for domestic ESA markets.
- Another important **environmental impact of provisions on customs procedures and import and export licensing could be strengthened controls on the illegal trade in endangered species.** This is particularly relevant given the ESA5 states' rich biodiversity.
- Provisions to promote trade for the repair and manufacture of goods could facilitate the development of circular economy practices between Parties.
- As discussed below, development cooperation to aid the implementation of provisions could have positive impacts on the environment.

Social impacts:

- A key social impact is that the potential growth of exports from ESA5 countries to the EU, combined with lower import costs, could enhance possibilities to **move from lower to higher added-value products, which is expected to support economic growth and, in turn, have positive impacts on occupation, salaries and working conditions.**
- However, such positive impacts could reduce progressively over time, and even disappear, as other ACP and third countries sign EPAs with the EU and adhere to EU standards and procedures, increasing competition for EU markets.
- Furthermore, the positive impacts of increase exports are not likely to manifest in the same way for all ESA5 countries. Low-income countries may be less likely to increase their exports towards the EU in the short term, but domestic sectors would be exposed to increased EU imports.
- Development cooperation and technical assistance on standards, customs procedures and licensing regulations are necessary for the positive impacts of increased exports towards the EU to occur.

The report concludes with a **set of policy recommendations** on different levels. Regarding **implementation**, the private sector and potential new investors should be involved more closely in the trade negotiations. The report concludes that capacity building is key. ESA5 countries need **better coordination of capacity building activities** as they need to improve the visibility and flow of information. The EU can support the capacity building process by identifying weakness and using its own experiences in trade facilitation, as well as improving trade capacities, including infrastructure. With respect to market opening in ESA5 countries, **liberalization commitments should be pegged to clear development thresholds or benchmarks**. In addition, negotiations should ensure the **mitigation of negative aspects of the EPA**. The two main negative potential impacts of EPAs will be on tariff revenue loss and possibly loss of business for domestic producers.

Another key issue is poverty and pro-poor growth, i.e. the development dimension of the negotiations. As reciprocal trade with the EU affects issues such as poverty as well as food security, the negotiating partners should consider **adaptation mechanisms under the EPA and that a number of sensitive products are excluded in the agreement, at least in the medium run**. There should also be a **closer alignment of the development and trade components of the EPA**. Regarding **regional aspects of the EPA**, negotiators should take into account the relations between different regional integration areas with the need to align different RoOs. In addition, negotiations should take into account the situation of the EU's outermost regions (OR) in the context of the EPA.

1. Introduction

1.1 The study

This report is part of the project to prepare a *Sustainability Impact Assessment (SIA) in support of negotiations with partner countries in Eastern and Southern Africa (ESA) in view of deepening the existing interim Economic Partnership Agreement (EPA)*. Under this project, a brief evaluation of the existing, interim EPA has been prepared. The study is also developing a series of SIA reports for the deepening of the EPA. In particular, **this report presents an assessment of potential provisions for the Chapter on Trade in Goods**. This report builds on the analysis in the evaluation, which included an assessment of economic as well as environmental, social, gender and human rights impacts of the interim EPA.

This thematic report analyses potential economic, social, human rights and environmental impacts of the EU-Eastern and Southern Africa (ESA5) EPA deepening negotiations on trade in goods, agriculture and fisheries, as well as development cooperation regarding these issues. The assessment of the impacts specifically of trade in goods lays a focus on the following topics:

- Technical barriers to trade (TBT)
- Sanitary and phytosanitary measures (SPS)
- Customs procedures
- Trade facilitation
- Rules of origin
- Internal regulations concerning registration and import/export licensing
- Trade defence
- Export restrictions/taxes

The Sustainability Impact Assessment for the deepening of the EPA includes this report on trade in goods, agriculture and fisheries as well as five other thematic reports, covering the following topics:

- Trade and Sustainable Development (TSD)
- Trade in Services, Digital Trade and Investment
- Public procurement and competition
- Intellectual Property Rights
- Dispute avoidance and settlement and Institutional structure

Each of these reports will also include an assessment of environmental, social, gender and human rights impacts, proportionate to the expected importance of the impacts for each area of negotiation.

1.2 Context

In 2007, six countries of the Eastern and Southern Africa (ESA) region – Comoros, Madagascar, Mauritius, Seychelles, Zambia and Zimbabwe – concluded an interim Economic Partnership Agreement with the EU. In 2009, four of these countries (Madagascar, Mauritius, Seychelles and Zimbabwe) signed the agreement, and it has been provisionally applied in these countries since May 2012. Comoros signed the agreement in July 2017 and ratified it in January 2019. The interim EPA includes a ‘Rendez-vous clause’ (Article 53), by which the Parties ‘agree to continue negotiations... with a view to concluding a full and comprehensive EPA’. The Article includes trade, environment and sustainable development among the areas for further negotiation.

The EU and ESA5 partners launched negotiations for the deepening of the currently implemented EPA in October 2019.¹ The parties clarified horizontal issues regarding the negotiations and exchanged views on TBT and agriculture. After that, three rounds of negotiations took place in January 2020, July 2020 and the third one in November 2020. During these negotiation rounds, the European Commission has presented a number of text proposals related to the topics analysed in this report.

For a brief overview of the five ESA countries, please see Appendix I and, the Ex-Post Evaluation within this SIA of January 18, 2021.

1.3 Methodology

The analytical work for this report involved, as a first step, a screening of potential provisions set out in the EU textual proposals presented by the European Commission based on an assessment of publicly available reports on the progress of the negotiations. The results of this screening are provided in Section 2 below. This screening includes an identification of those provisions likely to have major impacts (and those where impacts will be comparatively minor).

As a second step, **horizontal and sectoral measures, behind-the-border issues and relevant legislative frameworks were compiled and analysed for all five countries.** The analysis of these issues is aimed at identifying existing barriers to trade and development in ESA5 countries, and to identify if applicable specific sectors that are most affected by them. The findings of this analysis are presented in Section 3.

On the basis of this detailed assessment of horizontal and sectoral measures, behind-the-border issues and relevant legislative frameworks, a scoping and deeper analysis of the issue areas with potential economic impacts was undertaken. This analysis of the specific issue areas is also aimed at identifying those issue areas where the economic impact is likely to be major, and those areas where the economic impact can be considered to be rather minor. The assessment also includes, to the extent possible, a screening of the sector-specific economic impacts.

For each topic covered in this economic analysis, the relevant baseline is briefly presented and also actions needed for implementation are considered. Potential impacts of each provision are then described. For each topic, a brief analysis presents key strengths and weaknesses of the proposed provisions together with indications of external opportunities and threats that might affect implementation and the achievement of results. Finally, the analysis also provides an assessment of relevant horizontal issues (e.g. LDCs, outermost regions, consumer impacts) where relevant. The findings of this analysis are provided in Section 4.

The analysis in the Section 4 is then used as a basis for an impact assessment of environmental, social, gender and human rights impacts that are likely to emanate from the economic impacts. This social analysis follows the same methodological steps as the economic analysis described above, also including an analysis of horizontal issues (e.g. gender) where relevant, and is outlined in Section 5.

The findings of the economic and social impact assessments in Sections 4 and 5 are then used to develop a set of proposals for policy recommendations and flanking measures, which are presented in Section 6.

Desk research and analysis has provided the main source of information for this report. Although interviews have been carried out in the ESA countries, many of the interviewees did not have a strong awareness of the interim EPA and did not have specific comments on the potential impacts of individual negotiating provisions regarding the different topics negotiated under the deepening process.

¹ See: https://ec.europa.eu/commission/presscorner/detail/en/IP_19_5951

2. Screening of the potential provisions for trade in goods, agriculture, fisheries and development cooperation related to these topics

2.1 Introduction

The existing interim EPA does not contain extensive provisions on non-tariff measures or behind-the-border issues related to trade in goods. The comprehensive EPA is expected to contain further provisions on such measures related to trade in goods (such as rules of origin, customs and trade facilitation, SPS, TBT, trade defence and export taxes), agriculture and fisheries with specific provisions related to each topic area. As noted in section 1, the European Commission has presented draft negotiating text proposals for the following topics that are relevant for this report:

- Agriculture
- Customs and trade facilitation
- Rules of origin
- Sanitary and phytosanitary
- Technical barriers to trade

An initial screening of the provisions proposed in these drafts is provided below. The results of this initial screening have been used for identifying the most important provisions regarding possible economic and social impacts, which are then outlined in Sections 4 and 5 in a detailed impact analysis.

2.2 Overview of the screening results

The three negotiations rounds took place based on negotiating texts. They included negotiations on rules of origin, technical barriers to trade, customs and trade facilitation, SPS, and agriculture. The three rounds allowed progress on all topics.² The first round opened with all five topics of TBT, SPS, customs and trade facilitation, rules of origin and agriculture.³ The second round then focused on making further progress on the three issues of TBT, SPS as well as customs and trade facilitation; and it focused on a better understanding of the different proposals regarding rules of origin from both sides.⁴ The third round made further progress on customs and trade facilitation, TBT, SPS, rules of origin and agriculture.⁵ In February 2021, an EU-ESA5 intersession meeting before the next round is scheduled to take place on rules of origin to discuss the origin procedures. The fourth round of negotiations on deepening the agreement will take place in April 2021.⁶

Table 1: Screening of progress and main topics of analysis during negotiations

	1 st round of negotiations	2 nd round of negotiations	3 rd round of negotiations
Customs and Trade Facilitation	<ul style="list-style-type: none"> - started working on a common text - round paved the way to an ambitious custom 	<ul style="list-style-type: none"> - parties aim at providing a high degree of trade facilitation to their traders and to enhance 	<ul style="list-style-type: none"> - further progress on outstanding issues. Five articles remain outstanding. These include institutional

² See: https://trade.ec.europa.eu/doclib/docs/2009/september/tradoc_144912.pdf

³ See: https://trade.ec.europa.eu/doclib/docs/2020/february/tradoc_158612.pdf

⁴ See: https://trade.ec.europa.eu/doclib/docs/2020/july/tradoc_158893.pdf

⁵ See: https://trade.ec.europa.eu/doclib/docs/2020/december/tradoc_159151.pdf

⁶ See: https://trade.ec.europa.eu/doclib/docs/2009/september/tradoc_144912.pdf

	and trade facilitation chapter	cooperation in customs matters	provisions and capacity building. - progress and discussion on protocol on customs mutual administrative assistance
Technical Barriers to Trade	<ul style="list-style-type: none"> - substantial progress on definition of international standards, standards, transparency, and marking and labelling and texts were overall agreed. - exchanged views on respective policies on conformity assessment - EU proposed inclusion of an article on Market surveillance, and ESA-5 recognised importance of market surveillance as such 	<ul style="list-style-type: none"> - exchanged views on conformity assessment and market surveillance - good progress on technical regulations, conformity assessment and market surveillance, where large parts or all of the text was agreed - cooperation and technical assistance to be discussed later in context of development cooperation 	<ul style="list-style-type: none"> - exchanged of views notably on conformity assessment procedures - progress and large parts agreed on technical regulations and conformity assessment. - discussion of remaining parts of transparency, marking and labelling, equivalence and private schemes. - cooperation and technical assistance to be discussed later in context of development cooperation
Sanitary and Phytosanitary issues	<ul style="list-style-type: none"> - agreed on general objectives of SPS chapter, cooperation on animal welfare, anti-microbiological resistance, sustainable food and food fraud as well as on other articles where two texts coincided. - tried to clarify respective objectives and concerns, where they noted differences in their positions. 	<ul style="list-style-type: none"> - agreement in principle on pre-listing and an agreement on the recognition of regionalisation (zoning) - parties considered a provision for a framework on equivalence and committed to clarify some other issues. - parties agreed on highest importance of cooperation and technical assistance for implementation of ambitious SPS chapter 	<ul style="list-style-type: none"> - agreement or near agreement on several articles, especially regarding regionalisation, technical consultation, animal welfare and emergency measures - issue of equivalence remains - parties confirmed again highest importance of cooperation and technical assistance for implementation of ambitious SPS chapter

Agriculture	<ul style="list-style-type: none"> - common understanding that text should cover all the substantive issues - agreed to use concrete parts of respective proposals for first draft of the joint working document 	<ul style="list-style-type: none"> - not discussed 	<ul style="list-style-type: none"> - discussion of each Party's own text proposal based on joint working document - agreement on some articles of joint working text
Rules of Origin	<ul style="list-style-type: none"> - EU proposed text on general provisions and origin procedures - ESA presented proposals for amendments of current text. - agreed process of identifying areas of convergence 	<ul style="list-style-type: none"> - EU presented proposal for origin procedures, comprising self-certification, verification and administrative cooperation, and denial of preferential tariff treatment - parties clarified respective positions and identified a number of convergent and divergent positions. 	<ul style="list-style-type: none"> - endorsement of joint negotiating text, covering concept of originating products and origin procedures. - further progress on a number of provisions and further clarifications on origin procedures and identified divergent positions.

Rules of origin, including origin procedures, are one priority issue in the negotiations and it is a key objective to clarify the EU's proposal to facilitate fast progress on this issue. Another overall important issue in the negotiations is the financial support for ESA5 countries that is linked to the implementation of the rules/commitments agreed on different chapters. TBT, SPS as well as customs and trade facilitation advance very well, and one key issue here as well is the financial support. This issue is scheduled to be discussed horizontally at the level of the economic and development cooperation chapter planned to be discussed for the first time in the fourth round.

During the stakeholder consultations conducted for our analysis, respondents from governments of Madagascar, Mauritius, Seychelles and Zimbabwe gave their views on what should be key issues for the negotiations for the comprehensive EPA. All respondents agreed that rules of origin, customs and trade facilitation, SPS, TBT, institutional structure as well as and economic development cooperation should be high priority issues for the negotiations. Also in the case of fisheries all respondents stated that it is a topic of key priority, with the exception of Zimbabwe. Regarding agriculture, Zimbabwe and Madagascar stated that this is a high priority issue, while it is low priority for Mauritius and Seychelles. Trade defence mechanisms and competition were considered mainly as low priority issues. Private stakeholders pointed out that it is important that the comprehensive EPA negotiations address issues of SPS since ESA5 exporters consider the EU Market standards strict. In Comoros, fisheries and agricultural export were the two sectors most frequently prioritised for negotiation. Also European stakeholders pointed out that trade facilitation, TBT, and non-tariff barriers are priority issues for the negotiations.

The screening has identified a range of potential provisions regarding the relevant topics of the negotiations that could have major impacts on economic, environmental, social, gender or human rights conditions. These provisions will be analysed more closely in the detailed assessment (Sections 4 and 5, below).

- **Customs and trade facilitation:** high degree of trade facilitation to their traders and to enhance cooperation in customs matters, institutional provisions and capacity building, protocol on customs mutual administrative assistance
- **Technical barriers to trade:** conformity assessment procedures, technical regulations, transparency, marking and labelling, equivalence and private schemes, cooperation and technical assistance
- **Sanitary and Phytosanitary issues:** cooperation on animal welfare, emergency measures, anti-microbiological resistance, sustainable food and food fraud, framework on equivalence, importance of cooperation and technical assistance for implementation of ambitious SPS chapter
- **Agriculture and fisheries**
- **Rules of origin:** originating products and origin procedures, comprising self-certification, verification and administrative cooperation, and denial of preferential tariff treatment

3. Assessment of horizontal and sectoral measures, behind-the-border issues and relevant legislative frameworks

3.1 Introduction on legislative framework

To give an overview of behind-the-border issues and the overall legislative framework in ESA countries, we use the Economic Freedom Index published by the Fraser Institute.⁷ It is based on a range of relevant measures on legal systems and property rights, as well as the freedom to trade internationally. Note that the results include scores that often synthesise complex national situations and are thus open to discussion and interpretation. Annex X provides an overview of latest scores from 2013 to 2018 for four ESA5 countries, as the index is not calculated for Comoros. All scores shown are out of 10, with a higher score indicating a higher degree of freedom and openness. On the overall legal framework, the index includes measures of judicial independence, impartial courts, protection of property rights, integrity of the legal system and legal enforcement of contracts as sub-measures.

Regarding the overall score of legal system and property rights, all countries increased their scores from 2013 to 2018, with the exception of Madagascar. Overall, Mauritius scored highest, followed by Seychelles, Zimbabwe and then Madagascar. The economic freedom index also includes a measure of size of government. Here, Mauritius has been increasing its score, while the score of the other countries has been decreasing since 2013. Mauritius also had the highest score in absolute terms in 2018 (8.15), followed by Madagascar (7.51), Seychelles (6.71) and Zimbabwe (4.51).

3.2 Horizontal and sectoral measures as well as behind-the-border issues

When it comes to behind-the-border measures, the index provides measures of regulatory trade barriers, including non-tariff trade barriers and compliance costs of importing and exporting.

Mauritius has been increasing its score regarding regulatory trade barriers slightly, leading to a score of 7.52 in 2018. Note that the scores of all other three countries has decreased significantly since 2013. In terms of absolute score in 2018, Mauritius was followed by Seychelles (5.60), Madagascar (4.96) and Zimbabwe with a low score of 3.26. The overall sub-index of freedom to trade internationally also includes

⁷ See: <https://www.fraserinstitute.org/economic-freedom/dataset?geozone=world&page=dataset&min-year=2&max-year=0&filter=0>

measures of controls of the movement of capital and people. **In the overall sub-index, Mauritius had the highest overall score in 2018, followed closely by Seychelles, then Madagascar and Zimbabwe.**

For specific non-tariff measures (NTMs), the Integrated Trade Intelligence Portal for Goods (I-TIP Goods) provides a comprehensive overview of NTMs notified by WTO members, including for example trade defence measures. Table 2 below includes an overview of 111 non-tariff measures that are either in force or initiated in Madagascar, Mauritius, Seychelles and Zimbabwe. Note that I-TIP does not measure NTMs in Comoros which is currently not a member of the WTO. Appendix III provides a detailed overview of the specific measures listed per different type of requirement.

Table 2: Overview of relevant NTMs imposed by Madagascar, Mauritius, Seychelles and Zimbabwe, WTO I-TIP Goods database

Member imposing	Partner affected	Requirements	Phase	HS	Measures
Madagascar	All Members	Import licencing	In force	5	5
Madagascar	All Members	Safeguards	In force	0	6
Madagascar	All Members	Safeguards	Initiation	0	2
Madagascar	All Members	Sanitary and Phytosanitary	In force	5	8
Madagascar	All Members	Sanitary and Phytosanitary	Initiation	23	25
Madagascar	European Union	Sanitary and Phytosanitary	In force	2	2
Mauritius	All Members	Import licencing	In force	3	3
Mauritius	All Members	Quantitative Restrictions	In force	9	9
Mauritius	All Members	Sanitary and Phytosanitary	Initiation	14	15
Mauritius	All Members	State Trading Enterprises	In force	3	3
Mauritius	All Members	Technical Barriers to Trade	In force	2	3
Mauritius	All Members	Technical Barriers to Trade	Initiation	2	10
Mauritius	European Union	Sanitary and Phytosanitary	Initiation	1	1
Seychelles	All Members	Quantitative Restrictions	In force	0	6
Seychelles	All Members	Sanitary and Phytosanitary	Initiation	0	1
Seychelles	All Members	Technical Barriers to Trade	In force	4	4
Zimbabwe	All Members	Import licencing	In force	1	1
Zimbabwe	All Members	Sanitary and Phytosanitary	In force	3	6

Zimbabwe	All Members	Technical Barriers to Trade	In force	0	1
Zimbabwe	All Members	Technical Barriers to Trade	Initiation	1	1

Out of the 111 overall initiated measures, 19 are related to technical barriers to trade. The vast majority of these (13) are imposed by Mauritius and concern a variety of products such as plastic bags, household appliances as well as tobacco products. Seychelles initiated 4 measures, primarily on plastic and tobacco products, while Zimbabwe initiated 2 measures related to a variety of products including household appliances. Note that out of these overall measures only a fraction is currently in force in the case of Mauritius and Zimbabwe (3 for Mauritius, 1 for Zimbabwe).⁸

Mauritius initiated 3 measures related to **state trading enterprises** which have all been implemented for a long time. These measures concern food and agriculture products as well as petroleum.

With a total of 58, SPS measures account for the majority of overall measures initiated by ESA4 countries. Out of these 58, 35 measures are initiated by Madagascar (10 of them being in force, and 2 of these measures in force being directed against the EU alone). Mauritius accounts for 16 initiated measures, out of which none are in force and one is directed against the EU alone. Seychelles initiated only one measure, while Zimbabwe initiated 6 measures (which are all in force). **The sectors affected by these measures are food products as well as livestock and live animals, and pesticides.**

Note that only Madagascar initiated **safeguard measures** with a total of 8 measures, out of which 6 are currently in force. The measures affect a variety of products such as pasta, blankets and travelling rugs, oils, detergent and soap.

Mauritius and Seychelles also initiated quantitative restrictions of which all are currently in force. In the case of Mauritius, a total of 9 measures are in force, which cover a variety of different products. Seychelles has a total of 6 measures in force covering mainly food and wood products. Madagascar, Mauritius and Zimbabwe also have import licencing measures in force. Madagascar has 5 measures currently in force. Mauritius has 3 measures in force covering a variety of products. Zimbabwe has one measure in force covering certain agricultural products and fuel (see Appendix 3 for more detail).

Regarding NTMs in Comoros, the International Trade Centre (ITC) conducted a NTM business survey on company perspectives.⁹ According to the survey results from importing businesses, customs valuation and goods exemption procedures account for 52% of cases reported. These are the main restrictive measures reported by importing companies, followed by import fees and taxes with 19% of cases. These measures affect a wide range of both agricultural and manufactured imported products and create difficulties for businesses due to payment problems and the transparency of regulations in force.

Furthermore, 11% of cases were related to the compulsory passage through a customs port for the importation of goods into Comoros, while 4% were related to import price control measures. Also technical requirements (2% of cases) and binding assessment procedures on imported products (8% of cases) are important. Finally,

⁸ Note that the WTO I-TIP Goods database includes a classification of different phases for each measure. In WTO, some measures have the particular feature of being known before they are put into force. This prior date is, in trade defence measures, the initiation of the investigation. In technical measures, members must notify measures they are preparing a semester before they are put into force. The term initiation therefore means that the measure is known by other members, while it is still not in force; in force means that the interval when the measure is in force has started. For more information, see: <http://i-tip.wto.org/goods/forms/Methodology.aspx>

⁹ ITC, 2018. The Comoros: Company Perspectives – An ITC Series on Non-Tariff Measures. See: <https://www.intracen.org/publication/ntm-comores/>

certification of imported products affects in particular companies importing agricultural products and were reported for 6% of cases.

Regarding the origin of the NTMs, the survey also found that 100% of the non-tariff measures have a domestic origin. Regulatory obstacles in Comoros account for 72% of these NTMs, while procedural obstacles in Comoros account for 28%.

Table 3: Share of NTMs affecting imports in Comoros by category

Category	Specific NTMs	Share (%)
Technical requirements	Packaging requirements	2
Conformity assessments	Product certification	6
	Technical inspection	2
Import fees and taxes	Inspection fees	1
	Handling and storage fees	14
	Other taxes and charges	4
Customs valuation and goods exemption procedures	Customs valuation	43
	Goods exemption	9
Import price control measures	Administrative price determination	4
Other import measures	Mandatory passage through a customs port	11
	Licenses for non-economic reasons	2
	Rules of origin and certificate	2

Regarding the sectors most affected by these measures, import taxes and fees as well as customs valuation procedures affect all categories of products, while customs valuation and product exemption mainly affect chemicals and metals, as well as machinery and equipment. Technical requirements and conformity assessment procedures only affect agricultural products.

3.3 Feedback from government respondents and stakeholders on additional market access obstacles

3.3.1 Civil society organisations

According to civil society stakeholders in Comoros, poorer people at the bottom of agricultural value chains would be unlikely to benefit from the agreements unless targeted measures were included within the agreement. Similarly, poorer people would not be purchasing EU products that would potentially benefit from reduced import taxes under the agreement. In addition, local producers and sellers in the Comorian market would be unable to compete with imports.

3.3.2 *Feedback from government*

The potential decline of import taxes is considered to have significant impacts in Comoros given the dependency of the government on import taxes and the potential need to be replaced by value added tax (VAT).

3.3.3 *Feedback from private sector and SMEs*

During the stakeholder consultation process, companies and SMEs in ESA5 pointed to significant compliance challenges, reporting difficulties in complying with EU standards and SPS measures. These include the REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) regulation that has become especially costly for SMEs in terms of compliance costs.

Regarding Comoros, private sector stakeholders pointed out that the three major bottlenecks for imports are taxes, logistical problems and transport costs, while the three major bottlenecks for exports are export taxes, technical barriers, transport costs as well as administration formalities and financing for trade. Private sector stakeholders also stated that goods are imported from the EU for quality reasons. Otherwise importers source from elsewhere. In addition, there are no phytosanitary rules in Comoros but very strict rules to export to the EU, which makes it difficult for products to be competitive. Another problem of EU phytosanitary rules is that the laboratory in Comoros is not being accredited and cash crops, for example, have to get tested in Réunion which is not feasible for all exporters.

4. Economic impact in terms of trade

The five ESA countries vary greatly in terms of their economic development as well as domestic economic freedoms and barriers to international trade. The ex-post evaluation report provided an overview of key indicators across several dimensions, which should be taken into account for the assessment of the comprehensive agreement's potential impacts on individual countries' trade in goods (and services).

4.1 Introduction

This section provides a scoping and analysis of the issue areas with potential economic impacts. For each issue area we provide an assessment of the main economic sector that could be affected, if applicable, and of the possible economic impacts. The analysis also identifies issue areas where the economic impact is likely to be major, and those areas where the economic impact can be considered to be rather minor.

Based on the screening of potential provisions for trade in goods, agriculture, fisheries and development cooperation as well as the detailed assessment of horizontal and sectoral measures, behind-the-border issues and relevant legislative frameworks, this section focuses on assessing the economic impact of the following issue areas in more detail:

- SPS provisions
- TBT provisions
- Rules of origin provisions
- Customs procedures provisions
- Trade defence provisions
- Registration and import/export licensing regulations provisions
- Agriculture and fisheries provisions

The analysis also covers other potential provisions like the promotion of trade for the repair and remanufacture of goods. Finally, the analysis also provides an assessment of relevant horizontal issues (e.g. LDCs, outermost

regions, consumer impacts) where relevant and concludes with an overall assessment of strengths and weaknesses of the provisions, including an overview of relevant stakeholder feedback.

4.2 Economic impact of potential SPS provisions

4.2.1 Baseline

The interim agreement does not include specific provisions covering sanitary and phytosanitary measures.

4.2.2 Screening of SPS provisions

Table 4: Detailed screening table of potential SPS provisions

Provision	Main economic sectors that could be affected	Possible economic impacts	Potential importance
Possible sanitary and phytosanitary measures			
Strengthening ESA policy and legislation on sanitary conditions for livestock	The sectors most affected are food products as well as livestock and live animals, and pesticides.	Overcoming challenges and practical difficulties in complying with EU standards and SPS measures, such as the REACH regulation, could have costs for companies, including SMEs, in ESA5 countries in terms of compliance.	Major
Communication on outbreaks of animal diseases			Major
Promotion of OIE norms on animal welfare		Promotion of trade in sustainable products could support economic growth in ESA countries, as the market for fair trade products is expanding in the EU, and potentially support ESA5-based SMEs.	Major
Encouragement to address microbiological resistance in the use of veterinary pharmaceuticals			Major
Development cooperation to support training and capacity in ESA countries		Sustainable practices in agriculture, industry (especially energy) could support more stable economic growth, and help reducing poverty.	Major
Transparency and dialogue on SPS issues		More sustainable agricultural practices and possible diversification of production. In turn, this can reduce the dependency on a few agricultural products, and support economic diversification. Potentially, this could lead to better working conditions and wages, and positively affect standards of living.	Major

4.3 Economic impact of potential TBT provisions

4.3.1 Baseline

The interim agreement includes a title on non-tariff measures, covering specific provisions on national treatment on internal taxation and regulation.

4.3.2 Screening of TBT provisions

Table 5: Detailed screening table of potential TBT provisions

Provision	Main economic sectors that could be affected	Possible economic impacts	Potential importance
Possible measures concerning Technical Barriers to Trade (TBT)			
Promotion of ESA participation on standard-setting bodies and committees	All economic sectors, but especially plastic and household products as well as tobacco products.	Indirectly, transparency can lead to better knowledge, implementation and monitoring and thus to a better implementation of sustainable practices, supporting sustainable patterns for economic growth.	Major
Development cooperation/technical assistance for ESA countries to implement international product standards		Gradual expansion of ESA5 companies' portfolio of manufactured export products that comply with EU standards.	Major
Promotion of international accreditation		Gradual integration of ESA5 companies in international value chains.	Major
Conformity assessment procedures		Safer industrial and consumer products.	Major
Equivalence and private schemes			Major
Transparency			Major
Technical regulations, marking and labelling			Major

4.4 Economic impact of potential Rules of Origin provisions

4.4.1 Baseline

Regarding the Protocol on Rules of Origin, the EPA Committee adopted Decision No 1/2020 in January 2020, providing for modern rules of origin. The amended protocol¹⁰ entered into force in March 2020, aiming to simplify and facilitate trade between the ESA region and the EU. The amendment allows accounting segregation for materials, replaces the provision on direct transport with a provision on non-alteration, and includes the possibility to use REX for EU exports to ESA countries.¹¹

4.4.2 Screening of rules of origin provisions

Table 6: Detailed screening table of potential rules of origin provisions

Provision	Main economic sectors that could be affected	Possible economic impacts	Potential importance
Rules of origin			
Originating products and origin procedures	All economic sectors	The agreement could generally provide duty free quota free access for ESA5 countries to the EU market based on favourable rules of origin.	Major
Self-certification			Major
Verification and administrative cooperation		Support export diversification, competitiveness and increase of export standards in ESA5 countries.	Major
Denial of preferential tariff treatment		Higher participation of ESA5-based SMEs in trade with EU customers due to reduction of deterrent effect of rules of origin. Promote creation and development of local and regional value chains among ESA5 economies.	Major

4.5 Economic impact of potential customs procedures provisions

4.5.1 Baseline

The interim agreement includes a title on administrative provisions, covering a special provision on administrative cooperation, and includes a protocol for mutual administrative assistance in customs matters.

¹⁰ See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A22020D0425>

¹¹ See: https://ec.europa.eu/taxation_customs/news/amended-rules-origin-eu-esa-interim-epa_en

4.5.2 Screening of customs procedures provisions

Table 7: Detailed screening table of potential customs procedures provisions

Provision	Main economic sectors that could be affected	Possible economic impacts	Potential importance
Customs procedures			
Enhanced cooperation in customs matters	All economic sectors	Increased trade activity, cost saving, time saving, lower prices.	Minor
Institutional provisions and capacity building			Minor
Enhanced protocol on customs mutual administrative assistance			Minor

4.6 Economic impact of potential trade defence provisions

4.6.1 Baseline

The interim agreement includes a title covering trade defence measures, including provisions on anti-dumping and countervailing measures as well as multilateral and bilateral safeguards.

4.6.2 Screening of trade defence provisions

Table 8: Detailed screening table of potential trade defence provisions

Provision	Main economic sectors that could be affected	Possible economic impacts	Potential importance
Trade Defence			
Safeguards	Only Madagascar initiated safeguard measures. The measures affect a variety of products such as pasta, blankets and travelling rugs, oils, detergent and soap.	Distortion of competition. Depending on the level of restrictiveness of the measure, elimination of competition, higher prices, lower qualities.	Minor

4.7 Economic impact of potential registration and import/export licensing regulations

4.7.1 Baseline

The interim agreement includes a title on non-tariff measures, covering specific provisions on national treatment on internal taxation and regulation.

4.7.2 Screening of registration and import/export licensing provisions

Table 9: Detailed screening table of potential registration and import/export licensing provisions

Provision	Main economic sectors that could be affected	Possible economic impacts	Potential importance
Registration and import/export licensing regulations			
Transparent import and export licensing	All economic sectors	Indirectly, transparency can lead to better knowledge, implementation and monitoring of better implementation of sustainable practices, supporting sustainable patterns for economic growth. Higher participation of ESA5-based SMEs in trade with EU customers due to reduction of deterrent effect licensing regimes.	Minor

4.8 Economic impact of potential agriculture and fisheries provisions

4.8.1 Baseline

The interim agreement includes a chapter on fisheries covering marine fisheries as well as inland fisheries and aquaculture development, laying out areas of cooperation in these fields.

4.8.2 Screening of agriculture and fisheries provisions

Table 10: Detailed screening table of potential agriculture and fisheries provisions

Provision	Main economic sectors that could be affected	Possible economic impacts	Potential importance
Agriculture and fisheries			
	Agriculture and fishery sectors. Mauritius initiated 3 measures related to state trading enterprises which concern food and agriculture products as well as petroleum.	Premature market opening could lead to displacement of uncompetitive domestic producers and allow resources to leave especially less developed countries. For example, the liberalisation of local food markets in key agricultural products like dairy and beef, poultry, vegetables is considered an area of potential risk for local farmers in ESA5.	Major

Provision	Main economic sectors that could be affected	Possible economic impacts	Potential importance
		<p>Likely to affect in the short term issues such poverty as well as food security and will require adaptation mechanisms under the EPA and that a number of sensitive products are excluded in the agreement.</p> <p>In Comoros, the existing fisheries agreements were widely described as unequal with Comoros seen as gaining little benefit compared to the EU, hence a need for these to be renegotiated as a priority. Support to agricultural production, processing and export was also seen as key whilst ensuring that value went down the chain to the poorest people.</p>	

4.9 Economic impact of other possible measures

4.9.1 Baseline

The interim agreement does not include specific provisions covering the promotion of trade for the repair and remanufacture of goods.

4.9.2 Screening of other possible measures

Table 11: Detailed screening table of potential other possible measures

Provision	Main economic sectors that could be affected	Possible economic impacts	Potential importance
Other possible measures			
Promotion of trade for the repair and remanufacture of goods	All economic sectors, particularly manufacturing.	<p>Increased manufacturing and export activities in ESA5 countries.</p> <p>Increased diversification in manufacturing and export industries in the medium- to long-term.</p>	Minor

4.10 Feedback from government respondents and stakeholders on economic impacts

4.10.1 Civil society organisations

Civil society stakeholders first focused on the importance of the comprehensive EPA as a tool for socio-economic development through the reduction of poverty, reducing social and economic inequalities, enhancement of the standards of living and people's quality of life. **Respondents from civil society organisations also pointed out that the EU is the first developed country trade partner to launch deep and comprehensive, new generation free trade agreement, including two LDCs (Comoros and Madagascar).** A deep EPA is considered to potentially become the template for all African Caribbean and Pacific-ACP regions.

However, civil society organisations in ESA countries also indicated a likely erosion of the EPA's benefits for ESA5 countries over time due to increased competition from other African countries and other regions when other EPAs are implemented and standards enforced accordingly. Finally, civil society stakeholders saw the danger that premature extensive market opening could lead to displacement of uncompetitive domestic producers and allow resources to leave especially less developed countries. For example, the liberalization of local food markets in key agricultural products like dairy and beef, poultry, vegetables is one area of potential danger for local farmers in ESA5, whose ability to sell on the local market could be threatened by competition from cheaper imports.

4.10.2 Feedback from government

Government respondents from Seychelles pointed out that the agreement is expected to provide duty free quota free access for ESA5 countries to the EU market based on favourable rules of origin. Respondents from the government of Seychelles also stated that reciprocal trade with the EU is likely to affect issues such poverty as well as food security and will require adaptation mechanisms under the EPA and that a number of sensitive products are excluded in the agreement. During the stakeholder consultations, respondents from the government of Seychelles noted that additional efforts are needed for targeted support to key divisions of public sector that will facilitate the expediting of trade under EPA, such as the Competition and Tariff Commission. The respondents also note that at the request of the ESA5 countries, the EU has agreed to provide financial assistance for the setting up of an EPA Coordination Mechanism whose aim is to provide appropriate coordination and technical support to the five ESA countries so that they can engage effectively in the negotiation process.

Respondents from the government of Seychelles also pointed to the importance of regional (ESA5) integration and harmonisation of positions among ESA5 countries for the deepening negotiations of the EPA. They stated that it is of strategic importance for ESA5 countries to continue negotiating as it is important to consolidate intra-ESA5 trade and integration.

The reduction of revenues from customs taxes is seen as a key potential impact in Comoros by public stakeholders. A high percentage of the Comoros' government revenues comes from taxes on imports, so a potential reduction in these was a concern to several interviewees. Others, however, suggested that the agreements could serve to progressively push taxation away from imports towards other sources of government revenue such VAT, which would mark an important fiscal change for the country.

Several interviewees from the public sector in Comoros highlighted the potential for opening up trade with Mayotte. Some interviewees expressed frustration that whilst Mayotte is off the negotiating table, normalising trade with Mayotte, particularly agricultural exports, could have more of an impact and help more of the poorest people than other elements of the EPA.

4.10.3 Feedback from private sector and SMEs

Zimbabwe's overall potential to access opportunities presented by EPAs remains constrained by internal challenges, politics, bad environment, currency issues, and others.

Private sector respondents from Zimbabwe stated that despite Zimbabwe currently having a trade surplus with the EU, exports from Zimbabwe to EU markets are dominated by primary commodities at the expense of manufactured products. Exports to the EU have been dominated by horticultural products that include paprika, macadamia nuts, avocados and peas. There have been some efforts to resuscitate beef and meat production for purposes of supplying the European market. According to these stakeholders it is important that the negotiations address SPS issues, since the EU market standards are perceived as strict and most of Zimbabwean industries find difficult to attain. More so, the industry in Zimbabwe is concerned that pertaining to value chain development, the current Zimbabwe-EU trade relations cement Zimbabwe's position as a producer of primary commodities, thus the relations do not promote national and regional value chain development.

In addition, overall private sector respondents stated that UK Government is in the process of delivering continuity in the UK's trade relationship with the ESA countries of Madagascar, Mauritius, Seychelles and Zimbabwe. The EU-ESA5 comprehensive EPA should therefore consider provisions of negotiating FTAs with third parties by ESA5.

A private sector stakeholder from la Reunion pointed out that even if ESA5 countries accept to open their market to EU sugars, their social, environmental and productive standards are lower than the EU ones. This stakeholder identifies an absence of level playing field between the EU and the ESA countries with regards to the cane sugar sector. The sugar industries of ESA countries are competitive on their own market. Accordingly, they will remain effectively closed to EU outermost regions products according to the stakeholder. Following the conclusion of trade agreements with Central America and the Andean Community by the EU, competition has considerably increased in this market, already accentuating pressure on the EU outermost regions. According to the stakeholder, the EU must acknowledge that part of its agricultural production is in direct competition with agricultural products produced in neighbouring tropical countries.

4.11 Feedback from government respondents and stakeholders on development cooperation

Stakeholders from government, private sector and civil society organisations all also noted the need for ESA5 Countries to further develop and update their respective EPA implementation strategies and frameworks. They especially stressed the need to mobilise resources domestically for financing the implementation, and for mobilising the private sector to utilise the market opportunities to be negotiated under the deep EPA. Especially private stakeholders noted a limited preparedness of private sector in utilising market access offers under the comprehensive EPA.

4.11.1 Civil society organisations

Civil society organisations in ESA countries also pointed to infrastructure challenges among ESA5: Except for Seychelles, Madagascar, Comoros and Mauritius which have access to a sea coastline, Zimbabwe is the only country that is land locked and faces infrastructure challenges ranging from poor roads, railway and ICT. The development dimension has been limited to mainly technical assistance whereas the needs of ESA5 countries also need support regarding infrastructure.

4.11.2 Feedback from government

Government respondents pointed to a clear need for a development dimension in the comprehensive EPA. According to their views, the success and failure of comprehensive EPA negotiations has to be measured not mainly against market access of interest to ESA5. It also has to be measured against a commitment on

development. Accordingly, they stressed that there is a need for an explicit development cooperation chapter and that the negotiations should also focus on aid and development needs. The cost of measures and of compensating people for the losses encountered as a result of implementing the provisions of the EPA should be analysed. It is considered important that the comprehensive EPA includes predictable funding of an EPA adjustment facility.

4.11.3 Feedback from private sector and SMEs

Private sector stakeholders in Zimbabwe pointed to a lack of understanding of the technical issues involved in the negotiations, not only by the industry, but also in the relevant ministries. This is because the majority of sector players are not participating in the negotiations, which makes it very difficult for them to appreciate, understand and benefit from the final agreements. Stakeholders from Zimbabwe's private sector noted that there had been no meaningful impact from EPAs as the government delayed implementing the agreement provisions. With regard to the current negotiations, the industry is of the opinion that there is not much that is going to happen in terms of economic benefits as Zimbabwean industries are still struggling to take off. The industry in Zimbabwe is said not to be strategically positioned to take any opportunities in the European market.

In Comoros, the private sector stated in general they had very weak knowledge about the EPA, while civil society respondents stated to have none. Non-state actors suggested that the dissemination of information was insufficient. In addition, the private sector would like to be more deeply involved in negotiations. Several businesses representatives felt that the sector was largely excluded from the processes and negotiations, to the detriment of the Comoros negotiating power and potential to benefit from the agreements. Interviewees from all sectors expressed concerns about unequal negotiating capacity. There is a widely-held view that the Comoros is unable to compete with the EU at the negotiating table. Non-state actors suggested that in addition the Comorian authorities did not maximise their capabilities by failing to be inclusive regarding their negotiating teams.

In addition to problems related to ownership and governance issues on the side of the ESA5 governments, there is also a perceived deficit in the targeting of development measures on the side of the EU. At the same time, private sector respondents from Zimbabwe and Madagascar indicated that most development assistance coming from the EU is targeted especially towards micro and smallholder production level which has little capacity to transform the Zimbabwean and Madagascar industry. It is rather perceived as cementing them as producers of primary commodities for export to the EU market. Accordingly, these efforts do not promote national and regional value chain development.

European private sector stakeholders stated that the EU should provide adjustment assistance for lost customs revenues and that this should include programmes to increase the competitiveness of the African private sector and infrastructure measures.

4.12 Key economic impacts

Overall, the economic impacts of a comprehensive agreement for exports from ESA5 economies are likely to increase trade in goods, with particular benefits in forest products and marine resources.

- A major economic impact is considered **to originate from potential rules of origin provisions**. In fact, based on favourable rules of origin, the agreement could provide duty free quota free access for ESA5 countries to the EU market. This could also promote the creation and development of local and regional value chains among ESA5 economies.
- Provisions regarding technical barriers **to trade are expected to have major economic impacts in all economic sectors**. Barriers can currently be observed especially in plastic and household products as well as tobacco in ESA5 countries.
- SPS measures are another area where **major economic impacts are expected, in particular in sectors such as food products as well as livestock and live animals, and pesticides**. There are

significant challenges in complying with EU Standards and SPS measures, in particular for SMEs. Private standards also constitute an additional barrier to ESA5-based companies, particularly SMEs, to access the EU Market. The comprehensive agreement could improve standards and at the same time level the playing field between private and legally imposed standards. ESA5 countries will likely upgrade their standards as they will face more competition from other regions, which may also lead to increased export diversification, increased competitiveness and, overall, higher export standards.

- **The promotion of trade in sustainable products could support economic growth in ESA countries, including SMEs.** However, as various aspects of trade, including the standards and SPS issues, will have to be adhered to, support under the EPA to upgrading these aspects for ESA5 countries will remain critical.
- **Potential customs procedures provisions are likely to facilitate increased trade activity and lead to cost savings for ESA5 countries.** Compared to other likely impacts, these economic impacts can be regarded as relatively small.
- Potential registration and import/export licensing regulations are expected to have a minor economic impact, mainly indirectly through better implementation of standards by ESA5 companies.
- As concerns fisheries and agriculture, extensive market opening in key agricultural products like dairy and beef, poultry, vegetables could represent a potential risk for local farmers in ESA5 countries, e.g. the fisheries sector in Comoros.

Regarding benefits for consumers, the increase in exports to the EU would generate increased production and export revenues, which should, overall, contribute to higher income and a diversification of income sources, with overall positive effects on ESA5 citizens purchasing power. The increase in imports from EU suppliers would, overall, lead to a wider product range of high-quality products that ESA5 consumers could benefit from. Generally, SPS provisions and technical standards would lead to safer industrial and consumer products.

The comprehensive EPA would increase competition for EU markets within other ACP countries and from non-ACP member countries. In order to benefit in the medium- to long-run, ESA5 exporters will have to diversify their production and upgrade their standards.

As concerns the comprehensive agreement, regulatory competition might evolve from the United Kingdom (UK) - Eastern and Southern Africa (ESA) Economic Partnership Agreement (EPA), which has come into force on 1st January 2021. Provisions of the UK-ESA Agreement are similar to those of the Interim EPA signed between the EU and ESA countries and the Agreement also contains a “rendez-vous” clause regarding future negotiation between ESA and the UK on areas not currently covered, which include trade in services, investment, trade facilitation, competition policy, trade facilitation and others.

Regarding effects on governance and the business environment, we take a look at a sub-index of the economic freedom index, namely the measure for the restrictiveness of regulations, with even deeper disaggregated sub-indexes on credit market regulations, labour market regulations and business regulations.¹² The recent development of this sub-index in ESA4 countries suggest that the comprehensive EPA may well improve the business environment.¹³

¹² The sub-index of business regulations is further broken down into measures of administrative requirements, regulatory burden, starting a business, impartial public administration, licencing restrictions and tax compliance.

¹³ For business regulations, Mauritius shows the highest (best among ESA countries) score of 8.25 in 2018, followed by Seychelles (7.63), Madagascar (5.80) and Zimbabwe (5.15). Note that the score of all four countries has been increasing since 2013. For the overall regulation sub-index, Mauritius had the highest score in 2018 of 8.36, followed by Seychelles (7.69), Zimbabwe (6.28) and Madagascar (6.19) (see Annex I).

The reduction of revenues from customs taxes can be considered a significant potential economic cost for ESA5 countries. This could be offset by other sources of government revenue such VAT and sales taxes, and higher revenues from taxes on labour and capital income in the longer term.

As concerns regional integration, the comprehensive EU-ESA EPA may facilitate a consolidation of intra-ESA5 trade and commercial integration if countries will be harmonising their positions during the negotiations and agree on common standards respectively. In addition, the agreement could potentially serve regional integration by becoming a template for negotiations involving other ACP regions.

ESA5 countries are competing with the EU's outermost regions on agricultural products, e.g. in the cane sugar sector. Liberalisation in this field could increase commercial risks for producers in the EU's outermost regions, particularly in agricultural sectors.

5. Environmental, social, gender and human rights impacts

5.1 Screening of possible impacts

The following tables present a screening of the possible environment, social, gender and human rights impacts arising from the possible measures related to goods, including those for SPS, TBT and rules of origin. This screening is linked to the screening of economic impacts in section 4, as the changes in ESA production will play a key role in determining impacts in the other dimensions of sustainable development.

Section 5.2 then reviews the key impacts that are identified in these tables. EU development cooperation can play a key role in addressing possible negative impacts and in ensuring that positive impacts take form. Key areas for development cooperation are summarised in section 5.3.

Table 12: Detailed screening table of potential SPS provisions

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
Possible sanitary and phytosanitary measures			
Strengthening ESA policy and legislation on sanitary conditions for livestock	Alignment of SPS requirements could result in greater trade exports of livestock from ESA countries, potentially leading to negative environmental impacts associated with raising additional livestock, including emissions from feed production, negative effects on biodiversity from land clearance for livestock, and transportation.	All the ESA5 countries consider SPS measures as 'high priority' in the negotiation process.	Minor
Communication on outbreaks of animal diseases		Stronger adherence to EU SPS standards can increase export opportunities, lower import costs and enhance the possibility to move from lower to higher added-value products. This can lead ESA5 exports to gain market shares and potentially curtail those from other ACP and other countries, at least in the short-term. The advantage of stricter	Minor
Promotion of OIE norms on animal welfare			Minor
Encouragement to address microbiological resistance in the use of veterinary pharmaceuticals	Stronger application of SPS for ESA exports should		Minor

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
Development cooperation to support training and capacity in ESA countries	reduce risks of pests (including alien species) and diseases, and thus could have positive effects on biodiversity in the EU.	adherence to EU SPS standards can disappear in the long-term, the more EPAs and agreements are signed by the EU.	Major
Transparency and dialogue on SPS issues	<p>Reinforced SPS measures could also have an impact on reduced spread of diseases and pests within those countries, which could have a positive effect on their biodiversity.</p> <p>Development cooperation to support training in this area could enable SPS techniques to reach SMEs that may currently have limited capacity to implement them, therefore multiplying any positive environmental impact of adopting SPS measures.</p> <p>Promotion of OIE animal welfare standards could improve conditions for farm animals but would depend on capacity building for farmers and veterinarians.</p>	<p>Stakeholders from the private sector have expressed concern at the cost of meeting EU SPS standards, and additional requirements could restrict exports, unless capacity building is in place.</p> <p>Regulatory approximation and stricter adherence to EU SPS standards (including food safety) will affect health conditions, and limit the risks related to contaminated or unhealthy food. However, these effects are expected to be limited. Working conditions are likely to improve somewhat, but this effect is not expected to be significant.</p> <p>Encouragement to address microbial resistance when using veterinary pharmaceuticals could reduce risks to animal and human health but would depend on capacity building for farmers.</p>	Major

Table 13: Detailed screening table of potential TBT provisions

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
Possible measures concerning Technical Barriers to Trade (TBT)			
Promotion of ESA participation on standard-setting bodies and committees	Textiles can contain substances of very high concern under the REACH regulation. Given the importance of textiles as an export commodity in several	All the ESA5 countries consider TBT measures as 'high priority' in the negotiation process.	Minor
Development cooperation/technical		The possible effects are somewhat similar to those of	Major

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
assistance for ESA countries to implement international product standards	ESA countries, stricter rules on use of chemicals could have a positive effect reducing on waste water pollution.	SPS measures. Reduction of TBT, lower import costs and enhance the possibility to move from lower to higher added-value products. This could improve employment in exporting industries. On the other hand, domestic reductions of TBT can expose ESA5 countries to increased competition. This would create risks for employment and wages in sectors exposed to greater competition.	
Promotion of international accreditation			Minor
Conformity assessment procedures			Minor
Equivalence and private schemes			Minor
Transparency			Minor
Technical regulations, marking and labelling		The overall expected positive impact on economic growth can have (positive) repercussions on average disposable incomes. However, higher-income ESA countries may see positive results more quickly than lower-income countries. Working conditions are likely to improve overall somewhat, but this effect is not expected to be significant. Adherence to international standards for products could improve consumer safety, but this is not expected to be a major impact.	Minor

Table 14: Detailed screening table of potential RoO provisions

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
Rules of origin			
Originating products and origin procedures	Major impacts are not expected, though greater export production in some sectors could result in	To the extent that changes in rules of origin increase ESA exports, there could be greater employment. At the same time,	Minor
Self-certification			Minor

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
Verification and administrative cooperation	higher pollution levels (scale effect), while export diversification might change and possible even reduce pollution from ESA export sectors (structural effect)	more intermediate goods might be imported for use in producing ESA exports, limiting increases in ESA employment.	Minor
Denial of preferential tariff treatment			Minor

Table 15: Detailed screening table of potential customs procedures provisions

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
Customs procedures			
Enhance cooperation in customs matters	Greater cooperation in customs procedures could contribute to reducing the illegal trade in endangered species. Current statistics published by CITES show disparities in the reporting of trade in CITES-listed species between exporting ESA countries and importing EU countries. Better enforcement vis-à-vis illegal waste imports might also result.	All the ESA5 countries consider customs procedures as 'high priority' in the negotiation process.	Minor
Institutional provisions and capacity building			Minor
Protocol on customs mutual administrative assistance		Simpler, more efficient customs procedure can facilitate imports and exports, with positive impacts on economic growth. In turn, this can have positive impacts on occupation and salaries.	Minor

Table 16: Detailed screening table of potential trade defence provisions

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
Trade Defence			
Safeguards	If the EU implements a safeguard procedure on an important agricultural export from an ESA5 country, it would likely cause the waste or destruction of the product, assuming no alternative market was found.	All the ESA5 countries consider safeguards as 'low priority' in the negotiation process. Nonetheless, increased EU imports could impact employment and wages along with rights to work (minimum wage, hours of work, holidays,	Minor

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
		etc) as well as the right to adequate working conditions in some ESA sectors. This may be the case in particular for lower income ESA countries; consequently, maintaining safeguards, in particular for lower income countries, could be valuable to protect social conditions and human rights (in particular for vulnerable groups) as the trade agreement over a short or medium term .	

Table 17: Detailed screening table of potential registration and import/export licensing regulations provisions

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
Registration and import/export licensing regulations			
Transparent import and export licensing	Effective enforcement of transparent import and export licensing is an essential tool in the fight against the illegal trade of wildlife and plants. Whilst records are kept currently, stronger regulations could help to further reduce illegal trade in endangered species.	Simple registration and import/export licensing regulations can facilitate imports and exports, with positive impacts on economic growth. In turn, this can have positive impacts on occupation and salaries.	Minor

Table 18: Detailed screening table of potential agriculture and fisheries provisions

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
Agriculture and fisheries			
	Likely to have a large impact.	Risk that opening ESA markets could affect domestic producers and food security. Such impacts would affect employment and wages, as well as the right to food.	Major

Table 19: Detailed screening table of potential other possible measures

Provision	Possible environmental impacts	Possible social, gender and human rights impacts	Potential importance
Other possible measures			
Promotion of trade for the repair and remanufacture of goods	Repair and remanufacture is an element of the circular economy. Promotion of repair and remanufacture of goods should help to reduce waste and encourage repurposing of end-of-life products.	Could encourage manufacturing in the region, and thus impact positively occupation and salaries	Minor

5.2 Overview of key impacts and issues

One possible key environmental impact is the potential reduction of pests and diseases in agriculture due to the implementation of SPS measures, which could also help to improve animal welfare through promotion of OIE standards. This would, however, likely be a long-term result as it will depend on capacity building in government and in the sector. A potential negative environmental effect of increased SPS provisions could be that it encourages the livestock sector in ESA5 countries to develop for export (particularly the larger ones, Madagascar and Zimbabwe), which could cause land use change, increased emissions and potentially deforestation damaging to biodiversity.

Under TBT measures, greater adherence to international standards could improve consumer safety also for goods produced for domestic ESA markets. Greater awareness of these standards and of EU requirements, such as REACH, along with capacity building, could enhance results.¹⁴

Another important environmental impact of provisions on customs procedures and import and export licensing could be strengthened controls on the illegal trade in endangered species. This is particularly relevant given the ESA5 states' rich biodiversity. Provisions to promote trade for the repair and manufacture of goods could facilitate the development of circular economy practices between Parties. As discussed below, development cooperation to aid the implementation of provisions could have positive impacts on the environment.

A key social impact is that the potential growth of exports from ESA5 countries to the EU, combined with lower import costs, could enhance possibilities to move from lower to higher added-value products, which is expected to support economic growth and, in turn, have positive impacts on occupation, salaries and working conditions. However, such positive impacts could reduce progressively over time, and even disappear, as other ACP and third countries sign EPAs with the EU and adhere to EU standards and procedures, increasing competition for EU markets.

Furthermore, the positive impacts of increase exports are not likely to manifest in the same way for all ESA5 countries. Low-income countries may be less likely to increase their exports towards the EU in the

¹⁴ A review of the EU RAPEX database found only one case for ESA countries, in 2014, where an alert had been issued by France regarding necklaces and bracelets manufactured in Madagascar. These products were a chemical risk due to lead levels exceeding the legal allowance and thereby not complying with the REACH Regulation..European Commission, 'Safety Gate: Rapid Alert System for dangerous non-food products':

https://ec.europa.eu/consumers/consumers_safety/safety_products/rapex/alerts/?event=main.search&lng=en#searchResults

short term, but domestic sectors would be exposed to increased EU imports. The higher competition could impact employment and wages along with rights to work (minimum wage, hours of work, etc) as well as the right to adequate working conditions in some ESA sectors.

Development cooperation and technical assistance on standards, customs procedures and licensing regulations are necessary for the positive impacts of increased exports towards the EU to occur.

5.3 Development cooperation

The screening of possible measures shows that EU development cooperation can be valuable both in mitigating potential negative effects as well as ensuring that positive effects are seen, in particular in terms of the environment. Key areas for cooperation include the following:

- **Capacity building and technical assistance for customs authorities should be complemented with development cooperation and awareness raising activities that target and active involve business representative organisations in the ESA5 countries.** These can in turn support economic operators in making better use of trade facilitation measures and develop exports.
- **Capacity building for customs authorities should include methods and tools to address illegal trade in protected species and in waste.** This could be carried out in cooperation with international organisations, such as the CITES and Basel Secretariats, and possibly with other interested donors.
- **The promotion of OIE standards on animal welfare will require capacity building for national authorities and also for veterinarians in ESA countries** (possibly via veterinary programmes in universities and with veterinary associations). Awareness raising and capacity building for farmers can also be valuable.
- **The promotion of attention to issues of microbial resistance when using veterinary pharmaceuticals would also require capacity building, potentially again for veterinary as well as medical schools.** Cooperation with international organisations such as WHO may be valuable.
- **Capacity building for compliance with REACH** could help to resolve any potential issues with use of substances not permitted in products sold in the EU, with advice on alternative substances.

6. Policy recommendations

6.1 Background

As a starting point, the ex-post analysis of the interim EPA has identified a number of shortcomings in the existing EPA that need to be addressed by the negotiations of a deeper agreement. The first shortcoming is that the interim EPA lacks specific provisions on how to achieve the objective of contributing to the reduction and eventual eradication of poverty through the establishment of a strengthened and strategic trade and development partnership consistent with the objective of sustainable development, the Millennium Development Goals and the Cotonou Agreement.

The focus of the interim EPA has been on the trade dimension. The development dimension of the EPAs is rather indirect, rightly trusting that the trade dimension in principle is development friendly. To mitigate negative consequences and strengthen the trade dimension, the EU has supported the ESA5 countries with a number specific and general development programmes.¹⁵ The EPA development agenda may benefit if it focuses stronger on the self-assessment of needs by the ESA5 countries. **Thereby, it may take a demand side approach (meaning that the ESA5 countries outline their needs and overall objectives of economic and social development) rather than a supply side approach (meaning that the EU specifies the amount of funding and conditions for how such funding can be utilised).**

Concerns are generally raised about the comprehensive nature of the EPA. It is argued to form a challenge for the ESA5 countries. ESA5 private sector companies, including SMEs, generally find it difficult to take advantage of the EPA. This is a critical insight that should be taken into consideration, particularly the complex negotiations of standards and non-tariff measures, including rules of origin to be simplified further.

Stakeholder consultations have partly revealed that information from the print and digital media, academic writing and capacity building programmes have helped local stakeholders to learn more about EPAs and the processes involved. These efforts could be further intensified to raise awareness about the deepening negotiations. Also trade facilitation support has had a positive impact. Although it cannot be quantified, this avenue promises further success.

6.2 Implementation

6.2.1 *Involve the private sector and potential new investors in trade negotiations*

On the negotiations process, it is critical to have non-state actors being involved in the negotiations and play a critical role in monitoring EPAs. Social partners, including the Church and CSOs, as well as the business sector should be directly taking part in the negotiations and be involved in monitoring the implementation of EPA. The monitoring exercise has to entail systematic collection of data and experiences and processing these experiences to inform policies and negotiations. They also should be partners in implementing and evaluating the National Indicative Programme.

Each ESA5 country could further develop a National EPA Committee which could develop the trade and development components of the National EPA Plan, based on the commitments made in the comprehensive EPA, and monitor implementation on a continuous basis, with a regional coordinating mechanism in place. The National EPA Committee (NEPAC) could increasingly comprise government (Ministries of Finance, Trade, Infrastructure, Economic Development and Industry), the Chambers of Commerce, Manufacturers Association, a representative of MSMEs and a representative of civil society organisations and a representative from academia and would meet on a monthly basis, or more often if necessary. It would be responsible for drawing

¹⁵ See the Chapter on Development in the Ex-Post-Evaluation within this SIA.

up a National EPA Plan that would finalise the country's inputs into the EPA negotiating agenda, to be coordinated at the regional level so that the ESA5 had a common negotiating position. The NEPAC would also be responsible for monitoring implementation of the EPA – both the trade and development agendas.

6.2.2 Capacity Building

ESA5 countries need better coordination of capacity building activities. The NEPACs or another body could coordinate the capacity building activities required to allow CSOs, government departments and industry to actively participate not only in the negotiations (which would also benefit the country in all other negotiations, including the AfCFTA negotiations) but also in benefiting from the EPAs themselves.

ESA5 countries need to improve the visibility and flow of information. The NEPAC could also be responsible for improving the visibility and flow of information on EPAs, outlining the possible advantages as well as explaining what mitigation is being done to address the negative aspects of EPAs. This improvement in visibility and information flows could take advantage of social media platforms, websites, public meetings, radio programmes and television programmes. The communication strategy would be a part of the National EPA Plan.

The EU can support the capacity building process by identifying weakness and using its own experiences in trade facilitation. In addition, part of the development budget could be spent on improving trade capacities, including infrastructure. Stakeholders in Zimbabwe identified the domestic infrastructure as well as its connection to the neighbouring countries including the relevant ports as serious obstacle

6.2.3 Barriers to Trade

Private sector and SME stakeholder respondents hold a general position on the importance of continuing the EPA negotiations with the EU. With respect to market opening in ESA5 countries, they indicated some open questions. One key issue that stands out is that liberalization commitments should be pegged to clear development thresholds or benchmarks and must not be more onerous than the low levels of liberalization by other countries (e.g. Mexico and Syria) in EU FTAs.

- For example, various clauses in the EPA which the EU has inserted should be eliminated: standstill clause; export taxes; MFN clause, non-execution clause and abolition of community levies as these are clearly WTO-plus and would put Africa's development objectives in serious jeopardy.
- Also, other clauses must be brought into line with the WTO, such as the article on quantitative restrictions and the EU's commitment at the WTO to eliminate export subsidies by 2013 and to substantially reduce domestic supports in agriculture.
- Other clauses must be vastly improved upon: bilateral safeguards; infant industry clause; definition of the parties, to name only a few.

The European Union and its ESA partners in the EU-ESA EPA are continually improving the rules of origin. These changes should not only benefit existing producers in the ESA5 countries but also new investors in new industries or suppliers in new, or non-traditional, global value chains. It is important that the ESA5 countries are able to define in their trade and industrialisation policies what the target industries and value chains are into the EU market and involve the potential investors and private sector stakeholders in the trade negotiations, including negotiations on rules of origin, to ensure the agreed rules of origin can be complied with so that these "new" producers can benefit from the preferences offered by the EU.

Thereby, RoOs should allow ESA5 countries to become part of global value chains and still benefit from preferential market access into the EU. Modern manufacturing processes used in the developed world comprise global value chains that involve different companies in different countries adding value along the value chain and often adding very small percentages of value to the final product. The current ESA EPA rules of origin are structured in such a way that relatively large percentages of value addition, such as 40 per cent,

need to be added to the product; this threshold should be reconsidered. Moreover, there needs to be a cumulation agreement in place, for the product to benefit from preferences into the EU. For countries like Mauritius, cumulation with South Africa and other competitive sourcing destinations should be rigid under the Comprehensive EPA. This will be also relevant once the African Continental Free Trade Area (AfCFTA) is fully functioning.

In the negotiations of the Marine Fisheries Title of the Comprehensive EPA the case study within this SIA has suggested a number of amendments, which are briefly summarized here:

- That the binding text that relates to a development component specifically for Marine Fisheries is included. The binding text could be in the format of the OECD's four main components of Aid for Trade of mainstreaming and prioritising trade (demand); trade-related projects and programmes (response); enhanced capacity to trade (outcome) and improved trade performance and reduced poverty (impact). The binding text, which would, as much as possible, replace the "best endeavour" text, would be linked to key performance indicators and there would be consequences for non-compliance.
- The text of the ESA EPA could be more closely aligned to that of the United Nations Convention on the Law of the Sea (UNCLOS). For example, it could have more specific rules on licensing and monitoring of entries and exits of fishing vessels.
- The text on Fisheries Management and Conservation Issues and VMS and Post Harvest Arrangements could also be changed from best endeavour and become rules based and binding, with modalities and key performance indicators introduced.
- A clearer language on denial of port services should be introduced into the Comprehensive EPA.

6.2.4 *Ensure mitigation of negative aspects of the EPAs*

The two main negative potential impacts of EPAs will be on tariff revenue loss and possibly loss of business for domestic producers. This in turn reduces the ESA5 countries' willingness to open their markets fast.

Since many African countries, e.g. Madagascar, rely on tariff revenues as large part of the state budget, tariff reductions will lead to revenue losses, everything else equal. This phenomenon is widely researched. The EU can support the ESA partners here with two packages.

- It is possible to calculate potential tariff loss prior to losing this revenue and to then make adjustments to compensate for this loss, for instance through an aid budget, which diminishes over time as to give incentives for introducing a proper tax regime.
- Such a tax regime can either adjust the value added tax, create a modern income tax system or take measures to improve compliance. The EU can support the ESA5 countries here with expertise or engage with researchers in Africa such as the African Tax Research Network¹⁶ and commission according studies and projects in coordination with the respective ESA5 country.

There may second be a potential loss of business that has only been addressed by excluding sensitive products from tariff liberalisation, with the exclusions including basic food items, chemicals, plastic and paper articles, textiles, consumer electronic goods, vehicles etc. Another tool is to support European foreign direct investments (FDI) in ESA5 countries. One avenue for such support is to extent to which member countries grant investment support and protection via guaranties and investment protection agreements respectively. The European Commission could support this measure by coordinating the members' policies.

¹⁶ See: <https://www.atrnafrica.org>.

This is also important against the background of the Covid 19-crisis. In 2020, FDI were low due to lockdown measures and in 2021 it will take time to rebuild the connections that existed before the crisis. In order to accelerate private investment activities, it is necessary to increase the financial support for guarantees. It may be beneficial to redirect development aid funding which (as shown in the Ex-Post Evaluation within this SIA) often suffers from ineffectiveness into investment support, at least temporarily. Such efforts should not be restricted to ESA5 countries, as regional value chains will cover more countries.¹⁷

6.3 Poverty and pro-poor growth: the development dimension

6.3.1 Poverty and food security

Since respondents from the government of Seychelles saw some risk that reciprocal trade with the EU affects issues such as poverty as well as food security, the negotiating partners should consider adaptation mechanisms under the EPA and that a number of sensitive products are excluded in the agreement, at least in the medium run.

In the same vein, the existing fisheries agreements were widely described as unequal, in particular in Comoros. Fishers argue they gain little benefit compared to the EU. This perception should be taken into account in the negotiations. Similarly, in order to allow the agricultural producers to move up the value chain over time (and thereby escape poverty), support for this sector in ESA5 countries as well as a reconsideration of EU agriculture and trade policies is key.

6.3.2 Closer alignment of the development and trade components of the EPA

Although EPAs are often thought of as being trade deals, they also have a developmental objective, including supporting sustainable development and poverty alleviation, promoting regional integration and linking trade policy with tools for development. However, it is often, but not always, the case that EPA signatories are more concerned about possible negative impacts of a trade deal, such as revenue loss from tariff reductions, and the penetration of their markets by, in this case, European-based firms, than they are about taking advantage of improved market access.

This perception requires more information about the actual policies as well about the effects of the EPA. EU imports into the ESA countries free of duties generally should be considered to be a negative aspect of EPAs. If for example, a country is short of a commodity, such as wheat flour, it could import wheat flour free of duty and use it to produce food products which could be exported as well as supporting food security in the country. The same principle could apply to high-tech industries where component parts of, for example, information and telecommunications technology (ICT) equipment could be imported free of duty and assembled in the ESA country and then, using cumulation provisions, could be sold back into the EU market, and other ESA countries free of duty.

To maximise their effect, EPAs should be integrated, or mainstreamed, into the ESA5 countries' trade policies. For example, each country is preparing a national implementation plan for the EPA and these plans will focus on sustainable development aspects but may not focus on how a trade component can feed into sustainable development. A national implementation plan could start with identifying what products (or services) the ESA country has, or can have, a competitive advantage in, especially in the EU market, with preferences. Once this has been established, ESA countries could look at what constraints they face to ensure the products to be traded are classified as originating. If rules of origin need to be adjusted to ensure the goods are classified as originating then the ESA country needs to prepare its negotiating position to argue its case, which should also include estimates of impact on poverty alleviation and on sustainable development.

¹⁷ In addition, the EU should take bold efforts to support a comprehensive vaccination programme in Africa, not only ESA5.

6.4 Regional aspects of the EPA: outermost regions

One relevant aspect is regional integration beyond the EPA. It has two facets, namely first the relations between different regional integration areas. As discussed in the Inception Report within this SIA, the ESA5 countries are members in several Regional Economic Communities (RECs) and the AfCFTA. There are overlapping memberships with the need to align different RoOs. The negotiators should include clauses in the EPA that simplify matters in case of conflict (in favour of the ESA5 countries).

The second facet concerns the situation of the EU's outermost regions (OR) in the context of the EPA. For instance, a private sector stakeholder from la Reunion pointed to problems the market for sugar caused by trade agreements with Central America and the Andean Community, which allowed their cane sugar producers to enter the EU speciality sugars market. Consequently, competition has considerably increased in this market, thus accentuating pressure on the EU outermost regions. The EU must acknowledge that part of its agricultural production is in direct competition with agricultural products produced in neighbouring tropical countries. The negotiators should strike a balance between the various interests in agricultural markets.

In addition, several interviewees from the public sector in Comoros highlighted the potential for opening up trade with Mayotte. Some interviewees expressed frustration that whilst Mayotte is off the negotiating table, normalising trade with Mayotte, particularly agricultural exports, could have more of an impact and help more of the poorest people than other elements of the EPA. Such concerns should be taken seriously.

A first priority could be to extend, under the current EPA, the period during which the local market of the French overseas departments is protected from ESA sugar exports, as provided by the provision currently in force, and under the EPA to come, replicating the provision currently in force which protects the local market of the French overseas departments from ESA sugar exports. As the Comprehensive EPA foresees further improvements of social, environmental and productive standards in the ESA5 countries, a monitoring mechanism should be included to regularly assess whether the standards in ESA5 countries still do not match the EU ones. Once they do, there is no reason to further restrict agricultural trade in either direction.

Appendix I. Overview of the five ESA countries

The five ESA countries vary greatly in terms of their economic and human development and their environmental context. The table below provides an overview of key indicators across these dimensions.

Table 20: Key economic, environmental, social, gender and human rights indicators (2019 or latest year available)

	Comoros	Madagascar	Mauritius	Seychelles	Zimbabwe
GDP/Capita in US\$ (2019) ¹⁸	1,370	523	11,099	17,448	1,464
Surface area (km ²) ¹⁹	1,861	587,295	2,040	460	390,760
Total Population (2019) ²⁰	850,886	26,969,307	1,265,711	97,625	14,645,468
Human Development Index (2018) ²¹	0.538	0.521	0.796	0.801	0.563
Poverty rate (dates vary) ²²	18.1%	77.6%	0.1%	..	34%
Female employment (2019) ²³	34.9%	81.8%	40.6%	61.6%	73.8%
Yale EPI (Env. Perf. Index, 2020) ²⁴	32.1	26.5	45.1	58.2	37
ND-GAIN score (2017) ²⁵	39.2	32.9	55.6	48.4	33.1

The data for these indicators predate the Covid-19 pandemic, whose impact on the region and on individual countries is not yet clear, but it is expected to have far-reaching health and economic consequences. Nonetheless, these indicators show that the five ESA countries vary greatly in terms of economic, environmental, social and human rights conditions.

Comoros is a small lower-middle income island economy, with a comparatively low level of human development. Poverty affects nearly one-fifth of the population. It faces multiple challenges in terms of adequate health, housing and food. Biodiversity is severely degraded and its islands are prone to natural

¹⁸ GDP per capita (current US\$) – 2019 data for Comoros, Madagascar, Mauritius, Seychelles, Zimbabwe. World Bank Data: <https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=KM-MG-MU-SC-ZW>

¹⁹ Surface area in square kilometres – 2018 data for Comoros, Madagascar, Mauritius, Seychelles, Zimbabwe. World Bank Data: <https://data.worldbank.org/indicator/AG.SRF.TOTL.K2?locations=KM-MG-MU-SC-ZW>

²⁰ Population, total – 2019 data for Comoros, Madagascar, Mauritius, Seychelles, Zimbabwe. World Bank Data: <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=KM-MG-MU-SC-ZW>

²¹ A summary measure of average achievement in key dimensions of human development on a scale of 0 (low) to 1 (high). UNDP data: <http://hdr.undp.org/en/data>

²² Share of population below international poverty line. 2019 data for Mauritius and Zimbabwe, 2012 for Comoros, 2013 for Madagascar. World Bank data from <https://sdg-tracker.org/no-poverty#targets>

²³ Employment of female population, 15+. ILO Data: https://www.ilo.org/shinyapps/bulkexplorer54/?lang=en&segment=indicator&id=EMP_2WAP_SEX_AGE_RT_A

²⁴ The Environmental Performance Index (EPI) provides a quantified summary of the environmental performance of countries around the world. It uses 32 performance indicators across 11 issue categories. The EPI uses a score of 0 to 100 (the maximum value). 2020 EPI Results: <https://epi.envirocenter.yale.edu/epi-topline>

²⁵ The Notre Dame Global Adaptation Initiative (ND-GAIN) score is an index assessing a country's vulnerability to climate change and its resilience and readiness vis-à-vis climate impacts. Overall, 45 indicators contribute to developing the country index, with 36 indicators assessing vulnerability and 9 assessing readiness. Scores range from 0 to 100. Notre Dame Global Adaptation Initiative: <https://gain.nd.edu/our-work/country-index/rankings/>

disasters and vulnerable to climate change impacts. Comoros faces challenges providing adequate drinking water and sanitation.

Madagascar is a low-income economy. It is a large island and has the highest population of the five ESA countries. Poverty levels are extremely high despite an abundance of natural resources. Poverty negatively affects its social conditions, with rights to health, food, education and housing being limited. Biodiversity is severely degraded and deforestation is a major challenge. Moreover, Madagascar is highly vulnerable to climate change impacts.

Mauritius is a small upper-middle income country whose service industry has grown considerably in the past ten years. Rights to food, housing and health care are at comparatively high levels, as is human development. The country's biodiversity is highly threatened, and despite high readiness, Mauritius remains vulnerable to climate impacts.

Seychelles is a small high income country island with a comparatively high level human development,²⁶ including a high literacy level²⁷, and a well-developed housing market. The right to health and to food have improved in recent years. Though it has a relatively high readiness level, Seychelles is highly vulnerable to climate change impacts.

Zimbabwe is a lower-middle income, landlocked country whose economy, social conditions and environment have suffered from political crisis. Rights to food, housing and health are extremely poor. Although about one-quarter of the country has been protected, biodiversity is threatened and deforestation continues. The country is highly vulnerable to climate change and has a low readiness score.

²⁶ Central Bank of Seychelles, *Annual Report 2018*, available at: <https://www.cbs.sc/Downloads/publications/Annual%20Report%202018.pdf>.

²⁷ World Bank, 'Literacy rate, youth total (% of people ages 15-24) - Comoros, Madagascar, Mauritius, Seychelles, Zimbabwe, World', available at <https://data.worldbank.org/indicator/SE.ADT.1524.LT.ZS?end=2019&locations=KM-MG-MU-SC-ZW-1W&start=2013&view=chart>

Appendix II. Indicators on legal system, trade barriers and regulations in ESA countries

1. Madagascar

Overview

Year	2013	2014	2015	2016	2017	2018
Economic Freedom Summary Index	6,64	6,43	6,40	6,25	6,14	6,20
Rank	100	111	111	118	126	125
Quartile	3	3	3	3	4	4

Size of Government, Legal System and Property Rights

Year	2013	2014	2015	2016	2017	2018
Size of Government	8,74	8,14	8,31	7,90	7,63	7,51
Judicial independence	3,35	3,47	3,68	3,59	3,52	3,48
Impartial courts	3,33	3,32	3,36	3,31	3,69	3,49
Protection of property rights	4,28	4,28	4,35	4,33	4,48	4,70
Integrity of the legal system	4,50	4,63	4,65	4,65	4,67	4,57
Legal enforcement of contracts	2,42	2,96	2,96	2,96	2,96	2,96
Legal System & Property Rights	2,99	3,05	3,09	3,06	3,21	2,92

Sound Money and Freedom to Trade Internationally

Year	2013	2014	2015	2016	2017	2018
Sound Money	8,06	8,04	8,05	7,90	7,63	7,65
Non-tariff trade barriers	5,02	5,42	3,52	4,12	1,95	4,83
Compliance costs of importing and exporting	7,01	4,62	5,07	5,07	5,07	5,09
Regulatory trade barriers	6,02	5,02	4,29	4,59	3,51	4,96
Financial Openness	4,16	4,16	4,16	1,66	1,66	1,66
Capital controls	0,00	0,77	0,77	0,77	0,77	0,77
Freedom of foreigners to visit	10,00	10,00	10,00	10,00	10,00	10,00
Controls of the movement of capital and people	4,72	4,98	4,98	4,14	4,14	4,14
Freedom to Trade Internationally	7,16	6,97	6,76	6,62	6,36	6,71

Regulation

Year	2013	2014	2015	2016	2017	2018
Credit market regulations	8,07	7,71	7,51	7,39	7,39	8,14
Labor market regulations	4,94	4,74	4,49	4,50	4,36	4,64
Administrative requirements	4,16	3,74	3,60	3,57	3,41	3,13

Regulatory Burden	2,44	2,44	2,44	2,44	3,33	3,56
Starting business a	9,60	9,12	9,22	9,37	9,40	9,43
Impartial Public Administration	1,11	1,11	1,35	1,35	3,07	3,07
Licensing restrictions	8,88	7,85	7,85	7,80	7,84	7,69
Tax compliance	7,95	7,95	7,95	7,95	7,95	7,95
Business regulations	5,69	5,37	5,40	5,41	5,83	5,80
Regulation	6,23	5,94	5,80	5,77	5,86	6,19

2. Mauritius

Overview

Year	2013	2014	2015	2016	2017	2018
Economic Freedom Summary Index	7,88	7,82	7,99	7,98	7,99	8,21
Rank	16	24	14	16	13	7
Quartile	1	1	1	1	1	1

Size of Government, Legal System and Property Rights

Year	2013	2014	2015	2016	2017	2018
Size of Government	7,81	7,68	7,98	7,88	8,15	8,15
Judicial independence	5,70	5,67	5,69	5,67	6,04	5,95
Impartial courts	5,67	5,70	5,56	5,43	5,54	5,47

Protection of property rights	6,34	6,33	6,26	6,18	6,22	6,74
Integrity of the legal system	4,69	4,69	6,95	6,96	6,79	6,77
Legal enforcement of contracts	4,64	4,64	5,03	5,03	5,25	5,25
Legal System & Property Rights	5,45	5,45	5,92	6,31	6,40	6,46

Sound Money and Freedom to Trade Internationally

Year	2013	2014	2015	2016	2017	2018
Sound Money	9,67	9,58	9,59	9,59	9,30	9,52
Non-tariff trade barriers	6,08	6,83	6,14	6,26	6,20	6,50
Compliance costs of importing and exporting	8,76	7,91	7,86	8,23	8,54	8,54
Regulatory trade barriers	7,42	7,37	7,00	7,25	7,37	7,52
Financial Openness	6,99	6,99	6,99	6,99	6,99	6,99
Capital controls	4,62	4,62	4,62	4,62	4,62	4,62
Freedom of foreigners to visit	10,00	10,00	10,00	10,00	10,00	10,00
Controls of the movement of capital and people	7,20	7,20	7,20	7,20	7,20	7,20

Freedom to Trade Internationally	8,50	8,50	8,42	8,47	8,52	8,53
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Regulation

Year	2013	2014	2015	2016	2017	2018
Credit market regulations	8,50	8,55	8,78	8,63	8,51	8,95
Labor market regulations	7,60	7,16	7,38	6,36	6,41	7,90
Administrative requirements	4,83	4,90	4,67	4,38	4,42	5,02
Regulatory Burden	9,78	9,78	9,78	8,89	8,89	8,44
Starting a business	9,79	9,79	9,77	9,81	9,83	9,85
Impartial Public Administration	7,00	6,94	7,10	7,10	6,89	8,36
Licensing restrictions	6,92	8,37	8,37	9,32	9,32	9,36
Tax compliance	8,30	8,30	8,30	8,30	8,30	8,43
Business regulations	7,77	8,01	8,00	7,97	7,94	8,25
Regulation	7,96	7,91	8,05	7,65	7,62	8,36

3. Seychelles

Overview

Year	2013	2014	2015	2016	2017	2018
Economic Freedom Summary Index	7,29	7,48	7,43	7,44	7,37	7,49

Rank	57	49	52	52	57	52
Quartile	2	2	2	2	2	2

Size of Government, Legal System and Property Rights

Year	2013	2014	2015	2016	2017	2018
Size of Government	6,86	7,16	6,87	7,00	7,01	6,71
Judicial independence	5,03	5,04	4,98	4,93	5,09	5,27
Impartial courts	5,03	5,06	5,11	5,06	5,15	5,46
Protection of property rights	4,86	4,86	5,12	5,35	5,35	5,53
Integrity of the legal system	6,33	6,33	6,86	6,97	6,93	6,98
Legal enforcement of contracts	4,06	4,06	4,06	4,06	4,06	4,06
Legal System & Property Rights	5,16	5,16	5,42	5,54	5,59	5,54

Sound Money and Freedom to Trade Internationally

Year	2013	2014	2015	2016	2017	2018
Sound Money	8,26	9,10	9,33	9,00	9,07	9,26
Non-tariff trade barriers	5,70	5,70	5,70	6,05	6,04	5,87
Compliance costs of importing and exporting	7,76	5,24	5,32	5,32	5,32	5,33
Regulatory trade barriers	6,73	5,47	5,51	5,68	5,68	5,60

Financial Openness	10,00	10,00	10,00	10,00	10,00	10,00
Capital controls	8,46	8,46	8,46	8,46	8,46	8,46
Freedom of foreigners to visit	10,00	10,00	10,00	10,00	10,00	10,00
Controls of the movement of capital and people	9,49	9,49	9,49	9,49	9,49	9,49
Freedom to Trade Internationally	8,82	8,55	8,06	8,10	7,65	8,27

Regulation

Year	2013	2014	2015	2016	2017	2018
Credit market regulations	7,67	8,00	8,00	8,00	7,88	7,88
Labor market regulations	6,99	6,99	7,17	7,36	7,40	7,56
Administrative requirements	5,33	5,33	5,33	5,04	5,03	5,17
Regulatory Burden	6,00	6,00	6,00	6,00	6,00	5,78
Starting a business	8,67	8,83	8,83	8,84	8,83	8,84
Impartial Public Administration	6,22	6,22	6,22	6,64	6,64	7,89
Licensing restrictions	8,98	8,46	8,46	8,46	8,67	9,08
Tax compliance	9,01	9,05	9,05	9,05	9,05	9,05
Business regulations	7,37	7,31	7,31	7,34	7,37	7,63

Regulation	7,34	7,43	7,50	7,56	7,55	7,69
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4. Zimbabwe

Overview

Year	2013	2014	2015	2016	2017	2018
Economic Freedom Summary Index	5,46	5,80	6,24	5,72	5,16	5,12
Rank	144	138	118	144	152	155
Quartile	4	4	3	4	4	4

Size of Government, Legal System and Property Rights

Year	2013	2014	2015	2016	2017	2018
Size of Government	6,51	6,58	6,78	5,14	4,29	4,51
Judicial independence	3,42	3,60	3,85	3,91	3,94	3,79
Impartial courts	3,40	3,50	3,61	3,49	3,48	3,36
Protection of property rights	3,08	3,30	3,41	3,37	3,67	3,86
Integrity of the legal system	5,15	5,16	5,16	5,05	5,23	4,94
Legal enforcement of contracts	2,37	2,37	2,37	2,37	2,37	2,37
Legal System & Property Rights	3,54	3,60	3,78	3,74	4,11	4,07

Sound Money and Freedom to Trade Internationally

Year	2013	2014	2015	2016	2017	2018
Sound Money	6,90	7,97	8,18	7,38	6,72	5,03
Non-tariff trade barriers	6,48	4,74	5,63	4,99	4,85	5,20
Compliance costs of importing and exporting	1,29	4,17	1,69	1,64	1,33	1,33
Regulatory trade barriers	3,89	4,45	3,66	3,32	3,09	3,26
Financial Openness	1,66	1,66	4,16	4,16	4,16	4,16
Capital controls	0,00	0,00	0,00	0,00	0,00	0,00
Freedom of foreigners to visit	8,85	8,85	8,85	8,85	8,85	8,85
Controls of the movement of capital and people	3,50	3,50	4,34	4,34	4,34	4,34
Freedom to Trade Internationally	5,46	5,78	5,88	5,79	3,97	5,73

Regulation

Year	2013	2014	2015	2016	2017	2018
Credit market regulations	6,00	6,00	9,33	9,10	9,10	7,44
Labor market regulations	4,55	5,09	6,05	6,12	6,12	6,24
Administrative requirements	3,07	2,63	2,26	1,82	1,92	2,41
Regulatory Burden	0,67	0,67	0,67	0,89	2,67	2,67

Starting business a	5,91	5,94	5,83	6,89	7,81	8,33
Impartial Public Administration	2,61	2,78	2,78	2,17	1,97	2,21
Licensing restrictions	4,99	4,95	6,99	7,00	7,49	7,99
Tax compliance	7,29	7,29	7,29	7,29	7,29	7,29
Business regulations	4,09	4,04	4,30	4,34	4,86	5,15
Regulation	4,88	5,04	6,56	6,52	6,69	6,28

Appendix III. Measures on key trade barriers imposed in ESA countries

Measures on technical barriers to trade (TBT) imposed by Madagascar, Mauritius, Seychelles and Zimbabwe, WTO I-TIP Goods database:

Member imposing	Partner affected	Initiation	In force	Product description	Keywords
Mauritius	World	03. Mai 05		Plastic Carry Bags	
Mauritius	World	03. Mai 05		Hazardous wastes	
Mauritius	World	23. Jul 12		Basmati Rice	Food standards, Protection of Human health or safety
Mauritius	World	20. Nov 14		Household electrical appliances	Protection of the environment
Mauritius	World	21. Jan 16	01. Jan 16	Non-woven polypropylene bags)	Protection of the environment
Mauritius	World	21. Jan 16	01. Jan 16	National tariff heading: 3923	Protection of the environment
Mauritius	World	05. Jul 16	01. Nov 16	Domestic and household appliances and similar equipment	Prevention of deceptive practices and consumer protection, Protection of Human health or safety
Mauritius	World	23. Nov 18		Steel Bars, Steel Wires and Steel Fabrics	Protection of Human health or safety
Mauritius	World	17. Dez 19		Control of Import and Export of Radiation Sources and Other Controlled Items	Protection of Human health or safety
Mauritius	World	19. Dez 19			Food standards, Protection of Human health or safety

Mauritius	World	05. Nov 20		Non-Biodegradable Single Use Plastic products, Biodegradable Single Use Products	Protection of the environment
Mauritius	World	05. Nov 20		Non- biodegradable plastic bag and Biodegradable and compostable plastic bag	Protection of the environment
Mauritius	World	16. Dez 20		All tobacco and manufactured tobacco substitutes, including but not limited to HS codes starting with, 2402 and 2403 and nicotine delivery systems, including components of such systems, including but not limited to HS codes starting with 2403, 3824 and 8543.	Protection of Human health or safety
Seychelles	World	17. Feb 16	06. Okt 15	Vest type plastic bags (3923.2120) ; Vest type plastic bags (3923.2920)	Protection of the environment
Seychelles	World	21. Apr 16	01. Dez 16	Tabacs bruts ou non fabriqués; déchets de tabac (SH 2401), Cigares (y compris ceux à bouts coupés), cigarillos et cigarettes, en tabac ou en succédanés de tabac (SH 2402), Autres tabacs et succédanés de tabac, fabriqués; tabac "homogénéisé" ou "reconstitué"; extraits et sauces de tabac (SH 2403)	Labelling, Protection of Human health or safety
Seychelles	World	07. Feb 17	02. Feb 17	392321:- Of polymers of ethylene ; 392329:- Of other plastics ; - Plastic carrier bags ; 392410:- Tableware and kitchenware ; - Plastic cups ; - Plastic plates ;	Protection of the environment

				<ul style="list-style-type: none"> - Plastic spoons ; - Plastic forks ; - Plastic knives ; - Plastic bowls ; - Plastic trays ; 392310:- Boxes, cases, crates and similar articles ; - Polystyrene takeaway boxes	
Seychelles	World	25. Okt 18	01. Jan 19		Protection of the environment
Zimbabwe	World	04. Apr 16	01. Mrz 16	The following categories of products are inspected under the CBCA Programme: Food and agriculture ; Building and civil Engineering ; Packaging material; Electrical/electronic appliances; Body care; Automotive and transportation; Clothing and textile; Toys	Prevention of deceptive practices and consumer protection, Protection of Human health or safety, Protection of the environment, Quality requirements
Zimbabwe	World	02. Apr 20		Household Refrigerator; Television (Plasma, LCD or CRT); Air conditioner; Induction cook stove; Domestic Fan (Wall, desk, pedestal or ceiling); Performance and construction of electric circulating fans and regulators.	Protection of the environment

State trading enterprises measures imposed by Madagascar, Mauritius, Seychelles and Zimbabwe, WTO I-TIP Goods database:

Member imposing	Partner affected	Initiation	In force	Product description	Keywords
Mauritius	World	01. Jan 74	01. Jan 74	Cattle, Goats	
Mauritius	World	08. Okt 92	08. Okt 92	Long Grain White Rice, Wheat Flour, Petroleum Products [White Oil],	

				[Black Oil], Liquefied Petroleum Gas, Basmati rice	
Mauritius	World	01. Jan 63	01. Jan 63	Dry whole onions, Fresh whole garlic, Fresh whole potatoes, Garlic seeds, Onion seeds, Potato seeds, By catch fish (frozen fish)	

SPS measures imposed by Madagascar, Mauritius, Seychelles and Zimbabwe, WTO I-TIP Goods database:

Member imposing	Partner affected	Initiation	In force	Product description	Keywords
Madagascar	European Union, France	18. Apr 16	03. Feb 16	Live poultry, poultry meat and eggs	Animal diseases, Animal health, Avian Influenza, Food safety, Human health, Protect humans from animal/plant pest or disease, Regionalization, Zoonoses
Madagascar	European Union, South Africa, United States of America	14. Mrz 17	20. Dez 16	Fresh lychees	Food safety, Human health, Plant protection
Madagascar	World	09. Apr 10	01. Mrz 10	Bees and bee products	Animal diseases, Animal health, Food safety, Human health, Protect humans from animal/plant pest or disease, Protect territory from other damage from pests, Territory protection
Madagascar	World	31. Okt 11	30. Sep 11	Food products of plant origin for export	Animal feed, Food safety, Human health, Protect humans from

					animal/plant pest or disease
Madagascar	World	31. Okt 11	12. Okt 11	Food products of plant origin for export.	Food safety, Human health, Protect humans from animal/plant pest or disease
Madagascar	World	10. Jul 18		Day old chicks and hatching eggs; Products intended for animal feed; Birds for commercial or family breeding and live suidae, domestic or wild; Bird or pig seed; Fresh and frozen meat of domestic or wild birds and suidae, etc.	Animal diseases, Animal health, Avian Influenza, Food safety, Human health, Zoonoses
Madagascar	World	11. Apr 08		All foodstuffs intended for human consumption	Food safety, Human health, Protect humans from animal/plant pest or disease
Madagascar	World	11. Apr 08		All livestock and live wild animals, foods of animal origin and veterinary products.	Animal health, Food safety, Human health, Protect humans from animal/plant pest or disease, Protect territory from other damage from pests, Territory protection, Veterinary drugs
Madagascar	World	09. Apr 10		Crustaceans and products thereof	Animal diseases, Animal health, Food safety, Human health
Madagascar	World	13. Apr 10		Guano (bat guano and seabird guano)	Human health, Plant health, Plant protection, Protect humans from animal/plant pest or disease

Madagascar	World	23. Apr 10	01. Jan 11	Honey	Food safety, Human health, Veterinary drugs
Madagascar	World	23. Apr 10	01. Jan 11	All food of animal origin	Food safety, Human health, Labelling
Madagascar	World	23. Apr 10	01. Jan 11	All food of animal origin	Certification, control and inspection, Food safety, HACCP Plan requirements, Human health
Madagascar	World	23. Apr 10	01. Jan 11	All food of animal origin	Certification, control and inspection, Food safety, Human health
Madagascar	World	27. Jul 15		Public health pesticides and agricultural pesticides	Animal health, Food safety, Human health, Pesticides, Plant health, Plant protection
Madagascar	World	27. Jul 15		Public health pesticides and agricultural pesticides	Animal health, Food safety, Human health, Pesticides, Plant health, Plant protection
Madagascar	World	27. Jul 15		Public health pesticides and agricultural pesticides	Animal health, Food safety, Human health, Pesticides, Plant health, Plant protection
Madagascar	World	27. Jul 15		Public health pesticides and agricultural pesticides	Animal health, Food safety, Human health, Pesticides, Plant health, Plant protection
Madagascar	World	27. Jul 15		Public health pesticides and agricultural pesticides	Animal health, Food safety, Human health, Pesticides, Plant health, Plant protection
Madagascar	World	27. Jul 15		Public health pesticides and agricultural pesticides	Animal health, Food safety, Human health, Labelling, Pesticides, Plant health, Plant protection
Madagascar	World	27. Jul 15		Public health pesticides and agricultural pesticides	Animal health, Food safety, Human health,

					Pesticides, Plant health, Plant protection
Madagascar	World	27. Jul 15		Public health pesticides and agricultural pesticides	Animal health, Food safety, Human health, Pesticides, Plant health, Plant protection
Madagascar	World	15. Feb 16	28. Feb 17	All food and feed of animal or plant origin	Animal feed, Food safety, Human health
Madagascar	World	09. Mrz 16		Fishery and aquaculture products (HS Chapter 3) and Preparations of fishery and aquaculture products (HS Chapter 16)	Animal health, Food safety, Human health
Madagascar	World	29. Jun 17		Treated and processed plants, plant products and foodstuffs of plant origin	Food safety, Human health, Plant health, Plant protection
Madagascar	World	09. Okt 17		Foods of plant origin	Food safety, Human health
Madagascar	World	09. Okt 17		Animals, food of animal origin and products of animal origin	Animal health, Food safety, Human health, Protect humans from animal/plant pest or disease
Madagascar	World	09. Okt 17		Animals, food of animal origin and products of animal origin	Animal feed, Animal health, Food safety, Human health, Protect humans from animal/plant pest or disease
Madagascar	World	09. Okt 17		Denrées alimentaires d'origine animale brutes, traitées et transformées et aliments pour animaux	Animal feed, Food safety, HACCP Plan requirements, Human health

Madagascar	World	09. Okt 17		Denrées alimentaires d'origine végétale brutes, traitées et transformées	Food safety, Human health
Madagascar	World	09. Okt 17		Raw, processed and processed foods of plant origin	Food safety, HACCP Plan requirements, Human health
Madagascar	World	09. Okt 17		Raw, processed and processed foods of plant origin	Food safety, Human health, Protect humans from animal/plant pest or disease
Madagascar	World	16. Nov 17		food products of plant origin	Food safety, Human health
Madagascar	World	16. Nov 17		Plants and plant products	Plant health, Plant protection
Madagascar	World	16. Nov 17		Plants and plant products	Plant health, Plant protection
Mauritius	China, European Union, Iran, Italy, Korea, Republic of, Switzerland, World	23. Mrz 20		Live animals including fish only	Animal diseases, Animal health, Food safety, Protect humans from animal/plant pest or disease, Regionalization
Mauritius	World	25. Jan 01		Temporary ban on the importation of fish and fish products from the Republic of South Africa from incoming travellers and mandatory analytical test for commercial purposes.	Bacteria, Food safety, Human health
Mauritius	World	10. Apr 01		Ban on import of all meat products, except poultry and canned pork meat, from the European	Animal diseases, Animal health, Foot and mouth disease

				Communities with immediate effect.	
Mauritius	World	10. Apr 01		Ban on import of all livestock and livestock products from the United Kingdom with immediate effect.	Animal diseases, Animal health, Foot and mouth disease
Mauritius	World	23. Apr 01		Temporary suspension of importation of live cattle, sheep and goats with immediate effect	Animal diseases, Animal health, Foot and mouth disease
Mauritius	World	21. Mai 01		Temporary ban on importation of horses and other equidae into Mauritius with immediate effect	Animal diseases, Animal health, Foot and mouth disease
Mauritius	World	03. Dez 03		Fruits and vegetables	Fruit fly, Pests, Plant health
Mauritius	World	15. Sep 04		All importation of live poultry and pigs including their frozen and chilled products intended for consumption, animal feed, agricultural use and industrial use	Animal diseases, Animal health, Avian Influenza, Food safety, Human health, Zoonoses
Mauritius	World	18. Jul 17		Plant, plant products and other regulated products under the Plant Protection Act of 2006	Plant health, Plant protection, Protect territory from other damage from pests, Territory protection
Mauritius	World	01. Sep 99		Food and Food commodities from Europe (European Communities) including Belgium will be allowed in Mauritius subject to the production of documentary evidence emanating from relevant Government Health Authorities in that country certifying	Contaminants, Dioxins, Food safety, Human health

				that such products are not contaminated with Dioxin.	
Mauritius	World	08. Nov 01		Lifting of ban on import of chilled processed pork products from France and on import of live cattle from South Africa with immediate effect.	Animal diseases, Animal health, Foot and mouth disease
Mauritius	World	08. Apr 02		Chilled processed pork products and live cattle	Animal diseases, Animal health, Foot and mouth disease
Mauritius	World	08. Apr 02		Pork and pork products, live cattle, live sheep and live goat	Animal diseases, Animal health, Foot and mouth disease
Mauritius	World	04. Apr 03		Livestock feed	Animal diseases, Animal feed, Animal health, Food safety, Human health, Transmissible Spongiform Encephalopathy (TSE), Zoonoses
Mauritius	World	31. Jul 18		Agricultural Produce and Pesticides	Animal health, Food safety, Human health, Maximum residue limits (MRLs), Pesticides, Plant health, Plant protection, Protect territory from other damage from pests, Seeds
Seychelles	World	27. Apr 18		All food products	Bacteria, Contaminants, Food safety, Human health, Toxins

Zimbabwe	World	20. Dez 11	15. Aug 12	Bottled drinking water other than mineral water (HS Code: 22)	Beverages, Food safety, Human health
Zimbabwe	World	17. Apr 13	10. Sep 13	This notification refers to food intended for human consumption, whether locally produced, imported or exported in Zimbabwe.	Food safety, Human health
Zimbabwe	World	17. Apr 13	10. Sep 13	The notification refers to food products intended for human consumption whether locally produced or imported in Zimbabwe	Certification, control and inspection, Food safety, HACCP Plan requirements, Human health
Zimbabwe	World	18. Apr 13	20. Okt 13	This notification refers to packaged drinking natural mineral water sold or distributed for human consumption in Zimbabwe.	Beverages, Food safety, Human health
Zimbabwe	World	30. Aug 16	02. Jan 17	All pre-packaged foods for human consumption	Biotechnology, Food safety, Genetically modified organisms, Human health, Labelling, Protect humans from animal/plant pest or disease
Zimbabwe	World	30. Aug 16	02. Jan 17	Edible vegetable oils, maize meal, edible common salt, sugar and wheat flour	Food safety, Human health

Safeguard measures imposed by Madagascar, Mauritius, Seychelles and Zimbabwe, WTO I-TIP Goods database:

Member imposing	Partner affected	Initiation	In force	Product description	Keywords
Madagascar	World	20. Sep 18		Pasta	

Madagascar	World	31. Dez 18			
Madagascar	World	20. Sep 18	25. Jun 19	Blankets and Travelling Rugs	Animal health, Food safety
Madagascar	World	14. Aug 19	01. Jan 21	Edible vegetable oils and margarines	Human health
Madagascar	World	14. Aug 19	01. Jan 21	Lubricating oils	Labelling, Nutrition information
Madagascar	World	31. Dez 18	25. Jun 19	Detergent powder	
Madagascar	World	18. Jul 19	20. Feb 20	Pasta	
Madagascar	World	14. Aug 19	01. Jan 21	Soap	Certification, control and inspection, Conformity assessment, Labelling

Quantitative restrictions measures imposed by Madagascar, Mauritius, Seychelles and Zimbabwe, WTO I-TIP Goods database:

Member imposing	Partner affected	Initiation	In force	Product description	Keywords
Mauritius	World		30. Sep 16	Dry Whole Onions	
Mauritius	World		30. Sep 16	Fresh whole potato	
Mauritius	World		30. Sep 16	HCFCs refrigerants are administratively controlled through a quota system. Importers are required to seek a clearance from the Ministry of Environment, SD&DBM (Focal Point for Montreal Protocol). An import permit, under the Dangerous Chemicals Control Act, is granted	

				once clearance is secured.	
Mauritius	World		30. Sep 16	Orchids under CITES	
Mauritius	World		30. Sep 16	Endemic plant varieties and endangered species	
Mauritius	World		30. Sep 16	The following items containing Chlorofluorocarbons (CFCs) and Hydrochlorofluorocarbons (HCFCs) as refrigerant or blowing agent Refrigerators, freezers, refrigerating cabinets, showcases, counters and other refrigerating or freezing furnitures, chilling units, coolers, air conditioners (including motor vehicle air conditioners), automatic beverage-vending machines, incorporating refrigerating devices, cold-room equipment, refrigerated transport vehicles, refrigerator insulation, freezer insulation, foam packings, dehumidifiers, fishing boat refrigeration equipment, and styrofoam	

Mauritius	World		30. Sep 16	The import, manufacture, sale or supply of a plastic bag, with or without handles or gussets, and irrespective of their size or type is banned, and includes a non-woven polypropylene bag. The regulations specifically target plastic bags designed to carry goods purchased at a point of sale such as a wholesale or retail outlet, a market, a fair and a hawker. However, the import or manufacture of biodegradable and compostable plastic bags has to be in conformity with standards prescribed in the Third Schedule of the Regulations	
Mauritius	World		30. Sep 16	Dioxins, Furans and PCBs for the Industrial Chemicals; Aldrin, Chlordane, DDT, Dieldrin, Endrin, Heptachlor, HCB, Mirex and Toxaphene for the Agricultural Chemicals; Dioxins, Furans and PCBs for the Industrial Chemicals; Aldrin, Chlordane, DDT, Dieldrin, Endrin, Heptachlor, HCB, Mirex and Toxaphene for the Agricultural Chemicals	
Mauritius	World		30. Sep 16	There is an administrative ban on halons, carbon tetrachloride, methyl chloroform. Methyl	

				bromide is also banned, except for certain critical uses during preshipment and quarantine.	
Seychelles	World		30. Sep 16	Live trees and other plants; bulbs roots and the like; cut flower and ornamental foliage.	
Seychelles	World		30. Sep 16	Brooms and brushes of other vegetables materials (Except Coconut Fibres)	
Seychelles	World		30. Sep 16	Fuel wood. Other, of tropical wood specified in subheading note 1 of chapter 44. Wood chips or particles. Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared. Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed , sanded or end-jointed, of thickness exceeding 6mm.	
Seychelles	World		30. Sep 16	Edible vegetables and certain roots and tubers (Excluding Heading 07.10 to 07.13). Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content.	

Seychelles	World		30. Sep 16	Banana, including plantains, (excluding dried). Citrus fruit (excluding dried). Coconut, brazil nuts, cashew nuts, whether or not shelled or peeled (excluding dried). Dates, figs, pineapples, avocados, Dates, figs, pineapples, avocados, Fresh grapes, Fresh melons and papayas, apples, pears and quinces, apricots, cherries, peaches (including nectarines), plums and soles, other fresh fruit, Mangoes, Other, Other nuts, whether or not shelled or peeled (excluding dried). Others (guavas and mangosteens (excluding dried)	
Seychelles	World		30. Sep 16	Fresh mixtures of spices, Ginger, Other fresh spices	

Import licencing measures imposed by Madagascar, Mauritius, Seychelles and Zimbabwe, WTO I-TIP Goods database:

Member imposing	Partner affected	Initiation	In force	Product description	Keywords
Madagascar	World			Goods in Annex I of Decree No. 92 424 of 4 April 1992	Not specified
Madagascar	World			Goods in Annex II of Decree No. 92 424 of 4 April 1992	Not specified
Madagascar	World			Goods in Annex III of Decree No. 92 424 of 4 April 1992	Not specified

Madagascar	World			Prohibited goods in Annex I of Decree No. 92 424 of 4 April 1992	Not specified
Madagascar	World			Prohibited goods in Annex III of Decree No. 92 424 of 4 April 1992	Not specified
Mauritius	World			Controlled goods	Environment, Human health/life
Mauritius	World			Refined table salt	Quantitative Restrictions
Mauritius	World			Aerosol spray containing benzene; round logs and timber products; jelly confectionery; Asbestos fibres; Ball valve bottles; Batteries containing mercury; Containers; Cosmetic products; Crocidolite; water heater; Explosive and guns; Fishing hook; etc.	Not specified
Zimbabwe	World			Certain agricultural products and fuel	Animal health/life, Human health/life, Other, Plant health/life, Statistics