



# EUROPEAN FREE TRADE ASSOCIATION

19 June 2023

## **EFTA-THAILAND 5<sup>TH</sup> ROUND OF NEGOTIATIONS**

*Oslo, 13-16 June 2023*

### **PUBLIC REPORT**

#### **Context**

EFTA and Thailand met for the 5<sup>th</sup> round of negotiations in Oslo, Norway. Delegates met to discuss, Trade in Goods, Rules of Origin, Sanitary and Phytosanitary Measures (SPS), Trade in Services, Investment, Electronic Commerce, Intellectual Property Rights, Trade and Sustainable Development, Government Procurement, Cooperation, Legal and Horizontal Issues and Dispute Settlement. Based on the progress made during the round, EFTA and Thailand reiterated their objective to conclude a modern, comprehensive and ambitious Free Trade Agreement .

#### **Trade in Goods**

EFTA and Thailand continued market access negotiations for both agricultural and industrial products. Both sides also discussed the draft Chapter on trade in goods, including issues of data exchange on preference utilisation to facilitate the monitoring of the agreement. They continued to make progress on a steady pace.

#### **Rules of Origin**

Steady progress continues with experts going over all outstanding text of the RoO Annex resulting in useful discussions on most of the pending issues and agreement on three articles, including on non-alteration. Both sides clarified proposals that have not yet been solved and agreed on follow-ups for further work needed ahead of the next round. Notably further work will be needed on the appendix on product-specific rules.

#### **SPS**

Both sides showed willingness to solve the remaining issues and progress was made by agreeing on three articles, while only minor wording issues remain open in three more articles. In a couple of other articles, there are diverging positions linked to horizontal issues of the agreement.

## **Trade in Services**

EFTA and Thailand pursued technical discussions on the Trade in Services Chapter and its annexes covering telecommunications services, maritime transport services, financial services, and tourism and travel services. For the latter annex, text-based negotiations were initiated based on Thailand's proposal. Discussions led to agreement on some provisions in the chapter and its annexes. The Parties also undertook a first review of market access offers.

## **Investment**

On investment in the non-services sectors, the EFTA States and Thailand progressed in the text, agreeing amongst others on a provision governing general exceptions under the investment chapter.

In addition, they discussed in detail their individual initial lists of reservations on the national treatment obligation, which had been exchanged prior to the round.

Delegations subscribed to follow-up activities with a view to paving the way for further progress in the chapter and a deepening of discussions on required reservation list entries during the next negotiation round.

## **E-commerce**

In the e-commerce chapter, the EFTA States and Thailand made significant headway. Amongst others, they closed the articles on open internet access, a fundamental precondition for trade enabled by electronic means, and on measures ensuring online consumer protection as well as against unsolicited commercial electronic messages.

In addition, the EFTA States and Thailand further explained their positions on the remaining open articles and undertook to carry out detailed follow-up activities to advance in the chapter during the next negotiation round.

## **Intellectual Property Rights**

Experts on intellectual property rights built their discussions upon earlier progress and follow-ups exchanged ahead of the round. Throughout the round experts exchanged proposals to move towards a mutual agreement and through this enhanced mutual understanding of their respective legal systems, notably in the areas of Trademarks, Copyrights, Indications of Source and Country Names and on Enforcement. Experts agreed on follow-ups ahead of the next round of negotiations .

## **Trade and Sustainable Development**

Trade and sustainable development experts made very good progress and only a few open issues remain in the text. Experts closed paragraphs in the articles on sustainable forest management and associated trade, and right to regulate and levels of protection. In addition, several paragraphs of the article on panel of experts were cleared.

### **Government Procurement**

Government procurement experts from the EFTA States and Thailand exchanged views on a possible way forward based on proposals submitted by both sides. The two sides have divergent approaches on how to proceed, including on market access, and agreed to continue discussions at the next round.

### **Cooperation and Capacity Building**

Cooperation experts continued their work on the text of the chapter and agreed that the areas where the EFTA States and Thailand will cooperate should be aligned with the cooperation provisions contained in other chapters under the agreement.

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

Legal experts from the EFTA States and Thailand focused on the dispute settlement chapter at this round. They exchanged views on text proposals on several articles and consolidated the text. They will continue their work in the intersessional period and at the next round.