



Trade Sustainability Impact Assessment in support of FTA negotiations between the European Union and Australia

Final Inception Report

10th of May 2019

Prepared by BKP Economic Advisors
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ABSTRACT

The European Commission has commissioned a Sustainability Impact Assessment (SIA) in support of the free trade agreement (FTA) negotiations between the European Union and Australia. The SIA aims at providing a robust analysis of the potential economic, social, human rights and environmental impacts that the trade agreement under negotiation could have, in the EU and Australia and in other relevant regions and countries. It also encompasses a continuous and wide-ranging consultation process which to ensure transparency and the engagement of all relevant stakeholders in the conduct of the SIA inside and outside the EU. The goal of the SIA is to provide an integrated, independent, evidence-based, transparent, participatory, and proportionate study on the potential effects of the EU-Australia FTA.

This Inception Report presents the methodology and approach for the SIA, including the plan for the stakeholder consultations. The approach is structured as follows. Following a description of the state of play with regard to the economic, social, human rights and environmental situation, the overall potential impact of the FTA will be assessed both quantitatively and qualitatively (including through feedback from civil society); this will also include the effects for SMEs and gender equality. Complementing the overall analysis, five sector studies and up to six cases studies will provide more in-depth assessments of the FTA's impact.

ACRONYMS

ACCSR	Australian Centre for Corporate Social Responsibility
ACOSS	Australian Council for Social Service
AHRC	Australian Human Rights Commission
APEC	Asia-Pacific Economic Cooperation
AUS	Australia
CEACR	Committee of Experts on the Application of Conventions and Recommendations
CEDAW	Committee on the Elimination of Discrimination against Women
CESCR	Committee on Economic, Social and Cultural Rights
CFR	Charter of Fundamental Rights
CGE	Computable General Equilibrium
CSD	Civil Society Dialogue
CSR	Corporate Social Responsibility
DG	Directorate-General
EC	European Commission
ECHR	European Convention on Human Rights
EDGAR	Emissions Database for Global Atmospheric Research
EESS	Electrical Equipment Safety System
EPBC	Environment Protection and Biodiversity Conservation
ERF	Emissions Reduction Fund
EU	European Union
FDI	Foreign Direct Investment
FRA	Fundamental Rights Agency
FTA	Free Trade Agreement
GDP	Gross Domestic Product
GHG	Greenhouse Gas
GI	Geographical Indication
GVC	Global Value Chain
HAP	Hazardous Air Pollutants
HDI	Human Development Index
HRW	Human Rights Watch
ICPED	International Convention for the Protection of All Persons from Enforced Disappearance
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
ICT	Information and Communications Technology
ILO	International Labour Organization
IPR	Intellectual Property Rights
ISG	Inter-Service Steering Group
LDC	Least Developed Country
LGBTI	Lesbian, Gay, Bisexual, Transgender and Intersex
LSE	London School of Economics Enterprise
MRA	Mutual Recognition Agreement
MSAG	Multi-Stakeholder Advisory Group
NAP	National Action Plan
NDC	Nationally Determined Contribution
NEG	National Energy Guarantee
NEPC	National Environment Protection Council
NEPM	National Environment Protection Measure
NGO	Non-Governmental Organization
NTM	Non-Tariff Measure
NZ	New Zealand
OECD	Organisation for Economic Cooperation and Development
OP-CRC-CI	Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure

OP-ICESCR	Optional Protocol to the International Covenant on Economic, Social and Cultural Rights
PACER	Pacific Agreement on Closer Economic Relations
RoO	Rules of Origin
SIA	Sustainability Impact Assessment
SME	Small and Medium Sized Enterprise
SPS	Sanitary and Phytosanitary measures
TBT	Technical Barriers to Trade
TFEU	Treaty on the Functioning of the European Union
TiVA	Trade in Value Added
ToR	Terms of Reference
TPRM	Trade Policy Review Mechanism
TSD	Trade and Sustainable Development
TSIA	Trade Sustainability Impact Assessment
UK	United Kingdom
UN	United Nations
UNCTAD	United Nations Conference on Development and Trade
UNGP	United Nations Guiding Principles on Business and Human Rights
US	United States
WEgate	Women's Entrepreneurship Gate
WIGB	Women in Global Business
WIOD	World Input Output Database
WTO	World Trade Organisation

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Caveat: The preliminary analysis in this report is based on the Commission's computable general equilibrium (CGE) simulations undertaken at the time of the impact assessment. Given the developments regarding the United Kingdom's exit from the EU, the Commission has decided to update the modelling. As the updated results are not yet known, findings presented in later reports prepared in relation to this sustainability impact assessment may differ from those in the present report.

1. INTRODUCTION

1.1. Objectives and key features of SIAs

1.1.1. Objectives

The European Commission, DG Trade, under Multiple Framework Contract TRADE2017/A5/01 has issued a Request for Services TRADE 2018/C2/C07 to provide "Sustainability Impact Assessments (SIA) in support of the free trade agreement (FTA) negotiations between the European Union and New Zealand, and between the European Union and Australia". As is clear from the Terms of Reference (ToR), the SIA consists of two equally important and complementary components (ToR, p. 5):

- A robust analysis of the potential economic, social, human rights and environmental impacts that the trade agreement under negotiation could have, in the EU, in the partner country(ies) and in other relevant countries;
- A continuous and wide-ranging consultation process, which ensures a high degree of transparency and the engagement of all relevant stakeholders in the conduct of the SIA inside and outside the EU.

From the ToR it is also clear that the SIA has to be integrated, independent, evidence-based, transparent, participatory, and proportionate. The SIA work is carried out in parallel to the ongoing negotiations and as such:

- Feeds into a position paper drafted by the Commission services focusing on the impact and measures proposed for the negotiations and FTA;
- Allows negotiators to reach out to the research team to ask for specific issues/clarifications relevant for the negotiations and for draft results of the ongoing work to reach the negotiators.

Three relevant framework sources for doing a SIA are the Handbook for Trade Sustainability Impact Assessments (2nd Edition), the Better Regulation Package, and the Guidelines on the analysis of Human Rights impacts in impact assessments for trade-related policy initiatives. All three sources are used as frameworks in this study.

1.1.2. Key features

In line with the abovementioned Handbook for Trade Sustainability Impact Assessments, the key features of this study are:

- An integrated approach to assessing the impact of the EU-Australia FTA (EU-AUS FTA) based on the four sustainability pillars: economic, social, human rights and environmental;
- Engagement in the EU and Australia with key stakeholders, including civil society, providing important inputs into the study;
- A multi-pronged approach – combining quantitative analysis, gravity regression work, with qualitative approaches like literature reviews, expert and stakeholder interviews, and survey work;
- Apart from an overall analysis, providing deep sectoral dives (of five prioritised sectors) and in-depth analyses in the form of case studies;
- Develop useful policy recommendations, including flanking measures, for the negotiations and potential EU-AUS FTA.

1.2. List of key issues for the EU-Australia negotiations

The list of key issues for the EU-Australia negotiations will continue to be developed as the study progresses. Based on a first outreach to stakeholders and based on starting work on establishing the basis for the sustainability pillars, we present the following non-exhaustive first list of important issues:

- From an economics perspective, key issues for the EU-Australia negotiations would be to reduce existing barriers to trade and investment – considering the EU's

agricultural sensitivities – and to make it easier for EU SMEs to access the Australian market for goods and services.

- The analysis of the social state of play suggests that despite progress, gender gaps remain on the labour markets in both the EU and Australia, in terms of employment rates, pay, occupied positions, and the numbers of hours worked. Moreover, men and women tend to have different sectorial preferences in choosing jobs and setting up enterprises, which in turn means that a new FTA may affect them differently in their roles of workers and entrepreneurs.
- Preliminary findings also suggest also that job quality is an issue in some sectors which are likely to be affected by the new FTA and may be proposed for a more detailed analysis, including ruminant meat and dairy products, as well as utilities, including construction. These are characterised by a high number of accidents at work, low to medium wages, low presence of trade unions (notably in agriculture) and identified cases of exploitation of migrant workers.
- Preliminary findings on the possible impact of the new FTA on environment suggest that right to clean environment, right to water and right to health may potentially be affected and may be proposed for further analysis to define specific vulnerable groups and investigate the details of the impact.
- The direct environmental consequences of trade-induced growth of the agricultural sector in Australia and associated knock-on effects call for further exploration, with a special focus on the impact areas 'water' and 'biodiversity'.

1.3. Structure and workplan of the EU-Australia Trade SIA

1.3.1. Structure of the project

The project is structured along two dimensions:

- From broad to narrow analysis, starting with the overall analysis, and then turning to sector and case study work, ending with policy recommendations and flanking measures.
- From the perspective of each of the four sustainability pillars: economics, social, human rights, and environmental.

Unlike previous Trade SIAs, which had three phases, the study consists of two: an Inception Phase and a main analysis phase (see Figure 1.1 below) leading to a Final Report.

1.3.2. Workplan of the study

The findings of this study need to be available well in advance of the conclusion of the EU-AUS FTA negotiations in order to feed into those same negotiations and in order to have an impact in terms of analytical findings and policy recommendations and accompanying measures. That is why activities have been front-loaded: submission of the draft inception report within less than 1 month of the kick-off meeting, submission and discussion of draft work/chapters with civil society no later than 3 and 4 months after the kick-off meeting, respectively. The draft final reports will be submitted in month 6, allowing us time to review and discuss the draft findings with the Commission well within the overall 10-month duration deadline for the project as indicated in the ToR. Figure 1.2 below presents the overall study workplan.

Figure 1.1: Project structure and phases

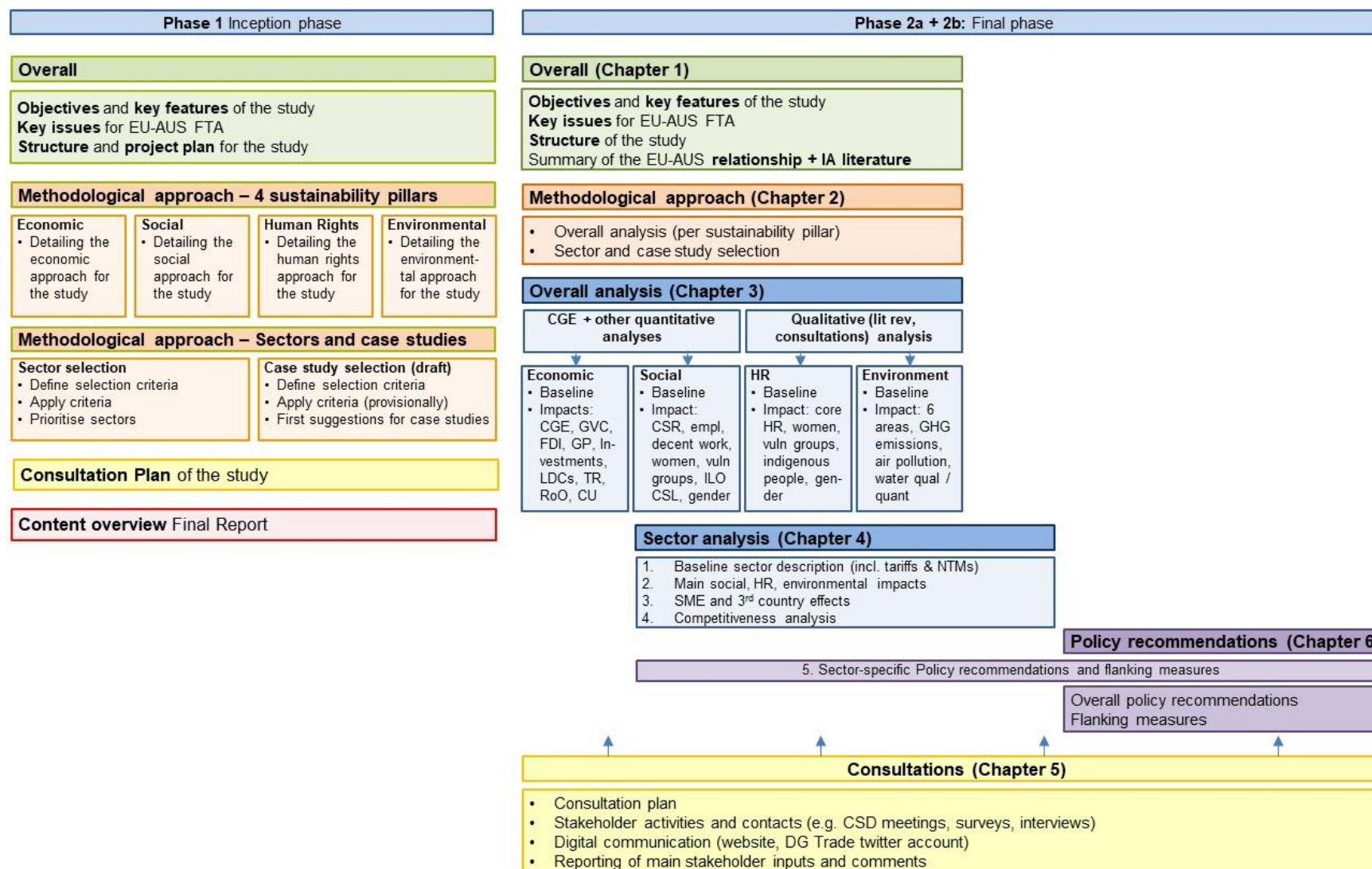


Figure 1.2: Workplan for the study

Project Activities	Time (weeks)																			
	0*	2	4	6	8	10	12	14	16	18	20	22	24	26	28	30	32	34	36	38
Kick-off meeting	16/1																			
Work on Inception Report (first sector sel, litrev, screen/scope, etc.)																				
Draft Inception Report			6/2																	
Overall analysis																				
<i>Economic analysis</i>									6/5											
<i>Social analysis</i>									6/5											
<i>Human Rights</i>									6/5											
<i>Environmental analysis</i>									6/5											
Sectoral Analysis																				
Selection sector and case studies																				
<i>Economic analysis</i>									6/5				5/7							
<i>Social analysis</i>									6/5				5/7							
<i>Human Rights</i>									6/5				5/7							
<i>Environmental analysis</i>									6/5				5/7							
Case study work													5/7							
Policy recommendations and flanking measures													5/7							
Consultation process																				
- Consultation plan (incl. identification stakeholders)			6/2																	
- SIA dedicated website			6/2																	
- Stakeholder interviews / meetings											10/6									
- Online surveys/questionnaires open (1 general, 1 specific)											10/6									
- Civil Society Dialogue meetings + presentations (2x)							4/4										4/9			
- Steering Group meetings (4x)	16/1						4/4										4/9			
Draft Final Report													5/7							
Final Report																		18/9		

* The start of the project is the envisaged date of the Kick-off Meeting (t=0)

2. PROPOSED METHODOLOGICAL APPROACH

Our overall approach to the study is presented in Figure 1.1. In the four sections of this Chapter we explain how research in each of the sustainability pillars will be carried out.

2.1. Detailing the economic approach

The starting point for the economic analysis in this report is the modelling (a Computable General Equilibrium (CGE) model) undertaken by the Commission (in the study supporting the impact assessment carried out by LSE Enterprise, 2017), which is an appropriate and accepted approach for analysis of trade agreements dealing with traditional issues of cross-border trade in goods and services. The economic variables for focus include trade flows (bilateral exports and imports; exports and imports to the rest of the world); investment; output; prices; welfare and GDP; and fiscal revenues. Further analysis, in subsequent reporting, will be based on the revised CGE simulation results from DG Trade. The analysis will also include a discussion on the limitations of the CGE results (e.g. pertaining to preference utilisation and not including innovation/dynamic FDI effects).

We will build on this analysis by providing a qualitative and, to the extent possible, quantitative, assessment of the main non-tariff measures (NTMs), investment and other behind-the-border issues of relevance to the EU-AUS FTA. These include:

- Strict phytosanitary import regulations in Australia for fresh fruits and vegetables;
- Australia's Electrical Equipment Safety System (EESS) that applies to the import of all electrical equipment and requires various testing, documentation and certification procedures, imposing direct and indirect costs on EU SMEs; and
- Foreign investment above certain defined thresholds is subject to screening in Australia, which has become more complex over time, with additional screening mandated for sensitive sectors such as media, real estate, defence, telecommunications, air transport and airports, encryption and security.

Since these issues are addressed in quite some detail in the ex-ante study, the SIA will identify, describe and analyse the main remaining tariff barriers and NTMs affecting trade relations between the EU and Australia. The focus of this analysis will be qualitative, since a quantitative treatment would require an extension to the CGE modelling, which has not been requested, and the quantitative analysis already undertaken has largely exhausted the possibilities of the existing CGE model. We anticipate that information on NTMs will emerge primarily from stakeholder consultations and multilateral and bilateral monitoring (e.g., the WTO TPRM, EU Market Access Database, and also – if applicable to EU or AUS – the US Special 301 and other reports), as well as business surveys (including the surveys undertaken as part of this SIA). We will also pay attention to any NTMs in the area of intellectual property rights including Geographical Indications, a priority area for the EU in its FTAs.

We will complement this qualitative analysis by undertaking quantitative assessments of government procurement and investment liberalization under the EU-AUS FTA – given the appropriate legal frameworks in the EU and Australia (i.e. in the EU with respect to EU overall and EU Member State procurement, and in Australia with respect to the Australian federal as well as Australian State and Territory governments). We will do this by estimating structural gravity models of procurement and investment separately, using data on public imports from the World Input Output Database (WIOD; Timmer et al., 2015) over 2000-2014 and data on bilateral FDI from the OECD and UNCTAD over 2000-2017, respectively. The economic analysis will also describe the government procurement and FDI landscapes in the EU and Australia, including for major sectors, the important legislative requirements governing liberalization in each case, as well as the opportunities and challenges that EU SMEs will face in accessing Australia's procurement market at all levels, especially SMEs involved in the main sectors.

On rules of origin (RoO), the economic analysis will include an overview of RoO practices in Australia, highlighting whether there have been any recent RoO violations (issues with certificates/fraud and verification issues), thereby providing an assessment of the capacity to administer RoO. Complementary information will be collected through interviews with stakeholders, notably customs and traders. A focus will be put on SMEs, both in the EU and Australia, regarding their experience with RoOs, in order to identify options for a simplified RoO regime for SMEs in the EU-AUS FTA.

The assessment of the impact of the EU-AUS FTA on SMEs will be based on:

- The investigation, study and interpretation of the project results on implications of legal uncertainty for SMEs in case dispute resolution is needed; and
- The "SME test" reflecting the "think small first principle" suggested in the ToR and described in the Better Regulation Guidelines. The analysis will focus on identifying the sectors where SMEs could be more strongly impacted by the EU-AUS FTA.

With respect to global value chain (GVC) integration, the analysis will use the OECD-WTO Trade in Value Added (TiVA) database to establish the current positions of Australia in GVCs, and particularly in value chains involving EU firms. We will also identify the characteristics in terms of (i) the sectors in which GVCs play a particular role for Australia; (ii) the role which Australian and EU firms play in value chains involving both partners, i.e. whether they are value chain organisers or participants in value chains organised by third parties; (iii) the importance of backwards and forwards linkages and the position of FTA partner firms in the chain; and (iv) the potential contribution which the FTA may have on the strengthening Australia's participation in GVCs. We will then estimate the effect of preferential liberalization in the EU-AUS FTA on bilateral backward and foreign participation by estimating a structural gravity model using TiVA data from the OECD over 2000-2011. We will also complement these quantitative estimates with a qualitative analysis. This will be based on information provided by private sector organisations to identify important sectors from a GVC-participation perspective and to identify options on how the FTA could facilitate GVC involvement, such as through a focus on intermediates or business services which are important for GVC development.

Geographically, the effects of the EU-AUS FTA will be determined for the following regions/countries: Australia; the EU; the EU Outermost Regions; Turkey; and LDCs. To the extent possible, the analysis of effects will be quantitative, using CGE results and statistical analysis of the main trade links and changes in tariffs.

In assessing the effects of the EU-AUS FTA on the EU's Outermost Regions, as well as on LDCs, we will add value to existing studies by (i) looking at the PACER Plus group¹ in more detail; and (ii) analysing the impact on the EU's outermost regions for the first time at all. The methodology involved will entail a sector-disaggregated analysis. In a first step, the economic modelling results will be used to determine the sectors in the EU and Australia that would benefit (or lose out) from the FTA in terms of increased (or decreased) bilateral exports, total exports and output. In a second step, a matching analysis will be undertaken to examine the extent to which the most affected sectors in the two partner countries are also export sectors in LDCs/outermost regions (to either Australia or the EU). If there is competition, then LDC/outermost region sectors could be negatively affected through preference erosion and/or increased competitive pressure on third markets. The effects will be determined qualitatively, distinguishing, if applicable, the countries or regions, which might be positively or negatively affected by the EU-AUS FTA.

¹ PACER Plus is a group of eleven countries (Australia, Cook Islands, Kiribati, Nauru, New Zealand, Niue, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu) who have signed this Pacific Agreement that is comprised of contains cooperation in the areas of y comprises technical chapters on Trade in Goods, Services, Investment and Customs, Movement of Natural Persons, Technical Barriers to Trade, Rules of Origin, Customs and Sanitary and Phytosanitary Measures.

2.2. Detailing the social approach

The social analysis seeks to respond to the question of how a reduction of tariff and non-tariff barriers between the Parties via the EU-AUS FTA, the resulting changes in output of individual sectors and export and import activities they are involved in, may affect a range of social aspects in the EU and Australia. We also seek to determine potential direct and indirect social impacts of other provisions of the future FTA, e.g. on Technical Barriers to Trade (TBT) or Trade and Sustainable Development (TSD).

Our approach consists of three steps:

- **Step 1:** We develop an overview of the current situation in the EU and Australia, recent trends in the analysed social aspects (e.g. employment) and factors influencing them.
- **Step 2:** We identify impacts of the future FTA, for the whole economy and chosen sectors, based on the economic model, literature review, statistical data and broad stakeholder engagement.
- **Step 3:** We provide recommendations for policy initiatives and accompanying measures.

In Step 1, the analysis of the current situation has been based mainly on literature review and analysis of statistical data. This includes e.g. the annual reporting about the situation on the labour market provided by the European Commission (2019 EU Joint Employment Report) and the Australian Government, accompanied by data from the Labour Survey processed by EUROSTAT and the Australian Bureau of Statistics. Data regarding job quality includes reports prepared by specialised agencies, such as Safe Work Australia regarding e.g. the number and type of accidents at work. The section on consumers, welfare, poverty and inequality relies upon many sources, including statistical data on wages complemented by analysis done by experts concerning recent trends in wage levels and expected changes, as well data provided by the European Commission, OECD and the Australian Council of Social Service regarding poverty and inequality. Rights at work are analysed based on the reports of the ILO monitoring body, the Committee of Experts, other types of international monitoring and reporting, such as the Global Slavery Index, surveys and research studies,² as well as relevant reports and analysis provided by the European Commission, the Australian Government, the European Parliament and the OECD. Surveys conducted by the University of Melbourne or NGOs, and a study funded by the European Commission have also been used in the analysis of uptake of corporate social responsibility practices and women's activity as entrepreneurs and traders. They have been complemented by statistical data from EUROSTAT and the Australian Bureau of Statistics, as well as by information about support programmes for female entrepreneurs and about international initiatives, under the auspices of the WTO and APEC joined by the EU and Australia. A full list of sources has been provided in bibliography (Annex I).

The starting point for Step 2, the analysis of impacts, will be provided by the ex-ante study and the Commission's Impact Assessment Report, both detailing outcomes of the economic model, such as estimated changes in employment levels, wages, welfare and Consumer Price Index. We will refer to them in our Report. This will be complemented by further literature review, notably in the sectorial part of the analysis, as well as by a comprehensive stakeholder engagement. In Annex III, we provide a non-exhaustive list of most relevant stakeholders from the EU and Australia, we would like to get in touch with while Chapter 3 of this Report outlines details of stakeholder consultation activities which will cover all pillars of our study, including the social one. We will use meeting opportunities, surveys and interviews to get additional insights into the situation and trends in individual sectors and analysed social aspects, and to validate our findings. Our analysis at this stage will be guided as well by the Better Regulation toolbox, and a discussion with negotiators involved in talks on the EU-AUS FTA.

² E.g. work carried out by researchers from Universities in Sydney discussing cases of exploitation of migrant workers.

In Step 3, we will provide recommendations, which are discussed more in detail at the end of this section.

The analysed types of impacts – in line with the ToR – cover employment levels, women (as workers, entrepreneurs, traders and consumers), consumer welfare (including inequality and vulnerable groups), job quality, rights at work, corporate social responsibility (CSR), and public policies (e.g. social protection, healthcare and education). We sum up in a very concise manner each of these impact areas below.

Employment levels: The current situation analysis (Step 1) describes the labour markets in the EU and Australia. We provide data on employment and unemployment rates for different groups of workers (e.g. skilled and unskilled ones, youth, older workers or indigenous people), trends in job creation across sectors and skills levels, and shares of individual sectors in the total employment. It informs about actions taken by the governments to enhance employability of vulnerable groups of workers and to support skills development. In Step 2 we will assess quantitative impacts of the future FTA on the number of jobs to see how a reduction in barriers to trade will influence performance of individual sectors in the EU and Australia and how this may translate into a potential job creation or a reduction in each sector and a shift of labour force between them. The analysis based on the economic model used by the Commission will provide data for skilled and unskilled workers across all sectors and under two scenarios which assume respectively liberalisation and increased liberalisation of trade. Matched with the analysis of sectorial shares in total employment, it will provide an idea of the expected scale of changes induced by the agreement. Based on the available data, we will also estimate whether the Parties have conditions in place to seize the opportunity offered by the FTA to increase sectorial output and employment.

Women (workers, entrepreneurs, traders and consumers): In Step 1 we describe the situation of women in the EU and Australia on the labour market as workers, the areas of their economic activity as entrepreneurs and participation in international trade, across sectors. It compares data for men and women to determine the level of gender equality across a range of indicators. It also refers to challenges faced by women in their roles and steps taken by governments to address them. At the next stage, based on the results of the economic modelling, we will estimate the likely changes in employment levels across sectors and how they will impact employment of women compared to men (given that each gender has its own pattern of shares in employment across sectors). In a similar way, we will examine changes in output of individual sectors stemming from the EU-AUS FTA and how this may influence operation of women-led enterprises active in these sectors compared to the businesses led by men. Finally, based on the estimated changes in trade performance of the individual sectors, we will analyse what effects this may have on women as traders, knowing sectors in which they operate and types of traded products or services. Supported by stakeholder consultations and other sources, our recommendations will provide proposals supporting gender equality in trade and addressing challenges faced by women in their roles in the context of the new FTA. Although we describe this issue here, women (as with SMEs) will be treated at a higher level in the report structure to highlight the importance of the issue.

Consumers, welfare, levels of inequality and impacts on vulnerable groups: Step 1 provides an overview of the situation of different groups of the population in the EU and Australia with a focus on those exposed to risks of poverty and/or social exclusion. We break this down by education levels, main sources of income, household composition, etc. It also provides data related to inequality levels expressed by the ratio of incomes between the richest and the poorest 20 percent of society. We outline trends in wage levels and have at our disposal further information concerning other factors influencing welfare, such as housing prices or changes in types and levels of social benefits. In Step 2, based on results of the economic modelling, we will estimate impacts of the future EU-AUS FTA on wages and price levels, welfare and inequality. Moreover, using stakeholder consultations and analysis of textual proposals tabled in negotiations, we will draw conclusions regarding broader impacts of an FTA on consumers, including availability of goods and services, their

quality and safety, and consumer information and trust. We note that European consumer organisations have published recommendations for the future EU-AUS FTA.

Job quality: Step 1 provides an overview of job quality indicators (where available, across sectors) in the EU and Australia, including types of contracts, the number of working hours per week, and the number and types of accidents at work. Step 2 applies the analysis of statistical data and qualitative analysis, supported by literature review and stakeholder consultations, to estimate whether the future FTA will be likely to have an impact on job quality, mainly in sectors most affected by changes in output and trade flows. Therefore, the analysis of the impact on job quality will be carried out as part of the sectorial analysis. To the extent relevant information and data will be available, we will identify more precisely trends in job quality and factors influencing them in each of the analysed sectors to establish the potential scale and direction of changes which may be induced by the FTA.

Rights at work: The description of the current state of play (Step 1) and the impact analysis (Step 2) will be centred around four ILO core labour standards, i.e. 1) non-discrimination at work, 2) elimination of child labour, 3) prohibition of forced labour, 4) freedom of association and the right to collective bargaining. In the context of non-discrimination at work, we provide information about the situation of people with disabilities and migrant workers on the labour market in the EU and Australia. We may extend it e.g. by moving from the general part of the analysis data related to the situation of indigenous people on the labour market. The description of the current situation also indicates examples of sectors where cases of child labour and forced labour have been identified. Moreover, it outlines trends in trade union membership across sectors and factors which have induced observed changes.³ We also have at disposal further information about planned or taken actions meant to address identified challenges (e.g. to facilitate access to work for people with disabilities or to eliminate cases of forced labour and exploitation of migrant workers in agriculture). Collected evidence has also supported the choice of sectors for a more detailed analysis. In Step 2, jointly with further literature review and stakeholder consultations, it will help us determine the likely scale and direction of impacts of the future FTA on the respect of rights at work in the EU and Australia overall and for most affected sectors. At that stage, we will also cross-reference our findings in this section with those related e.g. to poverty levels, given that children, people with disabilities, indigenous people and migrants may be affected by multiple types of impacts, including changes in employment levels, incomes and prices. In this part of the analysis, we will, moreover, consider potential impacts related to inclusion of a Trade and Sustainable Development (TSD) chapter into the future EU-AUS FTA.

Corporate Social Responsibility (CSR): We provide insights into CSR practices in the EU and Australia and factors encouraging their use. The latter may include policy or legislative incentives, image valued by customers, practice of the lead company in the value chain or of the headquarters influencing actions of branches based in other countries. This combined with stakeholder consultations, will provide an idea of the likelihood and type of potential impacts of the future FTA. We will also seek to determine if cooperation activities proposed in a TSD chapter, such as joint projects or workshops, may encourage peer learning in the area of CSR between business and civil society representatives from the EU and Australia.

Public policies (social protection, healthcare and education): The main part of the analysis in this section will seek to identify whether the FTA through changes in tariff rates, revenues (e.g. taxes, tariff revenues, and social security contributions) and expenditures (e.g. social benefits) will influence the availability and accessibility of public services and their quality. We will also examine if e.g. through TBT or Intellectual Property Rights (IPR) provisions (e.g. on medical devices and pharmaceuticals) the EU-AUS FTA may influence the availability of services.

³ We will look, for example, at whether the non-ratification of ILO fundamental convention C87 is a factor.

At the final step of our analysis, based on the outcomes from Step 1 and Step 2, we will provide recommendations aimed at strengthening expected positive and mitigating potential negative impacts, which may result from the new FTA. Our aim will be to finish the work early enough to inform the ongoing negotiations. With this in mind, we will divide our recommendations into two parts. The first one will provide proposals to be taken into consideration in the course of negotiations, e.g. through inclusion of a specific text or approach. We would be willing to discuss these proposals with the Commission representatives involved in negotiations. The second set of recommendations will be more forward looking and may suggest actions to be taken by one or both Parties at the stage of implementation of the future FTA or as part of their ongoing policy development.

2.3. Detailing the human rights approach

This section provides a summary of the detailed approach envisaged for the analysis of the impact of the proposed FTA on human rights in both Australia and the EU. We intend to follow a five-step approach that reflects upon the human impact assessment methodologies (De Schutter, 2011) and EC Guidelines on the analysis of human rights impacts in impact assessments for trade-related policy initiatives (European Commission, 2015). Step 4 will feed into the three main steps of the analysis throughout all the stages of the project. Step 5 will be based on all the other steps of the analysis.

Figure 2.1: Methodological Structure of the Human Rights Analysis



In **Step 1**, we present a concise overview of the human rights legal framework (information on the ratification status of the core human rights treaties and core ILO Conventions will be presented in Annex IV in a tabular manner) and current human rights situations reflecting on the pre-existing human rights-related issues of vulnerability in both Parties to the prospective FTA (establish the current state of play). We note this part of analysis has been carried out in the ex-ante study (LSE Enterprise, 2017). Therefore, we will not repeat this work again, but check and reference its results insofar they are relevant and then extend them when necessary by own research based on additional literature review, consultations with local partners and stakeholders. The non-exhaustive list of stakeholders (see Annex III – that we will continuously expand) will be used frequently throughout the study. The first time we use the list is when we approach stakeholders to invite them to express their views on the issues reflected in the ex-ante study as well as suggest sectors and case studies that are most likely to be affected by the EU-AUS FTA.

In **Step 2**, we carry out a screening and scoping exercise to identify specific key human rights/issues that will most likely be affected by the proposed EU-AUS FTA. The likely cause-effect relationships between trade and trade-related measures in the FTA and

human rights are intended to be drawn from multiple sources (FTA texts,⁴ literature review, local partners, consultations, etc.). Screening results will be presented in a concise tabular manner due to size limitations of the report but will reflect on the possible direct/indirect and major/minor impacts as specified in Fundamental Rights Check-List in Tool No. 28 of the Better Regulation Box and the EC guidelines. The scoping exercise will clarify the scope and content of the possible impacts pointing out how certain measures can create potential impacts on specific human rights. At this stage we will use a broad survey that will determine the basis, as well as carry out a limited number of human rights focused interviews with stakeholders set up by our Australian counterparts to discuss modelling results and results of the screening and scoping exercises to verify and finetune the analysis.

In **Step 3**, we will focus on the selected human rights/issues and carry out a detailed assessment (both quantitative and qualitative) of these rights, substantiating on the potential impact and analysing the extent to which particular measures foreseen in the proposed Agreement may enhance or impair the enjoyment of the relevant rights and/or may strengthen or weaken the ability of the parties to fulfil or progressively realise their international human rights obligations. We intend to provide specific examples in case studies.

Quantitative analysis will be based on the econometric results and possible additional economic, social and environmental analyses. Based on these data, we can provide insights, both at aggregate and sector levels, on how the EU-AUS FTA could impact both Parties. Different quantitative variables help us with parts of the human rights analysis and provide in some cases a reflection upon the affected individuals and/or groups of people in relevant sectors (impact on vulnerable groups of the population). The quantitative analysis will be complemented by qualitative assessment. This assessment relies on additional literature review and extensive inputs from the local partners and stakeholders via surveys, interviews and opportunities to provide feedback on draft versions of our work.

Step 4, stakeholder consultations, as mentioned above, will run through all the stages of the analysis and support, verify and finetune the findings and conclusions. They also serve as the most important source of information to get insights into the most recent trends in the human rights situation of vulnerable groups. This allows us to assess the potential FTA impact from the perspective of the people (Danish Institute for Human Rights, 2016). At this stage, human rights-related questions will be prepared for the general survey, which will be available on the website and sent out to the identified stakeholders by mail. We will strive to receive at least 25 detailed responses related to the potential human rights impact in order to have a representative sample. Moreover, we will discuss with the team internally as well as with the ISG whether it is useful to include additional human rights questionnaires that are built on the human rights impact assessment methodology, and establish specific groups that may potentially be affected (i.e. 'right-holders') and specific groups that have human rights responsibilities (i.e. 'duty-bearers'). From the experience in previous SIAs, interest of stakeholders has been modest at best.

In **Step 5**, we propose policy recommendations and flanking measures helping to strengthen the positive and mitigate any negative human rights impacts of the proposed FTA on human rights, with a focus on the most vulnerable groups. Recommendations will be prepared at an early stage in the project to be able to check them with the ISG and specific human rights organisations. We are also available to meet with the negotiators when draft stages of the research are completed to provide them with insights into our draft findings and listen to (and possibly incorporate) any requests/questions that come out of the negotiations.

⁴ In case the textual proposals for the EU-Australia Agreement are unavailable. We will use the textual proposals of the CETA Agreement and EU-Chile Agreement.

2.4. Detailing the environmental approach

2.4.1. Objectives and output

In the environmental impact assessment, we assess the most significant potential environmental impacts resulting from the EU-AUS FTA on both the EU and Australia. The environmental analysis will result in a clear and concise report detailing, both in a quantitative and qualitative manner, which environmental impacts are likely to occur.

2.4.2. Approach

We will follow a well-structured approach in order to enable an efficient, effective and transparent process to assess the environmental impacts of the FTA. The approach incorporates four elements:

- 1. FTA elements** – These are measures in the FTA, which can potentially cause environmental impacts. Identified FTA elements: *Market access* and *Rules*;
- 2. Impact channels** – The mechanisms through which the FTA elements can result in environmental impacts. Identified impact channels: *scale effects*, *structural effects*, *technology effects* and *product effects* (in line with the SIA Handbook);
- 3. Impact areas** – The different specific environmental areas which can be affected by the FTA elements. Identified impact areas: *climate change*, *air quality*, *land use and soil*, *biodiversity*, *water and waste*;
- 4. Research methods** – The methodologies used to assess the impact of the FTA on each environmental impact area. Identified research methods: *quantitative and qualitative analyses*.

The environmental approach can be divided up into four consecutive Steps:

- **Step 1:** Establishing the state of play;
- **Step 2:** Quantitative environmental impact assessment;
- **Step 3:** Qualitative impact assessment;
- **Step 4:** Policy recommendations.

We have identified six main environmental impact areas. Even though the impact assessment on each environmental impact area will rely on both qualitative and quantitative research methods (where applicable), the analyses for the first two impact areas (climate change and air quality) will heavily employ quantitative methods. The analyses on the remaining impact areas will mostly rely on qualitative methods.

Step 1 – Establishing the state of play

Prior to assessing any potential impact of the FTA on the EU and Australia, we will describe the status quo of their **environmental governance** and **environmental performance**. In practice, this implies for the former that we will describe the environmental legislation in place, the responsibilities of different public authorities regarding environmental policymaking, and the impact of multilateral environmental agreements on the respective trade partners. For the latter, this implies an analysis of environmental performance based on relevant environmental impact area indicators for both the EU and Australia. The state of play will be established using existing literature and data as well as stakeholder interviews. Regarding the literature and data, we will extensively use the LSE's study supporting the ex-ante impact assessment (LSE, 2017) and complement this with additional sources from our own research (aided by our Australian expert). The stakeholder interviews will serve to gain further insights, validate the work, finetune results and generally increase triangulation. They will cover a representative sample of stakeholders – 4 from Australia and 4 from the EU.

Step 1 will result in a one-page description of the state of play per environmental impact area for both the EU and Australia (i.e. 12 pages in total). The state of play for the EU will be based on the work from earlier SIAs as much as possible and will only be critically reviewed/updated where needed. This will ensure that our focus lies on the lesser known (to EU negotiators) Australian environmental impacts, strengthening the overall quality of our outputs in the process.

Step 2 – Quantitative environmental impact assessment

In Step 2 we will produce quantitative estimates of the EU-AUS FTA's impacts on greenhouse gas (GHG) emissions and air pollution that provide more detail than the estimates stipulated in the ex-ante impact assessment. We extend the analysis on GHG emissions by analysing not only CO₂ but also methane (CH₄) and nitrous oxide (N₂O) emissions. The scope of the impact assessment is further expanded by including an air pollution analysis (i.e. assessing the FTA's impact on the concentration of primary particulates, acidifying gases and ozone precursor gases). These extensions are considered relevant because: (i) CH₄ and N₂O cover approximately 21% and 5% of all GHG emissions in Australia (Ageis, 2016) and originate from sectors likely to be affected by the FTA; (ii) air pollution had not been assessed before.

The economic results in LSE (2017) do not include results on the impact of the FTAs on CH₄ and N₂O nor on any air pollutants. Therefore, it is not fully possible to decompose the overall impact figure into the four drivers mentioned in the Handbook for Trade Sustainability Impact Assessments (scale, structural, technology and product effects) using the extended environmental input-output model underlying the economic modelling results. However, with the sectoral economic output results as a basis and gas/pollutant data from the EDGAR database⁵, we can approximate:

- **Scale effect:** The effect resulting from a change in the scale of production only;
- **Structural effect:** The effect from a change in the scale of production, considering the different emission intensities across sectors;
- **Technology/product effect:** The effect of exchange of more efficient technologies or production methods, which could affect (lower) the emission intensity.

The scale and structural effects will be assessed quantitatively, the technology/product effect will be assessed qualitatively.

Step 2 will result in the reporting of the quantitative estimates of the impacts of the FTAs on GHG emissions and air quality, in the EU and Australia (approximately 4 pages). The overall results will be decomposed into their most relevant key drivers where possible. To the extent feasible, we will extend the analysis by an estimation of the welfare effects (i.e. monetise external costs via the NEEDS⁶ methodology).

Step 3 – Qualitative impact assessment

In Step 3 we identify and investigate the most significant environmental impacts that are not yet analysed by means of the quantitative impact assessment from Step 2. Based on the triangulation of inputs from the ex-ante impact assessment, the economic modelling results and the results from qualitative research (causal chain analysis, interviews and literature review), we will continuously update the impact screening matrix. The impact screening matrix should be as exhaustive as possible, which will ensure that all impactful environmental pressures and opportunities that may arise from the FTA are covered. The matrix is made up of all (CGE) sectors and all environmental impact areas presented in Step 1. If significant impacts are expected in a certain sector or environmental impact area, we will attach so-called "impact alerts" to the corresponding sector and impact area. Based on these impact alerts, we can select (in cooperation with the ISG) a specific environmental impact area for a detailed Australian case study.

The case study represents a more elaborate causal chain analysis for a specific impact area of a country, based on additional literature review and two additional interviews per case study. The case study will be approximately 2 pages in length and cover, at minimum, an introduction, the (qualitative) state of play and /counterfactual of the impact area, the potential case study specific impacts of the FTA and conclusions and recommendations.

⁵ Available from: <http://edgar.jrc.ec.europa.eu/#>

⁶ Available from: <http://www.needs-project.org/>

Step 4 – Policy recommendations

Based on Steps 1, 2 and 3, we will come up with relevant and concise policy recommendations and flanking measures. We are also happy to provide draft insights for the negotiators and listen to their issues/questions in order to enhance the relevance of our work for the ongoing negotiations.

2.5. Sector selection methodology and proposal

Sector selection methodology

Before the sector selection can start, it is important to consider what constitutes a “sector”. For practical reasons, the study team took the definition of sectors as established in the Commission’s impact assessment as the starting point. This distinguishes 32 sectors which in turn have been derived from the 57 sectors defined in GTAP 9.⁷ In our proposal we offer to carry out five sector studies.

In order to identify the sectors that are most important and relevant for the study, the following criteria – looking at both Australia and the EU – have been applied:

- **Criterion 1: Importance of a sector for the economy.** This has been measured considering a sector’s size in terms of its share in total employment and output/value added.
- **Criterion 2: Magnitude of the FTA’s expected economic impact on a sector.** Using the results of the ambitious scenario of the Commission’s CGE analysis, the Agreement’s impact on bilateral exports and total output has been used and consolidated into one score.⁸
- **Criterion 3: Magnitude of the FTA’s expected social, human rights and/or environmental impact.** To assign sectoral scores for the social, environmental and human rights impacts of the FTA, the ex-ante study and the Commission’s impact assessment were reviewed, and further information – obtained from the literature, media and stakeholders – has been evaluated and rated by the team.
- **Criterion 4: Importance of specific issues raised by stakeholders and issues of particular relevance/importance/sensitivity from a negotiating perspective.**⁹ The goal of the SIA is to generate analytical and stakeholder-driven findings that are relevant for the ongoing negotiations, as well as address those issues which are considered of high importance by stakeholders and civil society in general. Therefore, views of stakeholders have been collected during the inception phase and have informed the sector selection. Such view comprised both the importance of a sector in the economy (including factors such as its role in innovation or its enabling nature for other sectors, both up- and downstream) and the expected impact of the FTA on it. During the study, this selection will be further validated as part of the comprehensive consultations to be undertaken.

As various criteria have been used, the individual scores needed to be aggregated into one overall sector score and rank in order to select the five “most important” sectors for the in-depth analysis. This has required assigning weights to the individual criteria. The

⁷ GTAP sectors in turn are defined with reference to the International Standard Industrial Classification of all economic activities (ISIC) and the Central Product Classification (CPC).

⁸ Note that both absolute and relative impact matters. For example, a large percentage change in a very small sector (or from a very small baseline value, such as EU gas exports to Australia in the Commission’s impact assessment) may get more attention than needed, while a smaller percentage change on a very large sector (e.g. construction services) might be much more important in practice. As the full CGE results have not yet been available to the study team, for the sector selection absolute changes have been calculated based on standard GTAP values for output, and for trade, by multiplying the relative changes reported in the impact assessment with actual export and output levels.

⁹ In the technical proposal, this criterion was split into two, Criterion 4: Importance of specific issues raised by stakeholders, and Criterion 5: Issues of particular relevance/importance/ sensitivity from a negotiating perspective. However, it has seemed more appropriate to collapse these two criteria into one as the study team is not privy to insight information into negotiations; hence, all information on the status of and issues in negotiations that is conveyed to the study team (e.g. through DGs) is filtered through the informant’s views and interests, and such information is thus rather to be considered as a stakeholder contribution.

methodology for this is as follows: First, the scores for Australia and the EU in criteria 1 to 3 were weighted equally to calculate average scores for these criteria (i.e. any potential impacts in Australia and the EU are considered as equally important). Then, criteria 2 and 3 on the impact of the FTA were considered to be more important than the importance of a sector in the economy (criterion 1) in isolation. This is because, if there is no clearly plausible causal link between the FTA and a sector, the impact on that sector would be definition be negligible, and an in-depth sector analysis would therefore not be warranted – even if the sector is economically very important. Finally, stakeholder contributions (criterion 4) were considered as still more important as they are based on a real-life view of the sectors, whereas criteria 1 to 3 are based on a narrow set of statistical data, CGE simulation results and literature review.

Finally, to ensure that the selected sectors cover a minimum level of variety and representativity across the economy and social landscape, after the ranking it has been checked that the selected sectors fulfil the following conditions: First, to ensure that gender issues are adequately reflected, the selected sectors need to also cover a balance in terms of male and female employment. Second, the inclusion of sectors with a high share of SMEs was also important. Third, the selected sectors should also cover primary (agriculture/extraction), secondary (industry) and tertiary (services) economic activities.

Five sectors for in-depth analysis¹⁰

Table 2.1 presents the results of the sector prioritisation. It shows the rating of each sector in relation to each of the selection criteria in Australia and the EU, applying a simple 3-scale rating scheme (high/medium/low for each criterion). According to this prioritisation exercise, and considering that a balance between goods and services sectors should be applied, the following sectors are proposed to be selected for a detailed sector analysis:

1. The **ruminant meats** sector is economically important in both Australia and the EU, and is expected to be affected relatively strongly by the FTA: it is expected to be the sector with the highest growth in exports from Australia to the EU (both in absolute and relative terms) and the highest relative growth in Australian output. At the same time, EU output is expected to decrease stronger, in relative terms, than any other sector. This has important potential social, human rights and environmental effects. Regarding the latter, the sector exerts pressure on the environment in a variety of ways. Apart from the geographically non-exclusive greenhouse gas impact of methane (CH₄) emissions, farming of ruminants causes negative impacts on water quality (sediment run-off) and biodiversity (directly via land-use change or indirectly via sediment run-off) in Australia specifically. As ruminant meat output and exports are expected to grow significantly under a potential FTA, this merits further analysis. In the EU, impacts vary across regions, but as ruminant meat output overall is expected to decrease under the FTA, this could technically loosen the sector's pressures on the environment in the EU.
2. The **motor vehicles and transport equipment** is ranked very highly, given its high economic importance, particularly in the EU, and the anticipated high economic impact of the FTA – in Australia, output is expected to decline by 1.7 percent, while both EU exports and output are anticipated to increase. Following from the output decline in Australia, social and human rights there are also expected to be affected, therefore justifying a more in-depth analysis.
3. The **machinery** sector is also ranked very highly, given its economic importance, particularly in the EU, significant economic impact of the FTA (e.g. in Australia, output is expected to decline by 2.0 percent and EU exports will go up). For very different reasons than for motor vehicles and transport equipment, but as in that sector also because of a significant FTA impact, social and human rights there are also expected to be affected, justifying a more in-depth analysis.

¹⁰ Note the caveat on the CGE modelling results at the beginning of this report. A plausibility check has been undertaken to determine if a change in the sector selection is likely to result from the revised simulations. This has shown that the sector selection is likely to be robust, i.e. would not change in response to the revised modelling.

Table 2.1: Sector prioritisation summary¹¹

Sector	Criterion 1: Economic importance		Criterion 2: FTA economic impact		Criterion 3a: FTA social impact		Criterion 3b: FTA HR impact		Criterion 3c: FTA environmental impact		Criterion 4: Stakeholder and negotiating issues	Rank	Priority for selection
	AU	EU	AU	EU	AU	EU	AU	EU	AU	EU			
1 Cereals	Low	Low	Medium	Low	Low	Low	Low	Low	Low	Low	Medium	20	Low
2 Rice	Low	Low	Low	Low	Medium	Low	Medium	Low	High	Low	Medium	25	Low
3 Vegetables, Fruits, nuts	Low	Medium	Medium	Low	Medium	Low	Medium	Low	Medium	Low	Medium	13	Medium
4 Oil seeds, vegetable oils & fats	Low	Low	Medium	Low	Medium	Low	Medium	Low	Low	Low	Low	20	Low
5 Sugar	Low	Low	Low	Low	Medium	Low	Medium	Low	High	Medium	Medium	25	Low
6 Plant & animal fibres and other crops	Medium	Medium	Medium	Medium	Medium	Low	Medium	Low	Low	Low	Low	14	Medium
7 Ruminant meats	Medium	Low	High	Medium	High	High	High	High	High	High	Medium	1	High
8 Other animal products	Low	High	Low	Low	Low	Low	Low	Low	Low	Low	Low	25	Low
9 Other meat	Low	Medium	Low	Low	Low	Low	Low	Low	Low	Low	Low	25	Low
10 Dairy	Medium	Medium	Low	Medium	Medium	Low	Medium	Low	Medium	Medium	High	5	High
11 Wood and paper products	High	High	Medium	Medium	Low	Low	Low	Low	Low	Low	Low	16	Low
12 Coal	High	Low	Medium	Low	Low	Low	Low	Low	Medium	High	Low	14	Medium
13 Oil	Low	Low	Low	Low	Low	Low	Low	Low	Medium	Low	Low	25	Low
14 Gas	Low	Low	Medium	Low	Medium	Medium	Medium	Medium	Medium	Medium	Low	9	Medium
15 Minerals	High	Low	Low	Low	Low	Low	Medium	Low	Medium	Low	Medium	25	Low
16 Fishing	Low	Low	Low	Low	Low	Low	Low	Low	Low	Low	Low	25	Low
17 Other food products	Medium	Medium	Medium	Medium	Low	Low	Low	Low	Low	Low	Low	20	Low
18 Beverages and tobacco	Medium	Medium	High	Low	Low	Low	Medium	Medium	Low	Low	Medium	9	Medium
19 Textile, apparel, leather	Low	Medium	Medium	Medium	Low	Low	Medium	Low	Low	Low	Low	19	Low
20 Chemicals, rubber, plastic	High	High	High	Medium	Low	Low	Low	Medium	Medium	Low	Medium	6	Medium
21 Petroleum, coal products	Medium	Medium	Medium	Low	Low	Low	Low	Low	Medium	Low	Low	20	Low
22 Metal products	High	High	High	Medium	Low	Low	Low	Low	Low	Low	Medium	9	Medium
23 Non-metallic minerals	Medium	Medium	Medium	Medium	Low	Low	Low	Low	Low	Low	Low	20	Low
24 Motor vehicles & transport equipment	Medium	High	High	High	High	Low	High	Low	Low	Medium	Medium	2	High
25 Machinery	Medium	High	High	High	High	Low	Medium	Low	Low	Medium	Medium	3	High
26 Electronic equipment & other manufacture	Medium	Medium	Medium	High	Low	Low	Low	Low	Low	Low	Low	16	Low
27 Electricity	Medium	Medium	Low	Low	Low	Low	Low	Low	Medium	Low	Low	25	Low
28 Utility (construction, water)	High	High	High	Medium	Medium	Low	Low	Low	Low	Low	Medium	8	Medium
29 Transport	High	High	High	Medium	Low	Low	Low	Low	High	Low	Medium	6	Medium
30 Communication and business services	High	High	High	Medium	Medium	Low	Low	Medium	Low	Low	High	4	High
31 Financial services and insurance	High	High	High	Low	Low	Low	Low	Low	Low	Low	Low	16	Low
32 Recreational and other services	High	High	High	Medium	Low	Low	Low	Low	Low	Low	Medium	9	Medium

Source: Prepared by the study team.

- Dairy** products are another relatively important sector in both Australia and the EU, and the FTA is expected to have a strong impact particularly in the EU, with bilateral exports expected to increase by almost 50%; this change in trade patterns also has consequences regarding the social, human rights and environmental sustainability. The sector has also been highlighted by several stakeholders as being important in the negotiations, citing issues such as Geographical Indications, treatment of subsidies, and threat of increasing import competition as important issues to be addressed.
- Communication and business services** are an economically important sector in both Australia and the EU, and the FTA is expected to have a substantial effect on bilateral trade, with already relatively high exports anticipated to increase for both Parties. A specific focus will be placed on professional services, which are part of this sector, and which were mentioned by stakeholders/negotiators to be of interest due to the market access issues and other issues (such as digital trade) being discussed during the negotiations.

2.6. Case study selection proposal

Case study selection methodology

In addition to the sector selection, an important feature of the SIA is that we also look at case studies. As indicated in the previous sections, we will spread the case studies across the report linking them to where they fit best in the structure (e.g. a case study that is horizontal (economy-wide) will be placed in the general analysis chapter while a case study linked to a sector in the sector-specific part).

The more focused case studies will also allow us to go beyond the modelling results and delve more in depth into potential challenges related to the FTAs, such as regulatory issues,

¹¹ For the avoidance of doubt, note that criteria 2 and 3 only assess the anticipated economic, respectively non-economic impact of the modernisation of the FTA on a sector, not the overall impact which sectors have on the economy/social fabric/human rights/environment.

and how the various measures considered might impact them. In our proposal we offer to carry out six case studies, spread across the different sustainability pillars.

For each of the case studies we intend to cover the following elements:

- Description of the specific issue under investigation in the case study;
- Description of the background/context of that specific issue in the EU and/or Australia;
- Quantitative and qualitative assessment of the specific issue;
- Key takeaways and insights regarding the specific issue;

A case study will be limited to 2 pages maximum in size.

The selection criteria for the case studies are different from the ones for the sector selection, because case studies are meant to highlight specific aspects of interest for the negotiations, without being relevant across the economy, relevant for multiple sustainability pillars or significant economically.

The criteria for the case study selection are the following:

- Civil society suggestions and inputs for case study topics;
- Relevance for one or more sustainability pillars;
- Specific/narrow economic effects;
- Relevance for the negotiations.

Compared to the sector selection methodology described in the previous section, the weight of importance of stakeholder consultations is higher for the case study selection because the case studies illustrate and focus the study into directions that do not come out a priori from the quantitative analysis.

Immediately after the Kick-off Meeting (16 January 2019) of the project, we have reached out to stakeholders in Australia and the EU to get their inputs into potential case study topics by asking for detailed issues the SIA should focus on. We have repeated this invitation at the Civil Society Dialogue (4 April 2019). Following the outreach to stakeholders in the EU and Australia, we have received 25 responses. Some of them indicated that there were no strong suggestions at this stage, while other submissions pointed to different topics for case study analysis.

The suggestions received have been considered and evaluated against the above-mentioned criteria, as well as, crucially, the probable causal nexus between the FTA and the proposed topic.

Case studies proposed for in-depth analysis

The screening has resulted in the below list of case studies. As with the sector selection, to ensure that the selected case studies cover a minimum level of variety and representativity across the economy and social landscape, we also factor in that gender and SME issues are adequately reflected, and that each of the sustainability pillars is included in at least one case study.

- **Sugar and water quality**, although not ranking among the top-5 economic sectors or being affected in a major way by the FTA, would be interesting to study due to the potential environmental impact that could be caused by the predicted increase in Australian output. From an environmental perspective, sugar cane farming in Queensland is one of the main contributors to water pollution via fertilizer run-off that is released into the catchment areas of the Great Barrier Reef. This puts pressure not only on water quality but also on biodiversity as coral decay is accelerated. With sugar output and exports expected to grow under the FTA, further analysis of these effects is warranted.
- **Wine**, as a subsector to 'beverages and tobacco', is suggested as a case study topic because of the competitiveness effects of the FTA on this sector – with both the EU and

Australia having globally competitive and renowned wine industries. Also, the issue of geographical indications was mentioned as a reason for deeper investigation.

- **Textiles labelling and rules of origin** is interesting because of the impact of a technical issue on market access for a specific industry, even if it is not one of the largest sectors impacted. We will look at what the primary and secondary impact is of adjusting rules of origin and Australian labelling rules.
- **Access to critical raw materials: lithium battery value chain** looks at access to lithium and other minerals important for battery development (and thus decoupling from fossil fuels). This is an issue that is not related to a specific sector or one material, but one that matters for sustainability.
- **Iron ore mining** looks at the impact of the EU-AUS FTA on the iron ore mining industry and what sustainability effects mining has. What happens to total mining and what are relative export changes stemming from the EU-AUS FTA, as well as what are potential human rights and environmental effects.
- **Biodiversity and conservation:** what are the effects of the EU-AUS FTA on Australian management of endangered species and conservation?

3. CONSULTATION PLAN

3.1. Introduction

The objectives of the consultations, as specified in the ToR (p. 18) are:

- To engage with interested parties in order to reflect their experience, priorities and concerns;
- To help identify priority areas and key issues relating to the possible economic, social, environmental and human rights impacts in the negotiations; and, ultimately
- To contribute to the transparency of the SIA analysis, through an open and transparent process where presented results are not carved in stone, but draft outcomes and findings are openly and transparently discussed.

To achieve these objectives, the consultation plan presented in this section foresees an active and systematic engagement with stakeholders, during the entire study period, to share information and findings, gather ideas and suggestions that will enrich the analysis with information “from the ground,” and to obtain feedback on draft results and information from stakeholders in the EU and Australia.

The consultations will comprise the following components, described in further detail in this section:

- Pillar 1: Digital engagement with key stakeholders: website and other channels (section 3.2);
- Pillar 2: Interviews/meetings with and surveys of stakeholders (section 3.3);
- Pillar 3: Civil society dialogue (CSD) meetings (section 3.4);
- Pillar 4: Meetings with EC officials (section 3.5).

To ensure inclusiveness and, to the extent possible, representativeness of the consultations, a necessary preparatory step in the consultations process is to identify and map stakeholders in the EU and Australia; this has been the focus of the study team’s consultations activities during the inception period (section 3.2).

3.2. Stakeholder Identification and Mapping

The first step in the consultations process has been to identify the stakeholders in the EU and Australia that the team will approach and engage with during the study. This has been carried out based on a definition of stakeholders as “those who are affected by, interested in or in any way related to negotiating, implementing and/or monitoring the trade and investment measures under negotiation, irrespective of their access opportunities to the consultations.” For practical purposes, the following types of stakeholders are distinguished:

- Private sector representatives (comprising companies, different types of business associations, and social partners);
- Civil society representatives (comprising non-governmental organisations, NGOs, community groups etc.) with interests in the economic, social, human rights, and environmental sustainability pillars;
- Public institutions (comprising government, EU and other political institutions, agencies, and international organisations); and
- Academia and research (comprising universities, research institutes and think tanks).

An initial database of organisations has been prepared during the inception phase based on the following sources and activities:

- For EU stakeholders, a review of past SIA reports and meetings, participation lists of recent CSD meetings, and the study team’s existing database prepared in the context of a recent SIA of another EU FTA;

- For Australian stakeholders, the study team's own network of partners has been used.

Additional stakeholders will continue to be identified as the study work progresses, and we will also study submissions handed in to the Australian consultation process.¹² It is hoped that the Commission will also share information about stakeholders in Australia which have already shown an interest in the EU-Australia negotiations. Stakeholders related to particular sector analyses and case studies will be identified upon approval of the sector and case study selection. Likewise, stakeholders registering through the website will continuously be added to the database and be kept informed of the study's activities and progress.

Annex III presents the list of organisations identified so far – about 120 in Australia and 280 in the EU (excluding individual companies). As can be seen, in Australia an effort has been made to identify civil society actors representing the different sustainability pillars.

3.3. Pillar 1: SIA Website and Other Electronic Communication

A **website** dedicated to the SIA has been developed and launched during the inception phase. Its address is: <http://www.trade-sia-australia.eu>.

The website has the following characteristics and functionalities:

- The front page provides a brief summary of the SIA in all EU official languages, as well as a timeline for the study. It also embeds DG Trade's official tweets. Important news will also be presented here in the form of a slider;
- The website has three main sections: One provides important information about the SIA and the sustainability dimensions ("about"); a document repository provides access to study outputs (as they become available), stakeholder contributions and other important documents and sources of information ("resources"); and a section providing information about the various consultation activities ("consultations");
- A "contact" section allows website visitors to leave feedback regarding the study and the website as well as register among the list of stakeholders regularly kept informed about the study development.

Website meta information (description, keywords and information for search engine robots) has been used to ensure that the website will be found easily on search engines in order to increase visitor counts and further impact. The website address is also provided on the social media accounts and will be provided to all contacted stakeholders.

Regarding **social media**, with the objective of increasing outreach it was agreed at the kick-off meeting with the ISG that the study would use the existing Twitter accounts of DG Trade and the EU Delegation in Australia to share relevant information about the study and its progress. It is intended that tweets will be posted, at a minimum, at the following stages of the study:

- To announce the publication of the draft reports; and
- To inform about important milestones, such as the start or imminent closure of the online surveys, or upcoming meetings.

Email will be used as a complementary tool to reach specific stakeholders throughout the study. Newsletters will be sent to known stakeholders (i.e. those in the database, unless they have opted out) to inform them, at similar intervals as the tweets, about the progress of the study, as well as to invite contributions and comments, send questions, receive feedback and make appointments for in-depth interviews. Indeed, a first round of email consultations has already taken place during the inception phase, where stakeholders were requested to provide inputs regarding the sector and case study selection.

¹² <https://dfat.gov.au/trade/agreements/negotiations/aeufta/submissions/Pages/submissions.aspx>.

3.4. Pillar 2: Interviews, Meetings and Surveys

The second pillar for engagement with key stakeholders is via interviews, meetings and (online) surveys; these are primarily aimed at obtaining information and views from stakeholders. The choice between the three different communication channels is determined by the type of information we expect to get. Thus, more technical and sector- or issue-specific information will be obtained from interviews and meetings with targeted stakeholders, whereas more general information, as well as information that is held by large groups of stakeholders, such as consumers or SMEs, will be obtained through surveys.

Interviews and meetings

We plan to conduct a range of interviews and one-to-one meetings with private sector and civil society organisations and other key stakeholders. These interviews will be conducted both in the EU and Australia, mostly around the moment another study event (such as the ISG or CSD meetings) takes place, or through skype or video-conference, in order to minimise costs.

In total, we envisage to carry out up to 10 in-depth interviews each with EU and Australian key stakeholders. These will be based on a structured questionnaire framework (interview guides) that will be constructed with prior inputs from the economic, social, human right and environmental experts in both the EU and Australia and that will also be coordinated with the SIA ISG. These interview guides will be prepared when the desk research has advanced further. In addition, meetings with the European Economic and Social Committee are also foreseen to present the study progress and discuss draft outputs. It remains to be determined at which stages of the process these meetings will take place.

Surveys

Two online surveys will be undertaken, with questionnaires available in English, French, and German. These surveys are complementary to the interviews and meetings. The first, general one, aims at obtaining the views of a large group of non-specialist stakeholders, as well as associations and NGOs regarding all sustainability issues related to the FTA, including consumer issues. The second survey targets businesses and aims at obtaining information on the potential impacts of the FTA on firms, in particular SMEs.

A particular challenge for online surveys is to balance the desire for obtaining as much information as possible and the limited willingness of respondents to fill in long and complex questionnaires (and open questions). This is being addressed by reducing the number of questions that any individual respondent has to answer as much as possible, by designing "smart" surveys, where responses provided to certain questions influence the selection of follow up questions. This aims at focussing the questions for an individual respondent on those topics in which he or she has shown an interest.

Questionnaires for the surveys were prepared (Annex II), and have been converted into online survey, following approval the ISG. The online surveys have been launched on EUSurvey in early May; the surveys are planned to be open until 23 June 2019. The surveys are promoted through the SIA's website and DG Trade twitter accounts (with cross-postings/retweets by followers encouraged) as well as through other existing relevant platforms and newsletters, including the EU Trade Newsletters. The study team will continue to look for other platforms for dialogue and will consult with DG Trade's social media experts in this regard. In addition, the team's local experts will reach out to stakeholders to disseminate the survey actively on the ground.

Further, more in-depth contributions from stakeholders will be invited as part of the survey and by email. In this context, the study team has also requested to receive non-confidential versions of the responses to the industry survey organised by the Commission at the start of the negotiations.

3.5. Pillar 3: Civil Society Dialogue Meetings

The third pillar of the consultation process focuses on engaging with civil society in the EU in the context of DG Trade's CSD, a system of regular meetings where civil society and the Commission discuss about EU trade policy issues. Study progress and draft outputs are foreseen to be discussed in CSD meetings at the following stages:

- Discussion of the inception report and preliminary study findings at a CSD meeting (where also be information about progress in 3rd round of the negotiations was provided) on 4 April 2019; and
- Discussion of the draft final report – scheduled for September 2019.

In order to have an effective exchange at the meetings, the materials being discussed are planned to be made available (on the SIA website) at least one week ahead of the CSD meeting so the participants to have time to prepare.

At each of the meetings, the study team will:

- Make a clear and concise presentation (supported by slides) of the work completed to date, draft findings, and the way forward;
- Engage in a constructive discussion with the participants on the progress made and results obtained; and
- Prepare the minutes of the meeting.

3.6. Pillar 4: Meetings with the European Commission

Engaging closely with the European Commission is the fourth pillar of the consultation process. This pillar is more “inward” oriented and of a coordinative nature, rather than outward oriented towards civil society and other key stakeholders. The following meetings with the European Commission – through the SIA ISG – are planned to take place (additional meetings or videoconferences may be arranged in case of need):

- A kick-off meeting was held on 16 January 2019;
- An inception report and update meeting was held on 4 April 2019; and
- A final report meeting is tentatively scheduled for September 2019.

For each of the meetings, the study team will:

- Send presentations and other relevant materials at least one week in advance of the meeting so the SIA ISG members can read through the materials and prepare (the draft report being discussed at a meeting will be made available at least two weeks before the meeting);
- Make a clear and concise presentation (supported by slides) of the work completed to date, draft findings, and the way forward;
- Receive the latest information from the European Commission regarding the state of play of the EU-Australia negotiations;
- Engage in a constructive discussion with the SIA ISG members on the progress made and results obtained; and
- Prepare the minutes of the meeting.

4. EXPECTED CONTENT FINAL REPORT

The ToR require the Inception Report to specify the contents of the interim and final reports. Because the interim report in the new SIA approach is a part of the final report, we will focus on the content of the final report.

In the below Table 4.1, we highlight the structure of the final report, where the different elements can be found and how many pages each of the parts is envisaged to contain to stay in line with the clear ISG request to come up with a concise and accessible final report. This Table is in line with the project structure and phases (Figure 1.1) and the workplan (Figure 1.2). The Executive Summary of the report will be presented – in English, French and German – separately from the full final report.

Table 4.1: Proposed Final Report structure

Chapter Nr & Title	Sub-chapter sections	Envisaged # pages
Cover page		I
Inside cover page		II
Abbreviations		III-IV
Content page		IV
Abstract (200 words)		V
Chapter 1: Introduction		6
	1.1 Objectives and Key features of SIAs	
	1.2 List of key issues for EU-AUS FTA	
	1.3 Structure of the report	
	1.4 Summary EU-AUS relationship	
	1.5 Summary EU-AUS FTA impact assessment literature	
Chapter 2: Methodological approach		5
	2.1 Concise overall and sector-specific methodological approach	
	2.2 Concise consultations approach	
Chapter 3: Overall and horizontal impact analysis*		40
<i>* Some case studies can be in this chapter</i>	3.1 Economic impact analysis	
	3.2 SME impact analysis	
	3.3 Social impact analysis	
	3.4 Gender impact analysis	
	3.5 Human Rights impact analysis	
	3.6 Environmental impact analysis	
Chapter 4: Sector analyses*		40
<i>* Case studies can be in this chapter</i>	4.1 Sector 1 (state of play, market access (NTM, tariff) issues, economic analysis, soc & HR & env analyses, SME, 3 rd country, competitiveness analysis, policy recommendations	
	4.2 Sector 2 (see sector 1 structure)	
	4.2 Sector 3 (see sector 1 structure)	
	4.2 Sector 4 (see sector 1 structure)	
	4.2 Sector 5 (see sector 1 structure)	
Chapter 5: Consultations		4
	5.1 Summary of the consultation plan	
	5.2 Stakeholder activities and contacts	
	5.3 Main stakeholder inputs / comments	
	5.4 Box with digital outreach results	

Chapter Nr & Title	Sub-chapter sections	Envisaged # pages
Chapter 6: Policy recommendations		4
	6.1 Main findings of the report	
	6.2 Main policy recommendations	
	6.3 Suggested flanking measures	
TOTAL pages report (excluding Annexes)		99
Annex 1	Bibliography	
Annex 2	Summary of methodological approach	
Annex 3	Current situation descriptions (full)	
Annex 4	Quantitative (CGE, gravity, environmental) results	
Annex 5	Sector and case study selection	
Annex 6	Stakeholder consultations	
Annex 7	Questionnaires (general and specific)	

ANNEX I: BIBLIOGRAPHY

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ANNEX II: DRAFT QUESTIONNAIRE

In this Annex, we provide the draft questionnaire for the EU-New Zealand stakeholder engagement. We present the questions here in a static format. The actual presentation on the online survey EUSurvey will be dynamic, with questions appearing or not based on respondents' answers. The questionnaire might also be split into two – one aiming at a general audience, and the other aiming at companies – if this will facilitate its user friendliness.

Questions for the Survey

A. Introduction

About the EU-Australia free trade agreement

In May 2018, the European Commission received the mandate to start negotiations with Australia about a free trade agreement between the two. So far, several negotiating rounds have taken place against the backdrop of a challenging global environment. The EU and Australia have expressed the ambition to reach a 21st century broad and deep FTA.

About Sustainability Impact Assessments (SIAs)

SIAs analyse the potential economic, social, human rights and environmental impact of trade agreements being negotiated by the European Union (EU). They are based on a robust analysis of the changes that are likely to be caused by the trade agreement in the EU, the partner country and specified other countries. Equally important, they include wide-ranging consultations with stakeholders in the EU and the partner country. SIA findings and recommendations feed into the negotiations, helping negotiators to optimise the related policy choices.

The SIA in support of the EU-Australia FTA negotiations is implemented by BKP Development, a German-based economic research and consulting firm, in cooperation with Trade Impact, Trinomics, Danish Institute for Human Rights, IES and Global Sustainable Future. More information about the SIA is available on a dedicated website [link].

About trade between Australia and the EU

In 2017, Australia ranked as the 18th largest trade in goods partner of the EU, while the EU represented Australia's second-largest trading partner after China. Total trade in goods account for Euro 47.7 billion in 2017 and total trade in services account for Euro 27.1 billion in 2016. Coming from Australia, 59% of the EU's imports are primary products, while manufactures and other products come second and third with 20% and 19% respectively. In terms of EU exports to Australia, the vast share comes from manufactures (87%), followed by primary products (11%).

About this survey

All citizens, organisations and public authorities, regardless of where they are located, are welcome to participate in this survey.

We would like to hear from you what you think about the potential EU-Australia Free Trade Agreement. What are the positive and negative aspects you expect to come from the FTA? What issues are particularly important for you? We are not asking for you to specify issues that are currently a problem or a positive aspect, we are only asking you to reflect on the potential effects coming from the FTA. Do let us know!

The questionnaire is available in English, French and German. Completing it should take you no more than 20 minutes. If you wish to add further information (such as a position paper), you can do so at the end of this questionnaire.

The survey will be open until 15 June 2019.

Please indicate your preference when replying to this questionnaire:

- a) I consent to the publication of all information in my contribution in whole or in part, **including my name or my organisation's name**. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication.
- b) I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that it is done **anonymously**. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication. In this case, respondents should not include in their submissions any data or information that would allow themselves, or their organisations, to be identified.

Please note that regardless of the option chosen, your contribution may be subject to a request for access to documents under the EU Regulation 1049/2001 on public access to European Parliament, Council and Commission documents. In such cases, the request will be assessed against the conditions set out in the Regulation and in accordance with applicable data protection rules.

Note: Red text indicates guidance on the flow of questions.

B. About you
B.1. Please select in what capacity you are participating in this survey a) As an individual b) As a representative of an organisation
If individual:
B.2. Where are you based? Select one of the countries below (Australia/EU Member States (list)/others)
B.3. Please provide your name
B.4. What is your gender? a) Female b) Male c) Other/I prefer not to state
B.5. Please provide your E-mail address
If organisation:
B.6. Where is your organisation based? Select one of the countries below (Australia/EU Member States (list)/others)
B.7. How would you classify your organisation (select one of the following options)? a) Business association b) Company c) Government or public institution d) Non-governmental organisation/civil society e) Academia/research institute/think tank f) Social partner (trade union or employer association)
B.8. Please provide the name of your organisation
<u>If EU-based company:</u>
B.9. How many employees does your company have? a) Less than 10 b) 10 – 49 c) 50 - 249 d) 250 or more
B.10. What was your company's turnover in 2018? a) Up to EUR 2 million b) More than EUR 2 million and up to EUR 10 million c) More than EUR 10 million and up to EUR 50 million d) More than EUR 50 million

If Australia-based company:

B.11. How many employees does your company have?

- a) Up to 4
- b) 5 – 19
- c) 20 - 199
- d) 200 or more

B.12. What was your company's turnover in 2018?

- a) Up to AUD 2 million
- b) More than AUD 2 million and up to AUD 10 million
- c) More than AUD 10 million

B.13. Is your organisation a woman-led organisation (is a woman in charge of your organisation and/or are more than half of the board members women)?

- a) Yes
- b) No

B.14. Please provide the name of contact person for us in your organisation

B.15. Please provide the e-mail address of the contact person of your organisation

B.16. Please choose among the options below the one that best describes the area of interest of your organisation:

- a) Economic (Agricultural productions, manufacturing, services and investment etc.)
- b) Social (levels of employment, job quality, labour standards, poverty, inequality, informality, etc.)
- c) Human Rights (social human rights, cultural human rights, political human rights)
- d) Environment (Greenhouse gas emissions, waste management, water quality, biodiversity, land use etc.)

C. Small- and Medium Sized Enterprises

If EU-based company:

C.1. Has your company been involved in international trade recently?

- a) No
- b) Yes, as importer (including sourcing of raw materials/inputs) only
- c) Yes, as exporter only
- d) Yes, as an importer and exporter

If yes, as importer

C.2. What is the share of imports (from anywhere) in your total turnover?

- a. Less than 25%
- b. 25% to less than 50%
- c. 50% to less than 75%
- d. 75% or more

C.3. What share of your imports comes from Australia?

<ul style="list-style-type: none"> a. Less than 10% b. 10% to less than 50% c. 50% or more
<p>C.4. What are the three most important bottlenecks you face when importing from Australia?</p> <ul style="list-style-type: none"> a. Tariffs and border taxes in the EU b. Technical barriers (e.g. requirements in terms of standards, labelling, food safety, animal and plant health, other regulatory systems) c. Paperwork related to imports (e.g. certificates of origin) d. Logistics issues (e.g. availability of transport, delays) e. High logistics/transport costs f. Trade finance g. Issues related to the supplier (e.g. quantities available, problems with product quality) h. Others
<p>C.5. Please describe which "other" bottlenecks you face</p>
<p><u>If yes, as exporter</u></p> <p>C.6. What is the share of exports (to anywhere) as % of your total turnover?</p> <ul style="list-style-type: none"> a. Less than 25% b. 25% to less than 50% c. 50% to less than 75% d. 75% or more
<p>C.7. What share of your exports goes to Australia?</p> <ul style="list-style-type: none"> a. Less than 10% b. 10% to less than 50% c. 50% or more
<p>C.8. What are the three largest bottlenecks you face when exporting to Australia?</p> <ul style="list-style-type: none"> a. Tariffs and border taxes in Australia b. Technical barriers (e.g. requirements in terms of standards, labelling, food safety, animal and plant health, other regulatory systems) c. Paperwork related to imports (e.g. certificates of origin) d. Logistics issues (e.g. availability of transport, delays) e. High logistics/transport costs f. Trade finance g. Issues related to the buyer (e.g. payment problems) h. Others
<p>C.9. Please describe which "other" bottlenecks you face</p>

<p>C.10. What are the most important issues affecting EU investment in Australia? Please choose a maximum of three.</p> <ul style="list-style-type: none"> a) Conditions imposed on foreign investments (such as limits on foreign ownership, requirements to hire local staff, etc.) b) Procedural rules related to establishing foreign investment (application and approval process, need for permits, etc.) c) Limitations in national treatment (different rules applying to foreign invested firms compared to domestic firms, e.g. in access to subsidies, public procurement, etc.) d) Obtaining residence and work permits for expatriates, and related issues e) Financial and tax issues f) Others
<p>C.11. Please provide more details and describe which "other" issues for investment are important</p>
<p><u>If Australia-based company:</u></p> <p>C.12. Has your company been involved in international trade recently?</p> <ul style="list-style-type: none"> a. No b. Yes, as importer (including sourcing of raw materials/inputs) only c. Yes, as exporter only d. Yes, as an importer and exporter
<p><u>If yes, as importer</u></p> <p>C.13. What is the share of imports (from anywhere) in your total turnover?</p> <ul style="list-style-type: none"> a. Less than 25% b. 25% to less than 50% c. 50% to less than 75% d. 75% or more
<p>C.14. What share of your imports comes from the EU?</p> <ul style="list-style-type: none"> a. Less than 10% b. 10% to less than 50% c. 50% or more
<p>C.15. What are the three most important bottlenecks you face when importing from the EU (pick from the list/rank)?</p> <ul style="list-style-type: none"> a. Tariffs and border taxes in Australia b. Technical barriers (e.g. requirements in terms of standards, labelling, food safety, animal and plant health) c. Paperwork related to imports (e.g. certificates of origin) d. Logistics issues (e.g. availability of transport, delays) e. High logistics/transport costs f. Trade finance g. Issues related to the supplier (e.g. quantities available, problems with product quality) h. Others
<p>C.16. Please describe which "other" bottlenecks you face</p>

If yes, as exporter

C.17. What is the share of export as % of your total turnover?

- a. Less than 25%
- b. 25% to less than 50%
- c. 50% to less than 75%
- d. 75% or more

C.18. What share of your exports goes to the EU?

- a. Less than 10%
- b. 10% to less than 50%
- c. 50% or more

C.19. What are the largest bottlenecks you face when exporting to the EU (pick from the list/rank)?

- a. Tariffs and border taxes in the EU
- b. Technical barriers (e.g. requirements in terms of standards, labelling, food safety, animal and plant health)
- c. Paperwork related to imports (e.g. certificates of origin)
- d. Logistics issues (e.g. availability of transport, delays)
- e. High logistics/transport costs
- f. Trade finance
- g. Issues related to the buyer (e.g. payment problems)
- h. Others

C.20. Please describe which "other" bottlenecks you face

C.21. What are the most important issues affecting Australian investment in the EU? Please choose a maximum of three.

- a) Conditions imposed on foreign investments (such as limits on foreign ownership, requirements to hire local staff, etc.)
- b) Procedural rules related to establishing foreign investment (application and approval process, need for permits, etc.)
- c) Limitations in national treatment (different rules applying to foreign invested firms compared to domestic firms, e.g. in access to subsidies, public procurement, etc.)
- d) Obtaining residence and work permits for expatriates, and related issues
- e) Financial and tax issues
- f) Others

C.22. Please provide more details and describe which "other" issues for investment are important

If not trading internationally:

C.23. What are the main reasons why you have not been involved in international trade so far?

- a) The domestic market is big enough for my company
- b) It is difficult to access other markets
- c) The paperwork required to import/export is too burdensome
- d) My company does not meet the required international standards yet

e) The cost of importing or exporting is too high f) I don't know g) Other						
C.24. Please specify which "other" reasons have stopped you from engaging in international trade						
C.25. Is your company interested in trading internationally?						
a) Yes b) No						
C.26. How do you think the EU-Australia trade agreement will affect SMEs in the EU ? [Please note that the formulation of the following statements does not necessarily reflect the views of the study team]						
	Strongly disagree	Somewhat disagree	There will be no effect	Somewhat agree	Strongly agree	I don't know
EU SMEs will export more to Australia						
EU SMEs will face more competition from Australian imports						
EU SMEs will have better chances to plug into global value chains						
EU SMEs will attract more investment from Australian investors						
The business environment for SMEs will improve						
The regulatory burden for SMEs will decrease						
Overall, EU SMEs will benefit from the FTA						
Other						
C.27. Which "other" effects for EU SMEs do you expect?						
C.28. How do you think the EU-Australia trade agreement will affect SMEs in Australia ? [Please note that the formulation of the following statements does not necessarily reflect the views of the study team]						
	Strongly disagree	Somewhat disagree	There will be no effect	Somewhat agree	Strongly agree	I don't know
Australian SMEs will export more to the EU						
Australian SMEs will face more competition from EU imports						
Australian SMEs will have better chances to plug into global value chains						
Australian SMEs will attract more investment from EU investors						
The business environment for SMEs will improve						
The regulatory burden for SMEs will decrease						

	Overall, Australian SMEs will benefit from the FTA						
	Other						
C.29. Which "other" effects for SMEs in Australia do you expect?							
C.30. How do you expect the EU-Australia Agreement to affect your company specifically?							
a. Very positively b. Somewhat positively c. Not at all d. Somewhat negatively e. Very negatively f. I don't know							
C.31. Please describe which positive or negative effects you expect for your company							
C.32. Which of the issues listed below should be addressed in the negotiations for the EU-Australia trade agreement?							
	High priority	Low priority	No need to be negotiated	I don't know			
Removal of remaining tariffs							
Removal of tariff rate quotas for agricultural goods							
Less strict and/or simpler rules of origin, particularly for SMEs							
Strengthened mechanism for dispute settlement							
Improving access to government procurement							
Improved protection of intellectual property rights (including geographical indications)							
Liberalisation of trade in services							
Liberalisation of bilateral investment							
Rules on digital trade and e-commerce							
Rules on anti-corruption and bribery							
Rules on competition/anticompetitive practices							
Rules on state aid/subsidies							
Stronger rules on labour and social standards							
Stronger rules for environmental protection							
Improving access to energy and raw materials							
Other							
C.33. Which other issues should be addressed in the negotiations? Name as many as you consider important							
C.34. What, in your view, should be the key issues in the negotiations for the EU-Australia trade agreement?							

C.35. What are the biggest risks or disadvantages of the EU-Australia trade agreement for SMEs?						
C.36. What are the biggest benefits of the EU-Australia trade agreement for SMEs?						
C.37. Are there any other comments you would like to make?						
D. Your awareness of the Agreement and negotiations						
D.1. Did you know that the EU and Australia are currently negotiating a bilateral FTA?						
a) Yes, and I am following the negotiations/know what the issues are						
b) Yes, but I am not sure about the details/key issues of the negotiations						
c) No						
E. Your views on the <u>economic</u> effects of the EU-Australia FTA						
E.1. How do you think the trade agreement will affect the economies of Australia and the EU? [Please note that the following statements are all positively phrased. They are not necessarily the views of the consultant, but this way you can indicate by agreeing or not how much you align with the statement (or not)]						
	Strongly disagree	Somewhat disagree	There will be no effect	Somewhat agree	Strongly agree	I don't know
Goods exports from Australia to the EU will grow						
Services exports from Australia to the EU will grow						
Goods exports from the EU to Australia will grow						
Services exports from the EU to Australia will grow						
The Australian economy will become stronger because of the FTA						
The EU economy will become stronger because of the FTA						
Australian investment in the EU will increase						
EU investment in Australia will increase						
There will be more opportunities for Australian companies to participate in government/public procurement in the EU						
There will be more opportunities for EU companies to participate in government/public procurement in Australia						
Small and medium-sized enterprises in Australia will benefit						
Small and medium-sized enterprises in the EU will benefit						
Conditions for digital trade will improve (e-commerce, trade in digital services, etc.)						
Consumers in Australia will benefit						
Consumers in the EU will benefit						

Intellectual property rights (e.g. copyrighted works, patents, designs, trademarks, as well as geographical indications) will be better protected [NB: A geographical indication is a distinctive sign used to identify a product as originating in the territory of a particular country, region or locality where its quality, reputation or other characteristic is linked to its geographical origin]						
Governance will improve						
Corruption will decrease						
Other						

E.2. What "other" effect(s) do you envisage?

E.3. Name a maximum of three economic sectors (note, the sectors could be **broad**, such as agriculture, mining, tourism, etc., or **narrow**, such as dairy products, renewable energy, etc.) that you think will be strongly influenced by the trade agreement.

Name of sector	Negative or positive effect of the Agreement?	Why do you think the sector will be affected?
1. _____		_____
2. _____		_____
3. _____		_____

F. Your views on the social effects of the trade Agreement

F.1. Below we list a number of socio-economic issues. How do you think these issues will be influenced **in Australia** because of the FTA?

	Very negatively	Somewhat negatively	Not at all	Somewhat positively	Very positively	I don't know
Employment level in general, and across sectors						
Wages						
Female participation in the labour market						
Gender equality (e.g. incomes)						
Quality of work (e.g. working hours, type and duration of contract, accidents at work)						
Child labour						
Forced labour						
Establishment and operation of trade unions, protection of workers' rights						

Transition from informal to formal employment							
Disabled people/employees and other vulnerable groups							
The rights and protection of migrant workers							
Poverty							
Income inequality							
Wealth inequality							
Consumers (including the prices, choice and availability, quality, or safety of goods or services for consumers, the provision of consumer information, and the protection of consumer rights)							
Vocational training (including 'on the job')							
Social protection (e.g. pensions, other benefits)							
Access to education							
Access to health care							
Other							

F.2. Which "other" issues in Australia do you expect to be affected by the FTA, and how?

F.3. And how do you think socio-economic issues will be influenced **in the EU** by an EU-Australia FTA?

	Very negatively	Somewhat negatively	Not at all	Somewhat positively	Very positively	I don't know
Employment level in general, and across sectors						
Wages						
Female participation in the labour market						
Gender equality (e.g. incomes)						
Quality of work (e.g. working hours, type and duration of contract, accidents at work)						
Child labour						
Forced labour						
Establishment and operation of trade unions, protection of workers' rights						
Transition from informal to formal employment						

Disabled people/employees and other vulnerable groups						
The rights and protection of migrant workers						
Poverty						
Income inequality						
Wealth inequality						
Consumers (including the prices, choice and availability, quality, or safety of goods or services for consumers, the provision of consumer information, and the protection of consumer rights)						
Vocational training (including 'on the job')						
Social protection (e.g. pensions, other benefits)						
Access to education						
Access to health care						
Other						

F.4. Which "other" issues in the EU do you expect to be affected by the FTA, and how?

F.5. What do you think will be the three sectors most affected by the trade agreement between Australia and the EU? (NB: sectors could be **broad**, such as agriculture, mining, tourism, etc., or **narrow**, such as dairy products, renewable energy, etc.)

	In Australia	Positive or negative effect	In the EU	Positive or negative effect
Sector 1				
Sector 2				
Sector 3				

F.6. What do you think will be the three social groups most affected by the trade agreement between Australia and the EU? (NB: social groups could be **broad**, such as women, youth, consumers, etc., or **narrow**, such as informal workers in rural areas, etc.)

	In Australia	Positive or negative effect	In the EU	Positive or negative effect
Group 1				
Group 2				
Group 3				

G. Your views on the human rights effects of the EU-Australia FTA

G.1. Do you think that the trade agreement between the EU and Australia could affect the enjoyment of human rights in the EU or Australia?

- a) Yes, in Australia
- b) Yes, in the EU
- c) Yes, in Australia and in the EU
- d) No

If in Australia:

G.2. How do you think the trade agreement between the EU and Australia will affect the enjoyment of human rights **in Australia** overall?

- a. Positively
- b. Negatively

G.3. Please explain why: _____

If in the EU:

G.4. How do you think the trade agreement between the EU and Australia will affect the enjoyment of human rights **in the EU** overall?

- a. Positively
- b. Negatively

G.5. Please explain why: _____

If in Australia:

G.6. Below we list a number of human rights. How do you think these will be influenced **in Australia** by the EU-Australia trade agreement?

	Very negatively	Somewhat negatively	Not at all	Somewhat positively	Very positively	I don't know
Right to work (Art. 6 ICESCR)						
Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)						
Right to form trade unions (Art. 8 ICESCR)						
Right to strike (Art. 8 ICESCR)						
Right to social security, including social insurance (Art. 9 ICESCR)						
Right to an adequate standard of living (Art. 11 ICESCR) [Including such rights as right to food (Art. 11 ICESCR, CESCR General Comment No. 12), clothing and housing and continuous improvement of living conditions (see Art. 11 ICESCR)]						

Right to the enjoyment of the highest attainable standard of physical and mental health (Art. 12 ICESCR) [Including right to water and sanitation (CESCR General Comment No. 15)]							
Right to education (Art. 14 ICESCR)							
Right to take part in cultural life (Art. 15 ICESCR)							
Right to privacy (Art. 12 UDHR, Art. 17 ICCPR)							
Right to property (Art. 17 UDHR)							
Right to protection of intellectual property (Art. 15 ICESCR, Art.27 UDHR)							
Right to information (Art. 19 UDHR)							
Right to participate in the conduct of public affairs (Art. 25 ICCPR, Art. 21 UDHR, Art. 8 ICESCR)							
Right of equal access to public services (Art. 25 ICCPR, CCPR General Comment No.25)							
Right to freedom of assembly and association (Art. 21 ICCPR, Art. 22 ICCPR)							
Rights of persons with disabilities (Convention on the Rights of Persons with Disabilities and its Optional Protocol)							
LGBTI rights (Art. 2 ICESCR, Art. 2 ICCPR)							
Rights of indigenous peoples (Art. 27 ICCPR, ILO Convention No. 169, HRC General Comment No.23, CESCR General Comment No.21)							
Women's rights (Art. 2 and 3 ICCPR, Art. 2 and 3 ICESCR, International Convention on Elimination of All Forms of Discrimination Against Women)							
Children's rights (Art. 25 and 26 UDHR, Art. 10 and 12 ICESCR, Art. 23 and 24 ICCPR, ILO Conventions No. 138 and No. 182, Convention on the Rights of the Child and its Optional Protocols)							
Other							

G.7. Which "other" human rights do you expect to be affected in Australia? Name as many as you wish.

If in the EU:

G.8. Below we list a number of human rights. How do you think these will be influenced **in the EU** by the EU-Australia trade agreement?

	Very negatively	Somewhat negatively	Not at all	Somewhat positively	Very positively	I don't know
Right to work (Art. 6 ICESCR)						
Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)						
Right to form trade unions (Art. 8 ICESCR)						
Right to strike (Art. 8 ICESCR)						
Right to social security, including social insurance (Art. 9 ICESCR)						
Right to an adequate standard of living (Art. 11 ICESCR) [Including such rights as right to food (Art. 11 ICESCR, CESCR General Comment No. 12), clothing and housing and continuous improvement of living conditions (see Art. 11 ICESCR)]						
Right to the enjoyment of the highest attainable standard of physical and mental health (Art. 12 ICESCR) [Including right to water and sanitation (CESCR General Comment No. 15)]						
Right to education (Art. 14 ICESCR)						
Right to take part in cultural life (Art. 15 ICESCR)						
Right to privacy (Art. 12 UDHR, Art. 17 ICCPR)						
Right to property (Art. 17 UDHR)						
Right to protection of intellectual property (Art. 15 ICESCR, Art. 27 UDHR)						
Right to information (Art. 19 UDHR)						
Right to participate in the conduct of public affairs (Art. 25 ICCPR, Art. 21 UDHR, Art. 8 ICESCR)						
Right of equal access to public services (Art. 25 ICCPR, CCPR General Comment No. 25)						
Right to freedom of assembly and association (Art. 21 ICCPR, Art. 22 ICCPR)						

<p>Rights of persons with disabilities (Convention on the Rights of Persons with Disabilities and its Optional Protocol)</p> <p>LGBTI rights (Art. 2 ICESCR, Art. 2 ICCPR)</p> <p>Rights of indigenous peoples (Art. 27 ICCPR, ILO Convention No. 169, HRC General Comment No.23, CESCR General Comment No.21)</p> <p>Women's rights (Art. 2 and 3 ICCPR, Art. 2 and 3 ICESCR, International Convention on Elimination of All Forms of Discrimination Against Women)</p> <p>Children's rights (Art. 25 and 26 UDHR, Art. 10 and 12 ICESCR, Art. 23 and 24 ICCPR, ILO Conventions No. 138 and No. 182, Convention on the Rights of the Child and its Optional Protocols)</p> <p>Other</p>								
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G.9. Which "other" human rights do you expect to be affected in the EU? Name as many as you wish.

If in Australia:

G.10. Which of the human rights listed below do you think will be most affected **in Australia** by the EU-Australia trade agreement?
[Maximum of three]
Most affected: (dropdown list of the HR listed in the matrix above)

G.11. 2nd most affected: _____

G.12. 3rd most affected: _____

If in the EU:

G.13. Which of the human rights listed below do you think will be most affected **in the EU** by the EU-Australia trade agreement?
[Maximum of three]
Most affected: (dropdown list of the HR listed in the matrix above)

G.14. 2nd most affected: _____

G.15. 3rd most affected: _____

EU-based respondent - If B7.1 is b; AND B.7.2 is a, b or c; Australia-based respondent – If B7.1 is b; AND B7.4 is a, b, or c

G.17 Do you have a formal policy statement which sets out the commitment of your business to meeting its responsibility to respect human rights?

a. Yes

b. No

G.18 Is the policy statement published/publicly available?

a. Yes

b. No

G.19 What is the geographical coverage of the human rights policy commitment in relation to the worldwide operations of your company? (multiple answers possible)

- g) The country where your business is based
- h) Selected foreign sites/localities/countries/markets
- i) All countries
- j) Operations in Australia are covered
- k) Operations in the EU are covered

G.20 Do you perform human rights "due diligence"?

(NB, human rights due diligence is an ongoing process to identify, prevent, mitigate and account for negative human rights impacts which your business may cause or contribute to through its own activities; or which may be directly linked to your business's products, operations or services by a business relationship.)

If yes, does your human rights due diligence include a specific procedure for periodic human rights impact assessment?

- a. Yes
- b. No

If yes, does your human rights due diligence involve meaningful consultations with potentially affected groups and other relevant stakeholders?

G.21 Do you produce formal public reports on a periodic basis (for example, as part of corporate responsibility/sustainability reports, or of integrated financial and non-financial reporting) to account for how your business identifies and addresses its potential or actual adverse human rights impacts?

G.22 Does your business have processes in place for the effective remedy of adverse human rights impacts which your business has caused or contributed towards through its operations?

- l) Yes
- m) No

G.23 Have there been any reported incidences of adverse human rights impacts caused by your business operations in the EU or Australia?

- n) No
- o) Yes, in the EU but not in Australia
- p) Yes, in Australia but not in the EU
- q) Yes, in the EU and in Australia

G.24 Please briefly describe

H. Your views on the environmental effects of the EU-Australia Agreement

H.1. Do you think that the trade agreement between the EU and Australia will have an effect on the environment?

- a) Yes, in Australia
- b) Yes, in the EU
- c) Yes, in Australia and in the EU
- d) No

If in Australia:

H.2. Below we list a number of environmental factors. How do you think these factors will be influenced **in Australia** by the EU-Australia FTA?

	Very negatively	Somewhat negatively	Not at all	Somewhat positively	Very positively	I don't know
Greenhouse gas emissions						
Transport and the use of energy						
Air quality						
Land use (including soil, livestock, agricultural fertilizers)						
Biodiversity						
Water quality and resources						
Waste and waste management						
Ecosystems services and protected areas						
Use of renewable energy						
Natural resource exploitation (including fisheries, and forest resources)						
Other						

H.3. Which "other" environmental issues do you expect to be affected in Australia?

If in the EU:

H.4. Below we list a number of environmental factors. How do you think these factors will be influenced **in the EU** by the EU-Australia FTA?

	Very negatively	Somewhat negatively	Not at all	Somewhat positively	Very positively	I don't know
Greenhouse gas emissions						
Transport and the use of energy						
Air quality						
Land use (including soil, livestock, agricultural fertilizers)						
Biodiversity						
Water quality and resources						
Waste and waste management						
Ecosystems services and protected areas						

	Use of renewable energy						
	Natural resource exploitation (including fisheries, and forest resources)						
	Other						

H.5. Which "other" environmental issues do you expect to be affected in the EU?

If in Australia:

H.6. Which of the environmental factors listed below do you think will be most affected **in Australia** by the EU-Australia trade agreement? [Maximum of 3]
Most affected: (dropdown list of the environmental issues listed in the matrix above)

H.7. 2nd most affected: _____

H.8. 3rd most affected: _____

If in the EU:

H.9. Which of the environmental factors listed below do you think will be most affected **in the EU** by the EU-Australia trade agreement? [Maximum of 3]
Most affected: (dropdown list of the environmental issues listed in the matrix above)

H.10. 2nd most affected: _____

H.11. 3rd most affected: _____

H.12. Please explain your choice: _____

I. Your views on negotiation topics

I.1. Which of the issues listed below should be addressed in the negotiations for the EU-Australia trade agreement?

	High priority	Low priority	No need to be negotiated	I don't know
Removal of remaining tariffs				
Removal of tariff rate quotas for agricultural goods				
Less strict and/or simpler rules of origin, particularly for SMEs				
Strengthened mechanism for dispute settlement				
Improving access to government procurement				
Improved protection of intellectual property rights (including geographical indications)				
Liberalisation of trade in services				
Liberalisation of bilateral investment				

Rules on digital trade and e-commerce						
Rules on anti-corruption and bribery						
Rules on competition/anticompetitive practices						
Rules on state aid/subsidies						
Stronger rules on labour and social standards						
Stronger rules for environmental protection						
Improving access to energy and raw materials						
Other						

I.2. Which other issues should be addressed in the negotiations? Name as many as you consider important

I.3. What, in your view, should be the key issues in the negotiations for the EU-Australia trade agreement?

J. Concluding questions

J.1. Overall, what do you think will be the effect of the trade agreement between the EU and Australia?

	Very favourable/ very positive	Favourable/ positive	No effect	Adverse/ negative	Very adverse/ very negative	I don't know
For Australia						
For the EU						
Overall						

J.2. What is your biggest fear when you think about the EU-Australia trade agreement?

J.3. What is your greatest hope when you think about the EU-Australia trade agreement?

J.4. Are there any other comments you would like to make?

J.5. If you would like to upload any documents, such as position papers on EU-Australia trade relations, please do so here

ANNEX III: LISTS OF RELEVANT ORGANISATIONS IN THE EU AND AUSTRALIA

Table III.1: EU Organisations

Organisation	Type of organisation
ACT Alliance Advocacy to the European Union	Civil society
Active Pharmaceutical Ingredients Committee	Private sector
AeroSpace and Defence Industries Association of Europe	Private sector
Agriculture and Horticulture Development Board (AHDB)	Private sector
Airlines for Europe	Private sector
Airports Council International Europe	Public sector
Amnesty International	Civil society
ASINCA	Private sector
Asociación Española de Mayoristas, Transformadores, Importadores y Exportadores de Productos de la Pesca y la Acuicultura	Private sector
Assocalzaturifici - Italian Footwear Manufacturers' Association	Private sector
Association de l'Aviculture, de l'Industrie et du Commerce de Volailles dans les Pays de l'Union Européenne asbl	Private sector
Association de producteurs de cinéma et de télévision (EUROKINEMA)	Private sector
Association des Constructeurs Européens d'Automobiles (ACEA)	Private sector
Association Européenne Du Commerce De Fruits Et Légumes De L'UE - European Fruit and Vegetables Trade Association	Private sector
Association of European Automotive and Industrial Battery - EUROBAT	Private sector
Association of European Heating Industry	Private sector
Association of European manufacturers of sporting ammunition	Private sector
BDI - Federal Association of German Industries	Social partners
Brussels Office of the Swedish Trade Unions	Social partners
Bundesarbeitskammer Österreich	Social partners
Bureau Européen de l'Agriculture Française	Social partners
Bureau International des Producteurs d'Assurances & de Réassurances (BIPAR)	Private sector
Business and Industry Advisory Committee (BIAC)(OECD)	International Organization/ think tank
BUSINESSEUROPE	Private sector
Câmara de Comércio e Indústria da Madeira	Private sector
Câmara de Comércio e Indústria da Horta	Private sector
Câmara de Comércio e Indústria de Ponta Delgada	Private sector
Câmara do Comércio de Angra do Heroísmo	Private sector
Carbon Capture & Storage Association (CCSA)	Private sector
CEFS - Comité Européen des Fabricants de Sucre	Private sector
CEN - CENELEC	Private sector
Central Europe Energy Partners (CEEP)	Private sector
Centre de Documentation, de Recherche et d'Information des Peuples Autochtones	Civil society
Chambers of Commerce of Ireland (Chambers Ireland)	Private sector
Cia - Agricoltori italiani	Private sector
Cobalt Development Institute (CDI)	Private sector
Comité du commerce des céréales, aliments du bétail, oléagineux, huile d'olive, huiles et graisses et agrofournitures de l'U.E.	Private sector
Comité Européen des Entreprises Vins	Private sector
Committee for European Construction Equipment	Private sector
Committee of the European Sugar Users	Private sector
Confederação Nacional das Cooperativas Agrícolas e do Crédito Agrícola de Portugal	Private sector
Confederatia Sindicala Nationala MERIDIAN (CSN MERIDIAN)	Social partners
Confédération des Syndicats Chrétiens	Social partners
Confederation of Danish Industry (DI)	Private sector
Confederation of European Community Cigarette Manufacturers	Private sector
Confederation of European Paper Industries	Private sector
Confederation of Finnish Industries (EK)	Private sector

Organisation	Type of organisation
Confederation of National Associations of Tanners and Dressers of the European Community (COTANCE)	Private sector
Confederation of National Hotel and Restaurant Associations (HOTREC)	Private sector
Confederation of Netherlands Industry and Employers (VNO-NCW)	Private sector
Confederation of the food and drink industries of the EU (FoodDrinkEurope)	Private sector
Confederation of the German Textile and Fashion Industry	Private sector
Confederazione Cooperative Italiane	Private sector
Conférence des Notariats de l'Union Européenne	Private sector
Conseil des barreaux de la Communauté Européenne (CCBE)	Private sector
Cooperativas Agro-alimentarias de España	Private sector
Council of European Employers of the Metal, Engineering and Technology - Based Industries (CEEMET)	Private sector
Danish Agriculture & Food Council	Private sector
DG Agriculture and Rural Development	Public sector
DG Climate Action	Public sector
DG Competition	Public sector
DG Economic and Financial Affairs	Public sector
DG Employment, Social Affairs and Inclusion	Public sector
DG Energy	Public sector
DG Environment	Public sector
DG Health and Food Safety	Public sector
DG Internal Market, Industry, Entrepreneurship and SMEs	Public sector
DG Maritime Affairs and Fisheries	Public sector
DG Regional and Urban Policy	Public sector
DG Trade	Public sector
Deutscher Industrie- und Handelskammertag e.V.	Private sector
DIGITALEUROPE	Private sector
Direct Selling Europe AISBL	Private sector
Ecommerce Europe	Private sector
Estonian Employers' Confederation (ETTK)	Private Sector
Estonian Investment Agency	Public sector
EU Agency for Fundamental Rights (FRA)	Public Sector/ think tank
EU Delegation to Australia	Public sector
EU Vegetable Oil and Proteinmeal Industry	Private sector
EU-Australia Round Table	Private sector
EUROALLIAGES	Private sector
Eurochambres	Private sector
EuroCommerce	Private sector
EURODOM	Civil society
EuroGeoSurveys - The Geological Surveys of Europe (EGS)	Civil society
Eurogroup for Animals	Civil society
EuropaBio - European Association for Bioindustries	Private sector
European & International Federation of Natural Stone Industries (EUROROC)	Private sector
European Accounting Association	Private sector
European Aerosol Federation	Private sector
European Aggregates Association (UEPG)	Private sector
European Apparel and Textile Confederation (EURATEX)	Private sector
European Association of Automotive Suppliers (CLEPA)	Private sector
European Association of Chemical Distributors (Fecc)	Private sector
European Chemical Industry Council (Cefic)	Private sector
European Association of Cooperative Banks (EACB)	Private sector
European Association of Craft, Small and Medium-Sized Enterprises (UEAPME)	Private sector

Organisation	Type of organisation
European Association of Dairy Trade (Eucolait)	Private sector
European Association of Fruit and Vegetable Processors (PROFEL)	Private sector
European Association of Internet Services Providers (ISPA)	Private sector
European Association of Metals Eurometaux	Private sector
European Association of Mining Industries, Metal Ores & Industrial Minerals (Euromines)	Private sector
European Association of Mutual Guarantee Societies	Private sector
European Association of Sugar Traders (ASSUC)	Private sector
European Association of the Machine Tool Industries (CECIMO)	Private sector
European Association representing the agricultural machinery industry (CEMA)	Private sector
European Aviation Clusters Partnership	Private sector
European Banking Federation (EBF)	Private sector
European Biodiesel Board	Private sector
European Branded Clothing Alliance	Private sector
European Brands Association	Private sector
European Broadcasting Union (EBU)	Social partners
European Business Aviation Association (EBAA)	Private sector
European Business Services Round Table	Private sector
European Cement Association (CEMBUREAU)	Private sector
European Centre for International Political Economy	Think tank/academia
European Ceramic Industry Association (Cerame-Unie)	Private sector
European Cocoa Association	Private sector
European Committee for Electrotechnical Standardization	Private sector
European Community Shipowner's Associations	Private sector
European Competitive Telecommunications Association	Private sector
European Confederation of Junior Enterprises	Private sector
European Confederation of Woodworking Industries (CEI-Bois)	Private sector
European Construction Industry Federation	Private sector
European Consumer Organisation (BEUC)	Civil society
European Coordination Committee of the Radiological, Electromedical and Healthcare IT Industry (COCIR)	Private sector
European Coordination of Independent Producers (CEPI)	Private sector
European Council for Automotive R&D (EUCAR)	Private sector
European Council for Motor Trades and Repairs (CECRA)	Private sector
European Crop Protection Association	Private sector
European Dairy Association	Private sector
European Diisocyanate and Polyol Producers Association	Private sector
European Disposables & Nonwovens Association (EDANA)	Private sector
European DIY Retail Association	Private sector
European Ecommerce and Omni-Channel Trade Association	Private sector
European Economic and Social Committee	Public sector
European Electronic Component Manufacturers Association	Private sector
European Engineering Industries Association (EUnited)	Private sector
European Environment Agency (EEA)	Public sector/ think tank
European Environmental Bureau (EEB)	Civil society
European Expanded Clay Association (EXCA)	Private sector
European Express Association	Private sector
European External Action Service (EEAS)	Public sector
European Family Businesses	Private sector
European Farmers (COPA COGECA)	Private sector
European Federation for Construction Chemicals	Private sector
European Federation for Cosmetic Ingredients	Private sector
European Federation of Engineering Consultancy Associations	Private sector
European Federation of Food, Agriculture and Tourism Trade Unions - EFFAT	Social partners
European Federation of Foundation Contractors	Private sector
European Federation of Geologists (EFG)	Social partners
European Federation of National Associations of Water and Waste Water Services	Private sector
European Federation of Pharmaceutical Industries and Associations (EFPIA)	Private sector

Organisation	Type of organisation
European Federation of Public Service Unions (EPSU)	Social partners
European Federation of the Footwear industry	Private sector
European Fish Processors & Traders Association	Private sector
European Franchise Federation	Private sector
European Furniture Industries Confederation	Private sector
European Health Industry Business Communications Council (EHIBCC)	Private sector
European Industrial Gases Association	Private sector
European Institute for Gender Equality	Public sector/think tank
European Lime Association (EULA)	Private sector
European Livestock and Meat Trade Union	Private sector
European Man-made Fibres Association (CIRFS)	Private sector
European Medical Technology Industry Associations (MedTech Europe)	Private sector
European Milk Board	Private sector
European Newspaper Publishers' Association (ENPA)	Private sector
European Organisation for Security	Private sector
European Organisation of Tomato Industries (OEIT)	Private sector
European Panel Federation	Private sector
European Patent Office	Public sector
European Plaster and Plasterboard Manufacturers Association (EUROGYPSUM)	Private sector
European Policy Centre	Think tank/academia
European Potato Processors' Association	Private sector
European Potato Trade Association	Private sector
European Power Tool Association	Private sector
European Property Federation	Private sector
European Public and Real Estate Association (EPRA)	Private sector
European Public Health Alliance	Civil society
European Regions Airline Association (ERA)	Private sector
European Renewable Ethanol Association - EPURE	Private sector
European Retail Round Table	Private sector
European Robotics Association (EUnited Robotics)	Private sector
European Round Table of Industrialists	Private sector
European Satellite Operator's Association	Private sector
European Services Forum	Private sector
European Services Strategy Unit	Private sector
European Shippers' Council	Private sector
European Small Business Alliance	Private sector
European Steel Association (EUROFER)	Private sector
European Steel Technology Platform (ESTEP)	Private sector
European Sugar Refineries Association	Private sector
European Technology Platform on Sustainable Mineral Resources (ETP SMR)	Think tank/academia
European Telecommunications Standards Institute (ETSI)	Civil society
European Textile Collectivities Association	Private sector
European Trade Union Confederation - ETUC	Social partners
European Trade Union Institute (ETUI)	Social partners
European Travel Agents' and Tour Operators' Associations	Private sector
European Tyre & Rubber Manufacturers' Association (ETRMA)	Private sector
European Whey Processors Association	Private sector
Fair Trade Advocacy Office	Civil society
Fédération des Experts Comptables Européens (FEE)	Private sector
Fédération Internationale de l'Automobile (FIA)	Private sector
Fédération Internationale du Recyclage	Private sector
Federation of European Publishers	Private sector
Federation of European Rice Millers	Private sector
Federation of European Employers (FedEE)	Social partners
Federation of the European Sporting Goods Industry	Private sector
FederlegnoArredo - Federazione Italiana delle Industrie del Legno, del Sughero, del Mobile e dell'Arredamento	Private sector
Female Europeans of Medium and Small Enterprises (FEM)	Private sector

Organisation	Type of organisation
Fern	Civil society
Fertilizers Europe	Private sector
Finpro of Finland	Public sector
Foreign Trade Association - Amfori	Private sector
Freshfel Europe - the forum for the European freshfruits and vegetables chain	Private sector
Friends of Europe	Civil society
Friends of the Earth Europe (FoEE)	Civil society
Gelatine Manufacturers of Europe (GME)	Private sector
German Federal Association of Senior Citizens' Organisations - BAGSO	Civil society
German Marshall Fund of the United States	Think tank/academia
German Trade Union Confederation (DGB)	Social partners
Germany Trade & Invest	Public sector
Glass Alliance Europe	Private sector
Global Industrial and Social Progress Research Institute (GISPRI)	Civil society
Global Witness	Civil society
Greenpeace	Civil society
Health Action International (Europe)	Social partners
Health First Europe	Social partners
Human Rights Watch	Civil society
IFPI Representing recording industry worldwide	Private sector
Independent Retail Europe	Private sector
Industrial Ethanol Association	Private sector
Industrial Minerals Association - Europe (IMA-Europe)	Private sector
industriAll European Trade Union (industriAll)	Social partners
Instituto Cuestiones Agrarias y Medioambientales	Think tank/academia
Intelligent Transport Systems - Europe (ERTICO)	Think tank/academia
International Association of Users of Artificial and Synthetic Filament Yarns and of Natural Silk	Private sector
International Confederation of European Beet Growers	Private sector
International Confederation of Inspection and Certification Organizations	Civil society
International Co-operative Alliance	Private sector
International Federation for Human Rights (FIDH)	Civil society
International Federation of Inspection Agencies	Private sector
International Federation of Reproduction Rights	Civil society
International Labour Organisation (ILO)	International Organisation
International Land Coalition	Civil society
International Network for Sustainable Energy - INFORSE-Europe	Civil society
International Trade Union Confederation (ITUC)	Social partners
Irish Co-operative Organisation Society Ltd	Private sector
Irish Creamery Milk Suppliers Association	Private sector
Irish Farmers' Association	Private sector
Italian National Agency for New Technologies, Energy and Sustainable Economic Development (ENEA)	Think tank/academia
Italian Trade Union Confederation	Social partners
Koepel van de Vlaamse Noord - Zuidbeweging	Civil society
Landwirtschaftskammer Österreich	Private sector
Lighting Europe	Private sector
Lithuanian Education Trade Union	Social partners
Medicines for Europe	Private sector
Nanofutures	Private sector
Nemzeti Agrárgazdasági Kamara	Private sector
Norwegian Seafood Export Council	Private sector
ORGALIM - European Association for Machinery	Private sector
Organisation pour un réseau international d'indications géographiques	Civil society
Österreichischer Gewerkschaftsbund	Social partners
Oxfam International	Civil society
Plastics Recyclers Europe	Private sector
Primary Food Processors	Private sector

Organisation	Type of organisation
Société des auteurs et compositeurs dramatiques	Private sector
Solar Power Europe	Private sector
Spanish Association of Soft Drinks Manufacturers	Private sector
Spanish General Workers' Union - UGT	Social partners
spiritsEUROPE	Private sector
STARCH EUROPE	Private sector
Swedish Enterprise	Private sector
Trade Union Advisory Committee (of the OECD) (TUAC)	Social partners
Transport and Environment (European Federation for Transport and Environment)	Civil society
UNIFE	Private sector
Union Européenne du Commerce du Bétail et des Métiers de la Viande	Private sector
Verband der Chemischen Industrie e.V.	Private sector
Verband Deutscher Maschinen-und Anlagenbau e.V.	Private sector
VZBV: Federation of German Consumer Organisations - Verbraucherzentrale Bundesverband	Civil society
Wind Europe	Private sector
Wirtschaftskammer Österreich	Private sector
WWF	Civil society
Zentralverband des Deutschen Handwerks e.V.	Private sector
Zentralverband Elektrotechnik-und Elektronikindustrie e.V.	Private sector

Table III.2: Australian Organisations

Organisation name	Type of Organisation
Aboriginal Legal Rights Movement	Civil society
Accord Australasia	Private sector
ACT Human Rights Commission	Civil society
Almond Board of Australia	Private sector
Amnesty International Australia	Civil society
Apple and Pear Australia Limited	Private sector
Austrade (Australian Trade and Investment Commission)	Public sector
Australian Aftermarket Automotive Association	Private sector
Australian Aluminum Council	Private Sector
Australian Capital Territory (ACT) Department of Chief Minister	Public sector
Australian Centre for Corporate Social Responsibility	Civil society
Australian Centre for Leadership for Women	Civil society
Australian Chamber of Commerce and Industry	Private sector
Australian Conservation Foundation	Civil society
Australian Council for International Development Gender Equity Working Group	Civil society
Australian Council of Social Service	Public sector
Australian Council of Trade Unions (ACTU)	Civil society
Australian Dairy Industry Council	Private sector
Australian Export Grains Innovation Centre	Private sector
Australian Federation of AIDS Organisation	Civil society
Australian Federation of Disability Organisations (AFDO)	Civil society
Australian Food and Groceries Council	Private sector
Australian Forest Products Association	Private sector
Australian Grape and Wine	Private sector
Australian Hide Skin and Leather Exporters Association Ltd	Private sector
Australian Honey Bee Industry Council	Private sector
Australian Human Rights Commission	National Human Rights Institution
Australian Human Rights Institute, UNSW	Academic
Australian Industry Group (AiG)	Private Sector
Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)	Academic
Australian Lawyers for Human Rights	Civil society
Australian Lot Feeders Association	Private sector
Australian Macadamia Society (AMS)	Private sector
Australian Manufacturing Workers Union	Civil society

Organisation name	Type of Organisation
Australian Meat Industry Council (AMIC)	Private sector
Australian Native Food and Botanicals (ANFAB)	Private sector
Australian Oilseeds federation	Private sector
Australian Olive Association	Private sector
Australian Pork limited	Private sector
Australian Privacy Foundation	Civil society
Australian Reproductive Health Alliance	Civil society
Australian Society of Cosmetics Chemists	Private Sector
Australian Sugar Milling Council	Private sector
Australian Wildlife Conservancy	Civil society
Australian Women Against Violence Alliance	Civil society
Australian Women's Health Network	Civil society
Australian Wool Growers Association	Private sector
Australian Workers' Union	Civil society (trade union)
Australian Workplace Gender Equality Agency	Public sector
Business Council of Australia (BCA)	Private sector
Canegrowers Australia	Private sector
Cattle Council of Australia	Private sector
Chemistry Australia	Private sector
Child Rights TaskForce	Civil society
Children with Disability Australia	Civil society
Conservation Volunteers Australia	Civil society
Construction and Mining Equipment Industry Group	Private sector
Consumers' Federation of Australia	Civil society (consumers)
Cotton Australia	Private sector
Crawford School / Centre for Climate Economics and Policy	Academic
Dairy Australia	Private sector
Department of Agriculture and Water Resources – Sustainable Agriculture, Fisheries and Forestry Division	Public sector
Department of Agriculture and Water Resources – Water Division	Public sector
Department of Environment and Energy	Government
Department of Environment and Energy – Climate Change Authority	Public sector
Department of Environment and Energy – Energy section	Public sector
Department of Environment and Energy – Environment Protection section	Public sector
Department of Foreign Affairs and Trade	Public sector
Department of Industry, Innovation and Science	Public sector
Department of Jobs and Small Business	Public sector
Department of Social Services	Public sector
European Australian Business Council (EABC)	Private sector
Export Council of Australia	Private sector
FamilyVoice Australia	Civil society
Federal Chamber of Automotive Industries	Private sector
Federation of Advanced Products Manufacturers (FAMP)	Private Sector
Fight Food Waste CRC	Private sector
Food and Beverage Importers' Association	Private sector
Goat Industry Council of Australia	Private sector
GrainsGrowers	Private sector
Great Barrier Reef Foundation	Civil society
Great Barrier Reef Marine Park Authority	Public sector
Human Rights Law Centre	Civil society
Humane Society International/Australia	Civil Society
Kangaroo Industry Association of Australia (KIAA)	Private sector
Meat & Livestock Australia	Private sector
Medicines Australia	Private sector
Minerals Council of Australia (MCA)	Private sector
National Aboriginal and Torres Strait Islander Legal Service	Civil society
National Children's and Youth Law Centre	Civil society
National Farmer's Federation	Private sector
National Union of Workers	Civil society (trade union)

Organisation name	Type of Organisation
New South Wales, Council for Civil Liberties	Civil society
New South Wales, Department of Premier and Cabinet	Public sector
Northern Territory, Northern Australian Development and Trade Department	Public sector
Office for Women	Public sector
Oxfam Australia	Civil society
People with Disability Australia	Civil society
Public Health Association of Australia	Civil society
Queensland, Department of Premier and Cabinet	Public sector
Reconciliation Australia	Civil society
Red Meat Advisory Council	Private sector
Refugee Council of Australia	Civil society
Sheep Producers Australia	Private sector
South Australia Department for Trade	Public sector
State Environment Agencies/Ministries	Public sector
Sugar Research Australia	Private sector
Tasmania, Department of Premier and Cabinet	Public sector
Territory Environment Agencies/Ministries	Public sector
The Australian Industry Group (AiG)	Private sector
The Nature Conservancy	Civil society
The Wilderness Society	Civil society
Truck Industry Council	Private sector
University of Adelaide	Public sector (academia)
University of Melbourne	Public sector (academia)
Victoria, Department of Premier and Cabinet	Public sector
Western Australia, Department of Premier and Cabinet	Public sector
Women in Global Business	Public sector
Women with Disabilities Australia (WWDA)	Civil society
WoolProducers Australia	Private sector
World Wildlife Fund (WWF)	Civil society

ANNEX IV: CORE HUMAN RIGHTS TREATIES AND ILO CONVENTIONS

Table IV.1: Status of Ratifications of International Human Rights Treaties for EU Member States* and Australia

Treaty	Australia	Austria	Belgium	Bulgaria	Cyprus	Croatia	Czech Republic	Denmark	Estonia	Finland	France	Germany	Greece	Hungary	Ireland	Italy	Latvia	Lithuania	Luxembourg	Malta	Netherlands	Poland	Portugal	Romania	Slovakia	Slovenia	Spain	Sweden	United Kingdom**
CAT	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OP-CAT	✓	✓	s	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	s	✓		✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓
ICCPR	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
ICCPR-OP1	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
ICCPR-OP2	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
CPED		✓	✓	s	s	s	✓	s		s	✓	✓	✓		s	✓		✓	s	✓	✓	s	✓	s	✓	s	✓	s	
CEDAW	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OP-CEDAW	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓		✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
ICERD	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
ICESCR	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
ICESCR-OP			✓							✓	✓				s	✓			✓		s		✓		✓	s	✓		
ICMW																													
CRC	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OP-CRC-AC	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OP-CRC-SC	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	s	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OP-CRC-IC		S	✓		✓	✓	✓	✓		✓	✓	✓			✓	✓		s	✓	s		s	✓	s	✓	s	✓		
CRPD	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OP-CRPD	✓	✓	✓	s	✓	✓	s	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓			✓	s	✓	✓	✓	✓	✓

* (✓) means state party, (s) means signatory party, (blank space) means no action.

**subject to Brexit procedure but still a member state at the moment of writing of the proposal.

Source: Author's compilation based on the OHCHR Dashboard of ratifications (www.indicators.ohchr.org)

Table IV.2: Status of Ratifications of ILO Conventions for the EU Member States * and Australia

Treaty	Australia	Austria	Belgium	Bulgaria	Cyprus	Croatia	Czech Republic	Denmark	Estonia	Finland	France	Germany	Greece	Hungary	Ireland	Italy	Latvia	Lithuania	Luxembourg	Malta	Netherlands	Poland	Portugal	Romania	Slovakia	Slovenia	Spain	Sweden	United Kingdom**
C029	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C087	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C098	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C105	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C111	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C138		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C182	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C169								✓													✓						✓		

* (✓) means state party, (blank space) means no action.

**subject to Brexit procedure but still a member state at the moment of writing of the proposal.

Source: Author's compilation based on ILO NORMLEX – Information System on International Labour Standards (www.ilo.org)

ANNEX V: DRAFT STATE OF PLAY IN THE EU AND AUSTRALIA

V.1 Economic state of play in the EU and Australia

The EU and Australia have been conducting their trade and economic relations under the 2008 EU-Australia Partnership Framework, which aims at facilitating EU-AUS trade in industrial products by reducing technical barriers and by improving bilateral trade in services. These ties have been strengthened in 2017 with the signature of the EU-Australia Framework Agreement containing several economic and trade cooperation arrangements.

Merchandise trade

In 2017, Australia ranked as the 18th-largest trade in goods partner of the EU, while the EU represented Australia's second-largest trading partner after China. Total trade in goods accounted for US\$53.1 billion in 2017 (EU imports US\$14.6 billion, EU exports US\$38.5 billion).

In terms of composition of EU imports from Australia (see Table V.1.1), primary products are by far the most important product group (58.7%), with manufactures (20.4%) and other products (18.8%) making up for the remaining 40%. In contrast, the composition of EU exports to Australia is dominated by manufactures (86.9%), followed by primary products (11.0%). Almost half of EU exports to Australia (47.7%) are machinery and transport equipment, followed by chemicals and related products (18.8%). Miscellaneous manufactured articles (12.1%), manufactured goods (classified chiefly by material; 9.3%) and food and live animals (9.9%) make up for the remaining third.

Services trade

The EU is Australia's largest services trading partner, with an overall volume of more than \$37 billion in 2017 (\$26.5 billion exported to Australia, \$10.7 billion imported into the EU; see Table V.1.2). The EU's largest services import from Australia in 2017 was travel services, which accounted for 36% of the EU's total services imports from Australia. Business services (25.8%) and transport (17.9%) comprised the remaining major EU services imports from Australia. The EU's largest service export to Australia in 2017 was also travel services (25.2%) while transport, telecoms and other business services accounted for the remaining major EU service exports to Australia.

Investment

The EU is also Australia's largest foreign direct investment (FDI) partner, with inward FDI flows and stocks in Australia from the EU at US\$11.6 billion and US\$147.2 billion in 2017, respectively, amounting to 25% and 22.2% of total Australian inward FDI flows and stocks (see Table V.1.3).

Tariffs and NTMs

Table V.1.4 reports applied (AHS), bound (BND) and MFN tariffs, simple averages, in EU-Australia trade by HS2 Chapters. Australia highest bound tariffs are on textiles and clothing, but its applied tariffs (including on EU imports) are much lower. In contrast, the EU imposes high tariffs on several Australian imports including agricultural products and textiles and clothing.

The EU and Australia have concluded a Mutual Recognition Agreement (MRA) of conformity assessment procedures, covering eight sectors - automotive products, electromagnetic compatibility, low voltage equipment, machinery, medical devices, pressure equipment, telecommunications terminal equipment, and good manufacturing practice inspections of medicinal products - to facilitate trade by reducing technical barriers. The two countries also have an agreement on trade in wine which includes provisions for the reciprocal protection of Geographical Indications (GIs).

Table V.1.5 reports the OECD services trade restrictions indices for Australia and the EU. On average, the EU is more restrictive in its services trade policy than Australia, with an average overall STRI of 0.22 relative to 0.18 for Australia. The EU's services trade policy is particularly restrictive in air transport and legal services, while Australia is most restrictive in courier services.

Agricultural products

Trade in agricultural products is important in the EU-Australia trading relationship (see Table V.1.6). Agricultural products comprised 9.7 percent of the EU's total exports to Australia in 2017 (US\$3.7 billion in value) and 17.5 percent of the EU's total imports from Australia (US\$2.6 billion in value). The EU was particularly reliant on the import of oilseeds etc. and beverages, spirits and vinegar from Australia in 2017.

Small- and Medium Sized enterprises

According to the EU definition, small and medium-sized enterprises (SMEs) are companies with less than 250 employees (micro-companies: 0-9 employees; small companies: 10-49; and medium-sized firms: 50-249 employees). Based on this definition, 22.3 million SMEs were active in the non-financial business sector across the EU28 in 2014, accounting for 90 million employees. In contrast, large enterprises accounted for 43.766 enterprises and 44.4 million employees.

SMEs are the backbone of the EU economy, representing 99% of all companies. Following Eurobarometer's SME survey of 2015 (fieldwork: June 2015), most of the EU's SMEs are either working in retail (42%) or the service sectors (36%). About 8% are working in manufacturing, with a slightly larger proportion in the industry sector (14%). However, the distribution of SMEs across sectors varies significantly across EU Member States.

The official size class definition of SMEs in the EU differs from that applied in Australia. In Australia, the category SME applies to companies with 200 or fewer employees (Australian Bureau of Statistics, 2002). For a great number of manufactured products ranging from wood products to machinery and electrical components, Australia applies different customs procedures. Although tariffs are already generally low for most manufacturing products, the obligation to fulfil complex customs procedures is a particular obstacle for EU SMEs. In addition, Australian regulators require specific product conditions and requirements for many manufactured products including wood products, textiles, chemical and (electrical) machinery products and such regulations are generally more difficult to fulfil by SMEs compared to large enterprises.

Table V.1.1: EU's merchandise trade with Australia by HS2 Chapter (2010, 2017, values and % shares)

Product description	Value (\$ mln)				Share of total trade (%)				Share of total EU trade (%)			
	Export		Import		Export		Import		Export		Import	
	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017
Aircraft, spacecraft, and parts the	1934.6	565.8	206.4	42.4	5.5	1.5	1.2	0.3	1.8	0.4	0.2	0.0
Albuminoidal substances; modified s	52.9	86.8	28.9	12.6	0.1	0.2	0.2	0.1	0.5	0.6	0.3	0.1
Aluminum and articles thereof	218.3	192.6	43.1	47.2	0.6	0.5	0.2	0.3	0.4	0.3	0.1	0.1
Animal or vegetable fats and oils a	144.2	136.8	18.2	16.2	0.4	0.4	0.1	0.1	0.7	0.5	0.1	0.1
Arms and ammunition; parts and ...	28.4	45.3	5.6	11.1	0.1	0.1	0.0	0.1	0.8	1.1	0.2	0.5
Articles of apparel and clothing ac	205.4	460.6	16.8	26.8	0.6	1.2	0.1	0.2	0.2	0.4	0.0	0.0
Articles of iron or steel	531.4	678.5	46.0	41.4	1.5	1.8	0.3	0.3	0.5	0.6	0.1	0.0
Articles of leather; saddlery and h	60.5	185.8	5.1	27.2	0.2	0.5	0.0	0.2	0.4	0.6	0.0	0.1
Articles of stone, plaster, cement,	119.5	179.4	3.3	9.6	0.3	0.5	0.0	0.1	0.7	0.9	0.0	0.1
Beverages, spirits and vinegar	491.6	796.5	1129.9	582.3	1.4	2.1	6.5	4.0	0.9	1.1	2.9	1.4
Carpets and other textile floors	43.0	40.2	1.8	0.5	0.1	0.1	0.0	0.0	0.8	0.7	0.0	0.0
Ceramic products	132.0	195.6	4.0	9.8	0.4	0.5	0.0	0.1	0.7	1.0	0.0	0.1
Cereals	5.0	9.0	71.8	85.2	0.0	0.0	0.4	0.6	0.0	0.0	0.4	0.4
Clocks and watches and parts	16.2	20.7	1.0	1.4	0.0	0.1	0.0	0.0	0.3	0.2	0.0	0.0
Cocoa and cocoa preparations	172.4	257.8	3.9	1.9	0.5	0.7	0.0	0.0	0.9	1.0	0.0	0.0
Coffee, tea, mate and spices	80.4	114.7	2.3	2.9	0.2	0.3	0.0	0.0	1.0	1.0	0.0	0.0
Commodities not specified according	712.0	315.4	204.0	233.0	2.0	0.8	1.2	1.6	0.6	0.3	0.3	0.4
Copper and articles thereof	71.0	82.9	9.1	4.2	0.2	0.2	0.1	0.0	0.1	0.2	0.0	0.0
Cork and articles of cork	20.6	27.5	0.5	0.3	0.1	0.1	0.0	0.0	1.4	1.7	0.1	0.0
Cotton	11.0	6.0	0.8	1.4	0.0	0.0	0.0	0.0	0.1	0.1	0.0	0.0
Dairy produce; birds' eggs; natural	128.0	280.8	31.1	4.3	0.4	0.7	0.2	0.0	0.3	0.5	0.1	0.0
Edible fruit and nuts; peel of citrus	21.1	24.7	84.9	200.2	0.1	0.1	0.5	1.4	0.1	0.1	0.2	0.4
Edible vegetables and certain roots	17.0	33.2	50.8	39.3	0.0	0.1	0.3	0.3	0.1	0.1	0.2	0.1
Electrical machinery and equipment	2979.4	2750.5	413.9	397.3	8.4	7.1	2.4	2.7	0.6	0.5	0.1	0.1
Essential oils and resinoids; perfume	556.5	499.7	51.6	82.0	1.6	1.3	0.3	0.6	1.0	0.7	0.1	0.2
Explosives; pyrotechnic products; m	23.3	31.0	0.1	0.3	0.1	0.1	0.0	0.0	1.9	2.5	0.0	0.0
Fertilisers	63.3	49.2	1.9	3.0	0.2	0.1	0.0	0.0	0.5	0.5	0.0	0.0
Fish and crustaceans, molluscs and	22.6	95.8	23.0	15.1	0.1	0.2	0.1	0.1	0.1	0.4	0.1	0.0

Product description	Value (\$ mln)				Share of total trade (%)				Share of total EU trade (%)			
	Export		Import		Export		Import		Export		Import	
	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017
Footwear, gaiters and the like; par	106.9	176.7	10.1	9.3	0.3	0.5	0.1	0.1	0.3	0.4	0.0	0.0
Furniture; bedding, mattresses, mat	417.1	552.4	21.7	58.6	1.2	1.4	0.1	0.4	0.6	0.6	0.0	0.1
Fur skins and artificial fur; man...	0.6	4.0	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0
Glass and glassware	134.6	151.1	5.0	7.5	0.4	0.4	0.0	0.1	0.5	0.5	0.0	0.0
Headgear and parts thereof	11.1	22.1	3.6	1.5	0.0	0.1	0.0	0.0	0.6	0.8	0.1	0.0
Impregnated, coated, covered or lam	48.3	36.6	1.7	1.0	0.1	0.1	0.0	0.0	0.6	0.4	0.0	0.0
Inorganic chemicals; (in)organic	76.4	80.1	323.9	132.5	0.2	0.2	1.9	0.9	0.2	0.3	0.8	0.4
Iron and steel	321.2	227.4	137.4	66.0	0.9	0.6	0.8	0.5	0.2	0.2	0.1	0.0
Knitted or crocheted fabrics	12.3	23.4	0.7	0.4	0.0	0.1	0.0	0.0	0.3	0.5	0.0	0.0
Lac; gums, resins and other vegetables	16.3	27.5	6.8	12.1	0.0	0.1	0.0	0.1	0.7	1.1	0.3	0.5
Lead and articles thereof	3.2	2.0	461.1	465.2	0.0	0.0	2.7	3.2	0.1	0.1	17.4	13.4
Live animals; animal products	29.9	57.9	13.2	4.4	0.1	0.2	0.1	0.0	0.3	0.4	0.1	0.0
Live trees and other plants; bulbs,	23.8	15.1	10.0	4.9	0.1	0.0	0.1	0.0	0.2	0.1	0.1	0.0
Man-made filaments	53.6	65.3	1.2	0.4	0.2	0.2	0.0	0.0	0.6	0.8	0.0	0.0
Man-made staple fibres	26.3	16.3	1.5	1.6	0.1	0.0	0.0	0.0	0.3	0.2	0.0	0.0
Manufactures of straw	0.1	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.0	0.0
Meat and edible meat offal	176.9	288.2	235.2	313.5	0.5	0.7	1.4	2.1	0.4	0.5	0.6	0.7
Mineral fuels, mineral oils and pro	43.2	62.8	4209.6	3941.4	0.1	0.2	24.4	26.9	0.0	0.0	0.6	0.7
Miscellaneous articles of base meta	237.8	219.4	7.2	7.4	0.7	0.6	0.0	0.1	1.0	0.8	0.0	0.0
Miscellaneous chemical products	473.4	452.8	40.1	52.1	1.3	1.2	0.2	0.4	0.7	0.5	0.1	0.1
Miscellaneous edible preparations	260.1	445.4	13.2	13.0	0.7	1.2	0.1	0.1	1.0	1.4	0.1	0.1
Miscellaneous manufactured articles	60.1	67.7	1.7	3.0	0.2	0.2	0.0	0.0	0.7	0.7	0.0	0.0
Musical instruments; parts and accessories	17.0	21.2	2.6	2.2	0.0	0.1	0.0	0.0	1.0	1.1	0.1	0.1
Natural or cultured pearls, precious stones	484.6	299.6	4175.7	2808.7	1.4	0.8	24.2	19.2	0.5	0.3	3.7	2.6
Nickel and articles thereof	18.2	18.5	644.6	172.6	0.1	0.0	3.7	1.2	0.3	0.3	6.2	2.3
Nuclear reactors, boilers, machiner	5988.4	7077.6	486.1	341.0	16.9	18.4	2.8	2.3	0.8	0.9	0.1	0.1

Product description	Value (\$ mln)				Share of total trade (%)				Share of total EU trade (%)			
	Export		Import		Export		Import		Export		Import	
	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017
Oil seeds and oleaginous fruits; mi	37.6	79.2	203.4	1224.2	0.1	0.2	1.2	8.4	0.3	0.5	1.1	5.3
Optical, photographic, cinematograp	2068.8	2190.0	752.9	741.8	5.8	5.7	4.4	5.1	1.2	1.0	0.5	0.4
Ores, slag and ash	1.2	37.4	1419.1	923.7	0.0	0.1	8.2	6.3	0.0	0.3	3.7	2.8
Organic chemicals	606.1	769.9	54.7	58.7	1.7	2.0	0.3	0.4	0.4	0.5	0.0	0.0
Other base metals; cermets; article	16.8	27.4	10.1	15.8	0.0	0.1	0.1	0.1	0.4	0.5	0.2	0.2
Other made up textile articles; set	41.3	52.8	3.3	4.9	0.1	0.1	0.0	0.0	0.4	0.4	0.0	0.0
Other vegetable textile fibers; pap	3.9	4.7	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.4	0.0	0.0
Paper and paperboard; articles of p	797.2	555.0	61.7	34.1	2.2	1.4	0.4	0.2	0.8	0.6	0.1	0.0
Pharmaceutical products	4676.8	4234.0	519.1	329.9	13.2	11.0	3.0	2.3	1.5	1.2	0.2	0.1
Photographic or cinematographic goo	42.9	23.9	1.4	0.0	0.1	0.1	0.0	0.0	0.6	0.5	0.0	0.0
Plastics and articles thereof	843.5	854.7	90.5	74.4	2.4	2.2	0.5	0.5	0.4	0.4	0.0	0.0
Preparations of cereals, flour	236.0	395.1	10.5	6.8	0.7	1.0	0.1	0.0	0.8	1.0	0.0	0.0
Preparations of meat, of fish	30.3	42.1	3.0	3.0	0.1	0.1	0.0	0.0	0.2	0.2	0.0	0.0
Preparations of vegetables, fruit,	202.8	284.0	23.8	6.5	0.6	0.7	0.1	0.0	0.9	1.0	0.1	0.0
Prepared feathers and down	0.7	2.2	0.3	0.5	0.0	0.0	0.0	0.0	0.2	0.5	0.0	0.0
Printed books, newspapers, pictures	255.3	359.2	16.3	13.2	0.7	0.9	0.1	0.1	1.1	1.8	0.1	0.1
Products of animal origin, not else	6.6	5.1	16.8	15.7	0.0	0.0	0.1	0.1	0.2	0.1	0.5	0.4
Products of the milling industry; m	14.4	44.2	0.9	4.0	0.0	0.1	0.0	0.0	0.2	0.6	0.0	0.1
Pulp of wood	3.4	10.2	0.0	1.5	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0
Railway or tramway locomotives	404.7	142.1	8.2	6.8	1.1	0.4	0.0	0.0	2.7	1.0	0.1	0.1
Raw hides and skins (other than furs	19.7	14.8	123.8	65.1	0.1	0.0	0.7	0.4	0.2	0.1	1.3	0.7
Residues and waste from the food in	31.9	127.1	10.0	6.7	0.1	0.3	0.1	0.0	0.2	0.5	0.0	0.0
Rubber and articles thereof	320.2	356.9	11.1	39.1	0.9	0.9	0.1	0.3	0.5	0.5	0.0	0.1
Salt; sulphur; earths and stone; pl	18.1	20.5	94.7	86.6	0.1	0.1	0.5	0.6	0.1	0.2	0.7	0.7
Ships, boats and floating structure	149.7	147.5	120.4	103.7	0.4	0.4	0.7	0.7	0.5	0.6	0.3	0.5
Silk	1.9	0.8	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.1	0.0	0.0
Soap, organic surface-active agents	131.6	172.3	5.4	13.2	0.4	0.4	0.0	0.1	0.5	0.6	0.0	0.1
Special woven fabrics; tufted textiles	13.3	9.7	0.4	0.5	0.0	0.0	0.0	0.0	0.4	0.3	0.0	0.0
Sugars and sugar confectionery	45.4	68.6	4.7	6.2	0.1	0.2	0.0	0.0	0.4	0.5	0.0	0.0

Product description	Value (\$ mln)				Share of total trade (%)				Share of total EU trade (%)			
	Export		Import		Export		Import		Export		Import	
	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017
Tanning or dyeing extracts; tannins	206.1	211.7	9.1	21.3	0.6	0.5	0.1	0.1	0.6	0.5	0.0	0.1
Tin and articles thereof	6.5	3.3	0.1	0.9	0.0	0.0	0.0	0.0	0.8	0.3	0.0	0.1
Tobacco and manufactured tobacco	70.7	98.3	0.0	0.0	0.2	0.3	0.0	0.0	0.4	0.5	0.0	0.0
Tools, implements, cutlery, spoons	190.4	163.6	16.2	12.2	0.5	0.4	0.1	0.1	0.9	0.7	0.1	0.1
Toys, games and sports requisites;	200.9	179.4	39.0	29.9	0.6	0.5	0.2	0.2	0.8	0.6	0.1	0.1
Umbrella, sun umbrellas, walking sticks	0.6	1.8	0.3	0.0	0.0	0.0	0.0	0.0	0.1	0.3	0.0	0.0
Vegetable plaiting materials; veget	0.5	0.3	0.5	0.1	0.0	0.0	0.0	0.0	0.5	0.2	0.2	0.0
Vehicles other than railway or tram	5565.4	7786.0	64.4	75.8	15.7	20.2	0.4	0.5	1.1	1.1	0.0	0.0
Wadding, felt and nonwovens;	44.3	37.3	1.5	2.6	0.1	0.1	0.0	0.0	0.5	0.4	0.0	0.0
Wood and articles of wood;	208.5	322.8	21.5	18.9	0.6	0.8	0.1	0.1	0.5	0.6	0.0	0.0
Wool, fine or coarse animal hair;	7.6	12.3	262.0	341.5	0.0	0.0	1.5	2.3	0.2	0.2	5.3	7.0
Works of art, collectors' pieces	51.9	73.2	25.3	29.1	0.1	0.2	0.1	0.2	0.6	0.7	0.3	0.5
Zinc and articles thereof	4.5	6.2	0.1	0.1	0.0	0.0	0.0	0.0	0.1	0.1	0.0	0.0
Total	35483.3	38501.5	17280.5	14638.7	100	100	100	100	0.7	0.7	0.3	0.3

Source: UN Comtrade; own calculations

Table V.1.2: EU's services trade with Australia by EBOPS 2010 sector (2010, 2017, values and % shares)

	Value (\$ mln)				Share of total trade (%)				Share of total EU trade (%)			
	Export		Import		Export		Import		Export		Import	
	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017
Manufacturing services on physical inputs owned by others	307.3	44.4	67.5	34.8	1.6	0.2	0.7	0.3	0.6	0.1	0.4	0.1
Maintenance and repair services n.i.e.	186.3	418	65	178.4	1.0	1.6	0.7	1.7	1.2	1.2	0.7	0.6
Transport	4732.4	6028.1	2200.7	1924.5	24.7	22.8	22.2	17.9	1.3	1.5	0.7	0.5
Travel	4211.3	6679.1	3396.5	3865.2	21.9	25.2	34.2	36.0	1.2	1.5	1.0	1.0
Construction	363.4	167.7	242.4	109.1	1.9	0.6	2.4	1.0	1.4	0.5	1.2	0.5
Insurance and pension services	1590.8	378.4	196.3	101.3	8.3	1.4	2.0	0.9	2.9	0.6	0.5	0.2
Financial services	1479.6	1571.4	333.2	766.6	7.7	5.9	3.4	7.1	0.8	0.7	0.4	0.6

	Value (\$ mln)				Share of total trade (%)				Share of total EU trade (%)			
	Export		Import		Export		Import		Export		Import	
	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017	2010	2017
Charges for the use of intellectual property n.i.e	651.9	1289.3	328.1	265	3.4	4.9	3.3	2.5	0.9	0.8	0.3	0.1
Telecommunications, computer, and information services	2403.8	5161.5	660.4	614.6	12.5	19.5	6.7	5.7	1.3	1.8	0.5	0.4
Other business services	3034.4	3649.7	2153.1	2764.2	15.8	13.8	21.7	25.8	0.8	0.6	0.5	0.5
Personal, cultural, and recreational services	86.4	165	198.9	51.2	0.5	0.6	2.0	0.5	0.4	0.6	0.8	0.2
Government goods and services n.i.e.	136.8	45.1	74.2	52.2	0.7	0.2	0.7	0.5	0.7	0.2	0.3	0.2
SERVICES	19193	26491	9923.6	10734.5	100	100	100	100	1.1	1.1	0.7	0.5

Source: OECD Stat; own calculations

Table V.1.3: EU's FDI flows and stocks in and from Australia (2017, values and % shares)

	Value (\$ mln)				Shares of total FDI (%)			
	Flows		Stocks		Flows		Stocks	
	Inward	Outward	Inward	Outward	Inward	Outward	Inward	Outward
Australia	11589	2608	147216	91878	25.0	53.4	22.2	19.9

Source: OECD Stat; own calculations

Table V.1.4: Tariffs in EU-Australia trade by HS Chapter (2016, % simple average tariffs)

Product	Product Name	Aus tar on EU imp			EU tar on Aus imp		
		AHS	BND	MFN	AHS	BND	MFN
01	LIVE ANIMALS	0.00	1.00	0.00	1.21	2.25	1.21
02	MEAT AND EDIBLE MEAT OFFAL	0.00	0.00	0.00	5.96	5.41	5.96
03	FISH AND CRUSTACEANS, MOLLUSCS AND OTHER AQUATIC I	0.00	0.00	0.00	11.45	12.78	11.45
04	DAIRY PRODUCE; BIRDS' EGGS; NATURAL HONEY; EDIBLE	0.07	0.73	0.18	10.90	10.10	10.90
05	PRODUCTS OF ANIMAL ORIGIN, NOT ELSEWHERE SPECIFIED	0.77	1.56	0.28	0.09	0.11	0.09
06	LIVE TREES AND OTHER PLANTS; BULBS, ROOTS AND THE	0.00	0.56	0.00	6.64	6.11	6.64
07	EDIBLE VEGETABLES AND CERTAIN ROOTS AND TUBERS	3.03	5.46	2.31	6.16	6.01	6.16
08	EDIBLE FRUIT AND NUTS; PEEL OF CITRUS FRUIT OR MEL	1.41	2.47	1.34	6.60	6.58	6.60
09	COFFEE, TEA, MATÉ AND SPICES	0.00	0.06	0.00	3.12	3.12	3.12
10	CEREALS	0.00	0.71	0.00	1.20	7.68	1.20

Product	Product Name	Aus tar on EU imp			EU tar on Aus imp		
		AHS	BND	MFN	AHS	BND	MFN
11	PRODUCTS OF THE MILLING INDUSTRY; MALT; STARCHES;	0.90	3.68	0.80	8.82	9.60	8.82
12	OIL SEEDS AND OLEAGINOUS FRUITS; MISCELLANEOUS GRA	0.48	1.92	0.54	1.58	1.62	1.58
13	LAC; GUMS, RESINS AND OTHER VEGETABLE SAPS AND EXT	0.68	2.67	0.83	2.42	2.42	2.42
14	VEGETABLE PLAINTING MATERIALS; VEGETABLE PRODUCTS N	0.00	0.75	0.00	0.00	0.00	0.00
15	ANIMAL OR VEGETABLE FATS AND OILS AND THEIR CLEAVA	1.82	3.89	2.05	5.65	5.45	5.65
16	PREPARATIONS OF MEAT, OF FISH OR OF CRUSTACEANS, M	1.21	4.70	1.21	13.78	14.10	13.78
17	SUGARS AND SUGAR CONFECTIONERY	2.68	7.83	1.91	13.10	13.10	13.10
18	COCOA AND COCOA PREPARATIONS	3.75	8.50	2.50	6.66	6.66	6.66
19	PREPARATIONS OF CEREALS, FLOUR, STARCH OR MILK; PA	4.37	6.61	4.06	10.65	10.65	10.65
20	PREPARATIONS OF VEGETABLES, FRUIT, NUTS OR OTHER P	4.30	8.91	4.37	17.79	16.86	17.79
21	MISCELLANEOUS EDIBLE PREPARATIONS	1.20	3.28	1.09	9.61	9.37	9.61
22	BEVERAGES, SPIRITS AND VINEGAR	3.69	8.49	3.97	3.94	3.94	3.94
23	RESIDUES AND WASTE FROM THE FOOD INDUSTRIES; PREPA	0.00	1.00	0.00	2.25	2.55	2.25
24	TOBACCO AND MANUFACTURED TOBACCO SUBSTITUTES	0.00	11.60	0.00	40.95	40.95	40.95
25	SALT; SULPHUR; EARTHS AND STONE; PLASTERING MATERI	0.85	2.96	0.83	0.25	0.24	0.25
26	ORES, SLAG AND ASH	0.00	0.70	0.00	0.00	0.00	0.00
27	MINERAL FUELS, MINERAL OILS AND PRODUCTS OF THEIR	0.35	1.50	0.29	0.60	1.04	0.60
28	INORGANIC CHEMICALS; ORGANIC OR INORGANIC						
28	COMPOUND	0.45	9.63	0.48	4.61	4.56	4.61
29	ORGANIC CHEMICALS	0.68	8.59	0.71	4.51	4.11	4.51
30	PHARMACEUTICAL PRODUCTS	1.31	2.30	1.21	0.00	0.67	0.00
31	FERTILISERS	0.00	9.00	0.00	4.43	4.33	4.43
32	TANNING OR DYEING EXTRACTS; TANNINS AND THEIR DERI	4.22	9.52	3.63	5.71	5.81	5.71
33	ESSENTIAL OILS AND RESINOIDS; PERFUMERY, COSMETIC	3.95	8.70	3.31	2.41	2.40	2.41
34	SOAP, ORGANIC SURFACE-ACTIVE AGENTS, WASHING PREPA	4.15	10.00	3.91	1.90	1.87	1.90
35	ALBUMINOIDAL SUBSTANCES; MODIFIED STARCHES; GLUES;	2.28	5.79	1.25	5.70	5.46	5.70
36	EXPLOSIVES; PYROTECHNIC PRODUCTS; MATCHES; PYROPHO	3.06	10.00	3.13	6.42	6.42	6.42
37	PHOTOGRAPHIC OR CINEMATOGRAPHIC GOODS	3.86	8.10	3.33	4.60	5.50	4.60
38	MISCELLANEOUS CHEMICAL PRODUCTS	2.40	9.38	2.16	5.33	5.09	5.33
39	PLASTICS AND ARTICLES THEREOF	4.83	10.24	4.64	6.12	5.72	6.12

Product	Product Name	Aus tar on EU imp			EU tar on Aus imp		
		AHS	BND	MFN	AHS	BND	MFN
40	RUBBER AND ARTICLES THEREOF	4.63	15.14	4.42	3.22	3.20	3.22
41	RAW HIDES AND SKINS (OTHER THAN FURSKINS) AND LEAT	4.85	13.35	4.55	2.66	2.64	2.66
42	ARTICLES OF LEATHER; SADDLERY AND HARNESS; TRAVEL	4.29	15.37	3.63	4.38	4.57	4.38
43	FURSKINS AND ARTIFICIAL FUR; MANUFACTURES THEREOF	4.56	12.94	4.38	2.02	2.02	2.02
44	WOOD AND ARTICLES OF WOOD; WOOD CHARCOAL	4.29	4.34	3.83	2.06	1.84	2.06
45	CORK AND ARTICLES OF CORK	2.93	4.83	1.67	4.31	4.31	4.31
46	MANUFACTURES OF STRAW, OF ESPARTO OR OF OTHER PLAID	0.00	0.33	0.00	3.30	3.11	3.30
47	PULP OF WOOD OR OF OTHER FIBROUS CELLULOSIC MATERIAL	0.00	0.00	0.00	0.00	0.00	0.00
48	PAPER AND PAPERBOARD; ARTICLES OF PAPER PULP, OF PAPER	4.30	9.26	4.11	0.00	0.00	0.00
49	PRINTED BOOKS, NEWSPAPERS, PICTURES AND OTHER PRODUCTS	2.70	4.32	1.97	0.00	0.00	0.00
50	SILK	0.88	16.14	0.63	5.23	5.23	5.23
51	WOOL, FINE OR COARSE ANIMAL HAIR; HORSEHAIR YARN AND	4.59	12.80	3.80	3.39	3.39	3.39
52	COTTON	4.98	28.44	4.94	6.84	6.84	6.84
53	OTHER VEGETABLE TEXTILE FIBRES; PAPER YARN AND WOVEN	0.45	2.60	0.77	4.80	4.80	4.80
54	MAN-MADE FILAMENTS; STRIP AND THE LIKE OF MAN-MADE	4.75	18.12	4.67	6.78	6.78	6.78
55	MAN-MADE STAPLE FIBRES	4.45	19.94	4.18	6.97	6.97	6.97
56	WADDING, FELT AND NONWOVENS; SPECIAL YARNS; TWINE,	4.02	6.75	3.75	6.00	5.98	6.00
57	CARPETS AND OTHER TEXTILE FLOOR COVERINGS	3.18	14.07	3.00	7.45	7.45	7.45
58	SPECIAL WOVEN FABRICS; TUFTED TEXTILE FABRICS; LACED	3.94	12.36	3.54	7.17	7.18	7.17
59	IMPREGNATED, COATED, COVERED OR LAMINATED TEXTILE	4.45	12.71	4.29	6.03	6.08	6.03
60	KNITTED OR CROCHETED FABRICS	5.00	24.15	5.00	7.86	7.86	7.86
61	ARTICLES OF APPAREL AND CLOTHING ACCESSORIES, KNIT	4.68	41.55	4.61	11.67	11.68	11.67
62	ARTICLES OF APPAREL AND CLOTHING ACCESSORIES, NOT	4.64	41.31	4.57	11.29	11.29	11.29
63	OTHER MADE-UP TEXTILE ARTICLES; SETS; WORN CLOTHING	4.27	23.44	3.99	10.41	10.33	10.41
64	FOOTWEAR, GAITERS AND THE LIKE; PARTS OF SUCH ARTICLES	3.74	19.64	3.63	11.39	11.39	11.39
65	HEADGEAR AND PARTS THEREOF	1.59	23.33	1.79	2.63	2.33	2.63
66	UMBRELLAS, SUN UMBRELLAS, WALKING STICKS, SEAT-STICKS	2.24	12.67	1.67	4.13	4.13	4.13
67	PREPARED FEATHERS AND DOWN AND ARTICLES MADE OF FEATHERS	0.00	2.38	0.00	2.83	2.83	2.83
68	ARTICLES OF STONE, PLASTER, CEMENT, ASBESTOS, MICA	4.33	10.21	3.93	1.12	1.09	1.12
69	CERAMIC PRODUCTS	4.64	9.35	4.31	5.17	5.19	5.17

Product	Product Name	Aus tar on EU imp			EU tar on Aus imp		
		AHS	BND	MFN	AHS	BND	MFN
70	GLASS AND GLASSWARE	3.31	11.12	2.83	5.50	5.48	5.50
71	NATURAL OR CULTURED PEARLS, PRECIOUS OR SEMI-PRECI	2.75	5.68	1.17	0.80	0.81	0.80
72	IRON AND STEEL	4.35	5.76	4.09	0.05	0.05	0.05
73	ARTICLES OF IRON OR STEEL	4.65	11.06	4.39	1.76	1.77	1.76
74	COPPER AND ARTICLES THEREOF	4.29	3.94	3.83	3.26	3.28	3.26
75	NICKEL AND ARTICLES THEREOF	0.45	0.33	0.33	0.79	0.79	0.79
76	ALUMINIUM AND ARTICLES THEREOF	4.72	4.84	4.38	6.05	6.08	6.05
78	LEAD AND ARTICLES THEREOF	1.15	0.50	0.50	1.25	1.81	1.25
79	ZINC AND ARTICLES THEREOF	1.07	0.31	0.31	2.50	2.50	2.50
80	TIN AND ARTICLES THEREOF	0.00	0.00	0.00	0.00	0.00	0.00
81	OTHER BASE METALS; CERMETS; ARTICLES THEREOF	0.00	0.00	0.00	3.44	3.28	3.44
82	TOOLS, IMPLEMENTS, CUTLERY, SPOONS AND FORKS, OF B	4.38	13.88	4.18	3.12	3.12	3.12
83	MISCELLANEOUS ARTICLES OF BASE METAL	4.85	16.47	4.72	2.23	2.21	2.23
84	NUCLEAR REACTORS, BOILERS, MACHINERY AND MECHANICA	3.32	8.09	2.88	1.62	1.65	1.62
85	ELECTRICAL MACHINERY AND EQUIPMENT AND PARTS THERE	2.93	8.65	2.77	2.28	2.46	2.28
86	RAILWAY OR TRAMWAY LOCOMOTIVES, ROLLING STOCK AND	4.39	15.08	4.62	1.79	1.71	1.79
87	VEHICLES OTHER THAN RAILWAY OR TRAMWAY ROLLING STO	3.33	12.92	3.35	5.55	5.48	5.55
88	AIRCRAFT, SPACECRAFT, AND PARTS THEREOF	0.00	2.65	0.00	1.64	1.96	1.64
89	SHIPS, BOATS AND FLOATING STRUCTURES	3.23	15.00	3.25	1.35	1.40	1.35
90	OPTICAL, PHOTOGRAPHIC, CINEMATOGRAPHIC, MEASURING,	0.71	2.19	0.71	1.50	1.89	1.50
91	CLOCKS AND WATCHES AND PARTS THEREOF	0.68	3.13	0.50	4.05	4.05	4.05
92	MUSICAL INSTRUMENTS; PARTS AND ACCESSORIES OF SUCH	1.52	5.22	1.18	3.15	3.15	3.15
93	ARMS AND AMMUNITION; PARTS AND ACCESSORIES THEREOF	1.67	4.06	1.53	2.49	2.50	2.49
94	FURNITURE; BEDDING, MATTRESSES, MATTRESS SUPPORTS,	4.36	14.08	4.25	1.92	1.62	1.92
95	TOYS, GAMES AND SPORTS REQUISITES; PARTS AND ACCES	3.94	14.76	3.82	2.31	2.30	2.31
96	MISCELLANEOUS MANUFACTURED ARTICLES	3.26	13.11	2.89	3.23	3.36	3.23
97	WORKS OF ART, COLLECTORS' PIECES AND ANTIQUES	0.00	0.86	0.00	0.00	0.00	0.00

Source: UNCTAD Trains

Table IV.1.5: Services trade restrictions in Australia and the EU (2018)

Sector	Australia						EU					
	Indicator STRI	Restrictions on foreign entry	Restrictions to movement of people	Other discriminatory measures	Barriers to competition	Regulatory transparency	Indicator STRI	Restrictions on foreign entry	Restrictions to movement of people	Other discriminatory measures	Barriers to competition	Regulatory transparency
Logistics cargo-handling	0.22	0.05	0.02	0.00	0.07	0.08	0.19	0.04	0.03	0.01	0.05	0.05
Logistics storage and warehouse	0.17	0.05	0.02	0.00	0.01	0.08	0.18	0.05	0.04	0.01	0.03	0.05
Logistics freight forwarding	0.17	0.06	0.02	0.00	0.00	0.09	0.17	0.05	0.04	0.01	0.01	0.06
Logistics customs brokerage	0.17	0.06	0.02	0.00	0.00	0.09	0.18	0.06	0.04	0.01	0.01	0.06
Accounting	0.18	0.08	0.08	0.00	0.00	0.03	0.26	0.10	0.12	0.01	0.01	0.03
Architecture	0.15	0.03	0.08	0.00	0.00	0.04	0.26	0.04	0.16	0.01	0.01	0.04
Engineering	0.13	0.05	0.05	0.00	0.00	0.04	0.25	0.05	0.14	0.01	0.01	0.04
Legal	0.13	0.06	0.04	0.00	0.01	0.02	0.39	0.17	0.16	0.02	0.01	0.03
Motion pictures	0.15	0.06	0.03	0.02	0.00	0.04	0.18	0.05	0.05	0.03	0.01	0.04
Broadcasting	0.19	0.11	0.02	0.02	0.02	0.02	0.22	0.12	0.03	0.03	0.03	0.02
Sound recording	0.14	0.04	0.03	0.02	0.00	0.06	0.19	0.03	0.05	0.03	0.02	0.05
Telecom	0.17	0.06	0.01	0.01	0.05	0.03	0.15	0.04	0.02	0.02	0.03	0.03
Air transport	0.30	0.14	0.01	0.00	0.13	0.03	0.41	0.23	0.02	0.02	0.12	0.02
Maritime transport	0.18	0.10	0.04	0.01	0.01	0.03	0.22	0.11	0.06	0.02	0.02	0.02
Road freight transport	0.13	0.08	0.04	0.00	0.00	0.01	0.18	0.07	0.05	0.02	0.03	0.01
Rail freight transport	0.14	0.06	0.03	0.00	0.01	0.05	0.21	0.06	0.04	0.01	0.06	0.03
Courier	0.37	0.15	0.04	0.01	0.10	0.08	0.18	0.05	0.03	0.01	0.04	0.04
Distribution	0.14	0.05	0.01	0.00	0.01	0.06	0.16	0.05	0.02	0.02	0.04	0.04
Commercial banking	0.17	0.10	0.02	0.00	0.01	0.05	0.18	0.07	0.03	0.01	0.03	0.04
Insurance	0.19	0.10	0.03	0.00	0.01	0.05	0.17	0.08	0.04	0.01	0.01	0.03
Computer	0.16	0.06	0.05	0.00	0.00	0.06	0.21	0.04	0.08	0.02	0.01	0.06
Construction	0.19	0.07	0.03	0.00	0.01	0.08	0.21	0.04	0.07	0.03	0.01	0.05
Average STRI	0.18	0.07	0.03	0.00	0.02	0.05	0.22	0.07	0.06	0.02	0.03	0.04

Source: OECD STRI database; the average values for the EU are based on own calculations

Table V.1.6: EU's trade in agricultural products with Australia (2017, values and % shares)

HS2 Code	Product description	Value (\$ mln)		Share in total trade (%)	
		Export 2017	Import 2017	Export 2017	Import 2017
1	Live animals; animal products	57.9	4.4	0.2	0.0
2	Meat and edible meat offal	288.2	313.5	0.7	2.1
3	Fish and crustaceans, molluscs and	95.8	15.1	0.2	0.1
4	Dairy produce; birds' eggs; natural	280.8	4.3	0.7	0.0
5	Products of animal origin, not else	5.1	15.7	0.0	0.1
6	Live trees and other plants; bulbs,	15.1	4.9	0.0	0.0
7	Edible vegetables and certain roots	33.2	39.3	0.1	0.3
8	Edible fruit and nuts; peel of citrus	24.7	200.2	0.1	1.4
9	Coffee, tea, maté and spices	114.7	2.9	0.3	0.0
10	Cereals	9.0	85.2	0.0	0.6
11	Products of the milling industry; m	44.2	4.0	0.1	0.0
12	Oil seeds and oleaginous fruits; mi	79.2	1224.2	0.2	8.4
13	Lac; gums, resins and other vegetab	27.5	12.1	0.1	0.1
14	Vegetable plaiting materials; veget	0.3	0.1	0.0	0.0
15	Animal or vegetable fats and oils a	136.8	16.2	0.4	0.1
16	Preparations of meat, of fish or of	42.1	3.0	0.1	0.0
17	Sugars and sugar confectionery	68.6	6.2	0.2	0.0
18	Cocoa and cocoa preparations	257.8	1.9	0.7	0.0
19	Preparations of cereals, flour, sta	395.1	6.8	1.0	0.0
20	Preparations of vegetables, fruit,	284.0	6.5	0.7	0.0
21	Miscellaneous edible preparations	445.4	13.0	1.2	0.1
22	Beverages, spirits and vinegar	796.5	582.3	2.1	4.0
23	Residues and waste from the food in	127.1	6.7	0.3	0.0
24	Tobacco and manufactured tobacco su	98.3	0.0	0.3	0.0
1-24	Agricultural products	3727.3	2568.6	9.7	17.5
1-99	Total goods	38501.5	14638.7	100	100

Source: UNComtrade; own calculations

V.2 Social state of play in the EU and Australia

Employment Levels

In **the EU**, the number of jobs continued to grow and in 2018 the record 238.9 million people were employed, with the employment rate of 73.2 percent. The total unemployment rate fell to 6.9 percent. The youth unemployment declined to 15.2 percent. It is estimated that in 2017 around 3.2 million jobs were created in the EU, mostly in services (2.8 million). As in previous years, the highest employment growth (4.3 percent) was recorded for older workers (55-64 years) raising employment rate within this group to 57.1 percent in 2017. This reflects reforms of national pensions systems. Moreover, job creation was the highest, (2.9 percent), as in previous years, for highly qualified workers leading to an employment rate of 85.3 percent in this group (the rate for medium-skilled workers increased to 75.7 percent and for low-skilled declined slightly to 55.6 percent). (European Commission, 2017 and 2018a) Sectors with biggest shares in total employment included manufacturing (15.5 percent), wholesale and retail trade (13.8 percent), human health and social services (10.9 percent), education (7.6 percent), and construction (6.8 percent). (EUROSTAT, 2018)

Member States are revising their adult learning programmes and training offer to help the adult population and workers to adapt to the ongoing technological changes having impact on the labour market. Currently, the ratio of low-skilled workers to the number of jobs requiring low level of skills in the EU is like three to one. At the same time more than 40 percent of adults in the EU don't have basic digital skills. (European Commission, 2018a) An OECD analysis estimating the risk of jobs being replaced by automation indicates for the EU figures ranging from 27 percent for Finland and Estonia to 45 percent for the Czech Republic and Slovakia. (OECD, 2017b)

In **Australia**, the employment rate increased to 73.8 percent in 2018. (OECD, 2018a) The total unemployment rate fell to 5.1 percent. (Australian Bureau of Statistics, 2018a) The youth unemployment rate declined to 11.6 percent. (Riley, 2018) Some groups, such as mothers, lone parents and indigenous people record lower participation rates in the labour market. (OECD, 2018b) In 2018, manufacturing was the main driving force for job creation. (Pickering, 2018). The Government launched initiatives to facilitate increased participation of disadvantaged groups (e.g. older workers, those impacted by structural change, youth, single parents and indigenous people) in the labour market. (Department of Jobs and Small Business, 2018a; OECD 2018b) OECD analysis estimates that around 32-33 percent of jobs in Australia are at risk of being replaced by automation. (OECD, 2017b)

Women as workers, entrepreneurs, traders and consumers

Women as workers

The employment rate of women raised in **the EU** in 2017 to 66.4 percent (for men, 77.9 percent) marking an employment gap of 11.5 percentage points. Women are increasingly well-qualified and in certain age groups outperform men in educational attainment (e.g. in 2017, 44.9 percent of women aged 30-34 had tertiary education compared to 34.9 percent among men). Yet, they tend to work fewer hours (in 2017, the EU part-time employment rate for women of 31.1 percent was higher by 23 percentage points than that for men, 8.2 percent). Women also tend to have lower-ranking jobs and be more present in lower paying sectors. This contributes to a gender pay gap (16.2 percent in 2016), which combined with a usually shorter career translates into lower pensions for women (the gender gap of 37.2 percent in 2016). Additional challenges are faced by vulnerable women, i.e. older ones, single parents, disabled, or with a migrant or an ethnic minority background. (European Commission, 2018a, 2018b, 2017a) In 2014, 12.3 million jobs occupied by women in the EU depended on exports. (Rueda-Cantuche, Kutlina-Dimitrova et al, 2018). Sectors having large shares in women's employment in the EU include human health and social services (19.4

percent), wholesale and retail trade (14.6 percent), education (12.8 percent), manufacturing (10.6 percent), and public administration (8 percent). (EUROSTAT, 2018).

In 2016, challenges in entering the labour market were faced especially by mothers and women with care responsibilities. Factors influencing the situation include insufficient child care and other care facilities, fiscal disincentives for second earners, and insufficient availability of flexible working arrangements. Member States and the Commission have taken steps to increase the availability of childcare facilities, introduce more balance in parental leave, encourage women to return to work after childbirth, raise awareness about non-discrimination at work and increase transparency about wage levels for men and women. (European Commission, 2018a, 2018b, 2017, 2017a, 2016)

In 2018 in **Australia**, the employment rate for women aged 20-74 years was 64 percent, for men 75 percent. The unemployment rate was comparable: 4.8 percent for women and 4.6 percent for men. More women (44 percent) than men (16 percent) worked part-time and this difference was even more pronounced among couples having children under six years of age, where 61 percent of mothers and 7.9 percent of fathers worked part-time. Part-time workers of each gender usually worked 18 hours a week. Women having full-time job worked 36 hours compared to 40 hours for men. Also, more women (9.4 percent) than men (5.8 percent) worked involuntarily part-time, i.e. were ready to take more hours than offered. (Australian Bureau of Statistics, 2018b). On average, women have a higher degree of education, however, earn 14.6 percent less than men. In private sector (in organisations employing 100 persons or more) gender-related pay gap is higher and varies between 17.3 and 22.4 percent. In 2017, the Government adopted a Strategy to boost women's workforce participation. Planned actions include increased availability of child care facilities and financial assistance to cover child care costs, encouraged flexibility at work, for both men and women to facilitate work-family balance and more equal sharing of family and care responsibilities, promotion of women to managerial posts and fields where they are underrepresented (e.g. science and engineering), increased women economic security and financial incentives to work. (Office for Women, 2017)

Women as entrepreneurs

In 2012, women represented 31 percent of **EU** entrepreneurs (10.3 million persons). The number of entrepreneurs in the labour force, (rate of entrepreneurship) was 10 percent for women and 19 percent for men. 23 percent of women (30 percent among men) entrepreneurs employed workers, the rest operated as solo entrepreneurs. (European Commission, 2014) Women-led enterprises had the greatest shares among entrepreneurs in sectors, such as human health and social services (60 percent), education (55 percent), accommodation and food services (39 percent), administrative and support services (37 percent), and professional, scientific and technical services (34 percent). (European Commission, 2014) In eight EU Member States, for which data related to size of women-led enterprises is available, 94 percent of them were microenterprises, 5 percent small ones and 1 percent medium and large (European Commission, 2014). The main challenges faced by female entrepreneurs include: access to finance, information, training, and networks for business purposes, as well as reconciliation of business and family life.¹³

The EU and Member States developed tools to support women in their entrepreneurship, e.g. WEgate ("one-stop-shop" for women who want to start, run or grow a business), the European Network of Female Entrepreneurship Ambassadors, or the European Network of Mentors for Women Entrepreneurs.¹⁴

¹³ DG GROWTH: <http://ec.europa.eu/growth/smes/promoting-entrepreneurship/we-work-for/women/>

¹⁴ For details, about initiatives supporting female entrepreneurs at the EU level, please see: http://ec.europa.eu/growth/smes/promoting-entrepreneurship/we-work-for/women/support-networks_en.

In 2014, 34 percent of all **Australian** entrepreneurs were women, whereby their number increased by 46 percent over the last 20 years. Female entrepreneurs made up 12.5 percent of all employed women in Australia, with one third of them being owner managers of incorporated companies and the rest of unincorporated ones (the latter category includes also sole traders). In other words, there are around 700,000 women who own and manage a business (data of March 2018). They can benefit from support programmes designed for all those who wish to start or expand their undertaking, e.g. services of Entrepreneurship Facilitators providing information and advice, as well as tailored mentoring.¹⁵ (Australian Government, 2017) In 2011, women-led enterprises operated in professional, scientific, and technical services (13 percent of the total), followed by retail trade (12 percent), health care and social assistance (12 percent), "other services" (9 percent), and accommodation and food services (8 percent).¹⁶ In 2010, enterprises operated by men and women didn't differ significantly in demand for business finance or type of financial assistance used and the rate of success when applying for it. However, new and home-based undertakings (and these were typically led by women) faced more challenges in this respect.

In 2011, Aboriginal and Torres Strait Islander women ran 2890 businesses, representing 0.6 percent of all female business operators. They were active mainly in health care and social services (12 percent), retail trade (11 percent) and other services (11 percent). 48 percent of them worked as sole traders while 5 percent had 20 or more employees. Migrant women made up 30 percent of all female business operators in Australia, disabled women represented 12 percent, and women living in remote areas 2.3 percent. (Australian Bureau of Statistics, 2015)

Women as traders

In **the EU**, the European Commission has been leading discussion on women economic empowerment and trade to explore ways of promoting increased women's participation in international trade and identify barriers preventing women from seizing opportunities offered by trade agreements, as well as to develop tools and share experience in gender-based analysis of trade policy. This included e.g. organising an International Forum on Women and Trade in 2017, debate at the European Development Days in 2018 and participation in seminars organised in the follow-up to the 2017 Buenos Aires Declaration on Trade and Women's Economic Empowerment.¹⁷

In **Australia**, the Government agency Austrade provides services for women involved in international trade, e.g. by sharing market information and advice, offering Women in Export Scholarship and facilitating links with networks and platforms promoting success stories and offering training, advice and networking opportunities for women doing business and trading internationally.¹⁸ Australia was among supporters of the 2017 Buenos Aires Declaration on Trade and Women's Economic Empowerment¹⁹ and has been involved in APEC²⁰ initiatives promoting women's participation in economic

¹⁵ For more information about the Entrepreneurship Facilitators programme, please see: <https://www.jobs.gov.au/entrepreneurship-facilitators> [accessed on 18 January 2019]

¹⁶ Businesses owned by men operated in construction (26 percent), professional, scientific, and technical services (12 percent), agriculture, forestry and fishing (7 percent), and manufacturing (7 percent).

¹⁷ For more information, see: International Forum on Women and Trade:

<http://trade.ec.europa.eu/doclib/press/index.cfm?id=1632>; European Development Days: <https://eudevdays.eu/community/sessions/1004/trade-and-womens-economic-empowerment>.

¹⁸ Austrade, Women in Export: <https://www.austrade.gov.au/Australian/How-Austrade-can-help/Trade-services/women-in-export> [accessed on 18 January 2019]

¹⁹ See text of the Declaration and the list of supporting countries:

https://www.wto.org/english/news_e/news17_e/mc11_12dec17_e.htm

²⁰ Asia-Pacific Economic Cooperation, an inter-governmental forum of 21 Pacific Rim member economies.

activities and trade. These include e.g. "Gender Inclusion Guidelines"²¹, a tool adopted in 2017 to integrate gender dimension into APEC's work. (Braun, 2018)

A 2015 survey by Women in Global Business²² and the University of Melbourne provides insights about engagement of Australian women-owned companies in international trade. Around 90 percent of enterprises in the sample are SMEs having less than 20 employees, with 66-82 percent having less than 5 employees. (This also reflects profile of the total of Australian enterprises.) Those already involved in international trade operate mainly in the services sectors, such as education and training (17 percent), business and finance (11 percent), and ICT (10 percent). Sectors related to trade in goods, e.g. food and beverages, consumer goods, agribusiness, and textile, footwear and clothing have each 5-7 percent in the sample. The current three main trading partners are the US, China and the UK. Among barriers impeding international activity, female business owners named high value of the Australian dollar, a difficulty in locating a suitable distributor, documentation and red tape required to establish operations, access to finance, transportation costs, shipping arrangements, and tariffs faced by exporters in the destination markets. (WIGB, 2015)

Consumers²³, welfare, levels of inequality and impacts on vulnerable groups

The share of people at risk of poverty or social exclusion in **the EU** continued to decrease and in 2017 dropped to 113 million people, i.e. 22.5 percent (5 million below the pre-crisis level and 11 million less than in the peak of 2012). Groups of the population most exposed to this risk include young people (aged 18-24), children (notably children of low-skilled parents, non-EU born parents and brought up by single parents), unemployed, unskilled persons with at most the lower secondary education, third country nationals, elderly people and people with disabilities. The number of people living in absolute poverty decreased in 2016 to 7.5 percent (37.8 million). Income inequality decreased, with low-income levels rising, however, still the richest 20 percent of the population had disposable incomes 5.1 times higher than the poorest 20 percent (European Commission, 2017 and 2018a)

In 2017, the real wage increase slowed down (0.5 percent compared to 1.2 percent in 2016) and remained behind the productivity growth. Existing labour market reserves, low inflation rate and quite a low productivity growth may explain this trend. The minimum wages were raised in several Member States. Yet, there are persisting high levels of in-work poverty (9.6 percent of the working population) which need to be addressed, e.g. by adjustments of tax schemes and benefits adequacy. (European Commission, 2018a)

In 2016 in **Australia**, 13.2 percent of the population (3.05 million) lived below the poverty line, including 739,000 children. Poverty rate among children was higher (17.3 percent), however, among children living in single parent households it was 39 percent (compared to 13 percent in families with both parents). Unemployed households were at the highest risk of poverty, with a rate of 68 percent. Households living on wages as a type of income experienced a poverty rate of 7 percent and those relying on the age pension 15 percent. Among family types, single parent households had the highest poverty rate of 32 percent. It is also estimated that 31 percent of Aboriginal and Torres Strait Islander population lives under the poverty line. 34 percent of the people living below the poverty line depend on social security payments as their main income, however, for some types of benefits, this figure raises up to 50-60 percent. (ACOSS, 2018a) As regards income inequality, the representatives of the richest 20 percent of

²¹ APEC Gender Inclusion Guidelines: <https://www.apec.org/Publications/2017/11/APEC-Gender-Inclusion-Guidelines> [accessed on 18 January 2019]

²² The Women in Global Business program is a joint Australian, State and Territory government initiative established in December 2010. See: <https://www.bulletpoint.com.au/wigb/> [accessed on 18 January 2019]

²³ At this stage, women in their role of consumers are considered together with other groups of consumers.

the Australian population earn on average 5 times more than those from the poorest 20 percent. (ACOSS, 2018)

Wage increase has been very low over the last five years, just keeping pace with the inflation rate. Measures planned by the Government in the budget for 2018-2019, such as cut in personal income tax and raising the minimum wage aim at supporting households' incomes. In some sectors, e.g. hospitality, retail trade and fast-food pays were cut in July 2018. In some other sectors, e.g. mining and healthcare, wage increase has been on its lowest point within the last few years. (Pickering, 2018) According to experts, it is to expect that wages will start growing (given a declining unemployment rate and difficulties some companies face when hiring), however, it will possibly occur gradually as new people enter the labour market every year and there is still quite a high rate of underutilised workers, i.e. those either unemployed or working involuntary part-time. (Jacobs, 2018)

Regarding affordability and availability of goods and services, important for consumers, there are arrangements between **the EU** and **Australia**, which facilitate trade and provide a foundation to build on in an FTA. These include e.g. the EU-AUS Mutual Recognition Agreement. According to stakeholders, it has brought about positive outcomes for bilateral trade flows, such as recognition of conformity assessments reducing administrative burden for exporters. (European Commission, 2017c and 2017d)

Job quality

In **the EU**, the proportion of temporary workers to all employees remains at 14 percent. They often face more challenging environment regarding job quality, e.g. access to training and career advancement, job security and decision autonomy and are more likely to be at risk of poverty than those with permanent contracts (16.3 percent compared to 5.8 percent in 2017). Since 2008, the number of part-time jobs increased substantially (by 11 percent) while the number of full-time jobs dropped (by 2 percent). However, in 2016 proportionally more full-time than part-time jobs were created mitigating the previous trend. The share of involuntary part-time jobs decreased from 29.1 percent to 27.7 percent. The share of "platform workers" in total employment was of around 2 percent in 2017. The lack of clarity concerning their status, i.e. employees compared to self-employed may raise questions about their job quality, rights and social security coverage. (European Commission, 2017 and 2018a) On average, a full-time employee works in the EU 40.3 hours per week. (EUROSTAT, 2018a) Sectors of construction, transportation and storage, manufacturing, and agriculture, forestry and fishing together accounted for 67.2 percent of fatal accidents at work and 44.9 percent of all non-fatal accidents at work in 2014. (EUROSTAT, 2016)

In 2018 in **Australia**, the average number of weekly working hours per full-time employee was 39.4 (40.3 for men and 38.1 for women). (Australian Bureau of Statistics, 2018c) According to the 2016 Census, 65.5 percent of all employed worked full-time and 34.5 percent part-time. (Australian Bureau of Statistics, 2016) The proportion of people having a permanent contract in 2017 to those having a temporary one was 94.7 percent to 5.3 percent.²⁴ The number of fatal accidents at work has been decreasing from 310 in 2007 to 182 in 2016, i.e. to 1.5 fatalities per 100.000 workers. Around half of them occurred in two sectors: transport, postal services and storage, and agriculture, forestry and fishing, followed by construction. Concerning non-fatal injuries, in 2017, the rate of 5.6 accidents per million working hours was reported. (Safe Work Australia, 2018 and Fatality statistics) Australia has ratified three out of four ILO priority conventions. (ILO, NORMLEX)

Rights at work

²⁴ <https://data.oecd.org/emp/temporary-employment.htm#indicator-chart>

Non-discrimination at work and vulnerable groups of workers

The EU adopted a Strategy on Disability (2010-2020) outlining actions to take to support people with disabilities, including in access to the labour market. In 2011, the employment rate of people with basic activity difficulty was 47.3 percent. (EUROSTAT, 2014) Moreover, as indicated above, people with disabilities are one of the groups most exposed at risk of poverty or social exclusion in the EU. In 2016, the rate of people with disabilities being at risk of poverty and social exclusion was 30.1 percent while for people without disabilities 20.9 percent marking a gap of 9.2 percent (European Commission, 2018a) People with a migrant background are more exposed to the risk of poverty than EU-born citizens (41 percent compared to 20.7 percent in 2017) (European Commission, 2018a)

The **Australian** Government adopted National disability strategy (2010-2020), with access to employment and decent income among the areas for action. (Department of Social Services, 2010) In 2015, 18.3 percent of Australians, i.e. 4.3 million people reported living with disability. In 2012, 53.4 percent of the latter, aged 15-64 years participated in the labour force, i.e. were employed or were actively looking for a job. The unemployment rate was 9.5 percent for men and 9.3 percent for women. In 2012, around 40 percent of people with disabilities worked part-time, although 32.4 percent of them preferred working more hours. Higher than average (9.3 percent) rates of employed people with disabilities are in agriculture, forestry and fishing (15 percent), administrative and support services (12.7 percent) and health care and social assistance (12.3 percent). (Australian Bureau of Statistics, 2015a) Around 20,000 people with disability work in more than 600 Australian Disability Enterprises. (Department of Social Services, 2018)

In 2016, there were over 900,000 migrants in Australia with a right to work (excluding New Zealanders), which equals 11 percent of the labour market. A survey conducted in 2016 on a sample of short-term migrant workers provided insights in the lower pay end jobs in Australia. 30 percent of respondents claimed to receive pay equalling half minimum wage foreseen for a casual worker, with the lowest pays being in the food services, in fruit and vegetable picking, retail trade and cleaning. (Berg and Farbenblum, 2017) To address exploitation of migrant workers in agriculture, there is a call for trade unions and farmers working together to provide monitoring of compliance with employment law and workers' rights and to identify employers who are in breach of the rules. There are also initiatives, such as Fair Farms, a training and certification scheme for growers, certifying those who comply with workers' rights. (McCarthy, 2018) Australia has ratified both ILO fundamental conventions (No. 100 and 111) related to non-discrimination at work. (ILO, NORMLEX)

Child labour

Australia is among the only 16 ILO members (out of 187) who have not ratified yet the Minimum Age Convention No. 138. In Australia, legislation related to child labour is regulated at the State level and currently one of the States, South Australia, doesn't have yet any legislation which would regulate this matter. Its law only envisages that children under 16 years of age cannot work during school hours, which however does not prevent them from working outside that time. In 2018, the State Government of South Australia announced proposal for a new legislation on child labour. (Medianet, 2018) With regard to the Worst Forms of Child Labour Convention No. 182, the ILO Committee of Experts noted in 2014 progress achieved by the Australian States in prohibiting certain types of work for children under 18 years of age. (CEACR, 2014)

Forced labour

According to the Global Slavery Index 2018, in **the EU**, the estimated figures for people living in conditions of slavery ranged from 145,000 (0.24%) in Italy to less than 1,000 in Luxembourg. The Netherlands, the UK, Sweden, Portugal, Croatia, Spain, and

Belgium are among countries with the strongest response against modern slavery, including adoption of a dedicated legislation supported by strong political commitment, enough resources, and a strong civil society that holds governments to account.

For **Australia**, the figure was at 15,000 persons (or 0.063 percent of the population). The cases occur in sectors, such as agriculture, construction, domestic work, meat processing, cleaning, hospitality and food services. Some relate to migrant workers on short-term visas or illegal workers, including those who entered legally, but overstayed their visas. There are also cases of forced labour or modern slavery related to sexual exploitation and forced marriage. Australia has ratified both ILO fundamental conventions on prohibition of forced or compulsory labour (No. 29 and 105). (ILO, NORMLEX)

Freedom of association and the right to collective bargaining

In **the EU**, social partners have been involved in the reform of wage setting mechanism, and vocational education and training, assistance for long-term unemployed, and labour law reform. (European Commission, 2017) In addition, at the EU level, Article 154 of the Treaty on the Functioning of the European Union (TFEU) obliges the European Commission to consult social partners on policy and legislative initiatives related to social field. (TFEU) The Commission facilitates also sectorial and cross-industry social dialogue between social partners at the EU level. In 2015-2016, rates of trade union membership varied across the EU Member States, from 8% in France to 66.8% in Sweden.²⁵

In 2016, the rate of trade union membership in **Australia** was at 14.6 percent²⁶ recording a decline from 51 percent in 1976. The underlying reasons for this trend include decreasing employment and trade union membership in sectors where traditionally the rate used to be high, employment growth in services sectors where the rate of trade union membership is low and increase in part-time and casual employment where workers are less likely to be union members. Removal of compulsory unionism has also played a role. (Parliament of Australia, 2018) Australia has ratified both ILO fundamental conventions (No. 87 and 98) on freedom of association and the right to collective bargaining. In 2017, the ILO Committee of Experts recommended review of the Australian Crimes Act which prohibits industrial action (strike) threatening trade or commerce with other countries or among states. Reviewed should also be provisions of the same Act prohibiting boycotts resulting in the obstruction or hindrance of the performance of services by the Government or the transport of goods or persons in international trade. (CEACR, 2017)

V.3 Human rights state of play in the EU and Australia

Current human rights situation in the EU

Human rights relationship between the EU and Australia are governed by the EU-Australia partnership framework,²⁷ that establishes, among others, cooperation between the parties in the area of human rights, particularly laid down as a “commitment to advancing the protection and promotion of human rights”.²⁸

²⁵ See: <https://stats.oecd.org/Index.aspx?DataSetCode=TUD>

²⁶ See: <https://stats.oecd.org/Index.aspx?DataSetCode=TUD>

²⁷ Delegation of the European Union to Australia, 2016. Towards a closer EU-Australia Partnership: Joint Declaration of the EU's High Representative for Foreign and Security Policy/Vice President of the Commission and the Australian Foreign Minister, http://eeas.europa.eu/archives/delegations/australia/press_corner/all_news/news/2015/2015_2304_en.htm [accessed 20 January 2019].

²⁸ European Parliament non-legislative resolution of 18 April 2018 on the draft Council decision on the conclusion on behalf of the Union of the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part (15467/2016 – C8-0327/2017 –

Human rights framework

"The Union is founded on the values of respect for human dignity, freedom, democracy, the rule of law and respect for human rights" says Article 2 of the Lisbon Treaty. Human rights are guaranteed at the EU level by the EU Charter of Fundamental Rights (CFR) adopted in 2000 and having a binding nature on all EU member states following the Lisbon Treaty of 2009. The Charter is consistent with the European Convention on Human Rights (ECHR) ratified by all the member states. All EU institutions stand by the values of the Union. Fundamental Rights Agency (FRA), was established to perform the tasks of collecting and analysing information and data on human rights, providing independent and evidence-based advice and expertise in the field and communicating and raising fundamental rights awareness.²⁹

The European Union's trade relations, just like its other external actions, are guided by its commitment to support and promote democracy and human rights as it is established in the Lisbon Treaty (Art. 3(5), Art. 21(1) (3) TEU and Art. 207(1) TFEU). Moreover, Article 6(1) TEU gives the Charter the binding legal value equal to that of the Treaties by mandating that the EU legal order 'recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights'. In line with the Strategic Framework on Human Rights and Democracy, the EU is committed to "promote human rights in all areas of its external action without exception" (Council of the European Union 2012: 2). This position is supported and developed in the policy documents of the European Commission.³⁰ The UN 2030 Agenda for Sustainable Development which "envisages a world of universal respect for human rights" (United Nations, 2015: 4), is applied in several EU policy documents further affirming its commitments with respect to human rights and strengthening their importance.³¹ Every year FRA publishes a report reflecting on the progress and setbacks of human rights protection at the EU level and proposes recommendations for improvement.

All EU member states are parties to several international human rights instruments and have human rights obligations. They have different records with respect to ratification of international human rights treaties (see Table IV.1 in Annex IV for a full overview), but they are all bound by the human rights values enshrined in the Charter. All the member states ratified all the core ILO Conventions (see Table IV.2 in Annex IV).

Human rights situation and trends

Based on the 2018 Freedom House Democracy Index, the ranking scores of the states of the European Union with respect to democracy vary from 72 to 100 out of 100 (Freedom House, 2018). The scores of the 2018 Corruption Perception Index of Transparency International for the EU states range from very high (88 for Denmark) to relatively low (42 for Bulgaria) (Transparency International, 2018). The 2017 Human Development Index (HDI) ranks most EU member states as having very high levels of human development.³²

Since EU member states have not followed homogenous development paths before becoming members of the EU, some states have more human rights issues than others. The 2019 Human Rights Watch (HRW) World Report noted that in 2018, despite a decrease in migration flows to Europe, rights of migrants and asylum seekers continue to be compromised by some EU member states, and main issues remain with respect

2016/0367(NLE) – 2017/2227 (INI)),
<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2018-0109&format=XML&language=EN> [accessed 20 January 2019].

²⁹ See FRA website, <https://fra.europa.eu/en/about-fra/what-we-do> [accessed 24 January 2019].

³⁰ For example the European Commission's Trade for All communication (European Commission 2015b) or the EU Action Plan on Human Rights and Democracy (Council of the European Union 2015).

³¹ COM(2016) 739 final; COM(2016) 740 final; SWD(2016) 390 final.

³² HDI ranking is ranging from 4 to 51, with Bulgaria and Croatia being the only two states characterised as a states with a "high" rather than "very high" level of human development (UNDP, 2017).

to discrimination against women, Roma people and LGBTI persons. At the same time, HRW praised the European Union for remaining a leading actor in promoting human rights globally and welcomed the commitment of the EU institutions in their action to address attacks on democratic institutions and rule of law in Hungary and Poland in 2018 (Human Rights Watch, 2019). Discrimination against women, national minorities, migrants, inequality, rights of older people, impact of the misuse of anti-terror legislation on freedom of expression have been on the agenda of the Council of Europe's Commissioner for Human rights in 2018.³³ European Union Agency for Fundamental Rights raised human rights issues with respect to discrimination and unequal treatment in general, rights of asylum seekers, immigrants and minority ethnic groups, Roma integration, children's rights, violence against women and domestic violence (FRA, 2018). Many of these issues are of domestic character and are not likely to be directly related to trade relations with Australia. However, the current situation is important in order to assess human rights impacts, particularly, the degree of the impact, while considering existing sensitivities and issues of vulnerability.

Overall, the human rights situation in the EU can be characterised by several issues that need attention, but, at the same time, it demonstrates that there are constant developments in the field of human rights to improve human rights record and performance of the EU member states. There are various institutions that point out shortcomings and elaborate recommendations on constant improvement of human rights situations in the EU. As such, overall, human rights developments are not likely to be directly linked to trade relations with Australia. However, depending on the exact provisions of the proposed Agreement, there may be impacts that may potentially affect human rights situation in the EU at certain sector level or disproportionately affecting specific vulnerable groups. To this end, we will seek for further evidence on the identified issues and whether they are likely to be affected by the proposed EU-Australia trade relationship. At a later stage of the study, these findings will be verified and fine-tuned in line with the inputs from the modelling results and stakeholder consultations (adding edge and most up-to-date information with respect to the existing issues of vulnerability).

Current human rights situation in Australia

Human rights framework

Australia is party to seven out of nine core international human rights treaties and seven out of eight core ILO Conventions (see Tables IV.1 and IV.2 in Annex IV for an overview), and has human rights obligations established in these instruments. It did not ratify International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) and the International Convention for the Protection of All Persons from Enforced Disappearance (ICPED), Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR) and Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OP-CRC-CI), ILO Convention No. 138 on minimum age requirements for admission to employment, ILO Convention No. 169 on the rights of indigenous peoples.³⁴

In Australia human rights are recognised and protected through a range of laws at federal and state and territory levels, the Australian Constitution and common law. Overall, at the federal level, Australia has a limited legislative protection of human rights (LSE, 2017). Since, historically, the proposal for the Bill of Rights to be adopted into the Australian Constitution was defeated in 1890s, Constitution contains only a few references to human rights protection (United Nations, 2017). There are five explicit individual rights mentioned there – right to vote, protection against acquisition of property on unjust terms, the right to a trial by jury, freedom of religion and prohibition of discrimination based on the State of residency. Each of the states and two territories

³³ See website of the Council of Europe's Commissioner for Human Rights at <https://www.coe.int/en/web/commissioner/blog-2018> [accessed 24 January 2019]

³⁴ For detailed description of treaty ratifications and reservations expressed, see ex-ante study (LSE, 2017).

in Australia has its own parliament, government and legislation. The Australian Capital Territory and Victoria are the only Australian states or territories that have their own Bills of Rights. Common law system provides strong protections for such rights as freedom of speech, opinion, religion, association and movement. Certain shortcomings in human rights protection in Australia pointed out by the UN treaty monitoring bodies (United Nations, 2000, 2017, 2018) as well as national issues with respect to the implementation of human rights in Australia (Galligan, 1994; Galligan & Larking, 2007) have raised the question of possible re-thinking of the legal framework on human rights in Australia and adopting a Bill of Rights (proposed for adoption in 2017) to create mechanisms of statutory protection necessary to ensure adequate human rights protection of the Australian citizens.

Despite some of the shortcomings, overall, Australia is considered as a strong advocate for human rights. It has an elaborate court system that allows its citizens seek justice with respect to human rights violations in common courts, and it plays an active role internationally through development assistance.³⁵ Australian Human Rights Commission is an independent national human rights institution with statutory organisation that reports to the federal Parliament through the Attorney-General. Its statutory responsibilities include education and public awareness, discrimination and human rights complaints, human rights compliance and policy and legislative development.³⁶ Its independence has been reported as being at risk due to financial cuts from the public funds and its growing dependence on the fundraising and support of private entities, but it remains an important institution in human rights protection (United Nations, 2018). The Parliamentary Joint Committee on Human Rights is set up in line with the Human Rights (Parliamentary Scrutiny) Act 2011 to examine all bills and legislative instruments for compatibility with the seven core human rights treaties to which Australia is a party and to report to Parliament on its findings.³⁷

As mentioned in ex-ante study (LSE, 2017), Australia does not include human rights as such in the trade agenda, except for the rights of indigenous peoples that were included in previous trade agreements. So, it will be interesting to see how this issue will be addressed in the proposed Agreement with the EU, the leading promoter of human rights in international cooperation, having a binding obligation to include human rights essential clause in every trade agreement.³⁸

Human Rights situation and trends

Based on the 2018 Freedom House Democracy Index, Australia enjoys a high level of democracy with the ranking score of 77 out of 100 (Freedom House, 2018). The score of the 2018 Corruption Perception Index of Transparency International for Australia is 77 meaning that levels of corruption are perceived to be relatively low there (Transparency International, 2018). The 2017 Human Development Index (HDI) ranks Australia as having a very high level of human development.³⁹

Overall, Australia has a relatively high record on human rights. Main human rights issues relate to the rights of migrants and asylum seekers (Australian Commission for Human Rights, 2017a), discrimination (United Nations 2018, 2017, 2017a, 2017b), rights of indigenous peoples, women's rights, labour rights of migrant workers (Farbenblum & Berg, 2018). Some of the issues related to human rights have already been discussed

³⁵ Website of the Department of Foreign Affairs and Trade in Australia, <https://dfat.gov.au/international-relations/themes/human-rights/Pages/human-rights.aspx> [accessed 18 January 2019].

³⁶ See website of the Australian Commission on Human Rights, at: <https://www.humanrights.gov.au/about-commission> [accessed 27 January 2019].

³⁷ See more detailed information on the Committee on the website of the Parliament of Australia at https://www.aph.gov.au/joint_humanrights [accessed 27 January 2019].

³⁸ It will be interesting to see if the EU-Australia FTA will take on the solution from the CETA or other compromises will be reached.

³⁹ HDI ranking is ranging from 4 to 51, with Bulgaria and Croatia being the only two states characterised as a states with a "high" rather than "very high" level of human development (UNDP, 2017).

in the ex-ante study: freedom of expression, right to peaceful assembly and association, right to participate in public and political life, right to health, rights of indigenous peoples, rights of migrants, refugees and asylum seekers, right to a fair hearing and right to privacy. In this section, we will update the state of play and provide a short overview of the issues.

Right to an adequate standard of living

In 2016, 13.2 per cent of the Australian population lived in poverty. Population groups vulnerable for poverty included indigenous peoples, single parents, beneficiaries of social security and children.⁴⁰ Australian Council for Social Service (ACOSS) reported that almost three million people in Australia live in poverty, including 731,000 children (ACOSS, 2016, 2017).

Right to work and right to just and favourable working conditions

Overall, the employment rate has increased, and unemployment declined.⁴¹ Government launched initiatives to facilitate increased participation of disadvantaged groups in the labour market (Department of Jobs and Small Business, 2018a, OECD 2018b). Despite various measures, vulnerable groups remain disproportionately vulnerable to employment: migrant workers, women, youth, persons with disabilities, older persons and indigenous peoples (AHRC, 2016; United Nations, 2017b). According to the OECD findings on the potential change in employment as a result of automation in Australia, 32-33 percent of workers might need to look for another job in the future (OECD, 2017b). Gender pay gap remains a challenge, and it is higher in the private sector (between 17.3 and 22.4%), which is attributed to persistent industrial and occupational segregation by sex, and the concentration of women in low-paid sectors and in part-time work.

Right to the highest attainable standard of physical and mental health

As noted in the ex-ante study, issues with respect to the right to health particularly refer to how this right is protected for specific vulnerable groups. While overall, Australian citizens enjoy high level of health protection, specific groups are reported to be disproportionately affected – indigenous population living in the rural areas and indigenous population with low income (particularly women, who have difficulty in gaining access to health services and discriminatory treatment by health-care providers and have an average life expectancy at birth that is 9.5 years lower than that of non-indigenous women and children) (LSE, 2017). Increased rate of obesity (28% of adult), especially in rural areas and among such vulnerable population groups as indigenous peoples, persons with low income (United Nations, 2017b).

Right to a clean environment

Despite Australia's commitments under the UN Framework Convention on Climate Change and the Kyoto Protocol as well as under the Paris Agreement, reported increase of carbon dioxide emissions in the country, in combination with decreased environmental protection in the recent years raise concerns with respect to the right to clean environment. Recent 2019 OECD Environmental Performance Review of Australia noted progress in replacing coal with natural gas and renewables in electricity but points out that Australia remains one of the most carbon-intensive OECD countries and one of the few where greenhouse gas emissions have risen in the past decade.⁴² Disproportionate effect of climate change on the enjoyment of human rights by indigenous peoples has been noted by the CESCR (United Nations, 2017b).

Rights of specific persons or groups

Rights of indigenous peoples

⁴⁰ See also Section V.2 of the report for more detailed statistical information.

⁴¹ See more detailed statistical data presented in Section V.2 of the report.

⁴² See more detailed analysis on greenhouse gas emissions in Section V.4 of the report.

Based on the 2017 Report of the UN Special Rapporteur on the rights of indigenous peoples, despite various actions undertaken by the Government (e.g. "Closing the Gap" strategy in 2008 which had a limited success), several principal issues remain with respect to the rights of indigenous peoples. In particular, racism and racial discrimination of Aboriginal and Torres Strait Islander Peoples, right to self-determination and right to full and effective participation in consultations on key policies and government proposals have been marked as problematic (United Nations, 2013, 2017; 2017e). Next to that, right to health of indigenous peoples, their right to access education, right to housing and right to work (based on employment rates statistics compared to non-indigenous Australian citizens that report that national unemployment rate for Aboriginal and Torres Strait Islander people is 20.8 per cent, compared with the national average of approximately 5-6 per cent) have been compromised. There is high rate of suicide reported among indigenous peoples (United Nations, 2017f).

Data on children removal has shown deterioration with respect to the rights of indigenous children (in 1997, 20 per cent of indigenous children were placed in out-of-home care, while in 2016 this number increased to 36 per cent). High proportion of indigenous children are in contact with criminal justice (2017d).

Indigenous women often face multiple and intersecting forms of discrimination and violence, closely connected to the context of other issues experienced by the indigenous populations (United Nations, 2017; 2018). Incarceration rate of indigenous women is growing while indigenous peoples are already overrepresented in Australian prisons (2017a).

The 2017 CESCR Concluding Observations report that indigenous people living in remote areas remain vulnerable to discrimination in access to social security benefits, particularly through obligatory scheme of income-management (United Nations, 2017b).

The National Congress of Australia's First Peoples as well as other indigenous programmes and organisations providing services to indigenous peoples experienced decrease in funding in recent years which may put many vulnerable groups within the indigenous population group at further disadvantage, e.g. indigenous peoples with disabilities (United Nations, 2017).

Finally, insufficient compliance with the principle of free, prior and informed consent of indigenous peoples, including in the context of extractive and development projects carried out on lands owned or traditionally used by indigenous people.

Women's rights

Australian Constitution does not include provisions that guarantee equality between women and men or a general prohibition of discrimination against women. Several legislative acts, however, provide for protection of women's rights. Sex Discrimination Act 1984 prohibits discrimination on grounds of sexual orientation, gender identity and intersex status. The 2011 Amendments to this Act provide for prohibition of direct discrimination against employees based on their family responsibilities and strengthening protection against sexual harassment in the workplace and schools. Workplace Gender Equality Act 2012 is designed to promote and include gender equality at the workplace (United Nations 2018). Australian Government strategy "Towards 2025" adopted in 2017 is aimed to boost the participation of women in the workforce. Several National Action Plans (NAPs) were also adopted to this end: NAP to combat human trafficking and slavery 2014, NAP on women, peace and security 2012, NAP to reduce violence against women and their children 2011 and 2016, National Plan to Reduce Violence against Women and their Children 2010-2022, the Stop the Violence Project. Despite these measures, persistent levels of violence remain and disproportionately affect indigenous women and women with disabilities (United Nations, 2017a). Recent CEDAW observations point out issues that still remain with respect to women's rights protection. In particular, gender-based violence against

women, participation of women in political and public life, use of trafficking and exploitation of prostitution, sexual harassment (Australian Human Rights Commission, 2018), right to work, and right to education, right to health, right of indigenous women and refugee and asylum-seeking women, as well as women in detention (United Nations, 2018).

Children's rights

Most Australian children enjoy safe and healthy environments necessary for their well-being. However, there are some groups of children whose rights are not adequately protected, which impacts negatively on their well-being and ability to thrive (Australian Human Rights Commission, 2018a). According to the 2018 National Sexual Harassment Survey, sixteen per cent of 15-17-year olds reported experiencing sexual harassment. 49% of refugee and migrant young people had experiences some form of discrimination or unfair treatment in 2016. Children in regional and remote areas face violence. Moreover, many children still suffer from harmful traditional practices (forced marriages, female genital mutilation). Disparity in health status between indigenous children and non-indigenous counterparts remains a crucial human rights issue within Australia (AHRC, 2017).

Australia has not yet ratified the Minimum Age Convention No. 138. National legislation related to child labour is regulated at the state level and currently one of the states, South Australia, doesn't have any legislation which would regulate this matter. Its law only envisages that children under 16 years of age cannot work during school hours, which however does not prevent them from working outside that time. In 2018, the State Government of South Australia announced proposal for a new legislation on child labour (Medianet, 2018).

Rights of migrants, refugees and asylum seekers

Over the last 15 years, Australia made significant improvements with respect to its record on the rights of asylum seekers and refugees, particularly in relation to immigration detention (AHRC, 202017a). However, national legal framework of Australia regarding extradition, transfer or removal of non-citizens still does not provide adequate protection against non-refoulement, one of the most important principles of international humanitarian and human rights law and a fundamental rule of customary international law (AHRC, 2017a; United Nations, 2017a, 2017c). Section 197C of the Migration Act 1958 specifies that unlawful non-citizens can be removed without an assessment of non-refoulement concerns (United Nations, 2017f). Next to that, indefinite detention is allowed with respect to refugees and asylum seekers who have received unfavourable security assessments from the Australian Security Intelligence Organisation, without adequate procedural safeguards to meaningfully challenge their detention (United Nations, 2017a, 2017c).

In 2016, there were over 900,000 migrants (11% of the labour market) in Australia with a right to work. A survey conducted in 2016 on a sample of short-term migrant workers provided insights in the lower pay end jobs in Australia. 30 percent of respondents claimed to receive pay equalling half minimum wage foreseen for a casual worker, with the lowest pays being in the food services, in fruit and vegetable picking, retail trade and cleaning (Berg and Farbenblum, 2017). To address exploitation of migrant workers in agriculture, there is a call for trade unions and farmers working together to provide monitoring of compliance with employment law and workers' rights and to identify employers who are in breach of the rules. There are also initiatives, such as Fair Farms, a training and certification scheme for growers, certifying those who comply with workers' rights (McCarthy, 2018). The Committee on Economic, Social and Cultural Rights (CESCR) expressed concern about the working conditions of migrant workers (especially those who hold temporary visas) and noted that they receive lower wages and work for longer hours, especially in construction, agriculture and hospitality industries (United Nations, 2017b). While many of them are not aware of their and entitlements, others refrain from seeking remedy due to fear of dismissal or deportation

which contributes to increased exploitation by employers (United Nations, 2017c; 2017f; Berg & Farbenblum, 2017).

Business and human rights

There is ongoing consultation process on the implementation of the Guiding Principles on Business and Human Rights.⁴³ The Multi-Stakeholder Advisory Group (MSAG) on the Implementation of the UN Guiding Principles on Business and Human Rights (UNGPs) was set up in 2017 as a part of the voluntary commitment of the Australian Government to undertake a national consultation on the further implementation of the UNGPs and to advise the government how Australian business can apply human rights considerations into their practices (Human Rights Law Centre, 2018). In 2017, the Ministry of Justice launched public consultations on a proposed model for a Modern Slavery Reporting Requirement requesting large companies to publish annual statements outlining their actions to address modern slavery in their operations and supply chains.⁴⁴ A survey, conducted in 2017 and involving 856 companies from Australia, provided information about CSR practices in the private sector and the way of addressing Sustainable Development Goals (ACCSR, 2017).

Despite these various measures, Australian regulatory framework with respect to activities of the companies operating in the country as well as of the companies under its jurisdiction acting abroad, does not provide for legal liability for the companies to ensure that their activities do not negatively impact the enjoyment of human rights or for victim reparations to ensure that companies operating in Australia, as well as companies under its jurisdiction acting abroad, fully respect human rights. Moreover, there is concern that private companies, such as the service providers in the regional processing centres in Nauru and Papua New Guinea, are responsible for serious human rights violations, and about the lack of proper and independent investigation and complaints mechanisms (Business and Human Rights Resource Centre, 2019; United Nations, 2015).

V.4 Environmental state of play in the EU and Australia

CLIMATE CHANGE

Governance framework

At national level, the Government of Australia sets climate change policy with the help of a variety of governmental departments (e.g. Department of the Environment and Energy; Department of Industry, Innovation and Science). The main legislative piece of climate action is the Emissions Reduction Fund (ERF)⁴⁵. The ERF seeks to reduce GHG emissions in the economy by crediting and purchasing Australian Carbon Credit Units (ACCUs) to and from businesses. GHG emissions monitoring/reporting obligations are manifested in the National Greenhouse and Energy Reporting Scheme (NGER)⁴⁶. The scheme is independently and recurrently reviewed by the Climate Change Authority⁴⁷. Both the ERF and the NGER, as well as the country's Renewable Energy Target and the National Registry of Emissions Units (ANREU), are administered by the Clean Energy Regulator⁴⁸. At regional level, States and Territories have drafted and implemented their own climate change policies, often exceeding ambition at national level⁴⁹.

⁴³ National Action Plans on Business and Human Rights: <https://globalnaps.org/country/australia/>

⁴⁴ <https://www.homeaffairs.gov.au/about/consultations/modern-slavery-supply-chains-reporting-requirement>

⁴⁵ Available at: <http://www.environment.gov.au/climate-change/government/emissions-reduction-fund>

⁴⁶ Available at: <http://www.cleanenergyregulator.gov.au/NGER>

⁴⁷ Available at: <http://climatechangeauthority.gov.au/>

⁴⁸ Available at: <http://www.cleanenergyregulator.gov.au/>

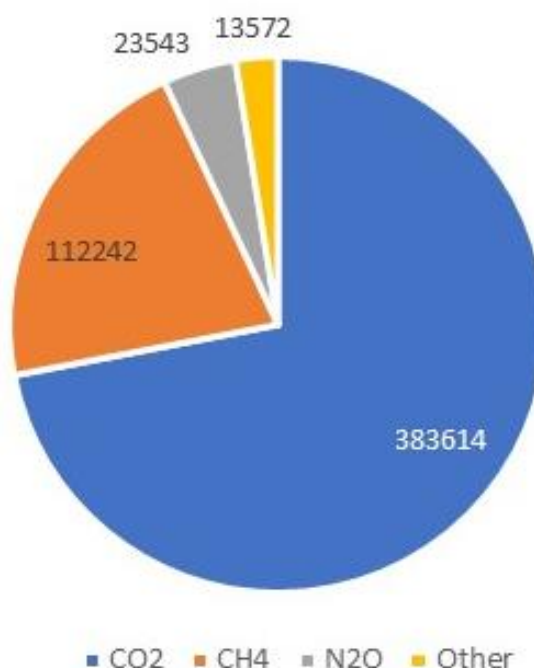
⁴⁹ The Australian government seeks to reduce GHG emissions by 26-28% below 2005 levels by 2030. New South Wales and Victoria, on the other hand, have pledged to become carbon neutral by 2050.

Internationally, Australia is a signatory to the Paris Agreement and the Doha Amendment to the Kyoto Protocol. Recent political discord over the implementation of more ambitious climate-relevant legislation led to the collapse of the National Energy Guarantee (NEG) policy proposal, a presidential change, and resulted in increased anti-climate action rhetoric in governmental realms⁵⁰.

Performance

Recent data suggests that Australia is on track to meet its 2020 Nationally Determined Contribution (NDC) target. However, further action will be required to meet the country's 2030 NDC target, according to the government and independent estimates⁵¹. Australia committed to a 26–28% target of GHG emission reductions below 2005 levels by 2030. Government projections indicate that emissions are expected to reach 570 MtCO₂ equivalence(e)/year in 2030⁵², in contrast to the targeted range of 429–440 MtCO₂ e/year. In 2012, gross per capita GHG emissions were about 3 times higher in Australia than in the EU. In total MtCO₂ e/year, gross GHG emissions were steadily increasing in Australia between 1980 and 2005. Gross GHG emissions have since plateaued at around 530 MtCO₂ e/year⁵³. This is because increases in most sectors were offset by a significant decline of emissions in the agriculture, forestry and fishing sectors⁵⁴. Even though CO₂ represents the lion's share (roughly 384 MtCO₂ e/year) of gross GHG emissions, CH₄ (roughly 112 MtCO₂ e/year) and N₂O (roughly 24 MtCO₂ e/year)⁵⁵ emissions make up a significant proportion of the total (see Figure V.4.1).

Figure V.4.1 Gross GHG emissions in kt CO₂-eq, Australia, 2016



⁵⁰ Information at: <https://www.theaustralian.com.au/national-affairs/climate/national-energy-guarantee-dead-as-morrison-sets-new-course/news-story/1e0db1f87ba30117317cdcc24f537a88>

⁵¹ Available at: https://wedocs.unep.org/bitstream/handle/20.500.11822/22070/EGR_2017.pdf?isAllowed=y&sequence=1

⁵² Australian Government (2017). Australia's emissions projections 2017. Available at: <https://www.environment.gov.au/system/files/resources/eb62f30f-3e0f-4bfa-bb7a-c87818160fcf/files/australia-emissions-projections-2017.pdf>

⁵³ OECD data available at: https://stats.oecd.org/Index.aspx?DataSetCode=AIR_GHG

⁵⁴ Available at: <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4655.0Main+Features12018?OpenDocument>

⁵⁵ Australian Greenhouse Emissions Information System - AGEIS (2016). Data available at: <http://ageis.climatechange.gov.au/>

AIR QUALITY

Governance framework

In Australia, air quality governance is carried out vertically across government levels through the National Environment Protection Council (NEPC). The Council is a panel made up of the national, state-specific, and territory-specific Ministers of Environment. The main documents to review for Australian air quality governance are the National Environment Protection Measure (NEPM) on Ambient Air Quality⁵⁶ and on Air Toxics⁵⁷, which are drafted by the NEPC. The NEPMs are legal instruments that provide guidance on the adequate governance of air quality at state and territorial level, and also set national standards for it. Another relevant document to be reviewed will be Australia's Clean Air Agreement⁵⁸ and its corresponding 2018-2020 work plan.

Performance

Australia is ranked number one internationally by the Yale Environmental Performance Index for air quality. This is partly due to its low population, small manufacturing sector and large distance between primary production and major population centres. The indicators used are hazardous air pollutants (HAPs) from household solid fuels, PM_{2.5} average exposure and PM_{2.5} exceedance. Individually, Australia also scores first in the world on all three indicators⁵⁹.

In the case of Australia, key sources of data and information that will be used to inform the final version of the situation analysis regarding Australia's air quality performance are:

- **Emission Database for Global Atmospheric Research (EDGAR)**, which provides annual data points on a range of air pollutants (total and per sector)⁶⁰
- **Global Ambient Air Quality Database** of the WHO, which provides annual data on the two focal PMs at a city level⁶¹
- **Australia's State of the Environment** reporting, which addresses ambient air quality within the 'Atmosphere' theme⁶²
- **State-based air quality data** across a range of key indicators (such as ozone, carbon monoxide, sulphur-dioxide, ammonia)⁶³

LAND-USE & SOIL QUALITY

Governance framework

In Australia, the 7 state governments are responsible for laws regulating land clearing and agricultural practices. Key documentation to be reviewed for Australian land use and soil quality governance is therefore state-based legislation on land clearing (especially in the light of deforestation), such as the New South Wales Biodiversity Conservation Act 2016⁶⁴ or the Queensland Nature Conservation Act 1992⁶⁵. Parts of the national Environment Protection and Biodiversity Conservation (EPBC) Act 1999⁶⁶ are also relevant for land use in Australia.

Performance

⁵⁶ Available at: <https://www.legislation.gov.au/Details/F2016C00215>

⁵⁷ Available at: <https://www.legislation.gov.au/Details/F2011C00855>

⁵⁸ Available at: <https://www.environment.gov.au/system/files/resources/188756ab-ed94-4a3c-9552-62763ca86a7f/files/national-clean-air-agreement.pdf>

⁵⁹ Available at: <https://epi.envirocenter.yale.edu/epi-topline>

⁶⁰ Available at: http://edgar.jrc.ec.europa.eu/overview.php?v=432_AP

⁶¹ Available at: <http://www.who.int/airpollution/data/cities/en/>

⁶² Available at: <https://soe.environment.gov.au/theme/atmosphere>

⁶³ Available at: <https://www.environment.nsw.gov.au/AQMS/search.htm>

⁶⁴ Available at: <https://www.legislation.nsw.gov.au/#/view/act/2016/63>

⁶⁵ Available at: <https://www.legislation.qld.gov.au/view/html/inforce/current/act-1992-020>

⁶⁶ Available at: <https://www.legislation.gov.au/Details/C2016C00777>

In Australia, native vegetation clearing is a key issue for land use and soil quality. Of the original estimated extent of Australia's native vegetation, 13 per cent has been completely converted to other land uses (predominantly agriculture) and a further 62 per cent has been subject to varying degrees of disturbance and modification. Only around 25 per cent of the original estimated extent of native vegetation remains intact⁶⁷. Native vegetation clearing is a particular challenge in the states of Queensland and New South Wales. Furthermore, soil acidity is a major concern as 50% of the country's agricultural land (roughly 50 million ha) exhibit a pH value that is equal to, or below, 5.5⁶⁸.

In the case of Australia, key sources of data and information that will be used to inform the final version of the situation analysis of regarding land use and soil quality in Australia are:

- **Australia's State of the Environment** reporting, which addresses land use and soil management under the 'land' theme⁶⁹
- **Australia's Fifth National Report to the Convention on Biological Diversity**⁷⁰
- **Soil Quality Australia Portal**, which provides soil tests with a variety of indicators from locations all over the country⁷¹

WASTE & WASTE MANAGEMENT

Governance framework

In Australia, waste legislation is drafted by the Australian government. The government also ensures the country's compliance with international waste conventions, such as the Basel Convention⁷² and the London Convention⁷³, by means of direct policy measures to meet obligations. The National Waste Policy: less waste, more resources⁷⁴ is hereby the main national waste management policy document to be reviewed. Furthermore, the state and territory governments are the main institutional organs to regulate and manage waste in their jurisdictions. Actual waste collection and recycling is then the responsibility of the local governments, as well as businesses and households. (based on state or territorial legislation). Examples of important state/territorial policy documents to be reviewed are the New South Wales Waste Avoidance and Resource Recovery Act 2001 (and its 2007 strategy document)⁷⁵ or the Queensland Waste Reduction and Recycling Act 2011 (and its strategy document)⁷⁶.

Performance

Australia generated around 2.7t of waste per capita in the time period 2014-2015, which amounted to roughly 64Mt of total waste in that year. Of that volume, 58% were either recycled or recovered. Being the most populous states, New South Wales, Queensland and Victoria generated the most waste in 2014-2015. Since 2009, predominance of waste fate options has switched from disposal to recycling⁷⁷. Australia generally has

⁶⁷ Available at: <https://www.cbd.int/countries/profile/?country=au>

⁶⁸ Available at: <http://soilquality.org.au/factsheets/soil-acidity>

⁶⁹ Available at: <https://soe.environment.gov.au/>

⁷⁰ Available at: <http://www.environment.gov.au/biodiversity/international/fifth-national-biological-diversity-report>

⁷¹ Available at: <http://soilquality.org.au/>

⁷² More info at: <http://www.basel.int/>

⁷³ Available at:

<http://www.imo.org/en/OurWork/Environment/LCLP/Documents/PROTOCOLAmended2006.pdf>

⁷⁴ Available at: <http://www.nepc.gov.au/system/files/resources/906a04da-bad6-c554-1d0d-45216011370d/files/wastemgt-rpt-national-waste-policy-framework-less-waste-more-resources-print-ver-200911.pdf>

⁷⁵ Available at: <https://www.legislation.nsw.gov.au/#/view/act/2001/58>

⁷⁶ Available at: <https://www.legislation.qld.gov.au/view/pdf/asmade/act-2011-031>

⁷⁷ Available at: <http://www.environment.gov.au/system/files/resources/d075c9bc-45b3-4ac0-a8f2-6494c7d1fa0d/files/national-waste-report-2016.pdf>

high rates of 'kerbside' recycling, with recycling rates comparable to Northern European countries. However, China's ban⁷⁸ on the import of a range of recyclates on 1 January 2018 has revealed that much of Australia's recycling has in fact been in the form of export of recyclates for processing in China. Following the ban, there has been an increase in stockpiling of waste and increase of disposal of waste to landfills.

Key sources of data and information that will be used to inform the final version of the situation analysis are:

- **Australian National Waste Report 2016**, informing about the state-of-play of waste generation and management⁷⁹

⁷⁸ Available at: <http://www.abc.net.au/news/2018-02-08/the-demise-of-kerb-side-recycling/9407650>

⁷⁹ Available at: <http://www.environment.gov.au/system/files/resources/d075c9bc-45b3-4ac0-a8f2-6494c7d1fa0d/files/national-waste-report-2016.pdf>

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