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European Union

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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Strengthening coherence between EU free trade agreements and the Paris Agreement on climate change
- Information from the French, Spanish and Luxembourg delegations

Delegations will find in the Annex an information note from the French, Spanish and Luxembourg delegations on the above subject, to be dealt with under "Any other business" at the Council (Environment) meeting on 5 March 2019.

Strengthening coherence between EU free trade agreements and the Paris Agreement on climate change

- Information from the French, Spanish and Luxembourg delegations -

France, Spain and Luxembourg would like to draw Council's attention on the necessity to ensure consistency of trade agreements that the EU is currently negotiating with the 2030 Sustainable Development Goals and the Paris Agreement on climate change.

The fight against climate change and, more generally, sustainable development are fundamental values that need to be shared between the EU and its partners. Strengthening the links between EU agreements that include trade provisions and its environmental and sustainable development commitments will reinforce their consistency and contribute to increasing the legitimacy and acceptability of our trade policy by EU citizens.

To that regard, the Paris Agreement is the bedrock of EU action for climate. France, Spain and Luxembourg suggest therefore that the ratification of the Paris Agreement and compliance with its legally binding obligations (i.e. the submission of a commitment in the form of a Nationally Determined Contribution, as well as its regular revision, in accordance with the Paris Agreement Rulebook adopted in Katowice during COP24) be included as an essential element of cooperation and political dialogue agreements linked to trade agreements negotiated by the European Union, or of trade agreements themselves. This requires complementing the "common approach" agreed upon in 2009 regarding political clauses in EU agreements.

These legally binding obligations of the Paris Agreement are the fundamental foundations of our ambition for the planet to fight against climate change, whose effects are currently being felt. Moreover, we believe those foundations are not unrelated to the values of peace and respect of human rights underlying the other essential clauses of EU's agreements (the respect for human rights and the fight against the proliferation of weapons of mass destruction).

The Council of the EU would have the capacity to suspend agreements in the event of "substantial and repeated" breaches of these obligations, as it is currently the case for the two existing essential clauses aforementioned. The Council would remain sovereign of this decision.

This proposal would promote a common frame of reference with our third country partners, would constitute a strong symbol for the EU's external policy as well as contributing to strengthen the legitimacy, and therefore the acceptability, of our commercial policy among European citizens. It is consistent with the European Parliament resolution on the 2018 UN Climate Change Conference in Katowice, Poland (COP24).

France, Spain and Luxembourg would welcome other EU Member States views, comments, and support on this proposal.
