

**SEMINAR ON LEGAL ASPECTS OF TRADE POLICY,
REGIONAL AND MULTILATERAL TRADE
NEGOTIATIONS FOR SADC EPA STATES**

PROTEA HOTEL WATERFRONT CENTURION (SOUTH AFRICA)

18-22 MAY 2009

Day 1, Monday 18th of May

MORNING SESSIONS

09:00-09:30 **Opening of the Seminar and Introduction into the Programme**

Module 1: Trade in goods

09:30-12:00 Duties, including export taxes; quantitative restrictions; MFN and national treatment under the WTO and EPAs; WTO legal aspects of stand still; infant industry protection and safeguards and general exceptions.

Hannes Schloemann, WTI Advisors, Geneva

Hadil Hijazi, WTI Advisors, Geneva

12:00-13:00 **Questions and Answers and Discussion**

13:00-14:30 Lunch break

AFTERNOON SESSIONS

Module 2: WTO rules on preferential trade

14:30-17:00 Article XXIV GATT, Article V GATS, enabling clause, the EU GSP system and regional integration, specific regional issues affecting the SADC members in the WTO and EPA contexts, including SACU-related issues.

Hannes Schloemann, WTI Advisors, Geneva

Hadil Hijazi, WTI Advisors, Geneva

17:00-18:00 **Questions and Answers and Discussion**

18:00-18:15 **Conclusions of Day 1**

18:30-20:00 *Cocktail*

Each day there will be a coffee break at 10:45 – 11:15 and 15:45 -16:00

Day 2, Tuesday 19th of May

MORNING SESSIONS

Module 3: Technical Issues

- 09:00-12:00 Agriculture, including SPS issues, subsidies and special safeguards
Hilton Zunckel, Trade Law Chambers, South Africa
Christian Pitschas, WTI Advisors, Geneva
- 12:00-13:00 **Questions and Answers and Discussion**
- 13:00-14:30 Lunch break

AFTERNOON SESSIONS

Module 3: Technical Issues (cont.)

- 14:30-15:15 Customs and Trade Facilitation
Hadil Hijazi, WTI Advisors, Geneva
Christian Pitschas, WTI Advisors, Geneva
- 15:15-15:45 **Questions and Answers and Discussion**
- 16:00-16:45 Technical Barriers to Trade
Hannes Schloemann, WTI Advisors, Geneva
- 16:45-17:30 **Questions and Answers and Discussion**
- 17:30-17:45 **Conclusions of Day 2**

Day 3, Wednesday 20th of May

MORNING SESSIONS

Module 4: Trade related areas

- 09:00-10:15 Investment, including comparison of approaches and overlaps in the EPA and selected Bilateral Investment Treaties, regulatory issues in investor-state disputes (overview of major cases)
Rian Geldenhuys, Trade Law Chambers, South Africa.
- Investment Chapter in the CARIFORUM-EC EPA
Ramesh Chaitoo, Head, Services Trade Unit, CRNM
- 10:00-10:45 **Questions and Answers and Discussion**
- 11:15-12:15 Competition policy
Prof. Ruth Okediji, University of Minnesota Law School
- 12:15-13:00 **Questions and Answers and Discussion.**
- 13:00-14:30 Lunch break

AFTERNOON SESSIONS

Module 4: Trade related areas (cont.)

- 14:15-15:00 Intellectual property
Prof. Ruth Okediji, University of Minnesota Law School
- 15:00-15:45 **Questions and Answers and Discussion**
- 16:00-16:45 Government procurement including transparency aspects
Christian Pitschas, WTI Advisors, Geneva
- 16:45-17:30 **Questions and Answers and Discussion**
- 17:30-17:45 **Conclusions of Day 3**
- 19:30-21:30 Discussion Dinner on the topic "To what extent do EPAs contribute to the process of regional integration in the ACP?"
With Trudi Hartzenberg, TRALAC, South Africa.

Day 4, Thursday 21st of May

MORNING SESSIONS

Module 5: Trade in services

- 09:00-10:15 The General Agreement on Trade in Services (GATS) and its implications for developing countries; Processes of offers and demand within the framework of the negotiations; Strategic Drivers for liberalization and negotiations, including challenges for developing new sectors' exports.
Prof. David Luff, Appleton Luff – International Lawyers, Brussels
Nick Charalambides, Imani Development, South Africa
- 10:00-10:45 **Questions and Answers and Discussion**
- 11:15-11:45 Presentation on key services sectors of SADC and exports interests in the EU
Paul Kalenga, Regional Trade Policy Advisor, SADC Secretariat
- 11:45-12:30 Presentation on barriers to trade in the EC market for services of SADC's interest, including Liberalization of Market access in GATS Mode 4 for Movement of Natural Persons Supplying Services
David Luff, Appleton Luff – International Lawyers, Brussels
Ramesh Chaitoo, Head, Services Trade Unit, CRNM
- 12:30-13:00 **Questions and Answers and Discussion**
- 13:00-14:30 Lunch break

AFTERNOON SESSIONS

Module 5: Trade in services (cont.)

- 14:30-17:00 Services commitments in three selected services sectors (financial services, telecommunications services and tourism) with practical exercise on the schedule (references will be made to CARIFORUM EPA services chapter when dealing with specific sectors).
David Luff, Ramesh Chaitoo, Nick Charalambides.
For each sector, selected participants will make a five minutes presentation of the domestic regulation applicable to the sector and of the status of regional regulatory harmonization.
- 17:00-18:00 **Questions and Answers and Discussion**
- 18:00-18:15 **Conclusions of Day 4**

Day 5, Friday 22nd of May

MORNING SESSIONS

09:00-09:30	Contentious Issues in SADC-EC EPA Negotiations <i>Dan Lui, Programme Officer, Economic and Trade Cooperation Programme European Centre for Development Policy Management (ECDPM)</i>
09:30-10:00	Questions and Answers and Discussion
10:00-10:30	Coffee break
	Module 3: Technical Issues (cont.)
10:30-11:15	Rules of origin (definitions), focus on Fisheries and Textiles <i>Natalie McNelis, Wilmer Hale, Brussels</i>
11:15-11:45	Questions and Answers and Discussion
	Module 6: Trade Defense Mechanisms
11.45-12.30	Trade Defense Mechanisms <i>Natalie McNelis, Wilmer Hale, Brussels</i>
12:30-13:00	Questions and Answers and Discussion
13:00-14:30	Lunch break

AFTERNOON SESSIONS

	Module 7: Other legal issues
14:30-16:00	Institutional aspects of EPAs, including dispute settlement and final provisions, ratification, non-execution clause, denunciation, reservations, relation to WTO and other Agreements <i>David Luff, Appleton Luff – International Lawyers, Brussels</i>
16:00-17:00	Questions and Answers and Discussion
17:00-17:30	Conclusions of Day 5
17.30-18.00	Closing of the Seminar