

Trade for All score card

based on analysis of the Trade for All Strategy

NAME	DATE	EXPLANATION
DG Trade	November 2017	A = Excellent B = Good C = Average D = Poor F = Failing

Subject

Grade

Transparency

Performance:

- EU textual proposals are now published online.
- Draft negotiating mandates are published for all trade agreements and sent to national parliaments.
- More frequent Civil Society Dialogues meetings are occurring.
- Call for Trade Expert Group makes discussion more inclusive and broad.

B

Room for improvement:

- Old negotiating mandates, such as for MERCOSUR and Mexico are not published.
- Evaluations such as impact assessments or sustainability impact assessments have a rather superficial approach to environmental concerns (like CO₂ accounting) in comparison to other areas (e.g. human rights).

Sustainable Development

Performance:

- The inclusion of climate change commitments in the Japan, Mexico, MERCOSUR and Indonesia proposal is positive as are the review clauses such as in CETA.

C

Room for improvement:

- Real monitoring and enforcement mechanisms are still only available for GSP+ agreements; the recent non-paper only provided rather vague options.
- TSD chapters are not subject to state-to-state-dispute settlement.
- Trade liberalisation is not conditional upon compliance with Multilateral Environmental Agreements (MEA).

Regulatory Cooperation, Standards and Investment Protection

Performance:

- The move away from ISDS to Investment Court System (ICS) to the Multilateral Investment Court (MIC) is a first step, however, this is a only procedural arrangement. The problem remains the substantive investment law with clauses such as fair and equitable treatment (FET) of investors.

C

Room for improvement:

- Regulatory cooperation in CETA is only voluntary, which is welcomed. However, it still gives disproportionate consideration to trade concerns, slowing down of domestic regulatory process, lobbying and political pressure (e.g. watering down of Fuel Quality Directive (FQD) during CETA negotiations).

Energy Imports

Room for improvement:

- Energy and Raw Material (ERM) chapters are old-style, focussing on carbon-intensive energies that are easily traded and transported; fossil fuel subsidies are not tackled in FTAs.
- Insufficient promotion of renewable energies in ERM chapters.
- ERM chapters do not have a commitment to tackle climate change or uphold Paris decarbonisation ambition.
- No commitment that trade in ERM will in no way undermine the EU's internal renewable energy policies (e.g. trade in crop-based biofuels and current RED II review).

F

Ships, planes and global value chains

Room for improvement:

- No acknowledgement of the negative climate impacts (higher CO₂ emissions) of increased shipping, aviation and freight due to increased global trade flows.

F