



## Report of the 1<sup>st</sup> round of negotiations on a Free Trade Agreement between the European Union and Thailand

18 to 22 September 2023, Brussels

The 1<sup>st</sup> round of negotiations on an EU-Thailand Free Trade Agreement took place in the week of 18 September 2023 in Brussels. This first round focused on clarifying each sides' positions, covering the full range of areas under the scope of the future agreement, with 20 negotiating groups meeting during the week. The respective negotiating teams were led by Mr Christophe Kiener (Directorate General for Trade of the European Commission) and Mrs Auramon Supthaweethum (Thai Ministry of Commerce).

For all areas in which the EU had tabled text proposals ahead of the round, the negotiating groups engaged in a first reading of the text and held discussions on this basis. In other areas, the two sides had a more principle-based first exchange of views, further to which the EU will table the remaining text proposals.

All negotiating groups will carry out intersessional work to prepare the ground for engaging in text-based negotiations during the 2<sup>nd</sup> round, which is planned to take place in the week of 22 January 2024 in Bangkok.

### Details per negotiating area

#### Trade in Goods

The negotiating group had a first exchange of views on the draft provisions for a text on Trade in Goods, on the basis of the EU proposal, and an exchange of views on trade statistics, tariffs and practices concerning base rates.

#### Rules of origin

Both sides presented their respective customs practices, and the methods used to identify the origin of the goods. Constructive discussions took place with a view to identifying areas of convergence and divergence.

#### Customs and trade facilitation

The negotiating group had an initial discussion on the ambition, structure and content of the future chapter. Discussions highlighted that Thailand and the EU share common objectives for the chapter.

#### Trade remedies

Discussions took place in a very constructive atmosphere, aiming at a preliminary exchange on the key elements to be reflected in the future text.

## **Anti-fraud clause and Mutual Administrative Assistance**

The negotiating group had an initial discussion on the objectives, scope, and structure for provisions on Mutual Administrative Assistance in Customs Matters and for an anti-fraud clause.

## **Technical Barriers to Trade**

The negotiating group had an initial exchange of views on main topics to be addressed in the chapter. Both sides noted that their respective approaches have many similar characteristics and objectives, most importantly to make sure that only safe products are allowed to the market.

## **Sanitary and Phyto-sanitary (SPS) matters**

Discussions took place in a very positive atmosphere, with presentations on each side's SPS control systems and a first exchange on the respective expectations for the provisions to be included in the chapter. Both sides concurred on the importance of reaching a comprehensive SPS chapter that facilitates bilateral trade flows.

## **Services and investment**

The Negotiating group held constructive discussions on the basis of the EU text proposal, taking note of a number of similarities in their treaty practices and agreeing in principle on the architecture of the text. Preliminary discussions also took place on draft provisions on Capital movements and on both Parties' domestic regulatory regimes.

## **Government Procurement**

The negotiating group discussed the respective government procurement systems, and engaged in a first reading of the EU text proposal, aimed at clarifying its main elements as a basis for carrying out more in-depth, text-based discussions in the next round.

## **Intellectual Property**

The negotiating group had detailed discussions on the basis of the EU text proposal, and clarified relevant aspects of their respective IP frameworks. Several areas that require more in-depth technical discussion were identified. Detailed discussions also took place on Geographical Indications, on the basis of the text proposal presented by the EU, and allowed to identify broad convergence on a number of issues.

## **Competition and subsidies**

The negotiating group had detailed discussions on the basis of the EU text proposal, and made progress in clarifying the respective objectives and identifying common elements.

## **State-owned enterprises (SOEs)**

Discussions centred on an in-depth presentation of the EU text proposal for this chapter. Thailand also gave a presentation about its SOEs and its domestic regulatory regime and relevant authorities.

## **Energy and Raw Materials (ERM)**

The negotiating group discussed general principles and interests for the ERM chapter, and both sides presented a brief overview of their policies and policy proposals for energy, industry and raw materials.

## **Digital Trade**

The negotiating group held constructive discussions on the basis of the EU text proposal. Both sides noted broad consensus on the scope and nature of the disciplines proposed, as well as certain differences in their respective treaty practices and in the domestic legislation underpinning these practices.

---

### **Trade and Sustainable Development (TSD)**

The negotiating group undertook a full first reading of the EU text proposal, and engaged in an in-depth discussion on that basis, aiming at providing clarifications on its objectives and key elements, while reaffirming both sides' intention to achieve an ambitious outcome, in line with the EU TSD review.

### **Small and Medium-sized Enterprises (SMEs)**

The negotiating group had a constructive exchange of views on the basis of the EU text proposal, and of a presentation on the SME environment in the EU. The working group agreed to hold more detailed discussions on their respective market information platforms during the next round.

### **Sustainable Food Systems**

Discussions took place in a very positive atmosphere, with both sides concurring on the importance of achieving a forward-looking SFS chapter with a focus on cooperation. The negotiating group discussed the respective main topic of interest in the SFS area, including areas such as, but not limited to, sustainable production and consumption, fight against food fraud/waste, animal welfare and anti-microbial resistance.

### **Transparency and Good Regulatory Practices (GRP)**

The negotiating group exchanged views on the main principles and objectives for the Transparency and the GRP chapters. Each side provided information about its relevant domestic practices as regards the core elements of both chapters, such as administration of measures of general application, publication of legislative measures, public consultation, impact assessment or regulatory register.

### **Dispute Settlement**

The negotiating group carried out a full first reading of the EU text proposal for a chapter on Dispute Settlement and its annexes (Annex on Rules of Procedure and the Annex on Code of Conduct for Panellists and Mediators), and had a constructive discussions on that basis.

### **Final Provisions and Exceptions**

The negotiating group had a first exchange of views on the basis of the EU text proposals for the Final Provisions and for the Exceptions, and engaged into constructive discussions on the related draft texts.