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European Parliament, Brussels, 20 June 2019

Mr. Jean-Claude Juncker, President
Mrs Cecilia Malmström, Commissioner for International Trade
European Commission
Brussels

Mr. President, Madam Commissioner,

The press has informed us that the European Commission is considering to conclude the EU-Mercosur Association Agreement in the near future, including a comprehensive free trade agreement.

We - **recently elected MEPs and MEPs of the outgoing period** - consider it our obligation to accompany the negotiations in permanent contact with the negotiators of the Commission. We insist on receiving regular updates during the final phase of the negotiations, in order to provide for an informed debate in the European Parliament and the specialised committees and working groups. We consider this essential for the good functioning of the relations between our institutions.

This is particularly important due to the fact that the EU - Mercosur Agreement is politically very sensitive. This has been further complicated by public statements of Brazil's President Bolsonaro - on climate change, on the future of Amazonia, on workers' rights, on the rights of indigenous peoples, on freedom of thought and freedom of expression and association. His announcement on turning land reserved for indigenous peoples into land used for industrial farming has provoked the largest protest gathering of indigenous population in Brasilia in the history of the country. In the favelas of Rio and other large cities, extrajudicial killings by police forces occur on a regular basis. Institutions in defence of the rights of minorities are being dismantled.

Democratically constituted societies need a vibrant civil society that fights for and defends participation, which Brazil's civil society has done well since 1988. De facto, this has now been put to an end: all of the existing advisory and participation organs of all ministries have been abolished with a stroke of the pen, including state bodies, which are enshrined in the constitution or enjoy legal certainty by internationally binding agreements.

President Bolsonaro declared: "Democracy and freedom exist only when the army wants it", and allowed the military coup of 1964 to be celebrated "in a proper manner" in the army barracks.

The association agreements of our Union have a declaration on common values at their core. We call on the Commission of our European Union to bear this in mind when analysing the emerging situation in our partner countries.

We furthermore urge you to bear in mind that supporting the implementation of the Paris Agreement shall be a precondition to concluding an agreement with the European Union.

The trade agreements of our Union contain chapters on labour rights and environmental obligations as an essential element.

As you know, several pesticides which are forbidden in our Union are massively applied in Mercosur countries, in particular in Brazil's Mato Grosso region. Existing regulations on the use of pesticides and antibiotics are very different from ours. In Brazil, a further weakening of the legislation has already been announced.

Regarding labour rights, President Bolsonaro has declared, "Workers have to choose between jobs and rights." Companies are now allowed to ignore existing tariff agreements and negotiate work contracts on an individual basis. New laws deprive trade unions of their established financing structures.

Concluding during Parliament's constitutional period an agreement with such a major player in agro-business would send a very negative signal to the European electorate. This agreement will have a huge impact on environment, on climate change and of family farming on both sides, according to the official impact assessment prepared for the European Commission by the University of Manchester. Immediately after elections that have shown the tremendous concern of the European citizens on climate change issues and environment in general, the new Parliament has a strong mandate. A clear message was sent to the incoming Commission. Both need to analyse in depth the consequences of the proposals that are on the table, including the effectiveness of the possible TSD chapter, the implementation of SPS protective provisions, the safeguarding of the Union's precautionary principle, the economic consequences of the agreement for the agricultural sector, and the overall reliability of the potential partner governments.

For all these reasons, we urge the European Commission not to conclude the Agreement at this point in time. We call for intensive communication between Commission, Parliament, and Council on the emerging situation in the Mercosur region and the state of play and direction of the negotiations. A consultation with the newly elected European Parliament is essential before concluding an agreement could be considered legitimate.

Sincerely yours,

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