

The Consumer Voice in Europe

Ref.: BEUC-X-2019-086

11 December 2019

Subject: The consumer mission letter for trade

Dear Commissioner,

I would like to congratulate you on your appointment as European Commissioner for Trade on behalf of BEUC, The European Consumer Organisation, which represents 45 national consumer groups from 32 European countries.

To support you in this important task, we would like to present you with what we believe should be your mission in integrating consumer interests into your policy portfolio.

Why trade matters for consumers

The EU has an ambitious trade and investment agenda. Consumers [expect benefits as well as protections when it comes to globalisation](#). The EU should play a leading role in championing consumers on the world stage.

The current shortcomings

One root of public discontent with recent trade deals like CETA is that they touch upon issues that go far beyond tariffs and quotas. Some of these issues – such as regulatory co-operation, good regulatory practices and rules on data flows – risk undermining consumer protections if not handled carefully. Moreover, these trade agreements do not give EU citizens the impression that they are crafted for their benefit. Furthermore, consumer protection is still at risk in the new [Investment Court System](#). The Commission has already acknowledged some of these shortcomings in its 2017 reflection paper on harnessing globalisation, but follow up to this recognition is still needed.

Our proposals for your mission: making trade work for consumers

Consumer organisations across Europe are closely following the development of trade policy. We will particularly keep an eye on [e-commerce negotiations](#) at the World Trade Organization, as well as talks with the [United States](#), [Australia](#) and [New Zealand](#). The [future relationship with the United Kingdom](#) is also of key importance to the European consumer network.

Consumer groups expect an approach from the European Commission that 'breaks down silos' by looking at the links between trade policies and other areas such as **enforcement of consumer rights, product safety, digital rights and sustainability**.

One of your first tasks as Commissioner will be to propose a [new strategy for EU trade policy](#). To make this work for consumers, we encourage you to articulate this strategy around five key objectives:

1) Serve and protect consumers

EU trade policy must bring benefits to consumers while preserving the ability of the EU to regulate in the consumer interest. We call on you to support the introduction of a [consumer chapter](#) in trade agreements. This chapter would compile different aspects that define how a trade agreement should benefit and protect consumers. We also call on you to confirm that the new Commission endorses the [EU horizontal position on cross-border data flows, data protection and privacy](#) in trade agreements when negotiating with third countries on digital trade.

2) Break down silos between EU policy areas

Trade is a cross-cutting public policy area. Many people do not realise to what extent their daily life is related to trade. This matters to consumers: not only because it impacts their basket of goods, but also because it influences how their governments decide to regulate. Beyond that, trade is also a key driver in geopolitics. We call on you to work towards breaking down the silos between trade and other EU policies. There should be more cross-cutting work between Directorate-Generals of the European Commission to ensure that trade policy is consistent with other policies, such as consumer protection. Regular discussions should be organised with Member States about the lack of enforcement of EU law by foreign traders. We notably draw your attention to the fact that consumers increasingly purchase online [products sold by traders from across the globe](#); these products often do not comply with EU rules such as product safety nor do the traders respect consumer rights like redress.

3) Develop global synergies

Trade is at the crossroads of emerging issues that are related to globalisation. Trade policy cannot be the answer to all of these issues, but it can be used as a vector for solutions. Negotiations should be used as a trigger to **improve global co-operation between regulators**. The EU should lead this trend in order to promote its values overseas. From the consumer perspective, international co-operation is needed on market surveillance, food and product safety, health, enforcement of domestic laws, competition, redress and dispute resolution.

4) Prevent obstacles to healthy and sustainable consumer choice

Some argue that trade agreements can be used by the EU as a tool to promote its sustainability values. But we cannot ignore the fact that goods resulting from weak labour and environmental standards and transported from overseas pose concerns in terms of sustainability. One of your main challenges will be to reconcile trade with the ambitions of the European Green Deal. For that you will need a radical change of perspective. **Trade must become compliant with the Sustainable Development Goals, and not the other way around.** This is important in that it will enable people to 'consume responsibly' based on essential information about a product. Information such as the EU Ecolabel should not be attacked by our partners as a barrier to trade. To this end, we call on you to use the WTO reform initiative to explore ways to make WTO agreements fit for the sustainability challenge. The EU should also lead by example by improving its trade agreements. Some chapters should be amended in order to preserve the ability of the EU to become more sustainable and to improve consumer information so that people can make healthy and sustainable choices. This should be the mission of the **Chief Trade Enforcement Officer**.

5) Be transparent and inclusive

We trust that you will pursue the transparency trajectory of the Commission with regard to trade. A first step should be to keep the **Free Trade Agreement expert group** active after December 2019. We also encourage you to build on the good practice of the Brexit talks by convincing our partners to **publish consolidated texts** of trade negotiations. To ensure a proper monitoring of the implementation of various deals, the **domestic advisory groups** should cover all parts, and not only those related to sustainable development. Finally, we encourage you to involve consumer organisations in trade policy processes.

The way forward

I know that you will have a busy agenda, but I hope that you will find the time to meet with us. My colleagues will also reach out to your member of cabinet in charge of consumer policy. I would be very interested in hearing your reaction to our proposals, and would be happy to tell you more about the experience of European consumers in a globalised world.

Yours faithfully,

Monique Goyens
Director General

Encl.: An EU that keeps working for consumers – [BEUC proposals for the 2019-2024 European Commission; 5 key to make the EU trade strategy work for consumers](#).