

Preparing for EPAs: Creating ACP Offensive and Defensive Agendas

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In 2000 the Cotonou Agreement committed signatories to replace by 2008 the trade regime that has governed exports from the African, Caribbean and Pacific (ACP) group to the European Union (EU) for the last quarter of the twentieth century. Negotiations on a successor regime began formally in 2002, but only in the past year have they begun to address the details of what might be in Economic Partnership Agreements (EPAs) between the EU and the six sub-ACP regions.¹

There is a great deal of work yet to be done if a new, coherent and development-friendly regime is to be in place by the end of 2007. All ACP states have to prepare their positions on:

- what they seek from the EU (their 'offensive' agenda); and
- how they should respond to EU requests (their 'defensive' position).

These preparations are needed even by least-developed countries (LDCs) which will continue to have access to the EU market under the 'Everything but Arms' (EBA) provisions regardless of what happens to Cotonou. EBA gives these countries a 'safety net' – but without preparation of their 'first best' offensive and defensive positions they cannot know whether or not they should use it, or could do better by entering an EPA.

Much ink has been spilled over the potential economic effects of EPAs. Supporters argue that they will be 'development agreements' underpinning and reinforcing the integration efforts already being made by ACP states. Critics counter that EPAs will force reluctant ACP governments to open their markets to subsidised EU exports and are a

vehicle for undesirable policy innovations on which the EU has been rebuffed in the WTO.

Since not even rudimentary details of an EPA yet exist on paper, it is not possible to identify who is right. That is not the purpose of this chapter or our broader research. Rather, it is to facilitate the process whereby countries and observers identify:

- what would need to be included in an EPA for it to be 'development-friendly and supportive of integration'; and
- what features in an EPA could justify the fears expressed by the critics?

The ACP 'Offensive' Agenda

Although the scope for further improvements in the EU's market access regime is limited by the commodity composition of ACP exports, there is room for improvement in three areas:

- liberalising access on Common Agricultural Policy (CAP) products that are still subject to tariffs or tariff quotas (TQs);
- making more realistic and less onerous the rules of origin for sensitive, labour-intensive manufactures; and
- providing positive support to help producers meet Europe's sanitary and phytosanitary standards (SPS).

Preparation of the offensive agenda involves three steps: one is general and applies to all ACP states; the others have to be undertaken first at a national and then at a regional level. The general step is to identify the 'first best' objective for improved EU

This is an amended version of two briefing papers by Christopher Stevens and Jane Kennan, 'Preparing for Economic Partnership Agreements' and 'ACP-EU Economic Partnership Agreements: Preparing for Reciprocity', first published by the Institute of Development Studies, 2005.

access, which is the benchmark against which EU offers are to be judged.

The goal

On residual tariffs and TQs it is easy to identify the ultimate goal: EBA-equivalent access for all ACPs. An early internal European Commission proposal was for precisely this, and it is still sufficiently widely supported by certain member states and parts of the EU bureaucracy for it to be a realistic goal. For the rules of origin the recent recommendation of the Africa Commission² might be a good place to start. It proposed that the origin rules require only a minimum of 10% value to be added within a country.

The Africa Commission also made key proposals that the EU introduce new SPS regulations only if they pass a 'development test' and always following close consultation with developing countries to ensure that they are realistic. It also recommended substantial financial and technical assistance to make the second of these possible.

National priorities

The second step is for each state to prioritise such improvements in market access. This exercise must take into account their own supply characteristics and add in calculations concerning the erosion of existing preferences.

Not all ACP countries can realistically expect to export every product to the EU. For those African tropical countries, for example, that do not have the climate to export horticulture, the removal of the relevant residual CAP barriers is not a high priority. Countries in which foot and mouth disease is endemic and for which eradication is either technically infeasible or financially unviable are never likely to be able to meet the EU's SPS requirements for beef. In their case, too, the removal of residual restrictions is of little importance.

By contrast, other countries will have substantial additional requirements. The beneficiaries of the Sugar Protocol and banana exporters, for example, face serious preference erosion in the EU market. For these countries, a set of EU policies that maintains as much as possible from the pre-existing

regime may be a much higher priority than new concessions.

Forging a regional position

Having established a national position, each country then needs to ensure through intra-regional negotiation that position is upheld by its partners. This will be part of the last of the three sequential steps, which is to link the offensive and defensive agendas. How valuable would an adequate EU response on the offensive agenda be for a particular country, and how much should it be willing to 'concede' (if this becomes necessary) on its defensive agenda in order to secure these gains? This is the bottom line that ACP states need to reach by the time the negotiations have come to a critical stage. If they are partially successful on the offensive agenda and partially unsuccessful on the defensive one, do they sign the EPA or walk away? If they walk away will their ACP partners do the same, or are interests sufficiently different that an accord unacceptable to one might be acceptable to others? If so, can negotiation and compromise between ACP states at this stage lead to a more united front in presenting their position to the EU?

The ACP 'defensive' agenda

Under Lomé and Cotonou the ACP were required merely to treat the EU no less favourably than any other industrialised trade partner. In complete contrast, the new EPAs will offer duty-free access for 'substantially all' EU exports to the ACP. In the jargon, the ACP are expected to offer 'reciprocity'. This has been the focus of most discussion so far, but with little quantification.

The requirement for reciprocity is the critical element in the EU Commission's mandate, even though this includes a range of other demands (see Box 1). It is critical in three senses and is the demand on which the defensive agenda must be researched as the first priority. The three facets of its centrality are:

- it underpins the WTO justification for EPAs (which in turn must have a bearing on the EU's own bottom line in the negotiations);

- it has major implications for the production structure and government revenue of ACP states; and
- the potential impact can be quantified and scenarios constructed on the basis of reasonably realistic assumptions.

For these reasons this chapter will concentrate on the ACP defensive agenda. The ACP must also prepare for the other areas in Box 1 – but these require separate treatment.

Choices and effects

If ACP countries reduce their tariffs on imports from the EU this will have potential ‘revenue’ and ‘competition’ effects. The scale of these will be determined by the extent to which imports increase and their price in the domestic ACP markets falls. Their distribution (between sectors, producers and consumers) will be set by which tariffs are reduced.

ACP countries will have a certain degree of choice because they will not need to liberalise all of their imports, only ‘substantially all’ (see below). Moreover the tariff cuts that are made will be introduced over a transition period which is likely to be

of at least 12 years and, if the recent Africa Commission recommendation were adopted, could be as long as 20 years. Governments will have the choice to defer until the end of the transition period (perhaps 2028) liberalisation of some products that are particularly important for revenue or particularly sensitive for competition.

Because the impact of reciprocity will be influenced by the choices that are made, the selection process is profoundly political. Different choices will create different outcomes, winners and losers. It is important, therefore, that the preparation process involve an informed national debate in order to strike the most appropriate balance.

This chapter, which summarises some results from an IDS project of EPA support aims to help the debate be an informed one. Building detailed scenarios is very time consuming and requires specialist skills. There is a need, therefore, for a widely usable dataset and methodology which can facilitate discussions within countries. Such discussions can contribute to the definition of the very limited number of scenarios that it will be possible to simulate rigorously.

Box 1. Other key EU demands

The EU wants what are called ‘charges having equivalent effect’ to be abolished immediately on entry into force of EPAs (i.e. in 2008). These are taxes or charges that apply to imports and not domestic output. How many ACP states are even aware of the charges they currently impose (such as excise duties that may apply with differential effect to imported items) that the EU might construe as ‘charges having equivalent effect’? And what would be the consequences of their summary abolition?

The EU also wants the EPAs to cover both services and the so-called Singapore Issues of competition policy, investment, trade facilitation and transparency in government procurement. The Singapore Issues are especially contentious with critics who argue that the EU’s leverage over the ACP is being

used to bypass developing country opposition to these areas being negotiated in the WTO.

The Commission’s mandate on safeguards and anti-dumping appears to ignore the concerns expressed by ACP states in relation to import surges for products subsidised by the EU. The section on safeguards refers only to Cotonou Annex V, Article 8; this deals only with the rights of the EU to impose safeguard restrictions, not to the reciprocal rights of the ACP (obviously enough, given that Cotonou does not provide for reciprocity). It may be the Commission’s intention that identical rights will apply to the ACP – but since the EU subsidises exports whilst the ACP countries do not, the safeguard needs of the two groups are different. The Article on anti-dumping appears to limit action to the rights that the ACP countries already possess under the WTO.

Rules and precedents

Although the precise extent to which products can be excluded from liberalisation will be part of the negotiations there is little doubt that not all products must be liberalised. Such certainty as exists stems from the requirements of the WTO, from the EU's long-standing interpretation of these requirements, from the precedents of other agreements, and from recent statements of the European Commission.

The WTO requirement is set out in Article 24 (plus Article 5 of the GATS) which specifies the essential features that must be fulfilled by any free trade area or customs union if the states forming them are to be safe from attack by the WTO members against whom they discriminate. The salient phrase of Article 24 is that a free trade agreement must cover 'substantially all trade'.

Although the term 'substantially all' has not been defined definitively, the EU has long stated its view in WTO committees. This is that the phrase should be interpreted 'quantitatively' in relation to the proportion of trade that is covered. This stands in contrast to a 'qualitative' interpretation (for example by the inclusion of all major sectors), as some WTO members would like.

The EU has given expression to this approach in its recent agreements. In the Trade, Development and Co-operation Agreement (TDCA), for example, the EU and South Africa have agreed to reduce to zero tariffs on a group of products that, in total, accounted for 90% of the value of trade between them in the base year. They are doing this asymmetrically: the EU is reducing to zero its tariffs on products that account for 94% by value of its imports from South Africa, and South Africa is doing the same on products that account for 86% of its imports from the EU.

It remains to be seen what proportion of ACP imports the EU will ask to be liberalised but if the spirit of the TDCA were applied then the range of products that would need to be liberalised by the ACP would be even smaller than has applied to South Africa. The EU already provides duty-free access on over 98% of ACP exports so that, without any further liberalisation, the 'average of 90%' could

be achieved by the ACP liberalising only 82% of the value of their imports from Europe.

A recent presentation by a European Commission official³ has indicated that the ACP might be expected to liberalise on an even smaller share: it puts forward the following proportions of imports from the EU:

West Africa	81%
Central Africa	79%
East and Southern Africa	80%
Southern Africa	76%
Caribbean	83%
Pacific	67%

Three questions

IDS has sought answers to three questions:

1. How much liberalisation would each ACP country have to undertake to meet different definitions of 'substantially all' trade?
2. How difficult is it likely to be to forge common regional positions under EPAs that do not store up problems for the future?
3. What effect will EPA liberalisation have on ACP government revenue?

How much liberalisation?

Using the four alternative definitions of 'substantially all' described in Box 2, IDS has calculated for each ACP state which items could be excluded and which would have to be included in the liberalisation package under the new EPA regime. Since EPAs will only 'open the door' to imports if they remove restrictive tariffs, it is important to know the highest tariff currently levied on any liberalised item – what IDS calls 'the marginal tariff'. If country A could exclude from any liberalisation all those products on which it currently applies a tariff of 21% and over, the 'marginal tariff' would be 20%.

Creating regional consensus

Establishing national priorities for liberalisation is only a first step in the EPA negotiations. The second step is to reach a regional consensus. Some ACP

Box 2. Assumptions made

Assumptions are required on the proportion of trade that will be liberalised under EPAs, and the choices that ACP governments make on which items to include and exclude from the liberalisation process. On the proportion of trade, the Institute of Development Studies (IDS) has analysed the results of four different assumptions. On government strategy it has made the only assumption that is possible for a third party – that current trade policy reflects government preferences over which sectors to protect, by how much, and is reflected in tariff levels. It is assumed that those products currently facing the highest tariffs will be excluded.

The 'baseline' assumption is that 80% of ACP imports are liberalised, and is derived from the precedent of the EU–South Africa Trade, Development and Cooperation Agreement (TDCA). This provides for the asymmetrical removal of tariffs over a transition period on a basket of goods that accounted for 90% of the value of trade between them during the negotiating period. If it is assumed the EPAs offer all ACP

members access to the European market equivalent to the 100% duty-free access provided under the 'Everything but Arms' (EBA) regime for least-developed countries, then the average of 90% can be achieved by the ACP liberalising on just 80% of their imports.

A variation of the base case has taken an informal suggestion made by a EU Commission official that the proportionate liberalisation of the ACP could vary between regions.³ The proportions suggested range from 67 to 83%, and these have also been applied.

IDS has also looked at the issue from the other direction. Instead of identifying how many high-tariff items could be excluded from liberalisation on a pre-determined threshold for 'substantially all', we have asked: in order for the ACP to be able to liberalise only on goods with a current tariff that is at or below 20% (or 10%), what proportion of trade would need to be excluded? Is this proportion plausibly consistent with the 'substantially all' requirement?

states expect to sign any deal agreed with the EU as part of a customs union that includes some or all of their EPA partners; others do not. The customs union signatories can have only one, common, schedule of tariff liberalisation towards the EU, which they will have to agree formally in advance of concluding the EPA. For those states that belong to a regional FTA, but not to a customs union, such pre-EPA agreement is not required. But if no attempt is made to harmonise each of these countries' liberalisation schedules there will be post-EPA integration problems. For example, if country A excludes widgets from liberalisation and maintains a 100% tariff, but its neighbour, B, removes all duties, traders may circumvent A's restrictions by transporting EU goods across the border from B. To avoid this, either the tariff difference between A and B must be sufficiently small to make such trans-shipment commercially unviable or rigorous border controls must be maintained to prevent trans-shipment, which will hurt intra-regional trade in the process.

Such differences in national inclusion/exclusion lists are likely. They arise not only from different tariff structures among the EPA members but also from differences in their imports from the EU. The latter is a very important cause of difference. Lesotho and Botswana have identical tariffs, as members of the Southern African Customs Union (SACU), but whereas the former could fill its basket of 'inclusions' with items that are already duty free, Botswana's liberalisation would have to include all products currently facing tariffs of up to 42.5%. The difference is simply that Lesotho's imports of high-tariff items from the EU are very small, and Botswana's are larger.

ACP states will have three chances to deal with such problems.

The first is **natural overlap** in their initial strategies for product inclusions and exclusions. Countries may autonomously choose the same products to include or exclude. This has been tested by IDS – and the results suggest that it will be rare.

The next step is for **pre-EPA negotiation** to determine whether countries can compromise on their initial liberalisation schedules in order to obtain a better overlap with their partners.

This will leave a core group of products where compromise is not possible and for which **post-EPA accommodation** will be needed. The key products are those for which cross-border trade is probable (e.g. because the tariff differences are large and/or they have a high value-to-weight ratio).

Revenue effects

ACP countries rely heavily on tariffs for government revenue because they are relatively easy to collect. The items that ACP governments would need to exclude from liberalisation to protect revenue may be different from those thrown up by the exercises just described. It is often the medium-level tariffs that yield the most revenue, since the highest level tariffs are so restrictive that there are few imports on which to collect the tax. If countries choose to exclude from liberalisation only their highest tariff items, they may find that they have to liberalise on their key revenue-generating items. A balance must be struck.

Liberalisation

Would the ACP countries have to eliminate substantial barriers that they currently maintain on imports from the EU? The broad picture presented in Table 1 is that a few countries would need to do so, but many would not.

The table takes all of the EPA regions, except the Pacific (due to a lack of data) and shows the most frequently encountered marginal tariff on the 'base assumption' about the proportion of trade to be liberalised. Thus, for example, if the 15 Caribbean countries⁴ were able to exclude 20% of their imports from any liberalisation, most would liberalise only items with a tariff of 20% or less at present. But some would have to cut slightly higher, and some lower, tariffs. In Guyana the current highest tariff on any item that would be liberalised is only 15%, but in St Kitts and Surinam it is 25%, and in St Lucia 30%.

For some countries, though, the marginal tariff

would be much higher. The highest is that of the Seychelles, at 100%, followed by Botswana at 42.5%, but there are special factors for both of these. For Seychelles (as for all the italicised countries in the table) some very high-value high-tariff items absorb a substantial share of the 20% excludable imports. For the Seychelles it is tuna; if four fish items are ignored, its marginal tariff would be only 25%.⁵ In Botswana it is one category of vehicle; its removal reduces the marginal rate to 0%.⁶ Apart from these two, only a handful of states would have to liberalise tariffs that severely restrict imports at present.⁷

How quickly would these cuts have to be made? That, again, will be part of the negotiations, but it is extremely unlikely that it would be less than 12 years, which is the time period available to South Africa. If the recent Africa Commission proposals were adopted, it could be 20 years.

Reducing a tariff that is currently set at only 25 or 30% over a period stretching out to 2020 or 2028 cannot be described as a 'shock'. Much will have happened between now and the end of the transition period; several WTO Rounds, for example, may have pushed bound tariffs below current applied ones.

But not all of the cuts could be deferred until the end of the transition period: would some moderately high tariffs have to be cut soon? It is not possible to give a short, definitive answer for such a diverse group, but a pointer can be provided from one of the IDS tests.

This is the one that asks what proportion of trade would need to be excluded from cuts if the highest current tariff on any liberalised item were not to exceed 10%. The answer to this question allows us to determine whether restricting liberalisation in the first rounds of EPA implementation to those products with a 10% tariff or less would result in implausibly low proportions of trade being liberalised.

The answer is that in most cases it would not. Ample scope exists to restrict liberalisation in the early rounds to products facing low tariffs at present. If one were to say that at least 50% of imports have to be liberalised during the early rounds, only 12 of the 55 countries⁸ would be forced to cut tariffs that

Table 1. Broad regional picture

Region ^a	Marginal tariff (%) ^b	Range	High outliers ^c
Caribbean	20	15–30	<i>St Kitts, St Lucia, Surinam</i>
Central Africa	30	20–30	None
East and Southern Africa	25	5–100	<i>Burundi, Djibouti, Ethiopia, Seychelles</i>
SADC	5	0–42.5	<i>Angola, Botswana, Mozambique, Tanzania</i>
West Africa	20	20–30	<i>Nigeria</i>

Notes:

^aThe Pacific region is not shown, as tariff data were unavailable for 12 of the 14 countries. Tariff data were also unavailable for the following countries in the regions which are listed:

Caribbean: Haiti

Central Africa: Sao Tome and Principe

East and Southern Africa: Comoros

West Africa: Cape Verde, Gambia, Guinea, Liberia, Sierra Leone.

^bThe most frequently encountered marginal tariff for all countries in group if they liberalise on 80% of imports.

^cIn italicised countries a small number of very large imports absorb a high proportion of the 20% excludable basket.

are over 10%. And half of these face the problem of 'lumpy' imports as noted for the Seychelles. One other just fails to meet the 50% threshold.

Regional overlap

Whilst the charges of radical liberalisation may be overstated, the problems that EPAs may pose to ACP regionalism look to be profound. Table 2 summarises the extent to which the application by each country of the IDS methodology results in similar lists of inclusions/exclusions to those of other members of the regional group. There is very little natural overlap.

There is not a single product that would be in the exclusion lists of all the members of any of the groups!⁹ And there would be very few that are com-

mon to even half of the members of a group. Indeed, in all cases apart from East and Southern Africa, over half (and as much as 92% for West Africa) of the products included in any one country's basket of exclusions would be absent from the exclusion lists of all its partners.

If there is very little natural overlap in the initial negotiating strategies devised, independently, by each country in a group, the task of pre-EPA negotiation between countries will be a substantial one. Hopefully the application of the somewhat mechanistic IDS methodology overstates the problem, and the countries will be able to modify their product schedules sufficiently to produce a compromise that covers a larger number of products than suggested in Table 2.

Table 2. Regional differences

Region ^a	Proportion of exclusions (%) ^b		
	<i>Common to all</i>	<i>Common to half^c</i>	<i>No overlap</i>
Caribbean	0	1	58
Central Africa	0	12	51
East and Southern Africa	0	2	43
SADC	0	3	64
West Africa	0	0.2	92

Notes:

^aThe Pacific region is not shown, as tariff data were unavailable from the international source used for 12 of the 14 countries.

^bShares calculated in relation to the items excluded by any member if 80% of imports are liberalised.

^cOr, where there is an uneven number of countries within the group for which the necessary data are available, just over half.

But it is optimistic to assume that post-EPA accommodation will not also be required. Countries will have to make hard choices on whether to change their trade policy in order to allow a compromise where there are real differences of approach. Otherwise they will defer the problem until the implementation stage of EPAs and face the consequent disruption to intra-regional integration.

Revenue

Will a strategy of minimising the competitive effect of EPAs by excluding items with the highest tariffs maximise the adverse revenue impact? Probably.

IDS has calculated the revenue theoretically derived from every good imported from the EU (by applying the set tariff to the value of imports). This almost certainly overstates the revenue actually collected (because it assumes 100% effective implementation and the absence of any duty draw-backs or other exemptions¹⁰), but as this applies to both the numerator and the denominator, the calculations – which provide an upper limit to the potential effect – may not be that far off the mark.

Table 3 shows the proportion of theoretical revenue that would be lost on the base scenario. The top row shows that three-quarters of the ACP countries could lose 40% or more of their tariff revenue from the EU, and for over one-third of countries it could be 60% or more. This revenue would need to be replaced in full only over the 12–20 years of EPA implementation.

The second row suggests how much needs to be replaced in the early stages. Taking the suggestion above that only goods facing tariffs of 10% or less be liberalised in the first phases, it shows the share of

total theoretical revenue contributed by these goods. The initial ‘cost’ of reciprocity in terms of tariff revenue forgone would be much lower. Two-fifths of the countries would lose less than 20% of their revenue, and for almost three-quarters the loss would not exceed 40%.

Implications for EPAs

One point on which both supporters and critics of EPAs seem to agree is that they will force open ACP markets – for some this is a desirable outcome and for others an undesirable one. But will it happen? EPAs seem likely to give ACP governments substantial opportunities to avoid significant liberalisation. There are good reasons to expect, therefore, that one of the economic arguments made in favour of EPAs will not be sustained.

Another major argument advanced in favour of EPAs is that they will foster regional integration. Here it looks likely that there will be a significant effect – but a negative one. Part of the problem arises from differences in the commodity composition of countries’ imports from the EU. Research into whether this could be overcome by, for example, the calculation of ‘substantially all’ being made at a regional rather than a country level is highly desirable. But until the European Commission negotiators provide guidance on what they would expect, the range of possible options is so large that informed speculation is difficult.

The task of adjusting to tariff revenue loss could be substantial. The IDS finding that the costs need not be high for many countries in the initial period adds urgency to the need to define the length of this period – which may be critical for both the liberal-

Table 3. Revenue implications

	Share of liberalised items in total theoretical revenue			
	<20%	20–40%	40–60%	≥60%
Base scenario (80% liberalisation)				
No. of countries ^a	2	4	24	21
All items with tariffs of 10% or less				
No. of countries ^a	24	20	5	2

Note:

^aBotswana, Lesotho, Namibia and Swaziland, covered by the SACU revenue formula, are excluded.

isation and revenue effects of EPAs. How long have ACP states got to roll in new systems such as a general sales tax? Should the final phase of EPA liberalisation be made conditional on such new systems being in place? These are the sort of informed questions that need to be directed to the negotiators.

In the meantime, the more countries that undertake their own calculations of ideal inclusions/exclusions and potential revenue effects the better. These can then be compared with the autonomous schedules of other regional group members and a more accurate picture obtained of the extent of possible natural overlap.

The methodology and datasets that IDS have developed can be used by both governments and civil society in each ACP state to identify which products should be included or excluded from liberalisation under an EPA. The methodology has been described in a *Handbook*, which is available electronically to all ACP organisations upon request together with a *dataset* for the country concerned.¹¹ The data cover the country's imports from the EU and applied tariffs. They allow users familiar with Excel to build simple lists of EPA inclusions/exclusions on the basis of different assumptions on sensitivity.

Endnotes

1. West Africa: Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo.

Central Africa: Cameroon, Central African Republic, Chad, Congo, Equatorial Guinea, Gabon, Sao Tome and Principe.

East and Southern Africa: Burundi, Comoros, Democratic Republic of Congo, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Uganda, Zambia, Zimbabwe.

Southern Africa Development Community: Angola, Botswana, Lesotho, Mozambique, Namibia, Swaziland, Tanzania.

Caribbean: Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, Surinam, Trinidad and Tobago.

Pacific: Cook Islands, Federation of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu.

2. 'Our Common Interest: Report of the Commission for Africa', March 2005 (www.commissionforafrica.org).
3. Maerten, C. (2004) 'Economic Partnership Agreements: A New Approach to ACP-EU Economic and Trade Co-operation', presentation to TRALAC Annual International Trade Law Conference, November.
4. Plus Haiti.
5. The fish are 'imports' only in the sense that they are caught on EU vessels. They are then canned in the Seychelles and exported. The EPA negotiations will allow the Seychelles to identify an alternative way to levy a tax on this trade.
6. Also, as part of SACU, it will effectively have to apply the provisions of the TDCA, and so its tariffs are likely to fall anyway.
7. The marginal tariff for Burundi is 40%, for Djibouti 33%, and for seven others it is 30%. For all of the remaining 44 countries (for which data are available) the marginal rate is 25% or less.
8. For which data are available.
9. Other than the Pacific group – for which data are available for only two of the 14 members.
10. And because, where a range of tariffs applies to the national-tariff-line-level items within an HS6 subhead, it is the *maximum* that has been used – which is not necessarily the one applicable to the sub-item actually imported.
11. Subject to data availability. Contact Paula Lewis (P.Lewis@ids.ac.uk) for a copy.