



Civil society letter calling for the EU to put human rights and sustainability front and centre of the Free Trade Agreement negotiations

25 April 2018

To:

Vice-President Jiri Tapani Katainen
 Vice-President Frans Timmermans
 Trade Commissioner Cecilia Malmström
 Environment Commissioner Karmenu Vella
 Agriculture and Rural Development Commissioner Phil Hogan
 International cooperation and Development Commissioner Neven Mimica
 High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini

Cc:

Sandra Gallina, Chief Negotiator, European Commission
 MEP José Ignacio Salafranca, MEP Nicola Danti, MEP Joachim Starbatty, MEP Dita Charanzova,
 MEP Helmut Scholz, MEP Heidi Hautala
 Council Trade policy committee attachés

Dear Vice-Presidents and Commissioners,

We, the undersigned organisations working in the field of environment, human rights, development, food/agriculture, wildlife conservation and animal welfare, urge you to place sustainable development and the public interest at the core of the EU-Mercosur Free Trade Agreement (FTA) negotiations and adopt strict legislative safeguards that will limit the FTA's negative impacts on people, the environment, and animals.

The new Sustainability Impact Assessment (SIA) in support of EU-Mercosur negotiations is still ongoing, but it has been characterised by a lack of inclusive consultation. The 2009 EU-Mercosur SIA, however, already highlights a number of potential negative impacts linked to a significant expansion in agricultural production attributable to the EU Mercosur trade negotiations.

It states that “the trend from small-scale to large-scale agriculture (both for soybean and cattle production) has led to land concentration and displacement of small farmers”, that “additional land for agricultural production is expected to come from forest clearance, resulting in the loss of livelihoods for indigenous people”. It underlines that the expansion of beef, soy and other products “would add to existing long-term pressures on forests which need to be addressed by a stronger regulatory regime”. It also highlights “a potentially significant loss of global biodiversity from

increased agricultural production in Mercosur, particularly of biofuels”, and notes lower animal welfare standards in Mercosur countries.

Such impacts have not yet been addressed and concerns around sustainable trade receive only a brief mention in the current draft of the trade and sustainable development chapter. Even in that chapter, provisions are vague and not subject to the general dispute settlement mechanisms.

If concluded as it stands today, the EU-Mercosur FTA would hamper the Parties’ efforts to comply with the Paris Climate Agreement and the Sustainable Development Goals. It will also undermine the EU’s sustainable transport plans, because of increased biofuels imports. Removing trade barriers with this region would increase European demand for cheap, unsustainable agricultural products and biofuels from South America, drive additional deforestation and conflicts over land, contribute to wildlife trafficking, biodiversity loss and higher overall greenhouse gas (GHG) emissions. In addition, by improving market access for animal products without any condition on animal welfare, the FTA will lead to more animals suffering in production systems with lower standards.

The European Commission must learn from the Ombudsman’s decision in case 1409/2014/MHZ on the European Commission’s failure to carry out a prior human rights impact assessment of the EU-Vietnam FTA. The decision states that the Commission should conduct a human rights impact assessment “before the agreement is concluded”. It also clarified that “when negative impacts are identified, either the negotiated provisions need to be modified or mitigating measures have to be decided upon”. We therefore call on the Commission to ensure the ongoing sustainability and human rights impact assessments of the EU-Mercosur free trade agreement are conducted in a comprehensive and participatory way and that their findings are taken into account before concluding the negotiations, according to the rules set out in the Commission’s handbook for trade sustainability impact assessments and article 21 of the Treaty on the European Union.

In addition, in the words of the European Commission in its non-paper on Trade and Sustainable Development chapters, the “trade policy alone cannot solve all the problems of the world in these areas”, we call on you and the other Commissioners to:

- present an EU Action Plan on deforestation and forest degradation, as requested under the 7th EU Environment Action Programme, including legislative measures to ensure that EU supply chains and financial flows and investments do not result in deforestation and forest degradation, or human rights violations.
- seize the opportunity of ongoing reform of the Common Agricultural Policy to diversify protein production, including meat alternatives, and support the transition towards agro-ecological practices.
- put an end to the current seven-year stalemate and produce the regulations needed to further improve animal welfare in the EU, also covering imported products.

We thank you for your kind consideration and look forward to your reply.

Yours sincerely



Perrine Fournier
Forests and Trade campaigner, Fern

Also on behalf of

International & European networks

ACT Alliance EU
Client Earth
Compassion in World Farming
Eurogroup for animals
Global Witness
Greenpeace
Rettet den Regenwald
Slow Food
Transport & Environment
Wildlife Conservation Society

National organisations

Les Amis de la Terre, FR
Arbeitsgemeinschaft bäuerliche Landwirtschaft (AbL), DE
ATTAC Argentina, AR
Attac Deutschland, DE
ATTAC España, ES
Berliner Wassertisch, DE
Eesti Metsa Abiks (Estonian Forest Aid), EE
Envol Vert, FR
Focus Association for Sustainable Development, SI
Institute for Sustainable Development, SI
Network For Health And Relief Foundation, GH
Robin Wood, DE
Strategic Youth Network For Development, GH
Umanotera, SI