



EUROPEAN COMMISSION

Brussels, 5.6.2018
C(2018) 3533 final

Dear President,

The Commission would like to thank the Senát for its Opinion on the Commission Communication "A Balanced and Progressive Trade Policy to Harness Globalisation" {COM(2017) 492 final}.

This Communication is part of a package of proposals adopted on 13 September 2017 to further the leading role of the European Union in the global trading system and to protect the Union's essential interests in a rapidly changing world.

The Communication illustrates the key orientations for the Union's trade policy. Global trade is to remain a central contributor to a competitive and prosperous European Union as more than 30 million jobs are supported by European exports to the rest of the world. But the Communication is also vocal about the need to proactively shape and manage global trade to ensure it is fair, projects values and remains firmly anchored in a rules-based system.

The Commission welcomes the Senát's backing of a European Union trade agenda that follows the principles of the Trade for All strategy, as well as the Senát's support for concluding balanced trade agreements. The Communication indeed highlights that the right of governments to regulate in the public interest remains an important principle for all future trade negotiations and that European Union trade policy instruments promote high European standards around the world.

The Commission takes seriously the Senát's call for transparency in trade negotiations and in the process of appointing judges to the Multilateral Investment Court.

Transparency in European Union trade policy-making is a priority for the Commission. Over the past few years, the Commission has taken significant steps in improving transparency of trade negotiations, for example by publishing all initial negotiating texts, providing reports on negotiation rounds and holding regular civil society dialogues and Citizens' Dialogues in Member States. A significant innovation announced in the Communication is the decision to publish and directly send to the European Parliament and national Parliaments the recommendations for negotiating directives. This means

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that national Parliaments receive the draft negotiating directives at the same time as the European Parliament and the Council. National Parliaments can thus get involved in discussions on the Union's trade policy at a very early stage. Lastly, the recently established Expert Group on Trade Agreements enables even more inclusive trade policy-making through the widest possible stakeholder consultation on trade.

The Commission would also like to confirm its commitment to high transparency standards regarding the Multilateral Investment Court initiative. Transparency is central to the ideas developed by the Commission on the design and functioning of these Courts. The Commission holds the view that the appointment of adjudicators should be transparent and open to democratic scrutiny and is therefore emphasising the importance of transparency in the ongoing United Nations Commission on International Trade Law in the discussions on this initiative, both on process and substance.

The Commission hopes that these clarifications address the issues raised by the Senát and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Cecilia Malmström
Member of the Commission*