

-Humanitarian Law RULES!

Center for the Study of Humanitarian Law
Newsletter

The European Union Commission Officially Announces the Everything But Arms Withdrawal Procedure

The Special Arrangement Everything But Arms (EBA) is a division of European Union's Generalized Scheme of Preferences (GSP), which grants Least Developed Countries all products a full duty free and quota free access to the European Union (EU) single market except arms.

On February 11, 2019, the EU announced the official launch of the EBA withdrawal procedure due to the situation of human rights and labor rights in Cambodia. The EU considered the procedure for the temporary withdrawal of preference based on Article 19(1) of Regulation (EU) No. 978/2012 which provides for the temporary withdrawal, for reasons of serious and systematic violations of the provisions of the Convention. Information indicating serious and systematic violations was provided by the United Nations and the International Labour Organization, it included the United Nations country theme report in the third universal periodic review cycle in Cambodia and other public reports.¹ According to the Press Release of Ministry of Commerce, the duration to the enforcement of the final decision (the 18-month process of the EBA withdrawal) begins from the date of publication, 12 February 2019. The process is divided into two phases: the first, taking six-months, in which the Commission continues to consult with Cambodian government and relevant stakeholders and review the progress of regulation implementation. The second phase, taking 6 months, is dependent on whether the Commission decides to withdraw or not. If the Commission agrees with the progress made by Cambodia then the Commission will drop the intention to withdraw. However, if the Commission is not satisfied with progress, it will take a further six-month to effect the withdrawal.²

The EU is an important trade partner for Cambodia accounting for 40% of exports. In 2017, Cambodia's exports to EU were \$ 5.77 billion, 95.5% which were based on EBA preferences.³ If the withdrawal occurs it will result in hundreds of thousands of workers losing their jobs (seriously) impacting on Cambodia's economy and society.⁴ To prevent such a negative impact, relevant ministries have to undertake reform to assist the reduction in the costs of production, transportation and promote socio-economic development (to improve conditions) for workers and farmer. The Ministry of Commerce has removed the Export Management fees including unpaid fees, the requirement to apply for certificate of Origin and stations of Cam-Control from borders (Government's export-import inspection department).

Although work and income will decrease if Cambodia loses EBA, the market still exists. Business sectors, export industries and the manufacturing will need to become more competitive and facilitate trade by reform with assistance from relevant ministries. That way, they can continue to provide people with jobs and income.

¹ The European Commission, "Commission Implementing Decision: On the initiation of the procedure for temporary withdrawal of the tariff preferences provided to the Kingdom of Cambodia under Article 19 of Regulation (EU) No 978/2012," Official Journal of the European Union, 2019.

² Ministry of Commerce, *European Commission's Decision on the Procedure toward Reviewing Temporary Withdrawal of the Tariff Preferences under "Everything but Arm (EBA)*, 2019, Press Release.

³ European Commission, "Cambodia: EU mission assesses human rights and Labour situation," July 12, 2018. (accessed Feb 22, 19). <http://trade.ec.europa.eu/doclib/press/index.cfm?id=1889>

⁴ George Wright, "Brexit and EU Sanctions threaten to push Cambodia into Economic crisis," Nikkei ASEAN REVIEW, February 11, 2019. (accessed Feb 26, 19). <https://asia.nikkei.com/Spotlight/Hun-Sen-s-Cambodia/Brexit-and-EU-sanctions-threaten-to-push-Cambodia-into-economic-crisis>

LIBRARY HOURS

February 2019
Monday to Friday:
8.30am – 5.30pm

RESEARCH AT THE LIBRARY

Did you know that you can access online databases, Westlaw International, Westlaw UK, Oxford Journal, International Humanitarian and Human Rights Online Resource Platform and other useful links at the library? These databases give you access to more than 40,000 databases that will help you with your research. And if you need help using them, we're more than happy to assist!

UPCOMING EVENT

Public Lecture Series 3:
Effective Communication and Advocacy Skills
By Nick Stange

Date: March 01, 2019
Time: 5:30pm - 8:00pm

