



Council of the
European Union

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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Review of Trade and Sustainable Development provisions in trade
agreements
- Request by the Netherlands delegation

Delegations will find in ANNEX a document submitted by the Netherlands delegation concerning the above mentioned item requested by the Netherlands delegation and supported by the delegations of Belgium and Luxembourg, to be presented under "Any other business" at the Foreign Affairs/Trade Council on 11 November 2021.

Review of Trade and Sustainable Development provisions in trade agreements

**AOB item requested by the Netherlands and supported by Belgium and Luxembourg for the
FAC Trade (11 November 2021)**

Trade policy provides the EU with a powerful instrument to promote open, rules based trade and sustainable development. Especially bilateral trade agreements can leverage sustainable development goals and the transition to a green economy. The EU has used its market power to engage in dialogue with third countries and obtain commitments that reinforce ambitions to mitigate climate change, improve labor rights and protect biodiversity.

Bilateral trade agreements are under scrutiny from various stakeholders, some of which raise concerns about sustainable development aspects. EU citizens have indicated that they see protection of the environment as a priority in the context of trade agreements. On the 21st of October the European Council spoke about the future of trade policy and the need for the EU to effectively conclude trade agreements. Trade and Sustainable Development provisions play an essential role in the ongoing discussion about the future of trade agreements.

In the Communication about the Trade Policy Review the European Commission committed to conducting an early review of the EUs approach to trade and sustainable development provisions¹ in 2021. This review is very timely, considering the current debate about trade agreements. In the context of this review, a comparative study is being executed by an external consultant. The inception report was published on the 23rd of September. Online public consultations for stakeholders will close by the end of November. The Commission organized a second Civil Society Dialogue with stakeholders on the 26th of October during which and update of the ongoing work was be presented. Beginning of 2022 the final result of the review will be presented.

¹ presented in the 15 point action plan

The Netherlands, Belgium and Luxembourg are committed to contributing to the review of the EU's approach to Trade and Sustainable Development provisions. Furthermore, we believe the Council should be involved in the review already in an early stage. Considering the timeframe for the review and ongoing discussions, the Foreign Affairs Council Trade in November is the right moment for the Commission to give its first impressions of the stakeholder consultation and update the Council on the process going forward. This would also provide Member States with an opportunity to share preliminary impressions and ideas based on their stakeholder consultations.
