

Translation of the note 3441692 of 2013/11/08 of the European Commission.

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CCR SUD
Benoit Guerin
6, rue Alphonse Rio
56100 Lorient
France

**Subject: Reply to your opinion on the free trade agreement between
Thailand and the European Union**

Your ref: Opinion No. 76

Dear Mr Guerin,

Thank you for your letter dated 5 September and SWW RAC's opinion on the free trade agreement between Thailand and the European Union. I would first of all like to assure you that my offices are keenly aware of the sensitivities of the European Union industry in the tinned fish and seafood sector concerning the bilateral commercial negotiations with Thailand, which is a key player in the tinned tuna sector. A large part of the tinned tuna sector in the European Union has already replied to the questionnaire submitted for consultation before these negotiations were held, which helped us to gain a detailed understanding of the sensitivities of the sector and set priorities.

SWW RAC's recommendation underlines the fact that it is important to ensure that workers' rights and environmental questions are given proper consideration in the free trade agreement (FTA), particularly in order to support sustainable fish trading. In this regard, in line with the approach adopted in other recent negotiations, the European Union is aiming to include ambitious measures in the FTA with Thailand concerning trade and sustainable development, dealing with certain aspects of work and the environment which are important in the context of trade. We think that these measures should include a commitment to respect and implement fundamental principles and multilateral international agreements (particularly the fundamental standards of the International Labour Organisation and the main multilateral environmental agreements), and also to ensure the effective application, and non-derogation, of the national legislation in these areas. We also aim to include specific measures relating to fishing underlining the importance of guaranteeing the management of fisheries at the worldwide level in compliance with

The standards of the main international agreements, of cooperating in the regional fisheries management organisations (RFMOs) and of preventing Illegal, Undeclared and Unregulated fishing (IUU fishing activities). The measures relating to trade and sustainable development should also provide for the creation of channels of dialogue on the questions of employment and the environment relating to trade, and rigorous procedures for checking and settling disputes based on transparency, dialogue and cooperation, and also with the participation of the civil society.

SWW RAC's opinion also advocates the inclusion in the free trade agreement of the "social" clause that can be found in the Fishing partnership agreements (FPA) negotiated between the European Union and third party countries. This clause refers essentially to the ILO declaration relating to the fundamental principles and rights to work and to wages of professional seamen in cases where seamen from third party countries board European ships in the context of an FPA. As specified above, the Union's objective is for the FTA with Thailand to include measures relating to the main ILO rules and the international conventions, including freedom of association, effective recognition of the right to collective negotiation of workers and the elimination of discrimination in relation to employment and to profession. Hence, the main aspects of the "social clause" will already be covered by the free trade agreement.

I would like to take this opportunity to inform you that, in addition to the FTA, the European Union wishes to reinforce political dialogue and cooperation with Thailand. In this regard, the negotiations on a partnership and cooperation agreement (PCA) were finalised in February 2013, which opens up new possibilities for developing cooperation and mutual support in areas such as promotion of the sustainable management of marine resources, reinforcement of the capacity to negotiate multilateral agreements on the environment, and the implementation of an agenda on decent work and health and safety in the work place.

I thank you for your constructive contribution. If you have an other questions, please contact Mrs Evangelia Georgitsi, coordinator of the Regional Consultative Councils (evangelia.georgitsi [@ec.europa.eu](mailto:evangelia.georgitsi@ec.europa.eu); +32.2.295.04.43).

Yours faithfully.

Lowri EVANS

Copies: C. Rambaud, B. Focquet, E. Bianchi, E. Georgitsi (DG Maritime Affairs and Fisheries)