

The failure by the European Commission to finalise an updated 'sustainability impact assessment' before concluding the EU-Mercosur trade negotiations

Case 1026/2020/MAS - Opened on 08/07/2020 - Decision on 17/03/2021 - Institution concerned European Commission (Maladministration found) |

The complainants were concerned that the European Commission had not finalised an up-to date 'sustainability impact assessment' before concluding the EU-Mercosur trade negotiations in June 2019. They also raised issues with the content of the assessment and the transparency of this aspect of the negotiations. The Ombudsman took the view that, while it was impossible to foresee the dynamics of the negotiations, the SIA in this case had taken much longer to finalise than foreseen. In particular, the Commission should have ensured that the SIA was finalised before the conclusion of the EU-Mercosur trade negotiations. The Ombudsman found that the Commission's failure to ensure that the SIA was finalised in good time constituted maladministration. Considering that the negotiations have been concluded and that the Commission appeared set to finalise the SIA process imminently, she took the view that it would serve no purpose to make a recommendation. However, she urged the Commission to ensure that, in the future, SIAs are completed prior to the conclusion of trade negotiations.