

# WORLD TRADE ORGANIZATION

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Council for Trade in Goods

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## WAIVER REQUEST CONCERNING THE ACP-EU PARTNERSHIP AGREEMENT

The following communication, of 30 May 2000, addressed to the Chairman of the Council for Trade in Goods, has been received from the Permanent Representative of the delegation of Panama.

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I have been instructed by my Government, to transmit to you a copy of the notes sent by His Excellency Joaquín E. Jácome Díez, Minister of Trade and Industry of Panama, to His Excellency John Hornes, Minister of Trade and Industry of Saint Vincent and the Grenadines, President of the Council of Ministers of the African, Caribbean and Pacific States, and to His Excellency Pascal Lamy, Commissioner for Trade of the European Commission. The notes concern the consideration of the waiver request for the ACP-EU Partnership Agreement.

I kindly request the Chairman to take the necessary steps to have the text of these notes circulated to the Members of the Council for Trade in Goods.

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A matter of the highest importance for the international trade agenda of Panama, the European Union, the ACP Group and, in general the WTO membership, gives me this new opportunity to write to your Excellency.

I refer, Excellency, to the ongoing review process of a waiver request at the Council for Trade in Goods (CTG) presented by the European Commission (EC) and the ACP Group of countries, to cover the recently negotiated ACP-EU Partnership Agreement (PA) which is to be signed in the coming weeks.

From our determined position to obtain a WTO compatible regime on the part of the EC, Panama has been confronted with the reality of the EU's "other international commitments", particularly under the new PA. It is very well known to the EC the particular importance which Panama has given to the interests of the Caribbean banana producing countries. In its attempts to contribute to elaborate a WTO compatible proposal, Panama has not only taken in full consideration these concerns but has also endorsed the Caribbean proposal sent by his Excellency, Edison James, Prime Minister of Dominica to His Excellency, Franz Fishler, Commissioner for Agriculture, last December 1<sup>st</sup>, 1999.

Despite Panama's sensitiveness to the reality of the Caribbean nations, a position has evolved among the ACP Group of Nations, particularly among those which Panama has always taken into consideration, that Panama's position regarding the waiver request is one of full opposition to the implementation of the PA as well as of blocking the approval of the waiver request for the PA.

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My Government, at different levels, has tried to clarify and explain Panama's position. As this image persists, I take this opportunity to indicate, to reiterate, once more: **Panama has never attempted to negatively affect the trade interests of other developing countries.** Panama does not believe in acceding to further market access at the expense of other developing countries.

As the Minister of Foreign Relations of Panama has indicated, on writing to the Minister of Foreign Affairs of Saint Kitts & Nevis, and verbally to the CARICOM Council of Ministers of Foreign and Community Affairs, **Panama does not want to stop full implementation nor arbitrarily block the adoption of a needed waiver at the WTO.** Panama's objective is not to affect the trade interests of any CARICOM member. The sole objective of Panama's participation at the review process conducted at the CTG will be to ensure that the EU does not ignore its obligations towards other WTO countries. **Panama wishes to move forward with the review process in an orderly fashion so that all interested parties see their trade interest addressed.**

Panama has acted and will continue to act in good faith with regard to CARICOM. I want to make very clear to both the EC and the ACP Group that Panama, in defending and exercising its rights as a WTO member, has not pursued and will not pursue any policy, or measure, geared to negatively affect CARICOM nations, including the review process for the adoption of a waiver for the PA.

To conclude, Excellency, I take this opportunity to also extend to the EC the sincere offer of Panama to work together, in a constructive way, to conclude this exhausting matter of the implementation of a WTO compatible regime which could address everyone's interests. I renew to Your Excellency my personal commitment to contribute to this solution.

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