



## Article

# Beyond the Finish Line: Sustainability Hurdles in the EU–Mercosur Free Trade Agreement

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**Abstract:** The European Union (EU) and the Southern Common Market (Mercosur) free trade agreement (FTA) aims to increase regional trade and major integration between the regions; after decades of negotiations, in 2019, finalization of the agreement was reached. However, there are several blockages from both parties in the ratification process: whilst few EU members criticize environmental and sustainability issues within the agreement, the Mercosur partners oppose the imposition of sustainability standards onto the region without adequate financial support. On this topic, the literature is still too poor to build a systematic literature review; thus, the present analysis follows a quasi-historical approach considering the major steps of the EU–Mercosur FTA looking both at the scientific and gray literature. The study underlines how environmental and sustainability issues are at the core of the European policies; thus, themes such as deforestation and pesticides could be a dealbreaker in the ratification of the agreement. For the EU, the FTA with Mercosur could mark a new step in the race towards it being a new “global standard” for sustainability and production.

**Keywords:** Mercosur; European Union; free trade agreement; environment; sustainability; regional trade



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## 1. Introduction

Mercosur is an economic and political bloc, originally established in 1991 with the signature of the Treaty of Asunción by the states of Argentina, Brazil, Paraguay and Uruguay; only subsequently, it included as associate members the states of Bolivia, Chile, Colombia, Ecuador, Guyana, Peru and Suriname. The agreement was created to promote regional trade integration in the Latin America region and increase its bargaining power on international markets (Lima 2022). Indeed, the post-Cold War era has been dominated by the political and economic system of the United States (US) (Gaddis 1991), which had the first chance in history to change the economic and political power equilibrium at a global scale. The post-Cold War era can be summarized according to the formation of American, European and Asian regional economic blocs (Saxe-Fernández 1994), within an uneven globalized world from North to South (Holm 2019); here, in this scenario, there has been a widespread “structural adjustment” that has pushed Latin America into an age of neoliberal reforms (Velasco e Cruz 2022). As reported by Velasco e Cruz (2022), the insurgence of pan-Americanism contributed to creating an economic free trade area under the rules of the United States. Thus, this hegemony did not see the light of day without any consequences for Latin America, which, at the time, was trying to stabilize and gradually open its economy to a newborn globalized market whilst struggling to re-settle its regional disputes and adjusting to a new form of cooperative security (Domínguez 1998; Campbell 2018).

The world’s economic expansion encountered its first crisis in the 1970s, and by the 1980s, this showed all its consequences; international elites took the place of popular and working classes worldwide, and in Latin America, the establishment of a neo-liberal system

and the so-called “democratic transition” appeared with U.S. intervention after the collapse in the region of the authoritarianism era and its dictatorships (Robinson 2004). However, reconstruction into a new transnational shape failed to contain social conflicts, provoking an economic downturn and, as termed by Robinson (2004), turning Latin America into a “laissez-faire” region. During this decade, its share of world trade fell from 6 percent to 3 percent (Wilkie 1995), and the debt crisis accumulated during external integration increased extremely (World Bank 1998, 2001a, 2001b). Throughout this period, the economic exchanges between Latin America and Europe dramatically decreased as a result of this reported stagnation, despite the political and strategic interest of Europe in the area in building a “new institutional architecture” to support democracy, develop cooperation and improve bi-regional exchanges (Grisanti 2000). This tighter relationship between the regions only found its realization during the 1990s after the institutional adjustments in the Latin American countries required for them to be open for global investments. The EU defined general policy guidelines to improve the political and democratic assets of the region to pave the way for an economic strategic partnership (European Commission 1995). New opportunities arose with the formation of Mercosur in 1991 and its transformation into a customs union at the beginning of 1995. This event was the driving force behind the formulation of the Framework Cooperation Agreement (FCA) between the EU and its member states and Mercosur and its Party States, which was signed in December 1995 (Joint Declaration on political dialogue between European Union and Mercosur 1996 (European Commission 1996)). This agreement came as part of the ambitious goal to strengthen the dialogue and bind the two regions together at the political, economic and financial levels. The implicit goal was to come to a free trade agreement, which would reach its negotiations peak in 1999 and would take nearly 20 years of negotiation rounds before a common point was reached in June 2019.

The economic relationship between the EU and Mercosur counts the EU as the second largest export destination from Mercosur in 2021 (14%) after China (29%), ahead of the United States (11%); similar circumstances apply in that the EU represents 19% of all Mercosur imports. Despite the reported data, the trade agreement has been rejected by a few of the EU member states, which all expressed their disapproval of the deal in its current form and delayed its ratification due to environmental and sustainability concerns. Nowadays, it seems that the EU is seeking to strengthen these alliances to ensure the continuity of its global influence but also to counter the Chinese threat, both political and economic. Indeed, this giant Asian country has recently surpassed the EU's GDP and is gradually trying to gain influence in Latin America (Zhang and Prazeres 2021; Roy 2023), which could well overshadow the European influence on the South American continent. As a result, to facilitate the access of European companies, the “global Europe, competing in the world” strategy (Commission of the European Communities 2006) has encouraged the conclusion of more comprehensive trade agreements with an increasingly broad scope compared with the FTA negotiated before now. The result has been the emergence of so-called “new-generation”<sup>1</sup> agreements that go beyond the WTO rules (Bajzíkóvá et al. 2024; Young 2017).

In this new light, the negotiation process would be retraced with a focus on its political implications in the EU's race to be a new “global standard” for sustainability and production. On this political topic, the literature is far too poor, and it tends to focus on the economic aspects and prospects of the ratification of the agreement; this study follows the path of Berry et al. (2015) in approaching the EU–Mercosur FTA journey using a quasi-historical method considering the major steps in the two blocs' agreement and looking both at the scientific and gray literature for a more comprehensive analysis. This study aims to clarify the divergencies and risks either with or without final ratification of the agreement; among the many economic benefits, as well as downturns, it has been decided to focus primarily on the environmental and sustainability issues surrounding the stagnation of the agreement. As these themes are at the core of European interests (Candel et al. 2014; Lynggaard and Nedergaard 2009) and policies like the European Green Deal, this study

is a first attempt to pave the way for new analyses on the European external influence in exporting sustainability standards.

## 2. The Challenges of the EU–Mercosur Free Trade Agreement

The FTA's negotiation and the ratification process have been on the table for decades. Indeed, the two regions have had trouble reaching a final agreement and finding compromises since they share different levels of economy and cultures and, above all, different views on the future, especially concerning the environment, which is a current burning topic in global forums (Camus 2023; European Environment Agency 2023). The agreement signed with Mercosur in December 1995 (Commission of the European Communities 1995), in which the EU specified technical assistance in the implementation of Mercosur institutions, opened up an inter-regional association between the two in a new free trade area (Page 1999). Negotiations between the EU and Mercosur reached their peak through 1999 and 2000 (Nolte and Neto 2021); however, they were suspended in 2004 following European difficulties in including agricultural and agro-industrial products in the agreement and the issue of agricultural subsidies, as well as Mercosur's difficulties in significantly lowering its customs duties. The debate was resumed and halted several times until 2010, when it began again in earnest. Between 2010 and 2012 alone, nine rounds of negotiations took place between the two blocs; it was finally in 2017, with the return of protectionism in the US, that the EU Commission decided to intensify the process, with a view to reaching an agreement before the end of 2018. Indeed, it was during these years that the agreement became more political, and the two blocs did their utmost to reach a rapid agreement in principle.

On 28 June 2019, almost 20 years after the start of the negotiations, the EU and Mercosur announced the finalization of the agreement in principle but stating that the project would not be implemented any further (European Commission 2022). Some European countries, such as Germany, Belgium and France in particular, have announced that they will not ratify the agreement under conditions that are detrimental to the environment and democracy. New meetings occurred during 2023 to discuss the theme of sustainable development (Directorate-General for Trade 2023a) and to quickly achieve the Association Agreement (AA), pushing away any hypothesis of stagnation (Directorate-General for Trade 2023b). Indeed, one could argue that the EU's interest in the agreement with the Mercosur region could be primarily as a counterbalance against the influences of the US (NAFTA/USMCA) and China, which has delayed the finalization of the agreement. While the EU's interests in the region are geopolitical (Dudek 2013), they are not exclusively so; minimizing this broader context would be a mistake (Messerlin 2013). The Latin American bloc represents a significant market with over 260 million people and offers opportunities for European businesses in various sectors, enabling trade diversification. The complexity of these negotiations reflects the interplay of multiple interests and challenges that both sides need to navigate.

### 2.1. The Blockages in the EU

In the EU, obstacles and reluctance have arisen among Members of the European Parliament (MEPs), governments and national parliaments. The agreement has previously united political interest groups, including those who have historically been concerned about environmental issues and those who are sensitive to agricultural issues. When it comes to incorporating environmental considerations into trade policy, the EU could be stuck in a dead end. A Trade and Sustainable Development (TSD) chapter was added to the EU FTAs (Jütten 2023) in response to mounting demands for improved sustainable development inclusion. With the signing of the EU–South Korea FTA in 2011, this project was underway and gave rise to a new wave of new-generation FTAs in which the EU, as reported by Makarenko and Chernikova (2020), proposed recognizing electronic contracts, the complete abolition of customs duties in electronic commerce, a new system of investment courts and the active participation of civil society representatives in the implementation of trade agreements. These chapters usually set up forums for discussion

among signatories to address potential environmental issues based on working groups and their areas of expertise. This makes it possible to obtain a consensus and a yes or unanimous vote during the ratification procedure, which may involve the European Council, the European Parliament and national parliaments. Recent EU new-generation FTAs with the US Transatlantic Trade and Investment Partnership (TTIP) and Canada (CETA) have come under intense public scrutiny and faced growing challenges during national parliament adoption processes. Many European authorities felt that its TSD chapter and the FTA's mention of the Paris Climate Agreement in relation to climate change were insufficient, and they stated their unwillingness to embrace it even before the agreement's first step was finished. Competitiveness in the global economy is not going away, and bilateral trade is increasingly seen more negatively than positively, particularly when it comes to FTAs involving agricultural items (Mcmichael 1995; Vollrath et al. 2008; Vollrath and Hallahan 2011). As a result, debate over the potential agro-economical, environmental and sanitary effects of new FTAs has increased significantly with the TTIP, CETA and EU–Mercosur FTAs, where domestic parliament ratification has proven to be a challenging undertaking (Cremers et al. 2021).

## 2.2. The Blockages in Mercosur

While there are major blockages in the EU, Mercosur has expressed its disagreement with the EU's approach. Indeed, the disagreements over the environmental measures deemed too inadequate for some EU members have caused irritation in the Mercosur countries. As with the EU, Mercosur has several internal problems which are likely to worsen internal relations and therefore threaten the potential ratification of the EU–Mercosur agreement. Argentina's new president has on several occasions spoken of his intention to leave the Mercosur trade union (Tähtinen 2024). However, this seems currently unlikely and poses no immediate threat to Mercosur's survival. On the other hand, the climate skepticism of Argentina's new presidency is far from going unnoticed by the EU and its neighbor Brazil, which are nonetheless keen to establish certain standards for the protection of the environment and the Amazon rainforest. However, the future of Mercosur does not exclusively depend on the precarious relationship between Argentina and Brazil; its other members also show different interests in relation to the survival of the bloc. Bolivia is tightening its economy in China's interest in terms of its mineral wealth, while Uruguay and other Latin American countries are quickly following suit. Paraguay, currently holding the Presidency of Mercosur, is the only one not interested in the Asian market, but this puts the country in need of a large agricultural importer; here, this could be the EU or the U.S. instead.

In the literature, there is evidence suggesting that preferential trade agreements (PTAs) can create stumbling blocks for non-members compared to the countries involved in the agreement (Limão 2006). For instance, Bown and Tovar (2016) presented a study focused on the economies of Argentina and Brazil, demonstrating that any “building block” effect observed due to tariff reductions during the period when Mercosur was only a free trade area could disappear with the inclusion of temporary trade barriers against non-member countries. Furthermore, there is also evidence of a “stumbling block” effect of preferential tariff liberalization from the period when Mercosur became a customs union. The EU's demands regarding non-trade issues in its agreements with Mercosur could potentially act as both a stumbling block and a building block for future Mercosur agreements with third countries, depending on various factors. It could be a stumbling block due to the significant policy changes and investments required, which might divert resources from other developmental priorities and impose higher costs on the operations of foreign multinationals (Clara et al. 2020; Di Ubaldo and Gasiorek 2022). Additionally, if Mercosur countries align their policies too closely with EU standards, it might reduce their flexibility in negotiating future trade agreements with countries that do not impose such rigorous non-trade clauses, potentially jeopardizing their trade networks (Milewicz et al. 2018).

### 3. The Environmental Issue

The current FTA cannot be ratified as it stands, including specific commitments on labor rights and environmental protection, the implementation of the Paris Climate Agreement and the relevant implementation rules. It also includes a chapter on Trade and Sustainable Development, which must be applied, implemented and fully assessed, comprising a requirement that each party “effectively implement” the Paris Agreement and the United Nations Framework Convention on Climate Change (UNFCCC). Furthermore, there are no substantial commitments to more sustainable trade in these supply chains in the future, nor are there any real requirements regarding supply networks where there are substantial risks of social and environmental consequences. It is crucial to underline that parties are not required under the Paris Agreement to stop deforestation or reach a specific amount of CO<sub>2</sub> reduction. The Paris Agreement should be viewed as a political document that seeks to establish a cooperative and self-commitment dynamic.

On October 2020, the European Parliament issued a resolution declaring that insufficient guarantees on the enforcement of sustainable development requirements precluded the ratification of the EU–Mercosur agreement in its current form ([European Parliament 2020](#)). The EU Commission explained that without affecting the instrument’s legal status, the relevant commitments could be formalized in an additional document. Pre-ratification requirements and/or additional TSD obligations, as well as the avoidance of reopening negotiations, are important criteria for this new instrument that have been agreed upon by member states and Mercosur partners. Indeed, the Commission has stated clearly in this chapter that before recommending the agreement to the Council and Parliament for signature and approval, it must have substantial results on the part of and participation from the Mercosur nations. As the AA was not designed and negotiated with a climate objective in mind, many governments and civil society organizations have called for the negotiations to be reopened and for work to continue until there is no provision to combat deforestation. Nevertheless, the introduction of an additional protocol against deforestation has not been well received by the Mercosur countries, which see an imposition onto their management rules, turning the deal into unilateral design and action, while it was originally meant to increase cooperation between the two blocs. So far, the question of the additional protocol is still frozen, as well as the whole AA and its TSD chapter.

### 4. European Sustainability Strategies: A Serious Game?

Among a wide range of European sustainability measures, the EU Green Deal puts Europe on the path toward an ecological transition, with the goal of achieving climate neutrality by 2050 ([European Commission 2019b](#)). It was launched by the EU Commission in December 2019 and fosters the transformation of the EU into a fair and competitive economy and promotes economic growth that is decoupled from resource use. The package includes initiatives covering climate, environment, energy, transport, industry, agriculture and sustainable finance, all of which are closely interlinked. The EU is attempting to make the European agricultural and food system—backed by the Common Agricultural Policy (CAP)—a benchmark for the world. In July 2023, the EU Commission approved a set of policies known as the Farm to Fork plan (F2F), which will also increase the resilience of European farming and food systems and promote the sustainable use of natural resources. Therefore, the EU Commission acknowledges that if food systems are not sustainable, they will not be able to withstand external shocks such as the COVID-19 pandemic, climate change or food market fluctuations. The current food system is responsible for almost one-third of the world’s greenhouse gas emissions ([Crippa et al. 2021](#)), leading to a loss of biodiversity, which results in a negative impact on health due to under- and overnutrition ([Chivian 2002](#); [Marselle et al. 2021](#); [Patil et al. 2017](#)) and prevents equitable economic returns and means of subsistence for all parties involved, especially the primary producers. The EU Commission reported that putting food systems on a sustainable path also brings new opportunities for operators in the food value chain ([European Commission 2020b](#)). According to the EU Commission, because of human activities, the state of well-being of



the Earth's ecosystem is increasingly jeopardized. Legally enforceable goals of restoring ecosystems, habitats and species along the land and maritime borders of the EU are part of the plan, increasing and preserving biodiversity as a crucial first step in reducing global warming and strengthening the EU's resilience and strategic independence (European Commission 2021). Thus, based on the COP15 objective, the EU biodiversity strategy for 2030 is an all-encompassing, long-term and ambitious plan to save the environment and stop ecosystem deterioration. The strategy seeks to put European biodiversity on the path to recovery by 2030. As a result, several regulations, including the Soil Health Law, the Nature Restoration Law and a rule for an EU forest monitoring system, have been implemented under this framework. The 2019 Commission Communication on "Stepping up EU Action to Protect and Restore the World's Forests" (European Commission 2019a) proposed a larger action plan to face deforestation and forest degradation, as part of which this rule is a component.

The F2F, the EU Biodiversity Strategy for 2030 and the EU Green Deal have all subsequently reaffirmed this commitment. However, despite the innovations included in the FTA to ensure some environmental obligations within the Mercosur bloc, the EU has failed in adding true legal enforcement like that provided in the other economic obligations of the same FTA with a stronger prescriptive role (Gruni 2020). On the matter of agriculture, the EU has big ambitions in setting sustainable farming and use of pesticide standards (European Commission 2020a), an increase in animal welfare standards, nutrition labeling and the protection of soil, water and biodiversity. Its regulation on deforestation-free products came into force in June 2023; it comprises a future legislative or regulatory instrument that aims to halt importing agricultural products that have contributed to deforestation, and it could have impacts on EU imports from Mercosur countries. It also aims to reduce carbon emissions caused by EU's consumption and production of the relevant commodities by at least 32 million metric tonnes a year (European Commission 2023). Nevertheless, at a time when the benefits of trade liberalization and multilateralism are being called into question, the EU and its Green Deal, a "stand-alone" initiative in which the EU aims to strike a balance between WTO compliance and its objective of achieving its policy agenda, are not to be overlooked, with sustainable supply chains as a key objective (with the proposal for a directive on corporate sustainability due diligence by the EU Commission or the EU raw materials initiative). After all, the European example shows the complexity of striking a balance between an influential trade agenda and strong environmental ambition.

### **5. The Increasing Use of Pesticides Endangering Health, Soil, Water and Biodiversity**

The pesticides atrazine, propisochlor, permethrin and ethoxylated nonylphenol have been banned in Europe for more than ten years because of their proven toxicity, but Syngenta, Bayer, BASF, Corteva and other agrochemical giants continue to produce them and sell them at a massive scale in Africa, Latin America and Eastern Europe (Kumar Joshi and Upadhyay 2022). This trade poses environmental and health risks in the countries where these products are marketed, as well as damaging the health of producers and people who come into close contact with these products. This trade of plant protection products banned in Europe is damaging the health of Europe's citizens since they may end up in imported food. The main importers of these pesticides (the US, Brazil and Ukraine) are also the countries exporting the most food to the EU (European Commission 2022); as a result, EU consumer protection legislation does not prevent these toxic substances from ending up on European citizens' plates (Adler and Wargan 2022). Even though the EU Commission has established internal goals to phase out internal combustion engines, reduce pesticide usage and achieve climate neutrality, it is also pressing for the approval of a trade deal that will obstruct the accomplishment of these very goals. The goal of the F2F is to reduce by 50% by 2030 the overall use and risks of chemical pesticides and the use of more hazardous pesticides (European Commission 2020b). The EU will actively engage with trading partners, especially with developing countries, to accompany the transition towards the more sustainable use of pesticides, avoid trade disruptions and promote

alternative plant protection products and methods. These objectives are incompatible with the EU–Mercosur accord, which would encourage a rise in the manufacture, trade and use of pesticides by lowering tariffs on EU exports to South America (Ghiotto and Echaide 2019; Fritz 2020). This covers pesticides that are prohibited or not approved by the EU due to their excessive risk to the environment or public health.

The consequences that the EU–Mercosur agreement would have on the people and environment of the Mercosur countries are being ignored by those who support the pact. In South America, pesticide use is already linked to a rise in endangered species, the destruction of lives and livelihoods and contaminated rivers. This would likely worsen under the EU–Mercosur accord. European consumers of imported fruit and vegetables from South American nations that use pesticides banned in the EU (as Imidacloprid or the glyphosate) are also impacted, while Brazil has long been acknowledged as one of the top three pesticide users worldwide (FAO 2022). Exports of EU pesticides to the Mercosur region are now subject to tariffs of up to 14%; with the trade agreement, tariffs on over 90% of chemical exports from the EU (including pesticides) would be removed. The pesticide business can therefore anticipate selling larger volumes at tariff-free prices. Furthermore, exporters would be permitted to self-certify that they adhere to EU standards on matters like pesticide residue limits, and import controls would be loosened. The EU Commission pledged to ensure that hazardous chemicals banned in the EU are not produced for export in its 2020 Chemicals Strategy for Sustainability (European Commission 2020b). There has been no introduction of any legislative measures in nearly three years. According to reports, the chemical industry’s lobbying has caused a significant delay in legislation (Greenpeace 2021). This failure in the regulation of pesticides is even more relevant internally: the EU is struggling to adopt frameworks for less use to no use of some pesticides, without any victory because of the same chemical industry’s lobbying and the still-dominant industrial agriculture model. As a matter of fact, the Parliament recently rejected the EC proposal to reduce pesticides by 50% by 2030.

#### **6. Deforestation: Will the New EU Regulation Be Effective in the EU–Mercosur FTA?**

Its inaction against deforestation is one of the main critiques of the EU–Mercosur FTA. In 2017, the EU was responsible for 16% of deforestation associated with international trade, totaling 203,000 hectares and 116 million tonnes of CO<sub>2</sub> (WWF 2021). The regulation, having come into force, has not been cited in the AA, which would need to be revised. As a matter of fact, more than fifty NGOs from the two blocs and other countries signed an open letter written by the Ecologistas en Acción to the European Parliament and the Council of the EU (Deutsche Umwelthilfe (Sven Bergau) et al. 2023). Trade incentives on sensitive products and the elimination of tariffs will only exacerbate deforestation, greenhouse gas emissions, violence and human rights violations in these biomes. This regulation only covers seven commodities (palm oil, soy, coffee, cocoa, timber, livestock and rubber) and some by-products; it omits other commodities that are major drivers of deforestation in Mercosur countries, such as sugarcane, poultry and maize and their by-products. It does not include strict provisions to protect the territorial rights of Indigenous Peoples and local communities. Companies will only have to verify compliance with rights such as Free, Prior and Informed Consent (FPIC) if they are enshrined in the relevant legislation of the country of production. The agreement will further liberalize financial services, making it easier for European banks to operate and facilitate investments in Mercosur countries and vice versa. The role of EU banks and investors in financing deforestation is being documented (Greenpeace International et al. 2024; Kumeh and Ramcilovic-Suominen 2023), and making it easier for these actors to operate in Mercosur countries could increase the threat to forests and the lands of Indigenous and local communities.

#### **7. Discussion and Conclusions**

One of the fundamental principles and objectives of the EU is to promote its interests and values on the world stage; this is shown in the enlargement process into Eastern Europe

(Cadier 2021; Sekulić 2020) and through political goals that have shaped the organization at its core in the last few years, such as the European Green Deal and the Farm to Fork strategy. However, most of these policies are in need of serious implementation and factual application while facing doubts in externalizing new production and sustainability standards in developing countries (Zinngrebe et al. 2024). Embedded into this scenario, there is the FTA involving the Mercosur regional bloc. The present work contributes to the analysis of the obstacles within the negotiation process between Mercosur and the EU, with an analysis of the reasons behind the standstill of the agreement and the opposition of a few European member states. Since most of the literature is focused on economic analysis (Bouët et al. 2004; Boyer and Schuschny 2010), it has been decided to focus on the environmental and sustainability issues, objects of the ongoing political discussion between the parties. Through a quasi-historical approach involving both the scientific and gray literature, the discussion has covered several rounds throughout the negotiation process and what concerns the European side, resulting in two burning topics: deforestation and the utilization of pesticides. It is true that even through the most tumultuous events and general disagreement, the EU particularly has been able to bypass negative comments and try to convince its opponents by proposing solutions to contain and appease reluctance. But the EU Commission now faces a challenging task: coming up with changes to the Mercosur FTA that would satisfy sceptics among the European parties while still being viewed favorably by the Mercosur nations.

As pointed by Zinngrebe et al. (2024), the EU has enough leverage in the region to be able to externalize its standards on sustainability, though it would be essential to provide appropriate incentives for such an agenda, particularly for the most precarious and fragile stakeholders, such as small farmers. As a matter of fact, the problem for farmers is presented by the lack of access to their own local markets due to the low prices for their products and the dumping practices they face with imports. Thus, in this already precarious scenario, the massive exploitation of natural resources and a loss of biodiversity appear as the main subjects able to move the needle from one side to another. The well-known protectionist measures adopted by a few European member states on the matter of agriculture could take a backseat, pushing sustainability concerns as the key issue in the final ratification of the agreement. As an alternative solution for the ratification of the FTA, the EU Commission has thus considered the possibility of splitting the agreement, a procedure already used in the past, widely criticized for its undemocratic nature. The procedure aims at separating the agreement that was originally “mixed” into two single agreements: a political one, that needs to be ratified by all the EU member states, and a commercial one, that does not require any ratification because it lies in the hands of the EU. As a matter of fact, the deal in question contains a more political section that outlines the two parties’ aspirations for collaboration, making it both a trade agreement and an AA in theory. As a result, the Council must vote on it unanimously. The European Parliament should then vote on the agreement; when and if this is complete, national or sub-national parliaments should then ratify the agreement in accordance with national rules. Due to this division, the trade sections of future bilateral agreements with Latin America may be approved without the approval of all EU governments, as well as without democratic discussion or public examination by national legislatures. A substantial limitation of this analysis is represented by the incompletely developed literature on the matter; thus, it has been considered a subject worthy of attention due to its consequences in case of final ratification of the agreement for both regions. This study is a first attempt to pave the way for new analyses on the European external influence in exporting sustainability standards.

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## Note

- <sup>1</sup> The so-called new-generation FTAs or WTO-Plus FTAs set by the EU are meant to go well beyond trade in order to address areas sometimes unrelated to trade, such as human rights and freedoms, the environment, the fight against poverty, the fight against corruption, etc.

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