



STATE OF THE UNION 2017



A TRANSPARENT AND INCLUSIVE TRADE NEGOTIATION PROCESS



'Open trade must go hand in hand with open policy making. The European Parliament will have the final say on all trade agreements. So its Members, like members of national and regional parliaments, must be kept fully informed from day one of the negotiations. The Commission will make sure of this. From now on, the Commission will publish in full all draft negotiating mandates we propose to the Council. Citizens have the right to know what the Commission is proposing.'

European Commission President Jean-Claude Juncker, State of the Union Address, 13 September 2017

Trade agreements are made with citizens and their representatives - Parliaments – not against them. The EU process for negotiating trade agreements is fully democratic and the Juncker Commission has over the past two years taken big leaps forward to make it more transparent and inclusive, enhancing the **involvement of national Parliaments and civil society**. During the State of the Union address, President Juncker announced additional steps.

TAKING TRANSPARENCY AND INCLUSIVENESS EVEN FURTHER



PUBLICATION OF ALL PROPOSALS FOR NEW NEGOTIATING MANDATES

As of now, the European Commission will **publish its Recommendations for negotiating directives for trade agreements** (known as **negotiating mandates**), at the same time as it sends them to Member States in the Council.

This means that these Recommendations are now **automatically available** to the members of the European Parliament, all national Parliaments and the general public. This will enhance transparency and will allow for earlier public engagement. The Commission asks Member States to ensure the involvement of the relevant national and regional stakeholders in trade talks at the earliest possible stage.

The Commission continues to **call on the Council** to follow the same transparency approach and publish its decisions to open trade negotiations and the accompanying negotiating directives once it has adopted them.



CREATION OF AN ADVISORY GROUP ON EU TRADE AGREEMENTS

The Commission has decided to create an **Advisory Group on EU trade agreements**. Through this group the Commission will benefit from the perspectives and insights of a wide and balanced group of stakeholders, ranging from trade unions, employers organisations, consumer groups and other non-governmental organisations.

THE MEASURES ANNOUNCED BY PRESIDENT JUNCKER COMPLEMENT PRIOR INITIATIVES TO IMPROVE TRANSPARENCY AND OPENNESS AT ALL STAGES OF THE NEGOTIATION AND IMPLEMENTATION OF TRADE AGREEMENTS



PUBLICATION OF EU PROPOSALS IN THE NEGOTIATIONS AND EXPLANATORY MATERIAL

Since October 2015, the Commission has published online the EU's **initial proposals for legal texts** of chapters of the agreements under negotiation once these have been tabled in the negotiations.

The Commission also provides explanatory material to **make the information more accessible** (factsheets, statistics, maps of companies that export to our trading partners, stories of entrepreneurs explaining how trade agreements help them expand their activities).



PUBLICATION OF NEGOTIATION ROUND REPORTS

After each negotiating round, the Commission publishes a round report **to inform the public** about the progress made in the negotiations.



SWIFT PUBLICATION OF THE TEXT OF THE NEGOTIATED AGREEMENT

At the end of the negotiations, **the Commission publishes text of the agreement as soon as possible**, as it stands, without waiting for the full legal revision to be completed. This offers a long period of time for anyone interested to analyse the results of the negotiation ahead of the public debate accompanying the ratification process.



ASSESSMENT OF THE ECONOMIC, SOCIAL AND ENVIRONMENTAL IMPACTS OF TRADE AGREEMENTS: BEFORE, DURING AND AFTER

Before engaging in any trade negotiations the Commission first conducts an impact assessment. Another study, focused on environmental and social aspects, is carried out during the negotiating process. Finally, the Commission assesses the actual impact of a trade agreement already in place. In recent years, those studies are increasingly focused on consumer protection, human rights and the interests of small companies. The studies involve a thorough public consultation.



INVOLVEMENT OF CIVIL SOCIETY IN IMPLEMENTING TRADE AGREEMENTS

Since the EU-Korea trade agreement, the EU negotiates provisions giving civil society in both the EU and its partner countries **a formal role in monitoring** how the sustainable development provisions of trade agreements are implemented. In future negotiations, the EU will propose to its partners to extend this oversight role to all provisions of trade agreements.



Dialogue with civil society on trade policy

A dedicated structure of the Civil Society Dialogue serves as a permanent framework for Commission's engagement with **466** registered civil society organisations;

43 civil society dialogue meetings on trade with over **2000 participants** were held in 2015-2016.

In **addition**, EU Trade Commissioner Cecilia Malmström held **12 citizens' dialogues** in EU Member States in the past 2 years.

ADVISORY GROUP ON EU TRADE AGREEMENTS



WHY NOW?

The interest of European citizens in trade policy has significantly increased over last years. The new Expert Group will make it possible for the Commission to draw on the insights and advice of a wide range of stakeholders when conducting trade negotiations.

The new group will build on previous experience in trade negotiations and will complement other well-established structures such as the Civil Society Dialogue.



WHAT WILL THE NEW EXPERT GROUP DO?

The group will provide **technical expertise and practical experience** relevant to negotiations in bilateral, plurilateral and multilateral trade agreements. It will also advise the Commission on:



- the different perspectives the stakeholders that they represent may take on specific issues
- the overall implementation of trade agreements
- the perception and public debate on trade agreements and issues requiring particular attention



WHO WILL BE PART OF THE GROUP?

The group will be composed of 20-30 members. A public call for applications will follow in the coming weeks so that interested organisations can express their interest. The Commission will seek an inclusive and balanced representation from stakeholders bringing together representative organisations with expertise in economic, social, ethical and/or environmental aspects of EU trade policy. **The selection of the group's members should be completed by the end of the year.**



TRANSPARENCY

The expert group's meeting agendas and minutes will be published in the Commission's **Expert Groups' Register**. The European Commission will continue to organise regular debriefings and discussions on various aspects of trade policy as part of its existing Civil Society Dialogue and meet citizens in the Member States as part of the citizens' dialogues.

HOW THE EU NEGOTIATES TRADE AGREEMENTS

HOW IT WORKS

The Commission does a 'scoping exercise' & impact assessment, including public consultation



The Commission proposes the negotiating directives to the Council of the EU
This proposal is simultaneously sent to the European Parliament, national Parliaments and published to facilitate the public debate



The Council adopts the negotiating directives and instructs the Commission to negotiate on behalf of the EU



The Commission negotiates on behalf of the 28 EU countries under close scrutiny of the Council and the European Parliament
During this process, Council and Parliament **meet with the negotiators** and **receive negotiating documents and reports**

EU negotiating proposals, round reports and explanatory **documents are published throughout the process**

Commission negotiators hold regular meetings with **stakeholders and civil society**

At the end of the negotiations, **the Commission publishes text of the agreement as soon as possible**

Depending on the nature of the agreement:



The Council approves the results of the negotiation



The Parliament gives its consent on the agreement

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The agreement is ratified by National Parliaments in each Member State

