



European Commission services' position paper on the Sustainability Impact Assessment in support of the negotiations on an Investment Protection Agreement between the European Union and the Republic of the Union of Myanmar

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1. Introduction

This paper sets out the European Commission services' position on the Sustainability Impact Assessment (SIA) on an Investment Protection Agreement (IPA or Agreement) between the European Union (EU) and the Republic of the Union of Myanmar (Myanmar). The SIA was commissioned by the European Commission's Directorate General for Trade and was carried out by independent consultancy company Development Solutions Europe Limited (consultant). It was completed in June 2016.

SIAs are trade-specific assessments carried out by external consultants to support major trade negotiations. The Commission has been carrying out SIAs as part of the EU's trade policymaking since 1999. They are designed to provide negotiators and policymakers with an evidence-based *ex ante* assessment of the potential sustainability impacts that may arise under a proposed trade agreement¹.

SIAs assess how the trade and trade-related provisions of the agreement under negotiation could affect economic, social and human rights, and environmental issues in the EU and in the partner country/ies, but also in other relevant countries, and propose measures to maximise the possible benefits of the agreement or mitigate possible negative impacts.

The SIA of the EU-Myanmar IPA built on the Impact Assessment conducted by the Commission in 2013 and completed in February 2014², which accompanied the process

¹ For more information about the tools the Commission uses to evaluate EU trade policies, please visit: <http://ec.europa.eu/trade/policy/policy-making/analysis/policy-evaluation/>.

² http://ec.europa.eu/smart-regulation/impact/ia_carried_out/docs/ia_2014/swd_2014_0041_en.pdf.

up to the opening of negotiations on the IPA. It drew on the methodological framework set out in the Commission's [Handbook for Sustainability Impact Assessment](#)³.

The SIA process comprised a wide consultation of interested parties in both the EU and in Myanmar, which enabled the consultant to take into account views from a broad base of actors from different sectors and to raise awareness about the proposed Agreement.

The EU-Myanmar IPA negotiations were officially launched in March 2014. The first four rounds of negotiations took place in February, May and September 2015, and in December 2016. The Agreement aims at promoting sustainable investments by offering EU investors in Myanmar and Myanmar investors in the EU a predictable and secure investment environment while concurrently encouraging their responsible business practices. In particular, the Agreement would protect investors from both sides against discrimination, uncompensated expropriation and unfair treatment while preserving the host state's right to regulate.

The SIA analyses the specific provisions of the IPA from a sustainability perspective. In particular, chapters 4 to 7 of the final report assess the potential economic, social, environmental and human rights impacts of the IPA, whereas chapter 8 provides policy recommendations aimed at maximising the possible beneficial impacts of the Agreement and at mitigating its potential negative externalities.

The report is publicly available on DG Trade's website:

<http://ec.europa.eu/trade/policy/policy-making/analysis/sustainability-impact-assessments/assessments/>

This position paper constitutes the European Commission services' response to the SIA's findings and recommendations. Section 2 of the paper provides an overview of the consultant's findings, focusing on the expected impacts of the IPA. In Section 3, the Commission examines the SIA recommendations and how they have fed into and will continue to feed into the negotiation process. As conclusion, Section 4 provides an overview on the results of the assessment and on the recommendations.

2. Overview of the consultant's findings

The SIA finds that the IPA is likely to have positive economic impacts. The social, environmental and human rights impacts were considered difficult to predict, as they will depend on the sectors of Myanmar's economy which would attract increased EU investments.

³ http://trade.ec.europa.eu/doclib/docs/2016/april/tradoc_154464.PDF. This revised version of the SIA Handbook was published in April 2016 when the final phase of this SIA was well underway. Although the SIA consultants accepted to broadly follow the approach outlined therein, it should be noted that the terms of reference specifying the analytical requirements under which the SIA was produced were based on the previous Handbook.

The assessment is primarily qualitative given the lack of available and reliable data regarding Myanmar. In addition to a review of studies by international organisations and academics, the SIA relied on a wide consultation with interested parties which included a workshop in Yangon, Myanmar, two meetings with civil society organisations in Brussels, and a total of 49 interviews and 15 questionnaires, as well as inputs received by the consultant through other channels.

2.1 Economic impacts

The SIA confirms the economic rationale for an EU-Myanmar IPA. It finds that the Agreement could expand the share of foreign direct investment (FDI) in Myanmar originating from the EU and bring it closer to levels of current leading foreign investor countries. Investment protection would provide greater legal certainty for EU investors and, therefore, incentivise their investments into Myanmar.

In particular, the SIA notes that EU small and medium enterprises (SMEs) investing in Myanmar can be expected to benefit greatly as they typically face disproportionate costs from investment-related obstacles. The IPA may also help raise awareness of investment opportunities for such enterprises in Myanmar and contribute to other EU activities supporting SME investments in the country.

Overall, the assessment estimates that the Agreement would potentially lead to an increase of 5% in the EU's FDI share in Myanmar, reaching 15% by 2025. Given the level of uncertainty about such estimates, the SIA cautions that it does not aim to predict a particular percentage increase but rather that an increase is likely to occur (in comparison to the current political and economic trends in Myanmar).

Additionally, total gross value added (GVA) per capita and labour productivity would slightly increase in the presence of an IPA, in particular in sectors such as transport, telecommunications, textile, food and beverages, fisheries and agriculture.

The consultant however sounds a note of caution about the costs of the IPA's administration as well as potential claims that could be brought by investors under the investment dispute settlement mechanism.

2.2 Social impacts

The SIA concludes that economic gains would not come at the expense of social variables and interests. On the contrary, an increase in FDI from the EU could promote economic stability and growth, increase employment and, as a result, lead to better living standards and reduced poverty in Myanmar.

In particular, the SIA acknowledges that an increase in the number of EU companies operating in Myanmar could have the dual effect of exporting capital *and* corporate social responsibility (CSR) and responsible business conduct (RBC) practices into the country. This could improve working conditions in Myanmar by providing better and

safer jobs, reducing child labour and increasing female labour market participation. The IPA would therefore have a positive impact, especially as compared to the current situation.

On the other hand, the SIA mentions the risk of EU companies cooperating with local enterprises with poor labour conditions. Labour standards and social protection in Myanmar are considered inadequate to offer full protection to the entire labour force, mainly due to poor implementation and enforcement capacity. The current situation is made all the more problematic because most investment agreements signed by Myanmar with other countries do not aim at promoting or guaranteeing decent work.

Against this background, IPA provisions encouraging governments to promote international guidelines and principles on CSR/RBC and provisions on International Labour Organization (ILO) core labour standards could partially mitigate these concerns, though only a sound national regulatory framework for labour and social protection is capable of properly addressing these risks.

2.3 Environmental impacts

The SIA shows that the impact of increased EU investments on the environment in Myanmar would depend on where those investments are directed.

There is a risk that in sectors such as textiles, food and beverages, the scale effect could lead to greater environmental pressures, outweighing improvements from better environmental management by individual operators.

With respect to environmental management, the SIA forecasts an improvement in the environmental legislation and governance as a result of both domestic efforts and international support (e.g. from UN agencies, EU policy support and development cooperation). However, progress will likely depend on the outcomes of the broader reform process underway in Myanmar, including efforts to tackle corruption and mismanagement in areas such as illegal logging.

Finally, the consultant notes that EU companies may bring high internal environmental practices through their overseas operations, as well as call on their local suppliers to provide good environmental management as a precondition for commercial engagement. EU investors' commitment to CSR/RBC will be key in ensuring that business relationships are not established with companies engaging in unsustainable practices, or that local suppliers raise their environmental standards.

2.4 Human rights impacts

At the outset, the SIA notes that the IPA's impacts on human rights are difficult to determine as such impacts are often indirect. In addition, since the scope of the Agreement is limited to investment protection, the SIA notes that its overall impact on human rights is likely to be minimal.

The SIA nevertheless finds that an EU-Myanmar IPA is likely to deliver positive impacts in terms of human rights. An increase in FDI from the EU could promote economic stability and growth, increase employment and, as a result, lead to better living standards and less poverty. The IPA could also contribute to the peace process by bolstering FDI inflows in risk-prone and former conflict zones. Additionally, EU investors would be expected to value and protect human rights, especially as they often include CSR and RBC practices in their business operations. By increasing the share of EU investment, the IPA would therefore benefit the overall human rights situation in Myanmar.

This conclusion is corroborated by input received from stakeholders: 60 per cent of all interviewees and questionnaire respondents considered that the EU-Myanmar IPA would have positive human rights impacts.

The SIA nevertheless signals certain sectors where the risk of human rights violations is higher. For example, EU FDI flow in the telecommunications sector could facilitate sharing of information with the potential to open up society and strengthen democratic processes, but it could also raise concerns about further possibilities for state surveillance and censorship.

Concerns have also been raised regarding large-scale tourism, agro-industry and extractive and energy investments, which historically involved cases of forced evictions, loss of livelihoods, and expropriation without proper compensation. The issue of land tenure and land-grabbing is still considered a high risk in the absence of a clear land regulatory framework, as the land regime lacks formal land titles and does not recognise customary land tenure.

In light of the above, investors may also not adequately consult with local communities on this matter, or their due diligence practices may not be sufficient to determine the exact identity of local business partners. As a result, the acquired land may be the product of illegal land grabbing and forceful eviction. Moreover, additional issues arise regarding land in conflict-affected areas, which are often not included in the national cadastres or considered vacant. Investors may wrongfully and inadvertently contribute to land confiscation as land formerly occupied by displaced population is often classified as vacant.

Finally, the SIA points to the IPA's potential litigation risk linked to Myanmar's ongoing reform process and the instability in the legal framework it creates for investors. The consultant echoes stakeholders' calls for Myanmar to retain sufficient space under the IPA to take legitimate policy actions, especially for the protection of human rights, labour rights or the environment.

3. Commission services' views on the consultant's findings and recommendations

The consultant lists a set of trade, investment and cooperation-related recommendations with the purpose of enhancing the positive impacts and preventing or mitigating the negative impacts that they have identified in their report.

This section highlights the consultant's main recommendations, as presented in the executive summary and in chapter 8 of the final report, and provides the Commission services' response.

3.1 Guaranteeing the promotion and protection of sustainable investments

First, the consultant emphasises that the EU-Myanmar IPA should include provisions to encourage EU and Myanmar investors' compliance with international labour, environmental and human rights standards and encourage responsible behaviours by investors.

The Commission services **agree** with the importance of including a sustainable development chapter in the Agreement, derived from similar provisions in the EU-Canada Comprehensive Economic and Trade Agreement (CETA). The Commission services are in fact negotiating with Myanmar an ambitious chapter on investment and sustainable development, including commitments to high levels of environmental and labour protection in domestic law. The chapter would also promote investment favouring sustainable development.

A commitment to ratify and implement the fundamental ILO Conventions and the multilateral environmental agreements would *inter alia* be included in the agreement. The Parties would also commit to promoting the uptake by companies of internationally agreed principles and guidelines on CSR/RBC, such as the OECD Guidelines for Multinational Enterprises, which fully integrate the UN Guiding Principles on Business and Human Rights.

At an international level, the EU has introduced resolutions on the situation of human rights in Myanmar which were adopted by the UN Human Rights Council. The resolution adopted in March 2016 encourages all business enterprises, including transnational corporations and domestic enterprises, to respect human rights in accordance with the Guiding Principles on Business and Human Rights, and calls upon the Government of Myanmar and the home States of business companies operating in Myanmar to fulfil their duty to protect human rights⁴. In March 2017, the EU sponsored another resolution on the situation of human rights in Myanmar, which reiterates

⁴ <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G16/062/86/PDF/G1606286.pdf?OpenElement>.

Myanmar's duty to protect human rights and calls upon home States to set out clearly the expectation that all their companies operating in Myanmar are to respect human rights⁵.

3.1.a The right to regulate as part and parcel of the Agreement

The consultant calls on the IPA to allow both parties to engage in legitimate regulatory actions without the risk of liability to investment dispute and compensation claims. According to the consultant, this would require sufficiently strong clauses on the right to regulate and general exceptions, as well as a clear definition of 'fair and equitable treatment' and of 'indirect expropriation' to avoid excessive interpretations, as well as frivolous or bad-faith claims.

The Commission services share these concerns and **broadly agree** with the recommendations. As the SIA itself notes, recent EU agreements such as CETA and the EU-Vietnam FTA already set a very high benchmark with respect to the protection of the right to regulate, notably when compared with the approach taken in other investment agreements concluded by Myanmar. This approach is also well suited for an IPA with a country such as Myanmar that is engaged in an active reform process.

The EU-Myanmar IPA will re-balance the context in which investment protection standards are interpreted by giving substantive guidance to the adjudicators of investment disputes. Besides a reference in the preamble to the right to regulate (a significant innovation as compared to the traditional approach to refer exclusively in the preamble to the economic imperative of promotion and protection of investments), the EU intends to pursue its practice of including a specific clause expressly preserving the right to regulate, in addition to precisely worded standards of protection. For instance, denial of 'Fair and equitable treatment' will be limited to a clear, closed list of behaviours consistent with consolidated judicial views in the EU, such as denial of justice or arbitrary conduct. The notion of 'indirect expropriation' will be clearly explained, to avoid claims against legitimate public policy measures. Moreover, the EU intends to allow for general public policy exceptions in line with those in the WTO agreements. Finally, the EU and Myanmar will also be able to adopt binding interpretations of the IPA.

3.1.b An improved dispute settlement mechanism

The consultant stresses also the need to extend the recent dispute settlement mechanism known as investment court system to the EU-Myanmar IPA in order to address the concerns about the lack of transparency and legitimacy within some existing Investor-State Dispute Settlement (ISDS) mechanisms. The dispute resolution mechanism adopted should be open to third parties and allow them to submit evidence or

⁵ <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G17/073/88/PDF/G1707388.pdf?OpenElement>.

arguments. The adjudicating body should include human rights, labour rights and environmental experts.

The Commission services **agree** with these recommendations. As noted in the SIA, the Commission is proposing an investment court system to replace the existing ISDS mechanism in all ongoing and future EU investment negotiations, including the EU-Myanmar IPA. An investment court system is built around the same key elements as domestic and international courts, with permanent judges appointed by the Parties to the Agreement, an appeal mechanism, strict rules of ethical behaviour for the members of the Tribunal which guarantee their full independence and impartiality. The proceedings will be transparent with all documents (notably submissions by the parties and decisions of the Tribunal) publicly available and all hearings open to the public. Third parties will be able to submit *amicus curiae* briefs in accordance with the UNCITRAL Transparency Rules. Interested third parties, such as local communities, would also be able to make submissions, present evidence and attend the hearings. The members of the Tribunal will need to have demonstrated expertise in public international law and will have the ability to appoint one or more experts to report on any factual issue concerning environmental, health, safety, or other matters raised in the dispute.

3.1.c Appropriately circumscribed most favoured nation treatment clause

The SIA recommends including in the IPA an article expressly excluding the right of investors to claim that ‘most favoured nation treatment’ (MFN) entitles them to use the same provisions as those included in investment agreements with third countries. According to the consultant, the lack of human rights and environmental protections included in Myanmar's investment agreements with other countries may allow EU investors to claim the benefit of more favourable provisions in those areas through the MFN treatment.

The Commission services **agree** with the recommendation. As the SIA notes, EU agreements such as CETA and the EU-Vietnam FTA clarify that the MFN treatment (i) excludes procedures for the resolution of investment dispute between investors and states, and (ii) extends *only* to substantive treatment that results in concrete measures granted to other foreign investors. Moreover, under EU agreements the Parties commit not to waive or derogate from their environmental or labour laws as an encouragement to attract foreign investors in their territory. The Commission intends to follow the same approach on these issues in the EU-Myanmar IPA.

3.1.d Sustainable development provisions should encompass all related issues

The SIA recommends that the provisions on sustainable development should not take a selective approach, by excluding certain areas of labour and human rights, but rather encompass all related issues. The SIA also recommends that the sustainable development chapter should be flanked with effective enforcement measures, as well as mechanisms to address impacts of investment agreements on human rights, while considering lessons from related international initiatives.

The Commission services **broadly agree** with the intent of the recommendation. The EU intends to address in a dedicated chapter on sustainable development all fundamental rights that are of main relevance in the context of the Agreement, in this case an investment protection agreement. Additionally, under the IPA, the EU and Myanmar will retain the right to pursue legitimate public policy objectives, including the promotion and protection of labour and human rights.

The Commission services point out that EU agreements foresee a mechanism allowing the Parties to submit any dispute with respect to the interpretation or the application of the sustainable development chapter to a panel of experts, which may make recommendations for its solution. Moreover, the committee established under the Agreement will be able to address any issue relating to the implementation of the IPA, including on sustainable development. Finally, as explained in points 3.1.e and 3.2 below, the IPA will promote the uptake by companies of CSR/RBC practices such as the OECD Guidelines on Multinational Enterprises (OECD Guidelines for MNEs), and National Contact Points (NCPs) under these Guidelines constitute a useful tool to handle enquiries, and contribute to the resolution of issues that may arise from the alleged non-observance of the Guidelines.

3.1.e CSR and RBC objectives as part of the Agreement

The SIA recommends including in the Agreement CSR and RBC objectives in relation to European companies operating in Myanmar, encouraging them to adhere to similar CSR/RBC practices as are upheld in the EU, tailored to local conditions.

The Commission services **agree** with the recommendation. The EU approach to trade/investment and sustainable development chapters in its bilateral trade and investment agreements includes commitments by the Parties to promote the uptake by companies of internationally agreed principles and guidelines on CSR/RBC. Examples of such principles are the abovementioned OECD Guidelines for MNEs, the United Nations Global Compact and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.

The EU's commitment is based on its 2011 Communication on CSR⁶ and is also reflected in the 2015 'Trade for All' communication⁷. The EU has developed a holistic approach to CSR/RBC through several internal and external policy initiatives. This includes active participation in international fora (OECD, ILO, UN Human Rights Council), dedicated partnerships (e.g., the Initiative to Promote Fundamental Labour Rights and Practices in Myanmar described below) and specific projects (e.g. EU SWITCH-Asia's⁸ SMART Myanmar⁹ project promoting sustainable consumption and

⁶ A new communication on CSR is currently under preparation.

⁷ http://trade.ec.europa.eu/doclib/docs/2015/october/tradoc_153846.pdf

⁸ <http://www.switch-asia.eu/>.

production of garments "Made in Myanmar"; EU Action to support responsible supply chains in six Asian countries, including Myanmar, by promoting responsible business conduct approaches addressing notably environmental protection, decent working conditions and the respect of human rights¹⁰).

Under the non-financial reporting directive (Directive 2014/95/EU), large EU public interest entities with over 500 employees must also report on their development, performance, position and impact of their activity relating to, as a minimum, environmental, social and employee matters, respect for human rights, anti-corruption and bribery matters.

3.2 The Parties to the agreement should consider what existing mechanisms can be used to strengthen implementation and enforcement of international labour, environmental and human rights standards in Myanmar

The SIA notes that, although the enforcement of human rights standards needs to be implemented by the national government, in light of Myanmar's weak implementation and enforcement system with respect to international labour, environmental and human rights standards, existing mechanisms should be considered to strengthen the application of such standards.

The Commission services **agree** that mechanisms such as the NCPs under the OECD Guidelines for MNEs constitute a useful complement to handling enquiries. By contributing to the resolution of issues that may arise from the alleged non-observance of these Guidelines, they help strengthen the application of international labour, environmental and human rights standards. NCPs set up in EU Member States can address issues related to the behaviour of companies headquartered in these Member States taking place in the EU and in Myanmar.

Moreover, in order to support Myanmar, the Commission services are also adopting a comprehensive approach by mobilising all the instruments at their disposal, such as political dialogue and development cooperation – including technical cooperation¹¹ on CSR/RBC (e.g. EU SWITCH-Asia's SMART Myanmar project; EU co-financing of OECD/ILO project on responsible supply chains).

⁹ <http://www.smartmyanmar.org/>.

¹⁰ http://ec.europa.eu/dgs/fpi/documents/2016-aap/20160527_1_a7_-_c_2016_2989_f1_annex_en_v1_p1_850179_en.pdf.

¹¹ The July 2008 Backbone Strategy on Reforming Technical Cooperation and Project Implementation Units for External Aid provided by the European Commission identifies 4 purposes of technical cooperation: 1) Capacity development, 2) Policy and/or expert advice, 3) Support for preparation/facilitation; and 4) Support for implementation.

3.3 *Ex post* EU-Myanmar IPA evaluation should focus on sensitivities identified by the SIA team

When conducting *ex post* evaluation, the consultant calls on the Commission to scrupulously scrutinise sectors where investment projects involve land acquisition and other sensitivities identified in the SIA.

The EU takes the risks on land evictions very seriously. This is an important issue of governance and land management, which is already part of the EU's regular dialogue with Myanmar authorities¹². As Myanmar develops and grants land to private companies for investment projects, it will be important for its authorities to ensure prior consultations with affected third parties and that proper compensation is given to the communities affected by evictions.

After enough time has passed to gather an adequate amount of evidence, the Commission will launch an *ex post* evaluation into the effects of the IPA. The Commission will ensure that this evaluation focuses on the sensitivities identified in the SIA. The results of this evaluation will allow the Commission to understand whether the Agreement has worked as expected in achieving its objectives.

In any event, EU investors remain bound to respect domestic legislation when operating in Myanmar, including laws related to acquisition of land. Their investments will be based on a realistic understanding of the specific land issues and an awareness of the progressive development of a legal framework in Myanmar.

The EU also supports civil society organisations working for the defence of human rights. As an example, one of the projects co-financed by the EU in Myanmar contributed to the resolution of land issues and the return of land to families.

3.4 The EU-Myanmar IPA should work in tandem with EU technical cooperation initiatives

Lastly, the consultant advises EU-Myanmar IPA negotiators to work in tandem with EU technical cooperation initiatives. This would in fact strengthen Myanmar's implementation and enforcement systems, notably with respect to ensuring international labour and environmental standards, and social inclusion.

The Commission services **agree** with the importance of fostering synergies between the IPA and EU technical cooperation. The IPA will provide further economic opportunities and contribute to sustainable growth while underscoring commitments to responsible

¹² See, for instance, the EU-Myanmar Human Rights Dialogue (https://eeas.europa.eu/headquarters/headquarters-homepage_en/15867/3rd%20Myanmar-EU%20Human%20Rights%20Dialogue) and specific cooperation project on land use policy in Myanmar (see Section 3.4 below).

investment through a dedicated sustainable development chapter and several cooperation initiatives.

On 1 June 2016, the High Representative for Foreign Affairs and Security Policy and the European Commission adopted a Joint Communication on Myanmar¹³. This strategy lays out a plan for coherent EU engagement and intensified cooperation with the country to overcome the challenges it faces. On 20 June 2016, the Council adopted conclusions on an EU strategy with Myanmar welcoming the Joint Communication¹⁴.

With specific regard to labour rights initiatives, since May 2015, the EU has participated in the "Initiative to promote fundamental labour rights and practices in Myanmar" with the Governments of Myanmar, the United States, Japan, Denmark and the ILO¹⁵. The Initiative is supporting the government and stakeholders in promoting fundamental labour rights and responsible business practices, helping to make Myanmar an attractive sourcing and investment destination, protecting Myanmar's workers and supporting its businesses, and advancing the country's overall sustainable growth and development.

The EU's SWITCH-Asia SMART Myanmar project supports sustainable consumption and production of garments 'Made in Myanmar'.

The Myanmar Trade Development Programme, co-financed by the EU and Germany, provides technical cooperation in the areas of (i) trade policy and private sector development, (ii) trade facilitation, (iii) food safety and (phyto)sanitary standards, and (iv) quality infrastructure.

The EU is also providing technical cooperation to the Ministry of Natural Resources and Environmental Conservation (MoNREC) on land use planning, including on the preparation of the National Land Use Policy, and on the completion of the first National Land Inventory.

4. Conclusion

The SIA confirmed the potential economic benefits, as well as the overall positive social, environmental and human rights impacts that the EU-Myanmar IPA could have on Myanmar. The consultant also identified specific risks associated with the Agreement and proposed a number of policy measures to maximise the benefits of the IPA while mitigating potential risks.

¹³ http://eeas.europa.eu/archives/docs/myanmar/docs/join_2016_24_f1_communication_from_commission_to_inst_en_v5_p1_849592.pdf.

¹⁴ <http://data.consilium.europa.eu/doc/document/ST-10482-2016-INIT/en/pdf>.

¹⁵ http://trade.ec.europa.eu/doclib/docs/2016/september/tradoc_154986.pdf.

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The Commission services have taken note of the findings and recommendations of the SIA and as described above have already taken them into account as much as possible during the negotiating process that started in March 2014 and has continued until now.

In general, the Commission services fully agree that, to ensure the best possible result, it will be important not only to foster investment, but also to strengthen Myanmar's implementation and enforcement systems with respect to ensuring international sustainable development standards.