



ALMA MATER STUDIORUM
UNIVERSITÀ DI BOLOGNA



RE-GLOBE

REFORMING THE GLOBAL ECONOMIC GOVERNANCE:
THE EU FOR SDGS IN INTERNATIONAL ECONOMIC LAW



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Re-Globe Seminar Series

The European Approach to Trade and Sustainable Development: Taking Stock in 2024

14 May 2024, 11:00 - 13:00 (CET)

Aula Seminari, Viale Quirico Filopanti 9, Bologna



Chair and Discussant: Prof. Elisa Baroncini

Alma Mater Studiorum - Università di Bologna, Re-Globe Coordinator

Speakers:

Tine Deschuytere

Ph.D. Researcher at the European University Institute

The Role of 'wage parity requirements' in the EU Regulation of Trade in GATS Mode 4 services: Mainstreaming Sustainable Development?

Isola Clara Macchia

Ph.D. Researcher at the European University Institute

Enforcing Sustainable Development Standards in EU trade Policy After 2022: Towards Unilateralism?

Justine Muller

Ph.D. Researcher at the European University Institute

Protecting Forests from EU Consumption – Strengths and Shortcomings of the Regulation on Deforestation-Free Products

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The Role of 'Wage Parity Requirements' in the EU Regulation of Trade in GATS Mode 4 Services: Mainstreaming Sustainable Development?

Abstract: In its recent review of TSD chapters, the European Commission prioritised the need to 'mainstream' sustainability concerns in EU Free Trade Agreements (FTAs) beyond such chapters to sufficiently achieve sustainable development goals. This presentation aims to tie in with these concerns by considering the use of labour standards in specific trade provisions outside of these chapters. In particular, it focuses on the role of so-called 'wage parity requirements' in the regulation of GATS Mode 4 services by the EU in its FTAs. These requirements, which are often included as mere footnotes to GATS Mode 4 regulation, mandate the application of EU and national labour standards to foreign service suppliers in a similar fashion to domestic service suppliers. The question arises to what extent the inclusion and regulation of such labour standards could have a beneficial effect on not only the individual service suppliers but also, more importantly, the standards in the home economy of these suppliers. In other words, if and how does GATS Mode 4 regulation stimulate these labour standards in view of sustainable development goals? To answer this question, an analysis will be made of wage parity requirements and their effect on trade in GATS Mode 4 services in selected EU FTAs, utilising a mixed-method approach.

Tine Deschuytere is a Ph.D. researcher at the European University Institute in Florence (Italy), funded by the Research Foundation-Flanders (FWO). Her work focuses on the integration of sustainable development concerns into the regulation of trade in services within the EU's external trade policy. More specifically, her research gauges the effect of the Treaty of Lisbon amendments to the EU external policy competences and objectives on the regulation of trade in GATS Mode 4 services in EU Free Trade Agreements. Her Ph.D. project utilises mixed-method approaches from legal and economic disciplines. Tine holds a Bachelor of Laws and Master of Laws from Ghent University, an LL.M. in European Law from King's College London as well as an LL.M. in Comparative, European and International Laws from the European University Institute. She is also a founding member of the International Economic Law and Policy Working Group located at the European University Institute as well as a Senior Editor at the European Journal for Legal Studies.

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Enforcing Sustainable Development Standards in EU Trade Policy After 2022: Towards Unilateralism?

Abstract: Following the TSD review process, the European Commission committed to strengthening the enforcement tools in the Trade and Sustainable Development chapters in its FTAs. This includes stronger mechanisms to ensure compliance and, as a tool of last resort, the use of sanctions against trading partners. This change has come years after the recurring debate over whether sanctioning could be better at inducing compliance, often juxtaposing the EU's approach to the U.S. one. This comparison has been even stronger in recent years, after the new Canada-Mexico-U.S. agreement (USMCA) has entered into force with the new facility-specific Rapid Response Mechanism. This presentation will discuss that, while closer on paper, the EU FTAs still differ in their enforcement approach from the North American ones. In reality, the true 'more assertive' pursuit of sustainable development standards seems to be more embedded in recent EU unilateral measures.

Isola Clara Macchia is a Ph.D. researcher at the European University Institute in Florence, Italy. Her research areas are international trade law and sustainable development, with a focus on EU trade policy. In her doctoral project, she investigates EU FTAs and the enforcement of their Trade and Sustainable Development Chapters, with a comparison with the United States. Isola Clara is one of the coordinators of the International Economic Law and Policy Working Group at the European University Institute, and in 2023 she was a visiting scholar at the University of Michigan Law School. She holds a Master degree in Law from the University of Bologna cum laude (2018), an MSc in European and International Public Policy from the London School of Economics (2020) and an LL.M in Comparative, European and International Laws from the European University Institute (2022).

Protecting Forests from EU Consumption – Strengths and Shortcomings of the Regulation on Deforestation-Free Products

Abstract: The new Regulation on deforestation-free products constitutes an innovative trade tool for the European Union. Using a due diligence obligation, the EU trade policy seems not to shy away from the negative impacts that its consumption exerts outside its borders anymore. What is even more surprising is that the Regulation on deforestation-free products aims to address the negative impacts of agriculture, an aspect that has been widely excluded from environment-relevant trade policies so far. If the new regulation appears to be a positive step for the protection of forests, the presentation will discuss whether its unilateral nature could be a splinter in the EU trade and sustainable development toolbox.



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Justine Muller is a Ph.D. researcher at the European University Institute (EUI) in Florence, Italy, with expertise in the nexus between trade and the environment. She is currently writing her doctoral thesis on the integration of biodiversity in the European Union's trade agreements. Her research mixes doctrinal analysis with other disciplines such as linguistic and ecology. Justine also has experience in international negotiations as an assistant to the European Union's delegation to the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem (IPBES). She holds Master degrees in international business law (Université Paris 1 Panthéon-Sorbonne, France), law and sustainable development (University of Strathclyde; Scotland), and biodiversity geography (Université Paris 1 Panthéon-Sorbonne, France). Justine is also a founding member of the International Economic Law and Policy Working Group located at the European University Institute.



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