



**MEMORANDUM**

**FOR :** **The Directors**  
Biodiversity Management Bureau  
Forest Management Bureau  
Ecosystems Research and Development Bureau  
Environmental Management Bureau  
Forest Management Bureau  
Mines and Geoscience Bureau  
Climate Change Service  
Foreign Assisted and Special Projects Service

**FROM :** **The OIC Director**  
Policy and Planning Service

**SUBJECT :** **FEEDBACK OF UNITED ARAB EMIRATES (UAE) ON THE  
DRAFT PH-UAE CEPA TERMS OF REFERENCE**

**DATE :** **08 AUG 2023**

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This has reference to the electronic mail of Ms. Vicky C. Quitiquit of the Department of Trade and Industry - Bureau of International Trade Relations, conveying the feedback of the United Arab Emirates (UAE) on the Philippines' comments to the draft Terms of Reference (TOR) for the Negotiations of a Comprehensive Economic Partnership Agreement (CEPA) transmitted last 3 July 2023.

It may be recalled that the Department expressed its support in including the Labor with Environment Chapter and transformed the said chapter into Trade and Sustainability Development, similar to the Philippines-European Free Trade Association Free Trade Agreements (PH-EFTA FTA). Accordingly, please be informed that the UAE is requesting the scope and coverage of this proposal. In this regard, may we kindly request the following: 1) inputs on the specific interest that can form part of the Agreements and 2) information (*if any*) regarding the ongoing projects, updates on signed agreements, and pending MOUs with the UAE.

Moreover, in preparation for the virtual meeting with UAE (*tentatively scheduled at the end-September*), please be informed that the DTI will conduct a series of meetings to discuss the specific areas of the TOR.

We would appreciate receiving your responses through our email addresses [psddivision@gmail.com](mailto:psddivision@gmail.com) or [policy@denr.gov.ph](mailto:policy@denr.gov.ph), on or before **12 August 2023**, so we can facilitate our submission to DTI.

For your information and appropriate action, please.

  
CHERYL LOISE T. LEAL



PSD Document &lt;psddivision@gmail.com&gt;

## Re: UAE's comments to the Draft TOR for the PH-UAE CEPA

1 message

**Victoria C. Quitiquit** <VictoriaQuitiquit@dti.gov.ph>

Tue, Aug 1, 2023 at 6:07 PM

To: Bianca Pearl Sykimte <BiancaPearlSykimte@dti.gov.ph>, Patrisha Elaine Estrella <PatrishaElaineEstrella@dti.gov.ph>, Rudolph Jay Velasco <RudolphJayVelasco@dti.gov.ph>, "Myrtle Faye L. Solina" <MyrtleFayeSolina@dti.gov.ph>, "Ma. Divine Grace T. Derez" <MaDivineGraceDerez@dti.gov.ph>, "USec Blesila A. Lantayona" <BlesilaLantayona@dti.gov.ph>, "Ma. Isabel M. Caguioa" <MalsabelCaguioa@dti.gov.ph>, ROG <rog@dti.gov.ph>, "ASec Leonila T. Baluyut" <LenyBaluyut@dti.gov.ph>, "Dir. Lydia R. Guevarra" <LydiaGuevarra@dti.gov.ph>, Resource Generation and Management Service <RGMS@dti.gov.ph>, "Ronnel B. Ruanes" <RonnelRuanes@dti.gov.ph>, "Jerome M. Jovellanos" <JeromeJovellanos@dti.gov.ph>, Emma Asusano <EmmaAsusano@dti.gov.ph>, Bureau of Small and Medium Enterprise Development <bsmed@dti.gov.ph>, "Jacquelyn D. Almamento" <JacquelynAlmamento@dti.gov.ph>, Susan Mae Salonga <SusanMaeSalonga@dti.gov.ph>, "Edwin C. 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Cc: "Angelo Salvador M. Benedictos" <AngeloSalvadorBenedictos@dti.gov.ph>, "Ma. Regina C. Serafico" <MaReginaSerafico@dti.gov.ph>

***Sent on behalf of the Bureau of International Trade Relations***

Dear Sirs/Mesdames,

This is to endorse for your consideration/review the feedback of UAE on our comments to the draft Terms of Reference (TOR) for the Negotiations of a Comprehensive Economic Partnership Agreement (CEPA) transmitted to last 3 July 2023.

The BITR will be convening a series of meetings to discuss the specific areas of the TOR in preparation for the virtual meeting with UAE tentatively scheduled in the of end-September. We will be sending separate invitations once schedules are finalized.

Thank you very much.

Respectfully,

**Vicky C. Quitquit**

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**2 attachments**

 **UAE PH TOR\_UAE Feedback July 24.docx**  
76K

 **UAE PH TOR\_UAE Feedback July 24.pdf**  
277K

Zero Draft	PH Counter Draft	Remarks
<p align="center"><b>TERMS OF REFERENCE FOR THE NEGOTIATION OF A COMPREHENSIVE ECONOMIC PARTNERSHIP AGREEMENT BETWEEN THE UNITED ARAB EMIRATES (“UAE”) AND THE REPUBLIC OF THE PHILIPPINES</b></p>	<p align="center"><b>TERMS OF REFERENCE FOR THE NEGOTIATIONS OF A COMPREHENSIVE ECONOMIC PARTNERSHIP AGREEMENT BETWEEN THE UNITED ARAB EMIRATES (“UAE”) AND THE REPUBLIC OF THE PHILIPPINES (PH)</b></p>	<p>UAE: Acceptable.</p>
<p align="center"><b>I. OBJECTIVE</b></p> <p>To conclude negotiations on a Comprehensive Economic Partnership Agreement (“CEPA”) to establish a Free Trade Area, in accordance with Article XXIV of the General Agreement on Tariffs and Trade 1994 (“GATT 1994”) and Article V of General Agreement on Trade in Services (“GATS”), and to promote opportunities for investment, market access and trade liberalization for goods and services and deepen cooperation on the digital economy.</p>	<p align="center"><b>I. OBJECTIVE</b></p> <p>To conclude negotiations on a Comprehensive Economic Partnership Agreement (“CEPA”) to establish a Free Trade Area between the UAE and PH (individually referred to hereinafter as a “Party” or collectively as the “Parties”), in accordance with Article XXIV of the General Agreement on Tariffs and Trade 1994 (“GATT 1994”) and Article V of General Agreement on Trade in Services (“GATS”), and to further strengthen bilateral economic relations by improving market access for goods and services, promoting opportunities for investment, and deepening cooperation in areas of mutual interest. <del>and to promote opportunities for investment, market access and trade liberalization for goods and services and deepen cooperation on the digital economy.</del></p>	<p>UAE: Acceptable.</p> <p>The proposal is to keep the language general rather than identifying specific areas for cooperation.</p>
<p align="center"><b>II. PRINCIPLES OF THE NEGOTIATION</b></p> <p>The CEPA will be consistent with the rights, principles, rules and obligations established by the World Trade Organization (WTO). The negotiation is a single undertaking. Consequently, nothing is agreed until everything is agreed.</p>	<p align="center"><b>II. PRINCIPLES OF THE NEGOTIATIONS</b></p> <p>The CEPA will be consistent with the <del>rules</del> rights, principles, rights <del>rules and obligations established by the World Trade Organization (WTO) and its relevant Agreements. The negotiation is a single undertaking. Consequently, nothing is agreed until everything is agreed.</del> [UAE: The CEPA will take into account the different levels of trade, development, and financial needs of the Parties with the end view of providing appropriate flexibilities to achieve their policy objectives.] The CEPA will apply between UAE and PH, but not to trade relations among the Gulf Cooperation Council (GCC) and the Association of Southeast Asian Nations (ASEAN).</p>	<p>UAE:</p> <ul style="list-style-type: none"> <li>• Propose to remove the bracketed language suggested by PH.</li> <li>• We ask to retain “Consequently, nothing is agreed until everything is agreed”.</li> <li>• Additionally, we would like to seek rationale from PH on the following addition: The CEPA will apply between UAE and PH, but not to trade relations among the Gulf Cooperation Council (GCC) and the Association of Southeast Asian Nations (ASEAN).</li> </ul>
<p align="center"><b>III. TARIFF AND SERVICES SECTOR LIBERALIZATION</b></p> <p>1. All tariff lines and services sectors are subject to negotiation, without prejudice to the final results.</p>	<p align="center"><b>III. TARIFF AND SERVICES SECTOR LIBERALIZATION</b></p> <p>1. All tariff lines and services sectors are subject to negotiations, without prejudice to the final results.</p>	

Zero Draft	PH Counter Draft	Remarks
<p>2. In general, and without prejudice to the results of the negotiation, the following modalities for tariff reduction are adopted:</p> <p>a. Immediate b. Three (3) years c. Five (5) years</p> <p>3. Unless otherwise agreed, the first tariff reductions and the service liberalizations will be made on the day the CEPA enters into force. Successive tariff reductions will be effective on January 1st of each successive year. The Sides agree to negotiate applying the offer/request model.</p> <p>4. The starting point for tariff reduction negotiations will be the applied MFN rates as of 1/1/2021.</p> <p>5. Negotiations shall be based on the 2017 Edition of the WCO Harmonized System Nomenclature.</p> <p>6. As a general principle, the tariffs will be reduced in a linear manner.</p> <p>7. The negotiation of the trade in services chapter will be based on the GATS.</p>	<p>2. In general, and without prejudice to the results of the negotiations, the following modalities for tariff staging will be considered <del>reduction are adopted</del>:</p> <p>a. Immediate b. Three (3) years c. Five (5) years d. Seven (7) years e. Ten (10) years f. Sensitive list g. Exclusion list h. Other modalities that may be discussed/included</p> <p>Unless otherwise agreed, the first tariff and service liberalizations will be made on the date day the CEPA enters into force. Successive tariff reductions or eliminations will be effective on the dates reflected in each Party's Schedule of Tariff Commitments January 1<sup>st</sup> of each successive year.</p> <p>3. The Parties Sides agree to negotiate applying the offer/request-offer model.</p> <p>4. The starting point base rate for tariff reduction or elimination negotiations will be the applied [UAE: 2022] MFN rates as of in effect on [UAE: 1/1/2021 1/1/2023].</p> <p>5. Negotiations will shall be based on the [UAE: 2017 2022] Edition of the World Customs Organization (WCO) Harmonized System Nomenclature [UAE: (HS 2022)].</p> <p>6. As a general principle, the tariffs will be reduced in a linear manner, with due consideration for certain flexibilities on tariff staging for certain products subject to further negotiations.</p> <p>7. The negotiations of the trade in services chapter will be based on the GATS.</p>	<p>Rather than just "tariff reduction" propose to use "tariff staging" to account for elimination/reduction/other modalities</p> <p>UAE: Given that we can accept seven years; the UAE would like to omit reference to 10 years. We also request PH to clarify the difference between sensitive list and exclusion list, as well as other modalities it may be referring to in Para 2(h)</p> <p>Propose to (i) delete "first" to keep language general to account for standstill commitments that will be liberalized in Year X and (ii) "January 1<sup>st</sup> of each successive year" to avoid prejudging outcome of the negotiations. Details will be specified in the exploratory notes of the Schedule of Commitments (SOCs)</p> <p>PH understanding is that the offer will be based on the request.</p> <p>UAE: we believe that we should begin exchanging offers before request.</p>

Zero Draft	PH Counter Draft	Remarks
		The proposed text will take into account tariff staging that will deviate from linear reduction (i.e., sudden death)
<p align="center"><b>IV. SCOPE AND COVERAGE OF THE CEPA</b></p> <p>The CEPA will include the following chapters (in no order):</p> <ul style="list-style-type: none"> <li>a. Preamble</li> <li>b. Initial Provisions and General Definitions</li> <li>c. Trade in Goods</li> <li>d. Rules of Origin and Origin Procedures</li> <li>e. Customs Administration and Trade Facilitation</li> <li>f. Sanitary and Phytosanitary Measures</li> <li>g. Technical Barriers to Trade</li> <li>h. Trade Remedies</li> <li>i. Investment</li> <li>j. Trade in Services</li>   <li>k. Digital Trade</li> <li>l. Government Procurement</li> <li>m. Intellectual Property Rights</li>   <li>n. SMEs</li> <li>o. Environment</li>   <li>p. Economic Cooperation and MSMEs</li>   <li>q. Dispute Settlement</li> <li>r. Exceptions</li>   <li>s. Administration of the Agreement</li> <li>t. Final Provisions</li> </ul>	<p align="center"><b>IV. SCOPE AND COVERAGE OF THE CEPA</b></p> <p>The CEPA will include the following chapters (in no order):</p> <ul style="list-style-type: none"> <li>a. Preamble</li> <li>b. Initial Provisions and General Definitions</li> <li>c. Trade in Goods</li> <li>d. Rules of Origin and Origin Procedures</li> <li>e. Customs Procedures Administration and Trade Facilitation</li> <li>f. Sanitary and Phytosanitary Measures</li> <li>g. Technical Barriers to Trade</li> <li>h. Trade Remedies</li> <li>i. Investments</li> <li>j. Trade in Services [UAE: (including annexes)] [UAE: Financial Services Professional Services <del>k. Movement of Natural Persons</del>]</li> <li>l. Digital Trade</li> <li>m. Government Procurement</li> <li>n. Intellectual Property Rights</li>   <li>o. MSMEs</li> <li>p. [UAE: Labor and] Environment (Trade and Sustainable Development)</li> <li>q. Economic Cooperation and MSMEs</li>   <li>r. Dispute Settlement</li> <li>s. Exceptions</li>   <li>t. [UAE: Institutional Arrangements Administration of the Agreement]</li> <li>u. Final Provisions</li> </ul>	<p>(d) Propose to have "Origin Procedures" as an Annex to the ROO Chapter UAE: accepted.</p> <p>(j) Propose to include Financial Services and Professional Services in the discussion of Trade in Services</p> <p>UAE: For the purposes of the TOR, we would prefer to keep headline chapter names in this section only. We may discuss other annexes such as Financial/Professional Services, but this will be during the negotiation rounds.</p> <p>(k) Propose to have separate chapter on MNP</p> <p>UAE: See above. The UAE has in practice, maintained a standalone Trade in Services Chapter. The Chief Negotiators may, during the negotiations agree to alter the scope of the CEPA but for the time-being, we prefer to keep the proposed structure as-is.</p> <p>(l) Clarify with UAE on the scope and coverage of digital trade chapter</p> <p>UAE: The Digital Trade Chapter includes provisions on definitions, objectives, paperless trading, electronic transactions, authentication, digital identities, online consumer protection, unsolicited commercial electronic messages, personal data protection, cross border flow of information, open data, digital government, cooperation on digital</p>

Zero Draft	PH Counter Draft	Remarks
		<p>products, customs duties digital and electronic payments use of internet for digital trade (principles) and cyber security.</p> <p><b>(m) Clarify on the specific market access requirements of the UAE in government procurement.</b></p> <p>UAE: The scope of the Government Procurement Chapter, specifically with respect to market access requirements is usually not set out in the TOR as both Parties need to conduct a study of each side's Government Procurement systems before taking a deeper view on market access.</p> <p><b>(o) Clarify with UAE on the scope and coverage of the SME chapter</b></p> <p>UAE: The MSMEs chapter is cooperative in nature, might include provisions on general principles, information sharing, cooperation and establishing a sub-committee with functions. This chapter is not subject to Dispute settlement.</p> <p><b>(p) Request clarification from UAE on the coverage of the chapter on environment. PH proposes to include Labor and rename the chapter as "Trade and Sustainable Development."</b></p> <p>UAE: Could you please indicate the scope and coverage of the proposed chapter.</p> <p><b>(q) Request clarification from UAE on the coverage of the chapter on Economic Cooperation. Note that there is already a separate chapter on MSMEs.</b></p> <p>UAE: This chapter may include provisions on principles and objectives, scope and areas of cooperation, other provisions both Parties might see feasible and of interest in the area of economic cooperation and the establishment of a sub-committee. Please note that this chapter is <u>not</u> subject to dispute settlement.</p> <p><b>(s) Clarify with UAE why Exceptions is proposed as a separate chapter. Usual practice is to have a provision on Exceptions under the goods and services chapters.</b></p>



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		<p>UAE: The Exceptions Chapter is proposed as a new chapter as it may apply broadly across the agreement (and not just under the Trade in Goods/Trade in Services Chapters). The UAE has followed this route with all its CEPAs to date and propose keeping it in as a standalone chapter.</p> <p><b>(t) The chapter is proposed to be renamed as “Institutional Arrangements”</b></p> <p>UAE: We would prefer to retain the original chapter name, being Administration of the Agreement and have adjusted the language accordingly.</p>
<p align="center"><b>V. METHODOLOGY</b></p> <p><b>1. Basic Principles</b></p> <p>a. The texts and proposals exchanged during the negotiation shall always be treated as confidential information.</p>	<p align="center"><b>V. METHODOLOGY</b></p> <p><b>1. Basic Principles</b></p> <p>a. The texts and proposals exchanged during the negotiations will <del>shall</del> always be treated as confidential information.</p>	

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<p>b. The UAE will provide its texts as further set out in part VI of these Terms of Reference. The sharing of such texts shall be without prejudice to the right of each Side to present new proposals during the negotiations.</p> <p>c. The Sides will exchange offers on market access for goods and schedules of specific commitments in services and the thresholds of the included procurements in goods, services and construction services, simultaneously.</p> <p><b>2. Levels of Negotiation</b></p> <p>The Sides agree that the following negotiation modalities shall apply:</p> <p>a. <i>Working Group Leads</i></p> <ul style="list-style-type: none"> <li>• Each Side shall designate its delegates to Working Groups agreed under part VII.</li> <li>• The Working Group Leads will be responsible for the chapters allocated to them</li> </ul> <p>b. <i>Coordinators</i></p> <ul style="list-style-type: none"> <li>• Each Side will designate a coordinator in charge of the technical aspects of the negotiation process (approval of agenda, meeting schedules and joint conclusions).</li> <li>• The Sides will exchange the name and contact information of the coordinators by no later than [DATE].</li> </ul> <p>c. <i>Chief Negotiators</i></p> <ul style="list-style-type: none"> <li>• The Sides have designated the following persons as Chief Negotiators:</li> </ul>	<p>b. <del>[UAE: Each Party may</del> The UAE will] provide its texts as further set out in <del>p</del>Part VI of this <del>these</del> Terms of Reference. The sharing of such texts will <del>shall</del> be without prejudice to the right of each Party Side to present new proposals during the negotiations.</p> <p>c. The Parties Side will exchange requests and offers on market access for goods and schedules of specific commitments in services and the thresholds of the included procurements in goods, services and construction services, simultaneously. The Parties will agree on the format that will be used for the said undertaking.</p> <p><b>2. Levels of Negotiations</b></p> <p>The Parties Sides agree that the following negotiation modalities will <del>shall</del> apply:</p> <p>a. <i>Chief Negotiators</i></p> <ul style="list-style-type: none"> <li>• The Parties will designate their Chief Negotiators prior to the first round of negotiations.</li> </ul> <p><del>• For the Philippines: Asst. Secretary Allan Gepty, Department of Trade and Industry; and</del></p> <p><del>• For the United Arab Emirates: His Excellency Assistant Undersecretary Juma Al Kait, Ministry of Economy;</del></p> <p>c. <del>[UAE: The Chief Negotiators will co-chair the Joint Committee, which will be comprised of the Working Group Leads.]</del></p> <ul style="list-style-type: none"> <li>• The Chief Negotiators, on behalf of their Ministers, will bear the overall responsibility for the negotiations, and will therefore supervise the negotiations of all Working Groups and provide them with the necessary guidance, as appropriate.</li> </ul>	<p>UAE: We have reinstated UAE's earlier language. The UAE prefers to provide its texts in order to ensure that the Parties adhere to proposed time-frames. PH is welcome to suggest changes and include its own text within the UAE text base as part of the negotiations. See last sentence of the same paragraph where the sharing of UAE text shall be without prejudice to the right of PH to present its own proposals during the negotiations.</p> <p>Propose to delete in order to provide flexibility in case of changes in chief negotiators</p> <p>Propose the formation of a Joint Committee led by the Chief Negotiators [UAE: Please note that the Joint Committee is formed <i>after</i> the conclusion of negotiations of the Agreement. The endorsement and</p>

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<ul style="list-style-type: none"> <li>○ <b>For Philippines:</b> Asst. Secretary Allan Gepty, Department of Trade and Industry; and</li> <li>○ <b>For the United Arab Emirates:</b> His Excellency Juma Al Kait, Ministry of Economy.</li> <li>• The Chief Negotiators may negotiate any matter and resolve matters which may arise from time to time during the negotiations.</li> <li>• The Chief Negotiators will approve the results of the negotiations.</li> </ul> <p>d. <i>Ministers</i></p> <ul style="list-style-type: none"> <li>• Ministers will have the overall responsibility for the negotiations, a process which will conclude by their signing of the CEPA.</li> </ul>	<p><del>• [UAE: The Joint Committee will endorse the outcomes of the Working Group negotiations.]</del></p> <p>b. <del>a.</del> <i>Working Group Leads</i></p> <ul style="list-style-type: none"> <li>• The Parties will <del>Each Side shall</del> designate their <del>its</del> delegates to the Working Groups [UAE: <del>and Sub-Working Groups</del>] agreed under <del>p</del>Part VII.</li> <li>• The Working Group Leads or their designated alternates will be responsible for the chapters assigned <del>allocated</del> to them.</li> </ul> <p><del>• Working Group leads will consolidate and endorse the outcomes of the negotiations of their respective Chapters to the [UAE: Chief Negotiators Joint Committee].</del></p> <p>c. b. <del>[UAE: Joint Committee]</del> <i>Coordinators</i></p> <ul style="list-style-type: none"> <li>• Each Party Side will designate a coordinator in charge of all communications and the technical aspects of the negotiation process (approval of agenda, meeting schedules, summary of discussions, and joint conclusions).</li> <li>• The Parties Sides will exchange the name and contact information of the coordinators by no later than [DATE].</li> </ul> <p>e. <del>Chief Negotiators</del></p> <p><del>• The Parties will designate their Sides have designated the following persons as Chief Negotiators prior to the first round of negotiations:</del></p> <ul style="list-style-type: none"> <li>○ <del>For the Philippines:</del> Asst. Secretary Allan Gepty, Department of Trade and Industry; and</li> </ul>	<p>outcomes of the Joint Committee are to be executed by the Chief Negotiators. In any event, the formation and management of the Joint Committee will be set out in the legal and institutional chapters of the Agreement.</p> <p><b>Propose to include functions of the Chief Negotiators</b></p> <p>UAE: As the TOR is currently drafted, the functions of the Chief Negotiators are sufficiently set out. If PH wishes to include any further functions, we invite PH to provide their recommendations.</p> <p><b>Propose to include Sub-Working Groups</b></p> <p>UAE: The UAE does not propose to include sub-working groups for the negotiation rounds.</p> <p><b>Propose to include functions of Working Group Leads</b></p> <p>UAE: As the TOR is currently drafted, the functions of the Working Group Leads are sufficiently set out. If PH wishes to include any further functions, we invite PH to provide their recommendations.</p>

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	<p><del>e. For the United Arab Emirates: His Excellency Assistant Undersecretary Juma Al-Kait, Ministry of Economy.</del></p> <p>-</p> <p>c. [UAE: The Chief Negotiators may negotiate any matter and resolve matters which may arise from time to time during the negotiations.</p> <p>↳ The Chief Negotiators will approve the results of the negotiations.]</p> <p>d. <i>Ministers</i></p> <ul style="list-style-type: none"> <li>• Ministers will have the overall responsibility for the negotiations, a process which will conclude by their signing of the CEPA.</li> <li>○ For the UAE: Minister for Foreign Trade of the Ministry of Economy</li> <li>○ For the PH: Secretary of the Department of Trade and Industry</li> </ul>	<p>UAE: Our preference is to reinstate the proposed deleted language by PH. The Chief Negotiators should have the ability to negotiate any matter that arises during the course of the negotiations and will have the final say on the outcomes of the negotiations.</p> <p>Propose to identify the relevant lead agency for the CEPA negotiations</p>
<p><b>VI. EXCHANGE OF DATA AND DRAFT CHAPTERS</b></p> <p>1. The UAE shall, to the extent possible, provide its text proposals to the other no later than [three to four] weeks prior to the set date of the first round of negotiations.</p>	<p><b>VI. EXCHANGE OF DATA AND DRAFT CHAPTERS</b></p> <p>1. The UAE and PH may shall, to the extent possible, provide its text proposals to the other no later than [three to four]</p>	

Zero Draft	PH Counter Draft	Remarks
<p>2. The Sides will exchange the following data by - [DATE].</p> <ul style="list-style-type: none"> <li>The 2022 versions in English of their Customs Tariff which will include the MFN rate as of 1/1/2021 by tariff line.</li> <li>All trade statistical data by tariff line (bilateral, world, and selected major trading partners, import and export, in MS Excel format including value in USD and volume) for the years 2019-2021 (as and when 2021 becomes available).</li> </ul> <p>If necessary, once 2021 statistics are complete, each Side may exchange them.</p> <p>3. The Sides may propose to exchange additional information or any of the above information between themselves, if necessary, prior to the first round of negotiations.</p> <p>4. During the entire negotiation process, either Side may request additional necessary information from the other to clarify any of the chapters or their related topics under negotiation.</p>	<p>weeks prior to the set date of each the first round of negotiations.</p> <p>2. The Parties Sides will exchange the following data by - [DATE].</p> <ul style="list-style-type: none"> <li>The [UAE: 2022 -2017] versions in English of their Customs Tariff which will include the MFN rate in effect on as-of 1/1/2021 by at the national tariff line level.</li> <li>All trade statistical data between the Parties, with their selected trading partners, and with the world (imports and exports by tariff line, including value in USD and volume, in [UAE: HS 2022 HS-2017], in MS Excel format) for the years [UAE 2017-2021 2018 – 2022]. Selected trading partners are as follows: by tariff line (bilateral, world, and selected major trading partners, import and export, in MS Excel format including value in USD and volume) for the years 2019-2021 (as and when 2021 becomes available). <ul style="list-style-type: none"> <li>[UAE: For the UAE (HS ten digit level): the GCC (as a whole and individual members), the ASEAN (as a whole and individual members), China, Japan, USA</li> <li>For the PH (HS ten digit level): the GCC (as a whole and individual members), the ASEAN (as a whole and individual members), China, Japan, USA]</li> </ul> </li> <li>If necessary, once 2021 statistics are complete, the Parties each Side may exchange 2022 statistics, once available them.</li> </ul> <p>3. The Parties Sides may propose to exchange additional information or any of the above information between themselves, if necessary, prior to each round the first round of negotiations.</p> <p>4. During the entire negotiation process, either Party Side may request additional necessary information from the other to</p>	<p>UAE: Please note that the UAE is using 2022 MFN base rates as of 1/1/2023.</p> <p>Proposal to substantiate the requested statistical data to be exchanged with UAE.</p> <p>UAE: Please note that the UAE is using 2022 HS Code nomenclature.</p> <p>UAE: we do not recommend limiting to the suggested trading partners.</p> <p>UAE: Please see above comments in relation to UAE's 2022 statistics. We would advise PH to provide the same for 2022.</p>

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<p>5. During the entire negotiation process, either Side may introduce new text proposals on the proposed chapters.</p>	<p>clarify any of the chapters or their related topics under negotiation.</p> <p>5. During the entire negotiation process, either Party Side may introduce new text proposals based on the discussion of the proposed chapters.</p>																																			
<p><b>VII. ADMINISTRATION OF THE NEGOTIATION</b></p> <p>1. The negotiations will be conducted by the Ministry of Economy of the United Arab Emirates and the Department of Trade and Industry of The Philippines.</p> <p>2. During negotiations, the Sides agree to establish the following Working Groups to negotiate the relevant chapters. Subject to the approval of the Chief Negotiators, certain Working Groups may be merged or restructured from time to time.</p>	<p><b>VII. ADMINISTRATION OF THE NEGOTIATIONS</b></p> <p>1. The negotiations will be conducted by the Ministry of Economy of the United Arab Emirates and the Department of Trade and Industry of the Philippines. [UAE: A Joint Committee co-chaired by the Chief Negotiators will be established.]</p> <p>2. During negotiations, the Sides Parties agree to establish the following Working Groups [UAE: and Sub-Working Groups] to negotiate the relevant chapters. Subject to the approval of the Chief Negotiators, certain Working Groups [UAE: and Sub-Working Groups] may be merged or restructured from time to time.</p>	<p>Propose text to reflect the changes in Part V</p> <p>UAE: Please see the above comments. The Joint Committee, as a concept, is to be formed following the conclusion of the negotiations. From a timing perspective, the Chief Negotiators cannot establish the Joint Committee <i>during</i> the negotiations. We are happy to explain this further over a virtual call if needed. Accordingly, PH's suggested inclusion has been deleted.</p>																																		
<table border="1"> <thead> <tr> <th colspan="2">Working Groups</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Group on Market Access: Trade in Goods (including Technical Barriers to Trade and Sanitary and Phytosanitary Measures)</td> </tr> <tr> <td>2</td> <td>Group on Rules of Origin &amp; Origin Procedures</td> </tr> <tr> <td>3</td> <td>Group on Trade in Services (including Digital Trade)</td> </tr> <tr> <td>4</td> <td>Group on Economic Cooperation (including SMEs)</td> </tr> <tr> <td>5</td> <td>Group in Trade Remedies</td> </tr> <tr> <td>6</td> <td>Group on Trade Facilitation and Customs Cooperation</td> </tr> <tr> <td>7</td> <td>Group on Trade in Investment</td> </tr> <tr> <td>8</td> <td>Group on Legal and Institutional Issues (including Preamble, Initial Provisions and General Definitions, Administration of the Agreement, Exceptions, Final Provisions, and Dispute Settlement)</td> </tr> <tr> <td>9</td> <td>Group on Government Procurement</td> </tr> </tbody> </table>	Working Groups		1	Group on Market Access: Trade in Goods (including Technical Barriers to Trade and Sanitary and Phytosanitary Measures)	2	Group on Rules of Origin & Origin Procedures	3	Group on Trade in Services (including Digital Trade)	4	Group on Economic Cooperation (including SMEs)	5	Group in Trade Remedies	6	Group on Trade Facilitation and Customs Cooperation	7	Group on Trade in Investment	8	Group on Legal and Institutional Issues (including Preamble, Initial Provisions and General Definitions, Administration of the Agreement, Exceptions, Final Provisions, and Dispute Settlement)	9	Group on Government Procurement	<table border="1"> <thead> <tr> <th colspan="2">Working Groups [UAE: and Sub-Working Groups]</th> </tr> </thead> <tbody> <tr> <td></td> <td>Working Group on [UAE: Market Access:] Trade in Goods (including [UAE: Sub-Working Groups on Market Access], Technical Barriers to Trade and Sanitary and Phytosanitary Measures, and Trade Remedies)</td> </tr> <tr> <td></td> <td>Working Group on Rules of Origin &amp; Origin Procedures</td> </tr> <tr> <td></td> <td>Working Group on Trade in Services (including [UAE: Sub-Working Groups on Financial Services, and Professional Services Digital Trade])</td> </tr> <tr> <td></td> <td>[UAE: Working Group on Movement of Natural Persons]</td> </tr> <tr> <td></td> <td>Working Group on Digital Trade</td> </tr> <tr> <td></td> <td>Working Group on Economic Cooperation (including Halal Cooperation [UAE: and MSMES])</td> </tr> </tbody> </table>	Working Groups [UAE: and Sub-Working Groups]			Working Group on [UAE: Market Access:] Trade in Goods (including [UAE: Sub-Working Groups on Market Access], Technical Barriers to Trade and Sanitary and Phytosanitary Measures, and Trade Remedies)		Working Group on Rules of Origin & Origin Procedures		Working Group on Trade in Services (including [UAE: Sub-Working Groups on Financial Services, and Professional Services Digital Trade])		[UAE: Working Group on Movement of Natural Persons]		Working Group on Digital Trade		Working Group on Economic Cooperation (including Halal Cooperation [UAE: and MSMES])	<p>Changes applied to the chapters identified in Part IV are reflected in the establishment of Working Groups and Sub-Working Groups</p> <p>UAE: Please note that the requirement for sub-working groups will not be required. The Working Groups responsible for Market Access (Goods), TBT, SPS and Trade Remedies are the same for the UAE and will not be necessary to establish sub-groups. We prefer to keep the process as it currently is.</p> <p>UAE: See above comment on sub-working groups. At the moment the Parties have not agreed to an inclusion of Annexes relating to Financial/Professional Services and Movement of Natural Persons and is still subject to negotiation. In any event, the UAE's Working Group on Trade in Services and Digital Trade are the same and will not be necessary to establish any further sub-working groups.</p>
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<ul style="list-style-type: none"> <li>○ First Negotiation Round: On [DATE], in [TBD]</li> <li>○ Second Negotiation Round: On [DATE], in [TBD]</li> <li>• The dates for subsequent rounds of negotiations will be agreed by the Chief Negotiators.</li> <li>• Exchanges of data and texts will take place both during negotiations and between rounds electronically.</li> <li>• Each Working Group will prepare Agree Minutes, at the end of each round, that will compile the text and commitments. The Agree Minutes will be initiated and approved by the Working Group Leads.</li> <li>• Management of texts and proposals during negotiations: The Sides agree that the host country would be responsible for producing consolidated or revised texts reflecting the results of the negotiations at the end of each round. The Chief Negotiators will initial the Agreed Minutes at the conclusion of the round. MS Word and MS Excel Formats will be used for all texts and proposals.</li> <li>• Working Groups will be responsible for drafting a list of tasks and commitments to be carried out before the following round. Negotiation coordinators will compile the same and shall be annexed to the Agreed Minutes.</li> <li>• The meetings will be held in English. If a Side decides to use interpretation for its own delegation, such cost of interpretation will be covered by that Side.</li> </ul>	<ul style="list-style-type: none"> <li>○ Approval of the Terms of References: On [DATE]</li> <li>○ First Negotiation Round: On [DATE], in [TBD]</li> <li>○ [UAE: Second Negotiation Round: On [DATE], in [TBD]]</li> <li>• The dates for subsequent rounds of negotiations will be agreed by the Chief Negotiators.</li> <li>• Exchanges of data and texts will take place both during negotiations and between rounds electronically. For the exchange of data, Parties will agree on a schedule for the simultaneous exchange.</li> <li>• Each Working Group will prepare the Summary of Discussions Agree Minutes, at the end of each round, that will compile the text and commitments. The Summary of Discussions will include the next steps to be carried out before the following round. The Summary of Discussions Agree Minutes will be initiated and approved by the [UAE: Working Group Leads Joint Committee.]</li> <li>• Management of texts and proposals during negotiations: The Parties Sides agree that the host country would be responsible for producing consolidated or revised texts reflecting the results of the negotiations at the end of each round. The Chief Negotiators will initial the [UAE: Summary of Discussions Agree Minutes] at the conclusion of each the round. MS Word and MS Excel Formats will be used for all texts and proposals.</li> <li>• [UAE: Working Groups will be responsible for drafting a list of tasks and commitments to be carried out before the following round. Negotiation coordinators will compile the same and shall be annexed to the Agreed Minutes.]</li> </ul>	<ul style="list-style-type: none"> <li>• The First Negotiation Round, and dates for subsequent rounds, will be agreed upon by the Chief Negotiators.</li> <li>• [UAE: Recommend retaining the language of Working Group processes as this is standard practice].</li> </ul>



