

Australia-EU FTA – Report on Negotiating Round Nine, 30 November – 11 December 2020

The ninth round of Australia – EU FTA negotiations took place virtually from 30 November - 11 December. During more than 50 video conferences we focused on chapter text and on setting up and signalling for future discussions on market access. High-level engagement, including by Australian and EU leaders, heading into the round paved the way for constructive discussions. Our focus on the timely conclusion of a comprehensive and ambitious agreement enabled us to narrow differences in outstanding chapter texts, with a number of chapters now closed or nearing conclusion. The Department of Foreign Affairs and Trade led the Australian delegation, which included representatives from more than seven government agencies.

Trade in Goods

The Parties continued to make clear their expectations on goods market access, building upon the exchange of high-ambition initial offers in October 2019. We agreed to discuss in more detail at the next round the timing and parameters for revised market access offers. With most of the Trade in Goods chapter already agreed, the Parties also continued discussions on rules to improve transparency of export licensing procedures and to address Non-Tariff Measures to trade.

Government Procurement

Steady progress continued on the text of the Government Procurement chapter, which is now almost complete. The parties discussed approaches to the future exchange of market access offers to achieve mutually-beneficial outcomes.

Rules of Origin

Solid progress was made across the Rules of Origin Chapter text, narrowing down the outstanding issues. We discussed agriculture Product Specific Rules (PSRs), and PSRs for articles of stone, ceramic products, glassware, tools, articles of base metals and machinery.

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Customs and trade facilitation

The Parties discussed how to resolve text on the small number of outstanding issues in the Customs and Trade Facilitation chapter, including obligations on customs procedures, perishable goods and pre-shipment inspections. Both Parties undertook to find mutually-acceptable solutions to these issues in early 2021.

Mutual Administrative Assistance in Customs Matters / Anti-Fraud

The Parties discussed solutions to the few outstanding issues in the Protocol on Mutual Administrative Assistance in Customs Matters, which include definitions, confidentiality and exceptions. The Parties also discussed the EU's proposed Anti-Fraud mechanism.

Trade Remedies

The Parties discussed the EU's request on a potential bilateral safeguard mechanism.

Competition and Subsidies

On Anticompetitive Conduct and Merger Control, we discussed how to capture exemptions and derogations that apply in each other's respective competition laws. We are working to find an acceptable outcome for both sides.

We had a productive discussion on the scope of the subsidies section, including on how to deal with subsidies which do not lead to a distortion in the market. We also made good progress on the Transparency and Consultation Articles, which will allow for greater transparency with respect to subsidies provided to service suppliers.

Technical barriers to trade (TBT)

The TBT group had detailed exchanges on technical regulations, conformity assessment, standards, marking and labelling, and cooperation on market surveillance and non-food product safety. We discussed the new EU market access proposal in the cars annex.

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Intellectual Property

We continued discussions on all non-GI intellectual property issues, including by agreeing text on some issues and identifying areas where further work is required. On GIs, we focused on finding ways forward on issues raised by Australian stakeholders during the Australian public objections process in 2019, noting we will not agree to protect EU GI terms unless the overall deal is in our interests.

SPS and Animal Welfare

The Government has decided Australia will engage with the EU on its request to include provisions on animal welfare and the fight against antimicrobial resistance (AMR) in the FTA, with a view to including such provisions if we can negotiate text which is acceptable to us.

State-owned Enterprises (SOEs)

We cleaned up a considerable amount of outstanding text in the SOEs chapter. Both sides agreed to engage intersessionally with a view to finalising as much as possible at the next round.

Energy and Raw Materials

We had further discussions on text, and the EU's proposal for further cooperation and investment in Australia's energy and resource sectors.

Trade and Sustainable Development

The Parties discussed multilateral labour standards, multilateral environmental agreements, trade and biodiversity, trade and wildlife conservation, sustainable fisheries management and trade and climate change, and agreed provisions on transparency.

Dispute Settlement

Australia and the EU have resolved most outstanding issues in the Dispute Settlement [Back to top](#)

Transparency, good regulatory practice, institutional and final provisions

We closed the Good Regulatory Practice chapter. In the Transparency chapter, Australia and the EU have resolved most outstanding issues. The parties also engaged in detailed discussions on the Exceptions, Institutional and Final Provisions chapters, where Australia was able to make further textual attributions on the EU's recently received proposals.

We will hold the tenth round from 9-19 March 2021 and will also hold a number of intersessional discussions across a range of chapters ahead of then.

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