



EUROPEAN FREE TRADE ASSOCIATION

13 February 2023

EFTA-THAILAND 3RD ROUND OF NEGOTIATIONS

Bangkok, 24-27 January 2023

PUBLIC REPORT

I. Context and general assessment

The third round of negotiations with Thailand took place with the same constructive and results-oriented approach as in previous rounds. Delegations held expert meetings on all topics under negotiation. As groups entered into substantive negotiations touching upon core issues and some corresponding differences in positions, progress in some groups was more limited than in the first two rounds. But both sides remain committed to advancing the process swiftly. The next round of negotiations will take place in April 2023, mostly in a virtual format.

II. Trade in Goods

During the third round of negotiations, trade in goods experts exchanged on their respective requests on Market Access for industrial and fisheries products (NAMA) as well as agricultural products. They also agreed to exchange initial market access offers before the next round.

Both sides made further progress in the trade in goods Chapter, notably in relation to provisions on import licensing and quantitative restrictions.

III. Rules of Origin

Constructive exchanges took place based on the follow-up work undertaken by both sides ahead of the round. Progress was made with useful discussions on most of the pending issues in the draft annex. Four articles in the annex were finalised and key areas for further discussions were identified. Both sides clarified proposals that have not yet been solved and agreed on follow-ups for further work needed ahead of the next round.

IV. Trade Facilitation

On Trade Facilitation the discussions focused on comments received from Thailand ahead of the meeting to the draft annex. Progress was made and the way forward towards solving the few issues outstanding has been paved towards the next round.

V. SPS and TBT

For the TBT and SPS working groups, the delegations continued the technical work of the chapters and made good progress in cleaning the text of the chapter. Only a few elements remain open in each of the two areas, and these elements are subject to follow-ups by both sides and will be revisited at the next round.

VI. Trade in Services

On trade in services, both sides engaged in productive discussions covering the Chapter Trade in Services, Annexes Movement of Natural Persons, Telecommunications Services, Maritime Transport and Related Services and Financial Services. Furthermore, all Parties presented the previously exchanged market access requests so as to pave the way for a future exchange of initial offers foreseen ahead of the fifth round. Progress was made on all texts, where positions have narrowed and a better understanding among Parties of each other's interests and constraints has been reached.

VII. E-Commerce

Discussions towards the conclusion of an ambitious Chapter on Electronic Commerce progressed well across all areas, with few outstanding issues left.

VIII. Investment

The delegations continued their text-based negotiations, clarified their positions throughout the investment chapter, and explored a potential way forward in several articles. EFTA and Thailand also agreed on a provision for the promotion of investment. They further undertook to follow up with an intersessional meeting to gain additional clarity on the scope of the chapter in order to pave the way for an exchange of initial reservation lists as soon as possible.

IX. Trade Remedies

Both sides engaged in a productive exchange of views on the pending issues in the articles on subsidies and countervailing duties, anti-dumping, global safeguard measures and bilateral safeguard measures. They explored potential ways forward in several provisions and agreed on follow-up work to be exchanged before the next round.

X. Competition

Experts managed to agree on the chapter, subject to Thailand's final internal consultations and confirmation.

XI. Legal and Horizontal Issues and Dispute Settlement

Legal experts continued their text-based negotiations on the preamble and the chapters on general provisions and dispute settlement. Due to time constraints, they did not manage to discuss all the pending issues in the chapters on institutional and final provisions. Legal experts further exchanged information and gained additional clarity on their respective positions. They agreed on follow-up work to be exchanged before the next round.

XII. Government Procurement

Experts on government procurement held an online meeting and took stock of the negotiations. They discussed their respective ambitions and possibilities in the context of the FTA negotiations. It was agreed to meet again in the next round of negotiations.

XIII. Trade and Sustainable Development

Trade and sustainable development experts continued the good progress from the two previous rounds with further provisions being cleared. The two sides have reached an agreement in principle to include an article on the panel of experts with the text still to be discussed. Experts agreed to a number of follow-ups to pave the way for further progress in the next meeting.

XIV. Cooperation and Capacity Building

Experts from both sides continued the discussion of a chapter on cooperation providing a framework for technical cooperation between the parties. They exchanged further information on their respective priorities and possibilities in this regard.

XV. Intellectual Property Rights

Experts on intellectual property rights (IPR) started text-based negotiations on the basis of EFTA's text proposals as commented by Thailand. Experts carried out a thorough reading of the text proposals, noting areas where agreement could be reached and issues requiring further work. Experts agreed on follow-ups ahead of the next round of negotiations.

XVI. Conclusion

In the third round of negotiations, the two sides took further important steps towards the conclusion of a modern and comprehensive free trade agreement. The Parties remain committed to solving the outstanding issues in a constructive manner and to concluding their negotiations as swiftly as possible.