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#### PARTIAL DECLASSIFICATION

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Subject: ASEAN: launch of bilateral FTA-negotiations with Vietnam  
**COMMON GUIDELINES**  
**Consultation deadline: 15.05.2012**

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Delegations will find attached the partially declassified version of the above-mentioned document.



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THE EUROPEAN UNION**

**Brussels, 10 May 2012**

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**"I/A" ITEM NOTE**

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from: the Presidency  
to: Permanent Representatives Committee (part 2) / Council  
Subject : ASEAN: launch of bilateral FTA-negotiations with Vietnam  
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1. On 23 April 2007, the Council authorised the Commission to enter into negotiations for a Free Trade Agreement with countries of ASEAN (document 8600/07), it being understood that the objective was to negotiate a region-to-region Free Trade Agreement.
2. At the same time, the authorisation provided for the possibility of bilateral negotiations in the event that it was not possible to reach agreement to negotiate jointly with a grouping of countries, and where such bilateral negotiations were politically acceptable and economically meaningful.
3. The Commission reported to the Article 133 Committee of 8 May 2009 on the difficulties encountered in the region-to-region negotiations, and that both sides had agreed to pause negotiations. In that meeting the Article 133 Committee asked the Commission to explore the prospects for individual bilateral negotiations with a number of ASEAN countries. On the basis of scoping discussions, the Commission suggested pursuing bilateral FTAs with relevant ASEAN countries in the future and that bilateral negotiations should be launched with

Singapore as a first step. The launching of bilateral FTA negotiations would take place, on a case-by-case basis, following an assessment by the Commission, a substantive discussion in the Article 133 Committee and a subsequent approval by the Council.

Finally, as part of its suggested approach, the Commission confirmed the strategic objective of a region-to-region agreement and, to this end, the need to ensure consistency in and between any future bilateral FTA negotiations with ASEAN countries.

4. At its meeting of 30 November 2009, the Article 133 Committee endorsed this approach and suggested to adapt the above mentioned negotiating authorisation and directives in this sense. In addition, the Committee:
  - highlighted its expectation that the launch of negotiations with Singapore should pave the way for additional bilateral FTAs with relevant countries of ASEAN in the near future;
  - stressed the importance that the bilateral FTA negotiations are used to secure market access interests of Member States and EU businesses – in line with the “Global Europe” Strategy – on a broad variety of issues, including tariffs and non-tariff barriers, services and establishment, SPS, intellectual property rights and procurement.
5. On 20 April and 27 April 2012, the Commission reported to the Trade Policy Committee on the preparatory talks for an FTA held with Vietnam. On the basis of these reports, the Commission recommended to launch negotiations for an FTA with Vietnam. The Committee reconfirmed its overall approach to the negotiations with individual ASEAN countries as endorsed by the Council on 22 December 2009 and as set out in document 17494/09 and endorsed the recommendation of the Commission.

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6. In accordance with the possibility to authorise bilateral negotiations as provided for in the document 8600/07, the Permanent-Representatives Committee is therefore invited to recommend that the Council, as an A-item in one of its forthcoming meetings:
- agrees that the Commission should start bilateral FTA negotiations with Vietnam as the next step on the path towards FTA negotiations with ASEAN countries;
  - agrees that the Commission should continue its efforts to allow the launch of further negotiations with other relevant ASEAN countries, also taking into account that only a set of bilateral FTAs with relevant countries in the region would meet the Council's original perspective for the negotiations;

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