

# THE CONSUMER CHECKLIST FOR THE EU - AUSTRALIA TRADE AGREEMENT



## CONSUMERS AT THE HEART OF THE AGREEMENT

The EU-Australia deal must involve and protect consumers, and bring them real benefits. The best way to achieve these objectives would be to include a chapter dedicated to consumers. This will ensure negotiators do not forget consumers, as is often the case. The chapter should set consumer objectives which both trade partners must adhere to but not create substantial rules by itself. (see model chapter).



## REDUCED PRICES AND WIDER CHOICES

Trade benefits are not automatically passed on to consumers, contrary to popular belief. Many factors come into play. Both sides must ensure consumers see the difference when they are shopping. This can be achieved through clearly modelling the benefits of the agreement before finalising the text. Authorities of both sides should also supervise the competitiveness of markets affected by the trade agreement. Such supervision could ensure that the reduction of costs for companies will be fairly shared with consumers.



## TANGIBLE BENEFITS

Further than price reduction and increased choice, this agreement should set a precedent and bring tangible benefits to consumers. This can include easy access to redress if something goes wrong with a purchase, as well as reducing telecommunications costs and geo-blocking.



## HIGH LEVELS OF CONSUMER PROTECTION

Trade must benefit and protect all. The EU-Australia trade agreement must uphold consumer protection levels on both sides. Existing consumer protection on food, product, health safety standards, cosmetics, financial services or access to medicines should not be used as a bargaining chip.



## SECURED DATA PROTECTION AND PRIVACY RIGHTS

The EU and Australia should explore the possibility of an adequacy agreement on data protection first, rather than introducing rules on data flows in their trade deal. If they would decide otherwise, then they should only include the recent EU horizontal approach on data protection and trade, not the data flow provisions of the Pacific trade deal (CPTPP).



## CONSUMER PROTECTION PRESERVED FROM FOREIGN INVESTORS ATTACKS

An EU-Australia agreement should not contain an ISDS or ICS regime as this would put consumers at risk, even in a parallel investment agreement. Foreign investors could attack a consumer protection measure at arbitration panels which would be unacceptable to consumers.



## POSITIVE AND VOLUNTARY REGULATORY DIALOGUES TO PROTECT CONSUMERS

Dialogues between EU and Australian regulators should aim at enhancing consumer welfare and must remain voluntary. A trade agreement is not the place to create or manage such dialogues, they should be handled in a parallel process. The deal should not be used to define a checklist for good regulatory practices.



## TRANSPARENT NEGOTIATIONS

Transparency during the negotiations must be very high. We expect negotiating texts of both sides to be made available to the public, as well as consolidated texts.

