

# Sustainability Meets Economic Security: Legal Trajectories for the EU's Green Trade Agenda

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# Framing the debate

- ▶ Trade cannot be dissociated from “sustainability” - either politically or in practice
- ▶ Both are objectives of the Union’s external relations as embedded in the Treaties
- ▶ There are tensions and synergies between the two
- ▶ There EU has different tools to promote green trade

# The EU Green Trade Toolkit

- ▶ FTAs - TSD Chapters => reform and reinforcement
- ▶ GSP - incentivisation of uptake
- ▶ Partnerships - Clean Investment Partnerships
- ▶ Dialogues - TTC
- ▶ Autonomous measures - EUDR, FLR, CBAM





# External perceptions

- ▶ Open public consultation on the Trade and Sustainable Development (TSD) Review
- ▶ Consultations on legislative proposals (autonomous measures)  
=> recurrent criticisms
  - ▶ Extra-territorial effects
  - ▶ Regulatory imperialism
  - ▶ Burden and feasibility of implementation
  - ▶ Legality under public international law



# Shifting Internal Narratives

## Von der Leyen (I)

### ► 2023 State of the Union:

“We shifted the climate agenda to being an **economic** one. This has given a **clear sense of direction for investment and innovation**. And we have already seen this **growth strategy delivering** in the short-term. Europe's industry is showing every day that it is ready to power this transition. Proving that **modernisation and decarbonisation** can go hand in hand.”

## Von der Leyen (II)

### ► 2025 State of the Union:

“A successful clean transition requires greater flexibility and agility, and a strong partnership with individuals and businesses. We must play to our traditional strengths: our industries, small and medium-sized enterprises (SMEs), innovators and workers. The Commission wants the EU to be a leader of the economy of the future while retaining its edge in the industries that have made it prosperous. This is why, in February, the Commission put forward a business plan for competitiveness and decarbonisation, the clean industrial deal, with a focus on energy intensive industries and clean tech.”



The image features a forest path covered in fallen yellow leaves. The path is dark and appears wet, with the leaves scattered along its edges and in the center. The background is a dense forest with tall trees and green foliage. The image is overlaid with several green geometric shapes, including triangles and polygons, which are semi-transparent and layered over the forest scene. The text "Legal Pathways" is written in a bold, green, sans-serif font, positioned in the lower right quadrant of the image.

# Legal Pathways



# Solutions

## Delay/Stop the clock

- EUDR
- CSDDD
- Batteries Regulation (etc)

## “Simplification”

- 6 omnibus packages
- CBAM package (revision)
- CSDDD trilogues

# To what end?

- ▶ detail /complexity
- ▶ simplification  
/renegotiation/deregulation
- ▶ burden lifting /burden  
redistribution
- ▶ better regulation / regulatory  
stability

=> ???

