COUNCIL OF
THE EUROPEAN UNION

Brussels, 18 February 2009

6631/09

LIMITE

WTO 34

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC

OUTCOME OF PROCEEDINGS

of: Article 133 Committee (Deputy Members)
on: 13 February 2009
Subject: Outcome of proceedings of the Article 133 Committee (Deputy Members) on 13 February 2009

1. WTO issues ........................................................................................................................................ 2
   1.1 DDA: State of play ...................................................................................................................... 2
   1.2 SPS Committee (22-23 February) .......................................................................................... 2

2. ACTA ............................................................................................................................................. 2

3. Bilateral/Regional Issues ................................................................................................................ 2
   3.1 EU-Iraq TCA .......................................................................................................................... 2
   3.2 EU-Georgia – assessment of preparation for possible future FTA – follow up to Commission services fact finding mission ......................................................................................... 3
   3.3 EU- Russia: debrief on the Commission visit to Moscow ....................................................... 3
   3.4 EU-ASEAN FTA: state of play ................................................................................................ 3


5. Any Other Business ....................................................................................................................... 4
   5.1 WTO Accession: Montenegro ................................................................................................. 4
   5.2 Criminal Enforcement Provisions for IPR in FTAs ................................................................. 4
   5.3 EU-US: Lacey Act: state of play and follow-up .................................................................... 4

_____________________

6631/09

DG E II

BH/rl

LIMITE

EN
1.  WTO issues

   1.1  DDA: State of play (m.d. 71/09)

   The Commission reported on Geneva proceedings, both on DDA and on TPRB.

   The Committee welcomed the submission of the Impact Assessment study of the possible outcomes of DDA and the expert meeting organized by the Commission on 11 February. Several Member States stressed the importance of having further analysis. The Commission expressed its willingness to work with the Member States in that regard.

   1.2  SPS Committee (22-23 February) (m.d. 81/09)

   The Committee was consulted on the preparation for the upcoming meeting of the SPS Committee in Geneva. Member States are invited to signal their interest to participate in bilateral meetings with third countries to the Commission. The interested Member States would then be invited to participate in such bilateral meetings.

2.  ACTA (m.ds. 59/09, 59/09 COR 1, 61/09 and 84/09, 86/09, 87/09, 89/09, 90/09)

   The Commission presented recent developments.

   The Presidency concluded that the Commission would send all the revised texts first to Member States and only thereafter to the negotiating partners.

3.  Bilateral/Regional Issues

   3.1  EU-Iraq TCA (DS 99/09 RESTREINT UE)

   The Presidency presented its proposal for amendment to the negotiating directives (DS 99/09 RESTREINT UE).

   On that basis, the 133 Committee endorsed the amendment of the negotiating directives, as proposed by the Presidency. The Commission could therefore use the new approach as a basis for discussions with Iraq.

   As to next steps in the procedure, the issue will be on the agenda of the Middle East/Gulf Working Party on 16 February, and it will thereafter be submitted for final adoption as a "I/A" item to Coreper, most probably on 25 February, and Council thereafter.
3.2 EU-Georgia – assessment of preparation for possible future FTA – follow up to Commission services fact finding mission (m.d. 76/09)

The Commission presented its assessment concerning Georgia's preparation for a possible future FTA. The Commission explained in particular that any decision would have to be taken first at political level, and recalled that a political debate was foreseen at the March GAERC.

The Presidency concluded the exchange of views **DELETED**.

Furthermore, Member States had asked the Commission to organize an experts' meeting on the issue.

3.3 EU- Russia: debrief on the Commission visit to Moscow

The Commission debriefed the Committee on its recent political contacts in Moscow. Several economic subjects had been discussed: **DELETED**.

The Presidency concluded that the 133 Committee had encouraged the Commission to pursue further progress **DELETED**. The issue would be kept under scrutiny.

3.4 EU-ASEAN FTA: state of play

The Commission informed on the preparations for the next Joint Committee (2 to 6 March) **DELETED**.

The Commission will debrief the 133 Committee after the meeting of the Joint Committee and will provide a comprehensive report on the state of play, so that Member States can discuss it at the meeting of the 133 Committee (Full Members) on 8 May.

4. Market Access: annual report (m.d. 80/09)

The Presidency stated by way of introduction that this issue was one of its priorities and that practices which had been established by previous Presidencies in this field would be continued. All Member States which took the floor supported the Presidency and underlined that market access was especially important for Small and Medium-sized Enterprises and in the current economic situation. The database would be continuously up-dated and a first report on potentially protectionist measures provided soon, the Commission explained. The Presidency concluded that the areas of market access would also be discussed at the next 133 Committee (Full Members) meetings.
5. **Any Other Business**

5.1 **WTO Accession: Montenegro**

The Commission reported on new developments in this field, **DELETED**.

5.2 **Criminal Enforcement Provisions for IPR in FTAs (m.d. 79/09)**

The Presidency set a new deadline for answers by Member States to this questionnaire (19 February 2009). Legal issues were not prejudged by this exercise¹.

5.3 **EU-US: Lacey Act: state of play and follow-up (m.d. 67/09)**

Member States were asked to send comments in writing (deadline: end of February 2009) concerning this Act which deals with illegal logging.

__________________

¹ Cf. in this regard doc. 5428/09.