



# EUROPEAN FREE TRADE ASSOCIATION

8 May 2023

## **EFTA-THAILAND 4<sup>TH</sup> ROUND OF NEGOTIATIONS**

*VC and Geneva, 24 to 28 April 2023*

### **PUBLIC REPORT**

#### **Context**

The fourth round of negotiations with Thailand took place in the same constructive atmosphere as the previous three rounds. Delegations held expert meetings on trade in goods, rules of origin, technical barriers to trade, trade in services, investment, legal and horizontal issues, government procurement, intellectual property rights, trade and sustainable development, and cooperation. Overall, they made steady progress. The chief negotiators affirmed their commitment to advance the process swiftly and locked in dates for negotiation rounds until early 2024. The next round will take place in June 2023 in Oslo.

#### **Trade in Goods**

Delegations held a constructive week of in-person meetings in Geneva. Further progress was made on the trade in goods chapter. The delegations also introduced initial offers on market access.

#### **Rules of Origin**

The progress was steady with experts going over the whole text of the RoO Annex resulting in useful discussions on most of the pending issues and the cleaning of a couple of articles. First discussions also took place on the list rules appendix based on Thailand's feedback received before the round with discussion starting with textiles. Both sides clarified proposals that have not yet been solved and agreed on follow-ups for further work needed ahead of the next round.

#### **Technical Barriers to Trade (TBT)**

The TBT working group continued the progress and technical work in the well-advanced chapter. Some consultation time was needed for the two remaining open elements and the delegations therefore agreed on intersessional work towards finalisation of the text.

#### **Trade in Services**

In the trade in services working group further progress on negotiation texts and a greater understanding of possible landing zones could be achieved. Thailand tabled a new Annex on Tourism and Travel Services as a basis for further negotiation, which EFTA welcomed. Both

sides also further clarified their interests regarding market access, to pave the way for an initial exchange of offers before the next round.

### **Investment**

EFTA and Thailand made significant headway, agreeing on the wording of the key obligation to accord national treatment to foreign investors in non-services sectors and the definition of what a commercial presence by such investors entails. Building on this, the delegations undertook to perform a first exchange of lists of reservations on the national treatment obligation before the next negotiation round. Delegations also concluded discussions on an article on investment facilitation.

### **Trade Remedies**

The discussions on the relevant provisions (subsidies and countervailing measures, anti-dumping, global safeguard measures and bilateral safeguard measures) are already well advanced. Experts exchanged views and explored possible solutions for the pending technical issues. They further agreed on follow-up work before the next round.

### **Legal and Horizontal Issues and Dispute Settlement**

Legal experts discussed the pending issues in the preamble and the chapters on general provisions, institutional provisions, and final provisions. Due to time constraints, they did not manage to discuss the chapter on dispute settlement. Delegations made progress in the preamble and the chapter on final provisions and further exchanged views and gained additional clarity on their respective positions.

### **Government Procurement**

Experts touched base and continued their exchange on their respective ambitions and mandates in the framework of the FTA negotiations. They agreed to meet again during the next round of negotiations.

### **Trade and Sustainable Development**

Thailand and EFTA held good discussions and continued the satisfactory progress seen in the previous three rounds. A large part of the text has been agreed upon after only four rounds of negotiations, containing solid and legally binding commitments. The two sides decided on a road map for advancing the negotiations in the fifth round.

### **Cooperation and Capacity Building**

Experts continued their discussion on the chapter aiming at supporting the implementation of the free trade agreement and promoting its use among economic operators when it enters into force. Experts reviewed the entire chapter and agreed to identify fields of cooperation soon.

### **Intellectual Property Rights**

Experts on intellectual property rights engaged in extensive text-based discussions. Through a comprehensive reading and discussion of the elements contained in the draft texts, they noted areas where agreement could be reached and issues requiring further work. Constructive discussions were held on several areas, including trademarks, indications of source, and the protection of specific Geographical Indications. Experts agreed on follow-ups ahead of the next round of negotiations to ensure that further progress would be made.