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GCC-EU Relations and Trade Integration Patterns

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GCC - EU Relations and Trade Integration Patterns

Marco CHIRULLO and Paolo GUERRIERI

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1. Introduction

The GCC (Gulf Co-operation Council) is the EU's sixth largest export market. The EU has an export surplus in the trade balance with the GCC and in 1999 EU exports to the GCC were twice the imports; EU exports amount to 29 billion Euro[1]. The EU exports are diversified, but the main share is covered by investment and intermediate goods such as railway locomotives and aircraft, electrical machinery and mechanical appliances. These product groups make up about one third of total exports. Medicaments and medical equipment make up another large part, leaving the remaining exports to a wide variety of products. Crude oil represents almost two thirds of EU imports from GCC.

This paper deals with EU - GCC trade relations and seeks to identify the interests at stake for both sides with regard to the accession of Saudi Arabia to the World Trade Organisation (WTO), as well as the possible establishment of a EU- GCC Free Trade Agreement (FTA). The first section provides an overview of current trade relations between the EU and GCC countries as well as Yemen, Iraq and Iran. The second analyses the perspective of Saudi Arabia' s accession to the WTO and looks at sensitive controversial issues still pending. A brief section is also dedicated to the Iranian application to the WTO. The third section explores the degree of GCC regional integration and looks at GCC-EU negotiations to establish a Free Trade Agreement. Finally, the last section draws some policy suggestions on EU strategy vis-à-vis the GCC countries and Iran.

[1] European Commission (2001), "EU-Gulf Cooperation Council (GCC) Relations – Overview", *External Relations website*, http://europa.eu.int/external_relations/gulf_cooperation/intro/index.htm

2. Institutional Framework

2.a EU- GCC relations

In 1989 the EC and the GCC concluded a Co-operation Agreement, whose objective was to facilitate trade relations and market access and more generally to strengthen stability in the region. The 1989 Co-operation Agreement also committed the parties to enter into negotiations on a FTA. In 1991 the Council of the EU adopted a negotiating mandate where the establishment of a GCC Customs Union was a precondition to enter into a FTA with the GCC countries. On 16th of July 2001 the Council approved a new mandate, replacing the 1991 mandate.

Why a new mandate? The new impetus might depend on the most recent figures concerning trade exchanges. Despite the Co-operation Agreement, GCC-EU trade relations had not significantly grown from 1987 to 1996 for some of the GCC countries (Saudi Arabia, Kuwait), while for others, they had declined dramatically (Oman, Qatar, Bahrain). In the year 2001 trade exchanges accounted for 51 billion Euro, thus 14.1 billion more than in 1999 (37 billion Euro). Such growth was entirely due to the significant increase of the oil price, rather than to a change in volumes exchanged. However, the result was increased attention to the strategic and economic importance of the region, and might have played a major role in EU Member States' will to intensify talks and approve the new mandate.

In November 1999, at the annual GCC summit, the GCC countries decided on a GCC Customs Union that would enter into force in 2005. A new decision, which was formalised by the GCC Summit on December 31, 2001, sets January 1, 2003 as deadline. A formula for a Common External Tariff with a uniform tariff of 5% was also agreed.

2.b Non-GCC countries[2]

EU-**Yemen** relations have been formalised in a Development Co-operation Agreement in 1984, extended on March 1995 to cover the entire territory of Yemen. An advanced framework co-operation agreement on commercial, development and economic co-operation was signed on November 1997, replacing the 1984 Agreement. The new agreement entered into force on July 1998. In absolute values, EU exports to Yemen are around six times EU imports. On average, over the last 4 years, exports were 600 million Euro per year and

[2] Figures in the following paragraph are based upon the EIU viewswire`s documents listed in the Bibliography

imports 100 million Euro per year. EU imports are dominated by mineral oil products (70-80%) and the remaining items are mostly live animals, and raw hides and skins. EU exports to Yemen are more diversified with seven product groups making up 80% of the commodities. In the overall context, the EU-Yemen trade is making up 15-20% of the total Yemeni trade volume.

Iraq and the EU have no contractual relations and there is no official dialogue between the European Commission (EC) and the Iraqi Government. Trade flows were virtually non-existent from 1991 to 1996. In 1997 the amount of trade rose after the start of the oil-for-food programme. In 1999 the EU imports (99% oil products) from Iraq amounted to 3.68 billion Euro. The EU makes up more than a third of the Iraqi export destination markets. EU exports to Iraq are diversified, with large machinery and electrical and mechanical appliances making-up one third of total exports. Medicaments, medical equipment and food supplies make up another large part.

Although with **Iran** there are no contractual relations either, EU-Iran relations deserve closer attention. An EU-Iran Working Group on Trade and Investment has been established in November 2000 to discuss possibilities to increase and diversify trade and investments. As established by the EU Council of Ministers, this Working Group should lead to the negotiations of a Trade and Co-operation Agreement. The EU is Iran's main trading partner for both imports (around 40%) and exports (around 36%). In 1999 EU imports from Iran reached 4.7 billion Euro, while EU exports to Iran were 3.9 billion Euro. More than 75% of EU imports from Iran consist of oil products; EU exports to Iran are much more diversified, with power generation plants, large machinery and electrical and mechanical appliances making-up about 45 percent of the total.

3. WTO: Saudi Arabia's accession process

3.a Saudi Arabia

Five out of six GCC countries are WTO members: Bahrain and Kuwait since its establishment (1 January 1995), Qatar since January 1996, the United Arab Emirates (UAE) since April 1996 and Oman since November 2000. Saudi Arabia applied to join the WTO in 1996. Saudi Arabia has many allies within the organisation (Canada, Japan, Australia), eager to see it on board. Accession to the WTO is an important priority for Saudi Arabia. However, given the number of outstanding issues to be addressed and the caution with which the government usually advances on economic issues, accession might take some time, probably as late as 2004[3] (EIU).

[3] EIU viewswire (2001), "Accession to the WTO will take time", Country briefing from The Economist Intelligence Unit,

However, Commissioner Lamy's visit to Saudi Arabia in April 2001 was very fruitful, since all the key issues were eventually put on the table. It was the end of a long effort to make Saudi negotiators understand that accession to WTO required serious negotiations. Until 1999, Saudi authorities looked at accession as something merely political, an unquestionable right, similar to the accession to United Nations. Now that issues are on the table and talks look at the heart of the problems, Saudi accession could be a question of time, although during recent months the accession process has been slowed down by the preparation of the WTO Doha Ministerial Conference.

Accession to the WTO will require Saudi Arabia to implement all the WTO rules that resulted from the Marrakech Agreement and to consolidate meaningful market access commitments for goods and services. WTO membership requires cutting subsidies, reducing export duties, protecting intellectual property rights and opening up the services sector, including insurance, to foreign competition. Until July 2001, Saudi Arabia still carried 12% duty on 90% of imports (now lowered to 5% duty), with 20% duty on sensitive manufactured imports.

3.b EU concerns:

- "Dual pricing": petroleum products are sold in Saudi Arabia at administered prices generally significantly lower than international prices. For LPGs, which are important as petrochemical feedstock, domestic producer – including joint ventures between SABIC and foreign partners, enjoy a 30% discount over export prices. This practice enables Saudi Arabia to use its natural resources to promote industrialisation. Apart from dual pricing, other mechanisms to keep domestic prices lower than world prices risk being inconsistent with WTO rules. These mechanisms are export restrictions and export duties or taxes. European petrochemical producers claim that the Saudi petrochemical industry is subsidised, in particular the provision of below-market feedstock is a target for antidumping measures.

- Services: the key issue is the liberalisation of the telecommunications and distribution sectors. The Saudi negative list includes at the moment telecommunications, financial distribution services. Therefore such a negative list is currently the river to bridge to finalise the negotiations on Saudi accession. As for telecommunications, Saudi Arabia asks for long transition periods, whereas for the distribution sector, Saudi Arabia refuses a total liberalisation and just accepts a reduced foreign participation. The

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http://wiewswire.com/index.asp?/layout=display_article&search_text=GCC&doc_id=144473

official reason is the risk of unemployment, but there are significant and diversified private sector interests, which might be negatively affected by the liberalisation of distribution.

- Investment: Saudi Arabia has recently modified its investment rules. Foreign investors were required to partner with local distributors who were the only legal representatives of the company in the Kingdom. Saudi nationals should control or own 51 percent of enterprises. The reform has modified these investment rules, but a few difficulties still remain in sensitive sectors.

- Government Procurement: Saudi Arabia's public tendering system fails to meet WTO discipline in terms of national treatment and transparency, among other areas. Regionally based GCC generic manufacturers can and do participate in public sector tenders. In addition, the system discriminates in favour of local or regional (GCC) companies, providing both faster registration and preferential pricing (a 10 percent advantage in tenders as compared to multinational companies).

- Intellectual Property Rights: trademarks and copyrights are frequently violated.

- Technical Barriers to Trade (TBT) and Sanitary and Phytosanitary (SPS) measures: certificates are quite difficult and expensive to be obtained. In particular, specific rules on food products hinders the access of EU products (i.e. products must have half of their shelf-life ahead to enter)

- *3.c Saudi Arabia's interests:*

- WTO membership would give its petrochemical industry (the kingdom produces 5% of world petrochemical needs) access to wider international markets.

- It would give Saudi Arabia a forum where it can press for more favourable tariffs on its products and eventually the removal of energy taxes, seen as discriminatory.

- It would recognise Saudi Arabia as a trading country where the government is diversifying its oil-dependent economy, providing access to the global markets to new industries.

- It would help the process of modernisation, especially if Saudi Arabia will be entitled to benefit from WTO capacity building programmes. This will be possible if it will join, as it would like to do, as developing country member.

- Saudi Arabia is interested in joining while keeping a gradual pace of reform and opening of its market. But Saudi Arabia is not ready to leave its infant industries without any protection. The example of Egypt, as described by Al-Sahlawi, proves that a fast liberalisation and privatisation process may lead an unprepared economy to sluggish performances. In this respect, however, the EC argues that these infant industries do not exist yet, since they should develop as a consequence of the ongoing diversification of Saudi economy. Of course it becomes difficult for the EC to accept exceptions for industries which do not exist yet, although, as we suggest in the final paragraph, a degree of flexibility on the EC side is to be welcomed with regard to this issue.

3.d Obstacles to Saudi Arabia's accession to WTO:

- The Saudi interpretation of the Shar'ia is incompatible with WTO provisions and can be the hardest obstacle to Saudi accession. It causes problems with regard to the insurance and the financial sector and the movement of workers. However, such problems can be sorted out. The insurance and the financial cases are difficult, since insurance is considered to be against the Shar'ia by Saudi traditionalists. However, neither financial nor insurance issues threaten to break down negotiations, since, as a matter of fact, financial services and banks already exist in Saudi Arabia. As for the banking sector, some Saudi business representatives and officials would even welcome some rules, since the real issue in some cases is that no clear rules are in place. Negotiations might contribute to filling up a juridical vacuum. Actually, the challenge of the negotiating process consists on drawing a distinction between real religious impediments, to be accepted as such, and disguised interests defended under the pretext of religion. For instance, Saudi Arabia will probably not make any concessions for audiovisuals because of religious concerns, and the OECD countries should not insist on this point, and accept the exception.

- Services: services negotiations are the most important issue. Without granting significant access in the telecommunications sector (currently owned by the State), negotiations will not go very far. Some informal attempts to attract foreign investors in telecommunications have failed because the investment is not seen as sufficiently remunerative. This is due to the conditions imposed by the Saudi government as well as to the non-profitable national tariffs and non-competitive international tariffs. With respect to the distribution sector, WTO Members cannot access to the market with the leasing and franchising formula.

- Manipulation of oil price angers the US, who have argued that memberships in OPEC is incompatible with membership in the free-trade-promoting WTO.

- The boycott on Israel might complicate or delay Saudi membership. It is seen as an impediment especially in the eyes of some US legislators.

- Price control system: for assessing import tariffs in place of a market-based system encouraging greater competition, Saudi Arabia uses a very simplistic and burdensome reference price system. The practice is discriminatory and protectionist in that no similar reference pricing system is applied to locally produced generic products.

3.f The case of Iran

Iran first applied to join the WTO in September 1996 but the application was blocked by the US and other western countries, which accused Teheran to back international terrorism. European governments then softened their position after Khatami was elected in 1997 and Iran renewed the application in 1998. Iran's accession to the New York Convention on international arbitration, the proposed law on foreign investment procedures which provides more favourable terms, for foreign investors, some first steps towards the establishment of the first privately-owned banks in Iran since 1979: these are all signals of Iranian serious aspiration to join the WTO. On February 2001 the US declared that they were reviewing their positions. After 5 years, on February 2001, the issue of Iranian accession was brought before the WTO General Council.

An economic reform aimed at diversifying the Iranian economy and strengthening non oil-sectors is ongoing. Iran would offer a huge market to enter, with great opportunities for the service sectors, intra-industry trade and exports of machinery and electrical appliances. However, Iran, notwithstanding its recent efforts towards reform and modernisation is still a rather marginalised economy and Iranian political features make it difficult to imagine a positive evolution of negotiations in Geneva in the coming years. However, the 11th of September events might play an important role in the development of relations between Iran and the West, accordingly to the stance Iran will eventually choose on terrorism.

4. EU-GCC Free Trade Area

4.a Background

On the 16th of July last, a new mandate replacing that of 1991 mandate has been approved. While the 1991 mandate was mainly focused on goods, the current mandate includes liberalisation of trade in goods and services, intellectual, industrial and commercial property, public procurement, customs co-operation and competition.

No target date has been set for the FTA. The precondition, however, is the establishment on a GCC Customs Union. The GCC Summit of December 2001 in Muscat decided to bring forward the creation of a Customs Union to January 1, 2003, and to adopt a single import tariff rate at 5%, dramatically speeding up a process which had been making very slow progress.

At the same meeting the GCC countries also decided to establish a monetary union by 2010. However, as of the third quarter of 2000 intra-Gulf trade accounted for only 7% of the GCC's total exports. Such recent developments are very encouraging for the EU's efforts to strengthen GCC regional integration.

The former mandate identified three key sensitive categories of goods: aluminium, petrochemicals and chemicals. The new mandate does not list sensitive products and the reason is twofold. Firstly, the situation has changed with 5 countries out of the six members of the GCC joining the WTO and thus liberalising their economies. Secondly, the objective of the negotiators is to achieve a package deal, supposedly easier to agree. However, aluminium and petrochemicals still remain difficult outstanding issues.

4.b EU interests:

- EU exports are on average subject to higher tariffs than imports from GCC countries (79 % of which enter the EU duty free). In this case the main problem comes from the GCC countries' fiscal policy. GCC countries have neither a TVA nor a personal income tax, thus customs duties are important for governmental revenue.

- EU exports of large machinery, electrical and mechanical appliances face high tariff (up to 20% in Saudi Arabia).

- Gaining greater access to the growing GCC services market

4.c GCC interests:

- On the GCC side there are complaints about EU tariffs on petrochemicals and the very high tax on petroleum products that discourages oil consumption. The petrochemical issue has also come up in Saudi Arabia's negotiations to join the WTO, but both the EU and the US justify their tariffs as the local producers receive subsidies by way of low-cost feedstock.

- The 6 % tariff that the EU imposed on aluminium imports from Dubai and Bahrain has also been a matter for controversy. In November 1999 the GCC side proposed the suspension of the tariff, but the EU did not take any action, although Britain was in favour, France objected and Germany, Spain and Greece abstained.

- As for Oman, the main complaint concerns high EU duties on fishery.

The eventual signing of the FTA is not actually a real issue. There are few obstacles that negotiations should overcome. The European Commission might eventually agree on the elimination of all industrial tariffs, and even on agriculture is ready to go far. Both sides have no strong interests defend in the agriculture sector, although the Commission will not completely open the sector for political reasons, namely the necessity not to set a dangerous precedent at the international level.

5. Policy Suggestions

- The new impetus towards concluding a FTA is to be welcomed. It is undeniable that an agreement will be a stabilisation factor in the area and the latest events cannot but stress the importance of such a strategic goal. From an economic point of view, the EU can profit from an emerging and diversifying market, destined to become more and more important in the coming years. The modernisation and diversification of the GCC countries' markets will also determine diversified trade exchanges, increasingly investment and trade opportunities. Moreover, EU and GCC economies present interesting complementarities such as the increasing GCC need for agricultural products, the structural EU overproduction of agricultural unprocessed and processed foodstuffs.

- In order to achieve the FTA, the EU must continue *encouraging GCC regional integration* that will reduce differences in tariffs and regulations among the GCC countries and create just one interlocutor, thus facilitating negotiations. In this respect, a lot has still to be done in order to go beyond abstract commitments, since the GCC countries are somewhere in between, being six different entities and a unique trade counterpart.

- On sensitive issues, having negotiations started just now, it is very hard to forecast possible results or to draw policy suggestions. However, the EU should try and reach *a package deal*, as they are actually envisaging. A package deal, allowing mutual concessions, might lead to a substantial lowering of EU tariffs on aluminium and petrochemical products, while achieving increased market access for machinery, and more in general for EU services exports: the services market is expected to provide great opportunities as a consequence of the progressive diversification of GCC economies.

- Aluminium and petrochemicals actually deserve particular attention. As for aluminium, a serious assessment of the reality of dumping in the sector is needed. These dumping cases are unilaterally denounced by the EU, while the GCC countries claim that it is just a question of fair and lower production costs and that the real problem is the crisis of the aluminium sector in Europe. In this respect, it is worth noting that the EU countries objecting to or abstaining on the possible suspension of the EU 6% tariffs are the countries directing facing major difficulties in the sector itself (France, Germany, Spain, Greece). With regard to petrochemicals, it is true that the pricing system in the sector is quite clumsy, but it is also undeniable that GCC countries are highly competitive. Therefore the sooner the EU comes to the conclusion that the position will be hardly defendable in the long run, the better it will be for the negotiations and the bilateral relations in general, but also in terms of European domestic industrial strategy.

- Further reflection is needed with respect to the EU industrial policy vis-à-vis the GCC countries. On one hand, as we have just pointed out, the EU protectionist stand in specific sectors, such as petrochemicals and aluminium, does not pay off in the long run. On the other hand, GCC countries claim protection for their infant industries, which actually do not exist yet. Nonetheless this does not mean that GCC countries should necessarily renounce those structural conditions that might trigger their development. Nor should the EU give such a message, by frustrating the importance of industrial development to GCC countries. Therefore, we propose that the FTA be based on a more articulated approach.

- The traditional pattern of FTAs is based on inter-sector trade, namely on the exchange of raw materials against EU manufactured and investment products and services. In *fact a FTA enhancing intra-industry integration*, both horizontal and vertical, would give the GCC countries better chances. It would help overcome the mutual protectionist tendencies and establish more solid and strategically wiser industrial integration.

- Moreover, European industry now seems to be keen to abandon its traditional geographical concentration of economic activity, since it is attracted by the factor cost advantages that third countries offer.

- It is crucial that the *EU should link the EU-GCC FTA process to the WTO framework*, in particular to Saudi Arabia's accession to the WTO. Firstly, there is no doubt that the GCC countries that have already joined the WTO (such as Bahrain, Kuwait, and UAE) have now a relatively open economy when compared to Saudi Arabia. When joining the WTO, Saudi Arabia will be forced to open its economy. It is already doing so, with dramatic ongoing changes, aimed at diversifying the economy, attracting foreign capital, increasing non-oil exports. Secondly, many issues, such as subsidies to the petrochemical industry or Intellectual Property Rights (IPR) protection are common to all GCC countries and need a solution both at the WTO and the EU-GGC level.

- Such a process of modernisation and opening-up provides an opportunity not to be missed. The *EU must play a strategic role* in the integration process of the GCC countries. With respect to Saudi Arabia, its accession to the WTO is already supported by the other major economic powers. The EU should not leave them the possibility to build a preferential relationship and should actively support Saudi Arabia at the multilateral level. Moreover, it is better to work with Saudi Arabia while having it as a member of WTO. Signing the WTO treaty, from the Saudi perspective, makes the whole process of consensus building more streamlined.

- The Iranian situation is a peculiar one. The EU has good trade relations with Iran in terms of trade flows and would benefit significantly from a liberalisation process. Although the geopolitical importance of Iran and EU Member States' growing interests in the country, Iranian accession is still far to come. Iranian reaction to the terrorist attacks and the US-UK military action in Afghanistan is likely to worsen relations with Western countries. However, in the long run it is desirable to establish more solid trade relations, not only for the huge opportunities that the Iranian market might provide for EU business, but also for avoiding isolating such a strategically important actor in the region.

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Abbreviations

APEC: Asia Pacific Economic Cooperation
EC: European Commission
FTA: Free Trade Agreement
GCC: Gulf Cooperation Council
SPS: Sanitary and Phytosanitary measures
TLC: telecommunication
TBT: Technical Barriers to Trade
UAE: United Arab Emirates
WTO: World Trade Organisation

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