



Report on the sixth round of negotiations for a Free Trade Agreement between the European Union and New Zealand

10 – 13 December 2019
Wellington, New Zealand

Summary

The sixth round of negotiations for an EU-New Zealand Free Trade Agreement was held from 10 to 13 December 2019 in Wellington. The discussions covered a number of chapters of the future Agreement with a focus on Geographical Indications, Trade in Services, Investment Liberalisation and Capital Movements, Energy and Raw Materials, Small and Medium Enterprises, Dispute Settlement and legal issues, as well as TBT Annex on Wines and Spirits. In addition to face-to-face meetings, both sides' negotiators had a videoconference session on Customs and Trade Facilitation on 11 December 2019, and a meeting on State-Owned Enterprises in Brussels the week before. The discussions led to good progress overall, and allowed both sides' negotiators to get closer to reaching a provisional conclusion on a number of areas.

Details per negotiating area

Intellectual Property Rights – Geographical Indications (GI): Both sides had detailed discussions, especially on a GI paper that New Zealand had published for consultation in view of a possible change to its GI policy as a result of the future outcome of negotiations. Both sides reviewed in a detailed manner the arguments New Zealand had received in relation to individual names of the EU GI. The Commission called for further analyses, with an objective to narrow down the list to names that are really conflicting. This should constitute the basis for further constructive discussions during the next round.

Both sides also discussed New Zealand's concerns in relation to the International Convention for the Protection of New Varieties of Plants.

Trade in Services: Both sides continued their discussions on the text of the future chapters dealing with trade in services. Constructive discussions were held on the general provisions, cross-border trade in services, entry and temporary stay of natural persons for business purposes and the regulatory framework sections dealing with domestic regulation, mutual recognition, financial services and international maritime transport services. Further progress was made on various provisions of the text. Useful discussions were held on areas of policy difference in various chapters. Both sides also discussed the next steps on the offers for services and investment.

Investment Liberalisation and Capital Movements: Useful discussions were held on the key articles outstanding in the investment text, including the definitions, performance requirements, and non-conforming measures articles, with a view to approaching positions and identifying potential compromises. Regarding the capital movements text, further clarifications were exchanged with the aim of enabling the provisional closure of this chapter in the near future.

Energy and Raw Materials: Following New Zealand's agreement in principle to include an Energy and Raw Materials chapter in future Agreement, both sides made significant progress in identifying the parts of the EU side's text proposal that are agreeable to New Zealand with no or minor changes, as well as the parts that would be more difficult for New Zealand to accept. Both sides agreed on the joint commitment to ensure that the Energy and Raw Materials chapter puts sufficient emphasis on sustainable energy.

Small and Medium Enterprises: Both sides reached provisional compromises on all but two of the outstanding issues, expected to be confirmed before the next round. New Zealand maintained its position on the EU requests for establishing a searchable database for market access information, and making dispute settlement applicable to the chapter.

Dispute Settlement and Legal: Both sides agreed on the provisions of the Code of Conduct for panellists. Both sides also continued discussions on the Exceptions chapter, including new proposals from New Zealand, and started text consolidation.

Wines and Spirits Annex: Both sides continued discussing the areas where their views differ the most, i.e. references to the oenological practices as foreseen by OIV, labelling requirements and protection of the traditional terms for wines. Both sides agreed to continue working intersessionally via videoconference.

Customs and Trade Facilitation: Discussions continued on the remaining articles of the chapter. Discussion were constructive and further progress made, including finding agreement on a further article of the chapter. A first discussion took place on the chapter's institutional provisions.

State Owned Enterprises: Discussions continued on the scope, focusing on a possible turnover threshold and other exceptions. Both sides made good progress in addressing exceptional circumstances and the rules for public services.