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*Plenary sitting*

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**A8-0158/2018**

2.5.2018

## **REPORT**

on the European Parliament recommendation to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the negotiations on the modernisation of the EU-Chile Association Agreement (2018/2018(INI))

Committee on Foreign Affairs

Rapporteur: Charles Tannock

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## PROPOSAL FOR A EUROPEAN PARLIAMENT RECOMMENDATION

### **to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the negotiations on the modernisation of the EU-Chile Association Agreement (2018/2018(INI))**

*The European Parliament,*

- having regard to Articles 2 and 3 and to Title V, in particular Articles 21 and 36, of the Treaty on European Union (TEU), as well as to Part Five of the Treaty on the Functioning of the European Union (TFEU),
  - having regard to Article 218 of the TFEU,
  - having regard to the existing Association Agreement between the Republic of Chile and the European Union,
  - having regard to the launch on 16 November 2017 of negotiations between the European Union and Chile on a modernised association agreement,
  - having regard to the Council’s adoption on 13 November 2017 of the negotiating directives for this agreement,
  - having regard to the Joint Declaration of the 25th meeting of the EU-Chile Joint Parliamentary Committee of 22 January 2018,
  - having regard to its recommendation of 14 September 2017 to the Council, the Commission and the European External Action Service on the negotiations of the modernisation of the trade pillar of the EU-Chile Association Agreement<sup>1</sup>,
  - having regard to its resolution of 13 September 2017 on EU political relations with Latin America<sup>2</sup>,
  - having regard to the EU-CELAC Civil Society Forum Declaration of 11 May 2015 entitled ‘Equality, rights and democratic participation for the peoples of Europe and Latin America and the Caribbean’,
  - having regard to Rules 108(4) and 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs (A8-0158/2018),
- A. whereas Chile and the EU are united by shared values and close cultural, economic and political ties;
- B. whereas Chile and the EU are close partners in tackling regional and global challenges, such as climate change, international security, sustainable development and global

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<sup>1</sup> Texts adopted, P8\_TA(2017)0354.

<sup>2</sup> Texts adopted, P8\_TA(2017)0345.

governance;

- C. whereas Chile is a strong advocate of democracy and human rights, free and open trade and multilateralism; whereas it is also a key member of the Pacific Alliance, the Organisation of American States (OAS), and the Union of South American Nations (UNASUR), and a high-income country and OECD member;
- D. whereas Chile has been a major player in regional affairs, for example as a guarantor country in the Colombian peace process and the Santo Domingo talks between the Venezuelan Government and opposition; whereas Chile withdrew from the Venezuelan talks as the minimum conditions for democratic presidential elections and institutional normalisation were not reached;
- E. whereas a Framework Participation Agreement for Chile's participation in EU crisis management operations has been in place since January 2014; whereas Chile participates in EUFOR ALTHEA in Bosnia and Herzegovina as well as a number of UN peacekeeping operations, reflecting its commitment to global peace and security;
- F. whereas the recent parliamentary and presidential elections have once again demonstrated the stable and mature nature of Chilean democracy; whereas Chile has benefited from strong economic growth and has been one of South America's fastest-growing economies in recent decades; whereas reform efforts in the country are still ongoing;
- G. whereas the recent decriminalisation of abortion under certain circumstances has demonstrated an increased openness in Chilean society towards the empowerment of women and girls;
- H. whereas in the 2016 Human Development Index, Chile is placed in the category of very high human development and ranks as the first Latin American country and number 38 in the world, above seven EU Member States;
- I. whereas the existing Association Agreement has been instrumental in deepening EU-Chile political relations and substantially increasing trade and investment flows; whereas continued respect for the rule of law and a stable legal and political framework enables both Chile and the EU to exercise free enterprise and fosters an adequate investment environment that includes safeguards on the principle of legal certainty;
- J. whereas the EU and Chile have concluded more ambitious and comprehensive agreements with other partners in recent years; whereas a modernisation of the EU-Chile Association Agreement therefore has the potential to significantly deepen the existing relationship, including relations in the areas of foreign affairs and security;
- K. whereas the future Association Agreement between the EU and Chile must fully reflect the transformative nature of the 2030 Agenda for Sustainable Development and the role of international development cooperation towards the achievement of the Sustainable Development Goals (SDGs);
- L. whereas an updated Association Agreement, together with the agreements with Mexico and Mercosur that are currently being (re-)negotiated, would reinforce the EU's role as

a key ally of Latin America, at a time when other players are increasingly trying to gain influence in the region, such as China and Russia;

M. whereas the EU-Chile Joint Parliamentary Committee (JPC) has repeatedly expressed its support for the modernisation of the Association Agreement, most recently in the Joint Declaration adopted at its 25th meeting on 22 January 2018;

1. Recommends the following to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR):

### *General principles*

- a) to considerably strengthen cooperation between Chile and the EU, two like-minded partners in an environment of new uncertainty in international relations, on the basis of our shared values and principles of democracy, the fight against climate change, ensuring gender equality, the rule of law, good governance, respect for human rights and fundamental freedoms;
- b) to ensure that the modernised agreement with Chile is ambitious, comprehensive and balanced, delivering tangible benefits for the citizens, businesses and economies of both sides; to ensure that it is a frontrunner among the most advanced agreements the EU has concluded with third countries;
- c) to strengthen the human rights dimension of EU-Chile cooperation in the light of the 2016-2020 EU-Chile human rights strategy; to include a joint commitment to the protection and promotion of human rights, fundamental freedoms, gender equality, and the rights of minorities, such as the LGBTI community, and indigenous people, with enforceable mechanisms for monitoring, regular reporting and dispute settlement; to encourage Chile to find a solution to the dispute with the native Mapuche people and other indigenous people; to continue the practice of including a human rights clause in all future Association Agreements; to continue the regular dialogue between the EU and Chile on human rights, with the aim of strengthening the institutional framework and public policies to promote human rights, including through multilateral cooperation;
- d) to encourage Chile to ensure due process of law and fair judicial proceedings in full accordance with international standards;
- e) to aim to foster sustainable socio-economic development, fight poverty and reduce inequality levels in the light of Chile's commitment to attaining the SDGs under the 2030 Agenda;
- f) to support Chile in improving educational standards and educational programmes, ensuring people with the lowest incomes have full access to higher education; to strengthen the link between universities and the labour market, bridging skill mismatches and promoting youth employment;
- g) to encourage the protection of social and environmental rights, and to ensure an effective implementation of the conventions of the International Labour Organisation (ILO) and the eradication of forced and child labour;

### ***Multilateralism and regional and international cooperation***

- h) to strengthen dialogue and cooperation on regional and global challenges, such as organised crime, drug trafficking, rising inequality, migration, terrorism and climate change, including the implementation of the 2030 Agenda; to support cooperation between the EU and Chile on the management of migration and to establish readmission mechanisms, including for stateless persons and nationals from third countries;
- i) to recall the importance of the multilateral agenda and that any bilateral negotiation must not undermine the ambition to achieve progress multilaterally;
- j) to contribute to the strengthening of multilateralism and international cooperation in order to promote international security and tackle global challenges effectively; to enhance coordination on the positions taken by both sides in international organisations and fora;
- k) to encourage Chile to continue supporting regional integration and cooperation schemes, most importantly the Pacific Alliance, in view of its encouraging results as a real and active driver of economic integration between the members of the region, but also UNASUR and the Community of Latin American and Caribbean States (CELAC); to examine the possibility of the EU gaining an observer status in the Pacific Alliance;

### ***Political dialogue and cooperation***

- l) to provide for meaningful regular dialogue on all matters of relevance, building on and extending the existing formats; to mobilise available resources through the Partnership Instrument (PI) with a view to achieving strategic objectives;
- m) to provide for a close cooperation in the area of security and defence, particularly regarding conflict prevention, crisis management, maritime security, disarmament and non-proliferation; to enable an enhanced participation of Chile in EU common security and defence policy (CSDP) missions and operations;
- n) to allow for increased cooperation in the fight against terrorism, organised crime and cybercrime, and on the prevention of radicalisation and cross-border crime, without undermining civil liberties and fundamental rights; to take action in the context of the global fight against terrorism by stepping up mechanisms, measures and bodies for global and regional cooperation in accordance with international law and the principles of the Charter of the United Nations;
- o) to enhance cooperation on the fight against corruption, money laundering and tax evasion; to include provisions on tax good governance and transparency standards that reaffirm the parties' commitment to implementing international standards in the fight against tax avoidance and tax evasion;
- p) to recall that corruption undermines human rights, equality, social justice, trade and fair competition, thereby impeding economic growth; to include specific sections outlining clear and strong commitments and measures to combat corruption in all its forms and to implement international standards and multilateral anti-corruption conventions;

- q) to facilitate mobility between the EU and Chile; to enhance youth and student exchanges, scholarship programmes and training courses, including through the ERASMUS+ programme; to make further efforts towards the full mutual recognition of academic qualifications and the modernisation, accessibility and internationalisation of higher education;
- r) to promote the transfer of scientific and technological knowledge and step up cooperation in the field of research and cooperation, making full use of existing programmes, such as Horizon 2020;
- s) to promote and strengthen relations in the field of international cooperation, building on the Memorandum of Understanding on International Cooperation signed in 2015; to create innovative mechanisms that broaden and strengthen triangular and regional cooperation with third parties within and outside Latin America through programmes such as EUROsociAL+ and Euroclima+, and cooperation on drug policies such as COPOLAD;
- t) to develop a methodology to show the effects of the modernised agreement on men and women and to use its results as a basis for designing policies to achieve gender balance;
- u) to reaffirm the joint commitment to the Paris Climate Agreement and to the 2030 Agenda, and to provide for close cooperation between the EU and Chile on environmental protection and the fight against climate change; to strengthen the partnership regarding technical and policy cooperation in key environmental areas, including CO<sub>2</sub> emissions in international transport, the conservation of biodiversity, and sustainable production and consumption; to encourage enhanced cooperation on the circular economy in order to improve resource efficiency, a sustainable use of natural resources, eco-innovation and water management; to increase support for projects to mitigate the effects of climate change;
- v) to strengthen cooperation on research and development and on the use of the EU Copernicus programme in the field of satellite earth observation data for environmental purposes;
- w) to foster cultural cooperation and to support diaspora both in Chile and the EU, with the objective of supporting foreign investments in both the EU and Chile;
- x) to reaffirm access to water as a human right and to rule out the commercialisation of water;

### ***Institutional provisions***

- y) to ensure that the Association Agreement is built upon strong parliamentary participation, strengthening the current provisions and mechanisms of cooperation to enable increased input into and scrutiny of its implementation, notably through the existing inter-parliamentary format of the JPC; to provide for the possibility of the JPC requesting relevant information on the implementation of the Association Agreement;
- z) to ensure the appropriate involvement of civil society both during the negotiations and in the implementation phase of the Association Agreement, including but not limited to

the Joint Consultative Committee; stresses the need to establish an institutionalised mechanism to enable political dialogue involving civil society organisations in both regions;

- aa) to keep Parliament immediately and fully informed at all stages of the negotiations, in line with Article 218(10) of the TFEU; this includes providing Parliament with negotiating texts and minutes of each negotiating round; welcomes, in this regard, the decision of the Council of 22 January 2018 to publish the negotiating mandate given to the Commission and the VP/HR in November 2017;
  - ab) to take the recent publication of the negotiating directives as an important precedent and to commit to publishing all negotiating directives for international agreements in the future;
  - ac) to expedite the negotiations on the Association Agreement with a view to enabling its ratification by Parliament before the end of the current European legislature;
  - ad) to ensure respect, at all levels, for the long-standing practice of not provisionally applying the new agreement until Parliament has given its consent;
2. Instructs its President to forward this recommendation to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, and to the President, Government and Parliament of the Republic of Chile.

## INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	24.4.2018						
<b>Result of final vote</b>	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">+:</td> <td style="text-align: right;">45</td> </tr> <tr> <td>–:</td> <td style="text-align: right;">0</td> </tr> <tr> <td>0:</td> <td style="text-align: right;">3</td> </tr> </table>	+:	45	–:	0	0:	3
+:	45						
–:	0						
0:	3						
<b>Members present for the final vote</b>	<p>Michèle Alliot-Marie, Nikos Androulakis, Francisco Assis, Petras Auštrevičius, Goffredo Maria Bettini, Mario Borghezio, Elmar Brok, Klaus Buchner, Fabio Massimo Castaldo, Javier Couso Permuy, Eugen Freund, Michael Gahler, Sandra Kalniete, Manolis Kefalogiannis, Andrey Kovatchev, Eduard Kukan, Arne Lietz, Barbara Lochbihler, Andrejs Mamikins, Ramona Nicole Mănescu, David McAllister, Francisco José Millán Mon, Clare Moody, Pier Antonio Panzeri, Demetris Papadakis, Alojz Peterle, Kati Piri, Julia Pitera, Cristian Dan Preda, Jozo Radoš, Michel Reimon, Sofia Sakorafa, Alyn Smith, Dobromir Sośnierz, Jaromír Štětina, Dubravka Šuica, Charles Tannock, László Tőkés, Ivo Vajgl, Boris Zala</p>						
<b>Substitutes present for the final vote</b>	<p>Asim Ademov, Andrzej Grzyb, Juan Fernando López Aguilar, Antonio López-Istúriz White, Urmas Paet, Bodil Valero, Željana Zovko</p>						
<b>Substitutes under Rule 200(2) present for the final vote</b>	<p>Arndt Kohn</p>						

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

45	+
ALDE	Petras Auštrevičius, Urmas Paet, Jozo Radoš, Ivo Vajgl
ECR	Charles Tannock
EFDD	Fabio Massimo Castaldo
ENF	Mario Borghezio
PPE	Asim Ademov, Michèle Alliot-Marie, Elmar Brok, Michael Gahler, Andrzej Grzyb, Sandra Kalniete, Manolis Kefalogiannis, Andrey Kovatchev, Eduard Kukan, Antonio López-Istúriz White, David McAllister, Ramona Nicole Mănescu, Francisco José Millán Mon, Alojz Peterle, Julia Pitera, Cristian Dan Preda, Jaromír Štětina, Dubravka Šuica, László Tőkés, Željana Zovko
S&D	Nikos Androulakis, Francisco Assis, Goffredo Maria Bettini, Eugen Freund, Arndt Kohn, Arne Lietz, Juan Fernando López Aguilar, Andrejs Mamikins, Clare Moody, Pier Antonio Panzeri, Demetris Papadakis, Kati Piri, Boris Zala
VERTS/ALE	Klaus Buchner, Barbara Lochbihler, Michel Reimon, Alyn Smith, Bodil Valero

0	-

3	0
GUE/NGL	Javier Couso Permuy, Sofia Sakorafa
NI	Dobromir Sośnierz

Key to symbols:

+ : in favour

- : against

0 : abstention