



“Regional Dialogue on the European Economic Partnership Agreements, Intellectual Property Policy and Sustainable Development for the ECOWAS Countries”

ICTSD in partnership with ENDA, QUNO and CIEL

23 – 24 May 2007

Saly (Dakar), Senegal

European Partnership Agreements and Intellectual Property

The International Centre for Trade and Sustainable Development (ICTSD), in collaboration with Environmental Development Action in the Third World / Environnement et Développement du Tiers Monde (ENDA), the Quakers United Nations Office (QUNO) and CIEL, have organised a *Regional Dialogue on the European Economic Partnership Agreements, Intellectual Property Policy, Sustainable Development for the ECOWAS Countries*. The Dialogue will be held in Saly, Senegal on the 23rd and 24th of May, 2007. Participants will include members of the Economic Community of West Africa States (ECOWAS) as well as Mauritania.

Free Trade Agreements are often one component of a larger political effort to deepen economic and political relations between countries. Recently, the European Union (EU) has become increasingly active in engaging in bilateral and regional trade agreements with developing country partners. These agreements have placed different emphases in areas including trade in goods, investment, competition and intellectual property (IP). In the field of IP, EU models for regional and bilateral agreements are likely to become more demanding in certain areas such as geographical indications and trademarks, copyright, UPOV-like plant variety protection and enforcement.

The European Commission is currently negotiating Economic Partnership Agreements (EPAs) with six groups of the African, Caribbean and Pacific (ACP) countries, namely: the Economic Community of West Africa (ECOWAS); Central Africa (Communauté Economique et Monétaire de l’Afrique Centrale or CEMAC); the Common Market of Eastern and Southern Africa (COMESA); the Southern African Development

Community (SADC); the Caribbean Forum (CARIFORUM); and the Pacific Group. All the EPA negotiations are linked to a *de facto* deadline of the 31 December 2007 when the waiver of the Cotonou Agreement ends.

Certainly, EPAs offer an important opportunity for consolidating and expanding market access for ACP countries and locking-in or improving domestic market reforms. However, one aspect of the EPAs that has generated concerns among various stakeholders are the potential impact that TRIPS-plus provisions could have on the use of flexibilities and exceptions offered by multilateral IP agreements, which have been designed to safeguard certain public interests and advance development objectives. In this respect, EPAs raise many negotiation and implementation challenges regarding policy coherence and the maintenance of the in-built flexibilities of the TRIPS Agreement.

ICTSD, CIEL, QUNO and CAFOD organized in February 2007 (Jongny, Switzerland) a workshop for the ACP countries on *EPAs, Intellectual Property Rights (IPRs) and TRIPS Agreement Compatibility*.¹ The workshop highlighted among others the need to increase awareness on new trends and potential implications of IP provisions in draft EPAs. It was also felt necessary to assist countries in the identification of offensive and defensive strategies. Capacity building (through information and ideas exchange) was considered essential to ensure full and equal participation of the ACP countries in the negotiation process, and to contribute to a pro-development implementation of potential commitments

In order to respond to the needs expressed in the February workshop, ICTSD and its partners have organised a Regional Dialogue on IPRs and the EPA negotiations for the ECOWAS region.

The main themes to be discussed are copyright in the digital environment, geographical indications and rural development, biodiversity and traditional knowledge and IP enforcement mechanisms.

¹ For more information on the Jongny dialogue please consult the following link:
http://www.iprsonline.org/Dialogues/2007-03-16/2007-03-16_desc.htm