Ex post evaluation of the implementation of the Trade Agreement between the EU and its Member States and Colombia, Peru and Ecuador

Interim Report – Vol. II: Annexes

Final version, June 2021

Prepared by BKP Economic Advisors

The views expressed in the report are those of the consultant,
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ACRONYMS

AAA	Autoridades Administrativas del Agua (Administrative Authorities for Water, Peru
ACP	African, Caribbean, Pacific
AEO	Authorised Economic Operator
AILAC	Asociación Independiente de América Latina y el Caribe (Association of Latin America and the Caribbean)
ALA	Autoridades Locales del Agua (Local Water Administrations, Peru)
AMR	Antimicrobial Resistance
ANA	Autoridad Nacional del Agua (National Water Authority, Peru)
ASTAC	Asociación Sindical de Trabajadores Agricolas Bananeros y Campesinos (Association of Agricultural, Banana and Rural Workers, Ecuador)
BATIS	Balanced Trade in Services
BAU	Business as usual
BIT	Bilateral Investment Treaty
BTSF	Better Training for Safer Food
CAGR	Compound Annual Growth Rate
CAN	Comunidad Andina de Naciones (Andean Community)
CAR	Corporación Autónoma Regional (Regional environmental authority)
CAT	Convention against Torture
CBD	Convention on Biological Diversity
CE	Circular Economy
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEPAL	Comisión Económica para América Latina y el Caribe (UN Economic Commission for Latin America and the Caribbean)
CEPF	Critical Ecosystem Partnership Fund
CESCR	Committee on Economic, Social and Cultural Rights
CGE	Computable General Equilibrium
CICC	Comisión Intersectorial de Cambio Climático (Intersectoral Commission on Climate Change, Colombia)
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CNCC	Comisión Nacional sobre el Cambio Climático (National Commission on Climate Change, Peru)
CO, COL	Colombia
COA	Código Orgánico del Ambiente (Organic Code of the Environment)
CPI	Consumer Price Index
CPTPP	Comprehensive and Progressive Agreement for Trans-Pacific Partnership
CRC	Convention on the Rights of the *Child*
CRHC	Consejos de Recursos Hídricos de Cuenca (Cuenca Water Resources Councils)
CRI	Climate Risk Index
CRPD	Convention on the Rights of Persons with Disabilities
CSD	Civil Society Dialogue
CSR	Corporate Social Responsibility
DAG	Domestic Advisory Group
DANE	Departamento Administrativo Nacional de Estadística (National Administrative Department of Statistics, Colombia)
DCC	Domestic Consultative Council
DG	Directorate-General
DIAN	Dirección de Impuestos y Aduanas Nacionales (Colombian tax and customs authority)
DIGESA	Dirección General de Salud Ambiental (General Directorate of Environmental Health)
DNP	Departamento Nacional de Planeación (National Planning Department)
EC, ECU	Ecuador
ECLAC	Economic Commission for Latin America and the Caribbean
EESC	European Economic and Social Committee
EFIC	Estrategia Nacional de Financiamiento Climático (National Strategy for Climate Finance, Ecuador)
EMA	European Medicines Agency
ENB	Política y Estrategia Nacional de Biodiversidad del Ecuador (National Biodiversity Strategy)
ENCA	Estrategia Nacional de la Calidad del Agua (National Strategy for Water Quality)
ENCC	Estrategia Nacional de Cambio Climático del Ecuador (Climate Change National Strategy of Ecuador 2012-2025)
ENDB	Estrategia Nacional de Diversidad Biológica al 2021 y su Plan de Acción (National Biodiversity Strategy and its Action Plan)
EP	European Parliament
EPA	United States Environmental Protection Agency.
EPI	Environmental Performance Index
EQ	Evaluation Question
EQS	Estándares de Calidad Ambiental (Environmental Quality Standards)
EU	European Union
EUIPO	*European Union Intellectual Property Office*
EUR	Euro
FDI	Foreign Direct Investment
FTA	Free Trade Agreement
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
GESTA	Grupos de Estudio Técnico Ambiental (Environmental Technical Study Groups)
GHG	Greenhouse gases
GIs	Geographical Indications
GMOs	Genetically Modified Organisms
GPA	Government Procurement Agreement
GSIM	Global Simulation
GSP	Generalised Scheme of Preferences
GTAP	Global Trade Analysis Project
GWP	Global Warming Potential
HHI	Herfindahl-Hirschman Index
HRIA	Human Rights Impact Assessment
HS	Harmonised System
ICCPR	*International Covenant on Civil and Political Rights*
ICE	Internal combustion engine
ICERD	Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICT	Information and Communication Technologies
IDEAM	Instituto de Hidrología, Meteorología y Estudios Ambientales (Institute of

	Hydrology, Meteorology and Environmental Studies, Colombia)
ILO	International Labour Organisation
INDECOPI	Instituto Nacional de Defensa de la Competencia y de la Protección de la Propiedad Intelectual (*National Institute* of the *Defense* of *Competition* and *Intellectual Property Protection, Peru)*
INEC	Instituto Nacional de Estadística y Censos (National Institute of Statistics and Census, Ecuador)
INEI	Instituto Nacional de Estadísticañ e Informática (National Institute of Statistics and Informatics, Peru)
IPR	Intellectual Property Rights
IUU	Illegal, Unreported and Unregulated
LAC	Latin America and Caribean
LAIA	Latin American Integration Association
LDC	Least Developed Country
LGBTI	Lesbian, Gay, Bisexual, Transgender, and Intersex
LORHUyA	Ley Orgánica de Recursos Hídricos, Usos y Aprovechamiento del Agua (Law on Water Resources and the Use of Water)
LULUCF	Land use, land-use change and forestry
MAE	Ministerio del Ambiente y Agua (Ministry of Environment and Water, Ecuador)
MENA	Middle East and North Africa
MERCOSUR	Mercado Común del Sur
MFN	Most-Favoured Nation
MINAGRI	Ministerio de Desarrollo Agrario y Riego (Ministry of Agriculture and Irrigation, Peru)
MINAM	Ministerio del Ambiente del Perú (Ministry of the Environment of Peru)
Min-ambiente	Ministerio de Ambiente y Desarrollo Sostenible (Ministry of Environment and Sustainable Development of Colombia)
MINCETUR	Ministerio de Comercio Exterior y Turismo (Ministry of Foreign Trade and Tourism, Peru)
MINCIT	Ministerio de Comercio, Industria y Turismo (Ministry of Commerce, Industry and Tourism, Colombia)
MPCEIP	Ministerio de Producción Comercio Exterior Inversiones y Pesca (Ministry of Production, Foreign Trade, Investments and Fisheries, Ecuador)
MRL	Maximum Residue Limit
MSME	Micro, Small, or Medium-sized Enterprise
NDC	National Determined Contributions
NGO	Non-Governmental Organisation
NTB	Non-Tariff Barrier
OECD	Organisation for Economic Cooperation and Development
OEFA	Organismo de Evaluación y Fiscalización Ambiental (Environmental Assessment and Enforcement Agency)
OHCHR	Office of the United Nations High Commissioner for Human Rights
OR	Outermost Region
OSCE	Organismo Supervisor de las Contrataciones del Estado (Supervisory Body for State Contracting, Peru)
PA	Paris Agreement
PAB	Plan de Acción de Biodiversidad (Biodiversity Action Plan)
PCDA	Political Cooperation and Dialogue Agreement
PE, PER	Peru
PEN	Peruvian Sol
PGA	Plan de Gestión Ambiental (Environmental Management Plan)
PIGCCT	Planes Integrales de Gestión del Cambio Climático Territoriales (Comprehensive Territorial Climate Change Management Plans)
PM	Particulate Matter
PNCA	Plan Nacional de la Calidad del Aire (National Plan of Air Quality)
PNCC	Politica Nacional de Cambio climático (National Policy on Climate Change of Colombia)
PNGIBSE	Política Nacional para la Gestión Integral de la Biodiversidad y sus Servicios Ecosistémicos (National Policy for the Comprehensive Management of Biodiversity and its Ecosystem Services)
PNN	Parques Nacionales Naturales (System of National Natural Parks)
POT	Plan de Ordenamiento Territorial (Territorial Ordering Plans)
PRODUCE	Ministerio de la Producción (Ministry of Production)
PSB	Program SocioBosque
RAPEX	Rapid Alert System for dangerous non-food products
RASFF	Rapid Alert System for Food and Feed
RBC	Responsible Business Conduct
REACH	Registration, Evaluation, Authorisation and Restriction of Chemicals
REDD	Reducing Emissions from Deforestation and Forest Degradation
RFZ	Forest Reserves Zones
RoO	Rules of Origin
SCC	Subsecretaría de Cambio Climático (Secretary of Climate Change, Ecuador)
SDGs	Sustainable Development Goals
SDT	Special and Differential Treatment
SENAGUA	Secretaría Nacional del Agua (Executive Authority of Water Resources, Ecuador)
SENAMHI	Servicio Nacional de Meteorología e Hidrología del Perú (National Service of Meteorology and Hydrology, Peru)
SENASA	Servicio Nacional de Sanidad Agraria (National Service of Agrarian Health, Peru)
SERCOP	Servicio Nacional de Contratación Pública (National Procurement Service, Ecuador)
SIA	Sustainability Impact Assessment
SIC	Superintendency of Industry and Commerce, Colombia
SIECA	Secretaría de Integración Económica Centroamericana (Secretariat for Central American Economic Integration)
SIMAP	Information System for Public Procurement, EU
SINA	Sistema Nacional Ambiental (National Environmental System)
SINANPE	Sistema Nacional de Áreas Naturales Protegidas por el Estado (Natural Protected Areas System)
SINAP	Sistema Nacional de Areas Protegidas (National System of Protected Areas)
SISCLIMA	Sistema Nacional de Cambio Climático (National Information System on Climate Change)
SME	Small or Medium-sized Enterprise
SNGRH	Sistema Nacional de Gestión de Recursos Hídrico (National Water Resources Management System)
SNI	Sociedad Nacional de Industrias (National Industry Society)
SPS	Sanitary and Phyto-Sanitary

SUNAFIL	Superintendencia Nacional de Fiscalización Laboral (National Labour Inspection Authority, Peru)	TULAS	Texto Unificado de Legislación Secundaria, Medio Ambiente (Secondary Environmental Legislation of the Ministry of Environment)
SVCA	Sistema de Vigilancia y Control Ambiental (Air Quality Surveillance System)	UN	United Nations
TBT	Technical Barriers to Trade	UNCTAD	United Nations Conference on Trade and Development
TED	Tenders Electronic Daily	UNFCCC	United Nations Framework Convention on Climate Change
ToR	Terms of Reference	US	United States
TRACES	Trade Control & Expert *System*	USD	United States Dollar
TRIPS	Trade-Related Aspects of Intellectual Property Rights	VFN	Vegetables, Fruits and Nuts
TRQ	Tariff Rate Quota	WHO	World Health Organization
TSD	Trade and Sustainable Development	WTO	World Trade Organisation

ANNEX A: DESCRIPTION OF THE EU-COLOMBIA/PERU/ECUADOR TRADE AGREEMENT

1.1.1 Context of the Agreement Negotiations

The Andean Community is a regional integration bloc founded in 1969 and currently comprising four countries: Bolivia, Colombia, Ecuador and Peru[1]. It was established with the signing of the Cartagena Agreement (Andean Subregional Integration Agreement), which aimed at creating a customs union and a common market among the members. The free trade area created by the four members became fully operational in 2006, after Peru was fully incorporated.

EU cooperation with the Andean Community can be traced back to the Andean Community Cooperation Agreement of 1983, which established a Joint European Community–Andean Community Committee. In 1993, the Framework Cooperation Agreement between the European Communities and the Andean Community was agreed and strengthened in 1996 by the Declaration of Rome[2], which institutionalised the political dialogue between the two Parties. Under this framework, a Political Cooperation and Dialogue Agreement (PCDA) between the EU and Andean Community was adopted in 2003[3]. The 2003 PCDA (which was ultimately withdrawn following the approval of a new PCDA in February 2016[4]) was negotiated with the intention of further promoting cooperation between the Parties on a wide range of topics. Specifically, Article 2 of the PCDA referred to the Parties' objective to work towards creating the conditions under which a feasible and mutually beneficial Association Agreement, including a Free Trade Agreement, could be negotiated.

Negotiations between the EU and the Andean Community for a region-to-region Association Agreement, including political dialogue, cooperation and trade were launched in June 2007. The negotiations were however suspended in June 2008 after disagreements among Andean countries on approaches to a number of key trade issues. A new negotiating format was put in place offering a thematic and geographical split of these negotiations: (i) continued regional negotiations between the EU and the Andean Community as a whole on political dialogue and cooperation (an update of the above-mentioned PCDA, which at the time was awaiting final ratification) and (ii) "multi-party" trade negotiations between the EU and any member of the Andean Community willing to reach an ambitious, comprehensive and balanced Trade Agreement compatible with the WTO. The latter started with three of the Andean Community countries – Colombia, Ecuador and Peru – in February 2009.

At the time of these negotiations, Colombia, Ecuador and Peru (as well as Bolivia) were benefitting from unilateral preferential access to the EU market under the EU's Generalised Scheme of Preferences (GSP), specifically the GSP+ arrangement. However, the three countries faced (unlike Bolivia) the prospect of losing GSP status as a result of the upcoming reform of the GSP: one of the objectives of the proposed reform was to focus the GSP preferences on the countries most in need and specifically, it was anticipated that countries "classified by the World Bank as a high-income or an upper-middle income country during three consecutive years immediately preceding the update of the list of beneficiary countries" would no longer be eligible to benefit from the scheme[5]. Based on this criterion – which was indeed included in the final version of the new GSP Regulation

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1 Chile was a founding member of the original Andean Pact in 1969 but withdrew in 1976; Venezuela joined in 1973 but withdrew in 2006.
2 Joint Declaration on Political Dialogue between the European Union and the Andean Community.
3 COM (2003) 695.
4 Joint proposal JOIN/2016/04 final of 3 February 2016; see section 2.4.
5 COM(2011)241, Proposal for a Regulation of the European Parliament and of the Council applying a scheme of generalised tariff preferences, 10.5.2011.

adopted in 2012[6] – Colombia, Ecuador and Peru were expected to no longer be eligible for GSP references as of 2014. This meant that in the absence of a trade agreement with the EU, the three Andean countries were running the risk of losing preferential access to EU markets and facing Most Favoured Nation (MFN) tariffs instead.

The EU, Colombia and Peru reached an agreement on the key elements of a trade deal in March 2010 after nine negotiation rounds. The conclusion of negotiations was formally announced in May 2010 during the VI European Union, Latin America and the Caribbean (EU-LAC) Summit held in Madrid. Peruvian authorities declared at the time that the Agreement was part of a comprehensive trade strategy that sought to turn Peru into an exporting country, consolidating more markets for its products, developing a competitive exportable offer and promoting trade and investment; in this context, they also highlighted that the EU was the main provider of foreign investment in Peru (especially in the telecommunications, energy, mining and financial sectors) and that the Agreement would consolidate free entry for export products such as asparagus, paprika and silver, among others[7]. Colombia's Ministry of Trade declared that the trade agreement with the EU would allow Colombia to achieve a preferential and permanent relationship with a key player in the global economy, which was also Colombia's second largest trading partner and the second largest investor in the country. The Ministry noted that the Agreement would grant duty-free access to the EU market for 99.9% of Colombia's industrial exports and for several agricultural goods such as flowers, tobacco, coffee and processed products, biofuels, palm oil, and most fruits and vegetables, among others. The Ministry also put emphasis on the fact that Colombia achieved a reduction of the tariff for bananas (which would provide preferential access over other EU banana suppliers facing MFN tariff) and that the Agreement would include measures to protect the Colombian dairy sector and give it time to become competitive vis-à-vis European dairy firms.[8]

The EU-Colombia/Peru Trade Agreement was initialled in March 2011, with EU Trade Commissioner declaring that it would 'create a foothold for European business in the area and an anchor for structural reforms in the countries concerned', and noting that the Agreement also 'recognised that the EU's partnership with Colombia and Peru is based on the respect of democratic principles and fundamental human rights'.[9] The Agreement was

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[6] Regulation (EU) No. 978/2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008.

[7] Presidencia de la República del Perú, Press release, 19 May 2020.

[8] Cancillería de Colombia, Ministerio de Relaciones Exteriores, Press release, 19 May 2020.

[9] In June 2012, the European Parliament adopted a Resolution on the Agreement, which recognised the economic importance for the EU, Colombia and Peru of the Agreement insofar as it promotes comprehensive economic development and creates new trade and investment opportunities for operators on all sides, welcomed in this context the commitment of the Parties towards sustainable development, and acknowledged the value of the human rights clauses and the TSD Title. However, in order to contribute to the full completion of the objectives, the Resolution also made recommendations on a number of aspects considered to be particularly sensitive in the Peruvian and Colombia domestic contexts. These recommendations related in particular to the improvement of the respect for human rights and labour rights as well as environment protection in Colombia and Peru. Specifically, the Resolution called on Colombia and Peru to ensure the establishment of a transparent and binding roadmap on human, environmental and labour rights, specifying that it should be aimed essentially at safeguarding human rights, enhancing and improving trade unionists' rights and protecting the environment. In response to this, both Colombia and Peru presented action plans aimed at addressing the relevant issues in October 2012. Reflecting concern about the the degree to which the roadmap has been implemented, as highlighted in a 2018 European Parliamentary Research Service study (EPRS and ICEI 2018), the need to implement, effectively and through concrete action plans, the specific provisions related to the agreed roadmap was stressed again by the European Parliament in its Resolution of 16 January 2019 on the implementation of the Agreement. See European Parliament resolution of 13 June 2012 on the EU trade agreement with Colombia and Peru (2012/2628(RSP)), and European Parliament resolution of 16 January 2019 on the implementation of the Trade Agreement between the European Union and Colombia and Peru (2018/2010(INI)).

then signed in June 2012 and has been provisionally applied with Peru since March 2013 and with Colombia since August 2013.[10]

In 2013, negotiations resumed with Ecuador for its accession to the Agreement and the negotiations were concluded in July 2014. Ecuador's Ministry of Trade stated at the time that the agreement reached was "a balanced agreement, which maximized opportunities, minimized costs, respected Ecuador's development model and protected Ecuador's sensitive sectors."[11] EU Trade Commissioner declared that Ecuador's accession to the Agreement would provide for a solid and predictable framework for Ecuadorian and European traders and investors and would also contribute to regional integration in one of the fastest-growing markets for European firms in Latin America.[12] The Protocol of Accession for Ecuador was signed in November 2016 and has been provisionally applied since 1 January 2017.

Full entry into force of the Agreement is pending ratification by all EU Member States, which is still ongoing.[13]

Pursuant to article 329 of the Agreement, Bolivia, as a member of the Andean Community, can also seek accession to the Agreement in the future; meanwhile, Bolivia benefits from unilateral preferential access to the EU market under the current GSP+ arrangement which is in place until the end of 2023.

1.1.2 Structure of the Agreement

The EU's Trade Agreement with Colombia, Peru and Ecuador is together with the EU-Korea free trade agreement (FTA) one of the first of a new generation of FTAs, characterised by their comprehensive nature and high level of ambition. The Agreement aims at opening markets for goods, services, investment and government procurement. The Agreement is not only about market access and tariff preferences: it also establishes a set of trade rules (e.g. on non-tariff barriers, competition, and intellectual property rights), which aim to go further than the commitments taken within the framework of the World Trade Organisation (WTO).

The Agreement contains 14 titles, 14 annexes, and joint declarations by the Parties (Box 1).

The Agreement initially signed in June 2012 by EU, Colombia and Peru was complemented in 2016 by a **Protocol of Accession of Ecuador to the EU-Colombia/Peru Trade Agreement**, which provided for the addition of specific provisions to take account of the accession of Ecuador[14], but without modifying the overall structure of the Agreement, and for specific market access commitments between the EU and Ecuador.

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[10] By virtue of Article 3(1) of the Council Decision of 31 May 2012 on the signing and provisional application of the Agreement, the EU does not apply provisionally Articles 2 (Disarmament and non-proliferation of weapons of mass destruction), 202(1) (provisions on Intellectual Property Rights), 291 (administrative proceedings) and 292 (review and appeal) of the Agreement, pending the completion of the procedures for its conclusion.

[11] "*Ecuador cerró su acuerdo con la Unión Europea*", El Comercio, 17 July 2014.

[12] European Commission, Press Release IP/14/845, 17 July 2014.

[13] Belgium has not yet ratified the Agreement; for details on the ratification status, see https://www.consilium.europa.eu/en/documents-publications/treaties-agreements/agreement/?id=2011057

[14] E.g.: 1. Annotations to the Text of the Agreement; 2. Provisions related to Market Access for Goods (Tariff elimination schedule of the EU party for goods originating in Ecuador; Tariff elimination schedule of Ecuador for goods originating in the EU Party); Annotations to the Annex concerning the definition of the concept of "originating products" and methods for administrative cooperation; Provisions related to Market Access for Trade in Services (a. List of Commitments on Establishment (Commitments of the EU Party and of Ecuador); b. List of Commitments on Cross-Border Supply of Services (Commitments of the EU Party and of Ecuador); c. Reservations regarding Temporary Presence of Natural Persons for Business Purposes: Reservations on Key

Furthermore, the Agreement was amended through the "Additional Protocol to the Trade Agreement between the EU and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of the Republic of Croatia to the EU," which was adopted in June 2016. This additional Protocol allowed Croatia to formally become part of the Agreement and provided for the amendment of several parts of the Agreement to account for the accession of Croatia (e.g. the Annexes related to trade in services such as the lists of commitments on establishment and cross-border supply of services, of the reservations regarding the temporary presence of natural persons for business purposes, etc.). It has been applied with Peru since 1st May 2017.[15]

Box 1: Structure of the EU-Colombia/Peru/Ecuador Trade Agreement

- **Title I:** Initial provisions
- **Title II:** Institutional provisions
- **Title III:** Trade in goods
- **Title IV:** Trade in services, establishment and electronic commerce
- **Title V:** Current payments and movement of capital
- **Title VI:** Government procurement
- **Title VII:** Intellectual property
- **Title VIII:** Competition
- **Title IX:** Trade and sustainable development
- **Title X:** Transparency and administrative proceedings
- **Title XI:** General exceptions
- **Title XII:** Dispute settlement
- **Title XIII:** Technical assistance and trade-capacity building
- **Title XIV:** Final provisions
- **Annexes:**
  - Annex I: Tariff elimination schedules
  - Annex II: Concerning the definition of the concept of originating products and methods of administrative cooperation
  - Annex III: Special provisions on administrative cooperation
  - Annex IV: Agricultural safeguard measures
  - Annex V: Mutual assistance in customs matters
  - Annex VI: Sanitary and phytosanitary (SPS) measures
  - Annex VII: List of commitments on establishment
  - Annex VIII: List of commitments on cross-border supply of services
  - Annex IX: Reservations regarding temporary presence of natural persons for business purposes
  - Annex X: Enquiry points regarding trade in services, establishment and electronic commerce
  - Annex XI: Understanding concerning subparagraph (B) of the definition of 'services supplied in the exercise of governmental authority' as referred to in Article 152 of the Agreement.
  - Annex XII: Government procurement
  - Annex XIII List of geographical indications
  - Annex XIV: Mediation mechanism for non-tariff measures
- Joint Declarations by the Parties

Key features of the Agreement can be summarised as follows, Title by Title.

Title I of the Agreement contains **general principles, provisions and definitions**, and in particular defines the objectives of the Agreement, which can be summarised as follows: (a) progressive and gradual liberalisation of trade in goods; (b) facilitation of trade in goods through the application of provisions on customs and trade facilitation, standards, technical regulations and conformity assessment procedures and SPS measures; (c) progressive liberalisation of trade in services; (d) development of an environment conducive to an increase in investment flows and in particular to the improvement of the conditions of establishment; (e) facilitate trade and investment through the liberalisation of current payments and capital movements related to direct investment; (f) effective and reciprocal opening of government procurement markets; (g) adequate and effective protection of IP rights; (h) conduct of economic activities in conformity with the principle of free

Personnel and Graduate Trainees (Commitments of the EU Party and of Ecuador); d. Reservations regarding Temporary Presence of Natural Persons for Business Purposes: Reservations on Contractual Services Suppliers and Independent Professionals (Commitments of the EU Party and of Ecuador); 5. Provisions related to Government Procurement (Commitments of the EU Party and of Ecuador).

[15] OJ L 113, 29.4.2017, page 1

competition; (i) establishment of an expeditious, effective and predictable dispute settlement mechanism; (j) promote international trade in a way that contributes to the objective of sustainable development; and (k) ensure that the cooperation for technical assistance and the strengthening of the trade capacities of the Parties contribute to the implementation of the Agreement and the optimal utilization of the opportunities it offers (Article 4).

Title II addresses **institutional arrangements** as well as decision-making and coordination aspects. In particular, it establishes and defines the functions of the Trade Committee and also provides for the establishment of eight thematic Sub-committees acting as specialised bodies (Articles 12, 13 and 15).

Title III covers **trade in goods** and comprises the following chapters:

- Chapter 1 concerns **market access for goods**. It presents provisions on the elimination of customs duties and is complemented by **Annex I**, which provides the Parties' tariff elimination schedules. The Agreement offers tariff-free access for trade in virtually all industrial and fishery products between the Parties, and substantial tariff preferences for the few agricultural products which were not fully liberalised, with very few exceptions. In relation to non-tariff measures, the Parties agree to: not adopt or maintain any import or export quantitative restrictions); not adopt or maintain any duty or tax, other than internal charges applied in conformity with national treatment; make available and maintain updated information of all fees and charges imposed in connection with importation or exportation; ensure that import and export licensing procedures must be WTO compliant; and to ensure that state trading enterprises do not operate in a manner that creates obstacles to trade (Articles 23-27). The chapter also includes specific provisions on trade in agricultural goods (Articles 28-33) – including, *inter alia*, a provision for signatory Andean countries to use a safeguard specifically designed for certain agricultural products (Article 29) - and on the management of administrative errors (Article 34). Related annexes include: **Annex II**, which concerns the definition of the concept of originating products and methods of administrative cooperation; **Annex III**, which includes special provisions on administrative cooperation; and **Annex IV**, which lists per Party the agricultural goods that may be subject to safeguard measures.
- Chapter 2 covers **trade remedies**. It discusses anti-dumping and countervailing measures, multilateral safeguard measures, and includes provisions for a bilateral safeguard that can be enacted if, as a result of concessions under the Agreement, a product originating in the country of one Party is being imported into the territory of another Party in such increased quantities as could cause or threaten to cause serious damage to domestic producers of similar or directly competing products (Articles 48-57).
- **Chapter 3 covers customs and trade facilitation** and looks to increase transparency and promote the facilitation of trade by simplifying customs procedures, e.g. through the use of a single administrative document for the purposes of filing customs declarations (Article 59), the adoption of risk management systems for customs inspections (Article 61), the implementation of the Authorised Economic Operator concept according to the WCO SAFE framework (Article 62), etc. It is complemented by **Annex V,** which includes specific provisions on mutual assistance in customs matters.
- Chapter 4 on **Technical barriers to trade** (TBT) reaffirms rights and obligations under the WTO TBT Agreement and aims to improving upon these through cooperation and improved procedural measures. The chapter provides for systematic cooperation on market surveillance and improvements to transparency, with a view to improve communication in the area of technical regulations, standards, conformity assessment and accreditation. It also includes concrete and targeted provisions, such as specific disciplines on labelling that limit the amount of information that can be required on a

permanent label, with a view to prevent overly burdensome and unnecessary labels (Article 81).

- Chapter 5 on **Sanitary and phytosanitary (SPS) measures** reaffirms rights and obligations under the WTO SPS Agreement (Article 86) and aims to improve upon these in areas such as the regionalisation of animal diseases and pests (Article 94), and the transparency of import requirements and procedures (Articles 91-92). The chapter sets out detailed procedural measures aimed at promoting cooperation, facilitating trade and dealing with any barriers to trade that arise in a swift manner (Articles 92-104). It is complemented by **Annex VI**, which identifies competent authorities and contact points (Appendices 1 and 4), defines requirements and provisions for approval of establishment of products of animal origin (Appendix 2), and sets guidelines for conducting verifications (Appendix 3).
- Chapter 6 (Article 105) commits the EU on the one hand, and the signatory Andean countries on the other, to facilitating the free movement of goods from other Parties among their respective territories, with specific indications for signatory Andean countries with respect to customs, TBT and SPS matters.
- Finally, Chapter 7 (Article 107) sets exceptions to the Title, e.g. concerning measures related to: public order; protection of human, animal or plant life or health; trade of gold and silver; protection of national treasures of artistic, historic or archaeological value; conservation of living and non-living exhaustible natural resources; etc.

Title IV covers **trade in services, establishment and electronic commerce**, and is complemented by annexes that detail the Parties' commitments according to the four modes of supply (**Annex VII** includes the list of commitments on establishment (Mode 3), **Annex VIII** the list of commitments on cross-border supply of services (Modes 1 & 2), and **Annex IX** the reservations regarding temporary presence of natural persons for business purposes (Mode 4)) or provide additional information (**Annex X** lists the relevant enquiry points, while **Annex XI** provides a clarification on the definition of 'services supplied in the exercise of governmental authority', including specific commitments from Peru in this area). The Agreement makes advances in opening markets for services and investment, with commitments – using a combination of positive and negative listing approach – that go well beyond those made by the Parties under the WTO General Agreement on Trade in Services (GATS). In addition, the Title sets regulatory principles for selected sectors such as computer services, postal and courier services, telecommunications, financial services, maritime transport services and electronic commerce (Articles 129-166).

Title V concerns **current payments and movement of capital** and stipulates that the Parties shall not impose restrictions on payments and transfers between their residents and must facilitate the free movement of capital (with some exceptions such as circumstances where payments and capital movements cause, or threaten to cause, serious difficulties for the operation of exchange rate policy or monetary policy, or the liquidity of the economy – in which case, the Parties may temporarily adopt safeguard measures; Article 170).

Title VI covers **government procurement** and is complemented by **Annex XII**, which details the commitments of Parties in this area (e.g. procuring entities covered, threshold for the value of contracts above which the provisions apply, any procurement that is excluded, as well as key features of the process for awarding procurement contracts). The Agreement provides for the Parties to have non-discriminatory access to public procurement procedures within the scope of covered procurement, as defined in the market access commitments and above financial thresholds equivalent to those set by the WTO Government Procurement Agreement (GPA) and outlines general principles and rules for ensuring transparency and cooperation. Colombia, Peru and Ecuador commit to grant full access to the procurement of local municipalities in addition to that of central authorities above the pre-determined financial thresholds. In turn, Colombian, Peruvian and

Ecuadorian bidders are granted access to the procurement of EU central and sub-central authorities, for goods, services and works concessions (Annex XII, Appendix 1).

Title VII covers **intellectual property**. It reaffirms the Parties' commitments to various relevant multilateral agreements (e.g. WTO TRIPS Agreement, Convention on Biological Diversity, Berne and Rome Conventions for copyright, WIPO copyright and performances and phonograms treaties, Budapest Treaty for patents, etc.) and sets standards on the protection of intellectual property rights (IPR), including trademarks, geographical indications, copyright and related rights, designs, patents, plant varieties, and includes provisions on the protection of test data for pharmaceuticals and plant protection products, (Articles 202-232). The list of geographical indications to be protected (more than 100 for the EU, 2 for Colombia, 4 for Peru, 2 for Ecuador) is provided in **Annex XIII**. The Title also addresses enforcement measures for cases of infringement of IPR by specifying rules on civil and administrative procedures as well as border enforcement measures (Articles 235-249) and on the liability of intermediary service providers (Articles 250-254).

Title VIII concerns **competition** in the economies of the Parties. Under this Title, the Parties commit to maintaining comprehensive competition laws and appropriately equipped competition authorities (Article 260). The Parties also commit to banning through their respective legislation the most harmful anticompetitive practices such as restrictive agreements, concerted practices, abuse of dominance and concentrations of companies that significantly impede effective competition (Articles 259). The Title also stipulates that with regard to state enterprises and designated monopolies no Party shall adopt or maintain any measure contrary to the provisions of the Title which distorts trade and investment between the Parties (Articles 263).

Title IX covers **trade and sustainable development (TSD)**. The inclusion of commitments on TSD is a feature of the new generation of trade agreements signed by the EU. These include commitments to effectively implement core labour standards, as contained in the ILO Fundamental Conventions, and eight key multilateral environmental agreements (MEAs) (Articles 269 and 270). In addition, the Title includes also specific provisions in relation to various thematic areas such as: biodiversity; sustainable forest management; illegal fishing; climate change issues; non-discrimination in working conditions, including those of legally employed migrant workers (Articles 272-276). The Agreement establishes a regular dialogue with civil society (Article 282). With a view to settle disagreements between the Parties on matters of compliance related to the Title IX commitments, the Agreement establishes a dedicated dispute settlement mechanism (consisting of initial governmental consultations aimed at arriving at a mutually satisfactory resolution of the matter, and if necessary, the establishment of a Group of Experts to examine the matter and formulate recommendations; Articles 283-285).

Title X contains provisions on **transparency and administrative proceedings**. Among other things, the Parties commit to (i) ensuring that their measures of general application (e.g. laws, regulations, procedures and administrative rulings) relating to matters covered by the Agreement are promptly published or otherwise made readily available to interested persons; and (ii) providing reasonable opportunities for those interested to comment on proposed measures, and examining such comments, provided they are relevant (Article 288). Particular attention is paid to transparency on subsidies through a dedicated article in which each Party commits *inter alia* to submitting a report every two years to the other Parties regarding the legal basis, form, amount or budget and where possible, the recipient of subsidies granted by its government or any public body (Article 293).

Title XI defines **general exceptions** to the Agreement related to the Parties' essential security interests (Article 295) and taxation measures (Article 296), as well as situations when Parties experience serious external financial or balance of payment difficulties (Article 297).

Title XII covers **dispute settlemen**t. Specifically, this title details the dispute settlement procedures, which entails consultations, arbitration proceedings, and the delivery of an arbitration panel ruling that is binding upon the Parties (Articles 301-309). It also outlines remedies and related procedures in case of non-compliance with the arbitration ruling (Articles 310-311). This title is complemented by **Annex XIV**, which details a specific mediation mechanism for non-tariff measures.

Title XIII covers **technical assistance and trade-capacity building**. Under this title, the Parties agree to strengthen cooperation that contributes to the implementation of this Agreement and making the most of it, e.g. initiatives aimed at: improving trade and investment opportunities, fostering competitiveness and innovation, as well as the modernisation of production, trade facilitation and the transfer of technology; promoting the development of MSMEs, using trade as a tool for reducing poverty; promoting fair and equitable trade, facilitating access to the benefits of the Agreement for all production sectors, the weakest in particular; strengthening commercial and institutional capacities; and addressing the needs of cooperation identified in other parts of the Agreement (Article 324).

Title XIV contains **general and final provisions**, including on the possible accession of new Member States to the EU (e.g. after Croatia joined the EU in July 2013[16]) or for the accession to the Agreement by other Member countries of the Andean Community (e.g. when Ecuador joined the Agreement in January 2017, or if Bolivia also seeks accession to the Agreement in the future) (Article 329).

1.1.3 Institutional set-up of the Agreement

Together, the Trade Committee and a number of specialised Sub-committees oversee the implementation of the Agreement.

The supervision and facilitation of the operation and further development of the Agreement – including the evaluation of results obtained from the application of the Agreement – is under the direct responsibility of the **Trade Committee**, which comprises representatives of the EU and representatives of each signatory Andean Country. The Committee also supervises the work of all specialised bodies (e.g. the Sub-committees) established under the Agreement. The decisions adopted by the Committee are binding upon the Parties, which are to take all necessary measures to implement them. The Trade Committee is scheduled to meet at least once a year.

The Agreement also established the eight following specialised Sub-committees:

- **Sub-committee on Market Access:** The sub-committee is responsible for: promoting trade in goods between the Parties, e.g. through consultations on accelerating and broadening the scope of tariff elimination under the Agreement; addressing any non-tariff measure which may restrict trade in goods between the Parties and, if appropriate, referring such matters to the Trade Committee for its consideration; providing advice and recommendations to the Trade Committee on cooperation needs regarding market access matters; consulting on and seeking to resolve any difference that may arise between the Parties on matters related to amendments to the Harmonized System, including the classification of goods, to ensure that the obligations of each Party are not altered (Article 35).
- **Sub-committee on Agriculture:** The sub-committee's functions include: monitoring and promoting cooperation on the implementation of the Section on agricultural goods, in order to facilitate the trade of agricultural goods between the Parties; resolving any

[16] An "Additional Protocol to the Trade Agreement between the EU and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of the Republic of Croatia to the EU" was adopted in June 2016.

unjustified obstacle in the trade of agricultural goods between the Parties; consulting on matters related to agricultural goods in coordination with other relevant sub-committees or any other specialised body under the Agreement; evaluating the development of agricultural trade between the Parties and the impact of the Agreement on the agricultural sector of each Party, as well as the operation of the instruments of the Agreement, and recommending any appropriate action to the Trade Committee (Article 36).

- **Sub-committee on Customs, Trade Facilitation and Rules of Origin:** The sub-committee is responsible for monitoring the implementation and administration of the chapter on customs and trade facilitation and the related Annex II. Its functions include: providing a forum to consult and discuss on all issues relating to customs, rules of origin (e.g. requests for cumulation of origin) and administrative cooperation; enhancing cooperation on the development, application and enforcement of customs procedures, mutual administrative assistance in customs matters, rules of origin and administrative cooperation; submit to the Trade Committee proposals for modifications to Annex II for their adoption; endeavour to reach mutually satisfactory solutions when differences arise between the Parties, e.g. regarding the tariff classification of goods (Article 68).
- **Sub-committee on Technical Obstacles to Trade:** The sub-committee is responsible for the follow up and evaluation of the implementation of / compliance with the TBT chapter. Its functions include: consulting on and addressing any issue arising under the chapter and the TBT Agreement (and if necessary, establish working groups to deal with specific matters); identification of priorities on cooperation matters and technical assistance programmes in the area of TBT and assessment of progress or results obtained; exchanging information on the work carried out in nongovernmental, regional and multilateral fora involved in activities relating to TBT; facilitate dialogue and cooperation between the regulators; revising the chapter in light of any developments under the TBT Agreement and of the decisions or recommendations of the WTO Committee on Technical Barriers to Trade, and making suggestions on possible amendments to the chapter (Article 83).
- **Sub-committee on Sanitary and Phytosanitary Measures:** The sub-committee's functions include: development and monitoring of the SPS chapter; providing a forum for discussing problems arising from the application of SPS measures and the application of the SPS chapter, and identifying possible solutions; discussing the need to establish joint study programmes; identifying cooperation needs; and conducting consultations concerning the settlement of disputes regarding SPS measures or special and differential treatment (Article 103).
- **Sub-committee on Government Procurement:** The sub-committee is responsible for: evaluating the implementation of the Title on government procurement (e.g. the use of the opportunities offered by increased access to government procurement) and recommending to the Parties the appropriate activities; evaluating and following up the cooperation activities that the Parties submit; and considering further negotiations aimed at broadening the coverage of the Title (Article 194).
- **Sub-committee on Intellectual Property:** the sub-committee is responsible for the follow-up on the implementation of the provisions of the IP chapter. Specifically, if a party wishes to add new geographical indications, the sub-committee is responsible for assessing the information and for proposing to the Trade Committee the modification of the lists of geographical indications in Annex XIII of the Agreement (Article 257).
- **Sub-committee on Trade and Sustainable Development (TSD):** The sub-committee is responsible for monitoring the implementation of the TSD Title and identifying actions for the achievement of the objectives of sustainable development. Specifically, its functions include: submitting to the Trade Committee recommendations for properly implementing and making the best use of the TSD Title, identifying areas of cooperation and verifying the effective implementation of cooperation, assessing the impact of the implementation of the Agreement on labour and environment, and resolving any other matter within the scope of application of the TSD Title (Article 280).

The Sub-committees meet on an annual basis and as mentioned above must report their activities to the Trade Committee.

1.1.4 Operational context of the implementation of the Agreement

Since the application of the Agreement, a number of changes in the trade context have taken place, globally and for the Parties. These are important for the evaluation to keep in mind when assessing the impact (to the extent possible), coherence and relevance of the Agreement. Major changes directly relevant for the Agreement are summarised in this section.

EU trade context

The EU's Trade Agreement with Colombia, Peru and Ecuador forms part of the EU's political and economic engagement with Latin America and is one of a number of trade deals concluded with countries in this region. The Agreement – together with the Association Agreement between the EU and Central America,[17] which was also signed in 2012 and is provisionally applied since 2013 – marked the beginning of negotiations of further 'new generation' FTAs with Latin American partners, such as:

- The relaunch in 2016 of the negotiations of an FTA between the EU and MERCOSUR States (Argentina, Brazil Paraguay and Uruguay), for which an agreement in principle was reached on the trade part on 28 June 2019.
- The negotiations on the modernisation of the EU-Mexico Global Agreement, which began in 2016 and for which an agreement in principle was reached on the trade part on 21 April 2018 and supplemented with the agreement on coverage of public procurement (sub-central) reached on 28 April 2020.
- The ongoing negotiations on the modernisation of the EU-Chile Association Agreement, which started in 2017.

At the overall policy level, the European Commission presented in October 2015 the new EU trade and investment strategy "Trade for All: Towards a more responsible trade and investment policy",[18] which *inter alia* aimed at updating trade policy to take account of the new economic realities such as global value chains, the digital economy and the importance of services; touched upon the issues of competition, e-commerce, protecting innovation and regulatory cooperation; and announced a commitment to greater transparency in regards to trade negotiations as well as a commitment to using EU trade policy to promote sustainable development and human rights.

Most recently, on 16 June 2020, the European Commission launched a major review of EU trade policy aimed at determining the medium-term direction for EU trade policy, responding to a variety of new global challenges and taking into account the lessons learned from the coronavirus crisis. The rationale for this review is the Commission's belief that a strong EU "needs a strong trade and investment policy to support economic recovery, create quality jobs, protect European companies from unfair practices at home and abroad, and ensure coherence with broader priorities in the areas of sustainability, climate change, the digital economy and security."[19]

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[17] The Association Agreement includes a trade pillar, which not only covers tariff elimination but also areas such as government procurement, services, investment and sustainable development. The Central American countries are: Panama, Guatemala, Costa Rica, El Salvador, Honduras, and Nicaragua.

[18] COM(2015)497 of 14 October 2015.

[19] While the evaluation will consider the ongoing EU trade policy review, it is unlikely that the latter will be finalised before the completion of the evaluation, and therefore any evaluation findings related to it, in particular with regard to coherence and relevance, would remain tentative.

Colombia, Peru and Ecuador trade context

Besides being founding members of the Andean Community, Colombia, Peru and Ecuador are members of the Latin American Integration Association (LAIA), under which framework they have signed several partial scope agreements with members[20] and non-member partners.

In addition, Colombia and Peru, together with Mexico and Chile, have signed in June 2012 a Framework Agreement establishing a common area for political and trade integration and cooperation, known as the Pacific Alliance. The Trade Protocol of the Pacific Alliance,[21] which constitutes an FTA, was signed in 2014 and entered into force in May 2016. As far as trade is concerned, the Pacific Alliance seeks a higher degree of integration in comparison with the bilateral agreements that already exists among its member countries. Under this framework, negotiations began in 2017 on a free trade agreement with Australia, Canada, New Zealand and Singapore, which are candidates for associate membership of the Pacific Alliance. In July 2018, the Republic of Korea was admitted as a new candidate Associate State, and Ecuador expressed its interest in becoming an Associate State. Ecuador is progressing towards becoming an Associated country and subsequently full member. The negotiation of a trade agreement with Mexico – a prerequisite for association – is underway and the negotiations of a trade agreement with Chile have been concluded. On 25 September 2019, a Joint Declaration on a partnership between the States Parties to the Framework Agreement of the Pacific Alliance and the European Union was adopted, and its implementation is ongoing.

Table 1 lists all the FTAs involving Colombia, Peru and Ecuador that were signed or entered into force since 2012. With respect to ongoing FTA negotiations and in addition to the negotiations under the Pacific Alliance mentioned above: Peru is currently negotiating an agreement with India, the "optimisation" of its agreement with China and the deepening of its agreement with Argentina; and Colombia has started negotiations with Japan and Turkey.

Political dialogue between the Parties

In June 2016, a Joint Proposal for the conclusion of a new Political Dialogue and Cooperation Agreement (PDCA) between the EU and the Andean Community was adopted.[22] It replaced the 2003 Proposal for a PDCA[23] (see section 1.1.1) which was withdrawn.[24] The new PDCA – which has not been ratified so far – aims at institutionalising and strengthening the political dialogue between the Parties and broadens cooperation to include new areas such as human rights, conflict prevention, migration as well as the fight against drugs and terrorism. Special emphasis is placed on cooperation in support of the process of regional integration in the Andean Community.

At the bilateral level, the EU holds with each of the three Andean countries a High-Level Political Dialogue (HLPD) on an annual basis, which allows high-level officials to exchange ideas to strengthen and deepen bilateral relations and develop a political and cooperation agenda. In the case of Colombia, a specific Dialogue on Human Rights between the EU and the Government of Colombia was also established in 2009 (new Terms of Reference for the dialogue were adopted in September 2012). With Peru a specific Human Rights Dialogue

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[20] The LAIA member countries are Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, Mexico, Panama, Paraguay, Peru, Venezuela and Uruguay.

[21] *Protocolo Adicional al Acuerdo Marco de la Alianza del Pacífico*.

[22] JOIN(2016) 4 final. Joint proposal for a Council decision on the conclusion of a Political Dialogue and Cooperation Agreement between the European Community and its Member States, of the one part, and the Andean Community and its Member Countries (Bolivia, Colombia, Ecuador, Peru and Venezuela), of the other part.

[23] COM(2003) 695.

[24] https://ec.europa.eu/info/sites/info/files/cwp_2018_annex_iv_en.pdf.

was established in 2019 with the adoption of Terms of Reference by the Council. Similar Terms of Reference for an EU-Ecuador Human Rights Dialogue were adopted in January 2020.

Table 1: Overview of Colombia's, Peru's and Ecuador's trade agreement signed or entered into force since 2012

Colombia	Peru	Ecuador
Trade agreements in force: • Pacific Alliance (signed: 2014; entry into force: 2016) • Costa Rica (signed: 2013; entry into force: 2016) • Rep. of Korea (signed: 2013; entry into force: 2016) • United States (signed: 2006; entry into force: 2012) • European Free Trade Association, EFTA (signed: 2008; entry into force: 2011/2014[25]) • MERCOSUR (signed: 2017; entry into force: 2017/2018) • Venezuela (signed: 2011; entry into force: 2012) • Israel (signed: 2013; entry into force: 11 Aug 2020) *Trade agreements signed but not yet in force:* • United Kingdom (signed: 2019) • Panama (signed: 2013)	*Trade agreements in force:* • Australia (signed: 2018; entry into force: 2020) • Honduras (signed: 2015; entry into force: 2017) • Pacific Alliance (signed: 2014; entry into force: 2016) • Japan (signed: 2011; entry into force: 2012) • Costa Rica (signed: 2011; entry into force: 2013) • Panama (signed: 2011; entry into force: 2012) • Mexico (signed: 2011; entry into force: 2012) • Venezuela (signed: 2012; entry into force: 2013) *Trade agreements signed but not yet in force:* • United Kingdom (signed: 2019) • Comprehensive and Progressive Agreement for Trans-Pacific Partnership, CPTPP[26] (signed: 2018) • Brazil (signed: 2016)	*Trade agreements in force:* • Guatemala (signed: 2011; entry into force: 2013) • Nicaragua (signed: 2016; entry into force: 2018) • El Salvador (signed: 2017; entry into force: 2018) *Trade agreements signed but not yet in force:* • United Kingdom (signed: 2019) • EFTA (signed: 2018)

[25] The FTA came into effect for Switzerland and Liechtenstein in 2011, and for Iceland and Norway in 2014.
[26] The signatory countries are Australia, Brunei Darussalam, Canada, Chile, Malaysia, Mexico, Japan, New Zealand, Peru, Singapore and Viet Nam

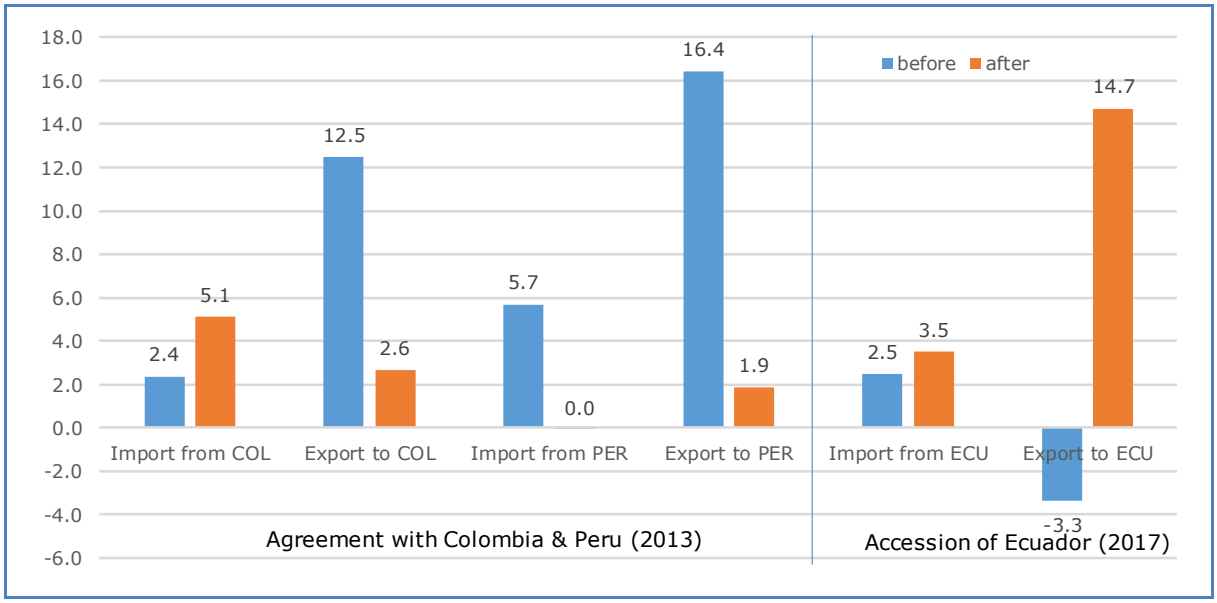
ANNEX B: ECONOMIC ANALYSIS

1.1.1 Overall trade between the Parties

Bilateral trade growth rates over time

Figure 1 compares the average 5-year pre- and post-Agreement growth rates in bilateral non-mineral fuels trade between the Parties. The theoretical expectation (holding all other factors constant) is that growth rates of trade in both directions since the start of the Agreement are higher than prior to its start. This is the case for only three of the six bilateral trade directions: EU28 imports from Colombia (which increased from 2.4% growth per year prior to the Agreement to an average 5.1% growth during the Agreement period), and EU28 trade with Ecuador (the average growth of imports from Ecuador increased from 2.5% to 3.5%, and export growth to Ecuador changed from -3.3% to +14.7%). For the other three trade relations, growth slowed down considerably since the entry into force of the Agreement. As noted before, however, these observations on actual trade developments do not allow a conclusion about the performance of the Agreement, because in reality "all other factors" affecting trade have precisely not been constant.

Figure 1: Comparison of average annual growth rates of EU28 bilateral non-mineral fuels trade with partners before and after the Agreement's entry into force (%)



Note: Non-mineral fuels trade is total trade less HS27. For Colombia and Peru, "before" refers to CAGR for 2007-2012, and "after" to CAGR for 2012-2019. For Ecuador, "before" refers to CAGR for 2012-2016, and "after" to CAGR for 2016-2019.
Source: Authors' calculations based on COMEXT database.

Shares of bilateral trade between the Parties in the Parties' total trade

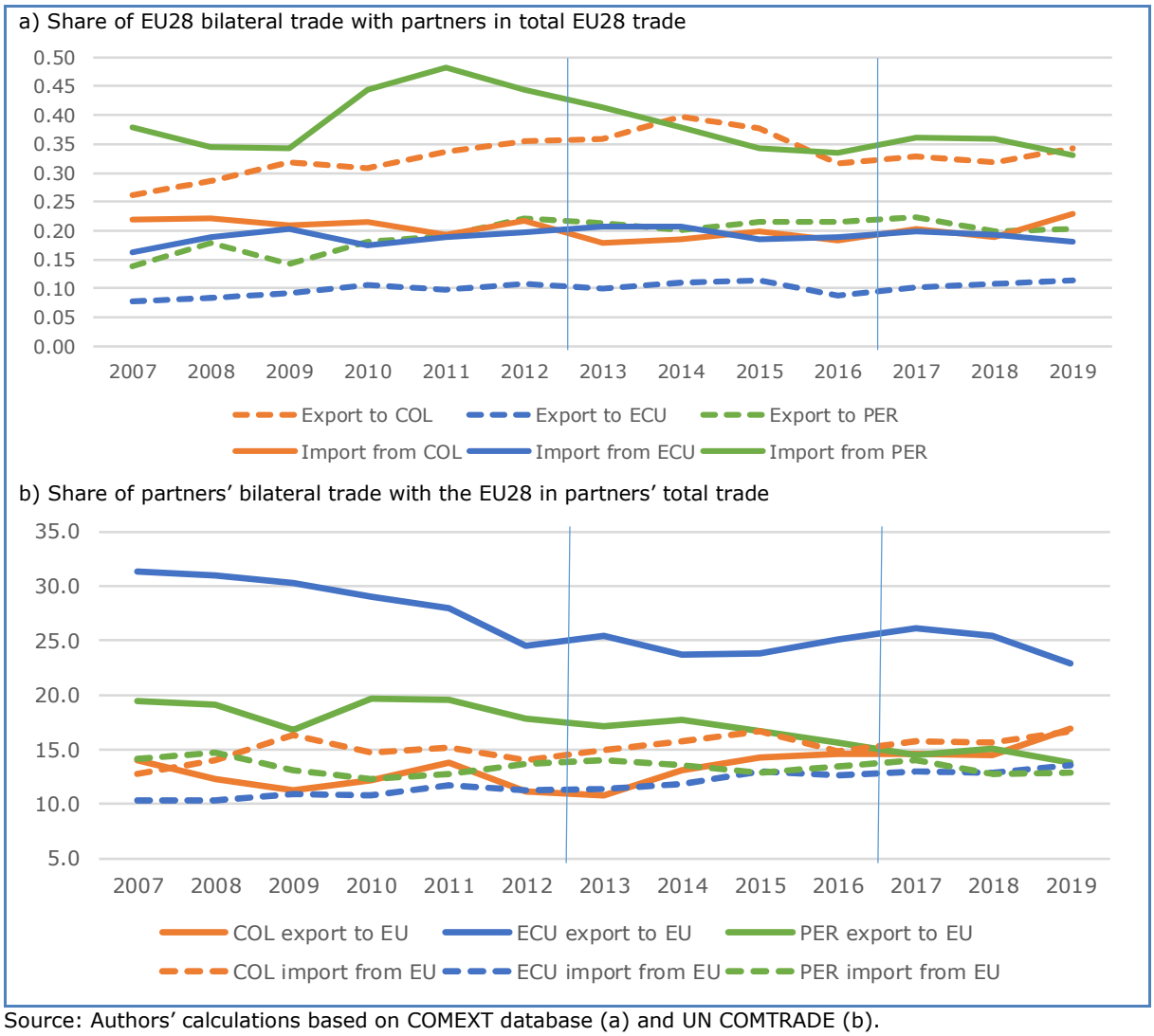
A further indication of the Agreement's effect on trade between the Parties is to compare the performance of bilateral trade with the Parties' total trade and their trade with selected trading partners. Figure 2 shows how the share of bilateral trade between the EU and partners in total trade evolved since 2007.

From the EU perspective, Figure 2a shows, first, the relatively limited importance of the three partner countries – in terms of market size in an aggregated perspective – both for the EU's exports and imports: none of the trade relations with partners has reached 0.5% of the EU's total trade in any year of the period 2007 to 2019. Second, Ecuador and Peru are relatively more important suppliers than destinations for the EU, as indicated by shares of imports being higher than export shares, whereas for Colombia the opposite is true.

Third, over time the share of imports from Peru in the EU's total imports continued to decline until 2015, and has stabilised since. The share of EU exports to Colombia in the EU's total exports, which had shown an increasing trend before the Agreement reached a peak in 2014 and then declined. For exports to Peru, as well as imports from Colombia and Ecuador, shares have been roughly constant throughout the whole twelve-year period considered. The share of EU exports to Ecuador in the EU's total exports shows an increasing trend since 2016, following a drop in 2016 due to Ecuador's recession in that year.

From the three partners' perspective (Figure 2b), the EU is a considerably more important trade partner. In recent years, with the exception of Ecuadorean exports, of which about one quarter are destined for the EU, the EU has accounted for about 15% of exports and imports of the three countries. The entry into force of the Agreement is hardly discernible in the data, with one exception: the share of imports from the EU in total imports has been mostly flat since 2007 for Colombia and Peru, and slightly but steadily growing for Ecuador. The EU's importance as an export market for Peru and Ecuador has declined during the Agreement period, while the share of Colombia's exports to the EU in its total exports increased from 10.2% in 2013 to 16.9% in 2019.

Figure 2: Share of bilateral trade between the EU and partners in total trade, 2007-2019 (%) - non-mineral fuels trade (total less HS27)



Source: Authors' calculations based on COMEXT database (a) and UN COMTRADE (b).

1.1.2 Trade by sector/product

The following tables and figures show the EU's imports from, and exports to, the three Andean partner countries at the HS chapter level and at a more disaggregated product level.

Table 1: EU imports from partner countries, top ten HS chapters, 2012-2019 (EUR million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2013 (%)	2019 (%)	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19
Colombia	**4,111**	**5,082**	**4,004**	**4,413**	**6,964**	**8,211**	**7,517**	**8,099**	**6,697**	**5,392**	**5,532**	**5,038**	**4,239**	**100%**	**100%**	**14.8**	**-10.0**	**-7.7**	**-9.0**
08 Edible fruit and nuts; peel of citrus frui	689	856	826	821	814	830	810	777	959	977	1,094	1,037	1,095	11%	26%	3.8	4.2	3.9	4.0
27 Mineral fuels, mineral oils and products	1,691	2,599	2,065	2,331	4,579	5,911	5,508	5,892	3,938	2,807	2,514	2,111	922	73%	22%	28.4	-17.0	-31.0	-23.3
71 Natural or cultured pearls, precious or	22	24	19	62	97	75	43	63	104	69	91	246	622	1%	15%	27.5	-2.3	108.3	35.2
09 Coffee, tea, matÚ and spices	518	526	324	307	491	406	370	518	627	589	613	491	517	5%	12%	-4.8	9.8	-4.3	3.5
15 Animal or vegetable fats and oils and t	125	166	55	19	111	67	89	113	174	232	373	337	291	1%	7%	-11.7	36.2	7.9	23.3
06 Live trees and other plants; bulbs, roo	119	121	113	121	113	125	124	148	155	155	150	163	176	2%	4%	0.9	5.5	4.3	5.0
17 Sugars and sugar confectionery	16	13	16	14	34	19	32	42	43	52	51	42	66	0%	2%	3.2	29.3	8.5	19.9
84 Nuclear reactors, boilers, machinery an	12	11	14	21	18	18	36	41	48	35	100	48	55	0%	1%	7.8	18.0	16.3	17.2
72 Iron and steel	514	330	185	299	250	300	53	36	84	20	64	79	55	1%	1%	-10.2	-49.1	39.7	-21.5
21 Miscellaneous edible preparations	31	32	34	38	44	45	37	34	50	48	47	48	52	0%	1%	7.5	1.9	2.3	2.1
Others	*373*	*402*	*353*	*381*	*413*	*416*	*416*	*435*	*515*	*408*	*435*	*437*	*388*	*6%*	*9%*	*2.2*	*-0.5*	*-1.6*	*-1.0*
Ecuador	**1,798**	**2,135**	**1,922**	**2,035**	**2,363**	**2,468**	**2,568**	**2,621**	**2,595**	**2,719**	**3,018**	**3,032**	**3,021**	**100%**	**100%**	**6.5**	**2.4**	**3.6**	**2.9**
08 Edible fruit and nuts; peel of citrus frui	746	840	821	776	869	817	782	853	856	812	951	1,031	956	30%	32%	1.8	-0.2	5.6	2.3
16 Preparations of meat, of fish or of crus	299	435	323	310	389	495	576	459	435	458	666	656	702	22%	23%	10.6	-1.9	15.3	5.1
03 Fish and crustaceans, molluscs and oth	260	333	284	373	442	449	490	607	593	661	675	657	670	19%	22%	11.5	10.2	0.5	5.9
06 Live trees and other plants; bulbs, roo	115	133	127	136	143	155	150	171	188	188	186	205	214	6%	7%	6.0	5.0	4.4	4.8
18 Cocoa and cocoa preparations	86	85	85	137	130	119	94	118	153	212	184	160	187	4%	6%	6.6	15.6	-4.2	6.6
20 Preparations of vegetables, fruit, nuts	82	75	86	86	83	83	81	99	100	101	74	75	67	3%	2%	0.1	5.1	-12.9	-3.0
44 Wood and articles of wood; wood char	39	41	26	25	28	28	26	28	38	46	42	38	43	1%	1%	-6.3	13.1	-2.1	6.3
21 Miscellaneous edible preparations	46	56	53	63	77	123	110	95	100	74	71	46	37	4%	1%	21.5	-11.8	-20.6	-15.7
07 Edible vegetables and certain roots an	24	27	26	28	28	25	22	22	27	26	25	25	26	1%	1%	0.1	1.9	0.0	1.0
24 Tobacco and manufactured tobacco sub	14	7	6	6	10	17	18	19	20	26	21	20	17	1%	1%	3.7	11.5	-13.5	0.0
Others	*85*	*104*	*84*	*95*	*165*	*159*	*219*	*150*	*85*	*114*	*124*	*118*	*101*	*9%*	*3%*	*13.4*	*-8.0*	*-3.9*	*-6.3*
Peru	**4,192**	**3,803**	**3,202**	**5,183**	**6,390**	**6,113**	**5,114**	**4,853**	**5,021**	**5,152**	**6,122**	**6,043**	**5,739**	**100%**	**100%**	**7.8**	**-4.2**	**3.7**	**-0.9**
08 Edible fruit and nuts; peel of citrus frui	145	210	204	262	351	409	527	567	757	917	1,013	1,200	1,361	10%	24%	23.0	22.4	14.1	18.7
26 Ores, slag and ash	1,610	1,313	1,023	2,034	2,241	2,036	1,681	1,471	1,395	1,261	1,845	1,624	1,331	33%	23%	4.8	-11.3	1.8	-5.9
09 Coffee, tea, matÚ and spices	254	323	325	484	665	580	394	377	374	409	399	363	371	8%	6%	18.0	-8.4	-3.2	-6.2
03 Fish and crustaceans, molluscs and oth	138	142	125	182	213	191	192	239	262	247	261	308	323	4%	6%	6.7	6.7	9.3	7.8
27 Mineral fuels, mineral oils and products	0	0	0	122	444	722	362	259	238	373	674	474	274	7%	5%	1164.9	-15.2	-9.7	-12.9
74 Copper and articles thereof	689	490	308	510	673	424	341	289	318	230	275	276	251	7%	4%	-9.3	-14.2	3.0	-7.2
20 Preparations of vegetables, fruit, nuts	163	169	130	150	191	182	188	210	226	234	227	224	229	4%	4%	2.3	6.5	-0.7	3.4
07 Edible vegetables and certain roots an	123	130	123	139	152	172	173	176	203	210	200	212	227	3%	4%	7.0	5.1	2.5	4.0
79 Zinc and articles thereof	106	59	40	55	103	127	130	122	168	185	233	258	210	3%	4%	3.5	10.0	4.2	7.5
18 Cocoa and cocoa preparations	22	33	33	31	38	55	65	87	152	192	127	110	126	1%	2%	20.2	36.8	-13.0	12.7
Others	*943*	*935*	*891*	*1,213*	*1,321*	*1,216*	*1,061*	*1,058*	*928*	*894*	*868*	*996*	*1,035*	*21%*	*18%*	*5.2*	*-7.4*	*5.0*	*-2.3*

Source: Authors' calculations based on EU COMEXT database.

Table 2: EU exports to partner countries, top ten HS chapters, 2012-2019 (EUR million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2013 (%)	2019 (%)	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19
Colombia	**3,020**	**3,434**	**3,219**	**3,839**	**4,921**	**5,470**	**5,756**	**6,266**	**6,438**	**5,326**	**5,876**	**5,906**	**6,655**	**100%**	**100%**	**12.6**	**-0.7**	**7.7**	**2.8**
84 Nuclear reactors, boilers, machinery an	816	702	613	778	1,073	1,163	1,113	1,232	1,132	875	1,173	976	1,198	19%	18%	7.3	-6.8	11.0	0.4
30 Pharmaceutical products	195	221	272	364	459	623	675	701	823	677	727	812	918	12%	14%	26.2	2.1	10.7	5.7
87 Vehicles other than railway or tramway	271	227	174	331	430	457	447	425	512	464	473	556	686	8%	10%	11.0	0.4	13.9	6.0
90 Optical, photographic, cinematographic	146	167	160	233	258	307	338	375	387	340	348	383	403	6%	6%	16.0	2.7	5.7	4.0
85 Electrical machinery and equipment an	328	351	258	346	371	394	432	463	448	375	345	374	346	7%	5%	3.7	-1.2	-2.6	-1.8
88 Aircraft, spacecraft, and parts thereof	5	442	627	304	448	519	691	873	544	228	282	226	291	12%	4%	153.4	-18.6	8.5	-7.9
39 Plastics and articles thereof	119	110	93	142	160	183	182	210	210	203	227	253	269	3%	4%	9.0	2.7	9.8	5.7
48 Paper and paperboard; articles of pape	123	110	83	121	122	133	127	137	148	147	164	179	180	2%	3%	1.5	2.6	6.9	4.4
38 Miscellaneous chemical products	81	105	86	107	116	148	152	140	174	174	175	171	176	3%	3%	12.7	4.2	0.5	2.6
29 Organic chemicals	119	146	123	147	168	186	147	159	178	174	189	204	175	3%	3%	9.4	-1.7	0.2	-0.9
Others	*816*	*852*	*730*	*967*	*1,316*	*1,358*	*1,452*	*1,550*	*1,881*	*1,668*	*1,774*	*1,772*	*2,012*	*25%*	*30%*	*10.7*	*5.3*	*6.5*	*5.8*
Ecuador	**893**	**1,012**	**970**	**1,394**	**1,443**	**2,243**	**2,217**	**2,173**	**1,783**	**1,620**	**2,194**	**2,335**	**2,405**	**100%**	**100%**	**20.2**	**-7.8**	**14.1**	**1.0**
84 Nuclear reactors, boilers, machinery an	200	209	221	333	376	453	415	377	406	367	406	425	445	19%	19%	17.7	-5.1	6.7	-0.2
27 Mineral fuels, mineral oils and products	3	3	45	60	35	602	656	439	72	179	394	350	218	30%	9%	183.4	-26.1	6.8	-13.5
30 Pharmaceutical products	51	66	66	90	107	118	120	149	161	159	155	166	176	5%	7%	18.2	7.6	3.6	5.9
87 Vehicles other than railway or tramway	44	44	41	62	70	69	79	71	78	46	109	170	163	4%	7%	9.3	-9.7	52.8	13.2
85 Electrical machinery and equipment an	123	117	80	86	115	160	146	144	180	128	142	107	136	7%	6%	5.3	-5.3	2.0	-2.2
86 Railway or tramway locomotives, rollin	0	0	0	0	1	14	4	8	48	5	2	15	111	0%	5%	124.8	-23.9	189.8	35.0
48 Paper and paperboard; articles of pape	22	26	18	34	31	40	48	57	56	50	74	99	109	2%	5%	12.3	5.9	29.7	15.5
90 Optical, photographic, cinematographic	40	54	58	60	79	100	97	94	104	99	122	112	106	4%	4%	20.2	-0.2	2.5	0.9
03 Fish and crustaceans, molluscs and oth	22	36	54	40	46	64	57	46	34	36	68	98	89	3%	4%	23.9	-13.4	35.1	4.8
72 Iron and steel	43	52	34	51	42	56	51	50	54	37	60	68	67	2%	3%	5.4	-9.8	21.6	2.5
Others	*343*	*406*	*353*	*577*	*542*	*568*	*546*	*737*	*591*	*514*	*662*	*725*	*784*	*25%*	*33%*	*10.6*	*-2.4*	*15.1*	*4.7*
Peru	**1,576**	**2,145**	**1,447**	**2,277**	**2,743**	**3,439**	**3,448**	**3,180**	**3,661**	**3,579**	**4,014**	**3,686**	**3,903**	**100%**	**100%**	**16.9**	**1.0**	**2.9**	**1.8**
84 Nuclear reactors, boilers, machinery an	490	674	472	702	933	1,169	1,084	987	1,027	976	970	897	1,073	31%	27%	19.0	-4.4	3.2	-1.2
85 Electrical machinery and equipment an	177	222	136	260	313	390	357	306	355	329	425	326	346	10%	9%	17.1	-4.1	1.6	-1.7
87 Vehicles other than railway or tramway	87	117	77	194	275	308	351	243	276	304	304	298	276	10%	7%	28.8	-0.4	-3.2	-1.6
30 Pharmaceutical products	45	49	67	85	93	104	140	156	193	181	203	198	226	4%	6%	18.3	14.9	7.8	11.8
90 Optical, photographic, cinematographic	72	66	76	97	95	131	140	140	159	162	197	192	217	4%	6%	12.6	5.4	10.1	7.4
38 Miscellaneous chemical products	29	31	32	40	43	74	48	56	64	134	149	125	146	1%	4%	20.5	16.2	2.8	10.2
39 Plastics and articles thereof	44	56	43	72	73	89	98	109	111	115	119	127	133	3%	3%	14.8	6.7	4.9	5.9
86 Railway or tramway locomotives, rollin	3	1	2	7	6	47	103	4	4	64	195	160	116	3%	3%	78.7	8.4	21.9	14.0
73 Articles of iron or steel	31	144	44	47	72	112	93	83	102	93	104	84	110	3%	3%	29.1	-4.7	5.9	-0.3
48 Paper and paperboard; articles of pape	67	83	52	77	75	85	83	92	107	88	83	115	90	2%	2%	4.9	1.1	0.5	0.8
Others	*531*	*700*	*444*	*696*	*767*	*931*	*953*	*1,003*	*1,261*	*1,133*	*1,266*	*1,164*	*1,171*	*28%*	*30%*	*11.9*	*5.0*	*1.1*	*3.3*

Source: Authors' calculations based on EU COMEXT database; see Table B-2 in Annex B.

Table 3: EU imports from partner countries, by HS2 chapter, 2007-2019 (EUR million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2013 (%)	2019 (%)
Colombia	**4,111**	**5,082**	**4,004**	**4,413**	**6,964**	**8,211**	**7,517**	**8,099**	**6,697**	**5,392**	**5,532**	**5,038**	**4,239**	**100%**	**100%**
08 Edible fruit and nuts; peel of citrus fru	689	856	826	821	814	830	810	777	959	977	1,094	1,037	1,095	11%	26%
27 Mineral fuels, mineral oils and products	1,691	2,599	2,065	2,331	4,579	5,911	5,508	5,892	3,938	2,807	2,514	2,111	922	73%	22%
71 Natural or cultured pearls, precious or	22	24	19	62	97	75	43	63	104	69	91	246	622	1%	15%
09 Coffee, tea, matÚ and spices	518	526	324	307	491	406	370	518	627	589	613	491	517	5%	12%
15 Animal or vegetable fats and oils and t	125	166	55	19	111	67	89	113	174	232	373	337	291	1%	7%
06 Live trees and other plants; bulbs, roo	119	121	113	121	113	125	124	148	155	155	150	163	176	2%	4%
17 Sugars and sugar confectionery	16	13	16	14	34	19	32	42	43	52	51	42	66	0%	2%
84 Nuclear reactors, boilers, machinery an	12	11	14	21	18	18	36	41	48	35	100	48	55	0%	1%
72 Iron and steel	514	330	185	299	250	300	53	36	84	20	64	79	55	1%	1%
21 Miscellaneous edible preparations	31	32	34	38	44	45	37	34	50	48	47	48	52	0%	1%
16 Preparations of meat, of fish or of crus	72	90	56	48	62	65	65	53	37	31	45	57	48	1%	1%
39 Plastics and articles thereof	38	30	34	32	28	26	22	25	41	40	41	41	40	0%	1%
25 Salt; sulphur; earths and stone; plaste	3	11	18	18	18	22	20	20	26	25	16	21	26	0%	1%
03 Fish and crustaceans, molluscs and oth	49	56	50	45	30	29	16	19	18	23	35	30	26	0%	1%
20 Preparations of vegetables, fruit, nuts	6	6	10	11	8	10	12	14	18	16	16	16	20	0%	0%
90 Optical, photographic, cinematographic	11	8	7	8	9	15	8	10	14	13	12	13	19	0%	0%
74 Copper and articles thereof	3	8	6	17	35	21	32	32	15	10	20	9	18	0%	0%
18 Cocoa and cocoa preparations	7	9	9	10	6	5	10	13	18	33	23	19	17	0%	0%
62 Articles of apparel and clothing access	19	17	19	22	19	20	18	18	20	17	19	16	16	0%	0%
41 Raw hides and skins(other than furskin	40	25	13	27	36	34	31	53	49	31	23	16	13	0%	0%
61 Articles of apparel and clothing access	6	7	5	7	10	12	11	11	10	12	12	11	11	0%	0%
99 Commodities not specified according t	6	8	9	8	10	19	15	22	24	19	21	14	11	0%	0%
22 Beverages, spirits and vinegar	4	5	5	7	8	8	9	7	10	9	9	9	9	0%	0%
24 Tobacco and manufactured tobacco sub	5	8	3	4	7	10	28	11	16	10	12	11	9	0%	0%
28 Inorganic chemicals; organic or inorgar	2	2	2	4	8	4	6	4	4	4	5	8	8	0%	0%
33 Essential oils and resinoids; perfumery	0	0	1	2	3	3	3	3	2	3	3	4	7	0%	0%
30 Pharmaceutical products	2	2	2	4	3	3	7	9	9	9	9	7	6	0%	0%
35 Albuminoidal substances; modified sta	1	2	3	2	4	3	2	3	5	3	10	8	5	0%	0%
48 Paper and paperboard; articles of pape	4	2	3	4	4	4	2	5	5	4	5	5	5	0%	0%
73 Articles of iron or steel	1	2	2	2	3	4	5	2	2	3	7	6	5	0%	0%
85 Electrical machinery and equipment an	10	11	13	14	16	22	18	17	9	11	8	5	4	0%	0%
34 Soap, organic surface-active agents, w	1	2	2	1	2	2	3	3	3	2	2	2	4	0%	0%
19 Preparations of cereals, flour, starch o	3	3	3	3	4	3	3	3	3	3	3	4	4	0%	0%
96 Miscellaneous manufactured articles	1	1	1	1	2	3	4	5	5	5	5	4	4	0%	0%
29 Organic chemicals	9	10	8	5	5	3	3	2	3	1	2	4	4	0%	0%
80 Tin and articles thereof										0		0	4	0%	0%
42 Articles of leather; saddlery and harne	4	4	3	3	3	4	3	3	3	3	3	3	3	0%	0%
76 Aluminum and articles thereof	6	6	2	2	3	2	4	3	3	3	3	3	3	0%	0%
53 Other vegetable textile fibres; paper y		0	0		0	0	0	0	0	3	1	2	3	0%	0%
63 Other made up textile articles; sets; w	5	9	7	9	9	7	7	6	5	3	3	3	3	0%	0%
32 Tanning or dyeing extracts; tannins an	5	7	4	6	6	4	6	5	2	2	2	2	3	0%	0%
87 Vehicles other than railway or tramway	1	1	1	1	1	1	0	1	1	3	2	3	2	0%	0%
95 Toys, games and sports requisites; pa	4	4	2	2	2	2	2	2	2	2	3	2	2	0%	0%
82 Tools, implements, cutlery, spoons and	1	2	1	1	1	2	2	1	1	2	2	2	2	0%	0%
69 Ceramic products	5	4	3	3	1	1	2	3	4	3	4	3	2	0%	0%
70 Glass and glassware	4	4	5	5	4	3	1	2	2	2	2	2	2	0%	0%
49 Printed books, newspapers, pictures an	1	1	1	1	1	1	1	1	2	1	1	1	2	0%	0%
23 Residues and waste from the food indu	2	1	1	0	0	0	0	1	0	0	1	2	2	0%	0%
94 Furniture; bedding, mattresses, mattre	2	2	2	1	1	1	1	1	2	1	2	1	1	0%	0%
31 Fertilisers	1	1	1	1	1	0	0	0	0	0	0	1	1	0%	0%
07 Edible vegetables and certain roots an	1	1	1	1	1	1	1	2	0	1	1	1	1	0%	0%
97 Works of art, collectors' pieces and ant	0	1	0	0	1	2	1	2	1	0	2	1	1	0%	0%
54 Man-made filaments; strip and the like	1	1	1	3	2	1	2	1	1	1	2	2	1	0%	0%
89 Ships, boats and floating structures	0	0	2	0	0	1	6	4	1	1	1	1	1	0%	0%
44 Wood and articles of wood; wood char	2	1	1	1	2	1	1	2	2	1	1	1	1	0%	0%
11 Products of the milling industry; malt;	1	3	4	5	4	5	5	5	3	1	1	1	1	0%	0%
38 Miscellaneous chemical products	3	7	15	10	6	3	1	1	1	1	1	1	1	0%	0%
64 Footwear, gaiters and the like; parts o	6	3	3	3	3	1	1	1	1	1	1	1	1	0%	0%
40 Rubber and articles thereof	1	1	0	1	1	1	1	1	1	1	1	1	1	0%	0%
92 Musical instruments; parts and accesso	0	0	0	0	0	0	0	0	0	0	1	1	1	0%	0%
12 Oil seeds and oleaginous fruits; misce	1	1	1	1	1	1	2	2	1	0	0	0	0	0%	0%
26 Ores, slag and ash	0	0		1	0	0	0	13	36	15	27	53	0	0%	0%
86 Railway or tramway locomotives, rollin	0		0	6	0	0	0	0	0	0	0	0	0	0%	0%
75 Nickel and articles thereof	1	1	1	1	0	10	2	0	0	0	0	0	0	0%	0%
05 Products of animal origin, not elsewhe	2	1	1	1	1	1	1	1	1	1	1	0	0	0%	0%
56 Wadding, felt and nonwovens; special	3	3	1	1	1	1	1	0	0	0	0	0	0	0%	0%
88 Aircraft, spacecraft, and parts thereof	2	1	1	2	6	2	2	2	65	15	3	0	0	0%	0%
57 Carpets and other textile floor coverin	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
78 Lead and articles thereof	2	2	0	0	3	0	1	0	0	0	0	1	0	0%	0%
83 Miscellaneous articles of base metal	0	0	0	1	0	0	0	0	0	0	0	0	0	0%	0%
13 Lac; gums, resins and other vegetable	0	0	0	0	0	0	0	0	0	1	0	1	0	0%	0%
59 Impregnated, coated, covered or lamin	1	1	1	2	3	1	3	5	3	0	0	0	0	0%	0%
43 Furskins and artificial fur; manufacture	1	0	0	0	1	0	1	1	1	1	1	1	0	0%	0%
46 Manufactures of straw, of esparto or ot	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
68 Articles of stone, plaster, cement, asb	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
04 Dairy produce; birds' eggs; natural hon			0	0	0	0	0	0	0	0	0	0	0	0%	0%
58 Special woven fabrics; tufted textile fa	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
65 Headgear and parts thereof	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
14 Vegetable plaiting materials; vegetabl	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
91 Clocks and watches and parts thereof	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
47 Pulp of wood or of other fibrous cellulo	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
60 Knitted or crocheted fabrics	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
01 Live animals; animal products	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
67 Prepared feathers and down and article	0		0		0	0	0	0	0	0	0	0	0	0%	0%
10 Cereals	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
81 Other base metals; cermets; articles t	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
50 Silk		0		0	0		0		0	0			0	0%	0%
52 Cotton	1	1	1	1	2	1	1	0	0	0	0	0	0	0%	0%
55 Man-made staple fibres	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
37 Photographic or cinematographic goods	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
02 Meat and edible meat offal			0	0		0				0	0	0	0	0%	0%
66 Umbrella, sun umbrellas, walking-stick	0	0	0	0	0	0	0	0	0	0		0	0	0%	0%
45 Cork and articles of cork							0	0	0	0	0	0	0	0%	0%
51 Wool, fine or coarse animal hair; horse	0	0	0		0	0	0	0	0	0	0	0	0	0%	0%
79 Zinc and articles thereof				0			0	0	0	0	0	0	0	0%	0%
36 Explosives; pyrotechnic products; matc							0	0	0					0%	0%
93 Arms and ammunition; parts and acces	1	0	0	0	0	0		0	0	0	0	0		0%	0%

(cont.)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2013 (%)	2019 (%)
Ecuador	**1,798**	**2,135**	**1,922**	**2,035**	**2,363**	**2,468**	**2,568**	**2,621**	**2,595**	**2,719**	**3,018**	**3,032**	**3,021**	**100%**	**100%**
08 Edible fruit and nuts; peel of citrus fru	746	840	821	776	869	817	782	853	856	812	951	1,031	956	30%	32%
16 Preparations of meat, of fish or of crus	299	435	323	310	389	495	576	459	435	458	666	656	702	22%	23%
03 Fish and crustaceans, molluscs and oth	260	333	284	373	442	449	490	607	593	661	675	657	670	19%	22%
06 Live trees and other plants; bulbs, roo	115	133	127	136	143	155	150	171	188	188	186	205	214	6%	7%
18 Cocoa and cocoa preparations	86	85	85	137	130	119	94	118	153	212	184	160	187	4%	6%
20 Preparations of vegetables, fruit, nuts	82	75	86	86	83	83	81	99	100	101	74	75	67	3%	2%
44 Wood and articles of wood; wood char	39	41	26	25	28	28	26	28	38	46	42	38	43	1%	1%
21 Miscellaneous edible preparations	46	56	53	63	77	123	110	95	100	74	71	46	37	4%	1%
07 Edible vegetables and certain roots an	24	27	26	28	28	25	22	22	27	26	25	25	26	1%	1%
24 Tobacco and manufactured tobacco sub	14	7	6	6	10	17	18	19	20	26	21	20	17	1%	1%
71 Natural or cultured pearls, precious or	1	1	1	0	1	1	1	9	2	0	0	15	13	0%	0%
15 Animal or vegetable fats and oils and t	23	44	21	4	61	70	39	24	9	33	40	26	12	2%	0%
84 Nuclear reactors, boilers, machinery ar	5	5	1	4	3	21	18	4	4	5	3	4	12	1%	0%
65 Headgear and parts thereof	2	2	3	5	7	5	5	6	9	10	8	8	9	0%	0%
53 Other vegetable textile fibres; paper y	4	5	3	2	1	4	3	4	7	9	7	7	6	0%	0%
09 Coffee, tea, matÚ and spices	6	7	3	7	8	3	2	3	4	5	7	7	5	0%	0%
17 Sugars and sugar confectionery	3	4	4	5	5	3	3	4	6	6	4	2	5	0%	0%
39 Plastics and articles thereof	0	0	0	0	1	0	1	3	3	3	3	3	5	0%	0%
74 Copper and articles thereof	0	0	0	1	1	2	4	5	3	2	2	7	3	0%	0%
99 Commodities not specified according to	2	1	2	2	2	2	2	3	3	3	5	4	3	0%	0%
61 Articles of apparel and clothing access	4	3	2	2	3	3	2	2	1	1	1	1	3	0%	0%
11 Products of the milling industry; malt;	1	1	2	2	2	2	2	2	2	3	3	3	3	0%	0%
78 Lead and articles thereof	0						0		1	1	1	1	2	0%	0%
96 Miscellaneous manufactured articles	5	3	2	3	4	3	2	2	3	2	2	2	2	0%	0%
10 Cereals	0	0	0	0	0	0	1	2	3	1	1	1	2	0%	0%
72 Iron and steel	3	10	5	2	4	2	3	2	2	1	1	2	2	0%	0%
90 Optical, photographic, cinematographic	1	1	1	1	1	4	1	2	2	2	1	2	1	0%	0%
33 Essential oils and resinoids; perfumery	4	3	4	2	2	1	1	1	1	3	1	1	1	0%	0%
32 Tanning or dyeing extracts; tannins an	1	1	1	1	1	1	1	2	2	1	1	2	1	0%	0%
38 Miscellaneous chemical products	2	0	0	7	0	10	2	1	3	4	2	2	1	0%	0%
49 Printed books, newspapers, pictures ar	0	0	0	0	0	0	0	0	0	0	0	0	1	0%	0%
12 Oil seeds and oleaginous fruits; misce	1	0	0	1	1	1	2	2	0	1	1	1	1	0%	0%
85 Electrical machinery and equipment an	1	1	1	1	1	3	1	1	2	4	2	1	1	0%	0%
19 Preparations of cereals, flour, starch o	1	1	1	1	1	1	0	0	0	0	0	0	1	0%	0%
62 Articles of apparel and clothing access	0	0	0	1	0	0	0	1	1	1	1	1	1	0%	0%
41 Raw hides and skins(other than furskir	4	2	1	3	4	3	5	8	4	2	2	1	1	0%	0%
40 Rubber and articles thereof	0	0	0	0	0	0	0	1	0	0	0	0	1	0%	0%
23 Residues and waste from the food indu	0	0	1	2	2	6	6	1	0	0	0	1	1	0%	0%
14 Vegetable plaiting materials; vegetabl	0	0	0	2	2	0	2	0	0	0	0	0	1	0%	0%
94 Furniture; bedding, mattresses, mattre	0	0	1	1	1	1	0	0	0	0	1	1	0	0%	0%
26 Ores, slag and ash			0			0	0	0	1	3	18	2	0	0%	0%
76 Aluminum and articles thereof	3	2	0	0	0	0	0	1	0	1	1	1	0	0%	0%
22 Beverages, spirits and vinegar	1	0	0	0	0	1	0	0	0	0	0	0	0	0%	0%
64 Footwear, gaiters and the like; parts o	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
05 Products of animal origin, not elsewhe	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
73 Articles of iron or steel	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
42 Articles of leather; saddlery and harne	1	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
86 Railway or tramway locomotives, rollin			0		3	0	0		0	0	0	0	0	0%	0%
46 Manufactures of straw, of esparto or of	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
89 Ships, boats and floating structures	0	0	0	0	0	0	0	1	0	0	0	0	0	0%	0%
87 Vehicles other than railway or tramway	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
82 Tools, implements, cutlery, spoons and	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
63 Other made up textile articles; sets; w	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
01 Live animals; animal products	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
28 Inorganic chemicals; organic or inorgar		0	0	0		0	0	0	0	0	0	0	0	0%	0%
69 Ceramic products	0	1	0	0	0	0	0	0	0	0	0	0	0	0%	0%
34 Soap, organic surface-active agents, w	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
97 Works of art, collectors' pieces and ant	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
13 Lac; gums, resins and other vegetable	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
31 Fertilisers	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
92 Musical instruments; parts and accesso	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
25 Salt; sulphur; earths and stone; plaste	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
83 Miscellaneous articles of base metal	0	0	1	0	0	0	0	0	0	0	0	0	0	0%	0%
75 Nickel and articles thereof	0		0	0	0	0	0	0	0	0	0	0	0	0%	0%
35 Albuminoidal substances; modified sta	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
70 Glass and glassware	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
27 Mineral fuels, mineral oils and products	0	0	20	28	41	0	106	48	0	0	0	4	0	4%	0%
29 Organic chemicals	0	0	1	0	0	0	0	0	0	0	0	0	0	0%	0%
88 Aircraft, spacecraft, and parts thereof	0	0	0	0	0	3	0	3	2	1	1	3	0	0%	0%
48 Paper and paperboard; articles of pape	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
30 Pharmaceutical products	1	0	0	2	0	0	0	0	0	0	0	0	0	0%	0%
95 Toys, games and sports requisites; pa	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
55 Man-made staple fibres		0	0	0	0	0	0	0	0	0	0		0	0%	0%
81 Other base metals; cermets; articles t						0	0	0	0	0	0		0	0%	0%
58 Special woven fabrics; tufted textile fa	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
68 Articles of stone, plaster, cement, asb	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
67 Prepared feathers and down and article	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
37 Photographic or cinematographic goods	0	0	0	0		0	0	0			0		0	0%	0%
91 Clocks and watches and parts thereof	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
57 Carpets and other textile floor coverinc	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
59 Impregnated, coated, covered or lamin	0	0		0	0	0	0		0	0	0		0	0%	0%
56 Wadding, felt and nonwovens; special	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
04 Dairy produce; birds' eggs; natural hor		0			0	0				0	0		0	0%	0%
52 Cotton	0	0	0	0	0	0	0		0	0		0	0	0%	0%
54 Man-made filaments; strip and the like	0	0	0	0		0	0	0	0	0	0	0	0	0%	0%
43 Furskins and artificial fur; manufacture				0		0		0		0		0	0	0%	0%
66 Umbrella, sun umbrellas, walking-stick		0				0	0	0			0	0	0	0%	0%
47 Pulp of wood or of other fibrous cellulo	0					0	0		0	0			0	0%	0%
36 Explosives; pyrotechnic products; matc			0		0			0		0				0%	0%
45 Cork and articles of cork			0											0%	0%
50 Silk					0									0%	0%
51 Wool, fine or coarse animal hair; horse	0	0	0		0	0	0	0	0	0	0	0		0%	0%
60 Knitted or crocheted fabrics			0	0						0		0		0%	0%
79 Zinc and articles thereof	0		0											0%	0%
93 Arms and ammunition; parts and acces							0	0		0				0%	0%

(cont.)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2013 (%)	2019 (%)
Peru	**4,192**	**3,803**	**3,202**	**5,183**	**6,390**	**6,113**	**5,114**	**4,853**	**5,021**	**5,152**	**6,122**	**6,043**	**5,739**	**100%**	**100%**
08 Edible fruit and nuts; peel of citrus fru	145	210	204	262	351	409	527	567	757	917	1,013	1,200	1,361	10%	24%
26 Ores, slag and ash	1,610	1,313	1,023	2,034	2,241	2,036	1,681	1,471	1,395	1,261	1,845	1,624	1,331	33%	23%
09 Coffee, tea, matÚ and spices	254	323	325	484	665	580	394	377	374	409	399	363	371	8%	6%
03 Fish and crustaceans, molluscs and oth	138	142	125	182	213	191	192	239	262	247	261	308	323	4%	6%
27 Mineral fuels, mineral oils and products	0	0	0	122	444	722	362	259	238	373	674	474	274	7%	5%
74 Copper and articles thereof	689	490	308	510	673	424	341	289	318	230	275	276	251	7%	4%
20 Preparations of vegetables, fruit, nuts	163	169	130	150	191	182	188	210	226	234	227	224	229	4%	4%
07 Edible vegetables and certain roots an	123	130	123	139	152	172	173	176	203	210	200	212	227	3%	4%
79 Zinc and articles thereof	106	59	40	55	103	127	130	122	168	185	233	258	210	3%	4%
18 Cocoa and cocoa preparations	22	33	33	31	38	55	65	87	152	192	127	110	126	1%	2%
22 Beverages, spirits and vinegar	18	24	27	24	25	44	71	46	38	69	5	7	103	1%	2%
80 Tin and articles thereof	161	214	131	269	268	110	90	149	129	106	137	95	90	2%	2%
16 Preparations of meat, of fish or of crus	25	28	20	20	23	31	29	42	60	45	57	84	84	1%	1%
15 Animal or vegetable fats and oils and t	77	65	68	68	82	174	76	115	102	56	66	99	82	1%	1%
61 Articles of apparel and clothing access	82	88	79	84	90	80	72	73	80	70	73	80	80	1%	1%
12 Oil seeds and oleaginous fruits; misce	8	12	17	18	23	32	39	41	47	53	56	67	74	1%	1%
71 Natural or cultured pearls, precious or	26	21	111	176	221	193	275	47	36	48	46	121	72	5%	1%
51 Wool, fine or coarse animal hair; horse	28	28	22	30	37	37	38	50	53	55	58	69	70	1%	1%
23 Residues and waste from the food indu	255	168	270	267	215	255	139	185	69	92	30	40	61	3%	1%
10 Cereals	6	7	8	9	8	11	18	42	56	49	40	49	55	0%	1%
32 Tanning or dyeing extracts; tannins an	21	19	20	91	95	43	26	33	41	55	53	44	37	1%	1%
28 Inorganic chemicals; organic or inorgar	51	44	17	32	47	33	27	28	34	24	37	46	35	1%	1%
44 Wood and articles of wood; wood char	7	6	3	4	10	11	9	10	15	12	12	17	21	0%	0%
84 Nuclear reactors, boilers, machinery ar	10	7	6	10	11	7	7	14	16	18	28	30	17	0%	0%
33 Essential oils and resinoids; perfumery	3	3	4	3	4	5	6	9	11	11	16	11	16	0%	0%
25 Salt; sulphur; earths and stone; plaste	1	1	0	5	10	6	5	9	7	8	6	14	13	0%	0%
06 Live trees and other plants; bulbs, roo	3	3	3	3	5	5	6	4	4	6	7	8	10	0%	0%
39 Plastics and articles thereof	2	3	1	0	3	2	3	4	5	3	5	11	8	0%	0%
11 Products of the milling industry; malt;	0	1	1	1	1	2	3	5	9	11	9	6	8	0%	0%
14 Vegetable plaiting materials; vegetabl	5	7	2	4	6	6	6	6	10	8	8	8	7	0%	0%
62 Articles of apparel and clothing access	10	9	8	8	9	8	6	5	6	6	5	6	6	0%	0%
90 Optical, photographic, cinematographic	2	2	2	1	2	3	2	3	2	4	3	3	6	0%	0%
99 Commodities not specified according to	4	104	24	33	49	52	42	49	25	6	28	5	6	1%	0%
97 Works of art, collectors' pieces and ant	0	0	0	0	3	1	0	0	0	2	1	1	6	0%	0%
70 Glass and glassware	4	2	1	2	1	1	1	1	2	2	3	3	6	0%	0%
17 Sugars and sugar confectionery	0	1	1	1	1	1	2	11	2	13	15	4	6	0%	0%
63 Other made up textile articles; sets; w	1	1	1	1	2	2	2	3	3	3	3	5	5	0%	0%
72 Iron and steel	5	4	2	6	7	5	5	5	3	3	4	4	4	0%	0%
85 Electrical machinery and equipment an	4	3	5	3	2	2	3	3	3	4	5	5	4	0%	0%
13 Lac; gums, resins and other vegetable	3	4	2	3	3	6	4	4	4	4	3	3	4	0%	0%
73 Articles of iron or steel	3	1	1	1	1	1	2	6	4	1	3	5	3	0%	0%
52 Cotton	14	13	8	9	14	13	15	14	13	8	4	4	3	0%	0%
21 Miscellaneous edible preparations	1	1	1	2	2	2	2	3	2	2	3	3	3	0%	0%
38 Miscellaneous chemical products	2	2	2	2	2	2	3	4	3	3	3	3	3	0%	0%
87 Vehicles other than railway or tramway	0	0	0	0	0	0	0	0	1	1	2	4	3	0%	0%
24 Tobacco and manufactured tobacco sub	0	0	0	0	1	1	1	1	2	2	3	3	2	0%	0%
78 Lead and articles thereof	57	17	4	2	1	1	1	1	5	1	1	0	2	0%	0%
19 Preparations of cereals, flour, starch o	0	0	0	0	0	0	0	0	1	1	2	2	2	0%	0%
29 Organic chemicals	1	0	1	1	1	1	1	0	0	1	0	1	2	0%	0%
96 Miscellaneous manufactured articles	1	1	1	1	1	1	1	2	2	2	2	2	1	0%	0%
95 Toys, games and sports requisites; pa	1	1	1	1	1	1	1	1	1	1	1	1	1	0%	0%
49 Printed books, newspapers, pictures an	1	2	2	0	1	1	1	0	0	1	1	0	1	0%	0%
41 Raw hides and skins(other than furskin	3	2	2	4	6	6	6	12	7	5	4	2	1	0%	0%
65 Headgear and parts thereof	0	0	0	0	0	1	1	1	1	1	1	1	1	0%	0%
42 Articles of leather; saddlery and harne	0	0	0	1	0	0	1	0	0	0	1	1	1	0%	0%
64 Footwear, gaiters and the like; parts o	1	1	1	1	1	1	1	1	1	1	1	1	1	0%	0%
76 Aluminum and articles thereof	1	0	0	0	1	1	1	2	3	1	2	2	1	0%	0%
94 Furniture; bedding, mattresses, mattre	3	3	2	2	2	1	1	1	1	1	1	1	1	0%	0%
69 Ceramic products	1	1	1	1	1	1	1	1	1	1	1	1	1	0%	0%
68 Articles of stone, plaster, cement, asb	1	2	1	1	1	1	1	1	1	1	1	1	1	0%	0%
82 Tools, implements, cutlery, spoons and	0	0	0	0	1	0	1	1	1	1	1	1	1	0%	0%
88 Aircraft, spacecraft, and parts thereof	0	0	0	0	0	0	0	2	1	1	1	1	1	0%	0%
55 Man-made staple fibres	0	0	0	0	0	0	1	0	0	0	1	0	0	0%	0%
05 Products of animal origin, not elsewhe	2	1	1	1	0	2	1	0	0	0	0	0	0	0%	0%
58 Special woven fabrics; tufted textile fa	0	0	1	1	1	0	0	0	0	0	0	0	0	0%	0%
40 Rubber and articles thereof	0	1	0	0	1	0	3	1	0	0	0	0	0	0%	0%
56 Wadding, felt and nonwovens; special	0	0	0	0	0	0	0	0	0	0	0	4	0	0%	0%
36 Explosives; pyrotechnic products; matc							0		0	1	0	0	0	0%	0%
83 Miscellaneous articles of base metal	0	0	0	0	0	0	0	1	0	0	1	1	0	0%	0%
43 Furskins and artificial fur; manufacture	1	1	0	0	1	1	0	1	1	0	0	0	0	0%	0%
30 Pharmaceutical products	0	0	0	1	0	0	0	0	0	0	5	0	0	0%	0%
01 Live animals; animal products	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
92 Musical instruments; parts and accessc	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
48 Paper and paperboard; articles of pape	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
57 Carpets and other textile floor coverinc	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
54 Man-made filaments; strip and the like	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
60 Knitted or crocheted fabrics	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
31 Fertilisers	1	0	0	0		0	0	0	0	1	0	0	0	0%	0%
86 Railway or tramway locomotives, rollin			0	0	0	3	0	0	0	0	0	0	0	0%	0%
59 Impregnated, coated, covered or lamin	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
34 Soap, organic surface-active agents, w	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
75 Nickel and articles thereof	0	0			0	0	0		0	0	0	0	0	0%	0%
91 Clocks and watches and parts thereof	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
50 Silk	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
67 Prepared feathers and down and article	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
35 Albuminoidal substances; modified sta	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
46 Manufactures of straw, of esparto or ot	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
81 Other base metals; cermets; articles t	24	3	0	0	0	1	3	1	0	0	0	1	0	0%	0%
04 Dairy produce; birds' eggs; natural hor	0	0	0	0	0	0	0		0	0	0	0	0	0%	0%
89 Ships, boats and floating structures	0	0		0	11	0		0	0	5	0	4	0	0%	0%
37 Photographic or cinematographic goods	0	0	0	0	0	0	0	0	0	0	0		0	0%	0%
93 Arms and ammunition; parts and acces			0	0			0	0	0			0	0	0%	0%
47 Pulp of wood or of other fibrous cellulo		0			0	0	0	0	0	0	0	0	0	0%	0%
66 Umbrella, sun umbrellas, walking-stick	0	0	0			0	0		0	0	0		0	0%	0%
02 Meat and edible meat offal								0						0%	0%
45 Cork and articles of cork		0		0		0						0		0%	0%
53 Other vegetable textile fibres; paper y	0	0	0	0	0	0	0	0	0		0	0		0%	0%

Source: EU COMEXT database [accessed October 2020]

Table 4: EU exports to partner countries, by HS2 chapter, 2007-2019 (EUR million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2013 (%)	2019 (%)
Colombia	**3,020**	**3,434**	**3,219**	**3,839**	**4,921**	**5,470**	**5,756**	**6,266**	**6,438**	**5,326**	**5,876**	**5,906**	**6,655**	**100%**	**100%**
84 Nuclear reactors, boilers, machinery ar	816	702	613	778	1,073	1,163	1,113	1,232	1,132	875	1,173	976	1,198	19%	18%
30 Pharmaceutical products	195	221	272	364	459	623	675	701	823	677	727	812	918	12%	14%
87 Vehicles other than railway or tramway	271	227	174	331	430	457	447	425	512	464	473	556	686	8%	10%
90 Optical, photographic, cinematographic	146	167	160	233	258	307	338	375	387	340	348	383	403	6%	6%
85 Electrical machinery and equipment an	328	351	258	346	371	394	432	463	448	375	345	374	346	7%	5%
88 Aircraft, spacecraft, and parts thereof	5	442	627	304	448	519	691	873	544	228	282	226	291	12%	4%
39 Plastics and articles thereof	119	110	93	142	160	183	182	210	210	203	227	253	269	3%	4%
48 Paper and paperboard; articles of pape	123	110	83	121	122	133	127	137	148	147	164	179	180	2%	3%
38 Miscellaneous chemical products	81	105	86	107	116	148	152	140	174	174	175	171	176	3%	3%
29 Organic chemicals	119	146	123	147	168	186	147	159	178	174	189	204	175	3%	3%
27 Mineral fuels, mineral oils and products	31	4	4	15	92	11	70	30	102	115	141	121	148	1%	2%
22 Beverages, spirits and vinegar	46	37	33	32	48	57	54	69	73	88	88	91	128	1%	2%
33 Essential oils and resinoids; perfumery	44	39	38	46	60	62	63	70	71	78	83	100	127	1%	2%
73 Articles of iron or steel	36	62	86	83	94	123	125	114	100	77	91	98	124	2%	2%
72 Iron and steel	92	94	58	102	95	112	105	97	90	59	63	78	92	2%	1%
32 Tanning or dyeing extracts; tannins an	56	52	45	55	68	79	73	78	78	73	76	82	84	1%	1%
62 Articles of apparel and clothing access	9	12	15	18	30	42	45	49	53	60	63	70	78	1%	1%
40 Rubber and articles thereof	39	45	40	50	70	74	79	81	75	67	68	68	69	1%	1%
21 Miscellaneous edible preparations	17	18	9	15	19	30	37	41	57	61	48	54	63	1%	1%
34 Soap, organic surface-active agents, w	17	20	20	22	28	32	34	40	48	51	51	53	58	1%	1%
94 Furniture; bedding, mattresses, mattre	26	23	19	30	40	52	48	52	62	55	50	52	57	1%	1%
31 Fertilisers	22	62	41	46	64	70	52	51	65	50	45	52	54	1%	1%
20 Preparations of vegetables, fruit, nuts	3	3	3	5	7	14	13	19	25	33	34	39	54	0%	1%
19 Preparations of cereals, flour, starch o	13	11	12	11	12	16	18	26	29	38	36	41	47	0%	1%
61 Articles of apparel and clothing access	4	9	11	13	24	27	26	29	33	36	40	41	43	0%	1%
99 Commodities not specified according t	29	19	16	43	66	30	30	23	120	46	31	40	43	1%	1%
28 Inorganic chemicals; organic or inorgar	22	28	20	28	26	29	26	27	32	31	40	37	37	0%	1%
25 Salt; sulphur; earths and stone; plaste	9	10	10	13	17	26	27	44	57	47	41	37	36	0%	1%
76 Aluminum and articles thereof	15	13	11	19	21	24	28	31	26	25	36	39	33	0%	0%
23 Residues and waste from the food indu	4	5	3	5	5	8	12	14	16	13	62	35	33	0%	0%
49 Printed books, newspapers, pictures ar	20	22	17	25	22	22	21	25	25	22	22	27	31	0%	0%
35 Albuminoidal substances; modified sta	11	14	15	20	20	22	25	22	27	26	24	26	30	0%	0%
69 Ceramic products	14	14	10	16	20	28	25	24	26	25	26	27	29	0%	0%
15 Animal or vegetable fats and oils and t	9	12	11	13	17	20	21	23	28	31	31	32	28	0%	0%
95 Toys, games and sports requisites; pa	14	18	12	10	15	25	26	26	21	21	31	23	28	0%	0%
83 Miscellaneous articles of base metal	15	15	14	17	19	21	21	21	24	23	24	25	27	0%	0%
71 Natural or cultured pearls, precious or	8	10	8	9	10	12	12	16	23	53	29	14	26	0%	0%
04 Dairy produce; birds' eggs; natural hon	5	4	2	2	2	2	3	8	20	21	12	21	26	0%	0%
08 Edible fruit and nuts; peel of citrus fru	1	1	3	3	8	9	6	13	16	19	16	14	24	0%	0%
68 Articles of stone, plaster, cement, asb	5	7	6	8	11	12	16	17	20	16	19	18	23	0%	0%
64 Footwear, gaiters and the like; parts o	3	4	4	4	8	9	11	14	16	16	16	16	21	0%	0%
44 Wood and articles of wood; wood chan	10	8	7	10	13	17	18	22	25	21	22	22	21	0%	0%
82 Tools, implements, cutlery, spoons and	14	15	11	18	23	23	22	25	21	19	22	23	20	0%	0%
06 Live trees and other plants; bulbs, roo	8	7	7	10	9	11	10	11	11	12	14	16	19	0%	0%
11 Products of the milling industry; malt;	11	4	1	2	1	2	2	3	3	4	4	7	14	0%	0%
96 Miscellaneous manufactured articles	9	8	5	7	10	12	10	10	12	14	14	14	14	0%	0%
70 Glass and glassware	14	12	10	11	14	17	14	17	19	19	21	15	14	0%	0%
42 Articles of leather; saddlery and harne	3	3	3	4	7	8	9	10	11	10	11	11	13	0%	0%
56 Wadding, felt and nonwovens; special	4	4	3	5	15	9	10	10	11	10	10	11	12	0%	0%
74 Copper and articles thereof	6	9	3	5	5	5	5	5	5	4	4	6	12	0%	0%
55 Man-made staple fibres	9	7	4	7	7	9	9	10	12	11	8	9	10	0%	0%
18 Cocoa and cocoa preparations	2	3	2	3	3	5	6	7	8	6	8	8	9	0%	0%
54 Man-made filaments; strip and the like	13	9	7	10	12	12	11	11	11	12	9	9	9	0%	0%
12 Oil seeds and oleaginous fruits; misce	3	2	3	3	3	4	4	4	5	7	7	7	9	0%	0%
59 Impregnated, coated, covered or lamin	6	6	5	6	7	9	9	10	12	11	8	9	8	0%	0%
07 Edible vegetables and certain roots an	0	1	1	1	1	3	1	1	2	3	6	7	8	0%	0%
17 Sugars and sugar confectionery	5	4	3	4	5	5	4	5	6	6	9	7	7	0%	0%
93 Arms and ammunition; parts and acces	2	0	1	1	4	4	4	2	2	3	5	9	7	0%	0%
37 Photographic or cinematographic goods	7	7	11	11	14	14	10	8	7	5	5	5	7	0%	0%
13 Lac; gums, resins and other vegetable	3	2	2	4	4	5	4	5	6	5	4	6	7	0%	0%
03 Fish and crustaceans, molluscs and oth	0	0	0	0	0	5	8	6	1	1	2	4	6	0%	0%
89 Ships, boats and floating structures	2	4	8	8	15	11	59	71	71	19	12	6	6	1%	0%
10 Cereals	0	9	0	5	0	0	6	10	36	4	0	8	6	0%	0%
52 Cotton	8	9	7	8	10	11	11	11	9	9	7	6	6	0%	0%
02 Meat and edible meat offal	1	2	1	2	1	1	2	3	3	2	2	4	6	0%	0%
63 Other made up textile articles; sets; w	3	2	1	2	3	2	2	3	4	4	5	4	6	0%	0%
60 Knitted or crocheted fabrics	5	4	5	4	6	5	5	6	6	6	6	5	6	0%	0%
24 Tobacco and manufactured tobacco sub	1	1	1	2	1	0	0	1	1	4	2	7	5	0%	0%
41 Raw hides and skins(other than furskin	2	1	1	1	1	3	3	4	3	2	3	3	4	0%	0%
16 Preparations of meat, of fish or of crus	1	1	1	1	2	2	2	4	4	5	3	3	4	0%	0%
86 Railway or tramway locomotives, rollin	4	1	2	6	55	12	10	14	51	26	75	13	3	0%	0%
51 Wool, fine or coarse animal hair; horse	3	4	3	2	3	4	5	6	5	4	4	4	3	0%	0%
57 Carpets and other textile floor coverinc	4	3	2	3	4	4	4	4	4	4	4	4	3	0%	0%
01 Live animals; animal products	1	2	0	1	1	1	2	2	1	2	1	2	3	0%	0%
65 Headgear and parts thereof	1	1	0	1	1	2	2	2	2	2	2	3	3	0%	0%
09 Coffee, tea, matÚ and spices	1	1	1	1	1	1	2	2	2	2	3	3	2	0%	0%
91 Clocks and watches and parts thereof	1	1	1	1	1	2	1	2	1	1	1	1	2	0%	0%
47 Pulp of wood or of other fibrous cellulo	1	1	1	3	1	1	1	1	1	1	1	2	2	0%	0%
53 Other vegetable textile fibres; paper y	1	1	1	1	1	1	1	1	1	1	1	1	2	0%	0%
58 Special woven fabrics; tufted textile fa	2	1	1	2	2	3	5	3	3	3	3	2	2	0%	0%
81 Other base metals; cermets; articles t	1	1	2	1	1	1	1	2	2	2	1	1	2	0%	0%
26 Ores, slag and ash	0	0	1	1	1	1	1	1	1	2	1	1	2	0%	0%
92 Musical instruments; parts and accesso	1	1	1	1	1	1	1	2	1	1	1	1	1	0%	0%
97 Works of art, collectors' pieces and ant	0	0	1	0	0	1	1	12	2	1	0	1	1	0%	0%
75 Nickel and articles thereof	1	1	1	1	1	1	1	1	1	1	1	1	1	0%	0%
05 Products of animal origin, not elsewhe	1	1	1	1	1	1	1	1	1	3	2	1	1	0%	0%
79 Zinc and articles thereof	0	0	0	0	0	1	0	0	0	0	0	4	1	0%	0%
50 Silk	0	0	0	0	0	0	0	0	0	0	1	1	1	0%	0%
45 Cork and articles of cork	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
36 Explosives; pyrotechnic products; matc	0	1	1	3	4	4	1	5	9	0	0	0	0	0%	0%
66 Umbrella, sun umbrellas, walking-stick	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
78 Lead and articles thereof	0	0	0	0	0	0	0	0	1	1	0	0	0	0%	0%
67 Prepared feathers and down and article	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
43 Furskins and artificial fur; manufacture	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
80 Tin and articles thereof		0		0	0	0	1	0	0	0	0	0	0	0%	0%
14 Vegetable plaiting materials; vegetable products n			0	0	0	0	0	0	0	0	0	0	0	0%	0%
46 Manufactures of straw, of esparto or ot	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%

(cont.)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2013 (%)	2019 (%)
Ecuador	**893**	**1,012**	**970**	**1,394**	**1,443**	**2,243**	**2,217**	**2,173**	**1,783**	**1,620**	**2,194**	**2,335**	**2,405**	**100%**	**100%**
84 Nuclear reactors, boilers, machinery ar	200	209	221	333	376	453	415	377	406	367	406	425	445	19%	19%
27 Mineral fuels, mineral oils and product	3	3	45	60	35	602	656	439	72	179	394	350	218	30%	9%
30 Pharmaceutical products	51	66	66	90	107	118	120	149	161	159	155	166	176	5%	7%
87 Vehicles other than railway or tramway	44	44	41	62	70	69	79	71	78	46	109	170	163	4%	7%
85 Electrical machinery and equipment an	123	117	80	86	115	160	146	144	180	128	142	107	136	7%	6%
86 Railway or tramway locomotives, rollin	0	0	0	0	1	14	4	8	48	5	2	15	111	0%	5%
48 Paper and paperboard; articles of pape	22	26	18	34	31	40	48	57	56	50	74	99	109	2%	5%
90 Optical, photographic, cinematographic	40	54	58	60	79	100	97	94	104	99	122	112	106	4%	4%
03 Fish and crustaceans, molluscs and oth	22	36	54	40	46	64	57	46	34	36	68	98	89	3%	4%
72 Iron and steel	43	52	34	51	42	56	51	50	54	37	60	68	67	2%	3%
39 Plastics and articles thereof	21	23	20	34	41	40	41	48	46	50	61	72	64	2%	3%
38 Miscellaneous chemical products	29	27	22	30	28	34	30	41	43	38	44	47	56	1%	2%
73 Articles of iron or steel	14	16	24	31	43	47	53	85	42	25	45	51	55	2%	2%
22 Beverages, spirits and vinegar	17	20	8	12	15	11	5	5	5	5	18	36	41	0%	2%
31 Fertilisers	16	22	35	50	58	35	31	44	34	28	31	36	36	1%	1%
29 Organic chemicals	27	31	29	42	36	37	30	29	34	35	40	40	35	1%	1%
32 Tanning or dyeing extracts; tannins an	18	18	16	19	23	29	28	31	30	25	31	33	32	1%	1%
33 Essential oils and resinoids; perfumery	14	14	11	14	15	18	15	17	21	18	25	25	31	1%	1%
89 Ships, boats and floating structures	5	21	4	12	9	8	10	46	13	3	4	10	31	0%	1%
21 Miscellaneous edible preparations	8	14	10	9	18	21	16	18	15	16	19	25	24	1%	1%
62 Articles of apparel and clothing access	4	2	2	3	3	7	10	12	12	11	14	18	22	0%	1%
69 Ceramic products	12	6	6	8	9	9	12	9	13	7	15	21	20	1%	1%
49 Printed books, newspapers, pictures ar	9	10	9	8	9	9	10	10	9	8	9	10	18	0%	1%
23 Residues and waste from the food indu	2	2	2	2	3	4	4	6	9	9	14	17	18	0%	1%
28 Inorganic chemicals; organic or inorgar	7	10	8	11	11	19	15	14	16	15	22	19	17	1%	1%
83 Miscellaneous articles of base metal	11	20	14	18	14	22	20	15	15	14	19	17	17	1%	1%
20 Preparations of vegetables, fruit, nuts	4	3	3	4	3	5	5	6	7	6	9	11	15	0%	1%
40 Rubber and articles thereof	9	11	14	17	13	13	13	16	15	11	16	16	14	1%	1%
61 Articles of apparel and clothing access	1	1	1	1	1	5	7	8	10	8	9	11	13	0%	1%
94 Furniture; bedding, mattresses, mattre	5	4	4	7	8	11	11	11	14	11	23	11	13	1%	1%
15 Animal or vegetable fats and oils and t	4	6	4	5	6	7	9	12	8	9	14	13	13	0%	1%
34 Soap, organic surface-active agents, w	6	6	5	6	6	7	8	9	8	8	12	12	12	0%	1%
35 Albuminoidal substances; modified sta	2	3	3	3	3	5	6	6	10	10	11	12	12	0%	1%
99 Commodities not specified according to	14	14	18	20	23	27	25	25	34	19	20	11	12	1%	0%
19 Preparations of cereals, flour, starch or	4	5	6	8	9	9	10	10	10	11	10	9	12	0%	0%
70 Glass and glassware	7	7	5	9	8	6	7	10	9	8	9	10	10	0%	0%
82 Tools, implements, cutlery, spoons and	7	7	7	8	12	12	11	11	10	9	10	10	10	0%	0%
76 Aluminum and articles thereof	3	3	3	4	5	5	6	5	5	5	10	9	10	0%	0%
05 Products of animal origin, not elsewhe	0	0	0	0	0	1	1	0	2	2	4	5	9	0%	0%
08 Edible fruit and nuts; peel of citrus fru	0	0	1	0	1	1	1	2	2	3	5	4	9	0%	0%
06 Live trees and other plants; bulbs, roo	5	4	4	5	5	5	6	5	6	7	7	8	9	0%	0%
68 Articles of stone, plaster, cement, asb	3	3	3	4	5	5	6	7	9	5	7	7	7	0%	0%
12 Oil seeds and oleaginous fruits; misce	2	2	2	2	3	3	3	4	4	5	5	5	6	0%	0%
25 Salt; sulphur; earths and stone; plaste	2	2	2	3	5	7	5	6	5	5	7	7	6	0%	0%
18 Cocoa and cocoa preparations	2	2	2	2	3	3	3	4	4	4	3	5	5	0%	0%
64 Footwear, gaiters and the like; parts o	1	1	1	1	1	2	2	2	2	2	3	4	5	0%	0%
55 Man-made staple fibres	8	9	6	10	11	10	8	9	6	4	5	6	5	0%	0%
96 Miscellaneous manufactured articles	5	4	4	6	5	5	5	7	5	3	5	5	5	0%	0%
56 Wadding, felt and nonwovens; special	1	2	3	3	3	5	5	3	4	4	5	4	5	0%	0%
44 Wood and articles of wood; wood char	3	2	3	5	6	8	7	4	4	6	3	5	4	0%	0%
17 Sugars and sugar confectionery	2	2	2	2	2	2	1	2	2	2	2	3	4	0%	0%
95 Toys, games and sports requisites; pa	2	3	3	3	3	5	4	4	2	5	4	5	4	0%	0%
88 Aircraft, spacecraft, and parts thereof	4	17	1	115	34	19	5	84	5	9	4	5	3	0%	0%
42 Articles of leather; saddlery and hame	1	1	1	1	1	1	2	2	1	1	2	2	2	0%	0%
74 Copper and articles thereof	1	1	1	1	2	1	1	2	2	1	1	2	2	0%	0%
59 Impregnated, coated, covered or lamin	1	1	1	1	1	2	2	2	3	2	2	3	2	0%	0%
11 Products of the milling industry; malt;	0	0	0	1	0	1	1	1	2	3	3	3	2	0%	0%
37 Photographic or cinematographic goods	4	3	6	4	4	4	4	4	3	2	1	1	2	0%	0%
65 Headgear and parts thereof	0	0	1	1	1	1	1	1	1	2	1	2	2	0%	0%
13 Lac; gums, resins and other vegetable	1	1	1	1	2	2	3	2	3	2	1	1	2	0%	0%
04 Dairy produce; birds' eggs; natural hor	1	1	0	1	1	1	1	0	0	0	1	1	2	0%	0%
71 Natural or cultured pearls, precious or	2	1	1	1	1	1	1	1	1	1	1	2	2	0%	0%
07 Edible vegetables and certain roots an	0	0	0	0	0	0	1	1	1	1	1	1	1	0%	0%
57 Carpets and other textile floor coverin	2	1	1	1	1	1	2	1	1	1	1	1	1	0%	0%
16 Preparations of meat, of fish or of crus	0	0	0	1	1	1	2	1	0	1	0	1	1	0%	0%
09 Coffee, tea, matÚ and spices	1	0	0	0	0	1	0	0	1	1	1	1	1	0%	0%
93 Arms and ammunition; parts and acces	1	0	7	0	0	0	0	1	1	0	0	1	1	0%	0%
54 Man-made filaments; strip and the like	1	1	0	0	1	1	1	1	1	1	1	1	1	0%	0%
63 Other made up textile articles; sets; w	0	0	0	0	0	1	1	1	1	1	1	1	1	0%	0%
58 Special woven fabrics; tufted textile fa	0	0	0	0	0	0	0	0	0	0	0	1	1	0%	0%
02 Meat and edible meat offal	0	0	0	0	0	0	1	1	1	0	1	1	1	0%	0%
47 Pulp of wood or of other fibrous cellulo	0	0	0	0	0	0	0	0	1	1	2	2	1	0%	0%
79 Zinc and articles thereof	0	0	0	0	0	0	0	0	0	0	0	0	1	0%	0%
52 Cotton	1	1	1	1	2	1	1	1	1	1	1	1	1	0%	0%
01 Live animals; animal products	0	0	0	0	1	0	0	1	1	0	0	1	1	0%	0%
91 Clocks and watches and parts thereof	1	1	1	1	1	1	1	0	0	1	0	0	0	0%	0%
60 Knitted or crocheted fabrics	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
78 Lead and articles thereof	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
75 Nickel and articles thereof	1	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
51 Wool, fine or coarse animal hair; horse	1	1	0	1	1	0	0	0	0	0	0	0	0	0%	0%
92 Musical instruments; parts and accesso	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
10 Cereals	0	8	0	0	0	0	3	0	0	1	0	0	0	0%	0%
45 Cork and articles of cork	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
81 Other base metals; cermets; articles t	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
24 Tobacco and manufactured tobacco sub	0	1	1	0	1	0	2	3	1	0	1	0	0	0%	0%
67 Prepared feathers and down and article	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
26 Ores, slag and ash	0	1	1	1	2	0	0	0	0	0	0	0	0	0%	0%
36 Explosives; pyrotechnic products; matc	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
97 Works of art, collectors' pieces and ant	0	0	0	0	0	0	0	1	0	0	0	0	0	0%	0%
80 Tin and articles thereof	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
41 Raw hides and skins(other than furskin	1	1	0	0	0	0	0	0	0	0	0	0	0	0%	0%
66 Umbrella, sun umbrellas, walking-stick	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
43 Furskins and artificial fur; manufacture	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
53 Other vegetable textile fibres; paper y	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
46 Manufactures of straw, of esparto or of	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
50 Silk	0	0	0	0	0	0	0	0	0		0		0	0%	0%
14 Vegetable plaiting materials; vegetabl	0	0	0		0	0			0	0		0	0	0%	0%

(cont.)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2013 (%)	2019 (%)
Peru	**1,576**	**2,145**	**1,447**	**2,277**	**2,743**	**3,439**	**3,448**	**3,180**	**3,661**	**3,579**	**4,014**	**3,686**	**3,903**	**100%**	**100%**
84 Nuclear reactors, boilers, machinery ar	490	674	472	702	933	1,169	1,084	987	1,027	976	970	897	1,073	31%	27%
85 Electrical machinery and equipment an	177	222	136	260	313	390	357	306	355	329	425	326	346	10%	9%
87 Vehicles other than railway or tramway	87	117	77	194	275	308	351	243	276	304	304	298	276	10%	7%
30 Pharmaceutical products	45	49	67	85	93	104	140	156	193	181	203	198	226	4%	6%
90 Optical, photographic, cinematographic	72	66	76	97	95	131	140	140	159	162	197	192	217	4%	6%
38 Miscellaneous chemical products	29	31	32	40	43	74	48	56	64	134	149	125	146	1%	4%
39 Plastics and articles thereof	44	56	43	72	73	89	98	109	111	115	119	127	133	3%	3%
86 Railway or tramway locomotives, rollin	3	1	2	7	6	47	103	4	4	64	195	160	116	3%	3%
73 Articles of iron or steel	31	144	44	47	72	112	93	83	102	93	104	84	110	3%	3%
48 Paper and paperboard; articles of pape	67	83	52	77	75	85	83	92	107	88	83	115	90	2%	2%
40 Rubber and articles thereof	25	31	22	31	47	45	51	41	48	49	58	61	69	1%	2%
33 Essential oils and resinoids; perfumery	18	20	18	19	23	26	28	32	41	45	48	46	64	1%	2%
32 Tanning or dyeing extracts; tannins an	35	41	30	44	44	60	52	53	52	53	55	62	58	2%	1%
22 Beverages, spirits and vinegar	21	20	15	21	35	43	49	48	66	61	62	58	54	1%	1%
72 Iron and steel	92	192	50	99	81	104	74	61	58	64	60	51	51	2%	1%
29 Organic chemicals	28	35	31	43	43	52	46	46	59	57	63	64	48	1%	1%
21 Miscellaneous edible preparations	5	6	8	8	12	15	22	23	27	38	28	36	39	1%	1%
94 Furniture; bedding, mattresses, mattre	8	9	9	14	18	28	36	33	38	37	51	37	39	1%	1%
31 Fertilisers	15	32	16	22	30	45	38	32	28	34	33	39	38	1%	1%
95 Toys, games and sports requisites; pa	11	21	25	19	13	26	23	21	24	29	33	29	38	1%	1%
28 Inorganic chemicals; organic or inorgar	12	16	14	18	17	22	22	20	24	24	33	35	36	1%	1%
20 Preparations of vegetables, fruit, nuts	2	2	2	4	5	9	16	19	24	23	30	28	33	0%	1%
82 Tools, implements, cutlery, spoons and	12	15	15	25	32	35	29	32	31	32	28	33	32	1%	1%
27 Mineral fuels, mineral oils and products	7	7	8	17	32	44	32	29	55	25	72	62	30	1%	1%
34 Soap, organic surface-active agents, w	11	12	10	15	16	18	20	26	34	25	29	32	30	1%	1%
44 Wood and articles of wood; wood char	4	6	4	9	13	17	16	18	21	24	24	29	30	0%	1%
04 Dairy produce; birds' eggs; natural hor	24	13	6	8	13	20	13	29	22	15	22	28	29	0%	1%
69 Ceramic products	11	16	10	14	16	21	18	21	21	23	20	28	27	1%	1%
88 Aircraft, spacecraft, and parts thereof	2	2	3	29	26	16	32	20	156	95	51	5	27	1%	1%
19 Preparations of cereals, flour, starch o	12	9	9	10	12	11	17	19	22	28	24	29	26	0%	1%
49 Printed books, newspapers, pictures ar	11	22	16	15	29	22	27	28	29	27	34	42	26	1%	1%
35 Albuminoidal substances; modified sta	8	10	9	12	11	14	16	16	17	17	19	20	24	0%	1%
62 Articles of apparel and clothing access	4	4	4	4	6	11	12	15	17	17	17	18	22	0%	1%
99 Commodities not specified according to	13	19	15	24	28	30	38	52	60	42	25	23	18	1%	0%
23 Residues and waste from the food indu	1	2	2	3	4	5	6	7	12	10	12	15	17	0%	0%
76 Aluminum and articles thereof	18	11	6	10	8	10	10	13	14	11	14	16	17	0%	0%
11 Products of the milling industry; malt;	8	9	6	11	12	13	18	16	27	28	22	14	15	1%	0%
68 Articles of stone, plaster, cement, asb	5	5	4	7	10	12	11	11	15	13	14	15	14	0%	0%
55 Man-made staple fibres	9	10	6	9	12	15	13	12	12	12	14	14	13	0%	0%
61 Articles of apparel and clothing access	2	2	2	3	5	6	7	10	10	10	10	12	13	0%	0%
83 Miscellaneous articles of base metal	11	11	8	10	13	16	15	13	13	15	14	11	13	0%	0%
70 Glass and glassware	9	10	7	11	9	10	13	13	13	12	11	12	12	0%	0%
71 Natural or cultured pearls, precious or	6	4	3	3	4	5	5	6	7	8	8	11	11	0%	0%
96 Miscellaneous manufactured articles	3	4	3	4	5	5	10	7	7	7	8	9	10	0%	0%
89 Ships, boats and floating structures	1	1	1	9	4	8	8	53	8	3	80	2	9	0%	0%
51 Wool, fine or coarse animal hair; horse	2	2	1	2	1	2	2	2	4	6	9	8	9	0%	0%
56 Wadding, felt and nonwovens; special	2	2	2	2	2	3	3	6	6	5	4	8	8	0%	0%
15 Animal or vegetable fats and oils and t	3	2	2	5	3	5	4	5	10	9	12	7	8	0%	0%
59 Impregnated, coated, covered or lamin	3	3	3	4	4	4	4	5	6	5	5	6	8	0%	0%
25 Salt; sulphur; earths and stone; plaste	4	4	4	6	7	9	11	9	12	10	10	10	7	0%	0%
18 Cocoa and cocoa preparations	1	2	2	4	3	5	6	6	7	7	9	6	7	0%	0%
64 Footwear, gaiters and the like; parts o	1	1	1	1	1	3	3	4	4	5	5	5	7	0%	0%
12 Oil seeds and oleaginous fruits; misce	2	7	4	3	5	4	4	3	3	5	6	4	6	0%	0%
54 Man-made filaments; strip and the like	2	2	2	3	3	5	5	6	5	5	6	6	6	0%	0%
42 Articles of leather; saddlery and harne	2	1	1	1	2	3	4	5	4	5	4	5	6	0%	0%
97 Works of art, collectors' pieces and ant	0	0	1	0	0	0	2	1	1	1	4	2	5	0%	0%
03 Fish and crustaceans, molluscs and oth	0	1	1	15	2	0	3	2	1	3	3	6	5	0%	0%
93 Arms and ammunition; parts and acces	2	3	2	4	3	2	4	10	5	4	8	7	5	0%	0%
09 Coffee, tea, matÚ and spices	0	1	1	1	1	1	2	2	2	3	4	4	4	0%	0%
74 Copper and articles thereof	5	4	2	8	4	8	5	4	11	5	4	3	4	0%	0%
24 Tobacco and manufactured tobacco sub	0	0	0	1	1	1	1	1	2	3	3	3	3	0%	0%
63 Other made up textile articles; sets; w	1	1	2	1	1	2	3	3	7	4	4	3	3	0%	0%
17 Sugars and sugar confectionery	1	0	0	1	1	2	2	2	3	2	3	3	3	0%	0%
60 Knitted or crocheted fabrics	1	1	0	1	1	1	1	1	1	1	2	2	3	0%	0%
57 Carpets and other textile floor coverin	2	2	1	2	2	3	3	2	3	3	2	4	3	0%	0%
37 Photographic or cinematographic goods	3	5	1	4	4	5	6	5	5	4	3	2	3	0%	0%
05 Products of animal origin, not elsewhe	0	0	0	3	1	0	0	1	1	2	2	2	2	0%	0%
36 Explosives; pyrotechnic products; matc	0	1	0	0	1	2	2	3	3	2	2	3	2	0%	0%
13 Lac; gums, resins and other vegetable	2	6	1	2	1	2	2	2	2	2	2	2	2	0%	0%
06 Live trees and other plants; bulbs, roo	0	0	1	0	1	1	1	1	1	1	2	5	2	0%	0%
75 Nickel and articles thereof	2	2	1	1	1	2	1	1	1	1	2	2	2	0%	0%
92 Musical instruments; parts and accesso	0	0	0	0	0	1	1	1	1	1	1	1	1	0%	0%
16 Preparations of meat, of fish or of crus	0	1	4	1	1	1	1	1	1	1	2	1	1	0%	0%
02 Meat and edible meat offal	0	0	0	0	1	1	1	1	1	1	1	1	1	0%	0%
91 Clocks and watches and parts thereof	0	1	1	1	1	1	1	1	1	1	1	1	1	0%	0%
52 Cotton	2	3	1	2	3	3	2	2	2	2	2	2	1	0%	0%
47 Pulp of wood or of other fibrous cellulo	0	1	0	2	1	1	1	1	1	1	1	1	1	0%	0%
07 Edible vegetables and certain roots an	0	0	0	0	0	0	0	0	0	1	1	1	1	0%	0%
45 Cork and articles of cork	1	0	0	0	0	1	1	1	1	1	1	1	1	0%	0%
65 Headgear and parts thereof	0	0	0	1	0	0	0	1	1	1	1	1	1	0%	0%
08 Edible fruit and nuts; peel of citrus fru	0	0	0	0	0	0	0	0	0	0	0	0	1	0%	0%
26 Ores, slag and ash	19	13	1	1	10	2	0	0	4	0	2	3	1	0%	0%
58 Special woven fabrics; tufted textile fa	1	1	1	1	2	2	1	1	1	1	1	1	1	0%	0%
79 Zinc and articles thereof	0	0	0	0	0	0	0	0	0	0	0	0	1	0%	0%
81 Other base metals; cermets; articles t	0	0	0	0	1	1	1	0	1	1	1	3	1	0%	0%
01 Live animals; animal products	0	0	1	0	0	0	0	1	1	1	1	1	1	0%	0%
10 Cereals	0	0	0	1	0	0	13	5	14	0	1	0	0	0%	0%
41 Raw hides and skins(other than furskir	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
53 Other vegetable textile fibres; paper y	0	1	0	0	0	0	0	0	0	0	0	0	0	0%	0%
14 Vegetable plaiting materials; vegetabl	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
66 Umbrella, sun umbrellas, walking-stick	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
67 Prepared feathers and down and article	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
43 Furskins and artificial fur; manufacture	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
46 Manufactures of straw, of esparto or ot	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
50 Silk	0	0	0	1	0	0	0	0	0	0	0	0	0	0%	0%
78 Lead and articles thereof	0	0	0	0	0	0	0	0	5	0	0	0	0	0%	0%
80 Tin and articles thereof	0	0	0	0	0	0	0	0	0	1	0	0	0	0%	0%

Source: EU COMEXT database [accessed October 2020]

Table 5: Selected EU imports from Colombia, by HS heading/sub-heading, 2007-2019 (EUR million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
0803 Bananas, including plantains, fi	**655.5**	**823.8**	**792.5**	**785.6**	**775.4**	**787.6**	**765.6**	**717.7**	**877.8**	**862.2**	**950.3**	**892.0**	**880.2**	**3.7**	**2.3**	**0.7**	**1.6**	
2701 Coal; briquettes, ovoids and sir	**1,387.0**	**2,337.8**	**1,823.4**	**1,909.3**	**3,248.7**	**3,603.6**	**2,643.6**	**2,336.8**	**2,396.9**	**1,979.9**	**2,056.4**	**1,640.9**	**799.8**	**21.0**	**-13.9**	**-26.1**	**-19.3**	
0901 Coffee, whether or not roaste	**517.6**	**525.3**	**323.5**	**306.7**	**490.5**	**405.2**	**369.5**	**517.8**	**626.7**	**588.6**	**612.6**	**490.0**	**516.4**	**-4.8**	**9.8**	**-4.3**	**3.5**	
7108 Gold (including gold plated with	**1.8**	**2.5**	**4.9**	**38.9**	**74.7**	**38.0**	**1.9**	**8.8**	**43.0**	**5.0**	**14.1**	**101.8**	**466.9**	**85.0**	**-39.8**	**353.7**	**43.1**	
1511 Palm oil and its fractions, whet	**117.5**	**158.8**	**52.4**	**12.4**	**73.8**	**63.8**	**66.8**	**78.2**	**133.1**	**173.7**	**303.9**	**265.5**	**248.6**	**-11.5**	**28.4**	**12.7**	**21.4**	
0603 Cut flowers and flower buds of	**117.4**	**120.3**	**112.2**	**120.1**	**112.5**	**123.9**	**123.4**	**146.7**	**154.2**	**153.4**	**149.2**	**161.1**	**173.9**	**1.1**	**5.5**	**4.3**	**5.0**	
06031x Fresh cut flowers	116.1	119.3	109.4	114.7	107.0	114.5	111.0	132.0	135.9	133.2	132.1	143.8	153.7	-0.3	3.8	4.9	4.3	
060390 Dried, dyed, bleached, imp	1.3	1.0	2.8	5.4	5.6	9.4	12.4	14.7	18.4	20.3	17.1	17.4	20.2	49.1	21.3	-0.1	11.6	
0804 Dates, figs, pineapples, avocac	**0.3**	**0.3**	**0.4**	**0.5**	**0.8**	**1.1**	**1.7**	**6.0**	**17.3**	**51.1**	**72.6**	**65.8**	**124.5**	**31.0**	**160.1**	**34.6**	**96.1**	
080440 Fresh or dried avocados	0.0	0.0	0.0	0.1	0.2	0.0	0.9	3.6	12.7	42.5	59.6	56.6	118.4	-62.5	7974.8	40.7	1323.3	
080430 Fresh or dried pineapples	0.1	0.1	0.2	0.2	0.4	0.9	0.3	1.9	3.6	7.3	11.5	7.3	3.3	45.7	69.8	-23.0	21.0	
2704 Coke and semi-coke of coal, of	**8.9**	**34.8**	**9.9**	**59.4**	**41.0**	**69.3**	**77.0**	**51.2**	**40.6**	**42.7**	**32.9**	**87.6**	**112.0**	**50.8**	**-11.4**	**38.0**	**7.1**	
7103 Precious stones (other than dia	**10.0**	**14.3**	**10.0**	**14.6**	**17.9**	**33.1**	**39.3**	**50.4**	**52.8**	**54.8**	**71.0**	**107.7**	**105.5**	**27.0**	**13.4**	**24.4**	**18.0**	
081090 Fresh tamarinds, cashew ap	**30.0**	**29.6**	**30.6**	**31.4**	**33.9**	**37.9**	**39.0**	**44.8**	**53.9**	**53.6**	**57.7**	**60.6**	**70.1**	**4.8**	**9.1**	**9.4**	**9.2**	
1701 Cane or beet sugar and chemic	**1.5**	**2.2**	**3.5**	**2.4**	**13.0**	**9.3**	**27.1**	**35.7**	**39.1**	**45.0**	**48.1**	**38.0**	**62.2**	**44.3**	**48.2**	**11.4**	**31.1**	
170199 Cane or beet sugar and che	0.9	0.8	1.6	1.4	9.9	4.3	21.4	19.7	22.3	24.5	28.6	17.8	39.3	36.5	54.9	17.1	37.4	
170114 Raw cane sugar, in solid fo						4.7	5.2	15.3	15.8	19.0	16.5	16.3	17.3	..	42.1	-3.1	20.6	
210111 Extracts, essences & concer	**30.0**	**30.3**	**31.6**	**36.6**	**42.8**	**43.6**	**35.6**	**32.4**	**48.5**	**46.7**	**45.8**	**46.0**	**49.1**	**7.8**	**1.8**	**1.6**	**1.7**	
720260 Ferro-nickel	**489.5**	**309.1**	**178.4**	**281.7**	**229.9**	**281.9**	**37.1**	**28.5**	**74.9**	**13.1**	**55.7**	**68.2**	**48.3**	**-10.4**	**-53.6**	**54.5**	**-22.3**	
160414 Prepared or preserved tuna	**63.4**	**77.3**	**47.3**	**40.1**	**53.3**	**64.4**	**64.5**	**53.4**	**30.1**	**23.3**	**43.2**	**57.1**	**47.4**	**0.3**	**-22.4**	**26.7**	**-4.3**	
7112 Waste and scrap of precious m	**1.9**	**2.9**	**0.3**	**2.2**	**2.0**	**0.8**	**0.3**	**1.0**	**0.9**	**1.5**	**1.0**	**26.8**	**45.6**	**-15.2**	**16.1**	**213.1**	**77.6**	
8411 Turbo-jets, turbo-propellers a	**5.0**	**2.3**	**5.9**	**5.5**	**6.6**	**2.4**	**22.6**	**24.4**	**29.5**	**23.5**	**85.9**	**32.0**	**45.4**	**-13.9**	**77.4**	**24.5**	**52.4**	
151321 Crude palm kernel and baba	**7.5**	**7.3**	**2.1**	**5.1**	**35.3**	**3.1**	**17.2**	**31.8**	**37.7**	**56.8**	**62.0**	**62.5**	**33.9**	**-15.9**	**106.3**	**-15.8**	**40.5**	
252310 Cement clinkers	**2.4**	**10.4**	**17.9**	**16.9**	**17.9**	**21.8**	**19.6**	**18.8**	**25.6**	**24.1**	**16.2**	**20.3**	**26.3**	**56.0**	**2.5**	**3.0**	**2.7**	
030617 Frozen shrimps and prawns,	**42.4**	**49.3**	**45.2**	**37.7**	**24.9**	**25.8**	**12.9**	**13.8**	**14.1**	**19.8**	**26.8**	**24.5**	**22.0**	**-9.5**	**-6.3**	**3.5**	**-2.2**	
7404 Copper waste and scrap.	**3.2**	**8.3**	**5.6**	**16.9**	**34.6**	**21.1**	**31.8**	**32.3**	**12.4**	**10.1**	**20.0**	**5.0**	**17.6**	**46.0**	**-16.8**	**20.3**	**-2.6**	
2008 Fruit, nuts and other edible pa	**3.7**	**4.5**	**7.9**	**8.7**	**7.6**	**8.1**	**7.5**	**9.0**	**13.4**	**12.3**	**12.7**	**12.7**	**17.0**	**17.2**	**11.0**	**11.3**	**11.1**	
0805 Citrus fruit, fresh or dried.	**2.5**	**2.0**	**1.8**	**2.2**	**1.3**	**1.5**	**1.5**	**3.5**	**4.8**	**5.7**	**8.9**	**14.8**	**16.4**	**-9.9**	**40.5**	**42.3**	**41.3**	
3921 Other plates, sheets, film, foil a	**5.0**	**7.6**	**8.3**	**10.3**	**9.2**	**9.1**	**7.3**	**7.6**	**10.8**	**15.8**	**18.3**	**21.4**	**15.2**	**12.8**	**14.8**	**-1.3**	**7.6**	
3923 Articles for the conveyance or	**1.2**	**1.9**	**1.7**	**1.7**	**1.4**	**1.2**	**1.0**	**1.4**	**7.4**	**9.9**	**7.1**	**9.3**	**11.4**	**-1.0**	**70.6**	**5.1**	**38.6**	
27SSS3 Confidential trade of chapte	**157.3**	**116.3**	**152.7**	**76.1**	**203.9**	**125.1**	**113.4**	**105.4**	**29.7**	**24.2**			**10.3**	**-4.5**	**-33.7**	**-24.7**	**-30.0**	
9018 Instruments and appliances us	**1.4**	**2.0**	**1.7**	**2.2**	**2.9**	**5.4**	**2.5**	**2.5**	**2.5**	**2.3**	**3.1**	**6.8**	**10.3**	**31.5**	**-19.1**	**64.0**	**9.5**	
1804 Cocoa butter, fat and oil.	**5.9**	**6.6**	**5.5**	**1.8**	**2.3**	**2.6**	**3.9**	**3.9**	**3.7**	**10.9**	**3.6**	**10.4**	**9.3**	**-15.4**	**43.8**	**-5.3**	**20.2**	
2401 Unmanufactured tobacco; toba	**4.4**	**7.3**	**3.3**	**4.2**	**7.1**	**9.5**	**28.4**	**10.7**	**16.1**	**10.0**	**12.2**	**10.8**	**8.8**	**16.6**	**1.2**	**-4.2**	**-1.1**	
2208 Undenatured ethyl alcohol of a	**1.7**	**1.4**	**1.8**	**2.8**	**4.3**	**4.3**	**5.6**	**4.0**	**6.2**	**5.9**	**6.9**	**5.9**	**6.7**	**20.6**	**8.0**	**4.3**	**6.4**	
7204 Ferrous waste and scrap; remo	**24.5**	**21.1**	**6.6**	**17.0**	**20.4**	**17.7**	**15.9**	**7.5**	**8.7**	**6.7**	**6.6**	**9.4**	**6.4**	**-6.3**	**-21.5**	**-1.6**	**-13.5**	
6203 Men's or boys' suits, ensemble	**8.4**	**8.3**	**10.0**	**10.6**	**9.7**	**12.4**	**9.6**	**10.9**	**10.5**	**8.0**	**8.0**	**6.5**	**6.4**	**8.1**	**-10.4**	**-7.2**	**-9.1**	
4107 Leather further prepared after	**4.6**	**5.1**	**2.1**	**7.3**	**6.5**	**3.7**	**3.1**	**6.3**	**5.2**	**6.2**	**8.2**	**6.5**	**5.9**	**-4.3**	**13.7**	**-2.1**	**6.7**	
3902 Polymers of propylene or of ot	**6.0**	**2.1**	**1.8**	**3.9**	**5.2**	**4.7**	**0.8**	**2.4**	**13.6**	**3.2**	**4.3**	**0.9**	**5.4**	**-4.9**	**-9.1**	**18.9**	**2.0**	
3503 Gelatin (including gelatin in rec	**1.4**	**2.2**	**3.5**	**2.1**	**3.8**	**2.5**	**2.0**	**2.5**	**5.0**	**2.7**	**9.8**	**7.3**	**5.2**	**12.9**	**1.2**	**25.3**	**10.9**	
1518 Animal or vegetable fats and o					**0.0**		**0.9**	**2.4**	**2.7**	**1.1**	**5.5**	**5.3**	**4.9**	**..**	**..**	**67.0**	**..**	
3004 Medicaments (excluding goods	**0.5**	**0.1**	**1.0**	**0.7**	**0.6**	**0.6**	**4.3**	**5.9**	**4.4**	**4.3**	**4.7**	**3.1**	**4.8**	**3.3**	**63.9**	**3.5**	**34.6**	
4104 Tanned or crust hides and skin	**32.9**	**18.1**	**9.5**	**18.1**	**27.8**	**27.6**	**23.8**	**42.9**	**39.6**	**21.5**	**12.6**	**7.3**	**4.3**	**-3.5**	**-6.0**	**-41.6**	**-23.3**	
6204 Women's or girls' suits, ensem	**5.6**	**4.3**	**4.6**	**6.9**	**4.8**	**3.7**	**3.4**	**2.4**	**3.3**	**3.3**	**5.8**	**3.9**	**4.3**	**-8.0**	**-2.6**	**9.0**	**2.2**	
1704 Sugar confectionery (including	**14.3**	**11.1**	**12.6**	**11.7**	**20.6**	**9.2**	**4.7**	**4.7**	**4.3**	**3.1**	**3.2**	**3.6**	**4.0**	**-8.5**	**-23.6**	**8.8**	**-11.1**	
9032 Automatic regulating or contro	**0.0**	**0.0**	**0.4**	**0.3**	**0.4**	**2.1**	**0.2**	**0.9**	**6.3**	**5.3**	**4.2**	**3.4**	**3.8**	**184.3**	**26.8**	**-10.6**	**9.2**	
1801 Cocoa beans, whole or broken	**0.9**	**1.7**	**2.7**	**6.6**	**3.1**	**2.1**	**5.7**	**7.8**	**12.6**	**20.1**	**16.5**	**4.7**	**3.8**	**19.5**	**75.7**	**-42.5**	**8.9**	
9602 Worked vegetable or mineral c	**0.3**	**0.6**	**0.5**	**0.7**	**1.1**	**1.5**	**2.3**	**3.4**	**3.5**	**4.4**	**4.5**	**3.9**	**3.6**	**35.0**	**31.0**	**-6.8**	**13.2**	
4803 Toilet or facial tissue stock, tov	**1.7**	**0.9**	**1.1**	**2.6**	**2.6**	**1.4**	**2.1**	**4.2**	**4.6**	**3.5**	**3.0**	**1.8**	**2.0**	**-3.3**	**25.4**	**-16.5**	**5.4**	
3920 Other plates, sheets, film, foil a	**3.4**	**6.6**	**9.0**	**8.1**	**6.9**	**4.9**	**5.4**	**5.4**	**3.7**	**3.4**	**3.0**	**2.2**	**1.3**	**7.3**	**-8.7**	**-27.2**	**-17.2**	
8517 Telephone sets, including telep	**5.2**	**6.3**	**9.8**	**9.8**	**6.6**	**10.8**	**10.8**	**12.0**	**4.2**	**4.4**	**3.6**	**2.0**	**1.3**	**15.7**	**-19.8**	**-34.4**	**-26.4**	
2713 Petroleum coke, petroleum bitu		**0.3**	**0.5**	**7.5**	**0.6**	**4.5**	**2.3**	**2.8**	**8.5**	**13.4**	**18.0**	**15.6**	**0.0**	**..**	**31.4**	**-91.9**	**-60.1**	
8802 Other aircraft (for example, he	**0.4**		**0.0**	**0.1**	**0.0**	**0.0**		**0.1**	**64.2**	**13.8**		**0.0**	**0.0**	**-36.1**	**316.9**	**-94.8**	**-36.2**	
2710 Petroleum oils and oils obtaine	**91.5**	**109.8**	**42.3**	**3.0**	**33.7**	**0.0**	**1.3**	**43.4**	**0.0**	**26.7**	**48.7**	**72.3**	**0.0**	**-84.5**	**657.7**	**-96.8**	**-27.4**	
2603 Copper ores and concentrates.								**13.0**	**34.7**	**15.5**	**27.0**	**30.6**	**0.0**	**..**	**..**	**-97.5**	**..**	
2709 Petroleum oils and oils obtaine	**45.9**		**36.4**	**275.8**	**1,051.0**	**2,108.1**	**2,669.7**	**3,352.8**	**1,462.4**	**720.1**	**357.6**	**294.2**	**0.0**	**115.0**	**-23.6**	**-99.6**	**-92.0**	

Note: Shows products with average import value of at least EUR 3 million per year over 2013-2019.
Source: EU COMEXT database [accessed October 2020]

Table 6: Selected EU imports from Peru, by HS heading/sub-heading, 2007-2019 (EUR million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
2603 Copper ores and concentrates	**658.2**	**866.7**	**750.9**	**1,518.6**	**1,691.4**	**1,562.1**	**1,330.5**	**1,018.8**	**989.6**	**703.9**	**1,082.9**	**975.0**	**807.8**	**18.9**	**-18.1**	**4.7**	**-9.0**	
0804 Dates, figs, pineapples, avocac	**79.4**	**119.9**	**107.2**	**139.5**	**170.6**	**169.0**	**243.7**	**236.2**	**359.6**	**462.6**	**528.5**	**555.3**	**639.0**	**16.3**	**28.6**	**11.4**	**20.9**	
080440 Fresh or dried avocados	45.6	73.3	65.3	83.2	102.2	97.8	146.9	150.2	228.1	315.3	379.6	377.9	447.8	16.5	34.0	12.4	24.3	
080450 Fresh or dried guavas, mar	33.4	46.4	41.6	56.1	68.1	70.9	84.9	85.2	130.6	145.0	147.0	172.6	185.5	16.2	19.6	8.6	14.7	
0901 Coffee, whether or not roaste	**227.3**	**291.7**	**295.5**	**455.1**	**624.8**	**545.6**	**371.7**	**361.9**	**350.5**	**377.6**	**358.0**	**331.3**	**331.8**	**19.1**	**-8.8**	**-4.2**	**-6.9**	
2608 Zinc ores and concentrates.	**758.5**	**224.9**	**127.2**	**292.3**	**246.9**	**255.7**	**247.7**	**275.0**	**221.1**	**356.3**	**594.3**	**523.6**	**317.4**	**-19.5**	**8.7**	**-3.8**	**3.1**	
0810 Other fruit, fresh.	**2.5**	**2.6**	**3.6**	**3.0**	**7.5**	**9.2**	**13.8**	**22.2**	**60.0**	**124.2**	**139.2**	**189.8**	**273.3**	**30.2**	**91.7**	**30.1**	**62.4**	
081040 Fresh cranberries, bilberries			0.0	0.0	0.1	0.4	4.6	9.4	37.9	96.0	104.8	149.7	229.4	..	295.0	33.7	148.3	
081090 Fresh tamarinds, cashew a	1.2	1.8	2.8	2.5	6.2	7.6	8.3	12.1	21.6	27.0	33.5	38.0	42.1	43.6	37.5	15.9	27.8	
2711 Petroleum gases and other gas				**122.1**	**443.5**	**671.2**	**359.1**	**254.1**	**229.4**	**372.9**	**670.8**	**456.2**	**266.4**	**..**	**-13.7**	**-10.6**	**-12.4**	
0307 Molluscs, whether in shell or nc	**90.3**	**91.7**	**74.5**	**134.0**	**163.4**	**138.1**	**136.8**	**171.8**	**174.7**	**168.4**	**171.9**	**224.9**	**253.4**	**8.9**	**5.1**	**14.6**	**9.1**	
7403 Refined copper and copper allo	**565.3**	**441.8**	**252.7**	**445.0**	**651.8**	**411.8**	**334.8**	**281.7**	**276.2**	**202.9**	**256.4**	**260.6**	**229.4**	**-6.1**	**-16.2**	**4.2**	**-8.0**	
0806 Grapes, fresh or dried.	**12.8**	**22.0**	**31.9**	**41.3**	**67.6**	**100.1**	**117.0**	**169.9**	**181.2**	**146.6**	**141.7**	**238.0**	**228.4**	**50.9**	**10.0**	**15.9**	**12.5**	
7901 Unwrought zinc.	**50.6**	**25.5**	**15.6**	**26.7**	**70.6**	**97.7**	**102.9**	**102.5**	**136.1**	**156.5**	**188.7**	**214.2**	**176.9**	**14.1**	**12.5**	**4.2**	**8.8**	
070920 Fresh or chilled asparagus	**84.9**	**92.0**	**90.0**	**102.9**	**109.5**	**123.2**	**128.6**	**130.4**	**157.8**	**158.2**	**147.3**	**150.5**	**157.8**	**7.7**	**6.4**	**-0.1**	**3.6**	
2005 Other vegetables prepared or	**145.6**	**150.8**	**109.3**	**117.1**	**159.6**	**148.6**	**148.1**	**153.5**	**170.3**	**166.4**	**162.7**	**146.5**	**140.6**	**0.4**	**2.9**	**-5.5**	**-0.8**	
200599 Vegetables and mixtures o	56.2	50.2	46.4	58.4	82.7	73.2	66.5	58.6	67.5	74.9	92.8	79.9	71.2	5.4	0.6	-1.7	-0.4	
200560 Asparagus, prepared or pre	87.9	99.9	61.9	58.1	76.1	74.1	80.5	93.3	101.3	89.1	68.4	65.6	68.0	-3.3	4.7	-8.6	-1.2	
2607 Lead ores and concentrates.	**58.5**	**87.8**	**65.8**	**81.0**	**138.6**	**71.8**	**97.4**	**162.2**	**130.8**	**145.9**	**113.2**	**58.3**	**120.5**	**4.2**	**19.4**	**-6.2**	**7.7**	
2207 Undenatured ethyl alcohol of a	**17.6**	**23.6**	**25.7**	**21.9**	**22.3**	**42.3**	**68.9**	**43.7**	**35.1**	**65.1**	**1.4**	**2.3**	**99.1**	**19.2**	**11.4**	**15.0**	**12.9**	
8001 Unwrought tin.	**161.4**	**214.0**	**131.2**	**268.0**	**267.9**	**110.3**	**90.3**	**149.1**	**129.4**	**106.2**	**136.9**	**94.1**	**89.8**	**-7.3**	**-1.0**	**-5.4**	**-2.9**	
0803 Bananas, including plantains, fi	**24.3**	**28.0**	**32.2**	**38.6**	**47.9**	**61.0**	**84.4**	**65.9**	**69.2**	**83.1**	**85.5**	**93.6**	**81.7**	**20.2**	**8.0**	**-0.6**	**4.3**	
1801 Cocoa beans, whole or broken	**5.9**	**9.1**	**14.7**	**15.3**	**22.7**	**43.3**	**47.9**	**64.8**	**126.0**	**156.6**	**98.6**	**73.2**	**78.6**	**49.0**	**37.9**	**-20.5**	**8.9**	
0805 Citrus fruit, fresh or dried.	**15.4**	**24.3**	**20.5**	**28.3**	**37.0**	**46.7**	**48.6**	**53.3**	**58.5**	**64.2**	**77.3**	**75.2**	**73.9**	**24.8**	**8.3**	**4.8**	**6.8**	
1604 Prepared or preserved fish; ca	**19.5**	**22.0**	**16.4**	**15.6**	**16.5**	**23.3**	**24.0**	**31.4**	**45.6**	**32.4**	**41.3**	**65.1**	**71.7**	**3.6**	**8.6**	**30.3**	**17.4**	
160414 Prepared or preserved tuna	1.3	3.8	3.2	5.3	5.0	4.3	10.5	10.5	17.2	7.1	21.0	38.2	43.3	27.8	13.0	83.1	39.0	
160416 Prepared or preserved anch	3.3	3.1	2.8	4.5	6.7	9.3	8.3	16.5	26.1	23.8	18.4	26.1	26.3	23.0	26.4	3.4	16.0	
1504 Fats and oils and their fractions	**75.6**	**63.7**	**65.8**	**64.4**	**78.1**	**167.6**	**66.8**	**90.2**	**90.0**	**47.5**	**53.7**	**89.2**	**66.4**	**17.3**	**-27.0**	**11.8**	**-12.4**	
2301 Flours, meals and pellets, of m	**251.3**	**164.5**	**266.2**	**262.6**	**210.3**	**252.8**	**136.2**	**181.0**	**60.0**	**86.7**	**23.8**	**34.7**	**57.5**	**0.1**	**-23.5**	**-12.8**	**-19.1**	
0811 Fruit and nuts, uncooked or co	**9.0**	**11.4**	**6.2**	**8.9**	**13.4**	**18.1**	**15.0**	**15.4**	**20.1**	**27.7**	**32.3**	**43.2**	**57.1**	**15.0**	**11.2**	**27.3**	**17.8**	
7108 Gold (including gold plated with		**8.3**	**103.6**	**172.1**	**216.0**	**186.9**	**271.1**	**45.0**	**24.0**	**10.1**	**34.4**	**84.6**	**49.5**	**..**	**-51.8**	**69.9**	**-17.3**	
2613 Molybdenum ores and concent	**129.2**	**118.2**	**36.5**	**72.1**	**61.4**	**56.3**		**0.5**	**41.6**	**26.4**	**33.6**	**45.0**	**49.0**	**-15.3**	**-17.3**	**22.9**	**-2.0**	
1804 Cocoa butter, fat and oil.	**15.5**	**23.1**	**16.6**	**14.2**	**10.2**	**9.4**	**14.3**	**18.8**	**24.5**	**32.5**	**24.8**	**34.2**	**44.2**	**-9.5**	**36.2**	**10.8**	**24.7**	
100850 Quinoa "Chenopodium quinc	**1.4**	**1.0**	**1.8**	**2.1**	**3.0**	**2.5**	**7.9**	**32.5**	**44.9**	**37.8**	**27.8**	**33.2**	**41.9**	**13.2**	**96.7**	**3.5**	**49.4**	
1209 Seeds, fruit and spores, of a ki	**2.4**	**4.5**	**11.5**	**10.5**	**16.9**	**21.5**	**21.3**	**20.4**	**28.3**	**28.8**	**31.2**	**37.9**	**40.1**	**55.5**	**7.6**	**11.6**	**9.3**	
2009 Fruit juices (including grape mu	**4.8**	**6.1**	**10.9**	**19.1**	**14.7**	**15.2**	**18.5**	**28.9**	**26.6**	**38.5**	**33.4**	**31.1**	**39.0**	**26.1**	**26.2**	**0.4**	**14.4**	
2616 Precious metal ores and conce	**1.0**	**14.4**	**42.2**	**67.9**	**101.7**	**90.4**	**4.6**	**10.1**	**11.4**	**18.1**	**19.1**	**21.4**	**36.3**	**148.5**	**-33.1**	**26.0**	**-12.2**	
0306 Crustaceans, whether in shell	**12.2**	**11.9**	**11.4**	**14.5**	**15.1**	**17.2**	**19.0**	**27.5**	**43.0**	**40.6**	**50.1**	**45.5**	**34.9**	**7.1**	**24.0**	**-5.0**	**10.6**	
3203 Colouring matter of vegetable	**15.0**	**15.0**	**16.6**	**79.5**	**85.3**	**38.5**	**22.5**	**29.1**	**38.4**	**50.8**	**48.3**	**39.5**	**31.3**	**20.7**	**7.2**	**-14.9**	**-2.9**	

(cont.)

(Table continued)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
6109 T-shirts, singlets and other ves	23.9	27.7	22.5	23.9	26.7	26.2	22.3	20.3	24.0	18.1	20.4	25.5	28.6	1.9	-8.8	16.4	1.2	
510539 Fine animal hair, carded or c	10.6	9.8	7.3	11.2	16.4	13.6	13.5	21.2	22.8	14.7	17.5	26.5	26.8	5.1	1.9	22.3	10.2	
2001 Vegetables, fruit, nuts and oth	7.3	6.8	6.9	8.6	10.8	12.2	14.8	17.4	20.6	19.6	18.6	25.0	27.2	10.8	12.5	11.5	12.1	
7905 Zinc plates, sheets, strip and fo	39.1	25.2	20.5	23.4	26.5	24.1	22.4	13.1	26.2	23.1	36.4	35.6	26.6	-9.2	-1.0	4.7	1.4	
1207 Other oil seeds and oleaginous	1.6	2.1	2.0	3.4	2.8	5.9	14.1	15.3	12.2	17.8	18.2	22.1	25.8	29.9	31.7	13.2	23.4	
2817 Zinc oxide; zinc peroxide.	35.2	21.2	7.6	16.7	21.4	15.9	12.8	16.0	23.7	16.5	25.6	34.0	22.4	-14.7	1.0	10.7	5.0	
2008 Fruit, nuts and other edible par	4.2	5.1	2.8	4.7	5.7	5.5	6.3	8.3	7.8	9.6	12.0	20.6	22.1	5.9	14.6	32.3	21.9	
091011 Ginger, neither crushed nor	0.3	0.3	0.5	1.9	2.4	1.2	2.2	4.1	11.3	10.4	19.7	18.3	17.6	31.1	70.4	19.4	46.3	
6105 Men's or boys' shirts, knitted o	29.2	28.4	25.4	26.6	28.5	25.2	21.4	21.1	25.4	22.0	23.6	24.7	19.9	-2.9	-3.4	-3.2	-3.3	
5109 Yarn of wool or of fine animal l	1.3	1.5	2.4	3.9	6.0	7.2	8.9	9.5	10.9	18.2	18.1	18.0	19.2	41.3	26.1	1.7	15.0	
070310 Fresh or chilled onions and s	1.0	1.4	0.9	1.4	2.1	3.1	4.4	5.0	5.7	8.9	9.1	13.7	18.2	25.8	30.0	27.0	28.7	
0904 Pepper of the genus Piper; dri	26.2	30.6	28.5	27.4	37.5	33.0	18.7	10.4	10.7	18.6	18.6	10.5	17.9	4.7	-13.4	-1.3	-8.4	
070810 Fresh or chilled peas "Pisum	4.8	4.5	3.9	3.7	6.9	8.6	9.7	10.1	8.0	11.6	11.3	13.5	17.6	12.5	7.9	14.8	10.8	
7112 Waste and scrap of precious m	0.6	0.2	0.1		0.0	0.2	0.3	0.2	1.1	26.9	0.3	19.7	17.2	-17.8	230.9	-13.9	85.8	
4409 Wood (including strips and frie	1.7	2.4	1.3	2.3	6.3	7.0	6.3	6.2	9.7	8.3	9.0	13.1	16.7	32.4	4.2	26.2	13.1	
0710 Vegetables (uncooked or cook	18.1	18.2	14.8	14.1	15.7	19.4	15.1	15.0	13.8	13.9	17.7	20.5	16.4	1.4	-8.0	5.7	-2.4	
0305 Fish, dried, salted or in brine; s	6.7	9.0	9.0	10.2	9.5	10.8	11.4	12.9	16.4	14.6	11.4	13.9	13.4	10.0	7.7	-2.9	3.1	
1005 Maize (corn).	4.2	6.3	6.3	7.3	5.2	7.7	8.4	7.7	9.7	8.7	10.5	14.5	12.6	12.7	3.3	13.1	7.4	
1605 Crustaceans, molluscs and oth	5.1	5.9	3.3	4.4	6.8	7.8	5.3	10.3	14.6	12.8	15.5	18.4	12.2	8.7	13.2	-1.6	6.6	
250850 Andalusite, kyanite and sillim			0.0	2.0	4.1	5.3	4.8	7.9	6.7	7.8	5.8	11.8	11.6	..	10.2	14.4	12.0	
7408 Copper wire.	6.9	7.8	3.3	6.8	8.5	8.9	4.2	4.9	5.4	8.6	11.1	12.4	11.4	5.2	-0.9	10.0	3.6	
330119 Essential oils of citrus fruit, v	1.8	3.2	3.2	2.4	4.0	4.5	5.1	6.3	7.9	8.5	12.5	6.9	9.4	20.1	17.3	3.3	11.1	
5107 Yarn of combed wool, not put	7.6	7.6	5.1	4.1	3.6	3.7	3.8	3.4	4.0	6.1	6.8	8.3	8.9	-13.5	13.3	13.5	13.4	
1211 Plants and parts of plants (incl	3.3	3.9	3.5	4.0	3.1	4.2	3.0	4.8	6.1	5.6	6.2	5.9	7.8	4.8	7.3	11.5	9.1	
0601 Bulbs, tubers, tuberous roots,	0.0	0.0	0.5	0.6	1.0	1.8	2.7	3.1	3.7	4.4	6.4	6.9	7.5	187.3	25.0	19.9	22.8	
1404 Vegetable products not elsewh	4.9	6.6	2.0	4.4	6.4	6.0	6.3	6.1	10.0	7.7	8.2	8.3	7.4	4.1	6.6	-1.2	3.2	
7907 Other articles of zinc.	16.5	8.2	3.4	4.8	5.5	4.6	4.4	6.2	5.4	5.7	8.0	7.8	6.5	-22.6	5.6	4.5	5.1	
0303 Fish, frozen, excluding fish fille	11.9	11.5	11.7	4.4	7.4	7.5	7.4	7.9	7.9	6.8	10.0	8.3	6.1	-8.9	-2.5	-3.6	-3.0	
1701 Cane or beet sugar and chemic	0.4	0.6	0.6	0.8	0.7	0.8	2.2	11.1	2.0	13.0	14.5	3.7	5.5	10.8	104.1	-24.9	33.0	
7402 Unrefined copper; copper anod	112.7	38.5	51.3	56.9	9.9	0.2	0.8	0.1	11.5	17.0	5.2	0.1	5.2	-73.1	221.9	-32.7	64.6	
510820 Combed yarn of fine animal	3.0	2.5	2.0	3.2	4.8	5.1	5.8	5.9	5.7	4.9	4.2	5.9	5.1	11.5	-1.2	1.2	-0.2	
7404 Copper waste and scrap.	2.1	1.8	0.4	1.3	2.4	2.6	1.0	1.7	25.0	1.0	2.7	0.7	4.8	3.6	-21.5	70.7	9.5	
0713 Dried leguminous vegetables, s	7.3	7.2	7.3	9.1	10.3	10.0	10.0	7.2	5.7	6.0	5.1	4.2	4.6	6.5	-12.0	-8.6	-10.5	
1515 Other fixed vegetable fats and	0.8	1.3	1.8	2.7	3.9	6.5	6.8	6.9	5.8	3.1	3.6	3.3	3.9	52.7	-16.7	8.2	-6.8	
230800 Acorns, horse-chestnuts, ma	4.0	3.2	3.5	4.0	3.6	1.8	1.9	3.6	8.9	5.2	6.2	4.9	3.9	-14.8	30.0	-9.1	11.5	
7106 Silver (including silver plated w	22.7	9.5	3.8	0.0	0.2		0.0	0.0	8.7	8.0	9.8	14.9	2.2	-100.0	..	-34.7	..	
5205 Cotton yarn (other than sewin	11.8	10.9	6.5	7.9	11.2	11.6	13.9	12.1	12.3	6.6	2.3	2.2	1.4	-0.5	-13.0	-40.7	-26.2	

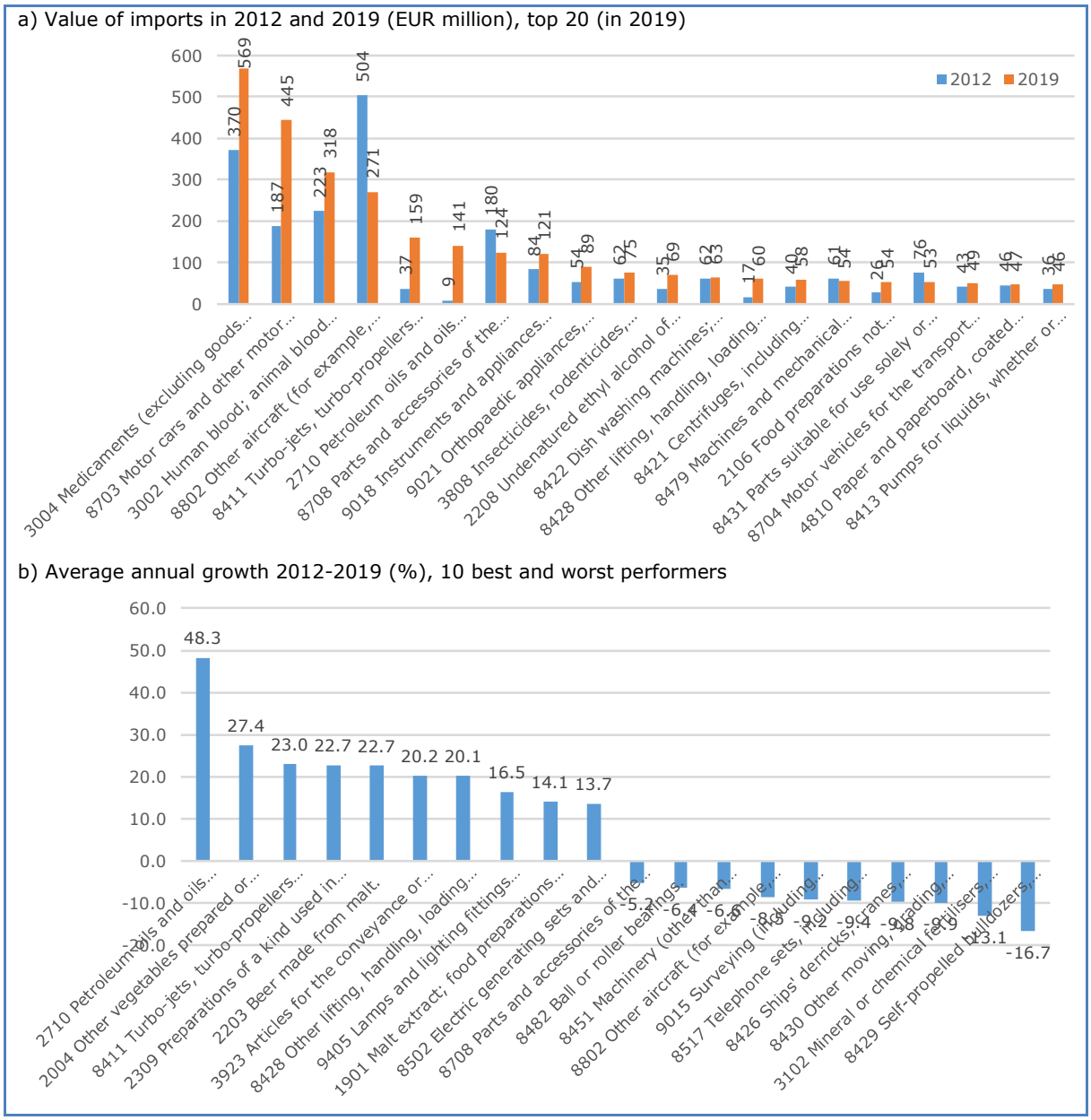
Note: Shows products with average import value of at least EUR 5 million per year over 2013-2019.
Source: EU COMEXT database [accessed October 2020]

Table 7: Selected EU imports from Ecuador, by HS heading/sub-heading, 2007-2019 (EUR million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
0803 Bananas, including plantains, f	**704.7**	**805.1**	**780.6**	**741.3**	**835.0**	**790.9**	**760.8**	**831.8**	**826.2**	**776.6**	**911.8**	**998.8**	**920.0**	**2.3**	**-0.5**	**5.8**	**2.2**	
1604 Prepared or preserved fish	**293.4**	**426.8**	**319.2**	**305.9**	**379.6**	**487.8**	**566.7**	**441.7**	**421.6**	**440.1**	**649.1**	**639.4**	**691.7**	**10.7**	**-2.5**	**16.3**	**5.1**	
160414 Preserved tunas	257.4	405.8	307.6	297.4	357.4	465.5	545.3	434.6	411.8	428.3	632.2	622.7	674.4	12.6	-2.1	16.3	5.4	
160420 Preserved fish	29.5	14.6	9.3	7.2	21.2	21.2	20.8	6.1	7.2	10.8	15.6	14.9	13.0	-6.4	-15.5	6.4	-6.8	
0306 Frozen shrimps & prawns	**247.4**	**313.6**	**267.4**	**352.3**	**414.0**	**424.5**	**462.5**	**585.5**	**565.4**	**625.5**	**647.9**	**616.2**	**623.9**	**11.4**	**10.2**	**-0.1**	**5.7**	
0603 Cut flowers	**113.9**	**131.2**	**125.4**	**135.1**	**141.7**	**153.7**	**149.6**	**170.4**	**187.1**	**187.1**	**185.3**	**205.0**	**213.6**	**6.2**	**5.0**	**4.5**	**4.8**	
06031x Fresh cut flowers	109.5	125.2	120.0	130.9	137.8	148.7	144.1	163.6	179.3	178.1	173.8	191.2	199.8	6.3	4.6	3.9	4.3	
060390 Prepared cut flowers	1.8	3.4	3.2	2.0	1.3	2.2	2.7	3.9	4.1	6.5	9.2	11.8	11.6	4.9	30.4	21.4	26.4	
180100 Cocoa beans	**75.5**	**66.0**	**68.2**	**118.2**	**112.9**	**101.9**	**79.5**	**96.2**	**137.2**	**177.4**	**164.1**	**139.2**	**170.5**	**6.2**	**14.9**	**-1.3**	**7.6**	
2008 Fruit	**41.6**	**39.2**	**39.4**	**40.2**	**44.8**	**47.7**	**45.2**	**44.1**	**51.1**	**49.3**	**46.5**	**45.1**	**47.1**	**2.8**	**0.8**	**-1.5**	**-0.2**	
200899 Other fruit	19.0	16.5	21.9	23.1	23.2	23.3	21.2	22.2	27.4	26.5	25.4	25.8	27.9	4.2	3.2	1.8	2.6	
200891 Palm hearts	22.3	22.3	17.0	16.7	21.2	24.2	23.6	21.8	23.6	22.7	20.8	19.2	19.1	1.7	-1.6	-5.6	-3.3	
210111 Coffee extracts	**45.1**	**54.2**	**52.1**	**60.8**	**75.4**	**121.2**	**108.6**	**93.3**	**97.9**	**71.3**	**68.4**	**43.8**	**34.4**	**21.9**	**-12.4**	**-21.5**	**-16.4**	
0804 Various fruits	**34.6**	**28.8**	**33.3**	**26.1**	**23.2**	**17.3**	**13.0**	**12.1**	**18.6**	**23.9**	**29.2**	**24.3**	**27.4**	**-12.9**	**8.4**	**4.6**	**6.8**	
080430 Fresh or dried pineapples	31.6	26.8	31.7	24.7	21.8	14.8	9.1	10.3	16.0	21.1	26.9	22.3	25.2	-14.1	9.2	6.2	7.9	
071080 Vegetables	**22.9**	**24.0**	**23.8**	**25.8**	**25.8**	**23.2**	**19.9**	**20.0**	**25.0**	**24.5**	**23.8**	**23.7**	**23.9**	**0.3**	**1.4**	**-0.8**	**0.5**	
4421 Other articles of wood	**28.5**	**26.6**	**16.9**	**13.7**	**15.7**	**13.9**	**14.1**	**15.3**	**18.0**	**26.2**	**26.0**	**23.5**	**24.3**	**-13.4**	**17.2**	**-2.5**	**8.3**	
0303 Fish, frozen excl fillets	**3.4**	**10.9**	**4.4**	**4.9**	**8.9**	**5.8**	**14.5**	**12.4**	**13.2**	**18.2**	**10.8**	**27.1**	**22.4**	**11.3**	**33.0**	**7.2**	**21.3**	
030357 Swordfish						1.4	2.8	3.6	6.9	9.4	3.0	8.1	11.4	..	60.6	6.8	34.8	
030342 Yellowfin tunas	0.4	2.2	1.1	2.5	2.9	1.9	8.7	5.9	2.1	6.2	4.3	14.1	8.3	34.5	33.9	10.2	23.2	
0304 Fish fillets	**5.2**	**8.2**	**11.3**	**15.8**	**19.1**	**18.3**	**13.1**	**9.2**	**14.0**	**16.3**	**15.1**	**11.4**	**21.1**	**28.4**	**-2.9**	**9.1**	**2.1**	
030487 Tuna fillets						13.3	9.6	7.4	10.7	14.6	13.3	9.9	16.6	..	2.4	4.4	3.3	
2009 Fruit juices	**37.1**	**29.2**	**43.0**	**40.2**	**31.6**	**29.7**	**31.3**	**50.1**	**43.7**	**48.0**	**24.1**	**28.8**	**18.3**	**-4.4**	**12.8**	**-27.5**	**-6.7**	
440722 Swan Virola, imbuia, balsa w	**3.5**	**7.2**	**6.4**	**9.0**	**10.2**	**13.1**	**11.8**	**11.7**	**19.1**	**17.9**	**14.0**	**12.9**	**17.8**	**30.3**	**8.1**	**-0.3**	**4.4**	
2401 Tobacco	**13.8**	**6.6**	**5.9**	**6.3**	**10.3**	**16.7**	**18.0**	**18.5**	**19.6**	**25.7**	**20.8**	**19.9**	**16.7**	**3.9**	**11.5**	**-13.5**	**0.0**	
1804 Cocoa butter, fat and oil	**9.6**	**14.5**	**10.1**	**11.1**	**8.8**	**8.3**	**7.9**	**9.4**	**7.7**	**27.6**	**16.7**	**19.1**	**12.8**	**-2.8**	**35.0**	**-22.5**	**6.4**	
7108 Gold		**0.0**	**0.0**			**0.0**	**0.7**	**4.3**	**1.2**			**13.9**	**12.1**	**..**	**-100.0**	**..**	**138.3**	
1605 Preserved shrimps & prawns	**5.7**	**8.1**	**3.8**	**3.6**	**9.4**	**7.2**	**9.3**	**17.6**	**13.4**	**18.4**	**16.5**	**16.7**	**10.7**	**4.9**	**26.4**	**-16.6**	**5.8**	
1511 Palm oil	**20.9**	**38.3**	**11.4**	**3.1**	**57.4**	**63.2**	**26.7**	**18.5**	**6.7**	**22.0**	**34.1**	**21.2**	**10.1**	**24.8**	**-23.2**	**-23.0**	**-23.1**	
5305 Coconut	**4.4**	**5.4**	**3.0**	**2.3**	**1.5**	**3.9**	**3.5**	**4.4**	**7.0**	**9.3**	**7.5**	**7.0**	**6.4**	**-2.4**	**24.6**	**-12.0**	**7.3**	
6504 Hats	**0.9**	**0.9**	**1.1**	**1.7**	**2.9**	**2.5**	**2.2**	**2.8**	**3.2**	**4.1**	**3.2**	**3.0**	**3.9**	**21.7**	**13.2**	**-1.6**	**6.6**	
0811 Fruit and nuts	**2.0**	**2.1**	**2.5**	**2.6**	**2.4**	**2.2**	**2.8**	**2.9**	**3.3**	**3.9**	**3.8**	**3.3**	**3.7**	**1.5**	**15.3**	**-2.0**	**7.5**	
6502 Hat-shapes	**0.8**	**0.9**	**1.2**	**1.9**	**3.0**	**1.8**	**1.1**	**2.1**	**4.0**	**4.6**	**2.9**	**3.2**	**3.5**	**17.1**	**26.8**	**-8.2**	**10.4**	
7404 Copper waste	**0.5**		**0.1**	**1.4**	**0.7**	**2.2**	**4.2**	**5.5**	**3.3**	**1.9**	**2.0**	**6.7**	**3.5**	**35.3**	**-3.0**	**21.8**	**6.9**	
1803 Cocoa paste	**1.0**	**4.2**	**6.6**	**6.8**	**7.7**	**8.2**	**5.6**	**11.1**	**6.2**	**5.1**	**1.6**	**0.7**	**1.8**	**52.4**	**-11.1**	**-29.7**	**-19.6**	
1504 Fish fats and oils	**1.2**	**0.8**	**0.6**	**0.9**	**0.5**	**5.0**	**4.2**	**0.5**	**0.5**	**8.6**	**3.9**	**2.8**	**0.7**	**33.4**	**14.3**	**-56.4**	**-24.4**	
2709 Petroleum oils and oils obtaine				**27.8**	**40.7**		**105.8**	**47.8**	**0.0**	**0.0**	**0.0**	**0.0**		**..**	**..**	**-100.0**	**..**	

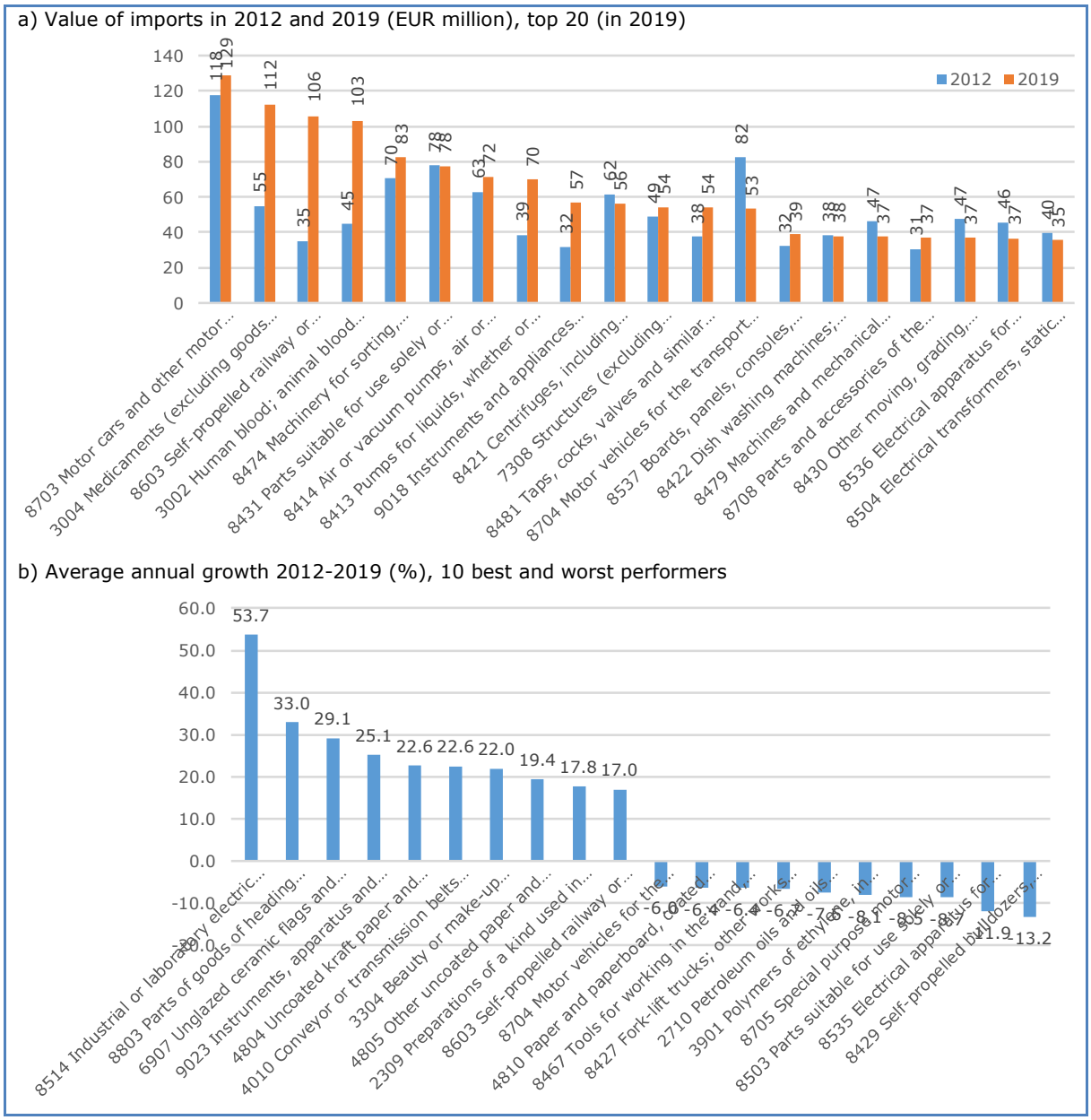
Note: Shows products with average import value of at least EUR 3 million per year over 2013-2019.
Source: EU COMEXT database [accessed October 2020]

Figure 3: EU exports to Colombia, selected products (HS 4-digit)



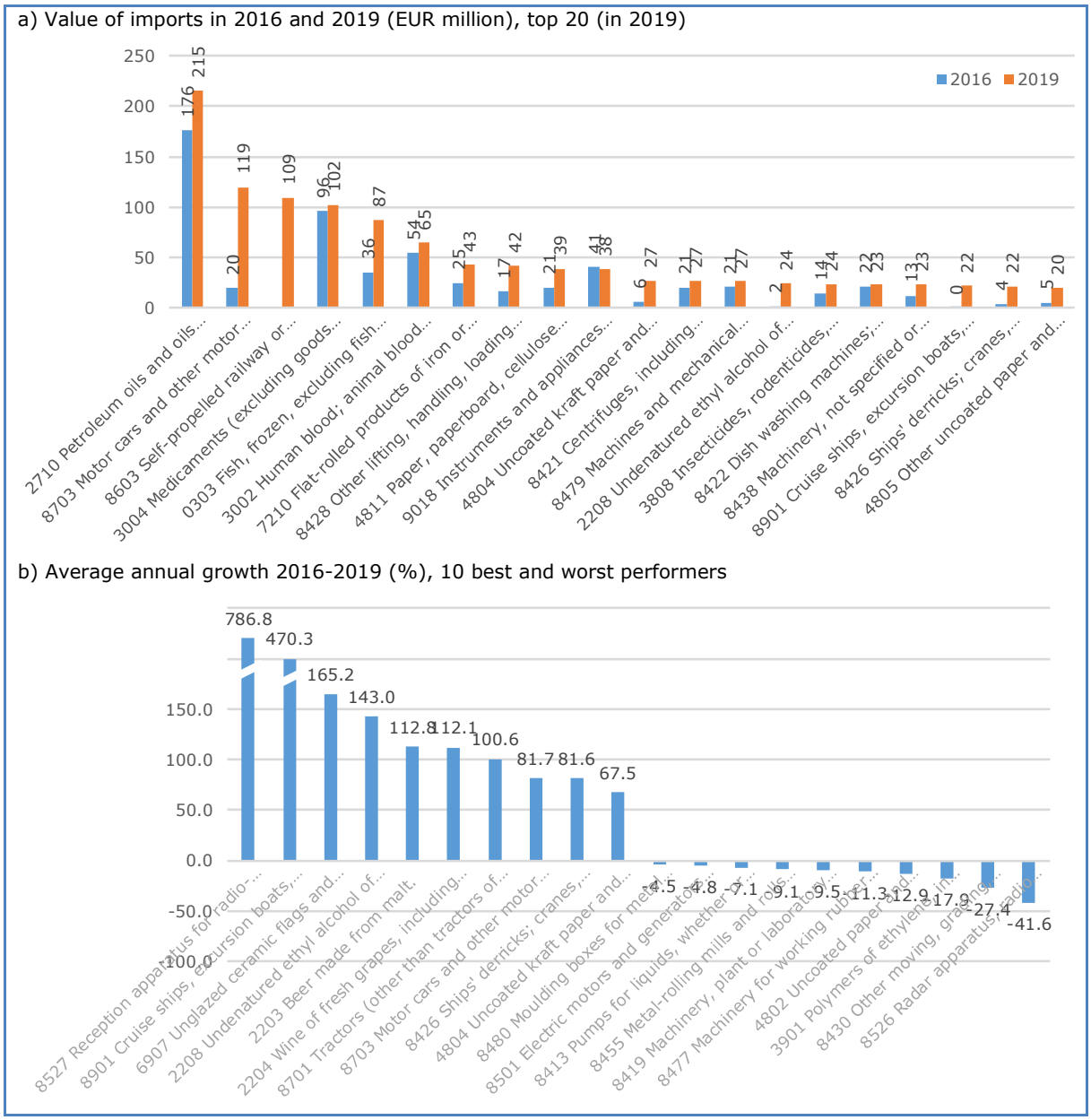
Note: Growth performance only includes products with export value of at least EUR 5 million in 2019.
Source: Authors' calculations based on EU COMEXT database.

Figure 4: EU exports to Peru, selected products (HS 4-digit)



Note: Growth performance only includes products with export value of at least EUR 5 million in 2019.
Source: Authors' calculations based on EU COMEXT database.

Figure 5: EU exports to Ecuador, selected products (HS 4-digit)



Note: Growth performance only includes products with export value of at least EUR 3 million in 2019.
Source: Authors' calculations based on EU COMEXT database.

Table 8: Selected EU exports to Colombia, by HS heading, 2007-2019 (EUR million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
3004 Medicaments (excluding goods of	122.6	143.3	169.3	236.2	266.3	370.4	431.2	446.6	530.7	462.8	447.3	482.1	569.2	**24.8**	**5.7**	**7.1**	**6.3**	
8703 Motor cars and other motor vehic	104.8	121.5	80.2	143.3	185.7	187.0	161.6	189.0	264.8	254.7	259.4	343.6	444.9	**12.3**	**8.0**	**20.4**	**13.2**	
3002 Human blood; animal blood prepa	54.5	56.3	84.6	102.5	169.5	223.4	202.9	217.5	256.1	185.9	246.6	300.7	317.8	32.6	-4.5	19.6	5.2	
8802 Other aircraft (for example, helic		416.5	619.7	298.3	439.1	503.6	670.3	860.8	517.6	214.9	257.4	219.3	270.7	..	-19.2	8.0	-8.5	
8411 Turbo-jets, turbo-propellers and	29.3	14.9	25.5	23.1	50.1	37.2	40.2	93.1	87.1	18.8	157.3	70.6	158.6	**4.9**	**-15.7**	**103.7**	**23.0**	
2710 Petroleum oils and oils obtained	29.4	2.3	2.9	13.0	89.2	8.9	67.2	27.0	99.3	112.9	138.9	117.5	140.7	**-21.2**	**88.5**	**7.6**	**48.3**	
8708 Parts and accessories of the mot	139.4	75.8	74.4	104.0	115.7	179.7	160.0	148.5	157.9	143.6	130.9	128.5	123.8	**5.2**	**-5.4**	**-4.8**	**-5.2**	
9018 Instruments and appliances used	45.5	45.7	48.4	62.3	78.2	83.5	95.3	109.9	124.6	104.9	104.3	113.4	120.8	12.9	5.9	4.8	5.4	
9021 Orthopaedic appliances, includin	18.2	21.4	21.9	30.1	40.5	54.1	59.1	71.3	82.7	76.9	75.4	86.7	88.5	24.3	9.2	4.8	7.3	
3808 Insecticides, rodenticides, fungic	30.8	38.8	32.3	38.4	43.9	62.1	67.2	52.6	75.5	78.2	77.2	64.2	75.4	**15.1**	**6.0**	**-1.2**	**2.8**	
2208 Undenatured ethyl alcohol of an	29.2	23.9	21.7	18.8	30.8	35.1	34.4	41.3	42.2	43.7	35.3	46.0	69.1	**3.7**	**5.7**	**16.5**	**10.2**	
8422 Dish washing machines; machine	104.2	48.2	43.9	39.0	44.9	62.1	63.6	80.7	72.5	55.5	88.0	79.4	63.2	**-9.9**	**-2.8**	**4.4**	**0.3**	
8428 Other lifting, handling, loading o	21.3	17.7	14.5	17.9	23.5	16.6	15.8	58.7	48.4	24.4	36.5	27.9	60.1	**-4.8**	**10.0**	**35.2**	**20.1**	
8421 Centrifuges, including centrifugal	21.2	17.6	17.2	29.1	28.8	40.3	38.2	38.0	49.3	51.3	57.2	59.4	58.0	**13.7**	**6.2**	**4.2**	**5.3**	
8479 Machines and mechanical appliar	53.9	50.3	31.1	42.5	50.4	61.3	52.5	91.5	65.8	58.8	58.2	53.2	54.2	**2.6**	**-1.1**	**-2.7**	**-1.8**	
2106 Food preparations not elsewhere	15.3	16.9	7.6	12.6	16.9	26.0	34.9	37.1	51.2	54.4	42.1	46.7	53.6	**11.2**	**20.3**	**-0.5**	**10.9**	
8431 Parts suitable for use solely or p	32.4	30.7	36.5	50.0	91.7	75.7	56.1	52.3	51.1	39.0	50.6	48.0	52.8	18.5	-15.3	10.6	-5.0	
8704 Motor vehicles for the transport o	7.9	9.1	5.8	26.6	32.8	42.6	72.1	31.4	23.9	23.1	42.7	41.2	49.1	40.0	-14.2	28.6	2.0	
4810 Paper and paperboard, coated on	59.6	54.4	33.1	47.6	45.4	45.6	49.2	52.9	57.5	59.1	63.3	70.5	46.7	**-5.2**	**6.7**	**-7.5**	**0.3**	
8413 Pumps for liquids, whether or not	16.4	16.2	17.5	26.2	30.0	36.0	34.4	37.2	36.4	33.4	38.2	35.7	46.3	**17.0**	**-1.9**	**11.5**	**3.6**	
4811 Paper, paperboard, cellulose wad	25.4	23.2	20.5	29.1	25.4	33.0	34.0	30.0	33.6	26.7	28.6	31.6	45.4	**5.4**	**-5.2**	**19.4**	**4.6**	
8477 Machinery for working rubber or p	25.0	28.3	21.7	23.2	28.6	37.4	47.0	33.7	36.9	30.8	36.0	32.2	45.0	**8.4**	**-4.7**	**13.4**	**2.7**	
3304 Beauty or make-up preparations	17.2	15.7	16.9	17.4	21.0	18.9	20.4	23.9	25.1	28.2	27.6	34.9	44.8	**1.9**	**10.5**	**16.6**	**13.1**	
7308 Structures (excluding prefabricate	3.0	7.5	6.5	6.7	15.4	35.6	40.5	51.2	34.2	27.5	31.2	30.2	44.3	**63.6**	**-6.3**	**17.2**	**3.2**	
8517 Telephone sets, including teleph	86.9	124.0	87.3	96.2	77.6	88.6	108.1	151.4	78.9	56.8	49.2	82.0	44.2	**0.4**	**-10.5**	**-8.0**	**-9.4**	
8419 Machinery, plant or laboratory eq	20.2	35.8	15.1	22.4	53.3	28.8	31.5	46.6	28.5	28.9	40.7	43.1	41.0	7.4	0.1	12.5	5.2	
9027 Instruments and apparatus for pl	16.1	20.1	16.0	24.3	23.3	28.3	28.8	31.8	35.2	30.1	33.9	40.4	38.5	12.0	1.6	8.5	4.5	
8536 Electrical apparatus for switching	31.8	29.4	30.3	39.3	43.6	48.6	46.6	41.5	42.6	36.2	37.8	37.0	37.6	**8.8**	**-7.1**	**1.2**	**-3.6**	
3920 Other plates, sheets, film, foil ar	13.7	12.9	15.1	18.3	20.2	24.6	24.2	24.4	29.5	31.2	32.0	36.6	37.4	**12.4**	**6.1**	**6.2**	**6.1**	
8414 Air or vacuum pumps, air or othe	18.5	17.1	19.8	26.5	27.4	46.9	34.2	58.5	42.8	31.1	31.1	35.5	36.7	**20.5**	**-9.8**	**5.7**	**-3.4**	
8438 Machinery, not specified or includ	44.0	33.0	21.6	19.0	20.8	38.9	33.5	45.5	39.7	23.6	54.2	41.9	35.5	**-2.4**	**-11.8**	**14.6**	**-1.3**	
2004 Other vegetables prepared or pre	0.5	0.7	1.0	2.5	3.7	6.4	7.3	12.0	16.9	23.1	22.6	28.5	35.0	**70.2**	**37.6**	**15.0**	**27.4**	
3824 Prepared binders for foundry mou	16.9	20.6	17.7	20.5	20.5	23.5	22.4	24.4	31.5	31.1	35.8	43.2	33.9	**6.8**	**7.3**	**2.9**	**5.4**	
8481 Taps, cocks, valves and similar a	18.7	22.2	27.0	28.2	41.3	43.7	49.4	46.2	31.0	25.2	24.9	24.9	33.0	**18.4**	**-12.8**	**9.3**	**-3.9**	
8502 Electric generating sets and rota	9.8	11.2	13.0	10.2	37.8	13.4	54.4	15.7	46.0	31.5	11.9	26.9	32.8	**6.4**	**23.9**	**1.4**	**13.7**	
8407 Spark-ignition reciprocating or ro	14.6	4.6	5.0	5.2	9.5	43.3	36.5	27.0	36.1	31.8	39.0	38.7	32.5	**24.3**	**-7.4**	**0.8**	**-4.0**	
3822 Diagnostic or laboratory reagents	12.0	15.4	16.2	19.7	22.4	27.0	28.9	29.8	31.5	30.8	28.2	28.8	31.6	**17.7**	**3.3**	**0.9**	**2.3**	
4011 New pneumatic tyres, of rubber.	15.7	16.2	13.6	16.8	27.4	30.4	43.0	43.9	43.6	38.4	35.8	32.5	31.3	**14.1**	**6.0**	**-6.5**	**0.4**	
3302 Mixtures of odoriferous substanc	11.4	8.8	8.1	11.3	13.7	15.7	15.0	19.6	19.5	21.3	20.1	23.5	31.0	**6.6**	**7.9**	**13.3**	**10.2**	

(cont.)

(Table continued)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
8441 Other machinery for making up p	10.6	16.5	10.9	12.7	14.7	21.9	35.0	19.4	26.8	22.1	17.2	11.0	30.2	**15.7**	**0.2**	**11.0**	**4.7**	
3923 Articles for the conveyance or pa	5.8	5.7	5.6	6.1	7.2	8.3	9.7	9.6	10.8	11.1	14.1	19.1	30.1	**7.3**	**7.5**	**39.4**	**20.2**	
6204 Women's or girls' suits, ensembl	1.9	3.3	4.0	4.9	9.7	15.7	17.2	18.7	19.4	21.0	21.7	24.4	29.2	**53.2**	**7.6**	**11.6**	**9.3**	
7216 Angles, shapes and sections of i	14.8	14.8	9.5	28.4	24.9	35.4	26.6	31.1	37.2	24.7	22.0	29.2	29.0	**19.1**	**-8.6**	**5.4**	**-2.8**	
4805 Other uncoated paper and paperb	1.5	1.5	3.5	6.9	9.8	13.6	8.0	8.9	11.1	16.4	18.6	19.6	28.9	**56.0**	**4.9**	**20.7**	**11.4**	
2933 Heterocyclic compounds with nitr	22.6	24.7	24.2	18.2	14.8	40.7	23.4	30.4	35.9	24.3	26.7	33.2	28.9	**12.5**	**-12.1**	**5.9**	**-4.8**	
8474 Machinery for sorting, screening,	22.7	31.3	23.8	19.8	33.2	36.5	37.9	47.1	37.5	30.2	24.4	32.8	28.2	**10.0**	**-4.7**	**-2.2**	**-3.6**	
3402 Organic surface-active agents (ot	9.1	10.8	8.8	10.7	13.8	14.1	16.0	18.3	22.3	24.6	23.9	25.9	27.8	**9.2**	**14.9**	**4.3**	**10.2**	
8537 Boards, panels, consoles, desks,	10.6	12.3	15.1	17.2	17.8	19.8	21.6	29.6	35.6	29.6	24.2	30.6	27.0	**13.3**	**10.5**	**-3.0**	**4.5**	
2309 Preparations of a kind used in an	4.4	4.7	3.3	4.5	3.8	6.4	8.4	10.5	12.8	9.7	56.6	28.8	26.8	**7.9**	**11.0**	**40.3**	**22.7**	
8443 Printing machinery used for printi	34.7	22.5	13.2	24.4	34.7	35.7	26.3	34.1	22.9	14.7	29.9	15.6	26.8	**0.6**	**-19.9**	**22.2**	**-4.0**	
4901 Printed books, brochures, leaflets	17.5	17.9	14.6	16.4	16.0	17.9	16.8	20.1	19.0	15.3	16.9	20.1	26.2	**0.5**	**-3.9**	**19.7**	**5.6**	
8409 Parts suitable for use solely or pi	12.1	11.2	9.7	18.4	26.4	26.8	29.7	24.9	21.3	17.8	21.3	20.4	26.0	**17.3**	**-9.7**	**13.5**	**-0.4**	
9405 Lamps and lighting fittings includ	4.0	3.5	2.8	4.3	6.0	8.6	8.8	13.8	17.7	15.3	16.6	18.3	25.0	**16.7**	**15.5**	**17.7**	**16.5**	
8504 Electrical transformers, static cor	11.0	12.5	11.5	16.5	20.9	23.5	24.2	35.4	27.7	29.4	23.1	27.1	24.7	**16.5**	**5.7**	**-5.6**	**0.7**	
8483 Transmission shafts (including ca	12.3	17.4	14.9	19.7	26.1	27.4	28.7	27.3	25.7	22.4	25.1	21.8	24.2	**17.4**	**-5.0**	**2.7**	**-1.8**	
3006 Pharmaceutical goods specified i	9.7	12.0	15.0	21.0	19.0	25.4	36.3	32.4	24.9	18.5	22.6	22.6	22.9	**21.2**	**-7.6**	**7.3**	**-1.5**	
3926 Other articles of plastics and arti	9.8	9.3	7.7	9.9	11.3	14.4	13.1	15.0	16.9	16.7	19.8	24.6	22.8	**8.0**	**3.6**	**11.0**	**6.7**	
8471 Automatic data processing machi	12.8	11.9	14.9	16.0	17.0	24.9	21.2	27.6	29.6	19.9	25.1	22.1	21.9	**14.2**	**-5.5**	**3.3**	**-1.8**	
9028 Gas, liquid or electricity supply o	6.6	8.5	8.5	13.0	13.8	11.1	14.1	27.1	13.2	17.1	15.5	19.2	21.6	**11.0**	**11.5**	**8.1**	**10.0**	
2203 Beer made from malt.	3.1	2.6	1.6	2.2	4.3	5.0	5.8	8.5	9.6	18.5	27.5	17.6	20.9	**10.1**	**38.7**	**4.2**	**22.7**	
3303 Perfumes and toilet waters.	8.0	7.6	5.2	5.9	8.4	9.6	13.2	10.8	7.9	7.7	13.3	14.7	20.7	**3.7**	**-5.1**	**38.7**	**11.6**	
8418 Refrigerators, freezers and other	5.4	4.1	5.2	7.0	8.8	11.3	12.1	12.2	12.7	14.9	15.5	16.3	20.3	**16.0**	**7.2**	**10.8**	**8.8**	
3901 Polymers of ethylene, in primary	16.6	10.9	9.0	27.6	24.1	20.5	21.2	34.5	17.9	18.3	24.0	25.0	20.0	**4.3**	**-2.8**	**3.2**	**-0.3**	
8711 Motorcycles (including mopeds) a	2.4	3.6	3.0	3.9	7.4	11.0	15.6	16.5	17.8	15.1	9.9	13.8	19.9	**35.5**	**8.1**	**9.6**	**8.8**	
9026 Instruments and apparatus for m	6.1	6.9	7.9	12.1	12.1	16.2	16.4	16.6	17.4	15.1	18.0	19.1	19.8	**21.4**	**-1.8**	**9.5**	**2.9**	
1901 Malt extract; food preparations o	9.0	7.2	8.3	6.1	7.4	7.7	8.7	11.8	15.8	23.8	17.9	17.0	19.4	**-3.0**	**32.6**	**-6.6**	**14.1**	
1509 Olive oil and its fractions, wheth	7.1	8.9	7.8	9.5	12.1	14.5	14.9	15.5	18.1	20.5	22.3	22.2	19.2	**15.5**	**9.0**	**-2.2**	**4.1**	
2204 Wine of fresh grapes, including f	7.0	4.9	5.2	5.7	7.1	8.7	8.5	10.9	11.8	15.8	14.0	13.6	19.0	**4.4**	**16.2**	**6.3**	**11.9**	
3909 Amino-resins, phenolic resins and	6.6	6.6	6.1	8.2	9.7	12.9	13.2	15.3	17.5	15.9	15.1	16.2	18.9	**14.2**	**5.4**	**6.0**	**5.7**	
4802 Uncoated paper and paperboard,	13.9	12.0	10.1	16.3	18.0	15.2	12.5	14.5	10.7	14.0	17.0	13.2	18.6	**1.7**	**-2.1**	**9.9**	**2.9**	
8429 Self-propelled bulldozers, angled	45.5	38.8	46.2	18.5	87.1	66.1	31.4	19.7	11.6	10.9	20.9	14.6	18.4	**7.7**	**-36.2**	**19.0**	**-16.7**	
3917 Tubes, pipes and hoses, and fitti	4.3	4.3	5.7	6.2	8.9	10.0	12.0	10.4	11.4	13.3	16.9	15.5	18.3	**18.3**	**7.3**	**11.2**	**8.9**	
3207 Prepared pigments, prepared opa	11.6	10.6	7.6	9.3	12.7	16.3	17.4	18.7	18.6	15.9	15.5	16.3	17.7	**7.0**	**-0.6**	**3.6**	**1.2**	
8427 Fork-lift trucks; other works truck	10.1	4.8	3.4	6.1	11.8	12.8	16.3	11.6	15.2	9.9	12.0	11.7	17.2	**4.7**	**-6.2**	**20.2**	**4.3**	
2936 Provitamins and vitamins, natura	6.8	13.6	13.4	12.8	12.0	12.5	12.2	13.8	13.2	15.2	19.8	22.2	17.2	**13.0**	**5.1**	**4.0**	**4.7**	
8436 Other agricultural, horticultural, f	4.9	6.2	6.4	6.9	7.6	8.8	10.8	13.7	15.0	15.0	11.9	9.5	17.0	**12.7**	**14.1**	**4.3**	**9.8**	
3906 Acrylic polymers in primary forms	7.4	13.2	6.2	11.6	13.4	15.2	15.2	16.9	11.9	12.9	15.8	16.3	17.0	**15.5**	**-4.0**	**9.7**	**1.6**	
9504 Articles for funfair, table or parlo	11.2	14.8	9.3	5.6	7.9	14.4	15.9	15.5	13.8	14.5	19.6	14.3	16.9	**5.2**	**0.2**	**5.3**	**2.4**	

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(Table continued)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
6203 Men's or boys' suits, ensembles,	1.5	1.7	2.6	3.2	5.2	7.4	8.1	11.0	12.4	13.8	16.6	15.9	16.8	**37.7**	**16.8**	**6.9**	**12.4**	
3507 Enzymes; prepared enzymes not	4.0	5.5	7.2	10.5	10.0	12.5	13.7	9.9	14.1	12.8	13.6	13.4	16.7	**25.4**	**0.5**	**9.3**	**4.2**	
8538 Parts suitable for use solely or p	9.9	11.2	9.6	14.8	13.1	14.4	17.7	18.1	21.7	19.1	20.0	16.6	16.5	**7.9**	**7.3**	**-4.8**	**2.0**	
9022 Apparatus based on the use of X	7.6	10.2	9.4	14.3	15.3	15.5	18.2	21.8	17.0	18.4	19.8	19.5	16.4	**15.3**	**4.5**	**-3.8**	**0.9**	
3305 Preparations for use on the hair.	4.0	4.0	4.0	5.7	9.3	7.7	7.7	7.5	9.0	9.6	11.9	13.1	16.0	**13.9**	**5.6**	**18.8**	**11.1**	
9031 Measuring or checking instrumen	10.7	10.7	6.4	10.3	12.1	14.0	12.4	20.4	15.8	13.9	15.9	15.4	16.0	**5.5**	**-0.2**	**4.8**	**1.9**	
3208 Paints and varnishes (including e	7.0	6.3	6.2	6.7	5.9	9.2	9.7	12.0	12.5	12.8	14.3	17.3	15.7	**5.5**	**8.7**	**7.2**	**8.0**	
8501 Electric motors and generators (e	6.4	6.8	10.0	15.5	17.2	9.1	14.4	17.2	12.6	13.9	14.4	9.4	15.2	**7.1**	**11.2**	**3.0**	**7.6**	
3102 Mineral or chemical fertilisers, ni	19.2	39.8	26.1	24.9	34.2	39.5	19.8	15.2	17.4	14.2	14.2	19.4	14.8	**15.6**	**-22.6**	**1.5**	**-13.1**	
3403 Lubricating preparations (includir	3.1	4.5	3.6	4.9	6.1	8.7	8.4	10.6	11.8	13.3	12.9	14.2	14.8	**22.9**	**11.2**	**3.5**	**7.8**	
9403 Other furniture and parts thereof	7.4	8.5	6.8	9.7	9.0	16.8	18.4	20.6	21.6	16.5	19.4	16.0	14.4	**17.9**	**-0.4**	**-4.5**	**-2.2**	
8535 Electrical apparatus for switching	7.2	10.2	9.9	9.7	12.7	17.5	11.2	9.5	17.1	25.8	21.5	18.3	14.2	**19.4**	**10.2**	**-18.0**	**-2.9**	
7326 Other articles of iron or steel.	7.6	5.0	5.9	9.8	14.7	14.6	13.7	13.1	14.0	10.1	11.5	13.2	14.1	**13.9**	**-8.9**	**12.0**	**-0.5**	
8302 Base metal mountings, fittings a	5.2	5.2	4.6	6.6	7.1	9.8	8.8	9.1	11.1	11.5	12.7	12.1	13.9	**13.6**	**4.1**	**6.4**	**5.1**	
6109 T-shirts, singlets and other vests	1.2	2.4	4.9	5.8	8.6	10.2	8.3	8.9	11.1	11.4	12.7	13.6	13.7	**53.2**	**3.0**	**6.2**	**4.3**	
3912 Cellulose and its chemical deriva	4.1	4.8	4.1	6.1	10.6	11.8	10.0	11.8	12.7	10.5	11.1	12.9	13.4	**23.7**	**-2.8**	**8.4**	**1.8**	
8424 Mechanical appliances (whether c	5.7	4.2	3.5	4.8	6.3	11.1	9.7	10.3	10.6	9.1	9.8	10.1	13.1	**14.3**	**-4.8**	**12.9**	**2.4**	
3907 Polyacetals, other polyethers and	7.9	5.9	5.3	7.2	8.2	9.4	9.0	12.0	18.6	16.0	13.0	12.1	12.7	**3.5**	**14.3**	**-7.6**	**4.3**	
9015 Surveying (including photogramm	5.6	17.1	17.4	19.0	23.3	24.8	21.4	12.5	14.4	6.5	9.3	8.2	12.6	**34.5**	**-28.5**	**24.9**	**-9.2**	
3204 Synthetic organic colouring matte	13.1	11.3	11.1	11.5	12.2	13.9	11.4	12.6	12.6	11.2	11.0	11.4	12.3	**1.1**	**-5.1**	**3.1**	**-1.7**	
8430 Other moving, grading, levelling,	18.4	7.2	5.4	32.6	33.2	24.4	29.9	14.8	19.9	9.7	17.7	7.6	11.7	**5.7**	**-20.6**	**6.6**	**-9.9**	
7318 Screws, bolts, nuts, coach screws	5.0	3.0	4.7	6.8	7.5	11.0	11.7	10.7	10.9	9.8	10.3	10.9	11.6	**17.1**	**-2.9**	**5.7**	**0.7**	
4806 Vegetable parchment, greaseproo	4.9	4.9	5.0	8.5	8.9	8.4	7.9	9.2	12.0	14.1	16.5	15.1	11.5	**11.5**	**14.0**	**-6.7**	**4.6**	
8803 Parts of goods of heading 88.01	4.5	25.0	6.5	4.1	6.1	13.2	13.1	11.4	9.6	11.8	23.9	5.8	11.0	**24.1**	**-2.8**	**-2.2**	**-2.5**	
3921 Other plates, sheets, film, foil ar	7.8	6.0	4.1	5.5	6.0	8.7	8.0	12.4	11.8	8.3	9.9	9.8	11.0	**2.2**	**-1.3**	**10.1**	**3.4**	
9032 Automatic regulating or controllir	9.0	5.2	4.2	8.8	7.7	13.8	11.6	11.4	16.3	13.4	9.5	9.2	10.9	**8.8**	**-0.7**	**-6.8**	**-3.4**	
9401 Seats (other than those of headi	12.7	8.9	6.8	10.2	11.7	14.1	15.2	13.1	13.9	12.6	10.0	11.1	10.7	**2.0**	**-2.7**	**-5.2**	**-3.8**	
3902 Polymers of propylene or of other	4.9	3.6	2.6	4.0	6.5	7.0	9.7	8.7	8.5	8.7	11.5	13.0	10.7	**7.5**	**5.5**	**7.2**	**6.2**	
8480 Moulding boxes for metal foundry	9.4	10.2	7.6	10.5	7.3	9.7	12.2	11.8	15.9	13.9	7.3	7.3	10.7	**0.5**	**9.5**	**-8.4**	**1.5**	
4016 Other articles of vulcanised rubb	5.2	4.0	4.5	7.3	9.1	9.6	10.0	12.0	9.7	10.1	9.0	9.9	10.5	**13.1**	**1.4**	**1.3**	**1.4**	
3815 Reaction initiators, reaction acce	4.6	6.4	4.5	7.2	8.5	10.8	10.9	11.3	12.6	11.1	11.0	10.0	10.2	**18.4**	**0.8**	**-2.9**	**-0.8**	
8426 Ships' derricks; cranes, including	20.4	15.0	6.4	9.3	23.1	19.9	19.3	16.1	18.2	10.7	8.6	5.3	9.7	**-0.4**	**-14.4**	**-3.3**	**-9.8**	
2922 Oxygen-function amino-compoun	2.4	4.2	5.2	7.6	6.6	9.4	9.1	9.7	13.3	13.3	10.7	11.5	9.6	**31.5**	**9.1**	**-10.2**	**0.4**	
8482 Ball or roller bearings.	8.9	8.4	8.5	12.0	12.5	14.4	12.0	12.3	14.0	14.1	9.8	9.3	9.0	**10.0**	**-0.5**	**-13.8**	**-6.4**	
2523 Portland cement, aluminous cem	0.4	0.6	3.0	2.7	3.1	5.3	9.7	21.7	28.1	19.0	11.4	10.2	9.0	**66.1**	**37.4**	**-21.9**	**7.8**	
8451 Machinery (other than machines	15.0	7.9	3.1	8.7	10.6	14.5	10.1	13.2	12.2	15.6	12.5	8.9	9.0	**-0.6**	**1.8**	**-16.8**	**-6.6**	
8467 Tools for working in the hand, pn	4.0	4.4	2.7	6.4	8.9	10.1	12.7	12.9	12.0	8.5	10.0	11.0	8.8	**20.5**	**-4.3**	**1.3**	**-1.9**	
8543 Electrical machines and apparatu	3.2	8.1	5.1	5.7	6.5	6.5	6.5	8.4	26.6	8.9	7.1	6.2	7.6	**15.4**	**8.4**	**-5.2**	**2.4**	
7118 Coin.			0.0				0.0	1.6	10.3	39.3	18.0	0.0	6.0	**..**	**..**	**-46.6**	**..**	
8603 Self-propelled railway or tramway					44.6	3.7		9.7	43.9	19.3	70.8	3.1	0.0	**..**	**51.1**	**-95.4**	**-66.3**	
8901 Cruise ships, excursion boats, fe			0.9			0.3	15.6	41.3	52.8		0.3	0.1		**..**	**-100.0**	**..**	**-100.0**	

Note: Shows products with average import value of at least EUR 10 million per year over 2013-2019.
Source: EU COMEXT database [accessed October 2020]

Table 9: Selected EU exports to Peru, by HS heading, 2007-2019 (EUR million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
8703 Motor cars and other motor vehic	35.7	45.8	31.6	67.1	90.8	117.6	110.2	98.0	142.5	128.4	167.5	138.7	128.8	**27.0**	**2.2**	**0.1**	**1.3**	
3004 Medicaments (excluding goods of	26.6	30.7	35.3	44.0	47.3	55.0	77.1	78.1	120.2	91.1	95.0	99.1	112.5	**15.7**	**13.5**	**7.3**	**10.8**	
8603 Self-propelled railway or tramway					0.5	35.2	88.3		0.6	49.6	186.8	152.4	105.8	**..**	**8.9**	**28.8**	**17.0**	
3002 Human blood; animal blood prep	13.6	10.1	26.5	36.3	40.5	44.7	55.6	67.2	58.0	73.6	94.3	91.3	103.3	**26.8**	**13.3**	**12.0**	**12.7**	
8474 Machinery for sorting, screening,	18.7	18.7	33.0	39.7	48.2	70.4	105.1	92.0	44.0	67.2	52.9	52.0	82.8	**30.3**	**-1.2**	**7.2**	**2.3**	
8431 Parts suitable for use solely or p	26.7	31.8	24.4	46.2	55.7	78.1	76.8	72.0	76.8	66.1	67.1	70.5	77.6	**23.9**	**-4.1**	**5.5**	**-0.1**	
8414 Air or vacuum pumps, air or othe	7.5	57.0	11.5	36.8	37.7	63.1	37.0	32.0	50.2	45.8	34.9	29.4	71.5	**52.9**	**-7.7**	**16.0**	**1.8**	
8413 Pumps for liquids, whether or not	16.9	23.9	20.1	22.8	46.7	38.6	38.7	38.0	49.9	43.5	55.0	45.5	69.7	**17.9**	**3.0**	**17.0**	**8.8**	
9018 Instruments and appliances used	19.9	16.5	22.9	28.9	29.0	32.0	42.4	37.5	39.5	43.3	44.8	52.3	56.5	**9.9**	**7.9**	**9.3**	**8.5**	
8421 Centrifuges, including centrifugal	20.6	22.8	14.1	26.2	36.0	61.7	60.9	55.6	46.4	44.4	48.9	46.3	56.0	**24.5**	**-7.9**	**8.0**	**-1.4**	
7308 Structures (excluding prefabricate	6.3	19.2	10.5	16.9	25.9	49.1	53.9	37.7	40.2	29.0	41.8	34.2	54.3	**50.8**	**-12.3**	**23.2**	**1.4**	
8481 Taps, cocks, valves and similar a	19.0	31.5	30.5	24.7	29.2	37.6	39.8	31.2	38.2	52.0	53.7	43.3	54.0	**14.6**	**8.4**	**1.3**	**5.3**	
8704 Motor vehicles for the transport o	21.3	28.9	16.1	59.5	91.9	82.5	97.7	35.5	38.2	89.9	47.5	57.7	53.3	**31.1**	**2.2**	**-16.0**	**-6.0**	
8537 Boards, panels, consoles, desks,	3.6	6.1	3.3	13.3	39.8	32.1	36.2	30.9	39.7	41.4	52.1	31.4	38.7	**54.6**	**6.6**	**-2.2**	**2.7**	
8422 Dish washing machines; machine	16.1	30.5	19.5	29.7	41.9	38.3	59.6	48.2	29.5	38.9	53.0	25.9	37.8	**18.9**	**0.4**	**-1.0**	**-0.2**	
8479 Machines and mechanical appliar	19.9	28.9	17.1	22.5	36.5	46.6	49.9	54.3	30.8	38.3	34.4	30.3	37.4	**18.5**	**-4.8**	**-0.8**	**-3.1**	
8708 Parts and accessories of the mot	14.9	16.4	13.8	20.3	23.5	30.7	31.9	28.1	33.2	33.5	32.7	32.8	37.2	**15.6**	**2.2**	**3.6**	**2.8**	
8430 Other moving, grading, levelling,	17.3	21.4	8.1	32.7	42.3	47.3	34.1	34.2	28.5	43.8	37.3	39.5	37.1	**22.3**	**-1.9**	**-5.4**	**-3.4**	
8536 Electrical apparatus for switchinc	20.7	22.1	19.6	31.0	32.4	45.8	50.0	46.5	46.4	41.8	42.0	39.5	36.7	**17.2**	**-2.3**	**-4.3**	**-3.1**	
8504 Electrical transformers, static cor	12.1	18.7	10.2	26.3	28.0	39.8	42.1	28.6	39.1	32.0	38.6	29.1	35.4	**26.9**	**-5.3**	**3.4**	**-1.6**	
2106 Food preparations not elsewhere	4.4	5.5	7.0	7.4	11.2	13.2	20.4	19.9	24.0	34.4	24.5	29.7	34.6	**24.4**	**27.1**	**0.2**	**14.8**	
8544 Insulated (including enamelled o	8.4	7.4	6.8	11.3	17.2	21.1	27.6	26.8	33.8	41.3	50.0	38.4	33.3	**20.1**	**18.3**	**-6.9**	**6.8**	
2208 Undenatured ethyl alcohol of an	14.7	12.8	9.6	14.1	25.0	29.5	35.0	34.5	52.1	47.1	45.4	39.7	32.9	**15.0**	**12.4**	**-11.3**	**1.6**	
8411 Turbo-jets, turbo-propellers and	4.1	44.8	8.3	19.0	17.6	28.2	9.8	12.7	42.9	53.5	23.8	32.4	32.2	**47.4**	**17.4**	**-15.5**	**1.9**	
9504 Articles for funfair, table or parlo	8.3	18.1	21.4	15.9	8.8	20.8	15.7	16.9	19.9	22.8	27.9	22.3	31.5	**20.1**	**2.3**	**11.3**	**6.1**	
8429 Self-propelled bulldozers, angled	19.2	28.6	33.8	50.7	78.7	84.5	72.6	53.7	53.4	26.2	34.0	16.6	31.4	**34.6**	**-25.4**	**6.2**	**-13.2**	
9027 Instruments and apparatus for pl	6.7	6.7	8.3	11.1	11.8	14.1	13.4	15.6	17.5	21.5	22.4	25.0	30.3	**16.0**	**11.2**	**12.1**	**11.6**	
8483 Transmission shafts (including ca	11.1	9.9	11.4	16.5	18.7	20.5	32.6	19.2	19.2	18.9	20.3	20.5	29.9	**13.0**	**-2.0**	**16.6**	**5.6**	
8517 Telephone sets, including teleph	61.4	45.9	26.5	38.3	34.6	36.4	27.5	41.2	39.7	32.2	43.8	35.8	29.9	**-9.9**	**-3.0**	**-2.5**	**-2.8**	
8701 Tractors (other than tractors of h	8.8	18.2	8.3	22.1	44.0	35.0	69.1	40.9	23.2	28.7	32.4	47.7	28.7	**31.9**	**-4.8**	**0.0**	**-2.8**	
8409 Parts suitable for use solely or p	19.3	24.2	17.8	23.6	23.2	22.4	20.9	21.7	20.4	17.6	17.7	20.1	27.1	**3.0**	**-5.9**	**15.5**	**2.8**	
7210 Flat-rolled products of iron or nor	32.9	29.3	22.5	36.3	39.4	36.1	35.8	31.0	24.3	40.6	38.8	29.3	26.8	**1.9**	**2.9**	**-12.9**	**-4.2**	
4810 Paper and paperboard, coated on	37.5	52.7	27.7	44.7	41.1	42.4	34.1	27.6	39.6	30.5	35.4	45.6	26.7	**2.5**	**-7.9**	**-4.3**	**-6.4**	
3304 Beauty or make-up preparations	4.7	3.9	3.3	4.0	5.2	6.6	6.7	9.9	11.2	14.4	15.4	16.8	26.6	**6.9**	**21.7**	**22.6**	**22.0**	
8514 Industrial or laboratory electric fu	0.3	1.0	2.8	2.5	2.8	1.3	2.6	1.3	1.9	2.2	2.5	1.4	26.3	**30.3**	**14.4**	**127.8**	**53.7**	
8426 Ships' derricks; cranes, including	6.7	10.7	4.3	7.4	14.2	32.8	29.5	37.1	27.3	11.0	9.5	11.2	25.6	**37.2**	**-24.0**	**32.8**	**-3.4**	
8477 Machinery for working rubber or p	16.0	18.4	14.3	19.1	44.3	36.8	38.3	23.7	17.4	40.7	40.1	42.1	25.4	**18.1**	**2.5**	**-14.6**	**-5.2**	
8501 Electric motors and generators (e	7.6	7.1	4.4	14.6	7.5	13.4	18.3	12.5	12.8	20.1	20.2	32.5	24.0	**12.0**	**10.7**	**6.0**	**8.7**	
8438 Machinery, not specified or incluc	24.4	29.8	16.8	23.1	38.0	34.7	34.0	28.7	24.9	32.1	23.5	36.0	23.5	**7.3**	**-1.9**	**-9.9**	**-5.4**	
3105 Mineral or chemical fertilisers cor	4.2	5.3	4.8	5.8	21.5	9.5	10.2	10.9	12.2	13.0	16.6	17.6	23.2	**17.7**	**8.2**	**21.3**	**13.6**	
2710 Petroleum oils and oils obtained	2.1	4.5	6.1	13.6	28.7	40.2	28.1	25.8	50.3	20.4	65.1	52.8	23.1	**80.7**	**-15.6**	**4.3**	**-7.6**	
4901 Printed books, brochures, leaflets	8.5	11.7	11.9	12.7	15.6	15.6	24.9	18.7	23.0	22.5	20.5	26.6	22.8	**12.9**	**9.6**	**0.5**	**5.6**	
8443 Printing machinery used for printi	16.0	11.4	14.2	23.3	27.8	27.2	18.0	20.2	19.2	23.3	19.4	22.8	21.6	**11.2**	**-3.8**	**-2.5**	**-3.2**	
4011 New pneumatic tyres, of rubber.	13.3	15.8	11.1	14.8	19.8	20.9	25.2	17.6	17.4	23.3	24.3	25.0	20.7	**9.4**	**2.8**	**-3.9**	**-0.1**	
1901 Malt extract; food preparations o	10.6	7.6	6.6	8.0	10.4	9.3	13.9	15.8	17.8	23.5	18.9	23.0	20.5	**-2.5**	**26.1**	**-4.4**	**12.0**	
8419 Machinery, plant or laboratory eq	10.5	19.7	12.5	15.7	18.6	22.6	20.3	22.9	35.3	32.9	51.3	24.5	20.1	**16.6**	**9.8**	**-15.1**	**-1.7**	
2004 Other vegetables prepared or pre	1.1	2.1	1.7	3.0	4.0	7.0	11.2	12.6	14.8	17.8	18.9	17.3	19.8	**43.8**	**26.5**	**3.6**	**16.1**	
8428 Other lifting, handling, loading o	8.6	11.8	12.6	17.7	15.0	28.1	31.2	34.9	43.6	28.1	32.2	24.5	19.8	**26.6**	**-0.1**	**-11.0**	**-4.9**	
8538 Parts suitable for use solely or p	4.5	5.0	6.0	8.4	12.9	10.2	10.6	12.6	11.7	10.4	10.8	10.6	19.0	**18.1**	**0.4**	**22.3**	**9.3**	
8207 Interchangeable tools for hand t	4.2	7.4	5.9	15.5	20.2	20.5	18.4	20.2	18.5	18.8	15.9	18.1	18.9	**37.2**	**-2.2**	**0.3**	**-1.1**	

(cont.)

(Table continued)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
6907 Unglazed ceramic flags and pavir	0.6	1.5	0.8	1.6	1.8	3.1	3.3	3.4	4.0	3.1	13.8	16.1	18.7	**39.1**	**-0.3**	**82.2**	**29.1**	
3808 Insecticides, rodenticides, fungic	6.7	5.9	6.3	8.8	8.7	10.3	11.2	13.5	15.5	16.6	16.6	15.9	18.4	**9.1**	**12.5**	**3.7**	**8.6**	
9022 Apparatus based on the use of X	7.3	8.7	8.5	10.8	10.9	15.8	13.6	16.5	12.6	12.7	21.7	14.5	17.6	**16.7**	**-5.4**	**11.7**	**1.6**	
4010 Conveyor or transmission belts o	2.4	3.4	2.5	3.3	3.5	4.2	9.1	4.8	11.3	6.0	9.7	10.1	17.6	**11.6**	**9.3**	**42.8**	**22.6**	
8418 Refrigerators, freezers and other	3.0	5.3	3.7	5.9	7.8	13.9	17.2	7.5	10.5	8.7	10.6	13.5	16.7	**35.7**	**-11.1**	**24.4**	**2.7**	
2309 Preparations of a kind used in an	1.2	1.5	1.5	2.9	4.1	5.3	6.3	6.9	12.1	9.7	12.1	14.8	16.7	**35.3**	**16.3**	**19.8**	**17.8**	
3926 Other articles of plastics and arti	3.4	5.1	4.5	6.1	6.4	7.7	10.8	9.6	10.9	10.1	11.8	13.6	16.6	**17.9**	**7.1**	**17.9**	**11.6**	
4804 Uncoated kraft paper and paperb	0.9	2.5	2.1	2.7	3.1	3.9	2.5	3.3	3.6	3.7	6.7	12.6	16.4	**35.5**	**-1.7**	**64.7**	**22.6**	
8408 Compression-ignition internal cor	17.0	21.0	7.2	16.8	12.0	17.4	12.0	12.1	29.8	14.3	16.7	17.3	15.7	**0.5**	**-4.9**	**3.3**	**-1.5**	
8471 Automatic data processing machi	3.3	4.2	7.0	6.5	17.1	14.5	9.4	12.7	21.2	21.4	14.4	14.9	15.3	**34.1**	**10.3**	**-10.5**	**0.8**	
3923 Articles for the conveyance or pa	5.0	4.8	3.4	4.5	4.7	5.4	6.4	7.2	8.7	8.0	9.8	11.7	15.3	**1.4**	**10.3**	**24.3**	**16.1**	
9405 Lamps and lighting fittings incluc	2.4	2.4	4.0	5.0	5.3	7.6	10.2	9.8	12.4	12.3	13.0	13.5	14.9	**25.6**	**12.8**	**6.5**	**10.1**	
3303 Perfumes and toilet waters.	5.4	6.8	6.1	3.8	5.1	5.5	6.7	6.0	9.8	10.8	13.6	10.8	14.9	**0.2**	**18.6**	**11.2**	**15.4**	
8467 Tools for working in the hand, pr	6.4	7.7	7.2	12.4	16.1	23.6	14.9	16.5	14.7	14.6	14.2	13.5	14.8	**29.7**	**-11.3**	**0.4**	**-6.4**	
8802 Other aircraft (for example, helic	1.0	0.4	2.3	25.0	21.0	13.7	28.4	16.8	127.8	88.3	45.1	0.2	14.5	**68.3**	**59.2**	**-45.2**	**0.8**	
9021 Orthopaedic appliances, includinc	2.0	1.8	2.3	4.3	4.3	5.6	7.4	8.7	10.0	12.0	12.5	14.0	14.4	**23.2**	**21.0**	**6.2**	**14.4**	
3822 Diagnostic or laboratory reagents	4.0	4.9	4.8	4.8	5.9	7.2	7.5	9.3	10.9	11.9	10.9	12.2	14.2	**12.5**	**13.4**	**6.0**	**10.1**	
8705 Special purpose motor vehicles, (	0.9	1.7	1.1	16.1	12.8	26.2	24.5	23.7	21.8	6.2	8.4	5.7	14.0	**96.1**	**-30.2**	**31.1**	**-8.5**	
8424 Mechanical appliances (whether (	6.2	7.8	8.2	6.4	8.0	12.1	11.3	12.1	13.5	14.0	17.4	13.6	14.0	**14.2**	**3.7**	**0.0**	**2.1**	
8427 Fork-lift trucks; other works truck	3.5	5.3	3.9	5.3	14.6	22.6	11.5	8.0	12.1	11.6	12.9	13.8	13.9	**45.6**	**-15.3**	**6.2**	**-6.7**	
3207 Prepared pigments, prepared opa	10.4	11.2	9.4	14.6	14.7	20.9	17.1	15.4	15.1	15.2	14.2	16.3	13.8	**15.0**	**-7.6**	**-3.2**	**-5.7**	
7326 Other articles of iron or steel.	3.7	3.6	4.1	5.7	5.1	11.3	9.4	9.7	11.3	13.2	11.0	11.6	13.6	**25.1**	**4.0**	**0.8**	**2.6**	
9023 Instruments, apparatus and mod	2.4	1.1	2.2	2.4	1.9	2.8	2.2	4.1	4.3	5.3	5.0	6.0	13.5	**3.3**	**17.4**	**36.3**	**25.1**	
9026 Instruments and apparatus for m	3.1	3.3	3.7	4.4	4.8	7.2	6.5	7.8	9.1	11.8	14.2	9.4	13.2	**18.2**	**12.9**	**4.0**	**9.0**	
8433 Harvesting or threshing machiner	1.9	1.0	1.0	1.4	2.6	5.1	5.9	5.5	5.8	4.3	5.6	14.6	13.1	**21.4**	**-4.1**	**44.6**	**14.4**	
4802 Uncoated paper and paperboard,	10.5	8.0	5.8	11.4	13.5	14.3	17.9	20.3	30.0	26.1	12.4	18.7	13.0	**6.4**	**16.2**	**-20.7**	**-1.3**	
3906 Acrylic polymers in primary forms	2.9	5.3	3.4	5.5	5.0	5.6	6.2	9.0	9.3	8.7	8.4	10.2	12.8	**14.3**	**11.6**	**13.8**	**12.6**	
3920 Other plates, sheets, film, foil ar	2.3	4.7	3.5	4.6	4.0	4.5	5.2	7.7	13.0	11.6	12.0	15.3	12.7	**14.2**	**26.8**	**3.1**	**16.0**	
2204 Wine of fresh grapes, including f	3.2	3.8	2.7	4.1	5.9	7.1	7.9	7.6	9.2	9.2	11.1	11.1	12.6	**17.2**	**6.9**	**11.0**	**8.6**	
8436 Other agricultural, horticultural, f	1.3	2.5	7.1	3.6	3.1	4.6	8.1	7.7	10.3	12.6	9.8	12.5	12.6	**28.9**	**28.3**	**-0.1**	**15.3**	
4805 Other uncoated paper and paperl	0.7	3.3	1.7	2.6	2.9	3.5	3.2	8.2	8.8	8.4	9.0	12.3	12.3	**36.6**	**24.0**	**13.6**	**19.4**	
8803 Parts of goods of heading 88.01	1.0	1.0	1.2	4.3	4.5	1.6	3.0	2.7	28.4	6.3	6.2	4.7	12.0	**10.5**	**40.2**	**23.9**	**33.0**	
9031 Measuring or checking instrumen	12.7	5.0	2.9	9.4	5.7	5.9	6.8	9.8	9.5	14.1	17.3	10.2	11.9	**-14.2**	**24.4**	**-5.4**	**10.6**	
8412 Other engines and motors.	2.1	2.3	2.9	4.0	4.4	6.6	5.1	6.6	7.8	7.4	8.7	10.6	11.8	**25.6**	**2.9**	**17.1**	**8.8**	
3507 Enzymes; prepared enzymes not	5.2	5.3	6.4	6.7	5.9	8.1	9.8	8.0	9.0	7.4	9.0	9.4	11.5	**9.3**	**-2.5**	**16.0**	**5.0**	
3917 Tubes, pipes and hoses, and fitti	2.7	4.6	4.4	3.7	11.1	12.1	14.8	11.1	11.0	11.7	9.2	8.8	11.3	**34.8**	**-0.8**	**-1.3**	**-1.0**	
3402 Organic surface-active agents (ot	6.0	6.5	5.3	7.2	6.8	8.4	8.3	8.9	9.9	10.1	8.8	10.8	11.1	**6.9**	**4.8**	**3.1**	**4.1**	
3403 Lubricating preparations (includir	1.7	2.4	2.0	2.6	4.0	3.8	5.1	6.3	6.9	8.4	9.5	12.2	11.0	**17.0**	**21.8**	**9.6**	**16.4**	
9403 Other furniture and parts thereof	2.3	3.6	2.3	4.8	5.6	12.1	12.3	12.8	14.2	10.5	12.3	11.1	11.0	**39.8**	**-3.6**	**1.6**	**-1.4**	
3208 Paints and varnishes (including e	5.2	5.3	3.1	3.8	4.0	5.1	4.4	5.5	6.7	8.1	8.9	12.9	10.8	**-0.3**	**12.1**	**10.3**	**11.3**	
0402 Milk and cream, concentrated or (	14.3	4.0	1.4	0.8	4.3	7.3	3.6	17.3	12.5	4.4	11.4	15.8	10.3	**-12.7**	**-12.0**	**33.3**	**5.2**	
3901 Polymers of ethylene, in primary	4.5	8.5	4.9	22.9	14.2	16.7	20.8	23.0	14.1	15.3	15.7	15.4	9.3	**29.8**	**-2.2**	**-15.5**	**-8.1**	
2936 Provitamins and vitamins, natura	3.4	7.7	7.3	7.9	6.8	7.2	6.6	5.8	9.0	11.6	13.5	17.3	9.1	**16.5**	**12.8**	**-7.9**	**3.4**	
8448 Auxiliary machinery for use with	9.8	12.5	8.0	10.1	12.0	11.7	10.5	10.4	9.2	9.6	11.7	10.6	8.8	**3.7**	**-4.9**	**-2.8**	**-4.0**	
8535 Electrical apparatus for switching	8.8	6.3	6.6	12.9	13.8	19.9	22.2	14.2	25.2	16.8	8.9	9.0	8.2	**17.6**	**-4.2**	**-21.3**	**-11.9**	
8410 Hydraulic turbines, water wheels	0.9	1.7	2.3	1.0	6.6	2.7	11.6	9.5	27.5	5.0	10.2	5.2	7.3	**24.4**	**16.5**	**13.4**	**15.2**	
4811 Paper, paperboard, cellulose wad	7.1	5.1	5.0	6.7	6.0	9.8	10.4	14.2	13.5	8.9	6.0	10.4	6.9	**6.7**	**-2.5**	**-8.0**	**-4.9**	
8502 Electric generating sets and rota	2.2	25.7	1.9	35.9	7.5	8.9	20.5	6.6	7.2	19.1	69.0	5.6	5.8	**32.0**	**21.0**	**-32.6**	**-5.9**	
8503 Parts suitable for use solely or p	1.4	28.0	6.5	13.7	30.4	9.1	28.3	21.7	19.7	2.0	4.8	5.2	4.8	**45.9**	**-31.7**	**34.6**	**-8.7**	

Note: Shows products with average import value of at least EUR 10 million per year over 2013-2019, or at least EUR 10 million in 2019.
Source: EU COMEXT database [accessed October 2020]

Table 10: Selected EU exports to Ecuador, by HS heading, 2007-2019 (EUR million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
2710 Petroleum oils and oils obtained	1.7	1.0	43.6	57.8	32.5	586.0	653.0	436.1	68.6	175.8	374.4	344.3	214.9	**223.3**	**-26.0**	**6.9**	**-13.4**	
8703 Motor cars and other motor vehic	23.8	14.8	15.4	23.5	27.2	23.1	21.4	20.3	32.7	19.9	61.9	100.7	119.4	**-0.6**	**-3.6**	**81.7**	**26.5**	
8603 Self-propelled railway or tramwa								3.8	38.8			14.1	109.1	**..**	**..**	**..**	**..**	
3004 Medicaments (excluding goods of	34.6	42.7	44.9	61.2	65.1	78.5	73.7	96.0	103.5	96.4	93.1	91.1	101.9	**17.8**	**5.3**	**1.9**	**3.8**	
0303 Fish, frozen, excluding fish fillets	21.8	35.2	53.3	39.5	45.9	63.6	56.5	45.8	32.9	35.7	67.1	97.5	87.0	**23.8**	**-13.4**	**34.6**	**4.6**	
3002 Human blood; animal blood prep	13.1	17.8	17.3	23.0	33.5	34.6	40.1	47.4	50.9	54.4	49.7	62.6	64.7	**21.5**	**12.0**	**5.9**	**9.4**	
7210 Flat-rolled products of iron or no	34.0	30.0	25.1	38.3	23.8	38.2	31.2	31.0	34.4	25.2	38.2	37.3	43.3	**2.4**	**-9.9**	**19.7**	**1.8**	
8428 Other lifting, handling, loading o	1.6	1.7	1.5	5.3	3.2	6.1	9.0	4.6	5.7	16.6	4.3	18.1	41.9	**30.6**	**28.4**	**36.1**	**31.7**	
4811 Paper, paperboard, cellulose wad	5.7	8.9	5.7	9.2	10.8	14.8	17.8	23.1	23.3	20.5	32.4	31.2	39.2	**21.0**	**8.6**	**24.0**	**14.9**	
9018 Instruments and appliances used	9.8	22.2	21.7	18.4	24.6	31.5	30.6	30.7	38.3	41.2	47.5	42.0	38.1	**26.2**	**6.9**	**-2.5**	**2.8**	
4804 Uncoated kraft paper and paperb	1.9	3.2	1.1	2.3	1.1	2.7	4.6	8.0	4.5	5.8	7.1	20.0	27.2	**7.4**	**20.8**	**67.5**	**38.9**	
8421 Centrifuges, including centrifugal	7.6	6.3	5.5	11.6	12.6	16.4	15.6	18.1	15.5	20.6	28.0	28.0	26.8	**16.7**	**5.9**	**9.2**	**7.3**	
8479 Machines and mechanical appliar	11.7	14.1	13.1	17.7	29.1	30.5	32.4	29.0	40.9	20.8	18.5	43.5	26.6	**21.0**	**-9.2**	**8.6**	**-2.0**	
2208 Undenatured ethyl alcohol of an	14.9	17.3	6.5	9.3	12.5	7.7	2.5	2.9	2.6	1.7	10.5	23.2	24.3	**-12.5**	**-31.5**	**143.0**	**17.9**	
3808 Insecticides, rodenticides, fungic	17.2	13.5	11.1	15.7	10.7	13.4	11.5	17.3	16.7	14.4	15.5	15.1	23.7	**-4.9**	**1.9**	**18.0**	**8.5**	
8422 Dish washing machines; machine	11.8	14.4	15.9	28.5	19.5	24.7	22.4	22.6	22.4	21.8	17.3	18.0	23.3	**15.9**	**-3.1**	**2.3**	**-0.9**	
8438 Machinery, not specified or includ	5.7	9.6	8.2	14.3	18.3	15.3	11.6	13.3	20.4	12.5	18.2	19.6	23.1	**21.9**	**-4.9**	**22.6**	**6.0**	
8901 Cruise ships, excursion boats, fe		1.2	0.0			0.0		11.5	0.0	0.1			22.0	**..**	**77.2**	**470.3**	**192.5**	
8426 Ships' derricks; cranes, including	11.4	2.0	2.3	3.8	3.1	14.7	3.7	2.7	5.5	3.6	4.5	8.2	21.7	**5.3**	**-29.5**	**81.6**	**5.7**	
4805 Other uncoated paper and paperb	1.7	0.4	1.9	1.5	0.4	1.3	2.1	4.7	7.5	4.9	10.8	17.7	20.1	**-5.1**	**38.6**	**60.3**	**47.5**	
2106 Food preparations not elsewhere	7.5	13.3	9.4	8.3	17.4	20.3	14.5	17.2	12.1	14.3	16.0	20.9	19.9	**22.1**	**-8.3**	**11.6**	**-0.3**	
3105 Mineral or chemical fertilisers cor	5.8	7.9	6.2	9.3	10.4	11.2	14.3	14.2	16.4	14.9	16.0	21.6	18.5	**14.3**	**7.4**	**7.4**	**7.4**	
8537 Boards, panels, consoles, desks,	1.5	1.8	2.1	1.7	3.6	4.5	14.9	8.6	14.9	5.9	13.5	10.8	18.3	**25.0**	**6.7**	**46.0**	**22.0**	
6907 Unglazed ceramic flags and pavir	1.0	0.8	0.7	1.9	2.1	1.8	1.5	1.2	2.4	1.0	12.4	17.4	18.0	**13.5**	**-14.6**	**165.2**	**38.8**	
2309 Preparations of a kind used in an	1.7	1.8	1.9	2.0	2.7	4.2	3.8	6.2	8.1	9.2	13.7	16.8	17.6	**19.8**	**21.9**	**24.0**	**22.8**	
8517 Telephone sets, including teleph	27.9	42.1	29.5	26.6	27.6	19.2	27.1	17.1	18.7	15.7	11.6	9.9	17.5	**-7.2**	**-5.0**	**3.7**	**-1.4**	
8474 Machinery for sorting, screening,	3.4	4.7	6.6	10.1	7.8	15.2	20.4	11.2	9.5	5.9	10.7	10.0	17.4	**35.2**	**-21.2**	**43.7**	**2.0**	
8413 Pumps for liquids, whether or not	5.6	6.8	10.2	9.1	10.6	13.2	13.6	12.6	12.5	20.4	16.8	15.7	16.3	**18.5**	**11.5**	**-7.1**	**3.1**	
8431 Parts suitable for use solely or p	5.6	5.6	4.3	6.8	9.8	14.2	11.9	13.0	12.0	10.8	17.3	9.5	15.9	**20.3**	**-6.5**	**13.7**	**1.7**	
4901 Printed books, brochures, leaflets	7.7	7.8	6.7	7.5	7.3	7.6	8.6	9.0	8.7	7.9	8.6	9.0	14.9	**-0.2**	**1.0**	**23.4**	**10.1**	
8481 Taps, cocks, valves and similar a	5.3	6.8	6.9	8.6	11.8	11.2	12.4	14.5	13.7	10.8	15.7	14.0	14.9	**16.1**	**-1.0**	**11.3**	**4.1**	
8409 Parts suitable for use solely or p	14.1	14.3	12.7	16.8	15.1	15.1	11.7	12.7	17.3	12.2	13.1	12.0	14.9	**1.4**	**-5.3**	**7.0**	**-0.2**	
8418 Refrigerators, freezers and other	3.4	3.6	2.9	3.6	5.0	6.0	9.9	10.3	7.8	6.4	11.0	11.3	14.5	**12.3**	**1.6**	**31.2**	**13.4**	
8430 Other moving, grading, levelling,	0.8	2.4	2.0	4.9	6.4	43.8	3.5	2.5	1.4	36.9	8.8	6.9	14.2	**124.4**	**-4.2**	**-27.4**	**-14.9**	
9021 Orthopaedic appliances, includin	1.8	2.2	2.7	5.1	5.1	6.9	8.2	13.3	11.4	11.5	12.9	15.1	13.9	**30.5**	**13.7**	**6.5**	**10.6**	
8443 Printing machinery used for print	6.3	8.0	19.6	10.5	14.6	18.5	10.5	9.3	10.6	7.7	17.2	7.5	13.7	**24.2**	**-19.7**	**21.0**	**-4.2**	
7304 Tubes, pipes and hollow profiles,	1.3	3.6	10.3	9.8	6.3	17.2	19.6	56.1	8.9	3.7	10.5	8.2	13.4	**66.7**	**-31.9**	**53.6**	**-3.5**	
4810 Paper and paperboard, coated on	8.7	9.0	4.0	12.1	8.8	10.1	9.6	10.4	11.6	9.1	15.2	18.8	13.4	**3.0**	**-2.7**	**13.6**	**4.0**	
9027 Instruments and apparatus for pl	4.1	4.4	5.8	9.8	8.2	9.8	8.5	9.8	11.7	10.4	12.0	12.7	13.3	**19.3**	**1.4**	**8.6**	**4.4**	
3304 Beauty or make-up preparations	4.4	5.0	3.9	4.5	4.6	5.4	4.7	5.1	7.7	5.9	9.7	9.9	13.3	**4.1**	**2.5**	**30.8**	**13.8**	
8708 Parts and accessories of the mot	8.7	10.4	8.5	10.2	11.2	12.3	11.7	12.0	12.7	11.2	27.0	21.6	13.1	**7.1**	**-2.2**	**5.2**	**0.9**	
8544 Insulated (including enamelled o	1.5	2.3	1.9	2.0	2.2	5.0	7.1	7.8	5.5	4.4	6.5	7.9	12.2	**27.1**	**-2.9**	**40.3**	**13.7**	
8477 Machinery for working rubber or p	18.3	9.5	12.7	31.0	16.4	19.0	20.1	12.7	19.8	17.4	19.2	16.9	12.2	**0.8**	**-2.1**	**-11.3**	**-6.2**	
7308 Structures (excluding prefabricate	1.5	1.1	2.4	4.2	5.2	4.5	10.0	5.4	7.2	6.3	10.3	10.2	12.1	**23.8**	**8.8**	**24.6**	**15.3**	
8701 Tractors (other than tractors of h	3.6	5.7	8.4	12.9	14.0	8.5	8.6	10.8	8.3	1.4	2.9	13.0	11.6	**19.0**	**-36.0**	**100.6**	**4.5**	
3822 Diagnostic or laboratory reagents	2.9	3.5	3.6	3.9	5.0	6.0	6.7	6.7	8.9	8.8	9.2	10.1	10.9	**15.8**	**10.1**	**7.5**	**9.0**	
1509 Olive oil and its fractions, wheth	3.7	5.1	4.0	4.2	5.0	6.3	8.7	10.5	6.4	7.2	10.2	10.4	10.7	**11.2**	**3.5**	**14.2**	**8.0**	
8504 Electrical transformers, static cor	3.7	4.9	4.2	4.5	6.4	13.8	8.3	13.5	11.5	6.2	9.8	9.3	10.3	**29.9**	**-18.0**	**18.2**	**-4.1**	
3208 Paints and varnishes (including e	3.3	3.1	2.8	3.7	3.7	3.9	4.5	4.5	4.4	4.9	8.0	8.6	9.8	**3.6**	**5.8**	**25.9**	**14.0**	
8414 Air or vacuum pumps, air or othe	5.3	4.9	5.7	8.3	7.8	9.9	11.5	9.9	9.1	8.9	11.4	10.6	9.2	**13.2**	**-2.7**	**1.1**	**-1.1**	
0511 Animal products not elsewhere s	0.2	0.3	0.3	0.4	0.5	0.6	0.6	0.4	1.8	2.2	3.8	5.2	9.1	**31.9**	**36.8**	**60.9**	**46.7**	
2004 Other vegetables prepared or pre	1.7	1.7	1.9	3.4	2.4	3.3	3.8	3.7	4.6	5.0	6.0	6.9	8.9	**13.7**	**11.4**	**21.2**	**15.5**	
3824 Prepared binders for foundry mou	4.3	4.4	3.3	4.9	6.6	6.7	5.7	6.9	8.0	7.6	9.3	10.8	8.9	**9.5**	**3.0**	**5.5**	**4.0**	

(cont.)

(Table continued)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 07-12	CAGR 12-16	CAGR 16-19	CAGR 12-19	Trend
8441 Other machinery for making up p	1.3	3.1	4.1	9.8	4.4	5.7	5.4	7.7	4.9	8.0	5.4	6.5	8.8	**33.8**	**8.8**	**3.1**	**6.3**	
8536 Electrical apparatus for switching	6.0	15.2	7.9	8.0	9.6	19.0	13.0	14.2	13.2	8.9	12.1	9.3	8.3	**25.8**	**-17.3**	**-2.1**	**-11.1**	
9022 Apparatus based on the use of X	1.8	5.2	6.1	4.0	12.2	7.6	7.8	7.6	10.7	7.4	17.0	8.4	8.0	**33.9**	**-0.5**	**2.6**	**0.8**	
8309 Stoppers, caps and lids (includin	6.1	14.2	8.2	10.3	7.6	13.3	11.6	6.9	7.6	6.9	10.0	8.2	7.9	**17.1**	**-15.1**	**4.4**	**-7.3**	
8439 Machinery for making pulp of fibr	1.8	2.4	1.0	10.3	10.2	2.6	1.4	3.0	1.8	1.9	1.6	2.8	7.7	**6.8**	**-6.8**	**59.0**	**17.2**	
8419 Machinery, plant or laboratory eq	8.5	4.1	5.5	10.3	9.1	8.7	22.7	8.8	13.7	10.3	15.3	9.9	7.6	**0.6**	**4.2**	**-9.5**	**-1.9**	
6204 Women's or girls' suits, ensembl	1.3	0.4	0.5	0.6	0.4	2.5	3.2	3.9	4.4	3.7	4.7	5.9	7.4	**14.4**	**9.5**	**26.5**	**16.5**	
8483 Transmission shafts (including ca	2.6	3.3	4.5	6.1	7.0	6.7	13.2	8.3	6.5	6.9	7.9	7.4	7.3	**20.9**	**0.9**	**1.7**	**1.3**	
3006 Pharmaceutical goods specified i	1.7	2.4	2.8	3.6	5.8	3.3	4.4	5.0	4.7	6.3	5.9	11.2	7.3	**13.4**	**17.9**	**4.8**	**12.1**	
8436 Other agricultural, horticultural, f	1.7	1.3	1.3	1.2	2.3	2.2	3.6	6.5	7.9	4.6	11.0	13.1	7.2	**4.4**	**20.7**	**16.4**	**18.8**	
8502 Electric generating sets and rota	15.1	2.5	5.5	2.9	14.5	23.2	7.7	13.2	11.6	7.3	15.9	7.8	7.1	**8.9**	**-25.0**	**-1.3**	**-15.6**	
7216 Angles, shapes and sections of i	1.9	6.1	0.3	2.4	4.5	4.9	2.2	4.2	4.2	2.9	5.2	5.6	6.9	**20.8**	**-12.5**	**33.9**	**5.0**	
3102 Mineral or chemical fertilisers, ni	8.1	9.1	9.8	14.6	18.1	15.6	6.9	18.1	8.5	7.3	8.2	6.1	6.7	**13.8**	**-17.2**	**-2.7**	**-11.2**	
0601 Bulbs, tubers, tuberous roots, co	3.4	3.1	2.9	4.5	3.7	4.0	4.4	3.8	4.9	4.8	5.2	6.2	6.6	**3.3**	**4.4**	**11.8**	**7.5**	
2204 Wine of fresh grapes, including f	1.4	1.6	0.6	1.1	1.4	1.1	0.8	0.7	0.7	0.7	3.2	6.4	6.6	**-4.9**	**-11.0**	**112.1**	**29.1**	
0808 Apples, pears and quinces, fresh			0.2	0.1	0.4	0.4	0.5	0.9	1.3	1.9	2.7	1.9	6.5	**..**	**45.0**	**51.3**	**47.7**	
8411 Turbo-jets, turbo-propellers and	0.6	3.8	5.0	5.7	15.2	15.3	12.7	22.5	3.2	4.1	3.6	15.8	6.5	**93.8**	**-27.9**	**16.2**	**-11.6**	
2203 Beer made from malt.	0.1	0.2	0.1	0.3	0.4	0.6	0.8	0.7	0.5	0.7	2.2	3.7	6.5	**41.5**	**3.0**	**112.8**	**40.6**	
8429 Self-propelled bulldozers, angled	4.3	17.6	9.2	10.2	15.9	20.3	13.4	10.1	5.1	3.7	8.4	6.7	6.4	**36.4**	**-34.8**	**20.6**	**-15.2**	
3920 Other plates, sheets, film, foil ar	2.0	2.1	2.3	3.3	3.6	4.6	4.7	5.4	4.3	3.8	4.7	5.9	6.2	**18.2**	**-4.6**	**18.0**	**4.5**	
8507 Electric accumulators, including s	4.5	0.8	0.6	0.1	0.8	0.8	1.9	4.9	2.2	1.6	2.3	2.4	6.2	**-28.7**	**17.7**	**58.0**	**33.5**	
8527 Reception apparatus for radio-br	0.0	0.0	0.0	0.0	0.2	0.1	0.0	0.0	0.1	0.0	0.0	0.0	6.2	**12.0**	**-40.5**	**786.8**	**89.4**	
3917 Tubes, pipes and hoses, and fitti	2.1	2.4	1.2	1.8	2.6	3.5	2.8	3.1	3.1	3.4	6.4	5.8	6.1	**11.1**	**-0.4**	**20.8**	**8.2**	
2936 Provitamins and vitamins, natura	2.4	3.2	3.8	3.8	5.2	4.4	3.2	2.8	5.7	5.5	8.1	8.2	6.0	**12.7**	**5.7**	**2.9**	**4.5**	
3926 Other articles of plastics and arti	2.8	2.7	2.3	2.2	5.7	4.5	3.2	4.1	4.6	4.0	4.9	5.8	6.0	**9.8**	**-3.0**	**14.1**	**4.0**	
9026 Instruments and apparatus for m	1.6	1.2	1.6	2.3	3.2	7.3	7.1	7.8	4.8	4.9	4.8	4.9	5.9	**35.8**	**-9.7**	**6.7**	**-3.0**	
3305 Preparations for use on the hair.	1.5	1.1	1.4	1.8	1.7	2.7	2.5	2.3	3.4	3.4	4.9	4.8	5.8	**12.4**	**6.4**	**19.5**	**11.8**	
1209 Seeds, fruit and spores, of a kinc	1.3	1.3	1.7	1.7	2.2	2.7	2.7	3.5	3.6	4.5	4.7	4.4	5.8	**16.3**	**13.3**	**9.2**	**11.5**	
8538 Parts suitable for use solely or pi	2.1	1.6	2.2	2.3	2.3	2.4	5.3	3.5	7.7	5.7	5.1	4.1	5.7	**2.2**	**24.8**	**-0.5**	**13.2**	
8427 Fork-lift trucks; other works truck	2.5	1.1	0.8	1.4	2.4	5.2	3.4	3.5	4.5	3.1	5.5	5.7	5.7	**15.8**	**-11.8**	**21.7**	**1.3**	
9405 Lamps and lighting fittings includ	1.6	1.3	1.1	1.6	2.0	3.1	3.8	3.3	2.6	3.6	4.6	3.6	5.6	**14.7**	**4.0**	**16.1**	**9.0**	
9031 Measuring or checking instrumen	2.7	2.8	3.5	3.4	3.1	5.2	6.6	5.6	4.9	4.6	4.8	5.2	5.6	**13.9**	**-2.9**	**6.8**	**1.1**	
3207 Prepared pigments, prepared opa	6.4	4.7	4.1	5.3	6.0	6.7	6.7	8.2	5.4	4.3	5.4	5.3	5.6	**0.8**	**-10.5**	**9.0**	**-2.6**	
8526 Radar apparatus, radio navigatio	0.7	0.8	0.2	1.2	7.3	10.7	5.4	4.5	7.7	27.3	8.8	6.6	5.4	**71.3**	**26.4**	**-41.6**	**-9.3**	
3402 Organic surface-active agents (ot	2.8	2.7	2.5	2.9	2.6	2.7	3.6	4.2	3.6	3.7	5.3	5.1	5.4	**-0.8**	**8.0**	**13.2**	**10.2**	
6203 Men's or boys' suits, ensembles,	0.9	0.4	0.4	0.5	0.7	1.6	2.2	3.5	3.8	3.3	4.3	4.5	5.4	**13.7**	**19.0**	**17.6**	**18.4**	
8704 Motor vehicles for the transport c	1.7	5.8	3.1	8.2	5.8	8.0	18.6	11.2	9.5	3.9	3.3	14.5	5.2	**35.9**	**-16.1**	**9.9**	**-5.8**	
3912 Cellulose and its chemical deriva	1.7	1.9	1.6	2.5	3.3	3.4	4.2	3.5	4.2	4.5	4.9	4.9	5.2	**14.5**	**7.6**	**4.9**	**6.4**	
3907 Polyacetals, other polyethers and	1.0	1.0	1.1	1.5	1.9	2.1	2.5	3.6	3.9	4.1	4.9	5.1	5.1	**16.7**	**18.6**	**7.3**	**13.6**	
3923 Articles for the conveyance or pa	2.9	1.7	1.5	2.4	2.0	2.0	2.2	2.4	3.4	2.9	2.8	4.6	5.0	**-7.7**	**10.0**	**20.6**	**14.4**	
8480 Moulding boxes for metal foundry	2.7	2.3	2.2	3.1	2.9	6.0	3.4	3.3	4.7	5.7	5.7	5.2	5.0	**17.6**	**-1.1**	**-4.5**	**-2.6**	
3104 Mineral or chemical fertilisers, pc	0.1	1.4	0.4	0.6	1.3	0.9	1.3	3.2	3.4	1.5	2.4	3.6	5.0	**45.0**	**14.0**	**49.3**	**28.0**	
8455 Metal-rolling mills and rolls there	5.7	2.8	0.8	2.0	1.7	5.3	2.1	3.2	30.1	6.0	1.2	3.2	4.5	**-1.5**	**3.2**	**-9.1**	**-2.3**	
8705 Special purpose motor vehicles, c	0.7	0.3	0.2	0.6	2.5	6.2	4.3	6.9	6.1	3.0	6.1	12.5	4.5	**54.8**	**-16.3**	**14.0**	**-4.5**	
8424 Mechanical appliances (whether c	2.6	3.7	3.3	4.3	4.2	5.2	5.8	5.5	5.9	4.4	7.0	6.1	4.5	**14.6**	**-3.7**	**0.3**	**-2.0**	
8471 Automatic data processing machi	10.3	4.6	3.0	4.2	10.6	12.4	10.4	13.7	8.4	4.4	6.7	6.2	4.3	**3.9**	**-23.1**	**-0.4**	**-14.1**	
8501 Electric motors and generators (e	2.0	3.3	1.2	5.0	3.1	5.3	8.1	5.1	4.4	4.9	9.1	3.4	4.2	**21.3**	**-1.9**	**-4.8**	**-3.2**	
4802 Uncoated paper and paperboard,	0.7	1.2	0.9	3.2	3.5	4.6	8.7	5.5	3.4	5.4	4.0	5.8	3.6	**44.2**	**3.9**	**-12.9**	**-3.6**	
3901 Polymers of ethylene, in primary	1.8	1.7	1.3	8.2	6.6	2.2	2.2	6.9	4.2	5.8	7.6	8.6	3.2	**5.0**	**27.0**	**-17.9**	**5.3**	
8516 Electric instantaneous or storage	1.0	1.7	1.5	1.8	1.9	2.6	2.3	11.5	38.4	2.7	4.8	3.4	2.6	**22.3**	**0.6**	**-0.9**	**0.0**	
8417 Industrial or laboratory furnaces	0.5	0.6	3.5	5.4	3.4	3.5	4.9	1.6	2.7	1.6	12.6	11.7	1.6	**47.9**	**-17.6**	**0.1**	**-10.4**	
8408 Compression-ignition internal cor	0.9	5.7	3.2	1.3	20.4	1.5	15.1	5.7	3.8	1.2	11.7	4.5	1.5	**12.2**	**-6.8**	**8.3**	**-0.6**	
8802 Other aircraft (for example, helic		16.6	0.0	114.5	31.3	14.6	0.3	77.4	0.5	0.1	0.5	0.9	0.0	**..**	**-69.2**	**-70.8**	**-69.9**	

Note: Shows products with average import value of at least EUR 5 million per year over 2013-2019, or at least EUR 5 million in 2019.
Source: EU COMEXT database [accessed October 2020]

Growth of EU imports from partners before and since the Agreement's entry into force

Comparing the average growth rates during the Agreement period (growth from 2012 to 2019 for Colombia and Peru, and 2016 to 2019 for Ecuador) at the sector level allows to identify relative best and worst performing sectors, and provides an indication for the sectoral impacts of the Agreement. Figure 6 depicts this by showing the difference of sectoral import growth rates against the growth rate of total EU imports from the partner country for the pre- and post-Agreement periods.[27]

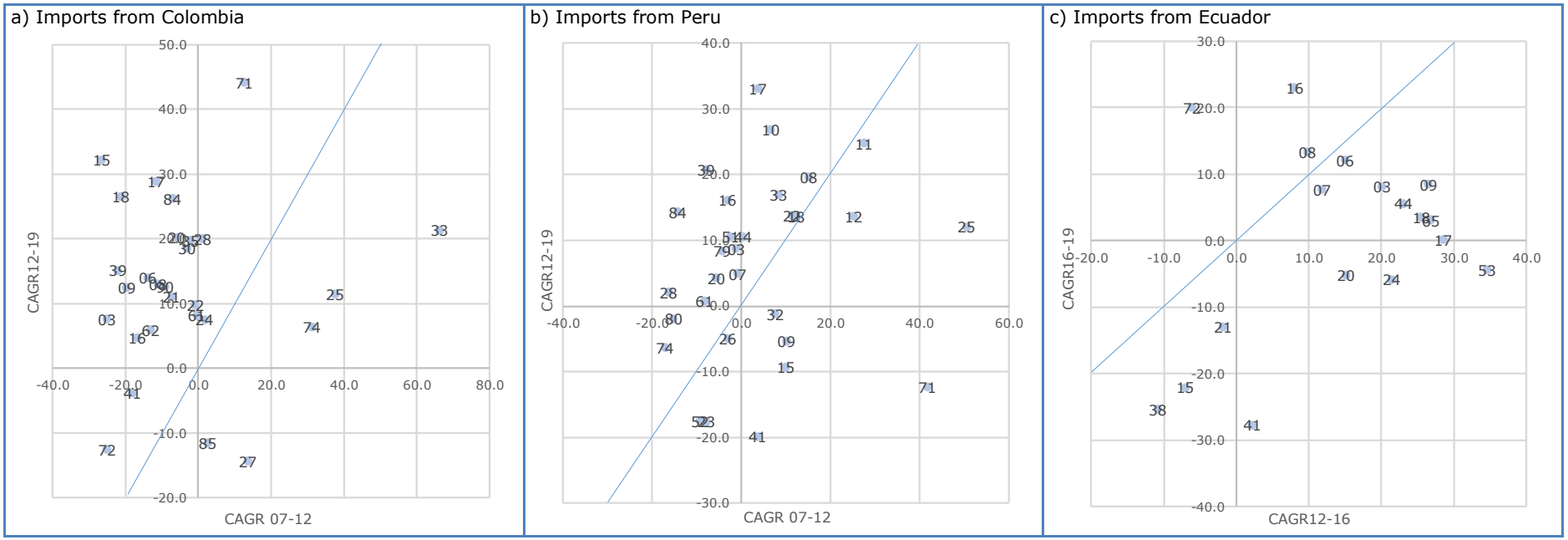
For **Colombia** (Figure 6a), EU imports of only four HS chapters have shown growth in both periods: precious metals (mostly gold, ch. 71), essential oils (ch. 33), salt/earth/stone/ cement (ch. 25), and copper (ch. 74) – but the latter three performed considerably less well since the entry into force of the Agreement than before (as indicated by their location far to the right of the blue diagonal). Most sectors saw import decreases prior to the Agreement but increases since its entry into force (as indicated by their location in the upper left quadrant) – this being largely an effect of the drop in imports of the previously dominant import, coal (ch. 26). The commodities making the largest improvements in performance were animal and vegetable fats and oils (ch. 15 – mostly palm oil), sugars (ch. 17), cocoa (ch. 18), and gold.

For **Peru**, the comparative performance of sectors is relatively evenly distributed (Figure 6b). The sectors improving performance most in relative terms during the post-Agreement period are small: sugar (ch. 17); plastics (ch. 39); and machinery (ch. 84), although some of the most important imports have also widened growth performance compared to average import growth, including fruit (ch. 08) and meat and fish preparations (ch. 16). At the same time, the sectors losing most in relative terms also account for relatively small imports: precious metals (ch. 71), salt/stone/cement (ch. 25) and raw hides and skins (ch. 41).

Regarding EU imports from **Ecuador**, quite a number HS chapters have shown growth in both periods (Figure 6b). conversely, only three have decreased more than total imports during both periods: miscellaneous chemical products (ch. 38, a small import to start with), animal or vegetable fats (ch. 15), and miscellaneous edible preparations (ch. 21). Only two sectors, albeit the two largest ones, improved performance since the start of the Agreement, i.e. fish preparations (ch. 16) and fruit (ch. 08), leading to the increased concentration of EU imports from Ecuador already observed above. The commodities seeing the largest worsening in performance, vegetable textile fibres (ch. 53) and raw hides and skins (ch. 41) accounted for very small exports through the whole period (never reaching EUR 10 million per year).

[27] This means that a sector that would have seen average import growth in line with total EU import growth from the partner in both periods would be located at the origin of the diagramme. Sectors located in the first (upper right) quadrant performed better than average in both periods; sectors in the second (upper left) quadrant performed better than average during the post-Agreement period but worse than average during the pre-Agreement period, and so forth. The farther a sector is located from the blue diagonal, the more differs its performance in the post-Agreementn period from the pre-Agreement period: sectors above/to the left of the diagonal improved performance, those below/to the right changed for the worse.

Figure 6: Average growth rates in EU28 imports from Andean partners, post-Agreement vs. pre-Agreement, by HS chapter (%)



Note: Figures show differences between growth of sector imports and growth of total imports from the partner. HS chapters that have not exceeded EUR 10 million [EUR 5 million for Ecuador] at least once in the period 2007 to 2019 are not shown, nor are chapters with distorting import patterns. Imports from Peru exclude HS chapter 27 (annual growth >1,000% in 2007 to 2012). For a description of the HS chapter codes, see Table 11.
Source: Authors' calculations based on EU COMEXT database.

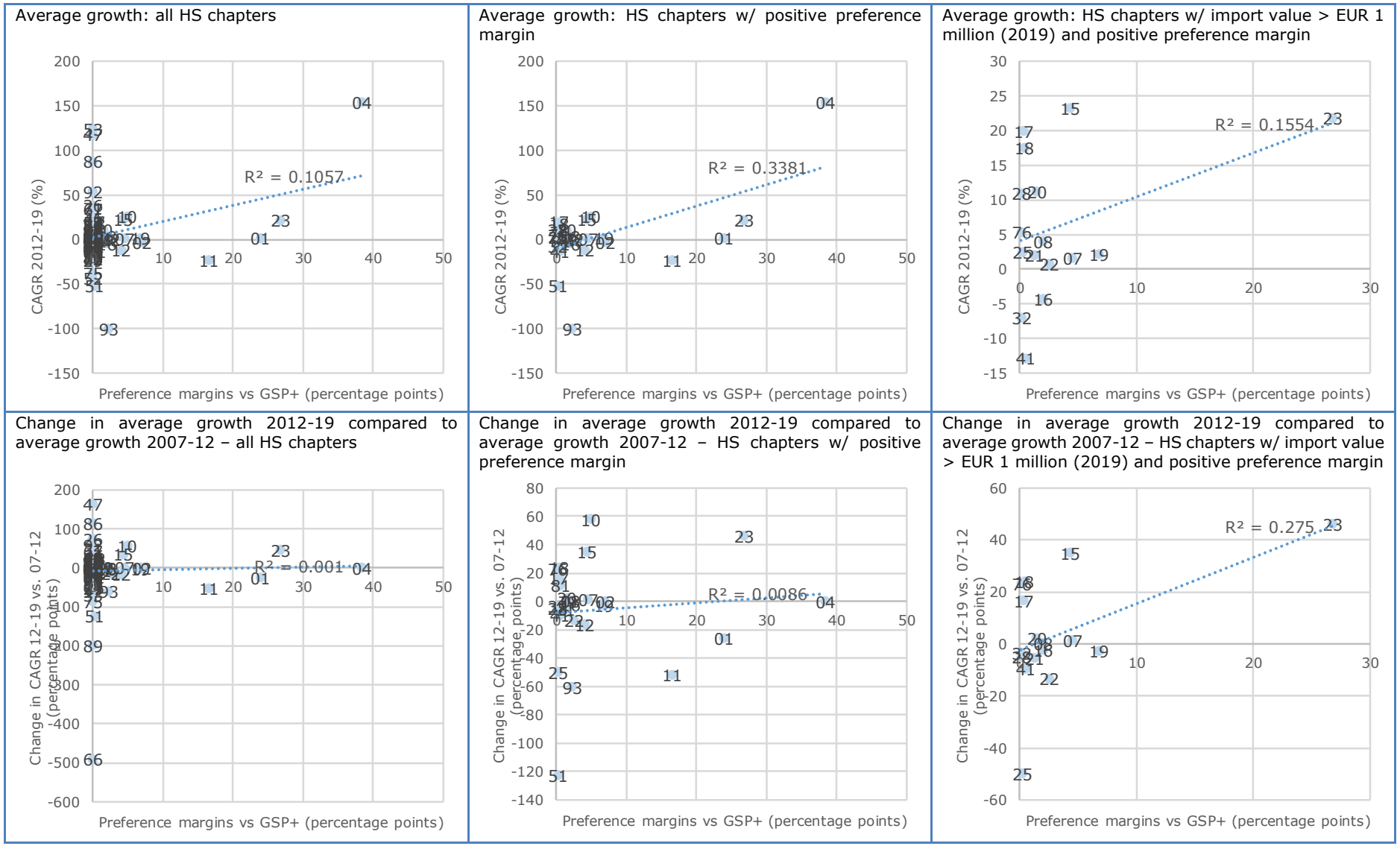
Performance of products for which EU import tariffs were eliminated by the Agreement

As the Andean partners were EU GSP+ beneficiaries prior to the Agreement's entry into force, a considerable share of their exports already benefitted from duty-free access to the EU market. Therefore, the largest effect of the Agreement on EU imports from the partners would be expected for those commodities for which GSP+ duties were positive and then removed under the Agreement. All other things being equal, the expectation is that the positive effect on imports of the Agreement is stronger for products that would face high GSP+ tariffs. Although this theoretical expectation is tested more thoroughly as part of the CGE modelling, a simple regression analysis has been undertaken to obtain a first indication of the Agreement's effect. This puts EU import growth rates in relation to the preference margins provided by the Agreement compared to GSP+ tariffs that would otherwise prevail.[28]

Figure 7 to Figure 11 below show the results of the analysis. These provide no strong support for the theoretical expectation. There is limited indication that sectors with larger preference margins of the Agreement compared to GSP+ tariffs performed better in the post-Agreement period than before, as indicated by the almost horizontal regression lines in most of the figures/regressions undertaken. Although this finding is indicative only, it suggests that factors other than the tariff reductions are more important for determining the Andean partner countries' export performance to the EU.

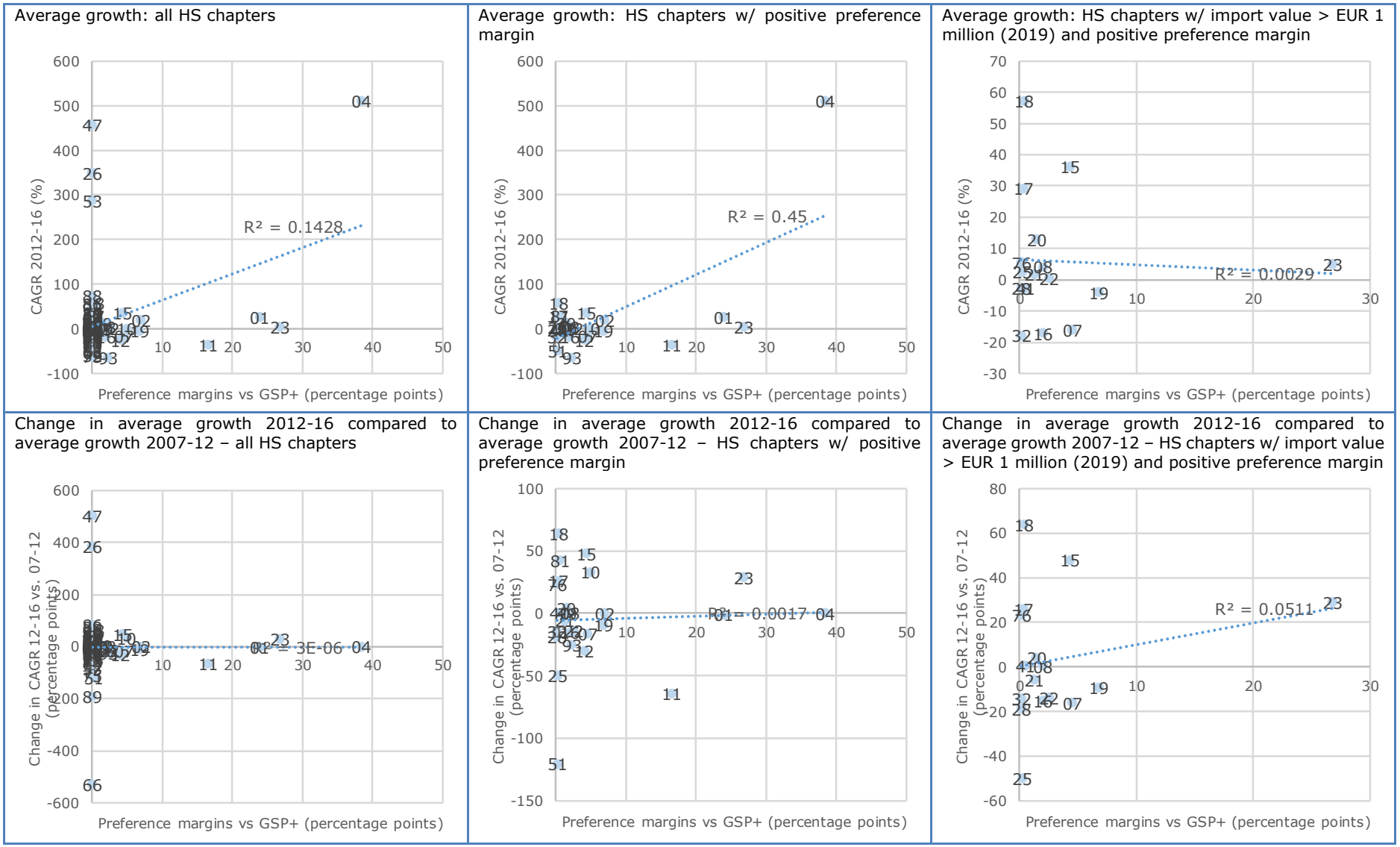
[28] Two variations of the regression have been tested at the HS chapter level: the first only considers growth rates since the entry into force of the Agreement, whereas the second one considers the change in average growth after the Agreement's entry into force compared to the average growth prior to the Agreement. Each of the two sets of regressions was carried out for the whole period since the start of the Agreement and for its initial years (until 2016 for Colombia and Peru), as well as comprising different sets of HS chapters: all, all chapters where the Agreement has a positive preference margin compared to the GSP+, and all chapters with a positive preference margin and an import value of at least EUR 1 million in 2019.

Figure 7: Growth in EU imports from Colombia 2012-2019 vs preference margins compared to GSP+, at HS chapter level



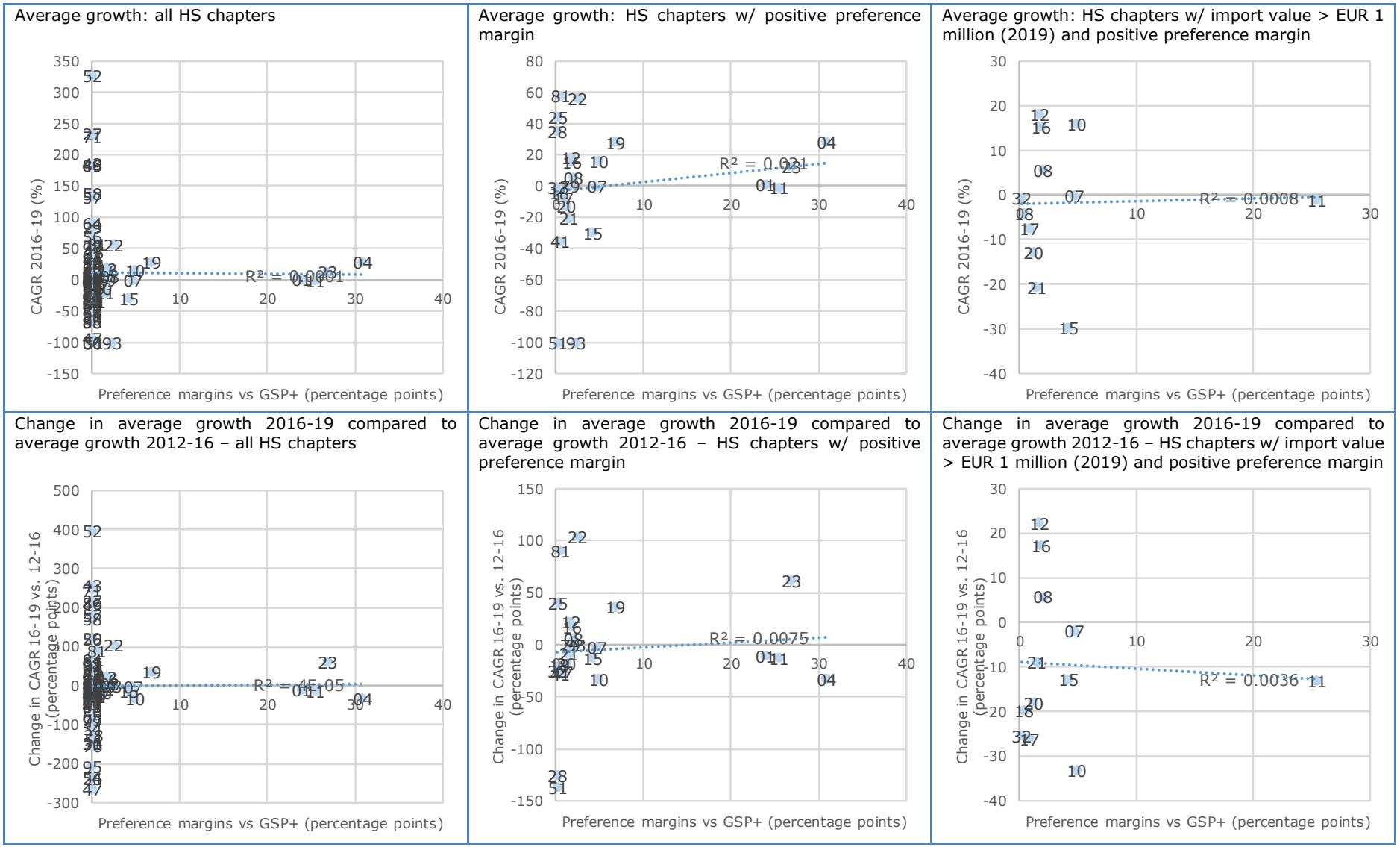
Source: Authors' calculations based on UNCTAD TRAINS (preference margins, 2018) and EU COMEXT (imports)

Figure 8: Growth in EU imports from Colombia 2012-2016 vs preference margins compared to GSP+, at HS chapter level



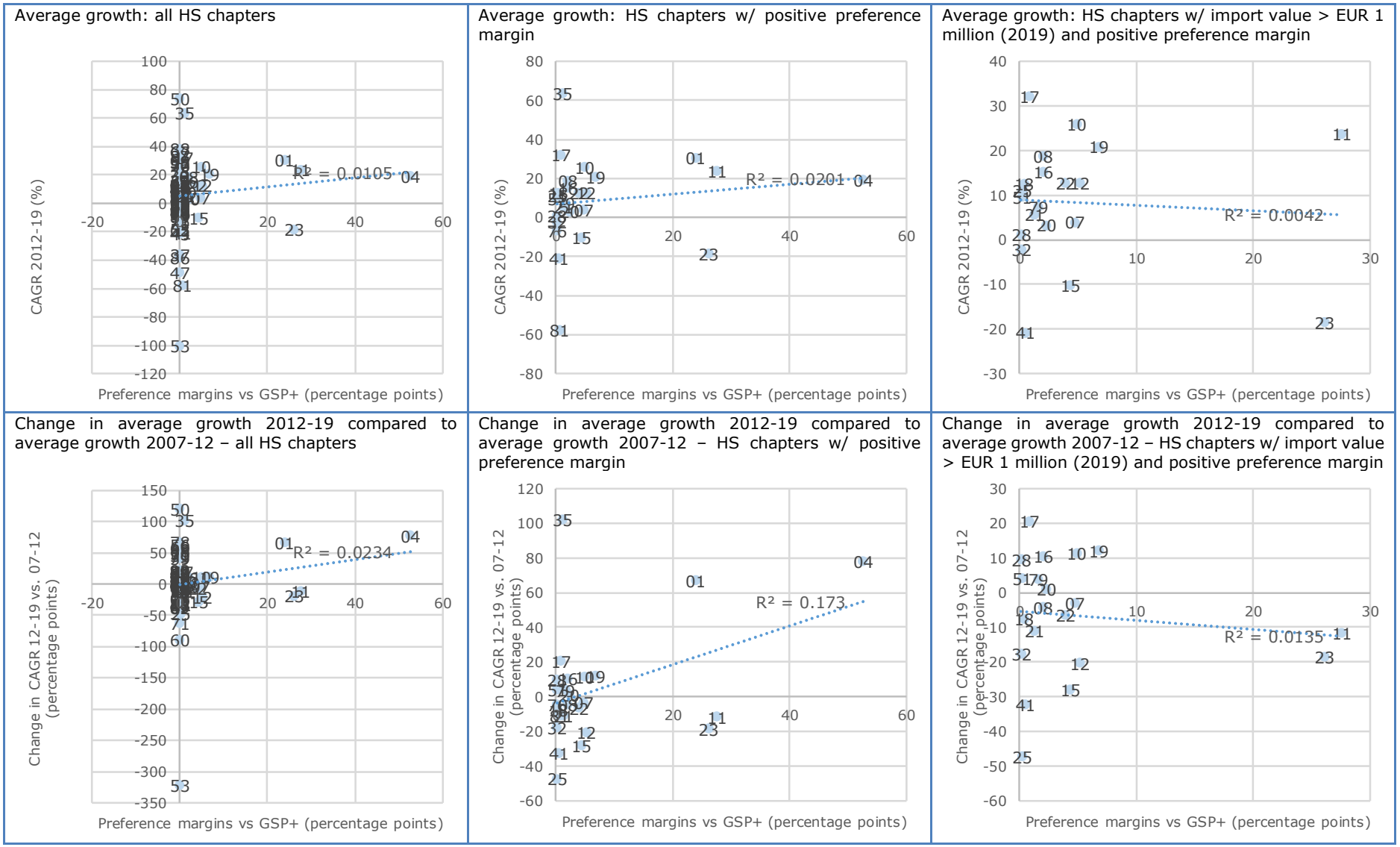
Source: Authors' calculations based on UNCTAD TRAINS (preference margins, 2018) and EU COMEXT (imports)

Figure 9: Growth in EU imports from Ecuador 2016-2019 vs preference margins compared to GSP+, at HS chapter level



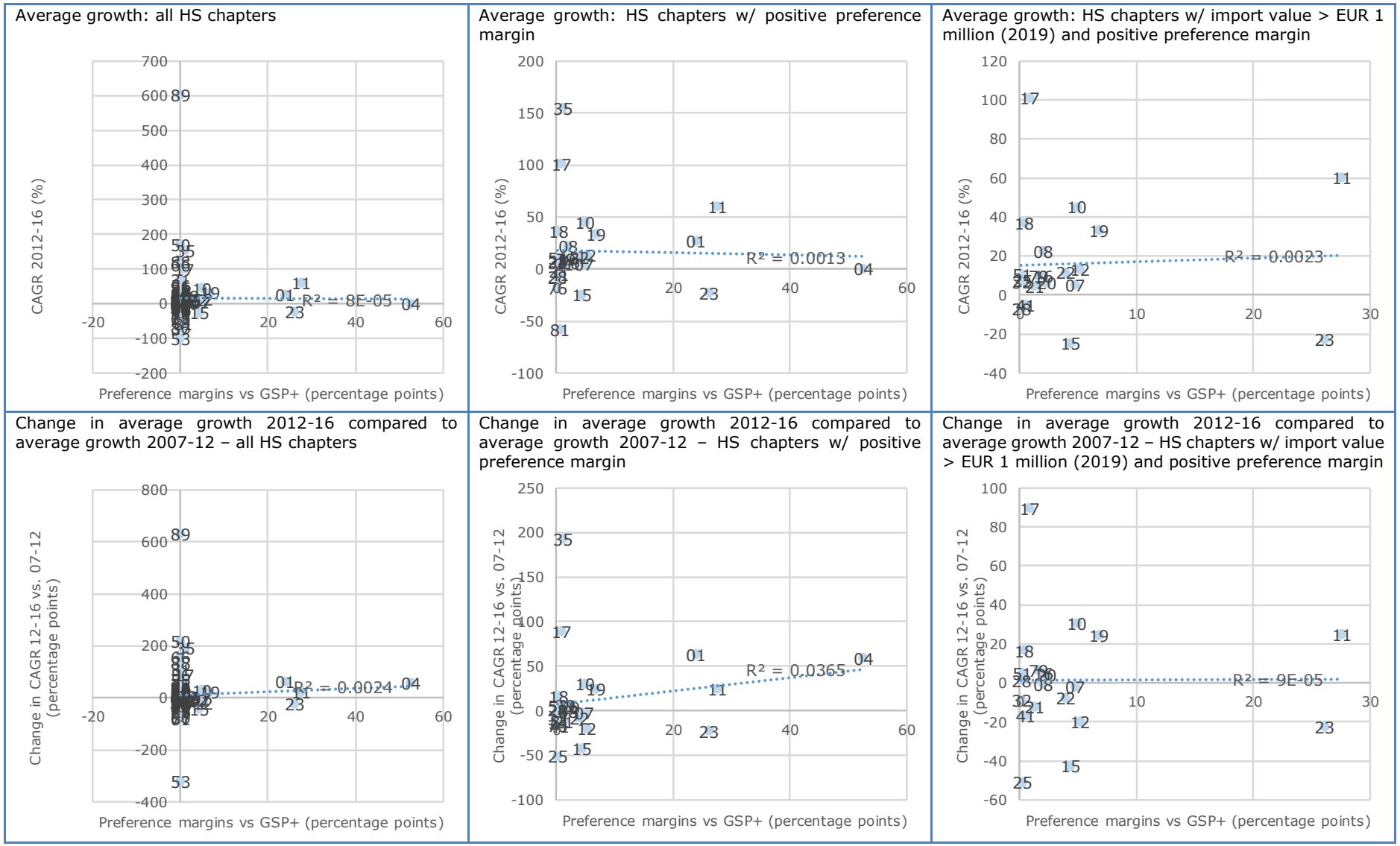
Source: Authors' calculations based on UNCTAD TRAINS (preference margins, 2018) and EU COMEXT (imports)

Figure 10: Growth in EU imports from Peru 2012-2019 vs preference margins compared to GSP+, at HS chapter level



Source: Authors' calculations based on UNCTAD TRAINS (preference margins, 2018) and EU COMEXT (imports). Note: HS chapter 27 excluded (outlier).

Figure 11: Growth in EU imports from Peru 2012-2016 vs preference margins compared to GSP+, at HS chapter level



Source: Authors' calculations based on UNCTAD TRAINS (preference margins, 2018) and EU COMEXT (imports). Note: HS chapter 27 excluded (outlier).

Table 11: List of HS Chapters

Code	Description
01	Live animals; animal products
02	Meat and edible meat offal
03	Fish and crustaceans, molluscs and other aquatic invertebrates
04	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included
05	Products of animal origin, not elsewhere specified or included
06	Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage
07	Edible vegetables and certain roots and tubers
08	Edible fruit and nuts; peel of citrus fruit or melons
09	Coffee, tea, maté and spices
10	Cereals
11	Products of the milling industry; malt; starches; inulin; wheat gluten
12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder
13	Lac; gums, resins and other vegetable saps and extracts
14	Vegetable plaiting materials; vegetable products not elsewhere specified or included
15	Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes
16	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates
17	Sugars and sugar confectionery
18	Cocoa and cocoa preparations
19	Preparations of cereals, flour, starch or milk; pastrycooks' products
20	Preparations of vegetables, fruit, nuts or other parts of plants
21	Miscellaneous edible preparations
22	Beverages, spirits and vinegar
23	Residues and waste from the food industries; prepared animal fodder
24	Tobacco and manufactured tobacco substitutes
25	Salt; sulphur; earths and stone; plastering materials, lime and cement
26	Ores, slag and ash
27	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes
28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes
29	Organic chemicals
30	Pharmaceutical products
31	Fertilisers
32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks
33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations
34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, "dental waxes" and dental preparations with a basis o
35	Albuminoidal substances; modified starches; glues; enzymes
36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations
37	Photographic or cinematographic goods
38	Miscellaneous chemical products
39	Plastics and articles thereof
40	Rubber and articles thereof
41	Raw hides and skins(other than furskins) and leather
42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk-worm gut)
43	Furskins and artificial fur; manufactures thereof
44	Wood and articles of wood; wood charcoal
45	Cork and articles of cork
46	Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork
47	Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) of paper or paperboard
48	Paper and paperboard; articles of paper pulp, of paper or of paperboard
49	Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans
50	Silk
51	Wool, fine or coarse animal hair; horsehair yarn and woven fabric
52	Cotton
53	Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn
54	Man-made filaments; strip and the like of man-made textile materials
55	Man-made staple fibres
56	Wadding, felt and nonwovens; special yarns; twine, cordage, ropes and cables and articles thereof
57	Carpets and other textile floor coverings

Code	Description
58	Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery
59	Impregnated, coated, covered or laminated textile fabrics; textile articles of a kind suitable for industrial use
60	Knitted or crocheted fabrics
61	Articles of apparel and clothing accessories, knitted or crocheted
62	Articles of apparel and clothing accessories, not knitted or crocheted
63	Other made up textile articles; sets; worn clothing and worn textile articles; rags
64	Footwear, gaiters and the like; parts of such articles
65	Headgear and parts thereof
66	Umbrella, sun umbrellas, walking-sticks, seat-sticks, whips, riding-crops and parts thereof
67	Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair
68	Articles of stone, plaster, cement, asbestos, mica or similar materials
69	Ceramic products
70	Glass and glassware
71	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin
72	Iron and steel
73	Articles of iron or steel
74	Copper and articles thereof
75	Nickel and articles thereof
76	Aluminum and articles thereof
78	Lead and articles thereof
79	Zinc and articles thereof
80	Tin and articles thereof
81	Other base metals; cermets; articles thereof
82	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal
83	Miscellaneous articles of base metal
84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof
85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles
86	Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signalling equipment of all kinds
87	Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof
88	Aircraft, spacecraft, and parts thereof
89	Ships, boats and floating structures
90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof
91	Clocks and watches and parts thereof
92	Musical instruments; parts and accessories of such articles
93	Arms and ammunition; parts and accessories thereof
94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings
95	Toys, games and sports requisites; parts and accessories thereof
96	Miscellaneous manufactured articles
97	Works of art, collectors' pieces and antiques
99	Commodities not specified according to kind

Growth of EU exports to partners before and since the Agreement's entry into force

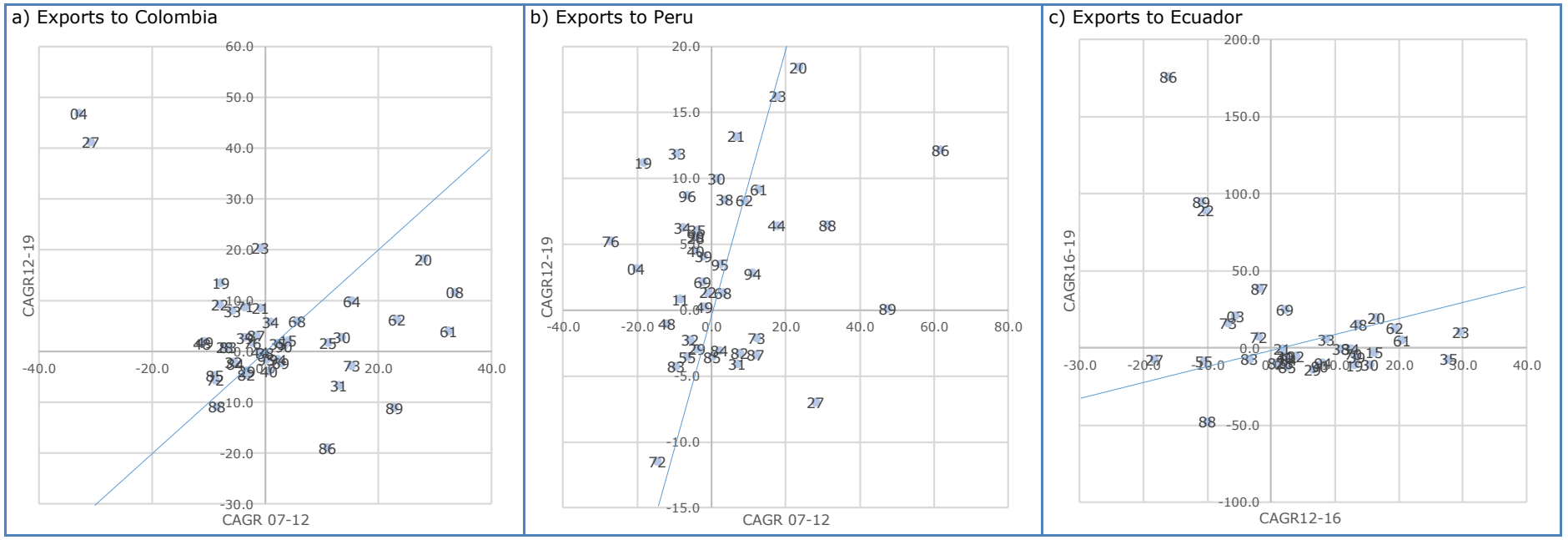
Comparing the average growth rates during the Agreement period (growth from 2012 to 2019 for exports to Colombia and Peru, and 2016 to 2019 for exports to Ecuador) at the sector level (Figure 12) shows the following.

Regarding **Colombia** (Figure 12a), growth rates of EU exports during the pre- and post-Agreement periods for most sectors were similar and not too different from average growth rates, as indicated by the clustering of sectors close to the origin. However, there were some notable exceptions. In terms of sectors showing a turnaround from export contraction in 2007 to 2012 to export growth since the entry into force of the Agreement, dairy products (ch. 04) and mineral fuels (ch. 27 – this performance mostly driven by global price developments, rather than the Agreement) stand out, but animal feed (ch. 23), preparations of cereals (ch. 19), miscellaneous food preparations (ch. 21) and beverages (ch. 22) are also among the sectors with solid above-average growth in the post-Agreement period after average or sub-average performance prior to the Agreement. On the other hand, the relative export performance of vegetable and food preparations (ch. 20), fruit (ch. 08), apparel and footwear (ch. 61, 62 and 64), and also pharmaceutical (ch. 30) was worse in the post-Agreement period than before: although EU exports to Colombia of these products these sectors grew faster than average both before and after the Agreement entered into force, the difference to average performance became smaller. Finally, for sectors switched from above-average performance before the Agreement to below-average performance since: rail transport equipment (ch. 86), ships and boats (ch. 89), fertilisers (ch. 31), and articles of iron and steel (ch. 73).

EU sector export performance to **Peru** is more diverse (Figure 12b), but overall a higher number of sectors shows a clear above-average export growth during the post-Agreement period, as indicated by their location in the upper two quadrants. Aluminium and aluminium articles (ch. 76), cereals preparations (ch. 19), dairy products (ch. 04) and essential oils and perfumes (ch. 33) stand out as the sectors that improved performance most strongly since the Agreement entered into force – although in the case of dairy and aluminium this only means that export values in 2019 reached (or slightly surpassed) the levels of 2007 again. At the other end of the spectrum, like for Colombia rail transport equipment (ch. 86) and ships and boats (ch. 89) are among the sectors with strongest relative declines in performance, as are aircraft (ch. 88) and mineral fuels (ch. 27). However, as already indicated for rail equipment, ships and aircraft, overall export values highly depend on a small number of transactions and are therefore volatile, and the performance of mineral fuels exports hardly depends on the Agreement.

EU exports to **Ecuador** have grown for most sectors (with the exception of aircraft, ch. 88) since the Agreement entered into force, after a much more mixed performance in the years prior to 2017. The sectors showing the biggest improvement in performance from the per- to the post-Agreement period (Figure 12c) are – unlike in Colombia and Peru – rail equipment (ch. 86) and ships and boats (ch. 89), as well as beverages (ch. 22). No major underperformers stand out (i.e. most sectors cluster along the blue diagonal in the diagram).

Figure 12: Average growth rates in EU28 exports to Andean partners, post-Agreement vs. pre-Agreement, by HS chapter (%)



Note: Figures show differences between growth of EU sector exports and growth of total EU exports to the partner. HS chapters that have not exceeded EUR 20 million [EUR 10 million for Ecuador] at least once in the period 2007 to 2019 are not shown, nor are chapters with distorting export patterns.
Source: Authors' calculations based on EU COMEXT database.

Table 12: EU Imports of agricultural products covered by TRQs from partner countries, 2007-2019 (volumes in t)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	
CO														
AV0-MM Mushrooms of the genus Agaricus	0	0	0	0	0	0	0	0	0	0	0	0	0	
AV0-SC Sweetcorn	2	4	5	3	2	1	2	1	0	0	0	0	0	
AV0-SP Other sugar confectionary & food preparations	152	120	161	186	169	136	172	159	183	277	189	272	272	
BF Boneless bovine meat	0	0	0	0	0	0	0	0	0	0	0	0	0	
CM Concentrated milk, sweetened	0	0	0	0	0	0	0	0	0	0	0	0	0	
RM Rum	0	0	0	0	2	2	0	0	0	0	0	100	5	
SR Cane sugar	3,347	4,523	6,937	4,703	19,828	6,214	38,014	34,681	34,881	34,078	38,009	19,176	44,175	
YT Yoghurt	0	0	0	0	0	0	0	0	0	0	0	0	0	
PE														
BF Bovine meat	0	0	0	0	0	0	0	0	0	0	0	0	0	
BK Buttermilk etc.	0	0	0	0	0	0	0	0	0	0	0	25	0	
BR Butter, dairy spreads etc.	0	0	0	0	0	0	0	0	0	0	0	0	0	
CE Cheese and curd	0	0	0	0	0	0	0	0	0	0	0	0	0	
GC Garlic	24	123	42	44	0	22	0	0	22	525	570	0	68	
IE Ice cream	0	0	0	0	0	0	0	0	0	0	0	0	0	
ME Maize	5,326	5,909	5,105	6,138	4,713	5,413	5,219	4,835	4,809	5,606	5,323	5,878	5,853	
MM Mushrooms of the genus Agaricus	0	0	0	0	0	0	0	0	0	0	0	0	0	
MP1 Milk powder	0	0	0	0	0	0	0	0	16	0	0	0	0	
MP2 Milk concentrate-not powder	0	0	0	0	0	0	0	0	0	0	0	0	0	
PK Pork meat	0	0	0	0	0	0	0	0	0	0	0	0	0	
PY Poultry meat	0	0	0	0	0	0	0	0	0	0	0	0	0	
RE Rice	0	0	1	8	131	0	0	1	2	0	2	22	0	
RM Rum	0	0	0	0	0	0	0	0	0	15	0	16	0	
SC Sweetcorn	232	147	295	277	230	298	386	463	456	515	779	804	842	
SP Other sugar confectionary & food preparations	225	174	95	183	105	64	68	37	63	81	78	55	71	
SR Sugar	542	703	564	776	659	0	60	2,238	2	60	40	0	1,038	
YT Yoghurt	0	0	0	0	0	0	0	0	0	0	0	0	0	
EC														
GC Garlic	0	0	0	0	0	0	0	18	0	0	0	0	0	
MC Manioc starch	0	0	0	0	0	0	0	0	0	0	0	0	0	
MM Mushrooms of the genus Agaricus	0	0	0	0	0	0	0	0	0	0	0	0	0	
MZ Maize	290	231	137	140	43	86	72	43	31	26	8	31	6	
RI Rice	37	16	28	36	20	28	28	21	16	18	11	18	4	
RM Rum	0	0	0	0	0	0	0	0	0	0	0	0	0	
SC1 Sweetcorn preserved	0	0	0	1	3	1	4	7	0	4	0	3	4	
SC2 Sweetcorn frozen	36	28	21	26	31	13	11	29	30	62	13	42	21	
SP Sugar and sugar products	271	351	433	377	438	492	795	1,147	1,224	568	234	78	21	
SR Cane sugar	917	879	962	818	538	0	0	0	0	0	0	0	0	

Source: Authors' calculations based on Eurostat COMEXT database.

Table 13: EU Imports of agricultural products covered by TRQs from partner countries, 2007-2019 (value in million EUR)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
CO Colombia													
AV0-MM Mushrooms of the genus Agaricus	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
AV0-SC Sweetcorn	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
AV0-SP Other sugar confectionary & food preparations	0.3	0.2	0.3	0.4	0.5	0.4	0.5	0.4	0.5	0.7	0.5	0.9	0.8
BF Boneless bovine meat	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
CM Concentrated milk, sweetened	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
RM Rum	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1
SR Cane sugar	1.5	2.2	3.5	2.4	13.0	4.3	21.4	19.7	22.3	24.5	28.6	17.8	39.4
YT Yoghurt	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PE Peru													
BF Bovine meat	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
BK Buttermilk etc.	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
BR Butter, dairy spreads etc.	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
CE Cheese and curd	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
GC Garlic	0.0	0.1	0.1	0.1	0.0	0.0	0.0	0.0	0.1	1.1	1.4	0.0	0.1
IE Ice cream	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
ME Maize	4.2	6.2	6.3	7.2	5.0	7.1	7.7	6.4	6.8	7.8	9.1	10.1	9.6
MM Mushrooms of the genus Agaricus	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
MP1 Milk powder	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
MP2 Milk concentrate-not powder	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PK Pork meat	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PY Poultry meat	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
RE Rice	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
RM Rum	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.1	0.0
SC Sweetcorn	0.3	0.2	0.5	0.5	0.4	0.6	0.7	0.8	1.0	1.1	1.6	1.5	1.7
SP Other sugar confectionary & food preparations	0.4	0.4	0.3	0.5	0.4	0.3	0.3	0.3	0.4	0.6	0.5	0.4	0.3
SR Sugar	0.4	0.6	0.6	0.8	0.7	0.0	0.0	1.3	0.0	0.1	0.1	0.0	0.8
YT Yoghurt	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EC Ecuador													
GC Garlic	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
MC Manioc starch	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
MM Mushrooms of the genus Agaricus	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
MZ Maize	0.3	0.3	0.2	0.2	0.1	0.1	0.1	0.1	0.0	0.0	0.0	0.0	0.0
RI Rice	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
RM Rum	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SC1 Sweetcorn preserved	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
SC2 Sweetcorn frozen	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.1	0.0	0.1	0.1
SP Sugar and sugar products	0.5	0.6	0.7	1.2	1.1	0.9	1.4	1.9	2.5	1.1	0.5	0.3	0.1
SR Cane sugar	0.8	0.7	0.8	0.7	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Source: Authors' calculations based on Eurostat COMEXT database.

Table 14: Utilisation rates of TRQs offered by partners to EU exports of agricultural products, 2013-2019 (%)

Category	Utilisation rates as reported in FTA implementaion reports							Utilisation rates based on reported EU exports (COMEXT)						
	2013	2014	2015	2016	2017	2018	2019	2013	2014	2015	2016	2017	2018	2019
Exports to Colombia														
Raw sugar (AZ)						0%	0%	1%	0%	0%	0%	27%	0%	0%
Bovine meat (DB)						0%	0%	0%	0%	0%	0%	0%	0%	0%
Ice cream (HE)	5%	13%	7%	26%	46%	87%	99%	3%	22%	8%	52%	82%	182%	233%
Mushrooms (HO)	2%	5%	100%	100%	100%	100%	100%	0%	60%	590%	567%	628%	993%	905%
Condensed milk (LC)							0%	0%	0%	0%	0%	1%	0%	0%
Infant formula (LM)	40%	68%	99%	100%	100%	99%	100%	53%	59%	86%	122%	110%	80%	75%
Milk and cream in powder (LP1)	0%	35%	100%	100%	83%	100%	100%	0%	14%	54%	50%	30%	135%	101%
Milk and cream in powder (LP2)								0%	0%	0%	27%	0%		
Whey (LS)	58%	50%	93%					45%	69%	123%				
Sweetcorn (MA)	0%	54%	100%	100%	100%	100%	100%	206%	362%	407%	867%	1124%	1397%	1433%
Sugar confectionery (PA)	2%	3%	3%	4%	4%	5%	3%	120%	117%	121%	162%	153%	153%	211%
Cheese (Q)	9%	8%	8%	8%	3%	13%	17%	8%	11%	8%	7%	16%	14%	17%
Textured protein substances (TX)						0%	1%	0%	0%	0%	0%	0%	0%	0%
Yoghurt (YG)	0%	1%	1%	100%	99%	17%	0%	0%	0%	0%	0%	3%	3%	1%
Exports to Peru														
Bovine meat (BF)								0%	0%	0%	0%	0%	0%	0%
Butter and dairy spread (BR)	0%	0%	96%	100%	82%	100%	0%	11%	17%	115%	178%	15%	170%	70%
Cheese (CE)	0%	0%	0%	4%	5%	5%	0%	20%	17%	23%	25%	29%	20%	39%
Infant formula (FP)	0%	0%	0%	30%	0%	0%	0%	368%	367%	338%	445%	299%	369%	358%
Garlic (GC)								0%	0%	0%	0%	4%	0%	0%
Ice cream (IE)	59%	90%	99%	96%	94%	100%	86%	110%	117%	129%	121%	113%	211%	93%
Maize (ME)								0%	0%	0%	0%	0%	0%	0%
Mushrooms Agaricus (MM)								0%	0%	0%	2%	2%	1%	0%
Milk and cream in powder (MP)	0%	4%	100%	100%	100%	100%	52%	39%	181%	153%	43%	58%	159%	116%
Pig meat (PK)								0%	0%	0%	0%	0%	0%	0%
Poultry meat (PY)								0%	0%	0%	0%	0%	0%	0%
Rice (RE)								0%	0%	0%	0%	0%	0%	0%
Rum (RM)	4%	0%	4%	6%	4%	27%	100%	3%	2%	2%	3%	4%	4%	5%
Sweetcorn (SC)								0%	0%	1%	1%	7%	11%	11%
Products with high sugar content (SP)	0%	0%	0%	2%	3%	2%	0%	95%	100%	103%	88%	97%	95%	110%
Bananas and plantains (SP1)								0%	0%	0%	0%	0%	0%	0%
Sugar (SR)	0%	0%	0%	0%	0%	0%	0%	8%	7%	16%	4%	6%	5%	5%
Exports to Ecuador														
Preparations for animal feeding (B)					6%	8%	18%					0%	0%	0%
Preparations for animal feeding (B1)					0%	3%	93%					933%	1081%	1349%
Bovine guts (D)					0%	0%	0%					0%	0%	0%
Dairy products: Powder milk, butter milk serum, whe					13%	36%	49%					13%	48%	47%
Dairy products: Evaporated milk, condensed milk (L2					1%	3%	3%					0%	0%	0%
Dairy products: Yoghurt, cheeses: grated or powdere					3%	19%	15%					9%	22%	36%
Dairy products: Blue-veined cheese, mature cheese					4%	7%	13%					0%	0%	0%
Fresh sweet corn: Sweet corn, fresh, refrigerated (M)					0%	0%	0%					0%	0%	0%
Processed sweet corn: Sweet corn: frozen, canned (					22%	33%	63%					37%	32%	55%
Pork products: cured ham, bellies (streaky) sausages					6%	19%	19%					11%	16%	16%
Frozen potatoes (PA)					0%	2%	0%					0%	0%	4%
Confectionary product (high sugar content): Juices, c					1%	0%	1%					255%	299%	300%

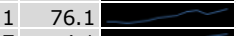
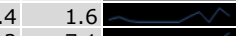
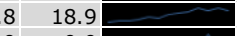
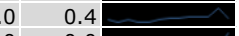
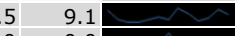
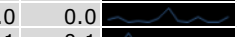
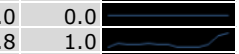
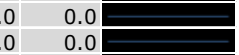
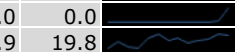
Source: Authors' calculations based on Eurostat COMEXT database.

Table 15: EU exports of agricultural products covered by TRQs to partner countries, 2007-2019 (volume in tonnes)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	
EU28 exports to Colombia														
AZ Raw sugar	37	6	7	11	15	10	148	3	5	2	6,338	4	3	
DB Bovine meat	0	0	0	0	0	0	0	0	0	0	0	1	0	
HE Ice cream	54	19	6	31	0	48	8	70	25	178	297	684	908	
HO Mushrooms	3	3	0	0	2	10	0	21	215	216	250	412	391	
LC Condensed milk	0	0	0	0	0	0	0	0	0	0	1	0	0	
LM Infant formula	811	687	749	501	540	530	583	713	1,132	1,739	1,697	1,315	1,326	
LP1 Milk and cream in powder	0	0	0	0	0	30	4	624	2,610	2,586	1,667	8,114	6,482	
LP2 Milk and cream in powder	5	0	45	0	0	0	0	0	0	175	0	0	349	
LS Whey	3,316	3,121	2,215	1,248	896	434	1,128	1,887	3,681	4,156	3,194	3,261	3,687	
MA Sweetcorn	317	267	178	151	230	296	288	532	626	1,397	1,889	2,444	2,607	
PA Sugar confectionery	6,453	5,625	4,577	5,519	6,238	6,518	7,969	8,058	8,552	11,756	11,425	11,700	16,610	
Q Cheese	94	83	29	66	102	110	176	271	226	223	529	480	614	
YG Yoghurt	0	2	0	0	0	0	0	0	0	0	4	4	1	
EU28 exports to Peru														
BF Bovine meat	0	0	0	0	0	0	0	0	0	0	1	0	1	
BR Butter and dairy spread	308	419	103	21	32	30	29	48	345	577	53	636	279	
CE Cheese	244	236	259	273	407	369	496	471	677	805	1,028	745	1,540	
FP Infant formula	404	766	980	1,073	1,467	1,339	1,838	2,018	2,028	2,890	2,094	2,764	2,861	
GC Garlic	0	0	0	0	0	0	0	0	0	0	22	0	0	
IE Ice cream	135	23	32	26	38	51	77	90	108	110	111	221	104	
ME Maize	0	0	0	0	0	0	0	0	0	0	0	0	1	
MM Mushrooms Agaricus	0	0	0	0	0	0	0	0	0	2	2	1	0	
MP Milk and cream in powder	4,251	1,492	984	386	1,857	3,078	1,170	5,976	5,508	1,692	2,437	7,164	5,566	
PK Pig meat	0	0	0	0	0	1	5	0	0	1	0	1	3	
PY Poultry meat	4	7	848	5	9	19	15	9	16	9	18	23	16	
RE Rice	49	18	25	112	33	66	49	39	57	57	81	38	45	
RM Rum	0	2	0	14	32	29	14	13	11	18	25	32	39	
SC Sweetcorn	0	0	0	0	0	0	0	0	5	7	33	56	60	
SP Products with high sugar content	1,466	1,475	1,511	1,645	2,886	3,443	4,768	5,136	5,484	4,803	5,438	5,486	6,486	
SP1 Bananas and plantains	0	0	0	0	0	0	0	0	0	0	0	0	0	
SR Sugar	206	196	305	503	399	739	867	817	1,836	530	707	654	637	
EU28 exports to Ecuador														
B1 Preparations for animal feeding	1,164	1,235	1,368	1,494	2,109	2,553	2,250	3,264	4,777	4,294	7,462	8,905	11,436	
D Bovine guts	5	3	0	0	0	0	0	0	0	0	0	0	0	
L1 Dairy products: Powder milk, butter milk serum, w	123	72	73	83	69	92	75	0	48	1	50	200	209	
L2 Dairy products: Evaporated milk, condensed milk	0	0	0	0	0	0	0	0	0	0	0	0	0	
L3 Dairy products: Yoghurt, cheeses: grated or powd	25	44	44	39	45	34	49	16	13	25	46	113	198	
L4 Dairy products: Blue-veined cheese, mature chees	0	0	0	0	0	0	0	0	0	0	0	0	0	
M Fresh sweet corn: Sweet corn, fresh, refrigerated	0	0	0	0	0	0	0	0	0	0	0	0	0	
MC Processed sweet corn: Sweet corn: frozen, canne	2	0	0	0	0	0	23	19	22	50	149	126	219	
P Pork products: cured ham, bellies (streaky) sausag	63	69	49	57	70	44	70	81	83	66	86	132	138	
PA Frozen potatoes	0	0	0	0	0	0	0	0	0	0	0	1	10	
SP Confectionary product (high sugar content): Juices	1,514	2,223	1,610	1,346	2,524	2,622	1,899	1,942	1,624	1,627	1,913	2,244	2,249	

Source: Authors' calculations based on Eurostat COMEXT database.

Table 16: EU exports of agricultural products covered by TRQs to partner countries, 2007-2019 (value in million EUR)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	
EU28 exports to Colombia														
AZ Raw sugar	0.1	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	2.8	0.0	0.0	
DB Bovine meat	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
HE Ice cream	0.2	0.1	0.0	0.1	0.0	0.3	0.0	0.3	0.1	0.3	0.5	1.1	1.6	
HO Mushrooms	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.3	0.3	0.4	0.8	0.8	
LC Condensed milk	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
LM Infant formula	5.7	4.9	4.8	3.8	4.7	4.7	5.4	7.8	12.8	19.9	13.7	12.8	9.2	
LP1 Milk and cream in powder	0.0	0.0	0.0	0.0	0.0	0.1	0.0	1.5	5.3	5.1	3.0	12.6	13.3	
LP2 Milk and cream in powder	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.4	0.0	0.0	1.1	
LS Whey	4.1	3.0	1.4	1.0	0.8	0.4	1.5	2.7	5.1	4.6	3.5	3.1	5.6	
MA Sweetcorn	0.4	0.4	0.2	0.2	0.2	0.4	0.5	0.8	0.9	1.8	2.1	2.7	3.4	
PA Sugar confectionery	24.0	24.1	16.0	21.0	26.5	37.7	45.7	49.8	63.2	67.8	54.7	62.1	76.1	
Q Cheese	0.5	0.5	0.2	0.4	0.7	0.9	1.4	2.2	1.6	1.6	3.4	3.7	4.1	
YG Yoghurt	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
EU28 exports to Peru														
BF Bovine meat	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
BR Butter and dairy spread	0.7	1.4	0.4	0.1	0.1	0.1	0.1	0.2	1.4	2.4	0.3	3.4	1.6	
CE Cheese	1.1	1.3	1.3	1.5	2.3	2.1	2.9	2.9	3.4	4.1	5.3	4.2	7.1	
FP Infant formula	2.7	4.7	5.8	6.8	9.5	8.2	12.9	15.0	17.4	22.7	18.1	21.8	18.9	
GC Garlic	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
IE Ice cream	0.3	0.1	0.3	0.1	0.1	0.3	0.3	0.3	0.4	0.4	0.4	1.0	0.4	
ME Maize	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
MM Mushrooms Agaricus	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
MP Milk and cream in powder	14.3	4.0	1.4	0.8	4.3	7.2	3.6	17.3	10.6	3.2	5.9	14.5	9.1	
PK Pig meat	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
PY Poultry meat	0.0	0.0	3.0	0.0	0.0	0.1	0.1	0.0	0.1	0.0	0.1	0.1	0.1	
RE Rice	0.0	0.0	0.0	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	
RM Rum	0.0	0.0	0.0	0.1	0.3	0.2	0.1	0.2	0.2	0.3	0.5	0.1	0.1	
SC Sweetcorn	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	
SP Products with high sugar content	5.2	6.9	8.5	9.9	14.3	17.3	25.7	25.5	30.6	40.9	33.6	35.2	40.9	
SP1 Bananas and plantains	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
SR Sugar	0.3	0.3	0.2	0.5	0.5	0.8	0.8	0.6	1.4	0.7	0.9	1.1	1.2	
EU28 exports to Ecuador														
B1 Preparations for animal feeding	1.7	1.7	1.9	1.9	2.8	4.0	3.9	5.9	7.2	8.2	12.5	15.5	18.3	
D Bovine guts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
L1 Dairy products: Powder milk, butter milk ser	0.2	0.1	0.1	0.1	0.1	0.1	0.1	0.0	0.1	0.0	0.1	0.3	0.5	
L2 Dairy products: Evaporated milk, condensed	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
L3 Dairy products: Yoghurt, cheeses: grated or	0.2	0.4	0.3	0.3	0.4	0.3	0.3	0.2	0.1	0.2	0.3	0.8	1.0	
L4 Dairy products: Blue-veined cheese, mature	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
M Fresh sweet corn: Sweet corn, fresh, refriger	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
MC Processed sweet corn: Sweet corn: frozen,	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.2	
P Pork products: cured ham, bellies (streaky) s	0.5	0.5	0.4	0.5	0.5	0.4	0.4	0.6	0.5	0.5	0.7	1.2	1.1	
PA Frozen potatoes	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
SP Confectionary product (high sugar content):	7.6	13.3	9.4	8.3	17.4	20.2	14.7	17.2	12.2	14.8	16.1	20.9	19.8	

Source: Authors' calculations based on Eurostat COMEXT database.

Table 17: EU exports to Ecuador of products covered by Ecuadorean TRQs, 2017-2020 (%)

Product	2017		2018		2019		2020		Fill rate			
	Annual TRQ	Used TRQ	Annual TRQ	Used TRQ	Annual TRQ	Used TRQ	Annual TRQ	Used TRQ	2017	2018	2019	2020
B Animal balanced feed for humai	800	49	815	66	848	153	845	160	6.1%	8.1%	18%	19%
B1 Pet food for dogs and cats	800	0	824	22	848	791	872	825	0.0%	2.7%	93%	95%
D Bovine offal	500	0	515	0	530	0	545	0	0.0%	0.0%	0%	0%
L1 Milk powder	400	50	420	150	440	217	460	288	12.5%	35.7%	49%	63%
L2 Evaporated milk, condensed	600	6	630	19	660	20	690	118	1.0%	3.0%	3%	17%
L3 Yogurt, semi-ripe cheeses	500	14	525	100	550	90	575	90	2.7%	19.0%	16%	16%
L4 Ripened cheeses	1000	39	1050	74	1100	140	1150	339	3.9%	7.0%	13%	29%
M Sweet corn (fresh, chilled)	300	0	300	0	300	0	300	0	0.0%	0.0%	0%	0%
MC Sweet corn (frozen, canned)	400	87	400	131	400	251	400	205	21.9%	32.8%	63%	51%
P Raw sausages	800	45	824	156	848	158	872	187	5.7%	18.9%	19%	21%
PA Frozen potatoes	250	0	257.5	5	265	0	273	0	0.0%	1.9%	0%	0%
SP High-sugar products	750	7	750	0	750	4	750	4	0.9%	0.0%	1%	0%

Source: Government of Ecuador

Table 18: Changes in global exports and GDP (at initial market prices) caused by the Agreement, by region (year 2020; comparing situation with and without Agreement)

Region	GDP in 2014	GDP volume		Total value of exports	
	USD M	USD M	%	USD M	%
1 Australia	1,390,042	-3.5	0.00	2.8	0.00
2 NewZeeland	166,140	-0.8	0.00	-0.2	0.00
3 China	7,740,887	-115.4	0.00	-66.6	0.00
4 Japan	5,905,638	-33.6	0.00	-6.6	0.00
5 Asean	2,234,372	-12.6	0.00	-22.8	0.00
6 RestAsia	4,094,481	-50.7	0.00	-39.1	0.00
7 USA	15,500,006	-78.7	0.00	-140.4	-0.01
8 Canada	1,788,800	-5.0	0.00	-23.2	-0.01
9 RestLatinAme	1,715,823	-72.4	0.00	-57.6	-0.01
10 Mexico	1,169,359	-276.5	-0.02	-140.8	-0.04
11 Brasil	2,614,566	-97.9	0.00	-39.2	-0.01
12 Colombia	**335,415**	**41.9**	**0.01**	**744.3**	**1.35**
13 Peru	**170,564**	**49.4**	**0.03**	**267.5**	**0.53**
14 Ecuador	**79,276**	**127.6**	**0.16**	**111.1**	**0.50**
15 EU_28	**18,368,270**	**1334.4**	**0.01**	**1729.5**	**0.03**
16 Swiss	696,315	-28.6	0.00	-41.2	-0.01
17 RestEFTA	518,569	-5.1	0.00	0.8	0.00
18 Turkey	774,753	-8.5	0.00	5.9	0.00
19 Russian	1,904,790	-23.8	0.00	12.9	0.00
20 MENA	3,262,911	-1.2	0.00	17.0	0.00
21 SSA	1,514,712	-4.0	0.00	-0.7	0.00
22 RestofWorld	769,465	-7.6	0.00	0.0	0.00
World	**72,715,154**	**727.6**	**0.00**	**2313.5**	**0.01**

Source: European Commission DG TRADE CGE modelling results.

Table 19: Sectoral impacts of the Agreement in the EU28 (comparing situation with and without Agreement, 2020)

	Total export		Total import		Output		Employment reallocation (%)	
	EU		EU		EU		EU	
Sector	USD M	%	USD M	%	USD M	%	Unskilled	Skilled
1 Paddy rice	0	0.02	0	-0.03	0	0.00	-0.01	-0.02
2 Wheat	11	0.05	-2	-0.02	14	0.02	0.01	0.01
3 Cereal grains nec	3	0.02	-2	-0.02	1	0.00	0.00	-0.01
4 Vegetables, fruit, nuts	-161	-0.30	-38	-0.07	-279	-0.22	-0.24	-0.24
5 Oil seeds	3	0.03	2	0.01	7	0.03	0.01	0.01
6 Sugar cane, sugar beet	0	0.00	0	0.00	0	0.00	-0.02	-0.02
7 Plant-based fibers	0	0.03	0	0.00	1	0.03	0.02	0.02
8 Crops nec	10	0.04	-6	-0.02	-2	0.00	-0.01	-0.02
9 Bovine cattle, sheep and goats	2	0.03	0	0.00	5	0.01	0.00	0.00
10 Animal products nec	4	0.02	2	0.01	18	0.02	0.00	0.00
11 Wool, silk-worm cocoons	3	0.12	1	0.01	3	0.11	0.10	0.10
12 Forestry	0	0.00	2	0.03	3	0.01	0.01	0.01
13 Fishing	-1	-0.01	1	0.01	-1	0.00	-0.01	-0.01
14 Coal	-1	-0.04	7	0.03	-1	0.00	-0.01	-0.01
15 Oil	-3	-0.01	31	0.01	-1	0.00	-0.01	-0.01
16 Minerals nec	-9	-0.02	19	0.03	0	0.00	0.00	0.00
17 Bovine meat products	1	0.01	0	0.00	7	0.01	0.00	0.00
18 Meat products nec	33	0.06	2	0.01	40	0.02	0.02	0.01
19 Vegetable oils and fats	38	0.10	2	0.00	22	0.03	0.02	0.02
20 Dairy products	1	0.00	3	0.01	6	0.00	-0.01	-0.01
21 Processed rice	-1	-0.04	0	-0.01	-1	-0.03	-0.04	-0.04
22 Sugar	-3	-0.03	-1	-0.01	-5	-0.02	-0.03	-0.03
23 Other food products	-228	-0.13	207	0.12	-422	-0.06	-0.07	-0.07
24 Beverages and tobacco products	27	0.03	5	0.01	40	0.01	0.00	0.00
25 Textiles	48	0.09	30	0.03	66	0.04	0.04	0.04
26 Wearing apparel	62	0.09	38	0.02	54	0.05	0.04	0.04
27 Leather products	24	0.05	17	0.02	25	0.04	0.03	0.03
28 Wood products	5	0.01	15	0.03	25	0.01	0.01	0.00
29 Paper products, publishing	109	0.07	29	0.02	153	0.03	0.02	0.02
30 Petroleum, coal products	7	0.00	27	0.01	62	0.01	0.00	0.00
31 Chemical products	125	0.02	172	0.04	143	0.02	0.00	0.00
32 Basic pharmaceutical products	223	0.07	48	0.02	221	0.06	0.05	0.04
33 Rubber and plastic products	56	0.03	63	0.03	120	0.03	0.02	0.02
34 Mineral products nec	42	0.06	24	0.03	90	0.03	0.02	0.02
35 Ferrous metals	135	0.06	114	0.06	274	0.06	0.05	0.05
36 Metals nec	13	0.01	111	0.05	42	0.01	0.01	0.01
37 Metal products	207	0.13	73	0.05	416	0.06	0.05	0.05
38 Computer, electronic and optic	226	0.06	244	0.04	260	0.04	0.04	0.03
39 Electrical equipment	170	0.06	158	0.05	225	0.04	0.04	0.03
40 Machinery and equipment nec	661	0.12	218	0.04	752	0.07	0.06	0.06
41 Motor vehicles and parts	1033	0.15	281	0.05	1184	0.11	0.10	0.10
42 Transport equipment nec	58	0.03	86	0.04	67	0.02	0.02	0.01
43 Manufactures nec	131	0.07	76	0.03	160	0.03	0.02	0.02
44 Electricity	-4	-0.01	6	0.02	75	0.01	0.00	0.00
45 Gas manufacture, distribution	-15	-0.04	40	0.03	-14	-0.02	-0.03	-0.03
46 Water	-1	-0.04	1	0.03	22	0.01	0.00	0.00
47 Construction	-14	-0.02	22	0.03	641	0.02	0.01	0.01
48 Wholesale & retail trade	-22	-0.02	39	0.02	334	0.01	0.00	0.00
49 Accommodation, Food and serv.	-5	-0.01	4	0.01	91	0.01	0.00	0.00
50 Transport nec	-11	-0.01	30	0.02	83	0.01	0.00	0.00
51 Water transport	1	0.00	6	0.01	20	0.01	-0.01	-0.01
52 Air transport	-2	0.00	18	0.02	14	0.01	0.00	-0.01
53 Warehousing and support act.	-1	0.00	6	0.01	32	0.01	-0.01	-0.01
54 Communication	-23	-0.01	34	0.02	218	0.01	0.00	0.00
55 Financial services nec	-39	-0.03	39	0.02	6	0.00	-0.01	-0.01
56 Insurance	-31	-0.03	7	0.01	-17	0.00	-0.01	-0.01
57 Real estate activities	-6	-0.02	3	0.01	83	0.01	-0.01	-0.01
58 Business services nec	-107	-0.02	144	0.02	226	0.01	0.00	0.00
59 Public Services	-57	-0.03	49	0.02	120	0.00	-0.01	-0.01
Total	**2730**	**0.04**	**2506**	**0.03**	**5726**	**0.01**	**0.00**	**0.00**

Note: Changes on imports are mirror data, i.e. changes in total exports by the world to the EU
Source: European Commission DG TRADE CGE modelling results.

Table 20: Sectoral impacts of the Agreement in Colombia (comparing situation with and without Agreement, 2020)

	Total export		Total import		Output		Employment reallocation (%)	
	CO		CO		CO		CO	
Sector	USD M	%	USD M	%	USD M	%	Unskilled	Skilled
1 Paddy rice	0	-1.28	0	1.20	0	0.00	0.21	0.20
2 Wheat	0	0.15	1	0.22	0	-0.18	-0.04	-0.05
3 Cereal grains nec	0	0.60	3	0.25	0	-0.10	0.09	0.08
4 Vegetables, fruit, nuts	62	32.30	11	1.08	46	0.87	1.19	1.18
5 Oil seeds	0	-0.50	0	0.16	-1	-0.22	-0.06	-0.07
6 Sugar cane, sugar beet	0	10.61	0	0.53	-2	-0.17	0.01	0.00
7 Plant-based fibers	0	0.25	1	0.47	0	0.08	0.25	0.24
8 Crops nec	12	1.52	2	0.75	8	0.54	0.74	0.73
9 Bovine cattle, sheep and goats	0	-0.44	1	3.54	-6	-0.25	-0.07	-0.08
10 Animal products nec	0	-0.29	0	0.33	-10	-0.29	-0.12	-0.13
11 Wool, silk-worm cocoons	0	4.47	0	0.84	0	-1.15	-1.11	-1.12
12 Forestry	0	1.37	0	0.04	0	0.01	0.04	0.03
13 Fishing	0	1.19	0	-0.28	0	0.00	-0.02	-0.03
14 Coal	3	0.06	0	0.00	3	0.05	0.15	0.14
15 Oil	4	0.04	0	0.01	6	0.03	0.12	0.11
16 Minerals nec	0	0.51	2	0.37	0	0.01	0.04	0.03
17 Bovine meat products	0	0.17	0	-0.14	-5	-0.16	-0.18	-0.22
18 Meat products nec	0	24.48	9	0.99	-12	-0.30	-0.33	-0.37
19 Vegetable oils and fats	4	9.76	16	1.06	-3	-0.15	-0.18	-0.22
20 Dairy products	0	19.40	-2	-1.00	-4	-0.06	0.09	0.06
21 Processed rice	0	7.11	-1	-1.90	-1	-0.04	-0.07	-0.11
22 Sugar	1	0.85	0	-0.06	-2	-0.12	-0.15	-0.19
23 Other food products	57	8.16	2	0.17	48	0.38	0.35	0.31
24 Beverages and tobacco products	3	3.07	9	3.84	-8	-0.11	-0.15	-0.19
25 Textiles	13	5.14	-7	-0.34	21	0.64	0.61	0.57
26 Wearing apparel	23	7.60	21	2.15	-2	-0.04	-0.05	-0.10
27 Leather products	6	7.40	-3	-0.26	6	0.32	0.29	0.24
28 Wood products	0	2.69	-7	-0.81	5	0.17	0.13	0.08
29 Paper products, publishing	15	2.08	21	1.57	0	0.00	-0.04	-0.09
30 Petroleum, coal products	5	0.19	-1	-0.05	4	0.03	-0.05	-0.09
31 Chemical products	128	3.24	40	0.51	136	0.90	0.84	0.80
32 Basic pharmaceutical products	17	2.84	68	4.44	-40	-1.19	-1.25	-1.30
33 Rubber and plastic products	26	4.27	-9	-0.29	39	0.39	0.37	0.33
34 Mineral products nec	10	2.23	3	0.17	11	0.06	0.01	-0.04
35 Ferrous metals	6	1.89	-12	-0.17	8	0.15	0.09	0.05
36 Metals nec	18	3.11	-4	-0.25	21	1.72	1.66	1.62
37 Metal products	1	2.88	26	0.54	-24	-0.45	-0.50	-0.54
38 Computer, electronic and optic	2	4.83	-30	-0.23	3	0.38	0.37	0.33
39 Electrical equipment	14	3.72	6	0.11	9	0.34	0.30	0.26
40 Machinery and equipment nec	7	3.89	71	0.47	-30	-0.62	-0.66	-0.70
41 Motor vehicles and parts	23	3.68	132	0.99	-13	-0.21	-0.24	-0.29
42 Transport equipment nec	3	9.08	-31	-0.39	23	1.30	1.27	1.23
43 Manufactures nec	8	3.05	38	1.33	-20	-0.20	-0.24	-0.29
44 Electricity	7	1.35	0	-0.84	10	0.14	0.07	0.03
45 Gas manufacture, distribution	8	1.08	0	-0.86	9	0.48	0.70	0.68
46 Water	0	2.21	0	-1.03	-1	-0.01	-0.02	-0.07
47 Construction	0	1.59	-1	-0.77	47	0.03	-0.03	-0.08
48 Wholesale & retail trade	9	1.75	-11	-0.68	42	0.05	-0.02	-0.08
49 Accommodation, Food and serv.	1	1.08	-1	-0.16	-27	-0.11	-0.18	-0.24
50 Transport nec	12	1.06	-4	-0.43	8	0.03	-0.04	-0.10
51 Water transport	2	0.69	0	0.01	2	0.23	0.15	0.09
52 Air transport	20	0.79	-5	-0.28	22	0.37	0.29	0.23
53 Warehousing and support act.	8	1.71	1	0.13	17	0.21	0.12	0.06
54 Communication	15	1.68	-8	-0.80	24	0.07	0.02	-0.03
55 Financial services nec	4	1.63	-6	-0.71	9	0.05	0.00	-0.04
56 Insurance	1	1.61	-5	-0.58	6	0.08	0.04	-0.01
57 Real estate activities	7	1.74	-1	-0.69	3	0.01	-0.06	-0.11
58 Business services nec	13	1.65	-20	-0.69	55	0.12	0.07	0.03
59 Public Services	6	1.64	-11	-0.50	-17	-0.02	-0.02	-0.07
Total	**587**	**1.58**	**307**	**0.26**	**422**	**0.06**	**0.00**	**0.00**

Note: Changes on imports are mirror data, i.e. changes in total exports by the world to Colombia
Source: European Commission DG TRADE CGE modelling results.

Table 21: Sectoral impacts of the Agreement in Peru (comparing situation with and without Agreement, 2020)

	Total export		Total import		Output		Employment reallocation (%)	
	PE		PE		PE		PE	
Sector	USD M	%	USD M	%	USD M	%	Unskilled	Skilled
1 Paddy rice	0	3.46	0	4.11	2	0.23	0.37	0.36
2 Wheat	0	20.74	14	1.85	-3	-0.22	-0.12	-0.13
3 Cereal grains nec	0	-0.08	5	0.68	2	0.10	0.23	0.22
4 Vegetables, fruit, nuts	52	4.99	3	1.69	55	1.06	1.30	1.29
5 Oil seeds	0	-3.57	2	2.23	2	0.39	0.55	0.55
6 Sugar cane, sugar beet	0	-3.15	0	2.31	2	0.24	0.39	0.38
7 Plant-based fibers	0	-2.03	3	1.09	2	0.41	0.57	0.56
8 Crops nec	-32	-2.59	1	2.13	-26	-0.34	-0.25	-0.26
9 Bovine cattle, sheep and goats	0	-2.46	0	1.30	0	-0.04	0.08	0.07
10 Animal products nec	0	-0.65	0	0.69	-2	-0.05	0.07	0.06
11 Wool, silk-worm cocoons	1	1.92	2	5.64	1	0.26	0.39	0.39
12 Forestry	0	-1.28	0	0.86	0	0.02	0.03	0.02
13 Fishing	1	1.37	0	0.57	2	0.06	0.21	0.20
14 Coal	0	-0.07	0	0.22	0	-0.07	-0.13	-0.13
15 Oil	-1	-0.36	4	0.19	-1	-0.02	-0.07	-0.08
16 Minerals nec	5	0.03	1	0.08	-24	-0.10	-0.19	-0.19
17 Bovine meat products	0	-2.55	1	1.20	6	0.21	0.19	0.15
18 Meat products nec	1	1.77	2	2.38	3	0.06	0.04	0.00
19 Vegetable oils and fats	31	7.86	9	0.95	29	0.86	0.84	0.80
20 Dairy products	-1	-0.50	3	1.32	11	0.16	0.24	0.22
21 Processed rice	0	4.76	2	1.12	-1	-0.06	-0.10	-0.14
22 Sugar	1	1.46	2	1.08	5	0.14	0.11	0.07
23 Other food products	202	6.74	10	0.99	226	1.86	1.84	1.80
24 Beverages and tobacco products	1	1.10	3	2.30	-1	-0.01	-0.04	-0.07
25 Textiles	1	0.34	10	0.70	27	0.29	0.28	0.23
26 Wearing apparel	57	5.76	13	1.56	47	0.45	0.39	0.35
27 Leather products	2	5.63	6	0.97	-3	-0.10	-0.11	-0.15
28 Wood products	-3	-1.58	3	1.03	-5	-0.07	-0.08	-0.12
29 Paper products, publishing	-4	-2.22	21	1.74	-21	-0.41	-0.41	-0.45
30 Petroleum, coal products	0	0.00	3	0.15	13	0.09	0.03	-0.01
31 Chemical products	196	11.31	47	0.92	558	1.56	1.52	1.48
32 Basic pharmaceutical products	-1	-1.46	19	2.43	-16	-0.94	-0.99	-1.04
33 Rubber and plastic products	-7	-1.55	10	0.62	2	0.02	0.01	-0.03
34 Mineral products nec	-3	-1.10	4	0.66	-3	-0.03	-0.06	-0.10
35 Ferrous metals	0	-0.58	2	0.06	-5	-0.26	-0.29	-0.33
36 Metals nec	-130	-0.79	3	0.60	-147	-0.72	-0.75	-0.80
37 Metal products	-2	-1.76	12	0.66	-4	-0.08	-0.09	-0.13
38 Computer, electronic and optic	-1	-0.89	24	0.52	-14	-0.40	-0.43	-0.47
39 Electrical equipment	-2	-2.16	19	0.68	-13	-0.40	-0.42	-0.46
40 Machinery and equipment nec	-4	-1.63	51	0.72	-31	-0.35	-0.36	-0.41
41 Motor vehicles and parts	-1	-1.52	31	0.49	-16	-0.23	-0.23	-0.28
42 Transport equipment nec	1	3.18	9	0.63	-6	-0.23	-0.22	-0.26
43 Manufactures nec	0	-0.17	17	1.33	-10	-0.25	-0.26	-0.30
44 Electricity	0	-0.52	0	0.36	2	0.04	-0.03	-0.08
45 Gas manufacture, distribution	-13	-0.39	0	0.41	-10	-0.20	-0.34	-0.36
46 Water	-1	-1.28	0	0.71	1	0.01	-0.01	-0.05
47 Construction	0	-0.91	3	0.55	44	0.09	0.11	0.06
48 Wholesale & retail trade	-1	-0.76	2	0.48	12	0.06	0.02	-0.04
49 Accommodation, Food and serv.	-1	-1.08	1	0.54	-1	-0.01	-0.04	-0.09
50 Transport nec	-5	-0.49	2	0.31	6	0.04	0.03	-0.03
51 Water transport	-3	-0.59	0	0.27	-3	-0.16	-0.19	-0.25
52 Air transport	-5	-0.48	2	0.25	-5	-0.14	-0.17	-0.22
53 Warehousing and support act.	-3	-0.77	1	0.35	-2	-0.04	-0.08	-0.14
54 Communication	-3	-0.86	4	0.46	0	0.00	-0.03	-0.08
55 Financial services nec	-1	-0.91	1	0.49	2	0.03	0.00	-0.05
56 Insurance	-5	-0.98	3	0.43	-5	-0.16	-0.14	-0.19
57 Real estate activities	0	-0.79	0	0.23	1	0.01	-0.07	-0.11
58 Business services nec	-6	-0.81	7	0.42	-2	-0.01	-0.06	-0.11
59 Public Services	-7	-0.94	7	0.47	-9	-0.02	-0.02	-0.06
Total	**308**	**0.56**	**401**	**0.68**	**672**	**0.14**	**0.00**	**0.00**

Note: Changes on imports are mirror data, i.e. changes in total exports by the world to Peru
Source: European Commission DG TRADE CGE modelling results.

Table 22: Sectoral impacts of the Agreement in Ecuador (comparing situation with and without Agreement, 2020)

	Total export		Total import		Output		Employment reallocation (%)	
	EC		EC		EC		EC	
Sector	USD M	%	USD M	%	USD M	%	Unskilled	Skilled
1 Paddy rice	0	-17.97	0	11.18	1	0.24	0.59	0.57
2 Wheat	0	-6.76	8	5.04	0	-1.39	-1.30	-1.32
3 Cereal grains nec	0	-4.51	4	1.84	5	2.14	2.75	2.74
4 Vegetables, fruit, nuts	30	1.37	6	3.58	27	0.82	1.22	1.21
5 Oil seeds	0	-4.96	0	1.10	-2	-1.42	-1.33	-1.34
6 Sugar cane, sugar beet	0	-8.76	0	4.28	-3	-0.49	-0.26	-0.28
7 Plant-based fibers	0	-4.98	2	1.85	-3	-1.19	-1.07	-1.08
8 Crops nec	-7	-1.33	1	1.25	-7	-1.29	-1.20	-1.21
9 Bovine cattle, sheep and goats	0	-5.36	0	4.62	0	-0.14	0.16	0.15
10 Animal products nec	0	-2.94	0	1.48	-1	-0.22	0.07	0.05
11 Wool, silk-worm cocoons	0	-17.48	0	5.21	0	-4.72	-5.10	-5.12
12 Forestry	0	-2.61	0	1.45	0	-0.01	-0.07	-0.08
13 Fishing	-2	-14.76	0	11.31	3	0.30	2.01	2.00
14 Coal	0	-0.40	0	-0.05	0	-0.13	-0.53	-0.54
15 Oil	-2	-0.03	0	0.02	-3	-0.03	-0.21	-0.22
16 Minerals nec	0	-1.34	0	0.74	0	0.03	0.10	0.09
17 Bovine meat products	0	-6.99	0	3.63	1	0.09	-0.15	-0.21
18 Meat products nec	1	18.06	2	4.85	-1	-0.07	-0.29	-0.34
19 Vegetable oils and fats	-10	-2.18	9	2.26	-17	-1.56	-1.76	-1.82
20 Dairy products	-1	-2.11	0	3.09	0	0.01	0.10	0.07
21 Processed rice	-1	-10.77	0	5.16	0	-0.05	-0.29	-0.35
22 Sugar	-1	-24.00	2	3.33	-2	-0.48	-0.51	-0.57
23 Other food products	220	10.90	51	7.40	179	4.09	3.89	3.83
24 Beverages and tobacco products	0	-0.33	3	5.73	-2	-0.13	-0.33	-0.39
25 Textiles	-8	-3.23	5	0.98	-15	-1.67	-1.86	-1.93
26 Wearing apparel	7	4.89	2	1.95	6	0.60	0.40	0.34
27 Leather products	-6	-3.12	2	2.24	-10	-1.47	-1.66	-1.72
28 Wood products	-13	-2.95	2	3.66	-11	-0.62	-0.87	-0.94
29 Paper products, publishing	-5	-4.82	10	1.54	-10	-1.08	-1.13	-1.19
30 Petroleum, coal products	-6	-0.31	5	0.21	-2	-0.04	-0.27	-0.33
31 Chemical products	-13	-1.52	3	0.12	-16	-1.35	-1.59	-1.66
32 Basic pharmaceutical products	-2	-3.93	12	1.65	-8	-0.66	-0.90	-0.96
33 Rubber and plastic products	-3	-1.93	5	0.70	-6	-1.43	-1.55	-1.62
34 Mineral products nec	-3	-2.63	6	2.46	2	0.10	-0.11	-0.18
35 Ferrous metals	0	-1.04	3	0.23	0	-0.42	-0.70	-0.77
36 Metals nec	-2	-2.27	0	-0.18	-2	-2.09	-2.34	-2.41
37 Metal products	0	-1.34	7	1.71	3	0.54	0.40	0.34
38 Computer, electronic and optic	-2	-2.67	9	0.61	-2	-0.76	-0.94	-1.01
39 Electrical equipment	-2	-1.74	9	0.89	-2	-1.12	-1.28	-1.34
40 Machinery and equipment nec	0	-0.55	19	1.08	0	-0.06	-0.21	-0.27
41 Motor vehicles and parts	-38	-5.13	0	0.00	-40	-4.15	-4.30	-4.36
42 Transport equipment nec	0	4.81	5	2.03	0	0.16	0.02	-0.05
43 Manufactures nec	2	0.47	7	3.20	3	0.10	-0.17	-0.23
44 Electricity	0	-0.41	4	0.96	-2	-0.18	-0.37	-0.43
45 Gas manufacture, distribution	-1	-0.85	0	0.70	-1	-0.55	-1.00	-1.03
46 Water	0	-3.58	0	2.01	0	-0.01	-0.18	-0.25
47 Construction	-1	-1.90	0	1.65	113	0.68	0.40	0.33
48 Wholesale & retail trade	-6	-2.37	1	1.61	46	0.34	0.13	0.04
49 Accommodation, Food and serv.	-6	-3.54	1	1.87	-4	-0.12	-0.47	-0.55
50 Transport nec	-7	-1.12	1	0.92	9	0.16	-0.19	-0.27
51 Water transport	0	-0.54	0	0.36	-1	-0.14	-0.52	-0.60
52 Air transport	0	-0.60	2	0.55	1	0.09	-0.30	-0.38
53 Warehousing and support act.	-11	-2.18	0	0.69	-9	-0.44	-0.83	-0.91
54 Communication	-13	-2.22	1	1.29	-7	-0.15	-0.31	-0.38
55 Financial services nec	-2	-2.47	1	1.43	4	0.11	-0.04	-0.10
56 Insurance	-2	-2.36	1	1.22	-1	-0.12	-0.34	-0.40
57 Real estate activities	-3	-2.31	0	1.12	1	0.03	-0.24	-0.31
58 Business services nec	-4	-2.31	1	1.26	2	0.02	-0.14	-0.20
59 Public Services	-23	-2.58	5	1.50	23	0.10	-0.02	-0.09
Total	**52**	**0.26**	**221**	**1.07**	**236**	**0.17**	**0.00**	**0.00**

Note: Changes on imports are mirror data, i.e. changes in total exports by the world to Ecuador
Source: European Commission DG TRADE CGE modelling results.

Table 23: Sectoral impacts of the Agreement in LDCs and developing countries (comparing situation with and without Agreement, 2020)

	Total export						Output					
	LDCs (SSA)		DCs (RofAsia)		DCs (MENA)		LDCs (SSA)		DCs (RofAsia)		DCs (MENA)	
Sector	USD M	%	USD M	%	USD M	%	USD M	%	USD M	%	USD M	%
1 Paddy rice	0	0.07	0	-0.03	0	0.11	0	0.00	0	0.00	0	0.00
2 Wheat	0	0.00	-1	-0.03	0	-0.01	0	0.00	0	0.00	-1	-0.01
3 Cereal grains nec	0	0.00	0	0.00	0	0.00	-1	0.00	0	0.00	-1	0.00
4 Vegetables, fruit, nuts	-7	-0.19	-3	-0.03	-2	-0.05	-9	-0.01	-2	0.00	0	0.00
5 Oil seeds	0	0.00	0	-0.02	0	-0.01	0	0.00	-2	0.00	0	-0.01
6 Sugar cane, sugar beet	0	0.01	0	-0.02	0	0.01	0	0.00	0	0.00	0	-0.01
7 Plant-based fibers	0	0.01	-1	-0.01	0	0.01	0	0.00	-1	0.00	-1	-0.01
8 Crops nec	0	0.01	2	0.02	0	0.00	0	0.00	2	0.00	0	-0.01
9 Bovine cattle, sheep and goats	0	-0.01	0	-0.04	0	-0.01	0	0.00	-1	0.00	-1	-0.01
10 Animal products nec	0	-0.01	0	-0.01	0	-0.01	0	0.00	0	0.00	-2	-0.01
11 Wool, silk-worm cocoons	0	-0.01	-1	-0.06	0	-0.05	0	0.00	-1	-0.02	-1	-0.02
12 Forestry	0	0.01	-1	-0.02	0	0.05	0	0.00	0	0.00	0	0.00
13 Fishing	0	0.01	0	-0.01	0	0.02	0	0.00	0	0.00	0	0.00
14 Coal	0	0.00	-1	-0.02	0	0.04	0	0.00	0	0.00	0	0.00
15 Oil	-2	0.00	0	-0.01	26	0.01	-2	0.00	0	0.00	-16	0.00
16 Minerals nec	0	0.00	-3	-0.01	3	0.05	-1	0.00	-2	0.00	-2	-0.01
17 Bovine meat products	0	0.01	-1	-0.01	0	-0.04	-1	0.00	-1	-0.01	-3	-0.02
18 Meat products nec	0	-0.01	0	-0.04	0	-0.05	-1	0.00	0	0.00	-2	-0.02
19 Vegetable oils and fats	0	-0.02	-2	-0.02	-1	-0.05	-1	-0.01	-2	0.00	-3	-0.03
20 Dairy products	0	0.01	0	-0.01	0	-0.03	0	0.00	0	0.00	-12	-0.02
21 Processed rice	0	0.02	-1	-0.01	0	-0.01	0	0.01	-1	0.00	0	0.00
22 Sugar	0	0.00	-1	-0.01	0	-0.02	0	0.00	-1	0.00	-1	-0.01
23 Other food products	-8	-0.10	-3	-0.01	-4	-0.06	-9	-0.01	0	0.00	-20	-0.01
24 Beverages and tobacco products	0	0.00	0	-0.01	-1	-0.03	-2	0.00	0	0.00	-7	-0.02
25 Textiles	0	0.01	-3	-0.01	-3	-0.06	0	0.00	-3	0.00	-17	-0.04
26 Wearing apparel	0	0.00	-3	0.00	-5	-0.09	0	0.00	-2	0.00	-16	-0.04
27 Leather products	0	0.02	1	0.01	0	-0.03	0	0.00	2	0.00	-2	-0.03
28 Wood products	1	0.04	0	0.00	0	-0.05	0	0.00	0	0.00	-16	-0.04
29 Paper products, publishing	0	0.01	-2	-0.01	-1	-0.04	0	0.00	-3	0.00	-11	-0.04
30 Petroleum, coal products	0	0.00	2	0.00	-10	-0.01	0	0.00	11	0.00	-65	-0.02
31 Chemical products	-3	-0.02	-6	-0.01	-42	-0.05	-5	-0.01	-8	0.00	-71	-0.04
32 Basic pharmaceutical products	0	-0.01	-14	-0.07	-14	-0.10	0	0.00	-14	-0.02	-26	-0.06
33 Rubber and plastic products	1	0.02	-2	-0.01	-5	-0.06	0	0.00	-14	-0.01	-30	-0.05
34 Mineral products nec	0	0.00	0	0.00	-4	-0.05	-2	-0.01	4	0.00	-77	-0.04
35 Ferrous metals	1	0.00	-8	-0.01	-36	-0.08	0	0.00	-32	-0.01	-148	-0.06
36 Metals nec	4	0.01	0	0.00	-56	-0.09	4	0.01	2	0.00	-75	-0.08
37 Metal products	0	-0.01	-3	-0.01	-8	-0.11	-1	0.00	-14	0.00	-71	-0.05
38 Computer, electronic and optic	0	0.00	-61	-0.01	-9	-0.10	-1	0.00	-89	-0.01	-37	-0.06
39 Electrical equipment	0	0.01	-4	0.00	-10	-0.07	0	0.00	-12	-0.01	-26	-0.06
40 Machinery and equipment nec	2	0.03	-29	-0.02	-25	-0.12	0	0.00	-32	-0.01	-83	-0.07
41 Motor vehicles and parts	1	0.01	-138	-0.09	-8	-0.08	-2	0.00	-174	-0.05	-85	-0.05
42 Transport equipment nec	0	0.00	11	0.01	-2	-0.09	-1	-0.01	10	0.00	-9	-0.06
43 Manufactures nec	0	0.02	-3	0.00	-6	-0.05	-1	0.00	-5	0.00	-18	-0.04
44 Electricity	0	0.01	0	0.02	0	0.00	0	0.00	-4	0.00	-41	-0.02
45 Gas manufacture, distribution	0	0.00	-1	0.00	4	0.01	0	0.00	-3	0.00	-24	-0.02
46 Water	0	0.03	0	0.02	0	-0.06	-1	0.00	-2	0.00	-47	-0.03
47 Construction	0	0.01	7	0.02	-2	-0.03	-37	-0.01	39	0.00	-523	-0.04
48 Wholesale & retail trade	0	0.02	4	0.01	-8	-0.06	-12	0.00	-21	0.00	-209	-0.04
49 Accommodation, Food and serv.	0	0.02	1	0.01	-1	-0.04	-2	0.00	0	0.00	-33	-0.02
50 Transport nec	1	0.02	6	0.02	-3	-0.02	-1	0.00	5	0.00	-44	-0.02
51 Water transport	0	0.01	1	0.01	-1	-0.02	0	0.00	7	0.01	-2	-0.01
52 Air transport	0	0.00	-1	0.00	-4	-0.02	0	0.00	0	0.00	-10	-0.02
53 Warehousing and support act.	1	0.03	4	0.03	-4	-0.04	0	0.00	1	0.00	-21	-0.03
54 Communication	1	0.02	8	0.02	-9	-0.06	-5	0.00	6	0.00	-102	-0.04
55 Financial services nec	0	0.02	1	0.00	-8	-0.07	-3	0.00	-11	0.00	-68	-0.04
56 Insurance	0	0.01	0	0.00	-2	-0.06	-3	0.00	-3	0.00	-10	-0.04
57 Real estate activities	0	0.01	1	0.01	-2	-0.07	-3	0.00	-1	0.00	-28	-0.03
58 Business services nec	1	0.02	31	0.01	-17	-0.04	-2	0.00	25	0.00	-91	-0.04
59 Public Services	1	0.01	3	0.00	-6	-0.04	-23	0.00	-10	0.00	-236	-0.02

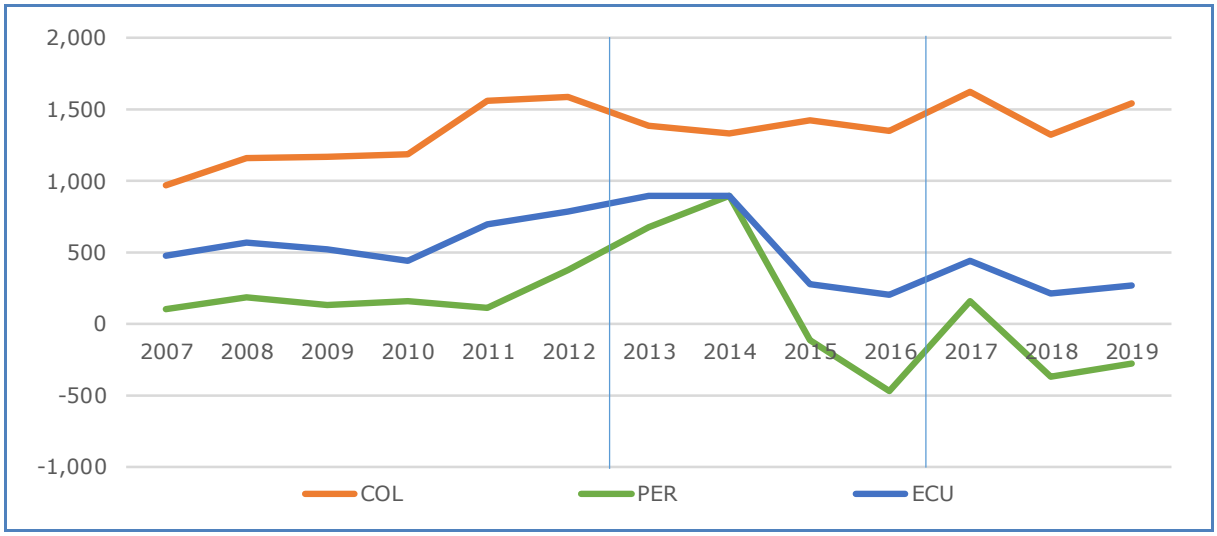
Source: European Commission DG TRADE CGE modelling results.

1.1.3 Bilateral Services Trade Balances

The EU28 has had a consistent surplus with Colombia of about USD 1.5 billion since 2011 (two years before the Agreement). With Ecuador, the surplus increased from USD 0.5 billion in 2007 to 2019 to around USD 0.3 billion in 2015 (two years before the Agreement), where it has remained since. And for Peru, a small but stable trade surplus of USD 100-200 million over the period 2007 to 2011 then increased rapidly until 2014, before dropping

sharply (in fact turning into a small trade deficit) in 2015, and since has been fluctuating between (relatively) small bilateral services trade surpluses and deficits.

Figure 13: EU28 bilateral services trade balances with Agreement partners, 2007-2019 (USD million)



Source: Authors' calculations based on BaTIS database.

Table 24: Overview of market access issues discussed in Sub-committees on Agriculture and on Market Access, 2014-2020

Issue	Party raising the issue	Party addressed	Sub-committee	Year raised	Issue about future rules?	Status	Comment
Amendments to banana stabilisation mechanism	COL, PER	EU	Agriculture	2015	Y	Solved	
Anti-dumping case against frozen potatos	EU	COL	Market Access	2017	N	Closed	Brought to WTO in 2019 (DS593)
Anti-dumping case against frozen potatos	EU	COL	Market Access	2018	N	Closed	Brought to WTO in 2019 (DS593)
Anti-dumping case against frozen potatos	EU	COL	Market Access	2019	N	Closed	Brought to WTO in 2019 (DS593)
Application of tariffs on textiles and apparel (Articles 274f of National Development Plan)	EU	COL	Market Access	2019	N	Solved	Solved? Not addressed 2020
Carbon Border Adjustment (CBA) mechanism	COL, ECU, PER	EU	Market Access	2020	Y	Ongoing	
Changes in MRLs	COL, ECU, PER	EU	Market Access	2020	Y	Ongoing	
Consumption tax on imported vehicles	EU	COL	Market Access	2016	N	Solved	Solved? Not addressed 2017ff
Customs services charges	EU	ECU	Market Access	2017	N	Solved	Solved? Not addressed 2018ff
Discrimination against imported beers (stamp duties at level of departamentos)	EU	COL	Market Access	2019	N	Solved	Largely solved 2020
Discrimination against imported beers (stamp duties at level of departamentos)	EU	COL	Market Access	2020	N	Solved	Largely solved 2020
Discrimination against imported beers (stamp duties at level of departamentos)	EU	COL	Market Access	2016	N	Solved	Largely solved 2020
Discrimination against imported spirits (departamentos, Ley 1816)	EU	COL	Agriculture	2014	N	Ongoing	
Discrimination against imported spirits (departamentos, Ley 1816)	EU	COL	Agriculture	2015	N	Ongoing	
Discrimination against imported spirits (departamentos, Ley 1816)	EU	COL	Agriculture	2016	N	Ongoing	
Discrimination against imported spirits (departamentos, Ley 1816)	EU	COL	Market Access	2017	N	Ongoing	
Discrimination against imported spirits (departamentos, Ley 1816)	EU	COL	Market Access	2019	N	Ongoing	
Discrimination against imported spirits (departamentos, Ley 1816)	EU	COL	Market Access	2020	N	Ongoing	
Discrimination against imported spirits (stamp duties)	EU	ECU	Market Access	2017	N	Solved	Solved 2019
Discrimination against imported spirits (stamp duties)	EU	ECU	Market Access	2018	N	Solved	Solved 2019
Discrimination against imported spirits (stamp duties)	EU	ECU	Market Access	2019	N	Solved	Solved 2019
EP Resolution regarding deforestation	COL, ECU	EU	Agriculture	2019	Y	Ongoing	
EP Resolution regarding deforestation	COL, ECU	EU	Agriculture	2020	Y	Ongoing	
Equivalence agreement for organic production*	COL	EU	Agriculture	2015	N	Ongoing	This topic is not part of the
Equivalence agreement for organic production*	COL	EU	Agriculture	2016	N	Ongoing	Agreement but is reported here
Equivalence agreement for organic production*	COL, ECU	EU	Agriculture	2017	N	Ongoing	as it has been addressed in teh
Equivalence agreement for organic production*	COL, ECU	EU	Agriculture	2018	N	Ongoing	SUb-committee meetings
Equivalence agreement for organic production*	COL, ECU, PER	EU	Agriculture	2019	N	Ongoing	
Equivalence agreement for organic production*	COL, ECU, PER	EU	Agriculture	2020	N	Ongoing	

(continues)

(Table continued)

Issue	Party raising the issue	Party addressed	Sub-committee	Year raised	Issue about future rules?	Status	Comment
Further reduction of duties on bananas	COL, ECU, PER	EU	Market Access	2018	Y	Closed	
Further reduction of duties on bananas	COL, ECU, PER	EU	Market Access	2019	Y	Closed	
GMP certification repuirements for alcoholic beverages	EU	COL	Agriculture	2019	N	Ongoing	
GMP certification repuirements for alcoholic beverages	EU	COL	Agriculture	2020	N	Ongoing	
Negative labelling on palm oil	COL	EU	Market Access	2019	N	Ongoing	
Opening and management of autonomous tariff quotas for fishery products (2018 Revision of Council Regulation (EU) 2018/1977)	ECU	EU	Market Access	2018	N	Solved	New Regulation passed in EU
Opening and management of autonomous tariff quotas for fishery products (2018 Revision of Council Regulation (EU) 2018/1977)	COL, ECU, PER	EU	Market Access	2020	N	Solved	New Regulation passed in EU
Preferential tax treatment of Pisco	EU	PER	Agriculture	2014	N	Ongoing	
Preferential tax treatment of Pisco	EU	PER	Agriculture	2015	N	Ongoing	
Preferential tax treatment of Pisco	EU	PER	Agriculture	2016	N	Ongoing	
Preferential tax treatment of Pisco	EU	PER	Agriculture	2017	N	Ongoing	
Preferential tax treatment of Pisco	EU	PER	Agriculture	2018	N	Ongoing	
Preferential tax treatment of Pisco	EU	PER	Agriculture	2019	N	Ongoing	
Preferential tax treatment of Pisco	EU	PER	Agriculture	2020	N	Ongoing	
Pricing policies for alcoholic beverages	EU	COL	Agriculture	2018	N	Ongoing	
Pricing policies for alcoholic beverages	EU	COL	Agriculture	2019	N	Ongoing	
Pricing policies for alcoholic beverages	EU	COL	Agriculture	2020	N	Ongoing	
Requirement for heavy metals analysis for imported spirits	EU	PER	Agriculture	2015	N	Solved	
Requirement for heavy metals analysis for imported spirits	EU	PER	Agriculture	2016	N	Solved	
Requirement for heavy metals analysis for imported spirits	EU	PER	Agriculture	2017	N	Solved	
Scrapping of trucks (fees for heavy trucks)	EU	COL	Market Access	2014	N	Solved	Largely solved 2020
Scrapping of trucks (fees for heavy trucks)	EU	COL	Market Access	2015	N	Solved	Largely solved 2020
Scrapping of trucks (fees for heavy trucks)	EU	COL	Market Access	2016	N	Solved	Largely solved 2020
Scrapping of trucks (fees for heavy trucks)	EU	COL	Market Access	2018	N	Solved	Largely solved 2020
Scrapping of trucks (fees for heavy trucks)	EU	COL	Market Access	2019	N	Solved	Largely solved 2020
Scrapping of trucks (fees for heavy trucks)	EU	COL	Market Access	2020	N	Solved	Largely solved 2020
Sugar stabilisation fund	EU	COL	Agriculture	2020	N	Ongoing	
Tariffs on pet food (resulting from classification change)	EU	COL	Market Access	2019	N	Ongoing	
Tariffs on pet food (resulting from classification change)	EU	COL	Market Access	2020	N	Ongoing	
Taxes on coffee and coffee products	COL	EU	Market Access	2020	N	Solved	

Note: Issues related to TRQs or SPS issues, addressed in other parts of the report, are not included.
Source: Authors' compilation and assessment based on minutes of Sub-committee meetings.

Table 25: Services exports by the EU28 to Agreement partners (balanced data) by sector, 2007-2019 (USD million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR20 07-12	CAGR20 12-19	CAGR20 12-16	CAGR20 16-19	Av 07-12	Av 13-19	Av 12-16	Av 17-19
Colombia																					
BOP6 - S - Memo item: Total servi	2180	2575	2436	2428	3104	3172	3131	3103	3046	2951	3422	3384	3645	7.8	2.0	-1.8	7.3	2,649	3,240	3,081	3,484
BOP6 - SA - Manufacturing services	0	0	0	0	0	0	0	0	0	0	0	0	1	..	..	..	..	0	0	0	0
BOP6 - SB - Maintenance and repai	14	17	16	17	22	22	23	26	29	33	43	47	43	9.5	10.0	10.7	9.2	18	35	27	44
BOP6 - SC - Transport	833	986	794	818	977	1031	938	859	868	840	991	1002	1022	4.4	-0.1	-5.0	6.8	907	931	907	1,005
BOP6 - SD - Travel	386	468	426	421	534	588	673	732	751	800	911	855	910	8.8	6.4	8.0	4.4	471	805	709	892
BOP6 - SE - Construction	83	101	94	87	122	95	127	136	150	127	146	135	123	2.7	3.8	7.5	-1.1	97	135	127	135
BOP6 - SF - Insurance and pension	133	147	153	178	232	238	211	198	187	200	204	175	220	12.3	-1.1	-4.3	3.2	180	199	207	200
BOP6 - SG - Financial services	110	128	147	128	168	163	160	154	158	132	210	198	249	8.2	6.2	-5.1	23.6	141	180	153	219
BOP6 - SH - Charges for the use of	64	82	84	87	112	110	122	89	89	84	107	105	129	11.4	2.3	-6.5	15.4	90	104	99	114
BOP6 - SI - Telecommunications, c	145	188	196	199	270	276	258	280	281	271	315	329	450	13.7	7.2	-0.5	18.4	212	312	273	365
BOP6 - SJ - Other business service	306	350	419	374	557	517	487	509	432	362	400	419	367	11.1	-4.8	-8.5	0.5	421	425	461	395
BOP6 - SK - Personal, cultural, and	12	12	11	20	20	22	28	21	26	31	16	20	20	12.9	-1.4	9.0	-13.6	16	23	26	19
BOP6 - SOX - Commercial services	2091	2480	2347	2341	3024	3075	3039	3020	2981	2892	3352	3295	3551	8.0	2.1	-1.5	7.1	2,560	3,161	3,001	3,399
BOP6 - SOX1 - Other commercial s	858	1013	1110	1083	1491	1430	1403	1400	1332	1215	1405	1386	1569	10.8	1.3	-4.0	8.9	1,164	1,387	1,356	1,453
BOP6 - SPX4 - Goods-related servi	14	17	16	17	22	22	23	26	29	33	43	47	44	9.5	10.4	10.7	10.1	18	35	27	45
Peru																					
BOP6 - S - Memo item: Total servi	1212	1461	1269	1372	1509	1743	2105	2387	1803	1784	1966	2077	2299	7.5	4.0	0.6	8.8	1,428	2,060	1,964	2,114
BOP6 - SA - Manufacturing services	0	0	0	0	0	0	0	0	0	0	0	0	0	..	..	..	..	0	0	0	0
BOP6 - SB - Maintenance and repai	5	7	7	9	10	16	21	23	21	25	28	33	35	26.2	11.8	11.8	11.9	9	27	21	32
BOP6 - SC - Transport	486	616	477	567	584	657	710	725	587	542	617	643	714	6.2	1.2	-4.7	9.6	565	648	644	658
BOP6 - SD - Travel	213	248	230	243	269	318	393	432	380	406	460	493	539	8.3	7.8	6.3	9.9	254	443	386	497
BOP6 - SE - Construction	49	61	33	39	53	49	74	86	73	69	71	78	80	0.0	7.3	8.9	5.1	47	76	70	76
BOP6 - SF - Insurance and pension	47	54	63	59	71	84	119	174	107	100	100	95	106	12.3	3.4	4.5	2.0	63	114	117	100
BOP6 - SG - Financial services	136	143	121	104	131	139	207	267	131	126	134	133	142	0.4	0.3	-2.4	4.1	129	163	174	136
BOP6 - SH - Charges for the use of	29	38	40	45	49	70	85	101	73	65	66	74	80	19.3	1.9	-1.8	7.2	45	78	79	73
BOP6 - SI - Telecommunications, c	75	94	94	98	108	129	163	194	158	160	169	190	247	11.5	9.7	5.5	15.6	100	183	161	202
BOP6 - SJ - Other business service	124	156	160	165	190	232	284	331	229	239	266	279	308	13.3	4.1	0.7	8.8	171	277	263	284
BOP6 - SK - Personal, cultural, and	3	3	4	3	4	5	7	11	7	7	7	8	9	10.8	8.8	8.8	8.7	4	8	7	8
BOP6 - SOX - Commercial services	1181	1430	1238	1343	1478	1712	2067	2348	1775	1753	1932	2042	2264	7.7	4.1	0.6	8.9	1,397	2,026	1,931	2,079
BOP6 - SOX1 - Other commercial s	473	556	520	521	614	718	938	1167	783	777	823	872	974	8.7	4.5	2.0	7.8	567	905	877	890
BOP6 - SPX4 - Goods-related servi	5	7	7	9	10	16	21	23	21	25	28	33	35	26.2	11.8	11.8	11.9	9	27	21	32
Ecuador																					
BOP6 - S - Memo item: Total servi	890	1059	962	877	1207	1243	1374	1417	1008	973	1029	1068	1130	6.9	-1.4	-5.9	5.1	1,040	1,143	1,203	1,076
BOP6 - SA - Manufacturing services	0	0	0	0	0	0	0	0	0	0	0	0	0	..	..	..	..	0	0	0	0
BOP6 - SB - Maintenance and repai	5	8	7	8	10	12	13	16	11	13	16	18	17	19.1	5.1	2.0	9.4	8	15	13	17
BOP6 - SC - Transport	355	438	390	386	489	483	477	436	317	241	297	316	332	6.4	-5.2	-16.0	11.3	424	345	391	315
BOP6 - SD - Travel	110	124	120	104	135	161	190	205	151	187	210	209	218	7.9	4.4	3.8	5.2	126	196	179	212
BOP6 - SE - Construction	49	55	49	46	59	62	82	72	48	46	51	51	50	4.8	-3.0	-7.2	2.8	53	57	62	51
BOP6 - SF - Insurance and pension	13	23	25	24	39	40	50	57	23	25	24	22	38	25.2	-0.7	-11.1	15.0	27	34	39	28
BOP6 - SG - Financial services	15	16	14	11	15	22	40	49	44	53	32	38	39	8.0	8.5	24.6	-9.7	16	42	42	36
BOP6 - SH - Charges for the use of	61	76	70	64	95	84	93	75	46	60	69	75	74	6.6	-1.8	-8.1	7.2	75	70	72	73
BOP6 - SI - Telecommunications, c	120	149	132	110	177	175	187	230	170	160	144	146	192	7.8	1.3	-2.2	6.3	144	176	184	161
BOP6 - SJ - Other business service	98	110	97	70	104	117	137	164	115	111	110	124	115	3.6	-0.2	-1.3	1.2	99	125	129	116
BOP6 - SK - Personal, cultural, and	25	26	31	26	44	45	55	69	45	45	47	36	32	12.5	-4.8	0.0	-10.7	33	47	52	38
BOP6 - SOX - Commercial services	867	1043	949	866	1182	1217	1342	1388	987	955	1009	1050	1114	7.0	-1.3	-5.9	5.3	1,021	1,121	1,178	1,058
BOP6 - SOX1 - Other commercial s	392	466	427	362	545	552	657	726	503	506	486	500	545	7.1	-0.2	-2.2	2.5	457	560	589	510
BOP6 - SPX4 - Goods-related servi	5	8	7	8	10	12	13	16	11	13	16	18	17	19.1	5.1	2.0	9.4	8	15	13	17

Source: Authors' calculations based on BaTIS database, https://data.wto.org/.

Table 26: Services exports by the Agreement partners to the EU28 (balanced data) by sector, 2007-2019 (USD million)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	CAGR 2007-12	CAGR 2012-19	CAGR 2012-16	CAGR 2016-19	Av 07-12	Av 13-19	Av 12-16	Av 17-19
Colombia																					
BOP6 - S - Memo item: Total servi	1149	1353	1213	1179	1490	1508	1688	1720	1585	1574	1769	2017	2047	5.6	4.5	1.1	9.2	1,315	1,771	1,615	1,944
BOP6 - SA - Manufacturing services	0	0	0	0	0	0	0	0	0	0	0	0	0	..	..	..	..	0	0	0	0
BOP6 - SB - Maintenance and repai	0	0	0	2	10	7	13	4	5	2	3	8	7	..	0.0	-26.9	51.8	3	6	6	6
BOP6 - SC - Transport	379	426	357	371	494	480	552	545	472	464	496	581	576	4.8	2.6	-0.8	7.5	418	527	503	551
BOP6 - SD - Travel	528	627	579	560	691	699	735	759	742	746	810	913	908	5.8	3.8	1.6	6.8	614	802	736	877
BOP6 - SE - Construction	22	27	26	20	26	29	37	31	31	32	36	40	37	5.7	3.5	2.5	5.0	25	35	32	38
BOP6 - SF - Insurance and pension	0	1	1	1	1	0	1	1	1	1	0	2	3	..	..	..	44.2	1	1	1	2
BOP6 - SG - Financial services	34	35	29	20	30	27	32	34	27	28	35	35	37	-4.5	4.6	0.9	9.7	29	33	30	36
BOP6 - SH - Charges for the use of	11	15	13	11	11	7	9	16	14	13	14	19	11	-8.6	6.7	16.7	-5.4	11	14	12	15
BOP6 - SI - Telecommunications, c	44	48	45	36	51	59	58	68	64	53	53	75	72	6.0	2.9	-2.6	10.8	47	63	60	67
BOP6 - SJ - Other business service	85	117	110	108	115	139	181	195	167	168	234	224	285	10.3	10.8	4.9	19.3	112	208	170	248
BOP6 - SK - Personal, cultural, and	16	19	17	17	22	22	32	23	32	32	40	60	70	6.6	18.0	9.8	29.8	19	41	28	57
BOP6 - SOX - Commercial services	1123	1325	1183	1155	1462	1485	1656	1691	1562	1547	1734	1974	2008	5.7	4.4	1.0	9.1	1,289	1,739	1,588	1,905
BOP6 - SOX1 - Other commercial s	216	267	243	223	262	293	358	376	338	331	422	466	521	6.3	8.6	3.1	16.3	251	402	339	470
BOP6 - SPX4 - Goods-related servi	0	0	0	2	10	7	13	4	5	2	3	8	7	..	0.0	-26.9	51.8	3	6	6	6
Peru																					
BOP6 - S - Memo item: Total servi	1099	1263	1122	1199	1387	1354	1401	1466	1917	2256	1787	2443	2576	4.3	9.6	13.6	4.5	1,237	1,978	1,679	2,269
BOP6 - SA - Manufacturing services	27	34	24	19	28	38	45	44	38	46	74	83	95	7.1	14.0	4.9	27.3	28	61	42	84
BOP6 - SB - Maintenance and repai	0	0	0	0	1	1	3	2	4	4	4	5	6	..	29.2	41.4	14.5	0	4	3	5
BOP6 - SC - Transport	209	248	202	252	277	276	290	285	326	338	287	399	410	5.7	5.8	5.2	6.6	244	334	303	365
BOP6 - SD - Travel	548	609	557	587	703	633	668	696	874	1046	858	1108	1169	2.9	9.2	13.4	3.8	606	917	783	1,045
BOP6 - SE - Construction	16	21	20	17	18	17	18	19	21	25	18	25	32	1.2	9.5	10.1	8.6	18	23	20	25
BOP6 - SF - Insurance and pension	16	16	14	12	15	22	16	25	43	40	40	38	32	6.6	5.5	16.1	-7.2	16	33	29	37
BOP6 - SG - Financial services	18	21	17	22	22	22	24	26	44	43	31	45	52	4.1	13.1	18.2	6.5	20	38	32	43
BOP6 - SH - Charges for the use of	13	13	11	10	9	6	7	8	12	12	10	12	12	-14.3	10.4	18.9	0.0	10	10	9	11
BOP6 - SI - Telecommunications, c	25	33	26	28	35	37	31	34	50	52	40	54	55	8.2	5.8	8.9	1.9	31	45	41	50
BOP6 - SJ - Other business service	161	207	188	194	217	235	227	251	343	478	321	488	504	7.9	11.5	19.4	1.8	200	373	307	438
BOP6 - SK - Personal, cultural, and	30	32	31	30	37	40	50	51	127	131	79	146	163	5.9	22.2	34.5	7.6	33	107	80	129
BOP6 - SOX - Commercial services	1082	1248	1107	1183	1371	1339	1388	1452	1895	2228	1771	2415	2546	4.4	9.6	13.6	4.5	1,222	1,956	1,660	2,244
BOP6 - SOX1 - Other commercial s	292	352	315	321	360	389	385	420	646	794	543	819	865	5.9	12.1	19.5	2.9	338	639	527	742
BOP6 - SPX4 - Goods-related servi	29	34	25	20	28	40	49	47	42	49	78	90	99	6.6	13.8	5.2	26.4	29	65	45	89
Ecuador																					
BOP6 - S - Memo item: Total servi	406	491	436	437	502	441	456	504	746	783	584	869	883	1.7	10.4	15.4	4.1	452	689	586	779
BOP6 - SA - Manufacturing services	0	0	0	0	0	0	0	0	0	0	0	0	0	..	..	..	..	0	0	0	0
BOP6 - SB - Maintenance and repai	0	0	0	0	0	0	0	0	0	0	0	1	1	..	..	..	..	0	0	0	1
BOP6 - SC - Transport	162	184	160	171	198	167	165	177	240	237	204	286	296	0.6	8.5	9.1	7.7	174	229	197	262
BOP6 - SD - Travel	107	124	113	114	136	122	140	154	190	205	185	261	261	2.7	11.5	13.9	8.4	119	199	162	236
BOP6 - SE - Construction	0	3	0	0	1	1	0	0	1	1	0	2	2	..	10.4	0.0	26.0	1	1	1	1
BOP6 - SF - Insurance and pension	0	0	0	0	0	0	0	0	1	0	0	2	1	..	..	..	..	0	1	0	1
BOP6 - SG - Financial services	0	0	0	0	0	1	1	4	14	11	6	14	16	..	48.6	82.1	13.3	0	9	6	12
BOP6 - SH - Charges for the use of	4	6	3	2	4	2	3	3	6	4	3	4	3	-12.9	6.0	18.9	-9.1	4	4	4	3
BOP6 - SI - Telecommunications, c	23	40	34	30	34	24	22	22	33	33	25	33	31	0.9	3.7	8.3	-2.1	31	28	27	30
BOP6 - SJ - Other business service	75	102	90	82	87	82	86	112	192	232	129	211	208	1.8	14.2	29.7	-3.6	86	167	141	183
BOP6 - SK - Personal, cultural, and	11	12	12	13	16	17	15	15	28	18	8	18	24	9.1	5.0	1.4	10.1	14	18	19	17
BOP6 - SOX - Commercial services	393	479	424	424	490	429	445	495	714	751	570	838	850	1.8	10.3	15.0	4.2	440	666	567	753
BOP6 - SOX1 - Other commercial s	123	171	149	139	150	135	138	162	280	304	177	290	297	1.9	11.9	22.5	-0.8	145	235	204	255
BOP6 - SPX4 - Goods-related servi	0	0	0	0	0	0	0	0	0	0	0	1	1	..	..	..	..	0	0	0	1

Source: Authors' calculations based on BaTIS database, https://data.wto.org/.

Table 27: Bilateral investment treaties between CO/EC/PE and EU Member States (excluding terminated ones)

Andean Party	EU Party	Status	Date of signature	Date of entry into force
Colombia	France	In force	10/07/2014	14/10/2020
Colombia	BLEU (Belgium-Luxembourg Economic Union)	Signed (not in force)	04/02/2009	n.a.
Colombia	Spain	In force	31/03/2005	22/09/2007
Ecuador	Netherlands	Terminated	27/06/1999	01/07/2001
Ecuador	Spain	Terminated	26/06/1996	18/06/1997
Ecuador	Italy	Terminated		
Peru	BLEU (Belgium-Luxembourg Economic Union)	In force	12/10/2005	12/09/2008
Peru	Finland	In force	02/05/1995	14/06/1996
Peru	Germany	In force	30/01/1995	01/05/1997
Peru	Netherlands	In force	27/12/1994	01/02/1996
Peru	Denmark	In force	23/11/1994	17/02/1995
Peru	Portugal	In force	22/11/1994	18/10/1995
Peru	Spain	In force	17/11/1994	16/02/1996
Peru	Romania	In force	16/05/1994	01/01/1995
Peru	Italy	In force	05/05/1994	18/10/1995
Peru	Sweden	In force	03/05/1994	01/08/1994
Peru	Czech Republic	In force	16/03/1994	06/03/1995
Peru	France	In force	06/10/1993	30/05/1996

Source: UNCTAD (https://investmentpolicy.unctad.org/international-investment-agreements/by-economy; accessed 10 November 2020); for Ecuador: https://www.dlapiper.com/en/mexico/insights/publications/2017/05/ecuador-terminates-12-bits-a-growing-trend/, accessed 08 March 2021.

Table 28: Top 6 export products from EU outermost regions to the EU28, 2007-2019

	Value (EUR '000)												
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Guadeloupe	**7,046**	**14,442**	**16,131**	**13,579**	**21,798**	**12,676**	**10,239**	**15,792**	**27,934**	**27,067**	**30,957**	**19,001**	**18,778**
1081 Sucre	1,484	9,919	12,093	7,766	3,371	3,555	2,237	2,133	14,857	10,786	21,115	10,920	8,824
3811 Déchets non dangereux ; collecte des déchets non da	3	48		1,831	4,684	3,677	2,577	4,944	3,195	3,701	2,721	4,247	3,548
0122 Fruits tropicaux et subtropicaux	340	800	120			361	268	2,626	4,143	3,780	671	826	784
3012 Bateaux de plaisance	398	280	1,230	1,296	1,964	891	1,166	1,087	420	2,783	689	484	521
2042 Parfums et produits pour la toilette	1,275	2,215	1,166	1,626	1,791	1,684	806	0	38			1	41
1101 Boissons alcoolisées distillées	91	135	150	121	471	225	405	471	1,067	2,794	2,790	780	269
Others	3,454	1,045	1,372	938	9,518	2,283	2,780	4,530	4,214	3,223	2,971	1,743	4,790
Guyane	**26,280**	**24,482**	**133,451**	**141,734**	**190,862**	**165,574**	**301,307**	**206,219**	**21,743**	**25,871**	**12,976**	**297,425**	**251,532**
3030 Aéronefs et engins spatiaux	3,800	475	113,073	116,908	171,301	129,862	263,398	176,062	2,930	3,789	1,044	255,149	220,830
2920 Carrosseries automobiles ; remorques et semi-remor	16,000	17,421	16,158	11,203	13,682	26,744	19,819	15,082	14,689	15,578	5,138	8,042	11,043
2651 Instruments et appareils de mesure, d'essai et de na	2,519	1,824	1,985	929	3,284	1,794	5,168	5,767	251	494	860	27,785	11,409
2051 Produits explosifs	4	670		10,846	63								141
3811 Déchets non dangereux ; collecte des déchets non da	110	81	76	75	340	587	369	583	260	812	1,277	1,463	1,371
2599 Autres produits métalliques n.c.a.	20	12	67		97	32	16	4,821	1	11	82	1	667
Others	3,828	3,998	2,092	1,772	2,095	6,555	12,537	3,905	3,612	5,187	4,575	4,986	6,070
Martinique	**15,664**	**3,685**	**4,689**	**6,171**	**15,788**	**9,492**	**6,596**	**5,021**	**3,855**	**7,152**	**5,987**	**6,487**	**7,540**
3811 Déchets non dangereux ; collecte des déchets non dangereux		959	1,750	1,120	11,684	4,905	2,537	1,465	694	808	1,127	1,771	2,392
3012 Bateaux de plaisance	852		326	470	160	1,927	540	868	299	4,414	1,183	814	416
3030 Aéronefs et engins spatiaux	8,817	82					3		6	16	577	215	1,747
1101 Boissons alcoolisées distillées	770	812	862	848	800	996	894	812	973	232	688	548	535
2811 Moteurs et turbines, à l'exclusion des moteurs pour a	434	379	136	96	1,598	18	444	66	66	49	390	434	1
2910 Véhicules automobiles	607	237	145	233	175	251	108	182	313	33	102	66	159
Others	4,184	1,216	1,471	3,403	1,370	1,395	2,069	1,629	1,504	1,599	1,919	2,639	2,289
Mayotte								**1,009**	**155**	**72**	**28**	**1,665**	**270**
2740 Appareils d'éclairage électrique												1,305	
2811 Moteurs et turbines, à l'exclusion des moteurs pour avions, automobiles et motocycles								946					54
1011 Viandes de boucherie et produits d'abattage												264	149
3212 Articles de joaillerie et bijouterie									54	38	17		
2651 Instruments et appareils de mesure, d'essai et de navigation								5	3	4		94	
2920 Carrosseries automobiles ; remorques et semi-remorques									87				
Others								58	10	30	11	3	67

(continues)

(Table continued)

	Value (EUR '000)												
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Réunion	**32,846**	**43,191**	**33,766**	**62,790**	**61,702**	**63,177**	**62,462**	**64,899**	**58,814**	**69,724**	**80,649**	**55,370**	**54,777**
1081 Sucre	26,233	34,160	23,614	53,287	47,664	49,712	51,231	55,355	49,927	60,213	62,498	39,795	38,384
1101 Boissons alcoolisées distillées	2,699	3,303	3,531	3,265	3,649	3,162	2,895	2,075	1,524	2,618	2,778	3,320	2,900
3811 Déchets non dangereux ; collecte des déchets non da	71	95	78	44	4,952	6,229	3,102	1,780	1,712	39	62	615	439
1020 Préparations et conserves à base de poisson et de pı	953	1,558	1,003	826	2,071	1,691	1,008	1,950	1,428	2,105	428	2,006	912
2920 Carrosseries automobiles ; remorques et semi-remon	120	150			4		11	35	32	226	3,451	3,042	4,650
2822 Matériel de levage et de manutention	19	2,151	2	248	588	107		6		64	3,681	10	18
Others	2,751	1,774	5,538	5,120	2,773	2,276	4,217	3,698	4,192	4,459	7,751	6,583	7,474
Canary Islands	**378,868**	**398,345**	**418,394**	**435,092**	**472,293**	**329,842**	**314,587**	**263,456**	**255,023**	**261,926**	**250,160**	**301,833**	**342,283**
07 LEGUMBRES, HORTALIZAS, S/ CONS	132,504	109,777	101,394	76,242	84,247	78,401	74,710	58,445	63,274	53,786	48,634	45,036	45,750
88 AERONAVES; VEHÍCULOS ESPACIALE	29,419	63,576	47,191	28,906	28,799	31,137	37,462	30,771	31,487	29,060	38,711	36,547	33,895
87 VEHÍCULOS AUTOMÓVILES; TRACTOR	46,233	66,264	65,298	27,108	35,941	20,255	21,099	16,618	13,831	17,862	16,927	39,955	52,558
84 MÁQUINAS Y APARATOS MECÁNICOS	24,146	19,533	40,321	29,385	28,488	21,004	39,663	52,865	44,226	35,894	24,499	24,690	27,470
33 ACEITES ESENCIALES; PERFUMER.	34,179	30,676	31,691	30,919	29,503	30,126	28,663	26,778	29,114	28,199	30,047	35,737	44,983
03 PESCADOS, CRUSTÁCEOS, MOLUSCOS	32,302	30,506	31,613	28,332	21,241	14,800	16,313	13,554	8,480	11,558	10,956	15,825	15,039
Others	80,084	78,013	100,887	214,199	244,075	134,120	96,678	64,424	64,611	85,567	80,385	104,042	122,588
Azores	**45,009**	**72,853**	**98,579**	**102,544**	**118,915**	**129,705**	**141,007**	**120,920**	**127,036**	**107,820**	**102,370**	**114,221**	**159,203**
Animais vivos e produtos do reino animal	11,350	22,084	27,019	37,686	44,261	47,219	39,100	32,219	33,322	33,412	33,050	38,131	53,376
Peixes e crustáceos, moluscos e outros invertebrados aquá	5,386	15,304	13,848	15,664	21,976	25,281	19,593	16,942	15,895	16,229	17,273	24,140	28,831
Leite e lacticínios; ovos de aves; mel natural; produtos co	5,965	5,802	11,599	20,567	19,863	19,910	16,220	13,644	15,783	15,597	14,658	11,920	22,427
Produtos das indústrias alimentares; bebidas, líquidos alc	11,153	14,256	17,269	13,196	13,902	16,299	14,308	12,671	11,959	12,949	15,210	13,168	10,998
Preparações de carne, de peixes, de crustáceos e de molus	11,153	14,256	17,269	12,522	12,196	15,840	13,846	12,566	11,551	12,510	14,553	12,618	10,604
Máquinas e aparelhos, material elétrico, e suas partes; ap	0	7	166	299	740	72	14,893	15,509	18,209	7,530	2,675	3,283	10,052
Others	3	1,143	11,410	2,609	5,976	5,084	23,047	17,369	20,317	9,593	4,952	10,961	22,915
Madeira	**39,422**	**64,158**	**53,926**	**53,087**	**49,211**	**156,571**	**40,617**	**52,325**	**53,445**	**69,007**	**96,452**	**177,794**	**305,045**
Produtos das indústrias alimentares; bebidas, líquidos alc	9,255	8,301	8,474	8,817	8,266	9,510	8,524	10,377	10,997	10,673	11,135	11,090	10,639
Material de transporte	43	1	2	188	31	54,919	0	0	5	5,876	163	30,845	32,837
Embarcações e estruturas flutuantes	0	0	0	0	0	54,825	0	0	0	4,996	0	30,845	32,645
Bebidas, líquidos alcoólicos e vinagres	9,224	8,243	8,205	8,471	7,816	9,182	8,424	9,731	10,427	9,747	9,554	8,789	8,457
Animais vivos e produtos do reino animal	4,601	15,598	7,794	7,548	7,118	7,341	5,365	10,310	5,104	4,852	12,815	7,454	13,790
Peixes e crustáceos, moluscos e outros invertebrados aquá	4,583	8,396	7,792	7,543	7,102	7,330	5,363	9,869	4,890	4,398	12,077	5,952	11,569
Others	11,716	23,619	21,660	20,521	18,877	13,465	12,941	12,037	22,021	28,464	50,707	82,817	195,107

Note: Trade values with EU exclude France for Guadeloupe, Guiana, Martinique, Mayotte and Reunion; Spain for Canary Islands; and Portugal for Azores and Madeira. Calculated totals for Azores and Madeira based on aggregated exports per product vary from reported totals by Statistics Portugal.
Source: Compiled by the authors from Foreign Trade Statistics of France (http://lekiosque.finances.gouv.fr/portail_default.asp), Foreign Trade Statistics of Spain (http://datacomex.comercio.es/), and National Institute of Statistics of Portugal (https://ine.pt/xportal/xmain?xpid=INE&xpgid=ine_base_dados).

Table 29: Top 6 export products from EU outermost regions to the EU28, performance pre- and post-Agreement

	Value (EUR M)				Share in total exports (%)				CAGR (%)			
	Av 07-12	Av 13-16	Av 17-19	Trend	Av 07-12	Av 13-16	Av 17-19	Trend	2007-12	2012-16	2016-19	Trend
Guadeloupe	**14.3**	**20.3**	**22.9**		**100.0**	**100.0**	**100.0**		**12.5%**	**20.9%**	**-11.5%**	
1081 Sucre	6.4	7.5	13.6		44.6	37.0	59.4		19.1%	32.0%	-6.5%	
3811 Déchets non dangereux ; collecte des déchets non da	1.7	3.6	3.5		12.0	17.8	15.3		318.5%	0.2%	-1.4%	
0122 Fruits tropicaux et subtropicaux	0.3	2.7	0.8		1.9	13.4	3.3		1.2%	79.9%	-40.8%	
3012 Bateaux de plaisance	1.0	1.4	0.6		7.1	6.7	2.5		17.5%	33.0%	-42.8%	
2042 Parfums et produits pour la toilette	1.6	0.2	0.0		11.4	1.0	0.1		5.7%	-100.0%	..	
1101 Boissons alcoolisées distillées	0.2	1.2	1.3		1.4	5.8	5.6		19.8%	87.8%	-54.2%	
Others	3.1	3.7	3.2		21.7	18.2	13.8		-7.9%	9.0%	14.1%	
Guyane	**113.7**	**138.8**	**187.3**		**100.0**	**100.0**	**100.0**		**44.5%**	**-37.1%**	**113.4%**	
3030 Aéronefs et engins spatiaux	89.2	111.5	159.0		78.5	80.4	84.9		102.6%	-58.7%	287.7%	
2920 Carrosseries automobiles ; remorques et semi-remor	16.9	16.3	8.1		14.8	11.7	4.3		10.8%	-12.6%	-10.8%	
2651 Instruments et appareils de mesure, d'essai et de na	2.1	2.9	13.4		1.8	2.1	7.1		-6.6%	-27.6%	184.7%	
2051 Produits explosifs	1.9	0.0	0.0		1.7	0.0	0.0		-100.0%	..	..	
3811 Déchets non dangereux ; collecte des déchets non da	0.2	0.5	1.4		0.2	0.4	0.7		39.8%	8.4%	19.1%	
2599 Autres produits métalliques n.c.a.	0.0	1.2	0.2		0.0	0.9	0.1		9.5%	-23.4%	294.7%	
Others	3.4	6.3	5.2		3.0	4.5	2.8		11.4%	-5.7%	5.4%	
Martinique	**9.2**	**5.7**	**6.7**		**100.0**	**100.0**	**100.0**		**-9.5%**	**-6.8%**	**1.8%**	
3811 Déchets non dangereux ; collecte des déchets non da	3.4	1.4	1.8		36.8	24.3	26.4		..	-36.3%	43.6%	
3012 Bateaux de plaisance	0.6	1.5	0.8		6.7	27.1	12.1		17.7%	23.0%	-54.5%	
3030 Aéronefs et engins spatiaux	1.5	0.0	0.8		16.0	0.1	12.7		-100.0%	..	377.3%	
1101 Boissons alcoolisées distillées	0.8	0.7	0.6		9.2	12.9	8.8		5.3%	-30.5%	32.2%	
2811 Moteurs et turbines, à l'exclusion des moteurs pour a	0.4	0.2	0.3		4.8	2.8	4.1		-47.3%	29.0%	-69.4%	
2910 Véhicules automobiles	0.3	0.2	0.1		3.0	2.8	1.6		-16.2%	-39.8%	69.2%	
Others	2.2	1.7	2.3		23.5	30.1	34.2		-19.7%	3.5%	12.7%	
Mayotte	**0.0**	**0.3**	**0.7**		**..**	**100.0**	**100.0**		**..**	**..**	**55.2%**	
2740 Appareils d'éclairage électrique	..	0.0	0.4		..	0.0	66.5		..	..	..	
2811 Moteurs et turbines, à l'exclusion des moteurs pour a	..	0.2	0.0		..	76.6	2.8		..	..	..	
1011 Viandes de boucherie et produits d'abattage	..	0.0	0.1		..	0.0	21.0		..	..	..	
3212 Articles de joaillerie et bijouterie	..	0.0	0.0		..	7.4	0.9		..	..	-100.0%	
2651 Instruments et appareils de mesure, d'essai et de na	..	0.0	0.0		..	1.0	4.8		..	..	-100.0%	
2920 Carrosseries automobiles ; remorques et semi-remor	..	0.0	0.0		..	7.0	0.0		..	..	..	
Others	..	0.0	0.0		..	7.9	4.1		..	..	31.1%	

(continues)

(Table continued)

	Value (EUR M)				Share in total exports (%)				CAGR (%)			
	Av 07-12	Av 13-16	Av 17-19	Trend	Av 07-12	Av 13-16	Av 17-19	Trend	2007-12	2012-16	2016-19	Trend
Réunion	**49.6**	**64.0**	**63.6**		**100.0**	**100.0**	**100.0**		**14.0%**	**2.5%**	**-7.7%**	
1081 Sucre	39.1	54.2	46.9		78.9	84.7	73.7		13.6%	4.9%	-13.9%	
1101 Boissons alcoolisées distillées	3.3	2.3	3.0		6.6	3.6	4.7		3.2%	-4.6%	3.5%	
3811 Déchets non dangereux ; collecte des déchets non da	1.9	1.7	0.4		3.9	2.6	0.6		144.5%	-71.8%	123.1%	
1020 Préparations et conserves à base de poisson et de pı	1.4	1.6	1.1		2.7	2.5	1.8		12.2%	5.6%	-24.3%	
2920 Carrosseries automobiles ; remorques et semi-remor	0.0	0.1	3.7		0.1	0.1	5.8		-100.0%	..	174.1%	
2822 Matériel de levage et de manutention	0.5	0.0	1.2		1.0	0.0	1.9		42.1%	-12.2%	-34.5%	
Others	3.4	4.1	7.3		6.8	6.5	11.4		-3.7%	18.3%	18.8%	
Canary Islands	**405.5**	**273.7**	**298.1**		**100.0**	**100.0**	**100.0**		**-2.7%**	**-5.6%**	**9.3%**	
07 LEGUMBRES, HORTALIZAS, S/ CONS	97.1	62.6	46.5		23.9	22.9	15.6		-10.0%	-9.0%	-5.3%	
88 AERONAVES; VEHÍCULOS ESPACIALE	38.2	32.2	36.4		9.4	11.8	12.2		1.1%	-1.7%	5.3%	
87 VEHÍCULOS AUTOMÓVILES; TRACTOR	43.5	17.4	36.5		10.7	6.3	12.2		-15.2%	-3.1%	43.3%	
84 MÁQUINAS Y APARATOS MECÁNICOS	27.1	43.2	25.6		6.7	15.8	8.6		-2.7%	14.3%	-8.5%	
33 ACEITES ESENCIALES; PERFUMER.	31.2	28.2	36.9		7.7	10.3	12.4		-2.5%	-1.6%	16.8%	
03 PESCADOS, CRUSTÁCEOS, MOLUSCOS	26.5	12.5	13.9		6.5	4.6	4.7		-14.5%	-6.0%	9.2%	
Others	141.9	77.8	102.3		35.0	28.4	34.3		10.9%	-10.6%	12.7%	
Azores	**94.6**	**124.2**	**125.3**		**100.0**	**100.0**	**100.0**		**23.6%**	**-4.5%**	**13.9%**	
Animais vivos e produtos do reino animal	31.6	34.5	41.5		33.4	27.8	33.1		33.0%	-8.3%	16.9%	
Peixes e crustáceos, moluscos e outros invertebrados aqua	16.2	17.2	23.4		17.2	13.8	18.7		36.2%	-10.5%	21.1%	
Leite e lacticínios; ovos de aves; mel natural; produtos co	14.0	15.3	16.3		14.7	12.3	13.0		27.3%	-5.9%	12.9%	
Produtos das indústrias alimentares; bebidas, líquidos alc	14.3	13.0	13.1		15.2	10.4	10.5		7.9%	-5.6%	-5.3%	
Preparações de carne, de peixes, de crustáceos e de molus	13.9	12.6	12.6		14.7	10.2	10.1		7.3%	-5.7%	-5.4%	
Máquinas e aparelhos, material elétrico, e suas partes; ap	0.2	14.0	5.3		0.2	11.3	4.3		..	219.9%	10.1%	
Others	4.4	17.6	12.9		4.6	14.2	10.3		343.6%	17.2%	33.7%	
Madeira	**69.4**	**53.8**	**193.1**		**100.0**	**100.0**	**100.0**		**31.8%**	**-18.5%**	**64.1%**	
Produtos das indústrias alimentares; bebidas, líquidos alc	8.8	10.1	11.0		12.6	18.8	5.7		0.5%	2.9%	-0.1%	
Material de transporte	9.2	1.5	21.3		13.3	2.7	11.0		318.7%	-42.8%	77.5%	
Embarcações e estruturas flutuantes	9.1	1.2	21.2		13.2	2.3	11.0		..	-45.1%	87.0%	
Bebidas, líquidos alcoólicos e vinagres	8.5	9.6	8.9		12.3	17.8	4.6		-0.1%	1.5%	-4.6%	
Animais vivos e produtos do reino animal	8.3	6.4	11.4		12.0	11.9	5.9		9.8%	-9.8%	41.6%	
Peixes e crustáceos, moluscos e outros invertebrados aqua	7.1	6.1	9.9		10.3	11.4	5.1		9.8%	-12.0%	38.0%	
Others	18.3	18.9	109.5		26.4	35.0	56.7		2.8%	20.6%	90.0%	

Note: Trade values with EU exclude France for Guadeloupe, Guiana, Martinique, Mayotte and Reunion; Spain for Canary Islands; and Portugal for Azores and Madeira. Calculated totals for Azores and Madeira based on aggregated exports per product vary from reported totals by Statistics Portugal.
Source: Compiled by the authors from Foreign Trade Statistics of France (http://lekiosque.finances.gouv.fr/portail_default.asp), Foreign Trade Statistics of Spain (http://datacomex.comercio.es/), and National Institute of Statistics of Portugal (https://ine.pt/xportal/xmain?xpid=INE&xpgid=ine_base_dados).

ANNEX C: ANALYSIS OF SOCIAL IMPACTS

Annex C-1: Social and Labour Rights Profiles of the Andean countries

1.1.1 Labour Market

In **Colombia**, the labour market participation rate increased from 57.4% in 2007 to 64.7% in 2015 to fall again to 62.9% in 2019 (and 59.3% in 2020). The number of employed increased from 17.9 million in 2007 to 22.1 million in 2019 (to fall to 19.7 million in 2020). The unemployment rate fell from 10.7% in 2007 to 9% in 2016 and increased to 10.8% in 2019 (and 16.8% in 2020)[29]. The number of unemployed decreased from 4.2 million in 2007 to 2.7 million in 2019 (and increased again to 3.9 million in 2020), moreover, the number of persons inactive, outside the labour market increased from 14.6 million in 2019 to 16.2 million in 2020[30]. Most jobs created in 2018 were in self-employment (on average 146,000 more each month compared to the same period of 2017) while 9,000 jobs were lost every month (in private and public sector jointly). Most new jobs were created in industry (63,000) followed by communal services (59,000) while real estate and business activities have lost 80,000 jobs. In the last quarter of 2018, 96,000 jobs were created in the construction sector while 255,000 were lost in wholesale and retail trade, and hotels, and restaurants (jointly)[31]. The labour participation rate in the metropolitan areas was on average four percentage points higher than the national average and the one in towns was two percentage points higher, while in the rural areas it was around six percentage points lower than the national rate. Trade, hotels, and restaurants accounted for 25.4% of the total employment in 2007 (25.3% in 2020)[32] followed by social, communal, and personal services (20.8% in 2007),[33] agriculture and fisheries (17.8% in 2007 and 18.6% in 2020), industry (13.8% in 2007 and 10.7% in 2020), transport, storage, and communication (8.5% in 2007 and 7.9% in 2020), real estate activities (5.8% in 2007), and construction (5.3% in 2007 and 7.1% in 2020). Additionally, in 2020 public services and administration accounted for 11.5%, artistic and recreation activities for 8.0% and professional, scientific, and technical activities for 6.3%. Around half of persons remaining inactive in the labour market declared taking care of household, while one third of them studied. In the regional overview (23 metropolitan cities), the situation varied, e.g., the unemployment rate in 2019 extended from 6.5% in Cartagena to 16.5% in Cúcuta and 18.1% in Quibdó, while the capital Bogota with 10.4% was close to the national average. (DANE, 2020; DANE 1958-2020) In 2020, due to COVID-19, the unemployment rate increased reaching in some cities, e.g., Neiva 34%[34].

While the increase in participation rate and the reduction of unemployment in the first part of the analysed period may be attributed to the economic growth and favourable terms of trade with high commodity prices, exports growth and encouraged investment supporting job creation, which in turn resulted in high levels of consumption encouraging production and further investment (World Bank, 2015 and 2016), the opposite trends since 2016 may be explained by changes in the global trade, the fall in exported commodity prices and the

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[29] The figures are for the month of August in each year. In this context we note strong seasonal fluctuations in the unemployment rate each year, with a difference of up to 4 percentage points between the lowest and the highest unemployment rate in a given year.

[30] El Dinero (September 2020), Desempleo de Colombia fue de 16,8% en agosto de 2020: https://www.dinero.com/economia/articulo/cifra-de-desempleo-en-colombia-en-agosto-de-2020/301915

[31] El Tiempo (February 2019), El mercado laboral ya siente la migración venezolana: https://www.eltiempo.com/economia/sectores/mercado-laboral-en-colombia-ya-refleja-migracion-venezolana-321624

[32] Given that the total number of persons employed increased between 2007 and 2020, the shares for 2020 mean a higher absolute number of workers for each sector compared to 2007.

[33] The classification of sectors of economic activity has changed between 2007 and 2020 and there are no matching categories in 2020 for some of those existing in 2007.

[34] El Dinero (September 2020), Desempleo de Colombia fue de 16,8% en agosto de 2020: https://www.dinero.com/economia/articulo/cifra-de-desempleo-en-colombia-en-agosto-de-2020/301915

subsequent reduction in the growth rate in Colombia. Other factors include slowdown in investment and job creation, with the number of new jobs falling below the number of people entering the labour market each year, immigration from Venezuela, with immigrant workers taking part of the available job offer, and political uncertainty in Colombia reducing confidence levels among investors and encouraging the "wait and see" position in private sector. Consumption levels remained high supporting production and jobs and preventing an even higher increase in unemployment. In 2019, the Government announced measures to improve the labour market situation by supporting skills development, encouraging entrepreneurship, and refocusing work of employment services to ensure a more inclusive labour market[35].

In 2020, it is estimated that between the beginning of the Covid-19 pandemic in March and the end of April employment fell by 5.4 million jobs. Since then, it started recovering and in August 2020, there were 2.4 million employed less than in August 2019. The unemployment rate increased from 10.2% in January 2020 to 21.1% in May, and then fell to 17.1% in August.[36] Until November 2020, further economic recovery helped to reduce the gap in the number of jobs to 1.6 million compared to February 2020, with 900 thousand persons more being unemployed and 1.1 million more being outside the labour market (inactive). The unemployment rate fell to 14.9%.[37] Measures aimed at mitigating the spread of coronavirus, such as lockdown, were introduced in March and applied to most sectors, with the exception of a few considered essential (public administration, agriculture, public utilities or finance sector among others) where work continued under social distance. Sectors most affected by these measures included construction, transport and storage, hotels and restaurants, artistic activities, and real estate. Negative impacts of the epidemy and measures taken by the authorities were most significant for women and young people given their high employment shares in most affected sectors, e.g., hotels and restaurants. In mid-2020, the situation started improving, inter alia thanks to the Government support schemes, such as the programme of support for formal jobs, focused on microenterprises, which has benefitted around 2.4 million people[38].

In **Peru**, the labour market participation rate decreased slightly from 73.8% in 2007 to 72.4% in 2019, recording minor changes up and down over the analysed period. In 2020, it further decreased to 63.3% due to Covid-19, falling even further in the period between April and June to 45.3%. The number of employed decreased from 17.2 million in 2019 to 14.2 million in 2020, thus returning to the level of 2007. The unemployment rate decreased from 6.3% in 2007 to 4.4% in 2015 to increase then again to 5.2% in 2016 and fall to 4.8% in 2018. In 2020, it increased to 9.6% going beyond levels observed in the analysed period. In 2008, 28.7% of employed worked in agriculture, fisheries, and mining (25.9% in 2018), 23.4% in other services (24% in 2018), 18.3% in trade (18.8% in 2018), 11% in industry (9.0% in 2018), 8.0% in transport and communication (8.5% in 2018), 6.0% in restaurants and hotels (7.8% in 2018) and 4.6% in construction (6.0% in 2018). In 2020, the number of people employed in agriculture increased significantly (by 799,000 compared to 2019), while decreased in other sectors, notably services and trade (by 3.1 million in these two sectors). (INEI, 2017-2019, INEI, 2019, INEI, 2020)

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[35] Dinero (June 2019), Desempleo: el principal problema económico de Colombia: https://www.dinero.com/pais/articulo/que-pasa-con-el-desempleo-en-colombia/273148

[36] La Republica (October 2020), En cuatro meses y en medio de la pandemia se recuperaron 3,1 millones de empleos en el país: https://www.larepublica.co/economia/en-cuatro-meses-y-en-medio-de-la-pandemia-se-recuperaron-31-millones-de-empleos-3067600

[37] BBVA (January 2021), Larecuperación del mercado laboralse sigue ralentizando: https://www.bbvaresearch.com/publicaciones/colombia-efectos-del-covid-19-sobre-el-empleo-de-noviembre-3/

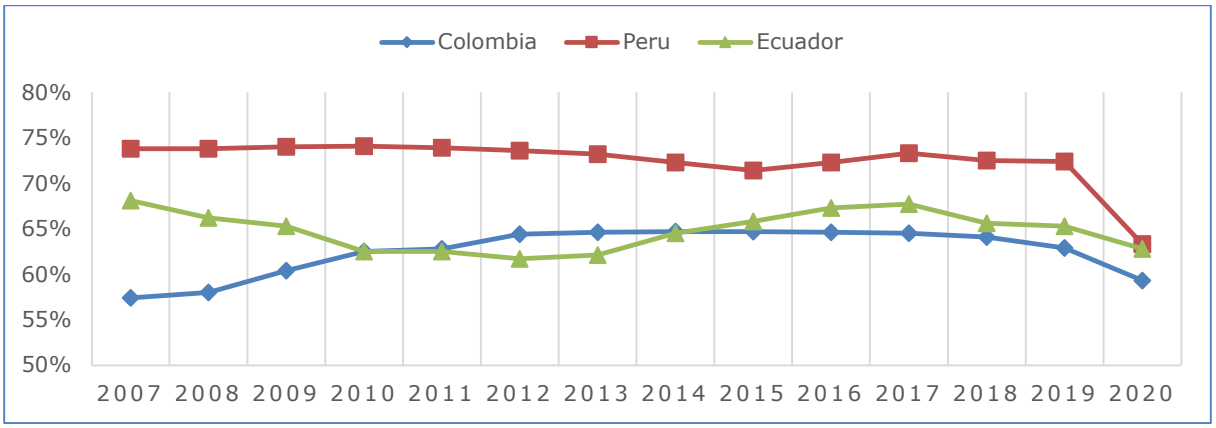
[38] El Empleo (July 2020), El impacto del covid-19 en el mercado laboral colombiano: https://www.elempleo.com/co/noticias/noticias-laborales/el-impacto-del-covid-19-en-el-mercado-laboral-colombiano-6122 Banco de la República (2020), Efectos de la pandemia por Covid-19 en el mercado laboral colombiano: identificando el impacto de las restricciones sectoriales a la movilidad: https://www.banrep.gov.co/es/borrador-1129

Positive changes in the labour market observed at the beginning of the analysed period were related to the economic growth underpinned by favourable terms of trade, high prices of exported commodities and rise in foreign direct investment supporting job creation. Since 2013, however, the fall in commodity prices and the slowdown in economic growth started negatively affecting the participation and employment rate. A corruption scandal had a negative impact on foreign investors' confidence, incl. investment projects based on public-private partnerships, and the natural phenomenon "El Niño" damaged parts of the infrastructure in the coastal regions in the north of Peru. Moreover, the immigration from Venezuela observed since 2017 has further changed proportions in the demand and supply on the labour market (it is estimated that around 700,000 persons arrived in Peru over that period, most of them looking for a job). The structure of the Peruvian economy, with capital intensive high productivity sectors e.g., mining, and exports based to a large extent on commodities have brought about economic growth and increased public revenues (until 2013) facilitating social redistributive policies and poverty reduction. However, they fell short to produce comparable sustainable results in the labour market, such as creation of formal, high quality jobs on a large scale and reduction of informal employment and other precarious jobs. As a result, modern sectors of economy, with high technology endowment, employing highly qualified workers and offering formal jobs, co-exist in Peru with a large, low productivity informal sector (in 2017, 56.1% of economically active persons worked in informal jobs creating 18.1% of GDP). Moreover, the weakness of public sector institutions, including labour inspection, and low levels of public funding for employment promotion (below the average level of spending in Latin America and in OECD) made it difficult to develop adequate active labour market policies and employment services, to implement plans and programmes and enforce labour rights, i.e. actions that otherwise could have contributed to formal job creation and respect for decent work. In 2019, the Government presented a proposal for employment promotion supporting a convergence in demand and supply on the labour market to generate decent job opportunities, facilitating inclusion of women and vulnerable groups into the labour market, supporting skills development and entrepreneurship and strengthening institutions being in charge of employment promotion, as well as their cooperation, incl. between national, regional and local levels. (Ministerio de Trabajo y Promoción del Empleo, Perú, 2019b) In 2020, Peru has been one of the countries in the region most affected by the Covid-19 pandemic in terms of reduction of income and employment. According to the ILO, this is partly due to the structure of its economy and labour market, not changed significantly over the last 20 years, with a large proportion of people employed in informal jobs and sectors of low productivity. There is a need for a reform to modernise the economy and develop its more sophisticated parts, including supply chains, and invest in professional development of workers and creation of formal decent jobs.[39] It is estimated that in the second quarter of 2020, there were 6.7 million jobs less in Peru than in 2019, with women and young people being most affected. Across sectors, construction has lost the highest proportion of jobs, while the number of jobs increased in agriculture. In the third quarter, the economy started revovering, however, still there were 3 million jobs less than in 2019.[40]

[39] ILO (September 2020), OIT: Cambiar la estructura productiva en Perú es la vía para una recuperación sostenible del empleo: https://www.ilo.org/lima/sala-de-prensa/WCMS_756495/lang--es/index.htm; ILO (September 2020), Impactos en el mercado de trabajo y los ingresos en América Latina y el Caribe: https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/documents/publication/wcms_756694.pdf

[40] El Comercio (January 2021), En busca del empleo perdido: ¿Quiénes sufrieron más la reducción de puestos de trabajo tras la crisis?: https://elcomercio.pe/economia/peru/en-busca-del-empleo-perdido-quienes-sufrieron-mas-la-reduccion-de-puestos-de-trabajo-tras-la-crisis-noticia/?ref=ecr

Figure 1: Labour market participation rates, 2007-2020



Sources: DANE, Colombia (2020), Principales indicadores del mercado laboral, Agosto 2020 (and Annexes with data from 2002-2020); Ministerio de Trabajo y Promoción del Empleo, Perú, Informe Anual del Empleo en el Perú (2017, 2015, 2012); INEI, Perú: Evolución de los Indicadores de Empleo e Ingresos por Departamento, 2007-2018; INEI, Perú (2017-2019), Comportamiento de los indicadores de mercado laboral a nivel nacional; INEC, Ecuador (2018f), Encuesta Nacional de Empleo, Desempleo y Subempleo (ENEMDU), Indicadores laborales, 2018 and 2019

In **Ecuador**, the labour market participation rate decreased from 68.1% in 2007 to 61.7% in 2012 to rise again to 67.7% in 2017 (it fell afterwards to 65.3% in 2019 and 62.8% in 2020[41]). (INEC, 2018f) The unemployment rate decreased from 5.0% in 2007 to 3.8% in 2019 (however, increased then to 6.6% in 2020, with a peak of 13.3% in May-June 2020), recording in the analysed period values between 6.5% and 3.8%, with phases of rise and fall, each of them lasting 4-5 years. The unemployment rate in the urban areas was higher than the national average (between 4.5% and 7.9% in the analysed period until 2019) while in the rural areas it was lower (between 1.7% and 3.6%). The participation rate in the rural areas was higher than the national average, while in the urban areas it was comparable. Agriculture accounted in 2009 for 28.5% of the total employment (28.3% in 2018), followed by trade (19.5% in 2009 and 18% in 2018), manufacturing (10.6% in 2009 and 11.7% in 2018), education, health care and social services (7.5% in 2009 and 6.2% in 2018), construction (6.9% in 2009 and 6.8% in 2018), hotels and restaurants (4.5% in 2009 and 6.3% in 2018), transport (4.7% in 2009 and 5.8% in 2018), other services (4.1% in 2009 and 3.6% in 2018), and professional, technical and administrative activities (3.6% in 2009 and 4.5% in 2018). (INEC, 2018f)

Factors influencing the situation on the labour market and social situation in the country included the economic growth in the first few years of the analysed period with rates above the average for Latin America (4.6% in 2007-2014 compared to 2.8% for the region), supported by favourable terms of trade with high export prices, high level of remittances (share of 3.8% in GDP in 2007-2013), increasing wage share in GDP compared to returns from capital, and domestic investment in infrastructure, including roads and hydroelectric projects. This was followed by the economic slowdown exacerbated by the fall in exported oil prices in 2014, which reduced revenues and public spending, increased fiscal and public debt, and led to a decline in international reserves. Moreover, dollarisation of Ecuadorean economy meant an inability of the country to use the monetary policy to caution effects of external shocks. Rigid regulation of labour market, and finance and related high costs of business operation did not allow for a flexible move of people and capital towards more efficient sectors and companies and encouraged informality. When the dominating until then state-led model of economy could not successfully face the challenges, businesses constraint in their activity by rigid regulations turned out to be unable to step in and compensate decline in public investment. (World Bank Group, 2018 and 2019) A reduction in the labour market participation rate in 2007-2012 was at least partly explained by an

[41] INEC, Empleo – septiembre 2020: https://www.ecuadorencifras.gob.ec/empleo-septiembre-2020/

increase in persons economically inactive continuing education while being of the working age. The later increase in the participation rate in 2012-2017 was partly due to demographic factors and higher numbers of young people entering the labour market, while the other part was explained by an increased number of people from other age groups who used to be economically inactive, including women who used to run the household and who started to look for and take a job. (INEC, 2017a and INEC, 2015b)

As mentioned above, as a result of the Covid-19 pandemic, employment decreased by almost 1.4 million in May / June 2020 compared to 2019 (with recovery in September 2020) and the unemployment rate increased, with a peak of 13.3% in May and June 2020. Subsequently, unemployment fell (to 6.6%) as a result of the re-opening of shops and enterprises that had been closed in the spring to limit the spread of the coronavirus, IMF emergency support in May, Government support measures (although fiscal constraints did not allow for provision of financial stimulus for private sector) and creation of new jobs and enterprises. The Government also negotiated a 27-month extended funding arrangement with the IMF, approved in September 2020, to support Ecuador's policies to stabilize the economy, protect livelihoods, expand the coverage of social assistance programs, ensure fiscal and debt sustainability, and strengthen domestic institutions to underpin the economic recovery.[42] The highest number of jobs created in 2020 were in agriculture, exports, and construction[43]. Also in 2020, the Organic Law on Humanitarian Support was adopted having as objective preservation of jobs, enabling employers to reduce working days of their staff by up to 50% for up to one year, with a possibility to prolong the measure by another year, i.e., to two years in total. The Law also envisaged wage reduction proportionally to cuts in working time, while the new wage could not be lower than 55% of its prior value. Other payments and social security contributions were supposed to be reduced in a similar way, i.e., proportionally to working time reduction[44]. The draft Law has been consulted by the National Assembly with the ILO Office which (while acknowledging the aim of preserving workplaces at the time of the epidemy and the related economic crisis) suggested several amendments, in particular related to the need to consult representatives of workers and to ensure minimum levels of protection envisaged in international labour conventions ratified by Ecuador[45]. The same Law was brought to attention of the ILO Director General by the Ecuadorean trade unions arguing that it reduces workers' rights and had not been consulted with them before being submitted to the National Assembly for adoption under the urgency procedure[46]. According to information shared with the study team by the Government of Ecuador, the Organic Law on Humanitarian Support helped to preserve 72,000 jobs (mainly in agriculture) and create 170,000 new jobs. Moreover, those who were able to work remotely were encouraged to do so, and finally, to build on the lessons learned for labour market from the epidemy, the Government opened a space for a national dialogue (with all sectors of the economy and groups in the society) "all for work" to discuss challenges and prepare ground for reforms and job creation, ensuring their operation and resilience in the long-term.

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[42] IMF (October 2020), Country Report No. 20/286: www.imf.org

[43] Ecuador chequea (2020), El impacto de la pandemia en el mercado laboral ecuatoriano: http://www.ecuadorchequea.com/el-impacto-de-la-pandemia-en-el-mercado-laboral-ecuatoriano/

[44] Primicias (2020), Así son los acuerdos laborales y las reglas para la reducción de la jornada: https://www.primicias.ec/noticias/economia/ministerio-trabajo-directrices-aplicacion-acuerdos-laborales/

[45] OIT (May 2020), Memorandum de comentarios técnicos sobre proyecto de Ley Orgánica de Apoyo Humanitario para combatir la crisis sanitaria derivada del COVID-19, Ecuador: https://www.asambleanacional.gob.ec/sites/default/files/private/asambleanacional/filesasambleanacionalnameuid-580/Memo%20Tecnico%20OIT%20Ecuador%20Ley%20de%20Apoyo%20Humanitario%20Mayo%202020.pdf

[46] CDES (May 2020), Solicitamos a la OIT pronunciarse sobre las leyes económicas urgentes: https://cdes.org.ec/web/solicitamos-a-la-oit-pronunciarse-sobre-las-leyes-economicas-urgentes/

1.1.2 Informal economy[47]

In 2007, in **Colombia**, 57% of economically active persons living in 13 metropolitan areas were in informal employment (55.5% among men and 58.8% among women). Out of these, 38.6% worked in the sector of trade, hotels, and restaurants, 18.2% in communal, social, and personal services and 16.5% in industry. 50.5% were self-employed and 38.5% worked in microenterprises employing 2-5 persons. 33.8% of all informally employed lived in Bogota, 13.7% in Medellin and 13.5% in Cali, while at the same time, these cities had the lowest rates of informal employment in their total employment (Medellin, 50.8%), with Cúcuta being on the other extreme of the scale (74,4%). 79.3% of all informally employed were covered by the social security system with health care cover (sistema de seguridad social en salud), including 42.1% in the subsidised system and 57.9% in the contribution-based system. 13.9% were covered by the pension scheme (DANE, 2007b). Until 2011, informal employment rate fell to 51.3%, however, this may partly be related with a change in measurement in 2008, which excluded from informality workers from enterprises employing 10 and more persons. For the same reason, proportion between different groups of informal workers has changed, e.g., in 2011, self-employed accounted for 60% of the total (10 percentage points more than in 2007). The share of trade, hotels and restaurants in the total informal employment increased to 41.8% (DANE, 2011). Since then, according to comparable data, the rate of informal employment continued falling to 46.4% in 2019 (44.1% among men and 49.1% among women). The share of trade, restaurants and hotels remained at the same level (42% in 2019), followed by communal, social, and personal services (17.5% in 2019) and industry (12% in 2019). In a regional overview, the highest share of informality remained in Cúcuta (73.1%), while in Medellin, Bogota, and Manizales it was 40-41% (DANE, 2019a).

Factors contributing to observed trends at the beginning of the analysed period included economic growth supported by monetary and fiscal policy, reduced inflation rate, more balanced budget and improved tax system enabling provision of social policies, job creation (notably in services sector) and poverty reduction. At the same time, informality reduction was relatively limited because high productivity sectors (e.g., mining, or financial services) had a low share in employment while those of low productivity (agriculture, trade, hotels and restaurants and services) high. There was also an observed increase in formalization of micro-, small and medium-sized enterprises (MSMEs) in urban areas, e.g., increase from 53.1% in 2007 to 77.3% in 2012 in the rate of MSMEs pursuing book-keeping and from 43% to 69.7% the rate of MSMEs being formally registered. It was underpinned by new legislation and non-legislative initiatives supporting entrepreneurship and MSMEs through availability of funding, access to advice in establishment procedures, public procurement contracts, export support, and production chains, as well as reduction of fiscal burden (i.e., reduced tax rates and social security contributions). (ILO, 2014a) Other measures included policy on national competitiveness, simplification of procedures, a portal for setting up enterprises, measures to limit evasion of social security payments, legislation encouraging employment formalisation, enhancing labour inspection capacity (ILO, 2014c; ILO, 2015a), creation of a national network for labour formalisation and extension of social security coverage[48], and the Pact for decent work adopted in 2018 by the Government, employers and workers with commitments regarding formal employment creation, respect for labour

[47] According to a definition used by the ILO, informal economy is understood as enterprises and workers not covered or insufficiently covered by formal arrangements and includes also self-employed. Informal sector means enterprises which have not been registered and usually do not comply either with the domestic legislation related to payment of taxes, and social security contributions, working conditions, e.g., minimum wages or health and safety at work and others. Informal employment relates to situations where a person is not offered a written contract, social security contributions (e.g., to a pension scheme or health care) are not paid, wages are usually low and there are no protections related e.g., to unemployment, illness, or accidents at work. (ILO, 2015)

[48] La Red Nacional para la Formalización Laboral: http://www.mintrabajo.gov.co/de/empleo-y-pensiones/empleo/subdireccion-de-formalizacion-y-proteccion-del-empleo/que-es-la-red-nacional-de-formalizacion-laboral

rights, decent working conditions and social security coverage[49]. Formalisation of jobs and enterprises belonged also to the ILO priorities in cooperation with Colombia in 2018-2019. (ILO, 2018b)

In **Peru**, the rate of informal employment in total employment decreased systematically over much of the analysed period, from 80% in 2007 to 72.4% in 2018 (from 83.6% in 2008 to 75.3% in 2018 for women and from 75.7% in 2008 to 70.1% in 2018 for men), but then increased to 75.2% in 2020, as a result of Covid-19: In urban areas, informal employment reached 68.2% and in rural areas 96.2%.[50] The GDP share created by informal economy remained practically the same (18.9% in 2007 and 18.6% in 2017). In the regional overview, the share of informal employment varied in 2017, from 91.3% in Huancavelica and 90.1% in Cajamarca to 58.5% in Lima. Overall, lower rates of informal employment are recorded in the coastal areas considered also as the most competitive, while the highest in the mountain regions which record also high poverty levels. Across the sectors of economic activity, the rate of informality in the total employment was the highest in agriculture (98% in 2007 and 94 % in 2018), followed by hotels and restaurants (87% in 2007 and 79% in 2017), transport and communication (84% in 2007 and 77% in 2017), construction (82% in 2007 and 77% in 2017) and trade (78% in 2007 and 67% in 2017). Regarding the share of informality in production across sectors, the highest one has been in agriculture (84% in 2007 and 86% in 2017), followed by hotels and restaurants (47% in 2007 and 43% in 2017), transport and communication (34% in 2007 and 2017), construction (28% in 2007 and 26% in 2017), and trade (25% in 2007 and 19% in 2017). In 2017, 19.8% of informal undertakings had some form of bookkeeping (compared to 62.6% in the formal sector), 58% did not have any office nor a venue to operate in (32% of these were mobile, e.g., as a street vendor, 34% worked in a vehicle to transport persons or goods, 22% operated in the customer's house, and 11% in an improvised venue). Out of those that had a venue, 74% operated in owner's house. Regarding the reason for not having registered the activity for tax purposes, 48.5% owners did not consider it necessary, 33.7% were of the view that the undertaking is very small, 12.2% carried out the activity as an occasional occupation and 1.8% believed not being able to pay taxes if the activity is registered. 57% started own activity after not having been able to find employment, 15% wanted to be independent and 17% wished to have higher incomes. (INEI, 2018d; INEI, 2019) According to a survey conducted in 2013 among 301 informal enterprises in Lima, 53%-59% did not meet the requirements enshrined in labour legislation, e.g., did not have their employees included into payroll or did not grant employee benefits. (ILO, 2014e)

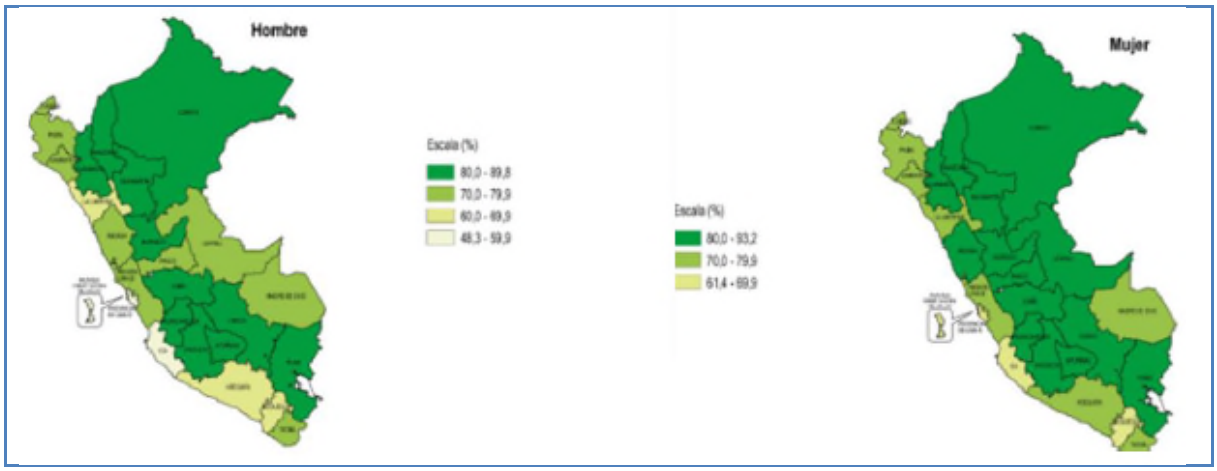
Factors supporting decrease in informal employment, included economic growth, fiscal and monetary policy with objectives of reduced inflation rate and reduced public deficit, favourable terms of trade resulting in investment flows, formal jobs creation, social policies aimed at poverty reduction, strengthened surveillance of enterprises through introduction of electronic submission of data related to workers, contracts, wages, taxes and social security contributions, and a reduction and simplification of fiscal burden imposed on SMEs. (ILO, 2014d) In 2018, in cooperation with the ILO, Peru adopted a Sectoral Strategy for Employment Formalisation 2018-2021. (ILO, 2018a) The Strategy identified main reasons behind informal employment. These include inadequate or low level of knowledge and skills among workers, costs related to compliance with labour legislation, social security and tax system combined with low benefits of operating formally, insufficient labour inspection capacity, poverty, and low level of economic development. The Strategy outlined initiatives supporting transition from informal to formal employment, e.g., provision of training to

[49] Pacto por el trabajo decente: http://www.mintrabajo.gov.co/documents/20147/648769/PACTO+POR+EL+TRABAJO+DECENTE.pdf; El trabajo decente y crecimiento económico: https://www.ods.gov.co/es/objetivos/trabajo-decente-y-crecimiento-economico

[50] AA (November 2020), Perú registró su tasa de empleo informal más alta en ocho años: https://www.aa.com.tr/es/mundo/per%C3%BA-registr%C3%B3-su-tasa-de-empleo-informal-m%C3%A1s-alta-en-ocho-a%C3%B1os/2047107

increase employability of workers, decent work promotion through Corporate Social Responsibility / Responsible Business Conduct, promotion of social security and its benefits, and a revision of legislation related to labour inspection to encourage better compliance with labour legislation and a move to formality. (Ministerio de Trabajo y Promoción del Empleo, Perú, 2018; ILO, 2017)

Figure 2: Informal employment rate in Peru in 2018 for men (on the left) and for women (on the right)(%)



Source: INEI (2019), Perú: Evolución de los Indicadores de Empleo e Ingresos por Departamento, 2007-2018

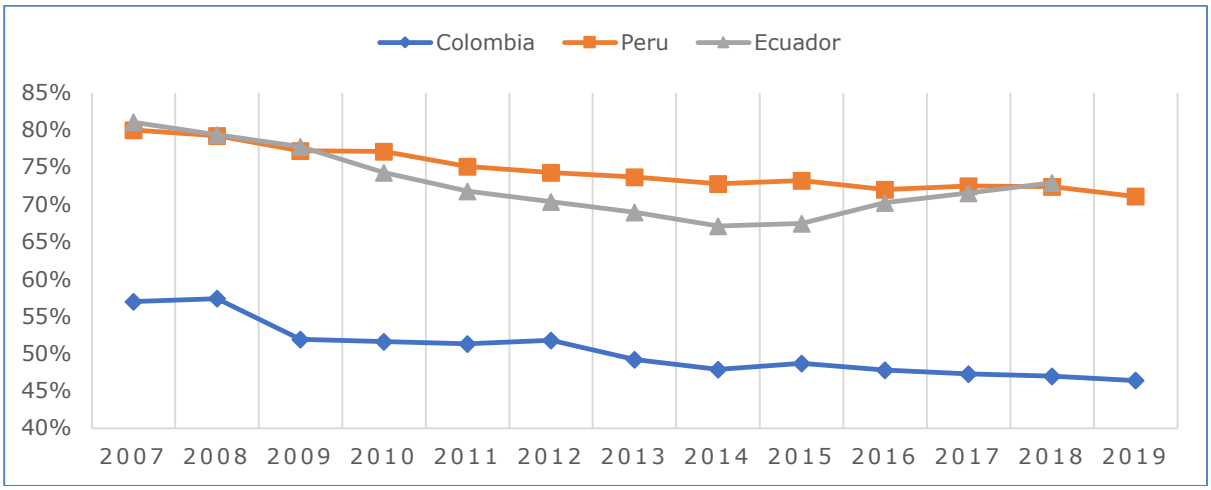
In **Ecuador**, the rate of informal employment[51] fell from 81.1% in 2007 to 67.1% in 2014 to increase again to 72.9% in 2018. In rural areas, it decreased from 93% in 2007 to 80% in 2014, to increase again to 89% in 2019. A similar pattern was observed in urban areas, where informal employment rate fell from 75% in 2007 to 60% in 2015 and increased to 65% in 2019. The initial reduction in informal employment coincided with economic growth and favourable terms of trade, notably high prices of exported petrol. The second stage was related to economic slowdown. In a break-down by gender, informal employment fell from 81% in 2007 to 68% in 2014 and increased to 74% in 2019 for men, while among women, it changed from 80% in 2007 to 67% in 2014 and 74% in 2019. In a territorial overview, within each of the three big regions (coast, mountains and east), there have been departments with both, low and high levels of informality (marked on a map above). In the coastal region, department of Guayas recorded reduction in informality from 81% in 2007 to 69% in 2019. In Manabí, informal employment decreased from 88% in 2007 to 82% in 2019 (Santo Domingo and Esmeraldas started from 82% in 2007 and arrived at 82% and 84% in 2019). In the mountains, department of Pichincha had a clearly lower level of informal employment than the other during the whole reporting period, recording rates from 70% in 2007 to 54% in 2019. Carchi, Cotopaxi, Bolívar, Chimborazo recorded values between 83% and 90% in 2007 and between 83% and 94% in 2019. In the eastern part of the country, Napo recorded similar values (83%-84%) at the beginning and at the end of the analysed period, however, managed to reduce the rate of formal employment in the years of economic growth (going down to 55% in 2012). Across sectors, the highest rates of informal employment have been in agriculture (96% in 2007; 93% in 2019) and construction (94% in 2007; 91% in 2019), followed by hotels and restaurants (90% in 2007; 82% in 2019), trade (89% in 2007; 81% in 2019) and industry (78% in 2007; 64% in 2019). (CEPAL, 2020)

The observed positive trends in the first few years of the analysed period may result from introduction of a new legislation related to formalisation of labour relations, e.g., reduction of sub-contracting, requirement of social security contributions payment by construction

[51] Definition used in this context by CEPAL (providing data quoted here) considers a person as being in informal employment if that person does not have a formal job contract and does not pay social security contributions.

companies working on public contracts and strengthening the capacity of labour inspection, with the increased number of inspectors and inspections. Moreover, the new Constitution prohibited precarious forms of employment (e.g. hourly contracts and work intermediation) and the subsequent legislation introduced fines for avoidance of payments of social security contributions and extended social security coverage schemes (e.g., health care insurance) to family members of covered workers. This increased the number of workers with access to the social security system receiving benefits. Economic growth, creation of formal jobs, as well as increased public expenditures on education (supporting skills development) and social transfers for poor families may also have played a role. (ILO, 2014f) There are also proposals from the ILO, as part of its technical assistance for Ecuador, to focus on formal and decent job creation in rural areas, combined with support for skills development and engagement with employers and trade unions. The ILO has also conducted studies in areas affected by the earthquake in 2016, notably in their rural part and sectors, such as tourism and banana plantations. Their results will provide a starting point for designing initiatives creating decent jobs and supporting sustainable development in those sectors and regions in Ecuador. (ILO, 2018) On the other hand, the increase in the informal employment rate since 2014, may be related to economic recession caused by the fall in exported oil prices (in the same period, statistics record increase in unemployment, reduced in 2017 by public expenditures in the pre-election period, as well as substandard employment, with payment below the minimum wage level and the number of working hours per week lower than 40 despite the willingness to work full time). Other reasons mentioned in the literature include migration from rural to urban areas, and from other countries in the region, notably Venezuela (foreign workers are often ready to accept low quality jobs), relative rigidity of the labour market regulation and the related increase in labour costs, the recent growth in provision of services based on digital platforms and pessimism among workers who remain in unsatisfactory jobs and don't seek better options, as well as reasons related to personal or family situation (e.g., being made redundant)[52]. (Arias, 2019)

Figure 3: Informal employment rate (%)



Notes: 2008 - change in methodology measuring informality in Colombia. Given different methodologies applied in measurement, we do not compare in this chart informality rates between countries, but analyse them for each country separately over time.
Source: DANE, Colombia, Informalidad laboral para el total de las 13 áreas (2007-2019); INEI, Perú, Producción y empleo informal en al Perú (2007-2017), INEI, Perú: Evolución de los Indicadores de Empleo e Ingresos por

[52] Cordes (2020), Las cifras de empleo, consistentes con el mal desempeño económico: https://www.cordes.org/publicacion/opina/2020/Enero/Las%20cifras%20de%20empleo,%20consistentes%20con%20el%20mal%20desempeno%20economico.pdf; Primicias (January 2020), Más de 300.000 personas sin trabajo en una economía que no crece: https://www.primicias.ec/noticias/economia/empleo-ecuador-economia-inec-desempleo/; El Comercio (January 2019), El mercado laboral en Ecuador registra más informalidad: https://www.elcomercio.com/actualidad/desempleo-mercado-laboral-informalidad.html; El Comercio (January 2020), El mercado formal se deterioró el 2019; la informalidad aumentó: https://www.elcomercio.com/actualidad/cifras-inec-informalidad-economia.html

Departamento, 2007-2018; CEPAL (2020), Análisis del sector informal y discusiones sobre la regulación del trabajo en plataformas digitales en el Ecuador

1.1.3 Gender equality

In **Colombia**, the total employment rate increased from 52.1% in 2007 to 59.2% in 2014 to fall in the following years to 56.3% in 2019 (the employment rate for men increased from 64.9% in 2007 to 69.7% in 2015 to fall to 67.3% in 2019 and 59.4% in 2020 while for women it increased from 38.9% in 2007 to 48.3% in 2015 to fall to 45.6% in 2019 and 34.8% in 2020. The total unemployment rate after falling from 10.8% in 2007 to 8.4% in 2014, increased again to 10.2% in 2019 (the unemployment rate for women increased from 14.1% in 2007 to 15.8% in 2010 then fell to 11.6% in 2015 and rose again to 13.4% in 2019 and 24.2% in 2020; while for men it fell from 8.9% in 2007 to 6.5% in 2015 to increase again to 8% in 2019 and 15.3% in 2020). Further details are provided in the chart below. Regarding employment shares by sector in 2007, 35.6% of women were employed in communal, social, and personal services (10.4% for men), followed by trade, hotels and restaurants (30.3%; 21.2% for men), manufacturing industry (13.6%; 11.7% for men) and agriculture (7%; 27.5% for men). Men worked in addition in transport (11.2%) and construction (8.3%). (DANE, 2007) In 2019, sector shares were largely the same as in 2007 for both, men, and women, with differences compared to 2007 being in most cases of 1-2 percentage points. (DANE, 2019) For further details, please see the chart below. Regarding job quality, in 2020, 26.9% of working women and 27% of working men were in sub-employment, i.e. a situation of having a job not matching the worker's qualifications, with a low wage or insufficient number of working hours. In 2007, these rates were higher (34.7% for women and 36.8% for men). The overall working time decreased from 59.3 hours in 2009 to 58.2 hours a week in 2019, while time dedicated to paid work decreased from 46.2 hours a week in 2009 to 44.3 hours in 2019 and time for non-paid work in the household decreased from 19.7 hours a week in 2009 to 18.2 hours in 2019. In the same period, women worked for around 10 hours longer a week than men, dedicating up to 16 hours more to non-paid work in household and less time to remunerated work. In total, women worked 65.8 hours a week in 2009 (men 55.1 hours) and 63.6 hours a week in 2019 (men 54.4). Regarding paid work, women dedicated to it 41.2 hours a week in 2009 (men 49.5) and 39.5 in 2019 (men 47.7). Regarding non-paid work in the household, women used for it 27 hours a week in 2009 (men 11.1) and 25.7 hours a week in 2019 (men 10.4). (DANE, 2007-2020) The ILO Committee of Experts noted in 2016 the existence of sectorial segregation of women on the labour market, with over 60% of them being concentrated in two sectors, low-paid, low-quality, and often informal jobs. The Committee noted also a decreasing, but still large wage gap between men and women. In this context, the Committee noted that legislative amendment was considered by the Government to bring the existing law on equal pay for work of equal value into conformity with Convention No. 100. Moreover, the Government had adopted the National Plan for Labour Equity with a Gender Differential Approach for Women. (CEACR, 2016) In 2019, the wage gap between men and women was of 12.1%. Women were also more likely to lose a job. Moreover, only around 20% of women in retirement age had access to old age pension[53]. (DANE, 2020c)

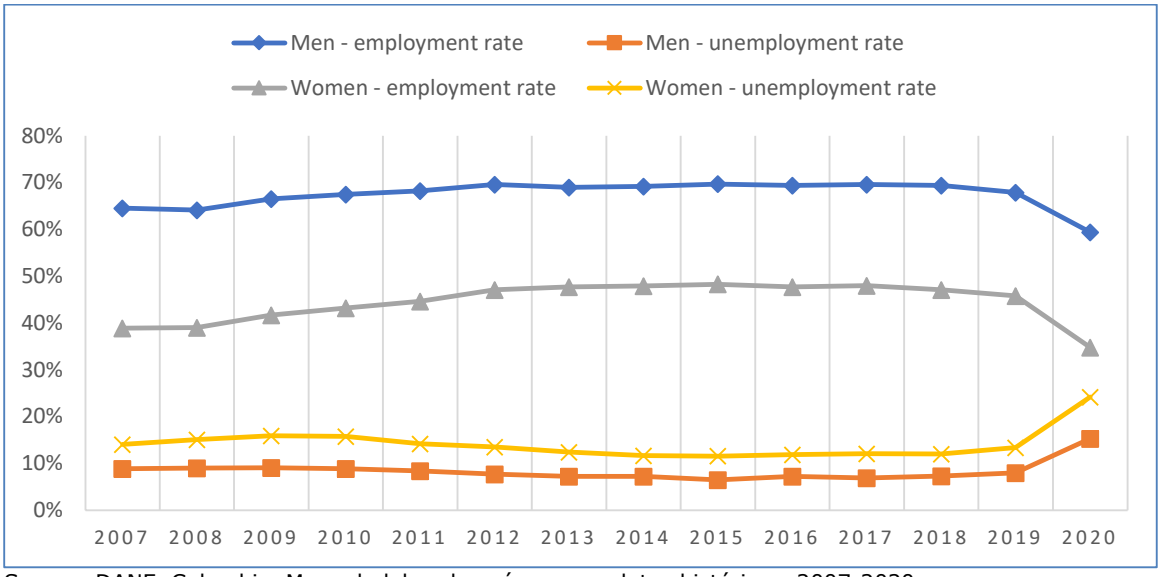
56.3% of working women in Colombia were in informal jobs, 17.3% worked for less than 20 hours a week and 42% earned less than the minimum wage[54]. The COVID-19 epidemy has worsened the situation of women on the labour market with their unemployment rate in 2020 being 11 percentage points higher than in 2019 (7 percentage points for men) and with an increasing share of women becoming inactive and dedicated to non-paid household

[53] Cedetrabajo (March 2020), 8M ¿Cómo están las mujeres en el mercado laboral de Colombia?: https://cedetrabajo.org/8m-como-estan-las-mujeres-en-el-mercado-laboral-de-colombia/

[54] Un periódico digital (March 2020), Mujeres y mercado laboral en Colombia: salarios no compensan cualificación: https://unperiodico.unal.edu.co/pages/detail/mujeres-y-mercado-laboral-en-colombia-salarios-no-compensan-cualificacion/

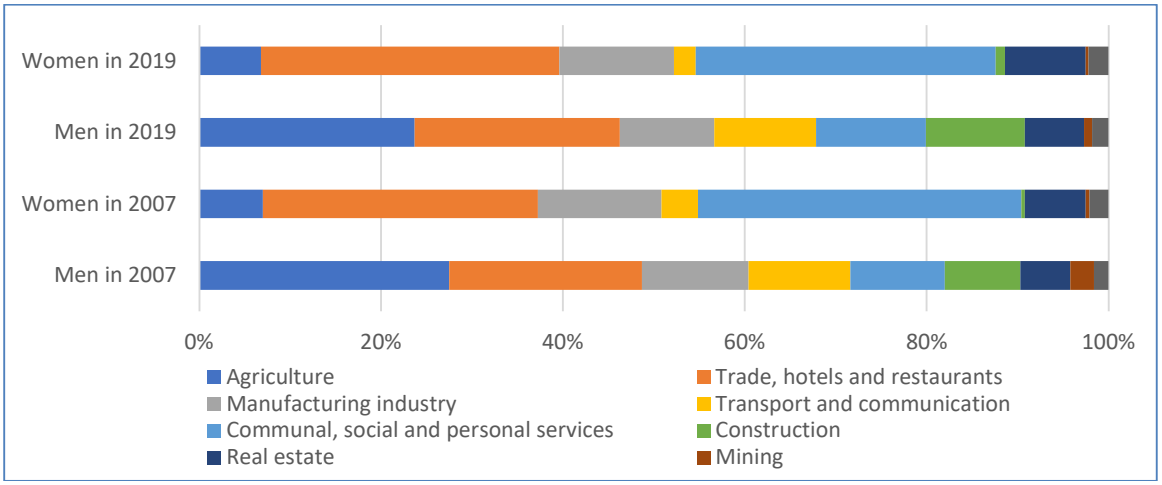
work, currently equalling in total around 20% of GDP[55]. The Government included gender equity in the National Development Plan 2018-2022 (chapter: Pact for Women's Equity). The proposed actions include e.g. improved access to quality education and retention in education (i.e. lower number of dropouts), encouragement of diversified education paths (currently, women tend to choose social science and health care, with much lower interest in mathematics, engineering or technology, which has an impact on their future career), investment in professional care personnel and facilities for children and dependant adults to enable women to dedicate more time to professional activities, support for women's access to managerial roles and decision making bodies (e.g. being members of parliament), and support for entrepreneurship, including for women from rural areas. Moreover, a seal of gender equity granted to companies promoting gender equity in their operation should be reformed and broadly promoted to encourage companies to apply for it[56]. (DNP, 2019)

Figure 4: Men and women on the labour market in Colombia, 2007-2020



Source: DANE, Colombia, Mercado laboral según sexo – datos históricos, 2007-2020

Figure 5: Sectors of work for men and women in Colombia in 2007 and 2019



[55] Portafolio (August 2020), Alerta por situación laboral de mujeres, jóvenes e informales: https://www.portafolio.co/economia/mercado-laboral-trabajadores-informales-jovenes-y-mujeres-en-colombia-son-los-mas-afectados-por-la-pandemia-543571

[56] Dinero (February 2019), Así van las mujeres en el Plan Nacional de Desarrollo: https://www.dinero.com/economia/articulo/equidad-de-genero-en-el-plan-de-desarrollo-del-gobierno-duque/267446

Source: DANE, Colombia (2007 and 2019), Mercado laboral por sexo

Actions are also foreseen to break stereotypes around women's productivity, professions typically associated with one gender and preference to hire men due to their lower involvement in household and family responsibilities. Moreover, there are proposals to design job offers in a gender-neutral way (currently most are designed for men)[57]. In the context of links between trade and employment, Colombia provided in its WTO Trade Policy Review an example of flower sector employing women, and work done to support female workers to get out of extreme poverty or benefit from education and housing projects.[58]

According to the Global Entrepreneurship Monitor (GEM), in 2019 Colombia ranked 6th in Latin America regarding the rate of new entrepreneurs (22.3%), i.e. persons between 18-64 years of age who have established and ran their own undertaking for less than 4 years (23.8% of men compared to 21.4% of women). Regarding established entrepreneurs being active for more than four years, the overall rate of 4.3% (3.9% for women and 4.6% for men) is the sixth in Latin America. However, this rate has been falling over the last four years and given how low it is compared to the rate of new entrepreneurs, it raises concerns on sustainability of enterprises in Colombia and mechanisms supporting entrepreneurship. Around 90% of entrepreneurs in Colombia started own activity as there were no other job opportunities[59]. (GEM 2018-2019a) While 33%-37% of female entrepreneurs believed to have adequate abilities to run an enterprise, the same said 50%-52% of men. (GEM 2019) In 2017-2018, 11.6% of men-led enterprises (7.1% for women) exported more than 25% of their production, while around 60% of all enterprises did not export. Regarding sectors of activity, 45.7% of women-led enterprises (41.6% for men) were active in the wholesale and retail trade, 17.0% (19.8% for men) in manufacturing, 16.0% (7.8% for men) in health care, education and social services, 12.8% (16% for men) in financial, professional, administrative and consumer services, 6.9% (8.6% for men) in agriculture and mining, and 1.6% (6.2% for men) in information and communication technologies. (GEM 2018-2019) The level of informality of enterprises operating for less than four years is at 74.5% (81.4% for women-led enterprises and 69.3% for men). The formalisation is higher among enterprises being on the market for a longer time (informal undertakings represent 37.9% and formal ones 62.1%). Regarding business environment, Colombia scored relatively well in perception of entrepreneurship, social and cultural norms, physical infrastructure and services and entrepreneurship in post-graduate curriculum, while other aspects received lower scores. These included public programmes for entrepreneurs, legal and commercial framework, dynamic of internal market, market entry barriers, government support, taxes and bureaucracy, access to finance (and financial support), technology transfer, innovation and development. (GEM 2018-2019a) According to the 2018 Mastercard Index of Women Entrepreneurs, Colombia has improved environment for women entrepreneurs bringing the country from 26th to 21st rank globally.[60] The increase in female entrepreneurship has been recorded also by the Bogota Chamber of Commerce, which between 2016 and 2018 supported creation of 5074 women-led enterprises and provides services for more than 69,000 female entrepreneurs. In 2020, the Colombian Government, in cooperation with Farmers Association launched a support programme for women agro-entrepreneurs and female workers from rural areas foreseeing financial and technical assistance, training and support in sales of products. Initially, it will cover 267,000 beneficiaries, with the aim of

[57] Dinero (February 2019), Colombia: crece la brecha laboral contra la mujer. ¿Por qué?: https://www.dinero.com/management/articulo/cifras-de-la-brecha-laboral-contra-la-mujer-en-colombia/267712

[58] https://www.wto.org/english/tratop_e/tpr_e/g372_e.pdf

[59] However, it is to highlight, that a similar GEM survey carried out in 2017-2018, although with a differently phrased questions brought opposite results, i.e. over 80% of both, male and female entrepreneurs saw having an own enterprise as an opportunity and the rest as a necessity.

[60] Mastercard Index of Women Entrepreneurs (2018): https://newsroom.mastercard.com/wp-content/uploads/2018/03/MIWE_2018_Final_Report.pdf

supporting 0.5 million at the end of the Government term[61]. However, while there is a change in supporting gender equality on labour market and in entrepreneurship, there are still factors, such as traditional division of time and tasks in household, disciplines chosen for education, sectors of activity, wage gap and lower chance for promotion, which limit opportunities open for women[62].

In **Peru**, the number of employed men increased from 7.9 million in 2007 to 9.3 million in 2018 while the number of employed women increased from 6.2 million to 7.4 million in the same period. However, the labour market participation has decreased from 83% to 80.7% for men and from 64.7% to 64% for women. In 2008[63], 29% of economically active women worked in agriculture, forestry, and fisheries and 0.2% in mining (21.1% in 2018, combining all these sectors), 36% in all services sectors except trade, including: 24.9% in services, 6.7% in domestic service, 2.7% in financial services, and 1.7% in transport, storage and communications (this block increased to 44.2% in 2018), 22.7% in retail trade, 1.8% in wholesale trade (25.8% in trade in 2018), 10% in manufacturing industry (8.4% in 2018), and 0.3% in construction (0.5% in 2018). (Ministerio de Trabajo y Promoción del Empleo, 2008, 2019e) An average wage for men increased from 914.3 in 2007 to 1,588.6 in 2018 (current soles) while for women it increased from 652.3 in 2007 to 1,135 in 2018[64], i.e. from 71.3% to 71.4% of men's wage. In 2018, 1.7 million of working women (23%) and 2.6 million of men (28%) in were in formal employment. The unemployment rate for men was in 2019 at 3.7% and for women at 4.1%.[65] The rate of women being in adequate employment (working 35 hours a week or more and having at least minimum wage) increased from 22.3% in 2007 to 40.4% in 2018 (for men, from 40.7% in 2007 to 62.2% in 2018). The remaining workers were in subemployment, i.e. working part-time, even though they wished to have a full-time job or working for 35 hours or more a week but receiving less than minimum wage. Access to Internet increased from 25.5% in 2007 to 51.4% in 2018 for women and from 30.3% to 56% for men. (INEI, 2019) In 2019 report published regarding Convention No. 100 (equal pay), the ILO Committee of Experts noted the gender-based wage gap in Peru and that among factors influencing it were types of contracts, diverse labour regimes applicable in Peru, the total working hours (often lower for women) and the fact that not many women yet were in higher, including managerial, positions. The Committee noted also that while multiannual plans and other initiatives have been announced by the Peruvian Government, there was no information available yet regarding their outcomes and trade unions claimed not being involved in some of them. The Committee requested more information in due time and Government's work with employers' and workers' organisations to address the problem. (CEACR, 2019)

Regarding women as entrepreneurs, it was expected that the total number of micro- small and medium-sized enterprises led by women in Peru would reach 1.4 million in 2019, with 122,000 enterprises being set up in 2018, operating mainly in the regions of Lima, Puno, Piura, La Libertad and Ancash. According to the Global Entrepreneurship Monitor, in 2018-

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[61] Sociedad de Agricultores de Colombia, SAC (July 2020), 267 mil mujeres rurales, nuevas beneficiarias de alianza Gobierno, gremios y empresas agro: https://sac.org.co/267-mil-mujeres-rurales-nuevas-beneficiarias-de-alianza-gobierno-gremios-y-empresas-agro/

[62] Portafolio (March 2019), Las mujeres emprenden porque quieren, los hombres porque lo necesitan: https://www.portafolio.co/negocios/emprendimiento/radiografia-de-la-mujer-colombiana-en-el-emprendimiento-527234; Portafolio (March 2019), Día de la mujer: el país avanza en equidad de género: https://www.portafolio.co/economia/dia-de-la-mujer-el-pais-avanza-en-equidad-de-genero-527223; Cámara de Comercio de Bogotá (March 2017), Dinámico comportamiento del emprendimiento de mujeres en Bogotá: https://www.ccb.org.co/Sala-de-prensa/Noticias-Cree-su-empresa/2017/Marzo/Dinamico-comportamiento-del-emprendimiento-de-mujeres-en-Bogota

[63] In 2008 and 2018, the sectorial employment structure for men was as follows: 35.4% in agriculture, forestry, and fisheries, 1.8% in mining (29.6% in 2018 for all these sectors combined), 17.9% in services, 11.2% in transport, storage and communications, 4.5% in financial services (37.3% for all services sectors in 2018) 11% in industry (9.4% in 2018), 8.1% retail trade, 2.4% wholesale trade (13.3% for all trade in 2018), and 7.3% in construction (10.3% in 2018). (Ministerio de Trabajo y Promoción del Empleo, 2008, 2019e, 2019f)

[64] INEI (2007-2018), Empleo: https://www.inei.gob.pe/estadisticas/indice-tematico/ocupacion-y-vivienda/

[65] INEI (2019), Comportamiento de los indicadores de mercado laboral a nivel nacional: https://www.inei.gob.pe/media/MenuRecursivo/boletines/empleo-nacionaljulagoset-2019.pdf

2019 women-led enterprises in Peru operated in retail and wholesale trade (68.1%), manufacturing (13.8%), health care, education and social services (10.0%), financial, professional, administrative and consumer services (4.8%), mining and agriculture (1.9%), and information and communication technologies (1.6%).[66] (GEM 2018-2019) In 2017 World Bank Enterprise Survey carried out among 1003 Peruvian enterprises, 15.4% exported directly or indirectly (16.4% among men-led enterprises and 11.4% among those led by women). Regarding the main obstacle in their activity, 33.9% of women-led enterprises and 26.1% led by men named competition from informal sector, for 13.4% of women and 14.8% of men it was corruption, for 14.4% of women and 12% of men it was political instability, followed by labour legislation, lack of adequate knowledge and skills among workers and tax rates.[67] In 2018, the Peruvian Government launched an initiative "Mujer Produce" (woman produces) with a programme of capacity building to contribute to women's economic empowerment and the move of women-led enterprises higher in the value chain. It is also meant as one of the measures to support women in generating own income, reduce vulnerability and improve the position to participate in decision making in the household and public life. It should also help in fight against gender-based violence which in Peru is estimated to cost around 3.5% GDP.[68] Moreover, in 2016, the export promotion agency, PROMPERU established an online platform enabling to filter exports statistics by gender of the owner or manager. 291 women-led enterprises exported in 2016 goods worth USD 1.5 billion, including manufactured products (58%), agricultural products (17%), garments (16%), fisheries (6%) and mining products (3%). For comparison, there were also 2,173 enterprises led by men and 5,045 where it was not possible to identify the gender of the owner. (Frohmann, 2018) Women-led enterprises benefit from services provided by PROMPERU in the "exporting route". In 2017, 1,468 women-led enterprises (40% of the total) benefitted from advice on how to improve competitiveness and prepare for exports. Among them were 253 already exporting enterprises, which in 2017, exported products (mainly food and garments) worth USD 813 million.[69] In 2017, Peru launched also a programme "she exports" (ella exporta) supporting development of entrepreneurial and exporting skills of female entrepreneurs and providing coaching related to readiness for exports, access to finance, costs and logistics, digital marketing and international negotiations. In four editions of the programme delivered to-date, 82 female entrepreneurs participated from agro-industry, garment, jewellery, and services sectors.[70] Peruvian female entrepreneurs participate also in targeted initiatives developed within the Pacific Alliance, such as annual events, webinars (e.g. in November 2020 about international trade in digital era)[71] and Community of female entrepreneurs[72].

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[66] According to the national sources, sectors with the largest presence of female entrepreneurs include: retail and wholesale trade (39.5%), agriculture (28.7%), services (24.6%) and manufacturing industry (7.2%); Peru21 (2019), Más de 122 mil mypes lideradas por mujeres emprendedoras se crearon en 2018: https://peru21.pe/economia/122-mil-mypes-lideradas-mujeres-emprendedoras-crearon-2018-464471-noticia/

[67] World Bank (2017), Enterprise Surveys, Peru: https://espanol.enterprisesurveys.org/es/data/exploreeconomies/2017/peru#biggest-obstacle

[68] Ministerio de la Mujer y Poblaciones Vulnerables (2018), Presentan programa "Mujer Produce" que beneficiará a lideresas de MYPES: https://www.gob.pe/institucion/mimp/noticias/22793-presentan-programa-mujer-produce-que-beneficiara-a-lideresas-de-mypes

[69] PROMPERU (December 2017), Empresas beneficiadas con Ruta Exportadora se incrementaron en 431%: https://www.promperu.gob.pe/Repos/pdf_novedades/1212201717334_427.pdf

[70] PROMPERU (2017), Programa Mujeres Lideres Exportadoras (Ella Exporta): http://repositorio.promperu.gob.pe/bitstream/handle/123456789/2157/Programa_Mujeres_Lideres_exportadoras_2017_keyword_principal.pdf?sequence=1&isAllowed=y; PROMPERU (2020), Mujeres empresarias, casos de éxito programa "Ella exporta": http://repositorio.promperu.gob.pe/bitstream/handle/123456789/4165/Mujeres_empresarias_Casos_exito_Programa_Ella_Exporta_2020_keyword_principal.pdf?sequence=1&isAllowed=y

[71] Alianza del Pacífico (November 2020), Mujeres de la Alianza del Pacífico y del Mercosur se capacitan para la era digital: https://alianzapacifico.net/mujeres-de-la-alianza-del-pacifico-y-del-mercosur-se-capacitan-para-la-era-digital/

[72] Comunidad Mujeres Empresarias AP: https://connectamericas.com/es/community/comunidad-mujeres-empresarias-ap#/

In **Ecuador**, the labour market participation rate among women was at 65.5% in 2015, with lower rates in Latin America being recorded in Mexico and Central America. (Banco Interamericano de Desarrollo, 2019) According to the national sources, in 2016, the labour market participation rate of women was at 55% and among men at 81%. In urban areas the rates were at 53% and 78% and in rural areas at 58% and 86%. Among indigenous population, the rates were higher (75% and 87%)[73]. At the same time, only half of male and one third of female workers were in the analysed period in adequate employment, i.e. worked for 40 hours or more a week and received at least the minimum wage (and in case they worked shorter hours, it was in line with their wish and they still received at least the minimum wage). The rate of adequate employment for women was at 32.4% in 2007 (32.6% in 2018) and for men it was 50.5% in 2007 and 47.2% in 2018. Unemployment rate declined for women from 6.7% in 2007 to 5.8% in 2018 and for men from 3.8% in 2007 to 3.5% in 2018. (INEC, 2018f). In 2012, women worked mainly in trade (26.5% of the total female employment), agriculture (20.9%) and manufacturing industry (10%), followed by hotels and restaurants (8.6%) and education (8.2%), however, compared with the total number of workers in the respective sectors, women had the highest share in the domestic service (94.1% of all workers in that sector), social and healthcare services (68.3%), hotels and restaurants (65.8%) and education (61.9%). On average, households led by a woman had incomes at the level of 77.9% of those led by a man, with differences being higher at lower levels of education, e.g. women having no education earning around 57% of male incomes and those having university education receiving 84% of them. (INEC, UN Women, 2013) An average monthly income earned by men increased from USD 350.8 in 2007 to USD 366.2 in 2018, while for women, it increased from USD 251.5 in 2007 to USD 302.8 in 2018, i.e. from 71.7% to 82.7% of men's average income. (INEC, 2018f) In the report published in 2016, the ILO Committee of Experts expressed regret that despite over 20 years of requests from its side, Ecuador had not changed Art. 79 of the Labour Code to bring it in compliance with Convention No. 100 to guarantee equal pay not for equal work, but for work of equal value (CEACR, 2016).[74]

Regarding women as entrepreneurs, in 2010, they led 50% of microenterprises (237,264 out of 474,844), 30.3% of medium-sized enterprises (5,659 out of 18,684) and 17.9% of large enterprises (733 out of 4.087) in Ecuador. (INEC, UN Women, 2013) According to the Global Entrepreneurship Monitor, in 2018-2019 women-led enterprises operated in retail and wholesale trade (69.5%), manufacturing (9.6%), health care, education and social services (10.0%), financial, professional, administrative and consumer services (6.4%), mining and agriculture (8.5%), and information and communication technologies (2.5%)[75]. (GEM 2018-2019) According to the 2020 GEM Report, Ecuador scores relatively well regarding such elements of business environment, as social and cultural norms and acceptance of professional career through having own business, physical infrastructure (e.g., roads, telecommunication, and access to Internet), postgraduate curriculum in entrepreneurship, dynamic of internal market and legal and commercial framework. On the other hand, lack of dedicated Government support for small enterprises (only in February 2020, the Law on Entrepreneurship and Innovation entered into force), tax rates constituting entry barrier, bureaucracy (time-consuming procedures to set up a business), access to finance (new forms of financing have been envisaged in the Law on Entrepreneurship and Innovation), and technology transfer (access to new technologies at

[73] Mujeres y territories. Observatorio de género: https://rimisp.org/mujeresyterritorios/index.php/paises/ecuador/ec-2tasa-de-participacion-laboral/

[74] This is the latest available CEACR report on Convention No. 100 for Ecuador; the next Government report is scheduled for submission in 2022.

[75] According to national sources, in 2010, women-led enterprises were active in retail and wholesale trade (60.8%), hotels and restaurants (13.4%), other services (7.0%), manufacturing (4.8%), information and communication (3.8%), education (3.0%) and health care and social services (2.7%). (INEC, UN Women, 2013) In 2019, out of 1.2 million women having an enterprise or being self-employed, 33.7% operated in the sector of retail and wholesale trade, 24.9% in agriculture, 11.0% in hotels and restaurants and 10.2% in manufacturing industry. Source: EL Telegrafo (April 2019), *1,2 millones de mujeres son emprendedoras*: https://www.eltelegrafo.com.ec/noticias/economia/4/mujeres-emprendedoras-ecuador

reasonable cost) require improvement. (GEM, 2019-2020) In 2017-2018, 30.6% of women and 28.7% of men in Ecuador had a new enterprise operating for less than four years. 53.2% of female entrepreneurs considered having an own undertaking as an opportunity, while for 46.5% it was a necessity (among men the proportions were like 61.7% and 37.9%). 14.0% women and 16.7% men operated an enterprise for longer than four years. 62.4% of female entrepreneurs were solo entrepreneurs (51.8% among men). (GEM, 2018-2019) In the World Bank Enterprise Survey carried out among 361 Ecuadorean enterprises in 2017, 8.2% of the participating enterprises exported directly or indirectly (10.2% among men-led enterprises and 1.5% among those led by women). Regarding the main obstacle in their activity, 19.4% of women-led enterprises and 27.6% of men named political instability, for 9.5% of women and 17.3% of men it was competition from informal sector, for 11.1% of women and 10.6% of men it was access to finance, for 12.4% of women and 9.3% of men it were regulations on customs and external trade, followed by tax rates, licenses and permits for enterprises, and corruption[76]. The EU provided support of €10 million in 2017-2020 for new and existing exporters from Ecuador, incl. women, in international trade missions (to Germany, the Netherlands, Sweden, Hungary, France, and Spain), adapting product offer to the EU standards, communication and marketing strategy and developing the offer in agricultural products, the latter involving women, indigenous population, Afro-Ecuadorean and young entrepreneurs (3,000 agro-producers in total)[77]. Women lead two out of the top five enterprises exporting bananas from Ecuador in 2019 and having respectively, 5.2% and 3.2% share in the market[78].

1.1.4 Labour standards

Elimination of child labour[79]

In **Colombia**, child labour incidence among children aged 5-17 years, increased from 6.9% in 2007 to 13% in 2011, and since then started decreasing systematically to 5.4% in 2019. The shares increase by 4%-5% if work carried out for household is added. The rate of child labour has been twice as high among boys as among girls (7% in 2019 compared to 3.6%). In absolute terms, over the analysed period the number of children involved in child labour decreased from 787,000 in 2007 to 586,000 in 2019 (it was 1.4 million in 2001). (DANE, 2020a, DANE, 2001-2018) In 2009-2019, the main reason for work (35%-39%) was the need to participate in the economic activity of the family, followed by a wish to have own money (32%-34%). Agriculture has been the main sector of child labour incidence with the share increasing from 37.3% in 2009 to 41.6% in 2019, followed by trade, hotels, and restaurants (30.5% in 2009 and 29.8% in 2019) and industry (13.5%). However, it is to note that with a significant decrease in the total number of working children, the numbers per sector have also declined, with the number engaged in agricultural activities decreasing more slowly than elsewhere, which may explain increase in the overall share of agriculture among sectors of child labour. (DANE, 2020a, DANE, 2011a) In 2009, 11.7% of children aged 5-17 years in Colombia did not attend school (the share was much higher among 15-17 years old, i.e., 25.9%). Among working children aged 5-17 years, 30% on average did not attend school in the analysed period. In 2017, 49% of working children worked for less than 15 hours a week while 26% worked for 30 hours and more. (DANE, 2017a, and 2011a)

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[76] World Bank (2017), Enterprise Surveys, Ecuador: https://www.enterprisesurveys.org/en/data/exploreeconomies/2017/ecuador#biggest-obstacle

[77] Holanews (October 2020), La UE cierra el programa de apoyo al comercio en Ecuador con miles de beneficiados: https://holanews.com/la-ue-cierra-el-programa-de-apoyo-al-comercio-en-ecuador-con-miles-de-beneficiados/

[78] Expresson (February 2020), Dos mujeres en el top 5 de la exportación de banano: https://www.expreso.ec/actualidad/economia/dos-mujeres-top-5-exportacion-banano-5581.html

[79] According to the ILO, child labour is a matter of concern and subject to elimination, when it means an economic activity which interferes with child's physical or mental development, prevents it attending a school or forces to leave the school early or makes it to struggle by combining school attendance with work for long hours and hence does not allow for having enough time for rest or leisure activities adequate for their age and the stage of personal development.

The problem of school dropouts and non-attendance was raised by the Colombian trade unions with the ILO Committee of Experts in 2017. For the same session, the Government provided information about actions to increase school attendance of poor and vulnerable children and teenagers. They include: 1) the implementation of flexible education models, 2) the school meals programme, 3) assistance for school transport, 4) investment of public funds in educational assistance, and 5) a monitoring system to prevent and analyse the causes of school dropouts. (CEACR, 2017)

In 2008, the Government adopted the National Strategy to prevent and eradicate the worst forms of child labour 2008-2015 and in 2018, it launched an awareness raising campaign "Working is not the task of children"[80]. The National Development Plan 2014-2018 included actions to prevent and eradicate child labour, including by changing social attitudes and acceptance of child labour in the society, cooperation with employers and trade unions, updating a list of work activities prohibited for persons under 18 years of age, creating a list of activities permitted for working teenagers and developing a normative framework for teenagers authorised to work, including consideration of skills development and health and safety at work. (DNP, 2014) National Development Plan 2018-2022 foresees carrying out, in cooperation with the Institute of Statistics (DANE) and in-depth survey on child labour in 2021. The Plan also admits that despite previous efforts, the rate of child labour in Colombia, while decreasing, was in 2017 higher than the Latin America average. Also, according to data provided in the Plan, child labour incidence in Colombia was clearly related to poverty, e.g., in 2010, the rate of child labour among poor was at 16.4%, while among not poor at 2.3%; in 2017, the rates were at 15.4% and 1.5%. (DNP, 2019) In this context, Colombian trade unions in a position submitted to the ILO Committee of Experts in 2017 emphasised that policy on preventing and eradicating child labour should include financial support for families to reduce a need for children to work. (CEACR, 2017) In the context of decent working conditions, SDG 8.7 regarding eradication of the worst forms of child labour also provides framework for Government actions. Regarding practice, ICBF (the Colombian Institute of Family Welfare and Well-being) undertakes awareness raising actions about child labour, promotes skills development among teenagers being authorised to work and removes children from child labour[81]. According to the ILO Committee of Experts report, ICBF is also responsible for providing assistance to children demobilised from armed forces further to the Final Peace Agreement. (CEACR, 2017) There are also initiatives including private sector and civil society, e.g., the Colombian Network against Child Labour led by the Ministry of Labour and Global Pact encouraging enterprises to join Corporate Social Responsibility practices and eradicate child labour in their operations and supply chains. The Integrated Information System for identification, registration and characteristics of child labour and its worst forms (SIRITI) provides a data base for analysis of child labour cases to better understand dynamics and characteristics of this phenomenon and elaborate proposals how to address it. Moreover, jointly with the ILO, the Government, social partners and other civil society representatives participate in seminars, exchange of good practice and other initiatives to raise awareness and develop measures to address child labour in mining (e.g. through decent work and skills development for adult family members), agriculture (e.g. through certification of enterprises not using child labour, skills development for teenagers and support for trade unions' presence in the sector and respect for workers' rights, as the lack thereof and "the race to the bottom" lead to recourse to child labour as a source of cheap labour), and supply chains (through certification and a change in the production and operation model). (ILO, 2017c)

In **Peru**, most working children and teenagers come from families where the head of the household works in agriculture, has not more than primary education, and the family has five members or more. Working children less frequently attend school than those who do

[80] Ministerio de Trabajo (December 2018), Lanzan estrategia para erradicar el trabajo infantil en Colombia: https://www.mintrabajo.gov.co/prensa/mintrabajo-es-noticia/2018/-/asset_publisher/nMorWd1x7tv1/content/lanzan-estrategia-para-erradicar-el-trabajo-infantil-en-colombia

[81] Instituto Colombiano de Bienestar Familiar (ICBF): https://www.icbf.gov.co/

not work (93% compared to 96.5%). According to a specialised survey, the latest carried out in 2015[82] as part of the National Strategy for Prevention and Eradication of Child Labour 2012-2021, almost 2 million[83] children aged 5 to 17 years (i.e. 26.1% of the total for this age group and 47.6% among the indigenous population)[84] worked, whereas the rate was of 52.3% in rural areas and 16.2% in urban areas, with higher rates for children of indigenous peoples (73.4% in rural areas). 77.3% of those who worked carried out hazardous work (1,274,100 children). Out of these, 71,800 were in forced labour. Regarding hazardous work, the rate was again higher in rural areas than in urban ones (34.2% compared to 10.2% of the population)[85]. 87% of children working in rural areas were involved in agriculture while the main activities in urban areas included trade in a shop (21.6%), selling goods in a street (18.2%), diverse services, including domestic service (20.9%), cleaning services (4.8%), helping in a bar or restaurant (4.1%) and construction (2.3%). Among the indigenous population, while some children were involved in economic activities in their family or community, most worked for others, in plantations, mines, and domestic service, the reasons behind being poverty, discrimination and lack of accessible quality education. Across all groups, those who started working early, often helping also in household chores, finished education at an early stage, thus losing an opportunity of knowledge and skills development and having a decent job as adults. 65.6% of working children (aged 10-17) named a need to contribute to family budget as the main reason for undertaking work while 16.2% wished to have own money[86]. (INEI, 2017) On average children worked for 14 hours and 19 minutes a week[87]. 50.6% of working children came from families affected by an adverse event, ranging from natural disasters (forest fires, drought, flood, earthquake, etc.) to economic developments (e.g., closure of a company providing family income, fall in prices of agricultural products, redundancies, terrorism).[88] Moreover, around 40% of children involved in child labour and hazardous work suffered from health problems related to the type of work carried out. Factors which contributed to decrease in the number of working children in Peru from 3.3 million in 2007 to 2 million in 2015 included economic growth, job creation, including formal jobs, increase in wage and productivity, migration from rural to urban areas (increasing job offer in industry, trade and services), growth of secondary cities, demographic changes, including change in the age structure of the society, poverty reduction and improvement in education offer, with an increase of public expenditure on education from 2.5% GDP in 2007 to 3.6% in 2015. There is also a link between lower rates of child labour and regions with a more diversified economy, integrated into international trade and exports (agro-industry and fisheries products, minerals, textiles), developed infrastructure and better connectivity with the rest of the country and the world. On the other hand, regions with high child labour rates rely on traditional sectors, incl. family and subsistence farming and mining. (Ministerio de Trabajo y Promoción del Empleo, ILO, 2016) According to an analysis carried out by the ILO, CEPAL and the Regional Initiative Latin America and the Caribbean free from child labour, the rate of child labour in Peru may increase again, by one to three

[82] INEI (2016), *Alrededor de 2 millones de niñas, niños y adolescentes trabajan en el país*: https://www.inei.gob.pe/prensa/noticias/alrededor-de-2-millones-de-ninas-ninos-y-adolescentes-trabajan-en-el-pais-9394/

[83] In 2007, 3.3 million children aged 5 to 17 years were economically active in Peru. (ILO, IPEC, INEI, 2009)

[84] Between 2012 and 2016, the rate of child labour fell from 31.7% to 26.7%, i.e. around 370,000. (INE, 2017) However, Peru had at that time the highest rate of child labour in Latin America (see: Peru21 (2018), *Perú tiene la tasa más alta de trabajo infantil en Sudamérica*: https://peru21.pe/peru/infantil-peru-tasa-alta-sudamerica-informe-409742)

[85] The types of hazardous work involving children included lifting and carrying heavy objects, operating tools or machines which require skills and experience, working in closed or narrow spaces or spaces without ventilation, work in continuous noise, work in contact with chemical or toxic substances, and work under water or at height.

[86] However, regarding type of occupation, 73.2% of working children were involved in economic activities as non-paid family workers. (INEI, 2017)

[87] According to another survey (Household survey), it was 17 hours 44 minutes, a decrease from 20 hours 42 minutes in 2012. (INEI, 2017)

[88] INEI (2016), *Alrededor de 2 millones de niñas, niños y adolescentes trabajan en el país*: https://www.inei.gob.pe/prensa/noticias/alrededor-de-2-millones-de-ninas-ninos-y-adolescentes-trabajan-en-el-pais-9394/

percentage points as a result of the COVID-19 epidemy. The reasons include increase in the unemployment rate in the formal sector, the loss of temporary and informal jobs, and social security coverage for adults, income reduction from wages and business revenues, increase in family poverty rate, and school closure (even if temporary). The Government in Peru and others in the region have been encouraged to provide income support to those in need, including families with children in general and notably with children in child labour. (ILO, CEPAL, Iniciativa Regional, América Latina y el Caribe Libre de Trabajo Infantil, 2020)

The legal framework in Peru relevant for child labour and authorising teenagers to work includes the Constitution, the Civil Code, the Children and Young Persons Code, the General Law on Labour Inspection, and a Decree about impacts of hazardous work and night work on health of teenagers. The minimum age for admission to work has been established at 14 years, however, for certain sectors or types of work, it has been increased to 15-18 years of age. Moreover, in 2019 an amendment to the Penal Code was adopted, strengthening the protection of children against sexual exploitation and envisaging jail sentences from ten years to life-long for perpetrators. Further legislative acts adopted in 2018 and 2019 relate to protection and reintegration of victims of trafficking, including children (in 2016-2019, there were 1,768 cases of trafficking in persons involving children and adolescents) and fight against sexual exploitation in the tourism sector. In addition, labour inspection has been provided with a new action protocol, giving priority to strengthening capacity to combat the worst forms of child labour (CEACR, 2021). Policy framework is provided by the National Employment Policy, the National Action Plan for Childhood and Adolescence 2012-2021, the 2012-2021[89] National Strategy for Prevention and Eradication of Child Labour and Interinstitutional Protocol against Forced Labour. (Ministerio de Trabajo y Promoción del Empleo, ILO, 2016) In its 2019 report, the ILO Committee of Experts noted results of municipal projects implemented within the National Strategy for Prevention and Eradication of Child Labour and outcomes of labour inspections in 2019 in cases related to child labour (460 inspection notices regarding minimum age and 43 infringement cases). The Government provided also information about assistance offered to street children (e.g., issuance of identity documents and access to health care), indigenous peoples (in catching up with the school programme) and children victims to trafficking in persons. On the other hand, the Committee reiterated request for information about prevention and elimination of child labour in mines and domestic service. Peru should also amend the Children and Young Persons Code to ensure that no child under 14 years of age may work and that night work is permitted only to persons of 16 years and more. (CEACR, 2019)

In **Ecuador**, the child labour rate among children aged 5 to 17 years decreased from 17% in 2006 to 4.9% in 2013 (INEC, UNICEF, 2015), but due to the economic slowdown, started increasing since then to reach 8.4% in 2017 (375,342 persons)[90]. Moreover, it is estimated that due to COVID-19 and the increasing unemployment among adults and family poverty, child labour may further increase. In addition, children from poor families and vulnerable groups may suffer in different ways, including from lack of clean water to wash hands to prevent spreading the virus (according to UNICEF, half of children in Ecuador do not have access to clean water at home, and the figure increases to 80% among the indigenous population. Moreover, 20% of schools do not offer a possibility for pupils to wash the hands

[89] The Strategy has five priority areas for action, i.e. 1) poverty reduction and increase in family income, 2) provision of education (with the aim to reduce the rate of dropouts and increase the rate of completed education at each stage) and opportunities for spending creatively leisure time, 3) reduction in social acceptance for child labour, 4) improved working conditions for teenagers authorised to work, 5) protection against, and detection and sanction of the use of hazardous child labour and abuse of children and teenagers, and awareness raising as a horizontal consideration. (Ministerio de Trabajo y Promoción del Empleo, ILO, 2016)

[90] El Comercio (June 2019), Entre 2014 y 2018, el trabajo infantil se duplicó en Ecuador: https://www.elcomercio.com/actualidad/infantil-ecuador-cifras-aumento.html; Plan V (June 2020), El trabajo infantil en Ecuador aumentará por la pandemia: https://www.planv.com.ec/historias/sociedad/el-trabajo-infantil-ecuador-aumentara-la-pandemia

and the situation is worse in rural areas). Only 54% of households have access to adequate food and the school closure means the lack of school meals for poor children. Finally, access to Internet is not widespread and the UNICEF called for providing classes through radio or television to enable children from different backgrounds to follow the school programme (otherwise, there is a risk that children from poor families will not be able to catch up and not having an opportunity to learn, will be more likely to end up in child labour to support family's budget)[91].

More detailed data regarding child labour in Ecuador is based on a focused national survey carried out in 2012[92]. According to its findings, 8.6% of children and teenagers aged 5 to 17 years were engaged in an economic activity (15.5% in rural areas and 4.3% in urban areas), whereas the rate for indigenous peoples was much higher (29%, in it, 26% among children aged 5-14 years and 39% for teenagers aged 15-17 years). Around 25% of those who worked did not attend school. Agriculture was the main activity for 66% of working children aged 5-14 years and 50% of teenagers aged 15-17 years, followed by trade (15%-16%), manufacturing (7.4%-10%), construction (8.6% among teenagers) and hotels and restaurants (3.4%-3.9%), while domestic service work was carried out by 0.9%-2.3%[93]. 56% of working children were engaged in hazardous work prohibited for people under 18 years of age. The main reason for engaging in an economic activity (for 60.4%) was to provide support for the household. In the overview across departments, the highest child labour rates were recorded in the central axis of the country in departments of Cotopaxi (21.9%), Bolivar (20%), Chimborazo (19.3%), Cañar (14.1%), Loja (13.8%) and Azuay (12.7%) and the lowest one in coastal areas of Manabí and Los Ríos (2.2%), El Oro (3.3%), Santa Elena (3.4%), Guayas (3.5%) and the region around the capital Quito (Pichincha, 3.6%). (INEC, UNICEF, 2015) Departments with a high child labour incidence overlap partly with those having also high poverty rates (e.g., Cotopaxi, Bolivar, and Chimborazo), while the coastal departments and Pichincha were in 2014 among those recording the lowest poverty rates. (INEC, 2015) Depending on the age and area of residence, between 30% and 91% of working children and teenagers (to 94% among girls) declared not having incomes, i.e., working as no-remunerated family members. Those who earned money, often received less than the minimum wage. Regarding working time, children aged 5-14 years worked on average around 15 hours a week and teenagers (15-17 years) around 30 hours a week. 23% declared having health problems related to work. The above mentioned 2006-2013 period of child labour reduction was related to economic growth, job creation for adults, poverty reduction, improved access to education and increasing school attendance. (INEC, UNICEF, 2015) According to information shared by the Government of Ecuador with the study team, in 2017-2020, there were 13,316 labour inspections aiming to identify children and adolescents in a situation of child labour, 1,766 cases of technical assistance for local authorities supporting development of their own regulations and actions to eradicate child labour, 80,398 persons were involved in training and awareness raising activities related to child labour and 990 children and adolescents were removed from child labour and provided with support to recover their rights.

The legal framework relevant for child labour includes the Constitution, the Childhood and Adolescence Code, the Labour Code, and Organic Penal Code. The work is prohibited for persons under 15 years of age and types of work considered as hazardous are prohibited for persons under 18 years of age. Policy framework for prevention and eradication of child labour has been provided by the National Development Plan 2007-2010, the Social Agenda for Childhood and Adolescence 2007-2010, the National Plan for Prevention and Eradication of Child Labour 2008-2013, Project to Eradicate Child Labour 2013-2017, the National Plan of Decent Life 2009-2013 and 2013-2017, National Strategy for Prevention and Eradication

[91] UNICEF (June 2020), La mitad de los niños de Ecuador no tiene agua ni saneamiento adecuado en casa: https://news.un.org/es/story/2020/06/1475722

[92] INEC (2012) *Encuesta Nacional de trabajo infantil*: http://www.ecuadorencifras.gob.ec/trabajo-infantil/

[93] Plan V (June 2020), El trabajo infantil en Ecuador aumentará por la pandemia: https://www.planv.com.ec/historias/sociedad/el-trabajo-infantil-ecuador-aumentara-la-pandemia

of Child Labour 2012-2021, the National Action Plan for Childhood and Adolescence 2012-2021, the National Agenda for Intergenerational Equality 2013-2017 and 2017-2021 and the National Plan for Lifelong Development 2017-2021. (Consejo Nacional para la Igualdad Intergeneracional, Ecuador, 2018) In the report published in 2019, the ILO Committee of Experts noted with satisfaction that the minimum age of admission to work had been raised in Ecuador from 14 to 15 years of age, and that the list of hazardous work prohibited for children under 18 years of age had been revised. The Committee also noted Government initiatives targeting children (7,892) engaged in child labour, 71 agreements concluded in 2017 with local government, civil society organisations and religious bodies to eradicate child labour, and awareness raising campaign. The Committee encouraged the Government to strengthen efforts to combat child labour in the context of the National Development Plan 2017-2020, including increasing the school attendance rate of children under the age of 15 and reducing the drop-out rate. (CEACR, 2019)

In the **EU**, Child safeguarding standards have been developed for the use of organisations that implement assistance projects, with the aim of preventing children from countries and communities where the projects are implemented, from any related harm by the staff or by the way how the project is managed[94]. Moreover, in 2013, the Staff Working Document on trade and the worst forms of child labour was published analysing the root causes of child labour and ways of addressing it in the context of trade relations[95]. In 2017, EU Council adopted Guidelines for the Promotion and Protection of the Rights of the Child in the EU external action, in cooperation with partner countries and other actors[96].

Non-discrimination at work, vulnerable groups of workers

Given that the situation of women as workers will be discussed separately under Task 10.8, here we will focus our analysis on other groups of workers who may face challenges on the labour market, e.g., disabled persons, migrant workers, youth, and indigenous peoples.

In **Colombia**, in 2018[97], statistics recorded 639,000 new migrant workers from Venezuela while 300,000 of them (i.e., 1.3% of the labour force in Colombia) entered the Colombian labour market late in the year including 170,000 self-employed and 130,000 employees (out of whom 250,000 had informal jobs) putting pressure on the labour market and raising unemployment rate to the highest level since 2012. Overall, at the end of 2018, 1,240,000 persons living in Colombia (2.6% of the population) declared having lived in Venezuela 5 years earlier (85% of them, i.e., 1,054,000 persons[98] were Venezuelan citizens while 15% were Colombians who had returned to the home country). The unemployment level among migrants fell slightly from 20.9% in 2017 to 18% in 2018[99] (according to estimates, some 200,000 to 600,000 workers from Venezuela were looking for a job in Colombia in 2018). Given the lack of appropriate migration documents, many workers from Venezuela decided to look for informal jobs, incl. in bars and restaurants, while many Colombian employers looking for low skilled workers used the situation and hired migrants to cut costs (paying

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[94] Keeping Children Safe, Child Safeguarding Standards and how to implement them: https://ec.europa.eu/info/sites/info/files/standards_child_protection_kcsc_en_1.pdf

[95] Commission Staff Working Document, Trade and Worst Forms of Child Labour, SWD (2013) 173: https://www.europarl.europa.eu/RegData/docs_autres_institutions/commission_europeenne/swd/2013/0173/COM_SWD(2013)0173_EN.pdf

[96] EU Guidelines for the Promotion and Protection of the Rights of the Child: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eu_guidelines_rights_of_child_0.pdf

[97] At the end of 2015, the number of Venezuelan migrants and refugees in Colombia was estimated at 39,000. See: Plan Regional de Respuesta para refugiados y migrantes, para las personas refugiadas y migrantes de Venezuela (2019): https://r4v.info/es/documents/download/68669

[98] The number of Venezuelan migrants and refugees in Colombia a year later (at the end of 2019) was estimated at 2,274,660 persons. See: Plan Regional de Respuesta para refugiados y migrantes, para las personas refugiadas y migrantes de Venezuela (2019): https://r4v.info/es/documents/download/68669

[99] El Tiempo (February 2019), El mercado laboral ya siente la migración venezolana: https://www.eltiempo.com/economia/sectores/mercado-laboral-en-colombia-ya-refleja-migracion-venezolana-321624

less than the minimum wage for 12-hour work a day). It is estimated that in this way, 100,000 to 300,000 persons without documents or with a Special Residence Permit were hired. This contributed to an increase in informality in Colombia and unemployment among low-skilled workers, as well as increased competition for Colombian enterprises, especially in sectors of personal services (beauty salons), security services and courier services. In 2018, 700 Colombian enterprises were fined for the abuse of the vulnerability of migrant workers without documents (i.e., not having permit to live and work in the country).

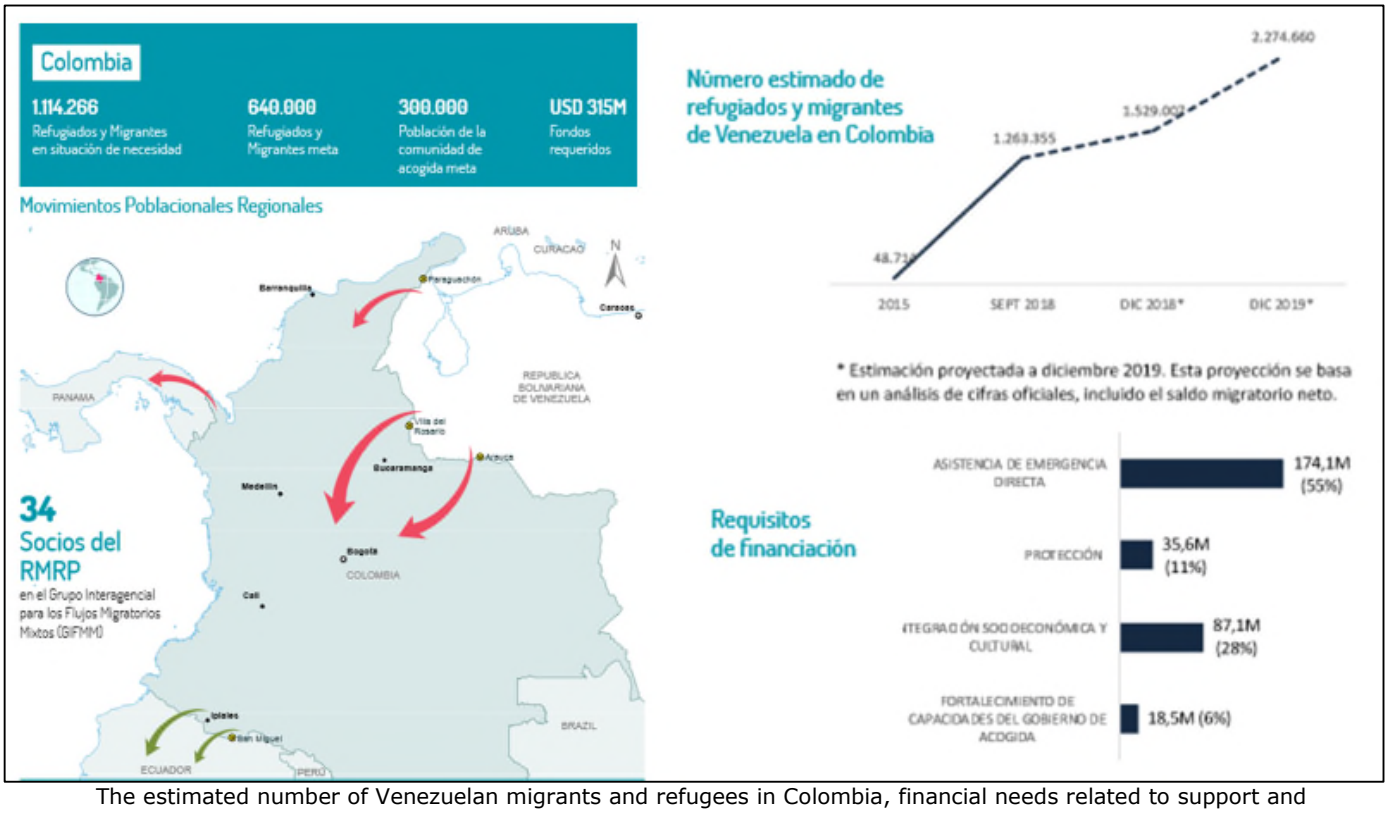
The Colombian Government reacted by allowing more migrants from Venezuela (442,462) to obtain the Special Residence Permit created in 2017 which allows them to remain in Colombia for up to two years and provides for access to basic health care, formal education and jobs[100]. The Government requested also support from the international community. In 2019, the ILO allocated USD 2 million for an assistance programme supporting socio-economic integration of the Venezuelan migrant workers and refugees in Ecuador, Peru, and Colombia. The programme includes collection of data related to professional skills of Venezuelan migrants to facilitate their inclusion into the labour market, encouragement for setting up enterprises, analysis of supply chains to estimate a possibility of job creation, and an awareness raising campaign to support inclusion of Venezuelan migrants while avoiding discrimination of local population in this context and negative sentiments against migrants. The programme has been delivered as part of the Regional Response to the situation of migrant workers and refugees from Venezuela[101]. According to research, 71% of Venezuelan migrants are at the working age (56.3% are at 18-39 years of age) and 84.7% of them have completed at least the secondary education, which means that on average they are younger and better educated than the Colombian peers. The migrants are concentrated in Colombian regions close to the border (31% of them remain in eight municipalities), however, some moved to other regions across the country and in the metropolitan cities, such as Bogota or Medellin represent less than 1% of the population which may enable their inclusion into the local labour market[102].

[100] El libre pensador (March 2019), La inmigración venezolana impacta al mercado laboral en Colombia: https://librepensador.uexternado.edu.co/la-inmigracion-venezolana-impacta-al-mercado-laboral-en-colombia/

[101] ILO (2019), OIT lanza programa en respuesta a la situación de migrantes y refugiados venezolanos: https://www.ilo.org/americas/sala-de-prensa/WCMS_697191/lang--es/index.htm; Plan Regional de Respuesta para refugiados y migrantes, para las personas refugiadas y migrantes de Venezuela (2019): https://r4v.info/es/documents/download/68669

[102] D. Bahar, M Dooley, C. Huang (2018), Integración de los venezolanos en el mercado laboral colombiano. Mitigando costos y maximizando beneficios: https://www.brookings.edu/wp-content/uploads/2018/12/Venezuelan-Migrants_spanish.pdf

Figure 6: Migrants and refugees from Venezuela in Colombia



The estimated number of Venezuelan migrants and refugees in Colombia, financial needs related to support and the map of migration flows.
Source of pictures and data: Plan Regional de Respuesta para refugiados y migrantes, para las personas refugiadas y migrantes de Venezuela (2019): https://r4v.info/es/documents/download/68669 (chapter: Plan de respuesta para refugiados y migrantes en Colombia)

Colombia has ratified the Convention on the rights of persons with disabilities and therefore should recognise the right to work of those persons and having an income generating work, freely chosen, and carried out in an open, inclusive, and accessible environment. Persons with disabilities in Colombia have on average a lower level of educational attainment than the overall population, i.e., in 2018, 31% did not have any completed education, 42% had primary education, 20% had secondary education, 2% had a technical education and 2% completed a university. (ANDI, 2019) In 2018, there were 3,134,036 persons in Colombia reporting difficulties in exercising daily activities while 1,784,372 of them (57%) needed assistance of other persons or had a severe disability limiting their independence[103]. Out of this group, 24.6% were not able to work at all, 23.8% carried out household-related work, and 20,8% delivered an income generating activity. In a comparison across gender, 39.6% of women remained in the household carrying out related activities (5.2% of men), 13.4% of women and 29.5% of men had an income generating activity, 21% of women and 28.5% of men were not able to work, while 1.5% of women and 2.8% of men did not work, but had a company providing income. 65.4% did not have access to Internet which means limited possibilities to work from home, as well as access to education and diverse services (shopping, health care, psychological support) available online in the COVID-19 epidemy[104]. Disabled persons face challenges in finding a job given that employment centres and other traditional channels are usually not adjusted to their needs. Moreover, the family attitudes (over protection) and the lack of broader support from the society also contribute to this. The Ministry of Labour has launched some initiatives to change the

[103] In 2005, there were 2.6 million persons with disabilities in Colombia; Fedesarrollo (May 2018), Informe mensual del mercado laboral. Inclusión laboral de las personas con discapacidad: https://www.fedesarrollo.org.co/sites/default/files/5imlmayo2018web.pdf

[104] DANE (2020), Personas con discapacidad, retos diferenciales en el marco del COVID-19: https://www.dane.gov.co/index.php/estadisticas-por-tema/demografia-y-poblacion/discapacidad

situation, e.g., obliging public institutions to reserve a certain percentage of workplaces for disabled persons. There are also reductions in public contributions (similar to taxes) for enterprises which employ persons with disabilities. Non-governmental institutions also support this process providing advice to enterprises to prepare them for employment of disabled persons[105]. In 2015, out of 179,584 persons with disabilities registered as working, 38,921 (21.7%) worked in the services sector, 37,031 (20.6%) in agriculture, 34,620 (19.3%) in other activities, 28,098 (15.6%) in trade, and 9,374 (5.2%) in industry, while 31,540 (17.6%) have not defined the sector. Regarding type of their occupation, 60,794 worked as self-employed, 32,935 as an employee, 25,030 as workers hired by day, 11,330 as domestic service, 8,010 as employee of the public service (Government), 6,281 as non-paid family member, 4,011 as an employer (entrepreneur) while 31,179 have not defined their position. Regarding formal aspects of work relations, 122,513 persons (i.e., 68%) did not have a contract (i.e., worked informally), 15,243 had a permanent one, 10,069 had a fixed-term contract and 31,813 did not provide details on it[106]. At the same time, according to the National Development Plan 2018-2022, around 70% of persons with disabilities are classified as vulnerable and live in poverty. (DNP, 2019)

Indigenous peoples in Colombia have limited access to quality education and formal jobs, which in turns limits their opportunities for social mobility and getting out of poverty. In 2016, 52.1% of indigenous population declared having completed primary education, while 38.4% secondary and 5.5% the university. For the rest of the Colombian society, between 15.5% and 18.1% had only primary education, between 47.7% and 57.9% secondary and between 23.1% and 32% tertiary. Indigenous peoples use also less frequently employment services when looking for a job (in 2018, 19823 persons from ethnic groups were registered as looking for a job, which means 1.8% of all registered in 2018)[107]. They also end up more frequently in informal employment (with the informality rate of 77.9% in ethnic groups in 2016 compared to 66.4% for the rest of the population). Moreover, 77.4% worked as self-employed and 76.8% declared that the received income is insufficient to cover the needs. Among the white Colombian population, 47% declared income as insufficient and among the Afro-Colombian group, 66.7%. (ANDI, 2019)

Regarding situation of young people on the labour market in Colombia, the unemployment rate increased from 18.4% in 2007 to 20% in 2009 to fall to 15.5% in 2016 and increase again to 18.1% in 2019 and 25.9% in 2020. The labour market participation rate increased from 52.1% in 2007 to 58.2% in 2014 before starting to fall to 55.8% in 2019 and 52.4% in 2020. The employment rate behaved similarly, i.e., increased from 42.5% in 2007 to 49.1% in 2014 and fell to 45.7% in 2019 and 38.9% in 2020. (DANE, 2020b; DANE, 2015) This means that the labour market participation rate of young people over the analysed period was 5-7 percentage points lower than the rate for the whole working age population, while the unemployment rate was 8-9 percentage points higher than the overall one. In 2020, 21.5% of working young people were employed in wholesale and retail trade, 18.5% in agriculture, 10.9% in manufacturing industry, 8.5% in public administration, 8% in other services, 7.1% in construction, 6.6% in hospitality sector, 6.4% in transport and storage and 5.8% in scientific, professional, technical, and other activities (DANE, 2020b) It means the same employment shares across sectors as for the whole working population, with the only exception of public administration, where the share for young people is slightly lower (around two percentage points). For previous years, the break-down by sector in statistics was different and therefore there is no direct comparison across all sectors. However, in 2008, the share of young people working in the combined trade, hotels, and restaurants

[105] Fedesarrollo (May 2018), Informe mensual del mercado laboral. Inclusión laboral de las personas con discapacidad: https://www.fedesarrollo.org.co/sites/default/files/5imlmayo2018web.pdf

[106] Ministerio de Salud y Protección Social (2015), Sala situacional de Personas con Discapacidad: http://www.discapacidadcolombia.com/index.php/estadisticas/185-estadisticas-2015

[107] In 2018, indigenous peoples represented 4.4% of the Colombian population. See: DANE (2019), Población indígena de Colombia. Resultados del censo nacional de población y vivienda 2018: https://www.dane.gov.co/files/investigaciones/boletines/grupos-etnicos/presentacion-grupos-etnicos-2019.pdf

sector was of 27.4% (i.e. very close to 28.1% of 2020), 18.2% in agriculture (almost the same as in 2020), 15.3% in industry (i.e. 4.4 percentage point higher than in 2020), 9.2% in transport and communication, 16.7% in communal, personal and social services, 5.2% in real estate and 4.8% in construction (2.3 percentage points less than in 2020) (DANE, 2008) Regarding impacts of COVID-19, around one third of young people have not reported any difficulties, while also one third declared a reduced economic activity and incomes. Up to 20% felt alone, stressed, and worried, while also up to 20% were not able to pay bills or debts. Among unemployed young people in Colombia, around one third have lost the job or the source of income due to the epidemy and also around one third could not get or look for a job or start own business in 2020. Up to one fourth were not able to pay bills or debts and a similar group felt alone, stressed, or worried. (DANE, 2020b)

In **Peru**, the General Law on Persons with Disabilities establishes that each public sector entity should foresee not less than 5% of jobs for persons with disabilities and in the private sector, enterprises with at least 50 employees, should reserve 3% of their jobs. Ministry of Labour has also issued advice for employment centres to support employers and people with disabilities looking for a job. In 2017, there were 3,051,612 persons with disabilities (10.4% of the population), out of which 2,716,366 were of the working age (9.2% of that group). The proportion of formal enterprises with at least 10 employees employing persons with disabilities increased from 5.1% in 2014 to 6.5% in 2018 in 30 cities in Peru. While the share of medium-sized enterprises decreased from 3.5% to 2.6%, the share of large ones almost doubled, from 14.1% to 27.6%. In the construction sector in Lima, the share of enterprises employing persons with disabilities increased from 4.2% to 4.8%. Across regions, in three cities (Paita, Ica and Tumbes), the share of enterprises employing persons with disabilities doubled between 2014 and 2018, achieving respectively 20.7%, 17.1% and 15.7%. On the other extreme of the scale, in Sullana, the share decreased from 2.5% to 0.9%. The share of persons with disabilities in the total number of employees in formal enterprises increased from 0.16% in 2014 to 0.28% in 2018. Around two thirds of disabled persons in the study (with an increasing share) worked intellectually while one third carried out physical work. Moreover, persons with disabilities were increasingly employed by big enterprises, from 60.1% of the total in 2014 to 82.9% in 2018. Regarding sectors, industry had the highest share of the analysed persons with disabilities (39.3% in 2014 and 30.8% in 2018), followed by trade (10.6% in 2014 and 30.1% in 2018), services, including hotels and restaurants, personal, communal and social services, education, business services, financial services and water, electricity and gas supply (35.4% in 2014 and 24.5% in 2018) transport, storage and communications (7.7% in 2014 and 7.5% in 2018), agriculture and extractive industries (6.9% in 2014 and 7.0% in 2018). (Ministerio De Trabajo y Promoción del Empleo, 2019) Given that 77% of people with disabilities remain outside labour market in Peru, the Government launched in 2018 a programme with local authorities and the UN to promote access to labour market for this group, in particular for women.[108]

Regarding young persons (from 14 to 24 or 29 years of age), their number increased from 8.3 million in 2007 to 8.7 million in 2018, representing however a decreasing share (from 41.3% in 2007 to 36.2% in 2018) of the total population of working age. Regarding their share in economically active population, young persons moved from 36.4% in 2007 to 29.5% in 2018, with absolute number also decreasing (from 5.4 million to 5.1 million). In the analysed period, the level of completed education improved, with the share of persons having only the primary education decreasing from 18.1% to 8.5%, and the share of those with a university degree increasing from 26.1% to 40.3%. The labour market participation decreased from 65% to 59%, however, this may be related with a longer time dedicated to education and a delayed moment of entry onto labour market. The number of inactive young persons increased from 2.9 million in 2007 to 3.6 million in 2018, while the number of those in employment fell from 4.9 million to 4.7 million. Out of those who worked in

[108] UNFPA (2018), 8 de cada 10 personas con discapacidad no participan del mercado laboral en el Perú: https://peru.unfpa.org/es/news/8-de-cada-10-personas-con-discapacidad-no-participan-del-mercado-laboral-en-el-per%C3%BA

2007 or 2018, over two third were employed in micro and small enterprises of up to 10 employees. Regarding sectors, in 2018, 32.5% of young persons worked in other services (including water, electricity and gas supply, health care and social services, communal and personal services, domestic service and financial intermediation), 22.5% in agriculture and mining, 19.9% in trade, 9.7% in manufacturing industry, 9.4% in communications and transport and 6.0% in construction. In 2018, 33.3% of those between 14 and 24 years of age had an adequate employment (i.e., at least a minimum wage and a sufficient number of working hours a week), while this share for workers older than 24 years, was of 51.4% to 60.6%. At the same time, 56% of young persons was in sub-employment (with a part-time job or less than a minimum wage), while this share for older workers was of 36.4% to 47%. The unemployment rate of young persons was of 10.7% while for older workers 1.7% to 3.0%. The share of young persons in informal employment decreased from 88.4% in 2007 to 78.8% in 2018. (INEI, 2019)

Regarding indigenous peoples, 43.5% of those who worked were in adequate employment in 2018 (45.1% among Afro-Peruvian population), while 53.5% were in sub-employment and 3.0% were unemployed (50.8% and 4.1% among Afro-Peruvian group respectively). (INEI, 2019) In 2007, 49% of indigenous population worked in agriculture, 12.6% in retail trade, 6.3% in manufacturing industry, 5.5% in construction, 4.3% in transport, storage and communications, 3.8% in hotels and restaurants, 3.2% in domestic service, 2.9% in education, 1.8% in mining, 1.8% in public administration, 1.7% in communal and social services and 1.6% in real estate. (ILO, 2015e)

Regarding migrant workers in Peru, persons at the working age born in other countries represented 0.2% of the population in 2007 (39,220 out of 20,187,260), while until 2016, this increased slightly to 0.3% (65,057 out of 23,401,625). In 2016, the largest group of migrants was from Colombia (13.4%), followed by Spain (10.4%), the US (8.9%), and countries from Latin America. Regarding profession, the most represented were scientists, professionals and intellectuals (46.1%), followed by office employees (12.3%) and persons with technical education (7.6%)[109]. Further to crisis in Venezuela, the number of persons from this country residing in Peru increased from 2,351 in 2015 to the estimated 1,368,703 in 2019. They could apply for asylum and in addition, those that arrived in Peru until 31 October 2018 could receive a temporary residence permit providing the right to work. Many migrants face difficulties with receiving formal jobs and recognition of their professional qualifications, and academic grades given the high levels of informality in Peru and complex regulations. This forces them to take informal jobs related to low levels of protection and exposure to abuse.[110] The majority of Venezuelan migrants (57.3%) had technical or higher education sought after by Peruvian employers. However, the Peruvian legislation imposes limits on the possibilities to hire migrant workers, e.g., their share among employees in a company cannot exceed 20% and their salaries 30% of the total. A contract cannot exceed three years (afterwards, it can be renewed) and the migrant employee may begin working only after the contract and the migration status have been approved by relevant authorities which represents an obstacle for many to take a formal job. Moreover, those who work for less than 183 days in Peru in a year (e.g. arrived in the second half of the year) pay a 30% rate of income tax while those having residency permit pay between 8% and 30%[111]. In a survey carried out in 2018 with 1,600 Venezuelan migrant workers in Peru, 38% of them declared to operate as self-employed. Out of these, 82% worked in retail trade, 6% as moto-taxi and 6% as small service providers. Out of those who had an employer, one third worked in retail trade, one third in security services, administrative services, client service and cleaning services and one third in other sectors, incl. hotels and restaurants (11%),

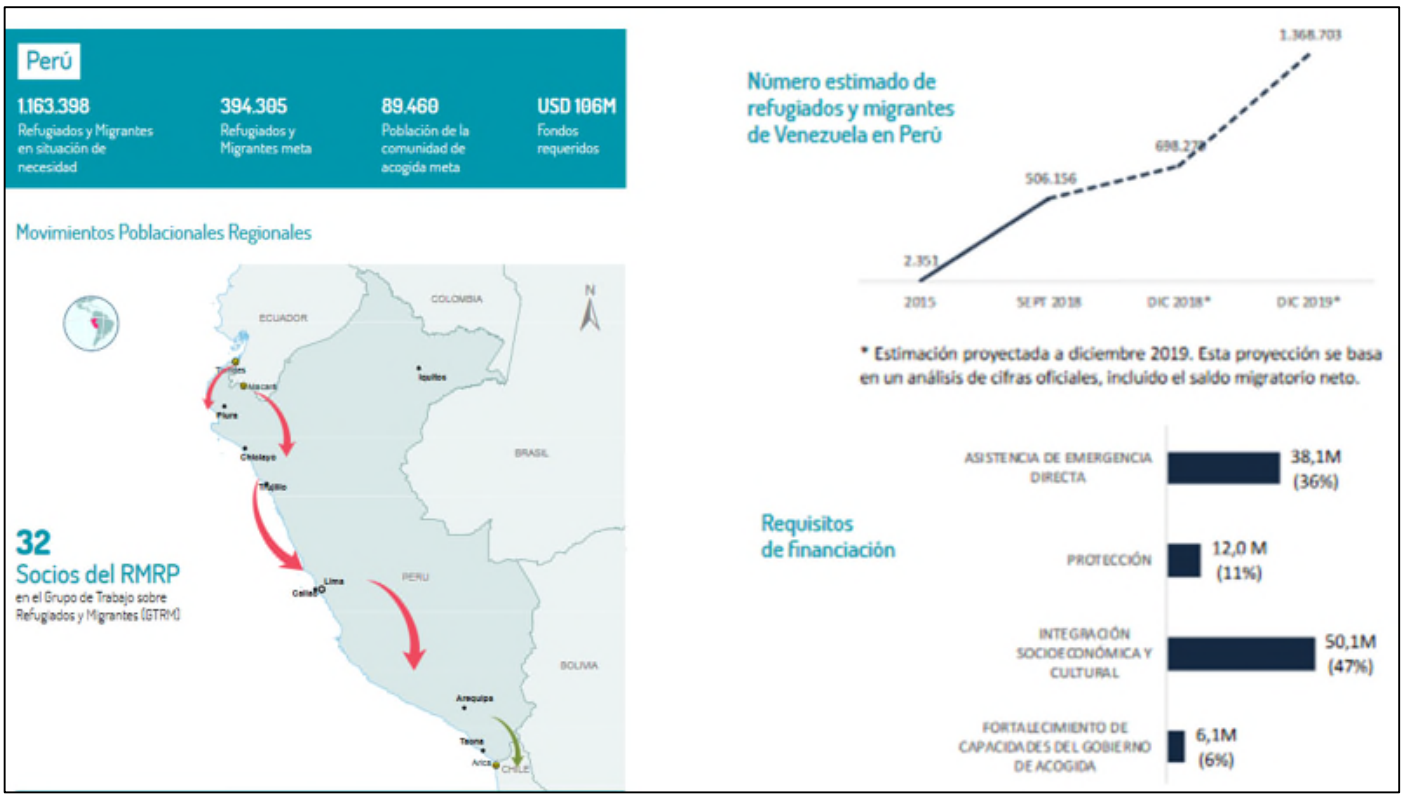
[109] ILO, Migración laboral en América Latina y el Caribe - Países: Perú - Mercado laboral y condiciones laborales: http://libguides.ilo.org/migracionlaboralALCpaises/Peru-mercadolaboral

[110] Plan Regional de Respuesta para refugiados y migrantes, para las personas refugiadas y migrantes de Venezuela (2019): https://r4v.info/es/documents/download/68669

[111] El Comercio (2018), Inmigración: un impulso para el mercado laboral actual: https://elcomercio.pe/economia/peru/inmigracion-ayuda-mercado-laboral-actual-noticia-578810-noticia/

beauty salons (10%), construction (6%), transport (3%) and others. Only 7.6% worked in their original profession.

Figure 7: Migrants and refugees from Venezuela in Peru



The estimated number of Venezuelan migrants and refugees in Peru, financial needs related to support and the map of migration flows.
Source of pictures and data: Plan Regional de Respuesta para refugiados y migrantes, para las personas refugiadas y migrantes de Venezuela (2019): https://r4v.info/es/documents/download/68669 (chapter: Plan de respuesta para refugiados y migrantes en Perú)

A large proportion worked in precarious conditions. 82% declared working hours longer than 48 allowed by the legislation (27% between 49 and 60 hours and 55% more than 60 hours a week), while 17% worked for less than 48 hours which may suggest involuntary part-time work (i.e., working part-time despite willing to have a full-time job). 27% said that despite working more than 60 hours a week did not receive the minimum wage. In total, 46% of those surveyed received less than a minimum wage (58% of women and 37% of men). 92% worked informally, without a contract. The arrival of a large number of migrant workers (750,000 within two years) has put pressure on the labour market in Peru (notably in informal economy and for low-skilled workers) and public services, e.g., health care and education. After the initial preference of employers to hire Venezuelan workers (followed by cases of their abuse with payment of low wages, long working hours, delayed payments and retention of money or documents), this trend slowed down against xenophobic sentiments in a few cities receiving migrants. (IOM, 2019)

In **Ecuador**, the rights of migrants are established by the Constitution[112], while the Organic Law on Human Mobility (2017) provides for the right to work, social security, education, and citizenship (after three years of residency, through the naturalization process). In 2007 persons at the working age born in other countries represented 0.8% of that part of the population (78,772 out of 9,309,489 persons). Until 2016, the share increased to 1.0% (122,849 out of 11,696,131 persons). The largest group originated in Colombia (44,706

[112] Intenational Organisation for Migration (2018), Perfil de gobernanza sobre la migración: la República del Ecuador: https://migrationdataportal.org/sites/default/files/2018-05/MGI%20report%20Ecuador.pdf

persons in 2007), followed by the US (9,723 in 2007), Chile (4,542 in 2007), Canada (3,498 in 2007), Peru (3,450 in 2007), other Latin American countries and a few European ones (Germany, Spain and Italy). In 2012, migrant workers were employed in trade, hotels and restaurants (30,562), communal, social and personal services (22,529), agriculture (13,979), industry (9,681), construction (4,990), transport (3,513) and domestic service (3,062)[113]. Further to crisis in Venezuela, the number of migrants from that country in Ecuador increased from 8,901 in 2015 to 506,000 in 2019[114]. According to available data, migrants from Venezuela are younger than the Ecuadorean population (being on average of 26 years of age compared to 29) and better educated (the largest group of Ecuadoreans, i.e., 44.7% has the primary education, while the largest migrant group has the secondary, i.e., 44% followed by those having university education 37.4%, while only 13.9% of people in Ecuador has a degree from a university). However, despite these characteristics, migrant workers face less favourable working conditions: work on average five hours longer a week, receive payment by 42% lower than the Ecuadoreans and are more likely to end up in the informal sector (56.8% compared to 52%). There is also data suggesting that migrants who arrived in Ecuador in 2016-2018 have on average higher salary and are less likely to work in the informal sector than those who came in 2019. (World Bank Group, 2020a) This may be related to the fact that situation in the Ecuadorean labour market used to be more favourable a few years ago, but also with the time people may be able to receive residency permits, develop knowledge of local circumstances and requirements, and be able to prove their expertise, and therefore be able to get better jobs than immediately after arrival.

Ecuador belongs to the regional initiative launched in 2018 (Quito Process) coordinating response to migration flows from Venezuela. In 2019, its members recommended devising a regional strategy for socio-economic integration of migrants in the receiving communities and setting up a network of public employment services facilitating mobility across the region. The strategy being developed by the ILO includes regularisation of the status of Venezuelan migrants and description of their social and professional characteristics. It also calls for professional development and recognition of titles and qualifications and support to increase their employability. Other elements refer to entrepreneurship and opportunities for setting enterprises, access to social protection, financial inclusion, and social cohesion[115]. In 2019, employers called for simplification of the regularisation process of migrants and trade unions expressed interest in being included in further work of the initiative given the challenges related to creation of decent jobs and working conditions for migrant workers[116].

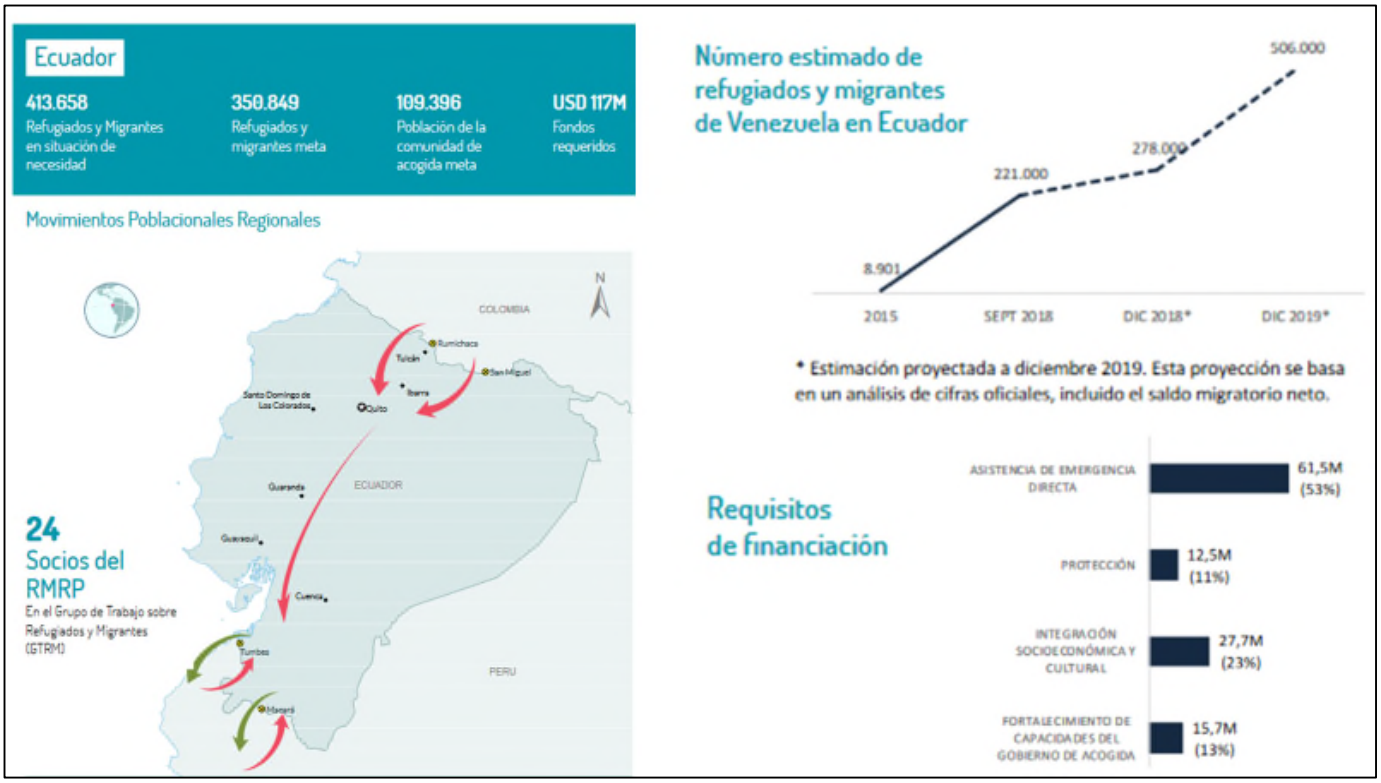
[113] ILO, Migración laboral en América Latina y el Caribe - Países: Ecuador – Estadísticas: http://libguides.ilo.org/migracionlaboralALCpaises/Ecuador-estadisticas

[114] Plan Regional de Respuesta para refugiados y migrantes, para las personas refugiadas y migrantes de Venezuela (2019): https://r4v.info/es/documents/download/68669

[115] ILO (May 2020), OIT: Integración socioeconómica se hace más urgente que nunca para migrantes venezolanos: https://www.ilo.org/americas/sala-de-prensa/WCMS_745891/lang--es/index.htm; Cancillera de Colombia (November 2020), Colombia continúa su participación en la VI ronda del Proceso de Quito - Capítulo de Santiago sobre movilidad humana de los ciudadanos venezolanos en la región: https://www.cancilleria.gov.co/newsroom/news/colombia-continua-su-participacion-vi-ronda-proceso-quito-capitulo-santiago-movilidad

[116] ILO (August, 2020), Reunión temática del Proceso de Quito sobre Integración Socioeconómica de Personas venezolanas en América Latina y el Caribe: https://www.ilo.org/americas/sala-de-prensa/WCMS_753628/lang--es/index.htm

Figure 8: Migrants and refugees from Venezuela in Ecuador



The estimated number of Venezuelan migrants and refugees in Ecuador, financial needs related to support and the map of migration flows.
Source of pictures and data: Plan Regional de Respuesta para refugiados y migrantes, para las personas refugiadas y migrantes de Venezuela (2019): *https://r4v.info/es/documents/download/68669* (chapter: Plan de respuesta para refugiados y migrantes en Ecuador)

In 2017, there were 433,169 persons with disabilities in Ecuador[117], out of whom 65,804, 15.2% worked, 74% of them in the private sector and 26% in the public sector. According to literature, companies in Ecuador consider a possibility to hire a person with disabilities in the context of costs of adapting working environment, including access to the building, facilities, etc. as well as productivity and speed of carrying out tasks. In some companies or institutions, tensions emerge among staff around permissions and different treatment of persons with disabilities due to their health condition, salaries, etc. The Ecuadorean Constitution provides for the right of disabled persons to work in conditions of equality of opportunities, access to professional development and support of public authorities through policies facilitating inclusion of persons with disabilities into the labour market. The Organic Law on Disabilities envisages that disabled persons should have access to work on equal terms with others regarding job application, the selection process, terms of contract, professional development, and remuneration. It requires as well that both, in public and private sector, disabled persons should represent 4% of staff. The Labour Code envisages that every company and institution, public or private having at least 25 employees should employ at least one disabled person, while incompliance with this provision is sanctioned in the private sector by a fine equal to ten basic salaries a month. In the public sector, there is an administrative sanction imposed. On the other hand, the Organic Law foresees

[117] In 2020, 476,360 persons with disabilities were registered in Ecuador (56% of these are men and 44% women). 70,128 are economically active (out of these, men represent 64.7% and women 35.3%). See: Consejo Nacional para la Igualdad de Discapacidades, Estadísticas de Discapacidad: https://www.consejodiscapacidades.gob.ec/estadisticas-de-discapacidad/

tax reductions for companies that hire more persons with disabilities than the required 4% of staff.[118]

The economic participation of indigenous population (7% of the total population in 2018) in Ecuador is quite high for both, men (86.1%) and women (74.6%) and the difference in participation rates between both groups belongs to the smallest in Latin America (like in Peru, while e.g., in Guatemala, 90.7% of men are economically active compared to only 38.9% of women). However, the number of working hours for men and women reveals substantial difference, with 62.1 hours per week for men compared to 86.3 (data of 2012) meaning that women dedicate much more time to non-paid work. While the overall amount of time dedicated to work is lower for other ethnic communities in Ecuador, the difference is of around 20 hours between men and women. Poverty and extreme poverty levels tend to be much higher in the indigenous population (slightly below 50% for poverty and 25% for extreme poverty in 2016) than in the remaining part of the Ecuadorean society (around 20% and 4% respectively), with almost no difference between men and women in both groups. Indigenous women have also the lowest education levels on average, with 26.7% of them being illiterate (among white women, the rate is of 4% and the national average is of 7.5% for women and 5.8% for men). Indigenous people, in particular women, earn also less than other groups, e.g., as Government employees, women earned in 2012, 43% less than men and indigenous people had salaries 43% lower than other groups. In private sector, the gender pay gap was of 20% and the ethnic one of 37%. Indigenous people are also more likely to be in sub-employment (i.e., full-time employment with wages lower than the minimum wage or working part-time, despite being ready to work full time). In 2008, only 3% of indigenous women and 16% of men were in full (adequate) employment (the rest being in sub-employment), with the share rising slightly to 2012, i.e., to 5% for women and 18% for men[119]. For comparison, for the total working population in Ecuador, the rate of adequate employment increased from 43.2% in 2007 to 49.3% in 2014. Since then, it started falling to 38.3% in 2019. Over the same period, the rate of sub-employment went up from 18.2% in 2007 to 21.4% in 2017 to decrease again to 17.8% in 2019. (INEC, 2018f; INEC, 2015b; INEC, 2017a; INEC, 2020) The vulnerability of indigenous people in the labour market is also related to low levels of social security coverage (in 2016, 81.2% of indigenous women and 76% of men were not covered by social security system in Ecuador compared to 54.4% of non-indigenous women and 53.2% of men)[120].

In 2017, almost three quarters (72%) of young people (15-24 years of age) on the labour market were in different forms of inadequate employment, incl. 21.7% in sub-employment, i.e., work in jobs with wages below the minimum wage or insufficient number of hours (in some regions, such as Bolivar, Napo and Carchi, the sub-employment rate was between 30% and 40%). In rural areas, inadequate employment included also non-paid family members. Moreover, young people represented a large proportion of all unemployed (40%) and their jobs are vulnerable to changes in the economic cycle. (FES, 2018) In 2017, the unemployment rate among young people was of 10.9%, i.e., over three times higher than among the rest of the adult working population (3.5%) and over twice the national average (4.6%). 41.7% of young people had informal jobs (with the national average at 44.1%). 61% of working young working people were men and 39% women. 67% lived in urban areas and 33% in rural ones. Around 70% of working youth were not covered by social security. Regarding sectors, 24% worked in agriculture, 22% in trade, 12% in manufacturing industry, 8% in construction, 8% in hotels and restaurants and 5% in transport and storage. This means that a large proportion of young people worked in

[118] M. A. Espinoza and D. del Pilar Gallegos (2018), Inserción laboral de las personas con discapacidad en Ecuador: http://www.revistaespacios.com/a18v39n51/a18v39n51p03.pdf

[119] Báez, J., Centro de Derechos Económicos y Sociales, CDES (2015), Mujer indígena: entre la discriminación y el mercado laboral: http://cdes.org.ec/web/wp-content/uploads/2016/01/Mujer-ind%C3%ADgena-Discriminaci%C3%B3n-y-Mercado-Laboral.pdf

[120] Gestión Digital (September 2020), La mujer indígena, la más vulnerable entre los vulnerables: https://www.revistagestion.ec/index.php/sociedad-analisis/la-mujer-indigena-la-mas-vulnerable-entre-los-vulnerables

sectors with high levels of informality and the likelihood of precarious employment, i.e., agriculture (69% of informality), trade (27%) and manufacturing (30%), while only a small group (around 3%) was employed in sectors, such as professional activities or financial services with levels of informality of respectively 4% and 0%. At the same time, 36% of working youth have not completed the secondary education and in some regions (Esmeraldas and Pastaza) this rate went up to 55%. Young people belonged to those looking for a job for a longer time than others, which may be explained by the fact that employers expect professional experience and skills relevant for the job, which many young people did not have, either due to a low level of completed education or due to a mismatch between studied subjects and labour market needs. (Ministerio del Trabajo, Ecuador, 2018)

In **the EU**, the Strategy for the Rights of Persons with Disabilities 2021-2030 focuses on three areas. These include 1) the right to move to another EU country and to participate in the political process, 2) the right to live independently and to enjoy inclusion in the community, and 3) non-discrimination, protection from violence and equal opportunities in, and access to, justice, education, culture, sport and tourism.[121] The EU is also a signatory of the UN Convention on the Rights of People with Disabilities. In 2011, the employment rate of people with basic difficulty in activity was 47.3%[122]. Disabled persons belong in the EU to groups most exposed at risk of poverty or social exclusion, with the rate of 28.7% in 2018 compared to 19.2% of people with no limitations in activity (a gap of 9.5%). Moreover, 68.1% of disabled persons in the EU would be at risk of poverty if no social benefits were provided[123]. People with a migrant background are exposed to twice as high risk of poverty as the EU-born citizens (37.3% compared to 20.1% in 2018). Young people are more likely to be in temporary employment than the rest of the working age population (43.3% in 2018 compared with 12.1% for those aged 25 to 54 and 6.6% for those aged 55 to 64). (European Commission, 2020a)

The employment rate of women continued to raise in the EU to reach 67.4% in 2018, however, the employment gap compared to men remains almost the same since 2013, at 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% of women aged 30-34 had tertiary education compared to 34.9% among men). Yet, they tend to work fewer hours (in 2017, the total EU part-time employment rate for women of 31.1% was higher by 23 percentage points than that for men, 8.2%). Women also tend to have lower-ranking jobs than men and be more present in lower paying sectors. These factors contribute to a gender pay gap (16.2% in 2017, almost unchanged in the last few years), which combined with a usually shorter career translates into lower pensions for women (the gender gap of 35.2% in 2017). (European Commission, 2018a, 2018b, 2017c, 2020a) EU Member States have taken steps to increase the availability of childcare facilities, introduce more balance between men and women 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, 2017c) At the EU level, the Commission presented in 2017 a policy and legislative package "The initiative on work-life balance for working parents and carers" aiming at modernising EU legislation on family-related leave and flexible working arrangements. The Commission adopted an Action Plan to tackle the gender pay gap 2017-2019, (European Commission, 2018b) and the „EU strategic engagement for gender equality 2016-2019". (European Commission, 2016)

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[121] European Commission (2021), Union of Equality: European Commission presents Strategy for the Rights of Persons with Disabilities 2021-2030: https://ec.europa.eu/commission/presscorner/detail/en/ip_21_810

[122] European Commission, (2017), Progress Report on the implementation of the European Disability Strategy (2010 - 2020): http://ec.europa.eu/social/main.jsp?catId=1137; EUROSTAT, (2014), Disability statistics, labour market access: http://ec.europa.eu/eurostat/statistics-explained/index.php/Disability_statistics_-_labour_market_access

[123] EUROSTAT (2019), Disability statistics - poverty and income inequalities: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics_-_poverty_and_income_inequalities

Prohibition of forced or compulsory labour

In **Colombia**, according to the Global Slavery Index 2018, around 131,000 people lived in slavery conditions (0.27% of the population).[124] The Government has taken steps to address it, e.g., by capacity building of labour inspection to increase awareness and help to identify victims of forced labour, as well as prevent, identify, and combat trafficking in persons for purposes related to forced labour. Cases of trafficking have been recorded e.g., in Valle del Cauca, Antioquia, Risaralda and Cundinamarca.[125] In 2005, an Interinstitutional Committee for Combating Trafficking in Persons was established and in 2016, the National Strategy in this area was adopted with objectives of prevention of trafficking, provision of support to victims, more effective prosecution of trafficking in persons, further interinstitutional and international cooperation and analysis into trafficking for a more targeted design of actions to combat this phenomenon[126]. In 2019, further to cooperation with the UN Office on Drugs and Crime, a National Strategy to combat trafficking in migrants was adopted[127]. In 2018, the Government, employers and trade unions adopted Decent Work Pact[128], in which they committed to eradicate forced labour. Moreover, a more detailed analysis and identification of forms of forced labour and affected regions and groups has been included in the National Development Plan 2018-2022, among actions to take to ensure decent work and respect for labour standards. (DNP, 2019) The ILO Committee of Experts report published in 2019 and data from the Colombian Ministry of Interior provide data on the number of cases of trafficking in persons. Accordingly, the number recorded annually has been increasing each year since 2013 (from 62 in 2013 to 113 in 2019) mainly thanks to a better identification of trafficking in persons. In total, between 2013 and 2019, there were 615 cases, out of which 363 were related to sexual exploitation and 200 to servile marriage, begging and servitude. Young people (between 18 and 30 years of age), children and women are the most frequent victims of trafficking and exploitation[129]. (CEACR, 2019)

In **Peru**, according to the Global Slavery Index 2018, some 80,000 people are estimated to live in conditions of slavery (0.2% of the population). Types of forced labour occurring in Peru and discussed in the Second National Plan to Combat Forced Labour[130] include wood extraction in the regions of Amazon involving indigenous peoples, illegal mining activities, notably in the region Madre De Dios (affecting migrants from other Andean countries, Bolivia, and Brazil) and domestic work (involving mainly women migrating from other Peruvian regions due to poverty or violence at home). Prior to adoption and implementation of the Plan, the Government had identified several factors supporting occurrence of forced labour, including poverty (and lack of social security offered in the most affected regions),

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[124] Dinero (2018), En Colombia hay 131.000 esclavos 'modernos', según reporte: https://www.dinero.com/pais/articulo/cifras-de-esclavitud-moderna-en-colombia-y-america/261678

[125] Prevencionar.com (August 2019), Prevención del trabajo forzoso en Colombia: https://prevencionar.com.co/2019/08/02/prevencion-del-trabajo-forzoso-en-colombia/; Ministerio de Trabajo (2017), Ministerio de Trabajo en la lucha contra la trata de personas con fines de explotación laboral y trabajo forzoso: http://www.mintrabajo.gov.co/prensa/comunicados/2017/junio/mintrabajo-en-la-lucha-contra-la-trata-de-personas-con-fines-de-explotacion-laboral-y-trabajo-forzoso

[126] Estrategia Nacional para la lucha Contra Trata de Personas 2016-2018: https://www.mininterior.gov.co/sites/default/files/noticias/doc-20160630-wa0010_1.pdf

[127] UNODC (March 2019), Con apoyo de UNODC, Gobierno de Colombia aprueba estrategia nacional para combatir el tráfico de migrantes: https://www.unodc.org/colombia/es/con-apoyo-de-unodc--gobierno-de-colombia-aprueba-estrategia-nacional-para-combatir-el-trafico-de-migrantes.html

[128] Pacto por el Trabajo Decente en Colombia: https://www.mintrabajo.gov.co/documents/20147/648769/PACTO+POR+EL+TRABAJO+DECENTE.pdf

[129] RCN Radio (December 2019), Registro de trata de personas en Colombia aumentó en 82%: https://www.rcnradio.com/recomendado-del-editor/registro-de-trata-de-personas-en-colombia-aumento-en-82

[130] Ministerio de Trabajo y Promoción del Empleo, Perú (2013), II Plan Nacional para la Lucha contra el Trabajo Forzoso 2013-2017: https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-lima/documents/genericdocument/wcms_240910.pdf; ILO (2018), La evaluación del II Plan Nacional para la Lucha contra el Trabajo Forzoso 2013-2017: https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-lima/documents/publication/wcms_625242.pdf

low level of education among vulnerable groups (with knowledge and skills not adequate for formal employment), discrimination of vulnerable groups in access to labour market, insufficient legislative framework, weak law enforcement and lack of information or support for victims. In the report published in 2018, the ILO Committee of Experts noted the lack of information about implementation of the National Plan to Combat Forced Labour and the lack of regional committees which were supposed to be set up in regions with an identified high risk of forced labour. Moreover, due to insufficient funding, it was not possible to implement action plans under the National Plan, nor to strengthen administrative capacity at national or regional level. (CEACR, 2018) In the following report, the Committee noted the Government's information that due to the design of the National Plan, and lack of baseline values and targets, it was not possible to evaluate the effectiveness and efficiency of the Plan. However, its implementation helped to better understand forced labour. Moreover, a new protocol for action for labour inspection related to forced labour envisaged collecting information about sectors and regions with where forced labour cases have been identified, followed by dissemination of information and awareness raising activities, protection of the fundamental rights at work and capacity building of labour inspection services in relation to forced labour (CEACR, 2021). In 2019, the Government adopted the Third National Plan to Combat Forced Labour 2019-2022 with five areas for action, incl. prevention, detection, support for victims and sanction for perpetrators, reintegration of victims into the society, and institutional set up. Peru also joined the initiative Alliance 8.7 to work with the ILO, other international organisations, and civil society towards achieving the goal 8.7 of the 2030 Agenda to eliminate child labour and forced labour[131]. Moreover, since 2017, forced labour is included into the Criminal Code and depending on its form, the perpetrators may be imprisoned for up to 12 or 15 years. (CEACR, 2018) According to different sources, there were 380 cases of forced labour between 2010 and 2017 (register and statistics on trafficking in persons RETA, national police), 591 between 2010 and 2014 (Public Ministry, system of strategic information about trafficking in persons, SISTRA), or 48 between 2011 and 2016 (judiciary). The estimation of the real scale of forced labour, incl. trafficking in persons for this purpose is difficult, given that many cases are related to informal jobs and enterprises, rarely visited by the labour inspection and to domestic work, where victims remain invisible to the public.[132]

In **Ecuador**, according to the Global Slavery Index 2018, ca. 39,000 people lived in slavery conditions (0.24% of the population). Since 2014, the Penal Code addresses forced labour and envisages sanction of 10 to 13 years of imprisonment for everyone who would impose on others forced labour or other forms of exploitation.[133] In 2017, the Organic Act on human mobility and its implementing regulations were adopted. The Act establishes the framework for prevention of trafficking in persons, as well as the protection, support, and reintegration of victims. It also provides for the creation of a register for the identification of victims and the analysis and collection of data to develop a better understanding of trafficking in persons and enable the development of public policy in this area. (CEACR, 2019) In 2019, the Government adopted the Action Plan against the Trafficking in Persons. In the analysis of factors conducive to trafficking in persons it mentions poverty, in particular in rural areas and among indigenous population and those of African origin, limited access to quality education and as a result to decent and formal employment, gender-based violence and violence against children and teenagers (potential victims wish to leave the place, family or community where their rights are violated), regional migration,

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[131] MTPE aprueba III Plan Nacional para la Lucha contra el Trabajo Forzoso 2019-2022: https://www.gob.pe/institucion/mtpe/noticias/51068-mtpe-aprueba-iii-plan-nacional-para-la-lucha-contra-el-trabajo-forzoso-2019-2022; ILO (2019), Perú es destacado por sus avances en la erradicación del trabajo infantil, la trata de personas y el trabajo forzoso: https://www.ilo.org/lima/sala-de-prensa/WCMS_719534/lang--es/index.htm

[132] Perú21 (July 2017), Explotación laboral crece y no se fiscaliza, no hay cifras del trabajo forzoso: https://peru21.pe/lima/explotacion-laboral-crece-fiscaliza-hay-cifras-forzoso-84982-noticia/

[133] El Telégrafo (May 2014), El trabajo forzoso genera $ 150.000 millones en el mundo: https://www.eltelegrafo.com.ec/noticias/economia/4/el-trabajo-forzoso-genera-150-000-millones-en-el-mundo

e.g. from Venezuela, and insecurity and instability in the regions neighbouring Colombia, affected by the former armed conflict, activity of armed groups and criminals and influx of displaced vulnerable population. Trafficking in persons, in both directions, occurs as well across the border with Peru, where victims are used for labour in mines and plantations. It is difficult to estimate the real scale of the problem as not all cases are notified to the authorities, some are classified in a different way, e.g., as a missing person or case of sexual exploitation, but not as case of trafficking. Moreover, data collected by different institutions is not always compatible. According to the available data, between 2014 and 2016, there were 352 cases of human trafficking, out of which 295 for the purpose of sexual exploitation and 39 for labour, with the total number increasing every year. (Ministerio de Gobierno, 2019) In its report published in 2019, the ILO Committee of Experts noted the activity of the Ecuadorean Interinstitutional Coordination Committee for combatting trafficking in persons and smuggling of migrants, that is responsible for the implementation of the 2006 National Plan to Combat Trafficking in Persons. The Committee focuses on prevention, protection, and investigation, including on ensuring that appropriate assistance is provided to victims. Between 2013 and 2016, more than 180 persons received support under the Unified National Protocol for protection and comprehensive assistance for victims of trafficking. (CEACR, 2019)

In the **EU**, the Victims' Rights Directive entered into force in 2015. It lays down a set of rights for all victims of all crimes and corresponding obligations to the Member States.[134] Further elements of policy and legislative framework include the Directive on preventing and combating trafficking in human beings and protecting its victims[135] and the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016.[136] Both recognise a need to cooperate with the private sector as an essential element in reducing the demand for trafficking in human beings and developing supply chains which are "trafficking-free". In the context of the Strategy, the Commission Services in cooperation with Eurofound[137] developed a best practice guide for labour market intermediaries and the role of the social partners in preventing trafficking in human beings for the purpose of labour exploitation. In 2017, the Commission adopted a Communication outlining three priority areas for action 1) Stepping up the fight against organised criminal networks including by disrupting the business model and untangling the trafficking chain, 2) Provide better access to and realise the rights for victims of trafficking, 3) Intensify a coordinated and consolidated response, both within and outside the EU. (European Commission, 2017e, 2019b) According to the Global Slavery Index 2018[138], in the EU, the number of people living in conditions of slavery ranged from 145,000 in Italy to less than 1,000 in Luxembourg. The Netherlands, Sweden, Portugal, Croatia, Belgium, and Spain, are among countries that developed a national response against modern slavery, including adoption of a dedicated legislation.

Freedom of association and the right to collective bargaining:

In **Colombia**, the Constitution sets out a right for employers and workers to establish their own associations or trade unions, for which they adopt the rules of procedure, and which should be able to operate freely, without any interference from the Government or other

[134] Directive 2012/29/EU establishing minimum rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA.

[135] Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and replacing Council Framework Decision 2002/629/JHA. The Directive creates legal obligations on businesses, namely the liability and sanctioning of legal persons for trafficking in human beings' offences (Article 5).

[136] EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eu_strategy_towards_the_eradication_of_trafficking_in_human_beings_2012-2016_1.pdf

[137] The European Foundation for the Improvement of Living and Working Conditions

[138] Global Slavery Index 2018 – G-20 countries: https://www.globalslaveryindex.org/2018/findings/importing-risk/g20-countries/

state institutions[139]. There are several forums involving social partners, both at the national and international level, including tripartite Permanent Commission for policies related to wages and other labour aspects, National Council for Planification, National Council for risks at work, national delegation to the ILO meetings, Ibero-american Ministerial Conference with participation of employers and workers, participation in bodies and meetings related to implemented trade agreements, and others. In 2017, there were 5,523 trade unions in Colombia. The highest number was in public administration and social protection, followed by wholesale and retail trade, health care and social services and manufacturing, transport and agriculture, while the highest number of members was in education, followed by public administration, industry, health care and social services, agriculture, trade, and transport. Domestic service was at the low end in both categories. (ENS, 2018) Also in 2017, the Ministry of Labour carried out in cooperation with six trade union confederations a trade union census. According to its results, Single Confederation of Workers of Colombia (CUT) had 577,532 members and operated in several sectors, ranging from education and health care over mining and agriculture, including coffee sector, to informal economy. General Confederation of Labour (CGT) had 606,073 members and operated mainly in agriculture and agro-industry, health care sector, prisons, and other public and private sectors. Confederation of Workers of Colombia (CTC) had 169,291 members and was active in the electric sector, agriculture, and agro-industry, social (solidary) economy and transport. Confederation of trade unions of civil servants and public services of Colombia (CSPC) had 7,873 members working in the public sector. The National Workers Confederation (CNT) had 31,153 members in transport and public sectors. Colombian Labour Union (CTU) had 32,126 members working in judicial system (prosecutors), migration services, small-scale retail trade and as informal vendors. Union of Colombian Workers (UTC) did not participate in the census and therefore their members were not calculated. (Ministerio del Trabajo, 2018) Trade union leaders and activists in Colombia have been affected by a high crime rate. Between 1986 and 2014, more than 3,000 trade union activists have been killed, 230 disappeared and others have suffered from threats, harassment, and other forms of violence. In the last few years, the number of cases has been decreasing, but remains high compared to other countries, including OECD members. The number of trade unionists' homicides decreased from 53 in 2010 to 13 in 2019, while the total number of cases of violence decreased from 723 in 2011 to 123 in 2019[140]. The most affected regions included Antioquia, Santander, Valle del Cauca, and sectors, such as education, agriculture, incl. banana, mining, and manufacturing. In 2011, the protection system was strengthened as part of the US-Colombia Labour Action Plan and the National Protection Unit was created to bring together different protection systems including for teachers and trade unionists. In 2016, it provided protection to 677 trade union activists, mainly from Antioquia, Santander, Valle del Cauca, Atlántico, and Bogota. The Prosecutor General's Office has also been increased, and judicial police examines after a homicide whether the victim was a trade unionist, while an analytical team carries out research into patterns of trade unionists' murders in the country. Moreover, the ILO has provided training for judges, prosecutors and on labour rights and investigations into crimes against trade unionists. (OECD, 2016) However, progress has been considered not sufficient and questions around violence against trade unionists, cases of protection refusal (resulting in killing of those without protection), high levels of impunity (87% for homicides and 95% overall for anti-union violence), low rates of collective bargaining (below 0.5% in the private sector and progress in the public sector being achieved only after strike), the continuous practice of negotiating collective pacts (over 200 a year) with non-unionised workers, and the lack of progress on respecting the right to strike (following the Avianca case where trade union leaders and pilots were dismissed for participation in a strike as the strike was considered illegal by the

[139] Francisco Rafael Ostau de Lafont de León (2017), La libertad sindical en el mundo del trabajo en Colombia: https://publicaciones.ucatolica.edu.co/pdf/libertad-sindical.pdf

[140] Written contribution by civil society organisations Oidhaco and catapa.

Colombian Supreme Court)[141] were raised among other concerns in the context of Colombia's accession to OECD and corresponding recommendations have been included into the post-accession monitoring process[142]. At the TSD Sub-committee meetings in 2019 and 2020, Colombia provided information about the implementation of the protection system of social and trade union leaders and human rights activists, in particular in communities estimated as being at risk. Regarding the fight against impunity of perpetrators, 949 sentences were passed until autumn 2019 (this number increased to 966 at the end of 2020) In 2020, 14 trade union activists were killed, fewer than in 2019. Progress was possible inter alia thanks to work of the Prosector General's Office and National Protection Unit. Colombia informed also about a study conducted with the ILO analysing sentences against perpetrators and actions taken to protect trade unionists (see European Commission, 2019c; 2020c). In the Reports published in 2020 and 2021, the ILO Committee of Experts expressed deep concern about persisting violence against trade union leaders and the heavy impact it has in particular in the agriculture, education, transport, mining and energy sectors and in rural areas, including those previously controlled by FARC and currently being under control of paramilitary forces and criminal groups. It took note of the evidence provided by trade unions regarding cases of murders of trade unionists and other forms of anti-union violence, including death threats, attempted murders, cases of forced disappearance and others (in total 998 cases of violations between 2016 and May 2020). The Committee also noted information provided by the Government about steps taken, but also about challenges faced in the fight against criminal groups, and urged the Government to ensure protection of trade union members, to allocate sufficient resources for this purpose, and (referring to cases considered by the Committee on Freedom of Association) to improve the effectiveness of investigations and criminal proceedings against perpetrators. The Committee also noted that the so-called trade union contracts (practiced in particular in the health sector) where a trade union organises work for its members and acts as a de facto employer or work intermediary are likely to generate a conflict of interest with the primary trade unions' role to protect and defend workers' rights. They should therefore be analysed, and measures should be taken to ensure that trade unions' primary mission is not undermined. (In 2015, there were 1,975 trade union contracts in the country, incl. 1,929 in the health care sector; ENS, 2018. In 2020/2021, there were 1,700 such contracts and only in the first half of 2020, 567 trade union contracts were registered; CEACR, 2021) The Committee also requested legislative changes to bring provisions on the right to strike in line with Convention No. 87, and to ensure (under Convention No. 98) that collective agreements with non-unionised workers are negotiated only in cases where there are no trade unions in the company (CEACR, 2020; 2021). In 2019, in the framework of a project funded by Norway and delivered by the ILO, workers, employers, labour inspectors and Government representatives were trained in the prevention and resolution of labour conflicts[143].

In **Peru**, the Constitution recognises the right to association, collective bargaining, and strike. The Law on Collective Relations at Work and related regulations set out trade unions' rights in the private and public sector. In addition, Civil Service Law (2013) establishes trade unions' and workers' rights in public sector imposing restrictions, e.g., prohibition of

[141] The Colombian trade unions submitted the request to the ILO to pronounce its interpretation regarding the right of pilots to strike and the legality of actions taken in the case of Avianca. The ILO clarified that air transport cannot be considered as an essential service and therefore pilots have a right to strike while all actions taken by the pilots in the case of Avianca followed the rules prescribed by the legislation. See Agencia de Información Laboral (November 2018), OIT da la razón a la CUT: pilotos de Avianca pueden hacer huelga y no pueden ser despedidos por ello: https://ail.ens.org.co/noticias/oit-da-la-razon-a-la-cut-pilotos-de-avianca-pueden-hacer-huelga-y-no-pueden-ser-despedidos-por-ello/

[142] OECD Trade Union Advisory Committee (TUAC), (March 2018), TUAC Submission on Trade Union Rights and Safety in Colombia: https://tuac.org/wp-content/uploads/2018/03/18-03t_tu_07-ELSAC_TUAC_-Sub_Fin-1.pdf; OECD TUAC (May 2018), TUAC Calls for the OECD to Uphold Fundamental Values, as Colombia Joins the OECD: https://tuac.org/news/tuac-calls-for-the-oecd-to-uphold-fundamental-values-as-colombia-joins-the-oecd/

[143] ILO (December 2019), OIT fortalece a los actores del mundo del trabajo en prevención y resolución de conflictos con diálogo social: https://www.ilo.org/lima/sala-de-prensa/WCMS_732703/lang--es/index.htm

negotiating economic compensations and wage increase in social benefits which would go beyond the list provided in the legislation, the maximum duration of collective agreements, a long notice before strike can be declared and the possibility of replacing striking workers. Moreover, Peru has ratified (in addition to Conventions No. 87 and 98) the ILO Convention No. 151 about work relations in public administration and No. 189 on domestic workers. There are also other parts of legislation which may have an impact on the exercise of trade unions' rights. These include regulations about short-term and seasonal labour contracts, including in non-traditional exporting sectors and agriculture which may be renewed a non-limited number of times[144]. (ILO, 2019) In the period 2010-2016, between 69,041 and 83,425 workers were contracted in each year under the non-traditional exporting regime, mainly in the textile sector. Some of them worked for 15 and more years in the sector on several consecutive short-term contracts, not providing any certainty or stability in either personal or professional life. According to the ILO and the Ministry of Labour, such forms of contracts may decrease the possibility to join a trade union and, as a result, trade unions' operation in these sectors. In the case submitted by the Peruvian trade unions (CGTP) on the matter, the ILO Committee on Freedom of Association called on the Government to ensure that the contract regime in non-traditional exports does not interfere with the exercise of trade unions' rights[145]. The same was raised by the EU in TSD Sub-committee meetings in 2018 and 2019 to highlight concerns of the civil society about the abuse of fixed-term contracts which may make the exErcise of freedom of association more difficult. Peru informed that the existing legislation foresees cancellation of fixed-term contracts, and their turn into permanent ones, if they are used in a fraudulent way. Peru admitted the need to strengthen inspection services and informed about the possibility to discuss specific cases of concern in bilateral meetings with the National Federation of Textile Workers (European Commission, 2018d and 2019c). However, the number of unionised workers in the sector decreased from 7,769 in 2010 to 2,265 in 2016, i.e., from 10% to 3.2%[146]. There is also a special regime for microenterprises which has been extended on other companies, and which requires e.g., to have at least 20 employees to form a trade union, which may discourage or make impossible trade union operation in microenterprises and SMEs. Finally, provisions related to work intermediation and short-term contracts for work and provision of services restricts possibilities of workers to form or join a trade union. In 2017, in total 379,844 workers (having formal jobs) were affiliated to a trade union in Peru, out of which 54% (i.e., 205,116 persons) worked in public sector and 46% (i.e., 174,728 persons) in private[147]. Regarding trade union density, i.e., the share of workers

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[144] In the sector of agriculture covered by the special regime, the number of workers increased from 170,110 in 2009 to 239,194 in 2016, while the rate of trade union membership varied between 3.3% and 5.1% during the same period. Workers in the sector often receive short-term or seasonal contracts and much lower benefits than those operating under the general regime, e.g. 15 days if holidays instead of 30, the monthly wage of USD 403 in 2016 (on average) compared to USD 696 under the general regime and lower compensation in case of being dismissed. Moreover, contracts are often not renewed if the worker undertakes trade union activity. See: (2017), Queja contra el gobierno peruano por falta de cumplimiento de sus compromisos laborales y ambientales, contenidos en el Acuerdo Comercial entre Perú y la Unión Europea: http://www.europaperu.org/wp-content/uploads/2017/10/20171018-Queja-AC-UE-Peru.pdf

[145] In 2016-2018, there were two proposals to modify the Law on non-traditional exports, however, they didn't get the priority in the National Congress. At the same time, the Government considered prolongation of the regime by another 24 years. See: Actualización de la queja contra el gobierno peruano por falta de cumplimiento de sus compromisos laborales y ambientales, contenidos en el Acuerdo Comercial entre Perú y la Unión Europea. (May, 2018): https://www.fdcl.org/wp-content/uploads/2018/08/REDGE_Actualizacion-QUEJA_FINAL.pdf

[146] (2017), Queja contra el gobierno peruano por falta de cumplimiento de sus compromisos laborales y ambientales, contenidos en el Acuerdo Comercial entre Perú y la Unión Europea: http://www.europaperu.org/wp-content/uploads/2017/10/20171018-Queja-AC-UE-Peru.pdf

[147] At the end of 2019, the number of unionised workers in private sector was 198,488 (out of 3,815,692 workers in private sector in total, i.e. 5.2%). Across sectors, the number of unionised workers in private sector was as follows: agriculture and forestry (3,099), fisheries (3,149), mining (26,115), manufacturing industry (44,185), electricity, water and gas supply (7,805), construction (54,866), wholesale and retail trade (5,902), hotels and restaurants (309), transport, storage and communications (15,786), financial intermediation (3,193), real estate (19,865), public administration (204), education (6,801), social and health care services (2,063), social, communal and personal services (4,545), and others (601). In the public sector, there were in total 1,363,869 workers. (Ministerio de Trabajo y Promoción del Empleo, 2019d)

being trade union members, between 2013 and 2017, it was around 16% in public sector while in private sector, it decreased from 6.4% in 2013 to 5.2% in 2017. In the latter, 7.4% male workers were unionised in 2016, while this was true only for 1.5% female workers (out of all trade union members in private sector, 90% were men and only 10% were women). In the public sector, the affiliation rate was more equal, with 16.3% for men and 15.4% for women (55% of trade unionist being men and 45% women). The highest number of trade union members were registered in the construction sector, mining, fisheries, and manufacturing industry, which jointly provided two thirds of all trade union members. In 2017, the highest affiliation rate was in the sector of electricity, gas, and water supply (37.2%), followed by construction (25.5%), fisheries (10%) and manufacturing industry (8%). On the other end, were sectors, such as hotels and restaurants (0.2%), trade (0.8%) and agriculture (1.3%). In the latter the rate decreased from 1.8% in 2013. (ILO, 2019) The number of strikes in the analysed period was the highest in the first half of 2010s, with 99 strikes in 2009. Otherwise, the annual number of strikes increased from 73 in 2007 (63 in 2008) to 99 in 2009 to remain between 83 and 95 in 2010-2014 falling then to 47 in 2015 and increasing to 67 in 2019. Regarding collective agreements, their total number per year, after increasing from 478 in 2007 to 550 in 2011, fell to 298 in 2019, with the highest number in 2019 (112) in manufacturing industry, mining (43), electricity, water and gas supply (25), public administration (19), education (17), transport (12), wholesale and retail trade (11) and agriculture (10). (Ministerio de Trabajo y Promoción del Empleo, 2019d) In the report published in 2019, the ILO Committee of Experts requested a revision of the Civil Service Act to allow public sector employees to exercise their right to organise in line with Convention No. 87. Moreover, it invited the Government to consider changes to the Act on the Promotion of Non-Traditional Exports in tripartite consultations with trade unions and employers' organisations. It also requested information about measures taken by labour inspection to ensure that workers on short-term contracts will not face a threat of their non-renewal for their trade unions' activity. (CEACR, 2019) In 2017 and 2020, the EU organised workshops in cooperation with Peru on labour conflict management.

In **Ecuador**, the Constitution recognises the right to organise and prohibits intermediation in work relations, and some types of contracts, e.g., on hours. In 2015, out of 3,179 labour organisations, trade unions (751 in total) represented 24%, while associations of public servants (1,567) accounted for 49%. Enterprise committees (9%) and private associations (14%) formed the rest[148]. In 2017, three trade union confederations, i.e., Central Union of Workers (CUT), United Front of Workers (FUT), and Ecuadorean Labour Parliament (PLE) had 1,430 member organisations and represented 879,000 workers from 21 sectors, i.e., some 4% of all workers. The trade union affiliation was low in particular in private sector, e.g., out of 204,000 of PLE members, 70% were public servants (CUT represented 650,000 members and FUT 25,000). One of the reasons may be a high number (30) of minimum workers needed to set up a trade union in an enterprise which may prevent workers to set up a trade union in an SME (the requirement of minimum 30 workers was considered too high by the ILO, in particular if compared with other countries in the region, e.g., 8 in Chile, 12 in Costa Rica and 25 in Colombia). The National Labour Council provides a forum to discuss employment and wage policies[149]. However, for the wage policy to be effective, there is a need for a representative composition of those who participate in negotiations, incl. a wide representation of workers. In 2017, Ecuador was considered as an individual case by the ILO Committee on the Application of Standards with regard to Convention No. 87. The Committee called upon the Government to ensure that public servants can exercise their right to organise and establish organisation of their own choosing, including protection against dissolution (given that according to the Constitution, public servants could only be represented by one organisation, and the National Federation of Education Workers, UNE,

[148] El Comercio (April 2015), De 3179 organizaciones laborales ecuatorianas, 751 son sindicatos: https://www.elcomercio.com/datos/organizaciones-laborales-ecuatorianas-sindicatos.html

[149] El Comercio (May 2017) 2 969 sindicatos con baja representación: https://www.elcomercio.com/actualidad/sindicatos-baja-representacion-ecuador-trabajadores.html

after rejection of registration in 2016, was dissolved by the Government which confiscated its assets). The Committee also requested amendments in the existing legislation to bring it in line with the Convention. This included Basic Comprehensive Penal Code which foresaw penal sanctions for participation in a peaceful strike. Moreover, the minimum requirement in the Labour Code of 30 workers to establish a trade union at the enterprise level in the private sector was considered too high (it was 15 before the previous change in 1985). Finally, trade union elections should be regulated by trade unions themselves (CAS, 2017). Subsequently, the Government agreed with the ILO the provision of technical assistance for the legislative reforms. The same issues as above were raised by the ILO Committee of Experts in reports published in 2018 and 2020. The Committee asked the Government to reply in 2020 and expressed trust that the technical assistance will support the process of legislative reforms (CEACR, 2018; 2020). In the report published in 2021, the Committee of Experts recalled that the technical assistance mission had taken place in December 2019 during which a roadmap had been presented to tripartite partners with a view to structure their discussion about legislative reforms. The Committee noted with regret that the Government's report had not mentioned either the technical assistance or any follow-up actions or work to finalise and implement the roadmap. The Committee also reiterated its previous comments on aspects mentioned above noting the lack of progress on any of these (CEACR, 2021). In the report published in 2019, the ILO Committee of Experts noted observations from the Trade Union Association of Agricultural, Banana and Rural Workers (ASTAC) that three Ministerial Orders of 2017 and 2018 which establish new forms of contract for banana plantation workers and agricultural workers, obstruct the effective exercise of the right to collective bargaining in those sectors (CEACR, 2019, 2020). Further to two requests for information (in 2019 and 2020), in the report published in 2021, the Committee noted the response of the Government that Ministerial Orders referred to temporary jobs which are common in the banana sector and that it had been precisely thanks to those new forms of contractual relations that the situation of temporary workers was regularised. The Government also informed that four collective agreements had been reached in agriculture between June 2019 and June 2020, three of which in the banana sector, which according to the Government confirms that the new rules do not impede trade union activity in the sector (CEACR, 2021).

In the **EU**, Member States have developed different models of social partners' engagement in the design and implementation of relevant policies.[150] They have been involved in the reform of wage setting mechanism, including minimum wage, anticipation of skills needs, vocational education and training reforms, assistance for long-term unemployed, and labour law reform. (European Commission, 2005-2018 and 2020a) In addition, at the EU level, the Treaty on the Functioning of the EU (Article 154) obliges the Commission to consult social partners on EU policy and legislative initiatives related to social field. This includes health and safety at work, working conditions, social protection, conditions of employment of third country nationals, equality between men and women at work and others (TFEU, 2012). The Commission facilitates also sectorial and cross-industry social dialogue between social partners at the EU level.[151] Rates of trade union membership have been falling over time and vary between Member States. In 2007, they ranged from 7.6% in Estonia to 78.4% in Sweden, and in 2018, from 4.3% in Estonia to 66.5% in Denmark.[152]

[150] Employment Guideline 7 and the European Pillar of Social Rights call upon Member States to ensure the involvement of social partners in the design and implementation of relevant reforms and policies, in line with national practices, including through support for increased capacity of the social partners. (European Commission, 2020a)

[151] For more information, please see the website of Directorate General (DG) Employment, Social Afafirs and Inclusion: http://ec.europa.eu/social/main.jsp?catId=329&langId=en

[152] See: https://stats.oecd.org/Index.aspx?DataSetCode=TUD

1.1.5 Working conditions, incl. social protection[153] coverage of workers and enforcement mechanisms (labour inspection)

In **Colombia**, in 2019, 24.6% of workers in 23 cities and metropolitan areas were in sub-employment, i.e. jobs with an insufficient number of hours per week (part-time), low wages and inadequate to acquired competences (DANE, 2019c). In 2007, the national average rate of sub-employment was 34.3% (DANE, 1958-2020). In 2016, an average working week in Colombia was of 44.6 hours.[154] Regarding health and safety at work, in 2009, in 448,433 enterprises employing in total 6.700.842 workers, 403.519 accidents at work were recorded, including 586 fatal. Depending on the risk category, sectors with high number of accidents included mining, construction, manufacturing industry, agriculture, real estate, and trade. In 2019, in the total of 839.016 enterprises employing 10.431.583 workers, 611.275 accidents at work were reported, including 488 fatal.[155] This means a decrease in the average number of accidents per 100,000 workers from 6,022 in 2009 to 5,860 in 2019 while the number of fatal accidents per 100,000 workers decreased from 8.7 in 2009 to 4.7 in 2019. Moreover, as the table below shows, while trends in the number of accidents at work compared to the number of workers have not been entirely uniform (with some ups and downs, e.g., an increase in the number of non-fatal accidents per 100,000 workers in 2009-2012) over the analysed period, in general, since 2014 there is a tendency to a decrease in the number of fatal and non-fatal accidents per 100,000 workers. In 2018, the sectors with higher number of accidents included construction, manufacturing industry and agriculture.[156]

Table 1: Accidents at work in Colombia in 2009-2019

Year	Number of workers	Number of non-fatal accidents at work	No. of non-fatal accidents at work per 100,000 workers	Number of fatal accidents at work	No. of fatal accidents at work per 100,000 workers
2009	6.700.842	403.519	6,022	586	8.7
2010	6.813.664	450.564	6,612	689	10.1
2011	7.499.493	555.479	7,407	692	9.2
2012	8.430.801	659.170	7,818	676	8.0
2013	8.271.919	622.486	7,525	706	8.5
2014	8.936.935	688.942	7,709	564	6.3
2015	9.656.830	723.836	7,495	563	5.8
2016	10.039.527	701.696	6,989	602	5.9
2017	10.237.816	660.110	6,448	564	5.5
2018	10.487.602	645.119	6,151	567	5.4
2019	10.431.583	611.275	5,860	488	4.7

Source: Sistema General de Riesgos Laborales: https://sistemas.fasecolda.com/rldatos/

There are projects implemented in cooperation with the ILO to improve health and safety at work in individual sectors, e.g., in the coffee supply chain employing directly around 743.000 people in Colombia.[157] Others aim at capability building of inspection services to improve respect for labour standards and working conditions, including health and safety at work in rural areas.[158]

[153] Other public policies, such as health care and education, has been discussed under human rights analysis.
[154] Portafolio (July 2017), Un colombiano trabaja al año 830 horas más que un alemán: https://www.portafolio.co/economia/un-colombiano-trabaja-al-ano-830-horas-mas-que-un-aleman-507941
[155] Sistema General de Riesgos Laborales: https://sistemas.fasecolda.com/rldatos/
[156] Prevencionar.com (2018), *Accidentes laborales en Colombia*: http://prevencionar.com.co/2018/08/30/accidentes-laborales-en-colombia/#
[157] ILO (2019), Mejorar la seguridad y salud en el trabajo en la cadena de suministro del café en Colombia: https://ilo.org/lima/programas-y-proyectos/WCMS_716939?lang=es
[158] ILO (2019), Fortalecimiento de la inspección del trabajo para promover el cumplimiento de las normas laborales en el sector rural en Colombia: https://www.ilo.org/lima/programas-y-proyectos/WCMS_719330?lang=es

In a survey carried out in April and May 2020, among workers from plantations of banana, oil palm, sugar cane and cut flowers in Colombia, the ILO (in cooperation with trade unions and other organisations) checked working conditions in COVID-19 circumstances given that agriculture had been excluded from sectors covered by lockdown measures. 96.9% of surveyed workers were members of one of trade unions active in agriculture and 90% had a permanent contract. 35.6% of them were at least 53 years old, which means a risk of catching the virus and potentially serious consequences thereof. 38.7% were considered vulnerable due to pre-existing health conditions and out of these around half (52%) worked normally, while the rest had been sent back home or asked to take holidays. Thanks to a collective agreement in the banana sector, workers staying at home continued to receive wages (at the level of a minimum one plus 8%), and the enterprise continued to pay their social security contributions. 22% of those who continued working, declared having a shorter working day and 34% reported reduced payments (mainly due to a shorter working day). The majority confirmed use of certain protective measures, such the social distance, personal protective equipment (e.g., face cover or gloves) disinfection at plantations, and at the entry to and exit from them, time, and possibility to wash hands more frequently, dividing workers into groups for transport to the plantation or for the meal at the canteen, measuring temperature and others. The lowest shares of positive responses came from the oil palm and cut flowers sectors.[159]

In the 2015 Report (the latest available, the next one on Convention No. 81 is envisaged for 2022), the ILO Committee of Experts noted that the 2014-2018 National Development Plan of Colombia included strengthening of labour inspection as one of the policy objectives supposed to contribute to formalization of labour relations, respect for labour standards, including freedom of association, and extension of social security coverage. The Committee also noted that the number of posts for inspectors increased from 424 in 2010 to 904 in 2014, while the number of inspectors occupying them increased from 530 in 2013 to 826 in 2015. However, the Committee noted that out of 826 inspectors, only 100 were public servants covered by the administrative career system, while 726 held temporary contracts. The Committee noted the Government's position that the latter enjoy relative employment stability, nevertheless noted also position expressed by trade union (CTC) about precarious working conditions of labour inspectors and that they can be freely appointed or removed from their posts. It also expressed concern that the number of labour inspections decreased from 10,253 in 2011 to 8,037 in 2014 (CEACR, 2015). In 2019, a project funded by the EU and implemented in cooperation with the ILO was launched, aiming at strengthening labour inspection in agriculture (European Commission, 2018d). Moreover, at the 2019 TSD Sub-committee meeting, Colombia informed about the ongoing work to harmonise procedures and sanctions applied by labour inspectors in relation to priority areas of action in 35 territorial directorates and 85 municipal inspectorates (European Commission, 2019c). In the 2020 TSD Sub-committee meeting, Colombia informed that all inspectors were covered by the administrative career system and that virtual inspections were carried out during the Covid-19 pandemic (European Commission, 2020c).

In **Peru**, the rate of workers with adequate employment (working for 35 hours or more a week and earning more than the minimum wage) went up from 32.6% in 2007 to 52.5% in 2018. At the same time, the share of workers being in a situation of sub-employment (working for less than 35 hours a week despite being ready to work full-time or earning less than a minimum wage despite working for 35 hours or more a week) decreased from 54.3% in 2007 to 41.2% in 2018 (for those who earned less than the minimum wage) and from 8.4% in 2007 to 2.4% in 2018 (for working less than a full week). The proportion was less favourable for the indigenous population, where in 2018, only 43.5% of workers had adequate employment and 53.5% were in a situation of sub-employment. The average weekly number of hours worked decreased from 47 hours in 2008 to 45 in 2018. Transport

[159] ILO (2020), Condiciones laborales de los trabajadores y trabajadoras de las plantaciones en el marco de la emergencia: https://www.labourosario.com/post/condiciones-laborales-de-los-trabajadores-de-las-plantaciones-en-el-marco-de-la-emergencia

and communication sector recorded the longest working week (59 hours in 2008 and 55 in 2018) followed by mining (57 hours in both years), and fisheries (57 hours in 2008 falling to 47 in 2018). Other two sectors exceeding 50 hours a week in 2008 were administration (52) and trade (51). The working time was reduced to 49 hours in 2018 in both cases. On the other end of the scale was the sector of education (38 hours in 2008 and 37 in 2018) and agriculture (40 and 38 hours respectively). Other sectors, including manufacturing, hotels and restaurants and construction recorded working time of 45-49 hours a week in 2008 and a reduction of 3-4 hours in 2018 (INEI, 2019). The Peruvian Constitution foresees and eight-hours' working day with the working week not exceeding 48 hours. Moreover, it recognises the right to social protection. (Ministerio de Trabajo y Promoción del Empleo, 2019b) Regarding contractual relations at work, 49.6% of workers in 2007 had a contract (56.4% in 2018). In 2007, 18.1% of workers had a permanent contract (15.9% in 2018), while 25.5% had a fixed-term one (34.5% in 2018) (INEI, 2019).

An increased use of fixed-term contracts started in 1990s with the reform introducing more flexibility in their forms, use, and the total duration (five years), which also lifted much of control of their use and legality, and enabled operation of work intermediaries (the 1997 Law on Productivity and Labour Competitiveness). This has a negative impact on work and live quality given that workers having fixed-term contracts are less likely to receive credits or loans, have less opportunities of training to develop skills (as employers do not invest in them) and are less able or willing to join trade unions or be covered by collective bargaining agreements, and as a result have less power to negotiate e.g. wage increase. For example, between 1990 and 2000 (when the use of fixed-term contracts increased), the share of trade union members in the total of workers decreased in Lima from 22% to 3%. Workers on fixed-term contracts face also risks of breaks in periods of employment and the related breaks in social security coverage and contributions. Agriculture and agro-industry with its part focused on non-traditional exports is provided in this context as an example of a sector where exports have contributed to creation of formal jobs, however, these were in the majority (65%) related to short-term or seasonal contracts, used by some companies as a method to avoid trade union activity (Ministerio de Trabajo y Promoción del Empleo, 2019b).

While in 2007, 45.3% of workers had a health care insurance, this rate increased to 77.3% in 2018. The share of workers covered by pension system increased from 2007 to 2018 by 4.7% annually to reach the level of 35.5% (INEI, 2019). Regarding health and safety at work, for the month of December 2011, 337 non-fatal accidents at work were reported and 25 fatal accidents. Mining was the most affected sector (88 accidents in both categories), followed by manufacturing industry (81). In the whole 2011, 4732 accidents at work were registered. (Ministerio de Trabajo y Promoción del Empleo, 2011) In December 2019, 2685 non-fatal accidents at work were reported, and 23 fatal ones, while in the whole year 2019, there were 35,083 accidents at work in Peru. Manufacturing industry became a sector with the highest rate of accidents (603 out of 2708, i.e. 22.3%), followed by real estate activities (491 cases, i.e., 18%), construction (345, i.e. 12.6%), transport (317, i.e. 11.6%) and trade (262, i.e. 9.7%) (Ministerio de Trabajo y Promoción del Empleo, 2019c). Regarding enforcement of norms, incl. on health and safety at work, in 2019, the labour inspection services (National Labour Inspection Authority - SUNAFIL) carried out 55,928 inspections. 72% of them followed a complaint, with the highest number being in the real estate sector followed by trade, manufacturing industry, transport, administration, and construction (SUNAFIL, 2019). In its 2016 report, the ILO Committee of Experts noted that based on Act No. 29981 of January 2013 setting up labour inspection (SUNAFIL), in the transition period of six years, the inspection services should work as a private service provider, before a public service career system is implemented based on Civil Service Act of July 2013. Initial Personnel Assignment Table for inspection services envisaged 460 posts of auxiliary inspectors, 205 labour inspectors and 89 supervisors (by September 2015, out of 754 posts in total, 332 were occupied, of which 199 were auxiliary inspectors, 112 inspectors and 21 supervisors; by September 2016 the total number of personnel increased to 466, however, no break-down by categories was provided). At the TSD Sub-committee meeting in 2020,

Peru informed that the number of labour inspectors had increased to 723 in 2019 and 810 in 2020. Moreover, the number of enterprises visited by labour inspections had increased from 42,877 in 2019 to 70,300 in 2020 (European Commission, 2020c). The Government informed also about development of a training programme for inspection services, including occupational safety and health, inspection procedures and social and labour standards. Information was also provided about equipment (27 vehicles in Lima and one in each of 17 regional offices) and guidance regarding reimbursement of transport costs and supervision of daily expenses. On the other hand, the Committee of Experts received (in addition to information provided by the Government) a position of the Autonomous Workers' Confederation of Peru, referring to the absence of sufficient personnel to ensure the effective operation of the inspection services; the lack of sufficient financial and material resources (premises, equipment and vehicles); freedom of access to workplaces for inspection; the reimbursement of expenses incurred by labour inspectors in the discharge of their duties; and the procedure for issuing penalties which, does not fulfil its function (CEACR, 2016). In the report published in 2021, the Committee of Experts noted further information provided by the Autonomous Workers' Confederation of Peru, according to which the insufficient number of inspectors means that those who work are overloaded; moreover, they have only access to workplaces in the private sector, with no possibility to inspect public sector and workplaces in informal economy. In addition, SUNAFIL does not provide a safe and healthy working environment; e.g. protective equipment is missing during the pandemic. The Committee also noted, based on information provided by the Government, that the transition of labour inspectors into the civil service system (see above) had not been finished yet and is conducted in stages (CEACR, 2021). In 2018, cooperation with the ILO, representatives of the construction sector and the Government started a health and safety campaign (no more than 25 kg!) to reduce the weight of cement bags and thus to prevent occupational diseases (at the time, the cement bags in Peru were of 42.5 kg).[160] Another project launched in 2013 aimed at improved health and safety at work and productivity in enterprises from the agro-exporting sector.[161]

In **Ecuador**, the rate of adequate employment increased from 43.2% in 2007 to 49.3% in 2014. Since then, it started falling to 38.3% in 2019. The rate of adequate employment is understood in this context as a share in the total employment representing workers that work for 40 or more hours per week and earn at least the equivalent of a minimum wage. They may also work for less than 40 hours (because they do not want to work more) and earn at least the minimum wage. Over the same period, the rate of sub-employment went up from 18.2% in 2007 to 21.4% in 2017 to decrease again to 17.8% in 2019. This rate illustrates the share of workers who either have a part-time job (less than 40 hours per week) even though they would like to work full-time, as well as those who work for 40 or more hours per week, but earn less than the minimum wage. Additionally, the rate of those who work part-time for different reasons increased from 23.7% in 2007 to 28.0% in 2019 This group included e.g., women working part-time to run the household for the rest of the time, students combining work with education, persons with disabilities not able to work longer, but also (with an over 50% share in the group) persons operating in the informal economy, in non-registered firms or as self-employed. Both groups included persons with a low level of educational attainment (completed primary education or less). Regarding other job quality indicators, the situation has improved over the analysed period around the social security coverage of workers. While in 2007, 70.5% of workers did not have any social security insurance, this share decreased to 56.9% in 2018. There were, however, large differences between employees and self-employed, and those who had an adequate employment (the share of persons without a social security cover decreased in this group from 54.1% in 2007 to 30.1% in 2014), compared to those in sub-employment or other forms of inadequate employment (here, the share of persons without a social security

[160] ILO (2018), Seguridad y salud en el sector construcción del Perú: ¡25 Kilos - No más!: https://www.ilo.org/lima/sala-de-prensa/WCMS_644486/lang--es/index.htm

[161] ILO, Seguridad y salud en el trabajo y Productividad en la Agroexportación no tradicional en el Perú: https://www.ilo.org/lima/programas-y-proyectos/WCMS_226631/lang--es/index.htm

cover decreased from 84.7% in 2007 to 79.5% in 2014). 90.7% of workers not having a social security cover in 2014 worked in microenterprises[162]. Another job quality indicator, wages, were increasing between 2007 and 2013, while in the following period, their levels recorded fluctuations and remained at a similar level between 2016 and 2018. (INEC, 2018f; INEC, 2015b; INEC, 2017a; INEC, 2020) One of the elements deciding about the wage level is the minimum wage setting mechanism, according to each, if the tripartite talks do not end with an agreement, wages are set by the Ministry of Labour and then discussed in 22 sectorial councils to establish levels within each sector and across occupations. This may lead to discrepancies between sectors and minimum wage levels for the same occupations in different sectors being set at different levels (e.g., the minimum wage of a driver in the transport sector equals 60% of the minimum wage of a driver in the telecommunications sector). The system is said not to reflect productivity of sectors or enterprises. Therefore, its simplification is recommended e.g., by the World Bank, with a new design being focused on skills levels or age categories. (World Bank Group, 2019) Regarding working time, the Labour Code envisages an eight-hour-day and 40 hours a week, essentially, from Monday to Friday. In 2019, 39% of workers in Ecuador worked for 40 hours a week, 19% between 41 and 59 hours and 7% worked for 60 hours or more a week. In 2021, Ecuador ratified ILO Convention No. 190 on Violence and Harassment at the workplace (information provided by the Government of Ecuador).

The number of recorded accidents at work has been increasing systematically in Ecuador, from 6,304 in 2007 to 19,089 in 2017 (including an increase in fatal accidents from 135 in 2007 to over 200 annually in the following years (e.g., 274 in 2011). Around two thirds of accidents (64.3%) happened at the workplace while 19.2% during the journey to or from work.[163] Labour inspectors carried out 15,600 inspections in 2018 and 26,000 in 2019, out of which 20% resulted in fines for companies;[164] in the first ten months of 2020, labour inspectors conducted 7,409 inspections (European Commission, 2020c). According to the ILO Committee of Experts reports of 2015 and 2019, further to the initial increase in labour inspectors in Ecuador, from 65 in 2006 to 245 in 2013, the number fell again to 207 in 2015 (63 with permanent contracts, 108 with temporary appointments and 24 under call order contracts), allocated to seven regional and 32 provincial branches. Moreover, from 2017 to 2018, the number of inspectors decreased by 22.5% (although it is not clear, how it evolved between 2015 and 2017). At the 2020 TSD Sub-committee meeting, Ecuador informed that there were in total 135 labour inspectors in the country, which means a further reduction compared to previous years (European Commission, 2020c). The Committee of Experts also noted that out of 31 labour inspectors appointed in 2018 none had a permanent contract due to austerity measures. The Committee noted in that context that labour inspection should be composed of public officials whose status and conditions of service provide for stability of employment and ensure independence of changes of government and improper external influences. It also noted a Ministry of Labour project "Integrated Management System of Inspections Project, Integral Inspector 2.0" launched in 2016 aiming to improve work of labour inspection (CEACR 2015; 2019).

In 2019, the Trade Union Association of Agricultural, Banana and Rural Workers (ASTAC) outlined in a complaint working conditions in the banana sector directly employing 200,000 workers and up to 2 million indirectly. The sector displays a substantial concentration of production and exports of banana (e.g., four big enterprises possess 43% of cultivation

[162] In this context, it is important to note that the Ecuadorian Social Security Institute has (as of 2020) only 60 inspectors to check social security affiliation of workers in 91,562 companies in the country. (In 2019, further to 5,977 inspections, social security cover was provided to 40,345 workers.) See: El Comercio (February 2020), Solo 60 inspectores revisan las afiliaciones al IESS en todo el país: https://www.elcomercio.com/actualidad/inspectores-revision-afiliaciones-iess-ecuador.html

[163] IESS, *Boletín Estadístico*: https://www.iess.gob.ec/es/web/guest/estadisticas

[164] Expresso (January 2020), El 20% de las inspecciones de trabajo terminaron en sanciones en el 2019: https://www.expreso.ec/actualidad/economia/20-inpecciones-terminaron-sanciones-2019-3217.html; Ecuador TV (January 2019), Ministerio de Trabajo designa inspectores para velar por los derechos laborales: https://www.ecuadortv.ec/noticias/actualidad/ecuador-implementa-inspectores-de-trabajo

area while ten enterprises controlled 43% of banana exports in 2017) and imports (supermarket chains), as well as production and distribution of chemicals and technical inputs. Supermarkets play an important role in setting the import price, which (when established at the low level) has a direct impact on revenues, workers', and producers' incomes, as well as respect for labour and environmental standards. In a survey carried out among workers in the sector, 68% did not have a formal contract and 82% who had a written one had not received its copy and did not know its provisions. Moreover, 70.3% did not receive payslips and were not able to check how their salaries had been calculated, including extra hours (80% of workers had working days extended to 10 hours a day), around half of workers did not receive 13th or 14th salary and two thirds did not have holidays. Protective clothing and tools provided at the plantations were deducted from salaries, as were other (not explained) items. Tasks allocated to workers were in many cases not possible to be completed during a day, which in turn reduced incomes below the minimum wage level. Furthermore, only 49% of workers were covered by the social security contributions (contrary to the existing legislation which foresees penalties for no affiliation of workers to social security by their employer). In 2017 and 2018, three Ministerial regulations introduced special regimes for temporary contracts in the banana sector reducing stability of working relations, and worsening conditions for trade union operation and collective bargaining in the sector. In addition, the requirement of having at least 30 workers to establish a trade union represented a hurdle in the sector where many enterprises are small and owners apply practices to avoid trade union activity (e.g., by dividing enterprises into parts, keeping workers without social security affiliation, creating own trade unions, using threats, etc.) Finally, the use of chemicals has proved to have negative impacts on health of workers and inhabitants in the plantation areas[165].

In **the EU**, the proportion of temporary workers to all employees remains stable, at 14%. Temporary workers more often face challenges in access to training, career advancement, job security and decision autonomy. They are also three times more likely to be at risk of poverty than those with permanent contracts (16.3% compared to 5.8% in 2017), Since 2008, the number of part-time jobs increased substantially (being at 19.2% in 2018), however, it started slightly decreasing since 2016. Moreover, the share of involuntary part-time jobs (i.e., people working part-time although willing to have a full-time job) in all part-time jobs decreased from a peak of 29.6% in 2014 to 24.6% in 2018. Self-employed without employees account for 9.8% of employment in the EU, in some cases hiding a *de facto* employee-employer relationship circumventing labour law (e.g., about the minimum wages and working hours), collective agreements, employment tax and social security contributions. The share of "platform workers" in total employment was of 1.4% (as the main activity) in 2018. The lack of clarity concerning their status and form of employment, i.e., employees compared to self-employed, may raise questions about their job quality, rights, and social security coverage. According to a one-off study, undeclared work in the EU was at 9.3% in 2013, with differences between Member States. The European Platform to Tackle Undeclared Work facilitates cooperation between relevant authorities from the EU Member States.[166] (European Commission, 2020a) Regarding working time, a full-time employee worked in the EU on average 37.1 hours a week in 2019.[167]. Regarding health and safety at work, the incidence of non-fatal accidents per 100,000 workers decreased slightly between 2012 and 2018 (by 0.8%) with the highest rate being recorded in four sectors: construction, transportation and storage, administration, and manufacturing.[168]

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[165] ASTAC (2019), Queja de las trabajadoras y los trabajadores bananeros por violación de derechos: https://ecuador.fes.de/news-list/e/queja-de-las-trabajadoras-y-los-trabajadores-bananeros-por-violacion-de-derechos/

[166] European Commission, DG Employment, undeclared work: http://ec.europa.eu/social/main.jsp?catId=1298&langId=en

[167] EUROSTAT, (2020), Hours of work - annual statistics: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Hours_of_work_-_annual_statistics

[168] EUROSTAT, (2020), Accidents at work - statistics by economic activity: https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Accidents_at_work_-_statistics_by_economic_activity#Developments_over_time

In October 2020, the Commission presented a proposal for an EU Directive aiming to ensure adequate minimum wages for workers across the EU[169]. In the annual editions of a report Employment and Social Developments in Europe, the Commission analysed situation on the labour market and in the EU's economy, progress achieved and challenges ahead and provided proposals for policy responses[170]. The EU is also committed to implement the ILO Centenary Declaration for the Future of Work[171]. (Joint Statement, 2019)

1.1.6 Consumers, prices, welfare, poverty, and inequality

In **Colombia**[172], the share of population living below the poverty line has decreased from 42% in 2008[173] to 27% in 2018 (with a later increase to 29% in 2019) and the rate of those living in extreme poverty decreased from 17.8% in 2008 to 7.4% in 2017 increasing then to 10.9% in 2019. For 2020, the Economic Commission for Latin America and the Caribbean (ECLAC/CEPAL) forecast a further increase in poverty level to 34.1% and in the extreme poverty to 14.3%[174]. In the regional overview, there were large differences in poverty and extreme poverty levels between metropolitan areas (30.7% and 6.8% in 2008), towns (39.8% and 13.1% in 2008) and rural areas (65.2% and 32.6% in 2008). The lowest poverty levels in cities were recorded in 2008 in Bogota (22.5%), Bucaramanga (24.7%), Villavicencio (29.2%) and Cali (30.1%), while the highest ones were in Manizales (47.7%) and Montería (41.7%)[175]. In 2018, the lowest poverty levels among 23 cities were reported by Manizales (11.9%) and Bogota (12.4%), while the highest ones were recorded in Quibdó (48.3%), Riohacha (47.5%) and Cúcuta (36.2%)[176]. Nationally, higher levels of poverty were related to cases where women acted as heads of households (around 3-5 percentage points higher than in cases when men played that role) and in cases of households led by persons with low level of education, unemployed or being economically active as self-employed (often meaning informal employment), not having social security coverage and in cases where there were three or more children in the family. The Gini coefficient[177] illustrating inequality rate has slightly improved from 0.589 in 2008 to 0.508 in 2017 (values moving towards zero indicate lower level of inequality). (DANE 2008-2019)

Regarding household expenditures, the largest share was related to costs of an apartment (or house), i.e. rent and charges (28.7% in 2016/2017 compared to 23% in 2006/2007), followed by diverse goods and services, e.g. social security, insurance, personal objects

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[169] Advancing the EU social market economy: adequate minimum wages for workers across Member States: https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1968

[170] Employment and Social Developments in Europe (2020) Leaving no one behind and striving for more: fairness and solidarity in the European social market economy: https://ec.europa.eu/social/main.jsp?catId=738&furtherPubs=yes&langId=en&pubId=8342; Employment and Social Developments in Europe (2019) Sustainable growth for all: choices for the future of social Europe: https://op.europa.eu/en/publication-detail/-/publication/747fefa1-d085-11e9-b4bf-01aa75ed71a1/language-en

[171] ILO Centenary Declaration for the Future of Work (2019): https://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_711674.pdf

[172] In addition to other quoted sources, a presentation of the Colombian Department of National Planification (2018) provides a detailed overview of indicators related to poverty in 2007-2017 (Pobreza monetaria y multidimensional en Colombia): https://colaboracion.dnp.gov.co/CDT/Desarrollo%20Social/Presentaci%C3%B3n%20Pobreza%202009%20-%202017.pdf

[173] DANE publications from 2008-2009 provide higher values of poverty rate for these two years, i.e. 46% in 2008 and 45.5% in 2009, calculated in line with a previously applied methodology.

[174] MSN Dinero (July 2020), Pobreza extrema subiría en Colombia al 14,3% en 2020, según Cepal (ECLAC): https://www.msn.com/es-co/dinero/economy/pobreza-extrema-subir%C3%ADa-en-colombia-al-143percent-en-2020-seg%C3%BAn-cepal/ar-BB179wJ0

[175] Regarding extreme poverty, in 2008, the lowest levels were recorded in Bucaramanga (3.3%), Bogota (3.9%) and Villavicencio (6.0% while the highest were in Manizales (12.7%) and Barranquilla (10.5%).

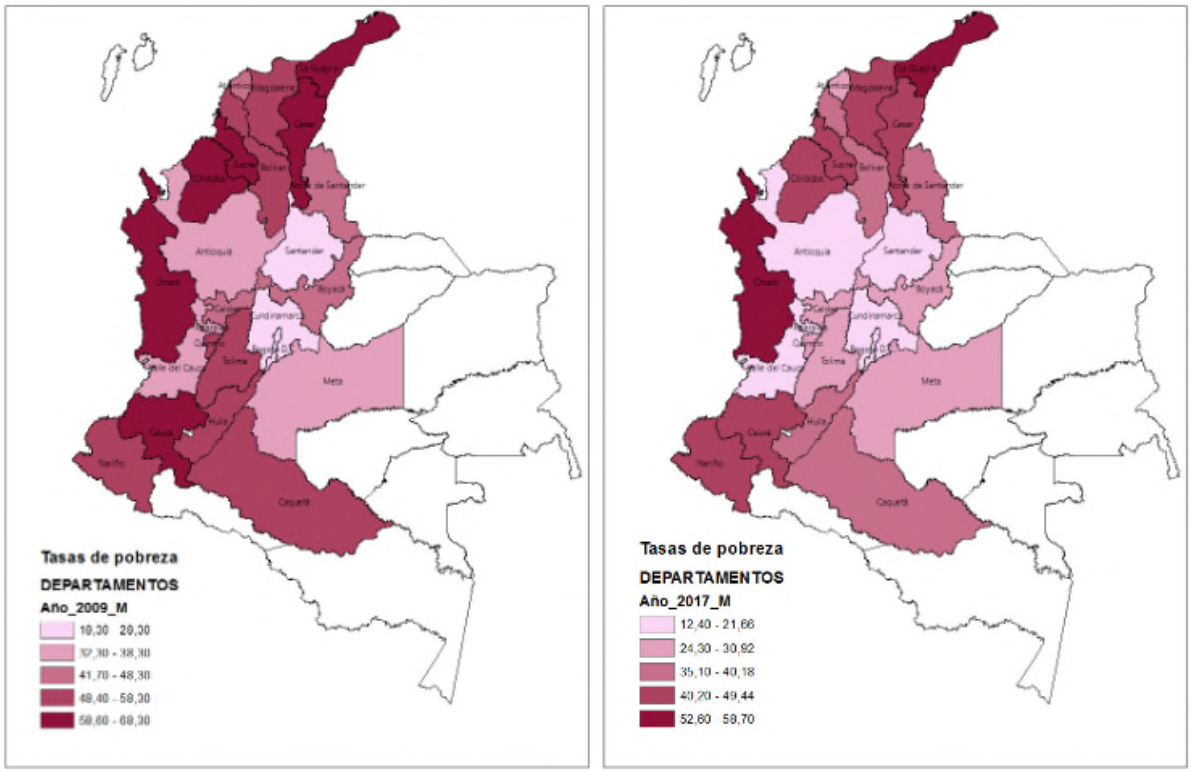
[176] Regarding extreme poverty, in 2018, the lowest levels were recorded in Bucaramanga (1.6%), Pereira (1.7%) and Manizales (2.1%), while the highest were in Quibdó (16.9%), Riohacha (16%).

[177] The Gini coefficient is a measure of statistical dispersion intended to represent an income or wealth distribution among the residents of a given country or region and is the most commonly used measure of inequality. Zero expresses perfect equality, where all values are the same (e.g. everyone has the same income) and 1 (or 100%) maximal inequality among values (e.g. one person has all the income or consumption, and all others have none).

(18.3% in 2016/2017 and 19.6% in 2006/2007), food and non-alcoholic beverages (15.9% and 19.2% respectively), transport (9.5% and 9.1%), hospitality, e.g. eating out (8.4% and 9.1%), clothing and footwear (3.9% and 4.5%), household furniture, other equipment and maintenance (3.5% and 3.6%)[178]. (DANE, 2018) Incomes in 2006/ 2007 were in 60-80% coming from wages and incomes of self-employed, transfers (10%-25%) and in a much smaller part from capital revenues (1.7%-4.3%) and occasional work (1.6%-5.1%) (DANE, 2009) In 2016/2017, incomes from wages accounted for 48%, self-employed provided 26.1%, transfers 15%, and capital revenues 5.4% (DANE, 2018)

Factors contributing to poverty reduction included economic growth, job creation, increase in per capita income, stable prices, notably food prices, and the peace process (including land restitution, reparations for victims and projects supporting vulnerable communities). At the beginning of the decade, economic growth was supported by macroeconomic policies and favourable terms of trade, including high commodity prices which encouraged exports and foreign direct investment in oil and mining. (World Bank, 2015; 2016) Further to fall in commodity prices in mid-2010s, Colombia increased public deficit, adjusted exchange rate, and reformed tax system in 2016 to create other sources of public revenues and to reduce dependency on incomes from oil exports. Greater public revenues were also meant to support public transfers to further reduce poverty and inequality and to support public investment, e.g., in infrastructure. Other measures simplifying procedures to establish and run enterprises and reducing fiscal burden should help create formal jobs and reduce levels of informality. In this context, OECD recommended to Colombia to take further measures, e.g., to improve the quality and coverage of the education system, and skills development to include also disadvantaged regions and increase productivity. (OECD, 2017b)

Figure 9: Poverty rate in Colombia in 2009 and 2017



Source: Departamento Nacional de Planeación (2018), Pobreza monetaria y pobreza multidimensional, análisis 2010-2017

[178] El Tiempo (2018), *En 10 años, los hogares gastan menos en comida y más en vivienda*: https://www.eltiempo.com/economia/sectores/presupuesto-de-los-hogares-colombianos-2018-254640

In **Peru**, the share of population living in poverty decreased from 42.4% in 2007 to 20.5% in 2018. In the same period, the rate of extreme poverty decreased from 11.2% to 3.8%. Poverty levels in rural areas also decreased from 74% in 2007 to 42.1% in 2018, although during the whole analysed period remained around twice as high as the national average and around three times higher than in urban areas (30.1% in 2007 and 14.4% in 2018). (It is estimated that due to COVID-19 and the loss of precarious jobs and incomes, notably in the services sector in urban areas, the levels of poverty may increase in Peru in 2020 to 27%, while the share of people in poverty in urban areas may go up from 15% to 20%. In rural areas, poverty it is likely to increase from 41% to 45%[179]. Moreover, even without taking COVID-19 impacts into account, it is estimated that further 34% of the population faces a risk of falling into poverty if their situation is not addressed. In urban areas, this is 30.7%, while in rural areas of 46.2%, with agriculture being the sector where the highest share of that group works[180].) In the regional overview, the lowest rates of poverty were recorded in the coastal regions (14.4% in 2017) and the highest in the mountains (31.6% in 2017). Higher poverty levels were reported among children and teenagers, indigenous population (64.8% in 2007 and 33% in 2017), in households with over four persons and where members represented low levels of education attainment. In 2018, most of the poor (83%) had health care insurance (which marked significant progress compared to 2007 when only 36.2% had it), while only 11.5% had a social security cover with an entitlement to old age pension. 94.4% were in informal employment, mainly in agriculture (55.3%), followed by services, incl. hospitality sector (14.2%) and trade (12.3%). In 2017, 82.6% worked in microenterprises employing 1-5 persons (increase from 78% in 2007). This included 47.4% working as self-employed. (INEI, 2018a; 2019a)

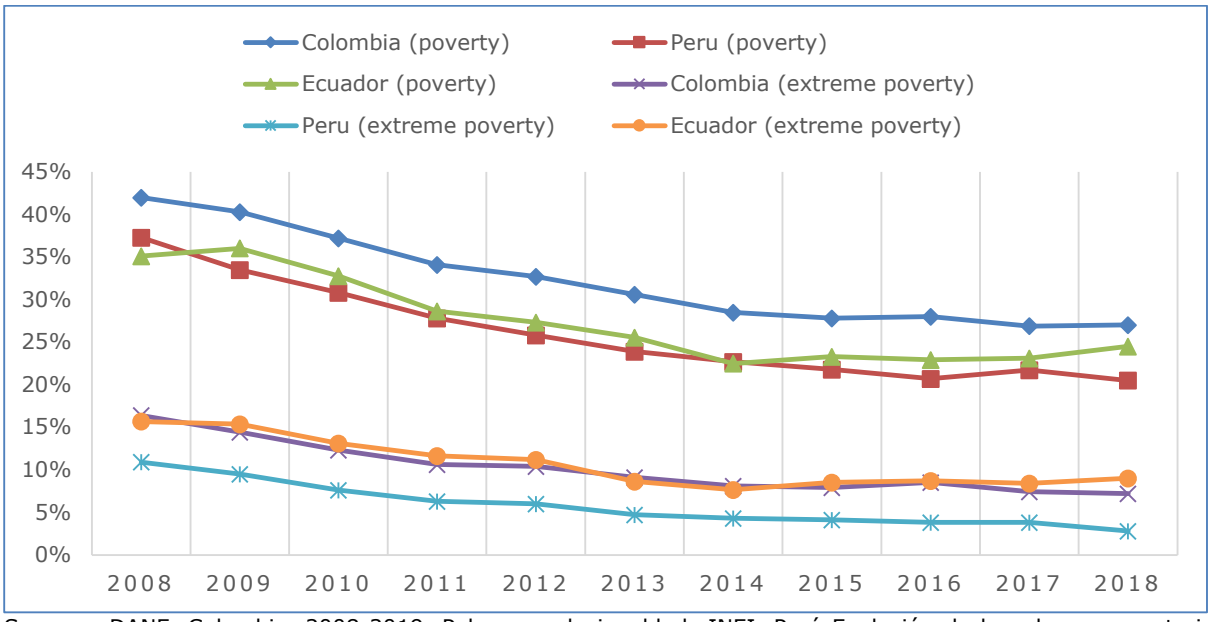
Real expenditures increased between 2007 and 2017. The largest expenditure category was represented by food to eat at home (31.4% in 2007 and 26.5% in 2017), followed by costs related to apartment (16.4% in 2007 and 19.5% in 2017), food eaten out (13.7% and 13.4%), health (7.9% and 8.0%), transport (6.4% and 7.2%), diverse goods and services (4.9% and 5.1%), communication (4.3% and 3.9%), education (3.8% and 4.1%), culture and recreation (3.7% and 4.0%), clothing and shoes (3.6% and 4.3%), furniture and house equipment (3.5% and 3.7%). Real incomes also increased although since 2012, the upward trend has been quite flat and in 2017-2018 a drop in incomes measured in current prices was recorded[181]. Slightly over 70% of incomes (in 2007 and 2017) originated from work, and 7.0%-9.0% from transfers, the rest from savings on rent, and public and private donations. (INEI, 2018a; 2018b)

[179] RPP noticias (September 2020), Pobreza en el Perú aumentaría abruptamente a 27% este año: https://rpp.pe/economia/economia/pobreza-en-el-peru-aumentaria-abruptamente-a-27-este-ano-macroconsult-midis-vulnerabilidad-economia-familiar-noticia-1292626

[180] Gestión (December 2020), El 34% de los peruanos está en riesgo de caer en la pobreza: https://gestion.pe/peru/el-34-de-los-peruanos-esta-en-riesgo-de-caer-en-la-pobreza-noticia/

[181] Also: P. Paz and C. Urrutia (2015), *Crecimiento económico y evolución de los salarios en el Peru 1998-2012*: http://repositorio.up.edu.pe/bitstream/handle/11354/1504/C%C3%A9spedesNikita2016Cap10.pdf?sequence=1; *Conoce la evolución del sueldo mínimo en el Perú*: http://www.infocapitalhumano.pe/recursos-humanos/noticias-y-movidas/conoce-la-evolucion-del-sueldo-minimo-en-el-peru-2/; Incremento a cuentagotas: la evolución del sueldo mínimo en el Perú: https://larepublica.pe/economia/2019/10/31/aumento-sueldo-minimo-peru-2019-evolucion-del-salario-actual-video-atmp/

Figure 10: Poverty and extreme poverty levels in Colombia, Ecuador and Peru, 2008-2018

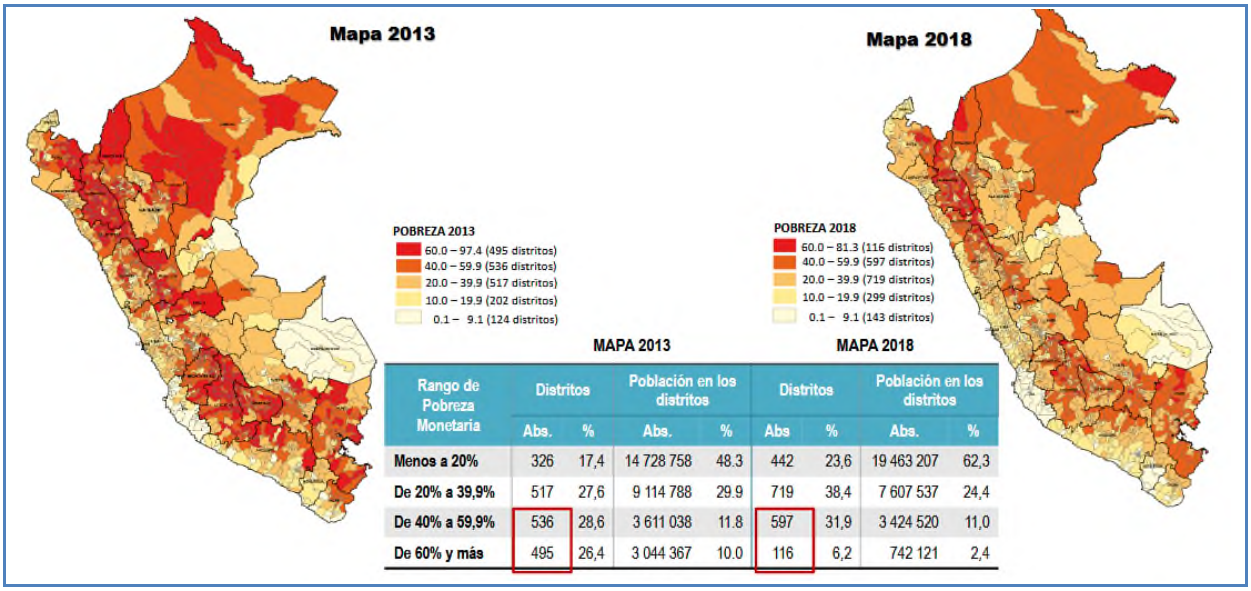


Sources: DANE, Colombia, 2008-2019, Pobreza y desigualdad; INEI, Perú Evolución de la pobreza monetaria 2007-2017; INEI, Perú, Resultados de la pobreza monetaria 2018; INEC, Ecuador (2014), Reporte de pobreza por ingresos: INEC, Ecuador (2016 and 2018), Reporte de pobreza y desigualdad

Factors which contributed to poverty reduction in Peru include economic growth at the beginning of the analysed period driven by high prices of raw materials exported mainly to China, foreign direct investment, trade agreements, low inflation rate, reduced public deficit and redistributive policies, e.g., transfer of half of taxes coming from the mining industry to regions and municipalities where the raw materials had been extracted. (Herrera, 2017) Moreover, the Government designed social interventions supporting households living in poverty in access to health care, education, nutrition programmes in schools, income generation opportunities (e.g. family farms and enterprises) and monetary transfers for persons of the retirement age to support their incomes and welfare[182]. (Ministerio de Desarrollo e Inclusión Social, 2018 and Herrera, Cozzubo, 2017a) Against the background of the fall in prices of exported commodities halfway through the last decade, some authors advocated the use of reform in tax system to increase income taxes and tax collection and to decrease the burden of indirect taxes. They also supported continuation of social investment programme with expenditures for health care and education, diversification of the economy (to reduce dependency on commodities) and sustainable development, speaking against lowering of labour and environmental standards or introducing too much of flexibility e.g., in the labour market. (Oxfam, 2015)

[182] BBC (January 2017), Cómo Perú deslumbró al mundo al reducir más de 50% de la pobreza en 10 años: https://www.bbc.com/mundo/noticias-38497627

Figure 11: Poverty rate in Peru in 2013 and 2018



MAPA 2013 / MAPA 2018

Rango de Pobreza Monetaria	Distritos		Población en los distritos		Distritos		Población en los distritos	
	Abs.	%	Abs.	%	Abs	%	Abs.	%
Menos a 20%	326	17,4	14 728 758	48.3	442	23,6	19 463 207	62,3
De 20% a 39,9%	517	27,6	9 114 788	29.9	719	38,4	7 607 537	24,4
De 40% a 59,9%	536	28,6	3 611 038	11.8	597	31,9	3 424 520	11,0
De 60% y más	495	26,4	3 044 367	10.0	116	6,2	742 121	2,4

Source: INEI (2020), Comisión Consultiva de Pobreza, Mapa de pobreza monetaria distrital

In **Ecuador**, the share of population living below the poverty line decreased from 36.7% in 2007 to 22.5% in 2014 to rise again to 24.5% in 2018 (showing also fluctuations along that period) and the rate of extreme poverty has decreased from 16.5% in 2007 to 7.6% in 2014 to increase in 2018 to 9%. In the same period, the level of equality has improved, and the Gini coefficient has changed its value from 0.551 in 2007 to 0.462 in 2017 and 0.472 (slightly worse) in 2018. (INEC, 2014; 2018d) It is estimated that between 2007 and 2017, around 1.6 million people exited poverty and one million extreme poverty in Ecuador. (World Bank Group, 2018) However, it is also estimated that due to COVID-19 and job loss, in 2020 the poverty level in Ecuador will increase again, from 27.2% in 2019 to 37.6%, i.e., by 1.8 million persons, and the extreme poverty from 10.7% in 2019 to 19.2% which may nullify (at least in the short-term perspective) the gains from the last decade.[183] According to Unicef, 715,000 families with children may fall into poverty and be unable to satisfy their needs regarding education, health care, food, place to live, work and social protection. It is also estimated that the lockdown measures and fall in demand for goods and services in 2020, and the resulting job reductions and closure of enterprises may reduce the middle class from 32% to 24.7% of the society.[184]) Regarding the area of residence, poverty levels were higher in the last decade in rural areas (61.5% in 2006 and 47.3% in 2014) than in urban ones (24.9% in 2006 and 15.5% in 2014) and the same goes for extreme poverty, i.e. 26.9% in 2006 and 13.5% in 2014 in rural areas compared to 4.8% in 2006 and 1.9% in 2014 in urban ones. In the regional overview, the highest poverty rates were in the Amazonia region (59.7% in 2006 and 47.7% in 2014), followed by coastal region (40.3% in 2006 and 24.7% in 2014) and mountains (33.8% in 2006 and 24.5% in 2014)[185]. In the overview across departments and their main cities, there is no clear pattern regarding the poverty rate in the analysed period until 2019. Out of five cities, Cuenca (department of Azuay) and Ambato (Tungurahua) swap in leadership displaying the lowest poverty rates (e.g., Cuenca 4.15% in 2013 and 2.8% in 2018), followed by

[183] Primicias (2020), FMI: urge protección social ante incremento de la pobreza en Ecuador: https://www.primicias.ec/noticias/economia/acuerdo-fmi-hogares-pobreza-pandemia-ecuador/

[184] Primicias (2020), Crisis cambia el mapa social de Ecuador, clase media la más golpeada: https://www.primicias.ec/noticias/economia/crisis-cambia-mapa-social-ecuador/

[185] Regarding extreme poverty, the highest rates were recoded again in the Amazonia region (39.6% in 2006 and 21.8% in 2014), however, this time in the mountains they were higher (12.2% in 2006 and 5.6% in 2014) than in coastal region (10.8% in 2006 and 4.2% in 2014). See: INEC, Encuesta de Condiciones de Vida 2013-2014: https://www.ecuadorencifras.gob.ec/encuesta-de-condiciones-de-vida-ecv/. However, other sources quote different figures, see, e.g.: World Bank Group (2018), *Ecuador Systematic Country Diagnostic*: https://openknowledge.worldbank.org/handle/10986/30052

Quito (Pichincha). Guayaquil (Guayas) and Machala (El Oro) record higher rates. There is no such pattern regarding extreme poverty rates and all cities swap in showing the lowest rates in different years over the analysed period. (INEC, 2013, 2014, 2018d) A higher poverty likelihood has been related with children, households having on average five persons or more, indigenous population that has not experienced the same pace of poverty reduction as other groups (poverty rate of 70.9% in 2006 and 64.8% in 2014), low levels of educational attainment (primary or less), work in agriculture (ca. 50% in 2006-2014).

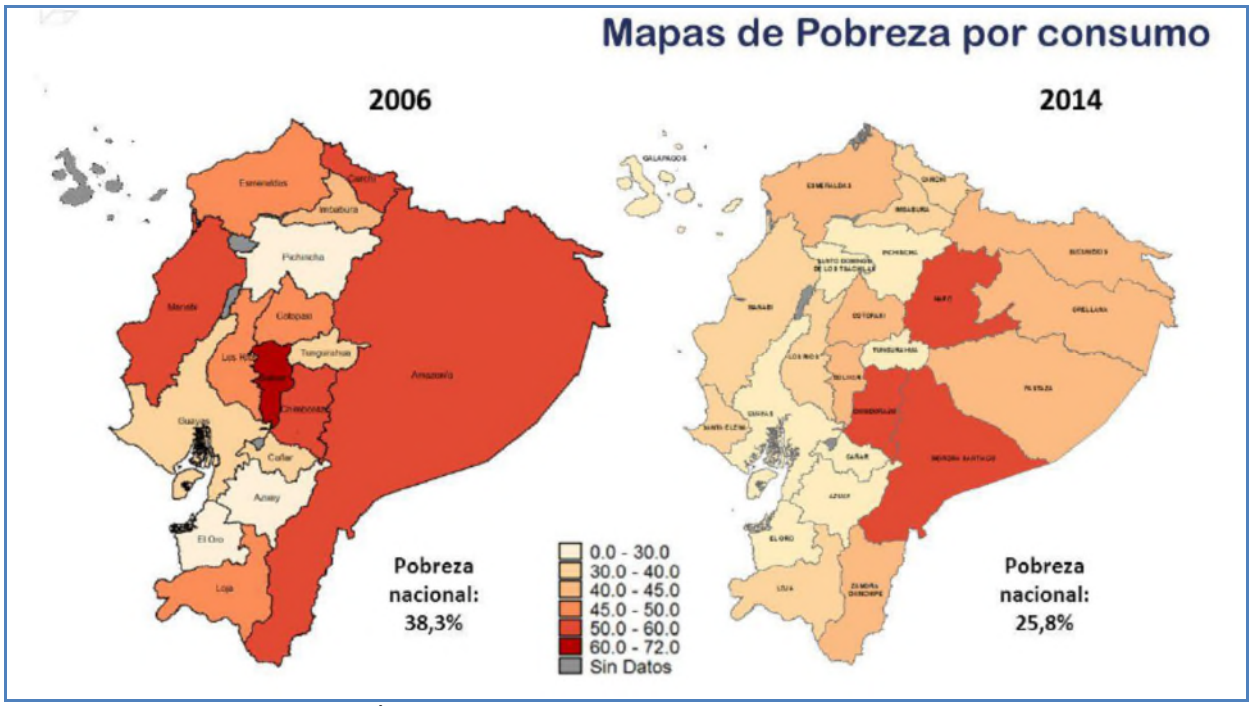
In the first part of the analysed period poverty reduction was related with economic growth, an increase of urban population (due to migration from rural areas), job creation in urban areas (e.g. in construction and services), as part of public investment, real wage increase (by 41% to 51% in the poorest 40% of the population) and minimum wage increase, social policies including extended social security coverage, broader access to health care services and education, and public transfers from the Human Development programme (Bono de Desarrollo Humano). (World Bank, 2018 and 2016a; ODI, 2015) In 2018, the Government adopted the Plan for Prosperity (2018-2021) assuming better management of public funds (e.g., via streamlining of public institutions, improved public procurement, strengthening of the Central Bank, preserving public investment in infrastructure and other development projects, including through public-private partnerships and access to external financing of public debt on better conditions). It also envisaged increased incomes from oil extraction and responsible mining. Regarding the vulnerable part of the population, the Plan included extension of social security coverage, a credit encouraging entrepreneurship in families receiving social cash transfers, access to funds for MSMEs and programmes in agriculture, and improvement of investment conditions for private sector with a view of job creation. (Gobierno de Ecuador, 2018)

The new credit programme agreed with IMF for USD 6.5 billion for 27 months foresees inter alia extension of the social protection cover in Ecuador. The Government committed to provide it to 80% (instead of the current 37%) families from the 30% of the population having the lowest incomes. This means supporting 225,000 instead of 62,240 families with the Bono de Desarrollo Humano in 2020 and another 400,000 families in 2021. The country has also been advised to review the social register (data base providing reference for social assistance) to ensure that it covers all persons and families in need. This would serve also as a starting point for a broader support to persons eligible for pensions and other social benefits (the Human Development Credit). In the spring 2020, the Government provided financial assistance to families in extreme poverty to buy food and to ensure health care[186].

Regarding purchasing power of the society as consumers and their expenditures, in 2011-12, costs of food and non-alcoholic beverages accounted for 24.4% of average household expenditures, followed by transport (14.6%), diverse goods and services (9.9%), clothing and footwear (7.9%), hotels and restaurants (7.7%), health (7.5%), apartment/house (7.4%), furniture and other equipment (5.9%), communication (5%), culture and recreation (4.6%) and education (4.4%). (INEC, 2012)

[186] Primicias (2020), FMI: urge protección social ante incremento de la pobreza en Ecuador: https://www.primicias.ec/noticias/economia/acuerdo-fmi-hogares-pobreza-pandemia-ecuador/

Figure 12: Poverty rate in Ecuador in 2006 and 2014



Source: INEC (2015), Presentación de resultados, Encuesta de Condiciones de Vida 2013-2014

1.1.7 Corporate Social Responsibility (CSR) / Responsible Business Conduct (RBC)

Colombia adopted in 2015 the National Action Plan on Business and Human Rights, with an emphasis on three sectors: mining and energy, agro-industry and infrastructure given that they have a potential to create social conflicts and have impacts on human rights and environment. (Consejería Presidencial DDHH, 2015) The Plan has been aligned with the National Strategy for Human Rights 2014-2034 and Public Policy for Business and Human Rights (2014). Two reports analysing its implementation were published in 2017 and 2018 (Consejería Presidencial DDHH, 2017a and 2018a) followed by recommendations issued in 2018 concerning its revision and update, meant as a guidance for the new Government in Colombia. (Consejería Presidencial DDHH, 2018b) Among achievements of the Plan, there are guidelines for socially responsible public procurement and human rights policy for the mining sector[187]. In this context, it is worth to mention that civil society representatives from the EU and the Andean partner countries gathered at the annual joint meeting under the Trade and Sustainable Development Title in Lima in 2017 emphasised the role which the National Action Plan on Business and Human Rights can play in encouraging respect for human rights by enterprises. They noted however, that the 2015 version of the Plan should be revised to take account of the Peace Agreement and that civil society and the affected communities should have an opportunity to contribute to the updated version. They also made a reference to the Roadmap set by the European Parliament in 2012 to improve respect for human rights and labour and environmental standards in Colombia[188]. Indeed, the work on the new National Action Plan started in 2019 and public consultations were carried out. The Plan was adopted in 2019. (Consejería Presidencial DDHH, 2019) Colombia belongs to Parties adhering to OECD Guidelines for Multinational Enterprises and has established the National Contact Point in the Ministry of Trade, Industry and Tourism. Between 2016 and 2020, it has considered five specific instances in total, i.e., complaints

[187] Consejería Presidencial para los derechos humanos y asuntos internacionales (2018), En empresas y derechos humanos Colombia debe seguir construyendo sobre lo construido: http://www.derechoshumanos.gov.co/Prensa/2018/Paginas/empresas-derechos-humanos-colombia-contruir-sobre-construido.aspx

[188] Summary of the discussion and key messages of civil society representatives and participants from the EU, Colombia, Peru and Ecuador (TSD Title), 2017: https://www.eesc.europa.eu/en/final-declaration

against companies not complying with the Guidelines. The cases were related to the mining sector, hospitality, communication, insurance and oil and gas sectors[189] According to the state of 2018, in addition to the existing international instruments in the area of CSR, there was some guidance in Colombia regarding practices which may be followed by companies, however, there was no legislation which would regulate any of their elements. In 2010, the Constitutional Court passed the ruling saying inter alia that CSR practices are voluntary and should complement, in the spirit of solidarity, the economic dimension of company's operation.[190]

Colombian enterprises pursue CSR/RBC practices. In the Sustainability Yearbook published in 2019 by RobecoSAM (a company specialised in environmental, social and governance data), 12 Colombian enterprises were listed among leading in their sectors, including two classified in the "gold class" (Bancolombia SA in the banking sector and Grupo Argos in the construction materials sector). Moreover, three companies representing food products, financial services, and construction materials ranked in the silver class, while one from the electric utilities sector in the bronze one[191]. In a survey carried out in 2016 in Colombia among 5,238 persons: CSR experts, financial analysts, economic journalists, Government representatives, NGOs, trade unions, consumer associations, social media managers and company managers, analysing CSR/RBC practices applied by Colombian enterprises, the top four scorers included a banking group, two representatives of the food and drink sector and a company from the construction materials sector. In a similar ranking of 2019, three of them remained at the top[192].

In **Peru**, work on the National Action Plan for Business and Human Rights started in 2018 and has been led by the Ministry of Justice and Human Rights with contributions from civil society organisations and universities, the latter being invited to prepare diagnosis of the state of play in the country, as a baseline preceding formulation of the Plan[193]. There are also other initiatives, e.g., the programme Responsible Peru, promoting CSR/RBC practices and culture through training, workshops and technical assistance for enterprises to improve their competitiveness and sustainability with a focus on those forming part of value chains of large enterprises or being suppliers of public sector institutions. Another part of the programme aims at improving employability and creating jobs and entrepreneurship opportunities for people form vulnerable groups, through cooperation between business, universities, regional and local authorities, and civil society organisations. While aiming at reducing inequalities in opportunities in the society, it also contributes to achieving SDGs. The programme improves visibility of CRS/RBC practices by maintaining register of socially responsible enterprises, national directory of companies with sustainability reports, and granting a certificate "Responsible Peru" to enterprises managed in a socially responsible

[189] OECD Guidelines for Multinational Enterprises: http://mneguidelines.oecd.org/

[190] La República (2018), Normas que regulan los planes de sostenibilidad o de responsabilidad social en Colombia (5 de abril de 2018): https://www.larepublica.co/responsabilidad-social/normas-que-regulan-los-planes-de-sostenibilidad-o-de-responsabilidad-social-en-colombia-2709324

[191] The participating companies from 60 sectors and countries from across the world were assessed in a number of criteria. Those that scored 60 points and above and were in the top 1% of their industry qualified to the gold class. Those with at least 57 points and ranking within 1% to 5% of the top companies in their sector qualified to the silver class and those within the top 5% to 10% and with at least 54 points fell in the bronze class. See: RobecoSAM (2019), Sustainability Yearbook: https://www.spglobal.com/esg/csa/yearbook/img/the_sustainability_yearbook_2019.pdf

[192] Dinero (2017), Las empresas con mejor percepción de responsabilidad social de 2016: https://www.dinero.com/empresas/articulo/las-empresas-con-mejor-responsabilidad-social-de-2016/242791; Merco, Responsabilidad y Gobierno corporativo (2019): https://www.merco.info/co/ranking-merco-responsabilidad-gobierno-corporativo

[193] Pontificia Universidad Católica del Perú (August 2019), Plan Nacional de Acción sobre Empresas y Derechos Humanos: Avances y pendientes: https://idehpucp.pucp.edu.pe/notas-informativas/plan-nacional-de-accion-sobre-empresas-y-derechos-humanos-avances-y-pendientes/; Pontificia Universidad Católica del Perú (July 2020), ¿Por qué en Perú se está elaborando un primer Plan Nacional de Acción sobre Empresas y Derechos Humanos?: https://idehpucp.pucp.edu.pe/notas-informativas/por-que-en-peru-se-esta-elaborando-un-primer-plan-nacional-de-accion-sobre-empresas-y-derechos-humanos/

way.[194] Moreover, Peru belongs to Parties adhering to the OECD Guidelines for Multinational Enterprises and has established the National Contact Point at the Investment Promotion Agency (PROINVERSION)[195]. Between 2009 and 2018, it handled five specific instances, i.e., complaints against businesses operating in the mining sector, telecommunications, metal processing, and hotel industry.

According to a survey carried out by the National Confederation of Private Business Institutions (CONFIEP) with 260 Peruvian enterprises, 45% of them pursued human rights policy in their operations and 76% of these applied it in relations with their suppliers[196]. Peruvian enterprises and multinationals operating in the country provide also examples of CSR/RBC practices, including those outlined in the annual report of the international network Corresponsables. In its 2017 Peru edition, each participating company was also assessed regarding its contribution to attainment of SDG.[197]

With an event held in October 2020, **Ecuador** launched the process of elaboration of the National Action Plan on Business and Human Rights.[198] The Government will be supported in this work by OECD, UN agencies, the ILO, and the EU. The Plan will form part of the EU project implemented since 2019, related to promoting CSR/RBC practices in countries of Latin America and the Caribbean.[199] Ecuador does not adhere yet to the OECD Guidelines for Multinational Enterprises and therefore does not have an NCP within this framework. However, there are examples of CSR/RBC practices followed by companies and outlined in the annual report of international network Corresponsables (2017 edition for Ecuador).[200]

[194] Ministerio de Trabajo y Promoción del Empleo, Programa nacional de promoción de la responsabilidad social empresarial - Perú responsable: https://www.trabajo.gob.pe/PERU_RESPONSABLE/

[195] National Contact Point for OECD Guidelines for Multinational Enterprises, Peru: http://www.investinperu.pe/modulos/JER/PlantillaStandard.aspx?are=0&prf=0&jer=8006&sec=1

[196] Ministerio de Justicia y Derechos Humanos (July 2019), Plan Nacional de Acción sobre Empresas y Derechos Humanos será un eje central del trabajo del MINJUSDH en el segundo semestre del año: https://www.gob.pe/institucion/minjus/noticias/46007-plan-nacional-de-accion-sobre-empresas-y-derechos-humanos-sera-un-eje-central-del-trabajo-del-minjusdh-en-el-segundo-semestre-del-ano

[197] Corresponsables, Anuario Perú (2017), http://publicaciones.corresponsables.com/publication/b906a871/mobile/

[198] Ministerio de Relaciones Exteriores de Ecuador (October 2020), Ecuador: Complementario a su rol en el Tratado vinculante, el Estado inicia el proceso de elaboración del Plan Nacional de Acción sobre empresas y derechos humanos: https://www.business-humanrights.org/es/%C3%BAltimas-noticias/ecuador-complementario-a-su-rol-en-el-tratado-vinculante-el-estado-inicia-el-proceso-de-elaboraci%C3%B3n-del-plan-nacional-de-acci%C3%B3n-sobre-empresas-y-derechos-humanos/

[199] Secretaría Técnica Planifica Ecuador (October 2020), Ecuador lanzó oficialmente el proceso de elaboración del "Plan de Acción Nacional sobre Empresas y Derechos Humanos (PAN)": https://www.planificacion.gob.ec/ecuador-lanzo-oficialmente-el-proceso-de-elaboracion-del-plan-de-accion-nacional-sobre-empresas-y-derechos-humanos-pan/

[200] Corresponsables, Ecuador (2017), Organizaciones responsables y sostenibles. Por un Ecuador mejor para todos: http://publicaciones.corresponsables.com/publication/be6b6c68/mobile/

Annex C-2: Environmental Policy Profiles

1.1.1 Ratification and implementation of Multilateral Environmental Agreements by the Parties

The **EU** reported progress on the implementation of MEAs under Article 270, and actions to implement its Paris Agreement (PA) commitments (third annual implementation report, 2017). It had tabled several important regulatory proposals to implement its Nationally Determined Contributions (NDCs) under the PA, including the third Energy Package (TSD Sub-Committee, 2016). In December 2019, the EU communicated the Green Deal in which it expressed the ambition to become the first climate-neutral continent in the world (by 2050). Based on the Green Deal now, it is committed to reduce its emissions by 55% in 2030 compared to 1990 (COM, 2020). The Green Deal should contribute to the implementation of the PA, MEAs, as well as other European environmental policies. The Green Deal is discussed in more detail in the following section (1.1.2).

In the analysed period, **EU Member States** made progress regarding the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). In 2015, the EU became a member of the CITES (TSD Sub-committee, 2015). The second annual report (2016) discussed progress on the implementation of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade plans for an EU Action Plan Against Wildlife Trafficking. The EU has ratified the Convention on Biological Diversity (CBD) Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits and is progressing on its implementation (TSD Sub-committee, 2016). In 2017, Minamata Convention on Mercury[201] was approved by the EU.

Colombia reported progress on implementation of MEAs under Article 270, such as the Basel Convention, the Montreal Protocol, the Convention on Biological Diversity, the Cartagena Protocol, and the United Nations Framework Convention on Climate Change (UNFCCC) (1st annual implementation report, 2015). Colombia has not yet ratified the Nagoya Protocol (CBD, n.d.).

It also reported progress on the implementation of the CITES as its national legislation status belongs to the first (i.e., best) CITES category[202]. There has been continued dialogue between the EU and Colombia regarding the implementation of robust control mechanisms for trade in CITES-listed crocodile and caiman skins (Annual implementation report, 2017). During the CITES COP (COP18) of 2019, Colombia discussed among others the proposals for the inclusion of marine species in the appendices of the Convention and the engagement mechanism for rural communities (TSD Sub-committee, 2019). In several TSD Sub-committees, Colombia emphasised their commitment to the PA and the CBD (TSD Sub-committee, 2016, 2019). Colombia ratified the PA in 2018. The year 2019 is regarded as an important year concerning Colombia's progress on climate policies and to complete the so-called Katowice package (i.e., emission monitoring/reporting as per the rules of the PA) as agreed at COP24.

In 2019, the country ratified the Minamata Convention (TSD Sub-committee, 2019). Colombia was a key player in the final stage of the negotiations for the Minamata Convention. As a recognition of leadership and for having been host of the preparatory sessions of the Group of Latin America and the Caribbean (GRULAC), the UNEP awarded the country the "Mercury Club Bronze Award"[203].

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[201] The Minamata Convention on Mercury is an international treaty designed to protect human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds.
[202] Legislation that is believed generally to meet the requirements for implementation of CITES
[203] For more information see http://www.mercuryconvention.org/Negotiations/HgClub/tabid/4222/Default.aspx

Peru reported progress on the implementation of the CITES Convention. Its legislation is considered among the first (best) category of CITES. Peru ratified the Nagoya Protocol in 2014. It expressed its commitments to the PA and the CBD. In 2017, it ratified the Minamata Convention. During the TSD Sub-committees, Peru mainly presented its progress on national environmental policies, which have contributed indirectly to the implementation of MEAs (TSD Sub-committee, 2016, 2019). These concrete policies are discussed in section 1.1.2 further down.

In 2017, organisations representing civil society expressed their concerns about Peru not being compliant with its TSD commitments (TSD Sub-committee, 2017). As a response, the Peruvian government and the EU intensified their dialogue, and several technical meetings were held with civil society stakeholders to address the complaints. Since then, Peru worked on several concrete measures (e.g., strengthening the environmental impact assessment system), which are discussed in more detail in section 1.1.2. As Peru predominantly reported on changes in the light of national legislation, progress with respect to MEAs is not discussed here.

Ecuador reported progress on the implementation of the CBD. The CBD's 6th national report was finalised in 2018. Ecuador updated its NDC (Nationally Determined Contribution)[204] for the PA in 2019, which contains national commitments designed to keep the temperature below 2 degrees Celsius, in accordance with the objectives set out in the PA (TSD Sub-Committee, 2019). Ecuador reported that it is making progress on the implementation of the REDD+ Action Plan, a national policy that will contribute to the goal of zero net deforestation by 2030 (TSD Sub-Committee, 2019). Ecuador ratified the Nagoya Protocol in 2017. Progress is also reported on the Protocol's implementation as Ecuador started two projects to strengthen the implementation (TSD Sub-committee, 2019). Moreover, a national committee for biosafety was established in relation to the Cartagena Protocol, and the Minamata Convention.

During the 6th TSD Sub-committee in Bogota, Ecuador reaffirmed its commitments to the implementation of CITES as Ecuador. Ecuador, unlike Colombia and Peru, is grouped under CITES category 2[205]. It was, however, successful in their efforts to include the species *Cedrela* under Appendix II of the CITES Convention. It has also supported the CITES authorities, the Environmental Protection Unit of the National Police and INTERPOL in conducting operational control activities. Moreover, recommendations made by the secretariat of CITES Convention are included in the Organic Environmental Code (COA) (further discussed in the next section) In 2019, Ecuador and the Secretariat of CITES agreed on a revised legislative analysis.[206]

In 2018, the Escazú Agreement on Access to Information, Public Participation and Justice in Environmental Matters was approved. This agreement is the first regional environmental human rights treaty in **Latin America and the Caribbean**. The three Andean countries all signed the Agreement in 2019.[207] **Ecuador** has ratified the agreement (in 2020), unlike Colombia and Peru.

1.1.2 Environmental Policies

In the analysed period, the **EU** announced the European Green Deal,[208] which is the European new growth strategy to obtain a climate neutral Europe by 2050. It proposes a European Climate Law and the possibility of having carbon border adjustment mechanism

[204] See also https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Ecuador%20First/Primera%20NDC%20 Ecuador.pdf
[205] Legislation that is believed generally to meet not all the requirements for implementation of CITES.
[206] See also https://cites.org/sites/default/files/LAC/Legislative_status_table_October_2020.pdf
[207] UN (2020) United Nations Treaty Collection. Chapter XXVII 18.
[208] See for more information https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_en

(CBAM) that is compatible with the WTO standards (TSD Subcommittees 2019 and 2020). In addition, the EU Green Deal proposes two action plans to 1) boost the efficient use of resources, by moving to a clean and circular economy and 2) restore biodiversity and cut pollution. The EU Green Deal aims for a just and inclusive transition and provides financial support and technical assistance to help those that are most affected by the move towards the green economy (i.e., Just Transition Mechanism). At least €100 billion will be mobilised to support the most affected regions over the period 2021-2027 (European Commission, 2019).

With the 2030 Biodiversity Strategy, the EU commits to strengthen its work on biodiversity conservation. Key elements of the new strategy include targets to establish at least 30% of protected land and 30% of protected sea in Europe (European Commission, 2019). During the TSD Sub-committee meetings in 2019 and 2020, the EU highlighted the need for cooperation to combat biodiversity loss and reach an ambitious agreement at the next CBD COP.

In 2014, the EU, together with 16 other members of the WTO, developed the Environmental Goods Agreement, liberalising the environmental goods and services (European Commission, 2016).

Colombia is making progress in the areas of circular economy, green growth, and green businesses. In 2018, it launched the National strategy for **Circular Economy**, one of the central vehicles to meet the Colombian government's goals of increasing the recycling and reuse of solid waste to 17.9% by 2030 (Minambiente, 2018b). More information on circular economy and waste can be found in section 7.1.3 of the main report. An important strategy of the National Development Plan (PND) (2018-2022) is to promote **Green and Sustainable Businesses** (i.e. National Green Business Plan). In line with this strategy, Colombia created the Green Business Generation Programme in cooperation with the EU. During the 5th TSD Sub-Committee in Quito (2018), Colombia announced that the programme resulted in 683 green businesses, corresponding with 4,835 jobs and 118 million Colombian pesos in sales[209] (TSD Sub-committee, 2018). The PND also included environmental objectives related to biodiversity, land use planning, climate change, and green growth.

Peru is advancing on air quality and on environmental impact assessments, evaluations, and monitoring. Regarding **air quality**, the modification of the Selective Consumption Tax aims to promote the purchase of cleaner and more efficient vehicles. Likewise, the National Protocol for the Monitoring of Environmental Air Quality was approved in 2019 (TSD Sub-committee, 2019). Peru also strengthened the capacity of monitoring of the air quality, as it increased the number of monitoring stations (TSD Sub-committee, 2018). More information on air quality can be found in section 7.1.3 of the main report.

Peru strengthened its **environmental impact assessment system** as a reaction to civil society organisations' complaints about e.g., potential lowered environmental protection levels.[210] Actions include:

- The National Service of Environmental Certification (SENACE) has been assigned responsibility for environmental impact assessments in various sectors (mining, electricity generation, hydrocarbons, transport, agriculture and solid waste management);

[209] For more information see: https://www.minambiente.gov.co/index.php/noticias-minambiente/3807-con-cooperacion-de-la-union-europea-programa-de-generacion-de-negocios-verdes-logro-ventas-por-118-000-millones-en-el-ultimo-ano

[210] In 2017, civil society organisations issued a complaint to the EU, expressing their concerns about Peru's lack of compliance with its trade and sustainable development commitments.

- Development of a guide for the construction of baselines in environmental impact studies within the framework of National System of Environmental Impact Assessment (SEIA);
- Improved information availability for administrations and civil society, which enables civil society to have better access to records of complaints, among others. The implementation of the Computer Platform of the Single Window of Environmental Certification (EVA) increases the information availability to citizens, as all EIA studies since November 15, 2018 are available;
- Better monitoring of the results of the interventions carried out in priority impact areas which contributes to greater efficiency in its management (TSD Sub-committee, 2018, 2019).

Regarding **environmental enforcement,** Peru has taken several actions such as:

- The Legislative Decree 1389 of 14 September 2018 strengthening the Assessment and Environmental Control Agency (OEFA);
- Expanding the number of sectors that fall under the (OEFA). The agricultural sector will be included as well (TSD Sub-committee, 2018, 2019).

The strategy axes "Perú Limpio" (Clean Peru) and "Perú Natural" (Natural Peru) includes several environmental priorities, such as biological diversity, especially forests; climate change adaptation and mitigation; efficient management of solid waste; integrated coastal zone management; prevention and control of pollution; green business and eco-efficiency. Related key instruments are among others 1) the green investments guide (i.e., the R.M. 178-2019-MINAM),[211] 2) the approval of Law N ° 30884 on solid waste management, which regulates the single-use plastic and containers or packaging disposable (D.S. 006-2019-MINAM), 3) the *Antonio Brack Egg national environmental award* which is related CSR,[212] and 4) environmental education and information campaigns (TSD Sub-committee, 2016, 2018, 2019).

In 2017, **Ecuador** approved the new Organic Code of the Environment (COA)[213] which became the most important standard in environmental matters. It includes among others protected area management, sustainable forest management, environmental regulation, climate change, coastal marine management, and citizen participation. With the adoption of the COA regulation in 2019, three committees were established to coordinate intersectoral public policy on 1) Environmental Quality, 2) Biosecurity and 3) Natural Heritage (TSD Sub-committee, 2018, 2019).

The Ministry of Environment made several improvements in relation to environmental regulation, these are among others; the strengthening of the licensing process and development of a manual to clearly define the procedures for environmental licensing. Ecuador developed a new mining policy (period 2019-2030), which was developed in a participatory process with civil society, companies, and state institutions.

[211] Guidelines for the formulation of investment projects in the typologies of ecosystems, species, and support for the sustainable use of biodiversity

[212] The Antonio Brack Egg National Environmental Award is the highest recognition that the Peruvian State grants to natural or legal persons that contribute to environmental protection, sustainable management of natural resources and environmental conservation, through practices that can be replicated.

[213] This law replaces the old Forestry and Conservation Law of natural areas and wildlife (FAO, 2017).

ANNEX D: ANALYSIS OF ENVIRONMENTAL IMPACTS

Annex D-1: Governance Baselines

1. Climate change

The main legislative instrument on climate change in the partner countries is the **Paris Agreement** (PA). Colombia, Peru, and Ecuador belong to the group of 189 parties that have ratified the PA. Consequently, the Andean countries submitted their National Determined Contributions[214] (NDC) to the United Nations Framework Convention on Climate Change (UNFCCC) with their 2030 climate targets. In its NDC (updated in 2019) Ecuador targets a conditional 20.9% GHG reduction from business as usual (BAU) by 2030, and a 9% GHG reduction unconditionally. Colombia's NDC (updated in 2018) commits to a 30% GHG conditional, and 20% unconditional reduction. Finally, Peru targeted a unconditional 20% and an conditional 30% reduction. None of the countries has submitted a second NDC[215]; however, in December 2020, Colombia announced that a new target of 51% emissions reductions by 2030 compared to the projected baseline will be included in its updated NDC (WWF, 2020).

Besides the PA, Peru and Colombia were already part of the Independent Association of Latin America and the Caribbean (AILAC), a group of eight countries constituted with the objective, among others, to generate coordinated positions during multilateral negotiations on climate change since 2012. The most recent agreement at the regional level is the Andean environmental charter, which was signed in December 2020 by the governments of Bolivia, Colombia, Ecuador, and Peru and is intended to facilitate co-operation in efforts to tackle the climate crisis and accelerate the implementation of the UN 2030 Agenda for Sustainable Development (Cancillería de Colombia, 2020).

As such, the first important landmark of the **Colombian** climate change governance framework dates to 1994 when the country joined the UNFCCC (Law 164), which was followed by the approval of the Kyoto Protocol (Law 629) (Minambiente, n.d.). The years that followed saw the development of the climate policy framework of the country, including, for instance, the publication of Climate Change Policy Guidelines in 2002, outlining the main strategies for mitigating climate change in the country (Minambiente, 2002).

Subsequently, the Climate Change Law, approved by the Colombian Government in 2018, was regarded as a milestone in the country's environmental regulatory framework (Cortés, 2019). It establishes the principle institutional aspects, planning instruments, and information systems (i.e. National Information System on Climate Change-SISCLIMA), as well as the financial mechanisms for climate change. Among other instruments, the Law establishes the National Policy on Climate Change (PNCC), and at the territorial level, the Comprehensive Territorial Climate Change Management Plans (PIGCCT) as the main instruments through which the regional authorities define measures for climate adaptation and mitigation.

At the national level, the Intersectoral Commission on Climate Change (CICC), formed by the Director of the National Planning Department and the Ministers, acts as the guiding body for the implementation of the National Climate Change Policy through four main strategies: i) the National Climate Adaptation Plan, ii) the Colombian Low-Carbon Development Strategy, iii) the National Strategy for Reduction of Emissions caused Deforestation and iv) the Strategy for financial protection against disasters (Minambiente,

[214] Nationally Determined Contributions (NDCs) outline the post 2020 climate actions of individual countries in the light of the Paris Agreement. Contributions are reported to the UNFCCC Secretariat.
[215] At the time this section was written (December 2020).

2017b). At the regional level, Regional Hubs support the plans and policy implementation. In June 2020, Colombia presented its Long-term Strategy for Climate Resilience (E2050), which seeks to achieve carbon neutrality by 2050 (Minambiente, 2020c).

In line with other countries of the region, **Peru** joined the UNFCCC in 1993 and in 2016 ratified the PA. Thereupon, the Peruvian government approved in 2018 a Framework Law on Climate Change, which assigns specific tasks, duties, and responsibilities for each of the different sectors and actors associated to the Peruvian climate action. According to the Law, the Ministry of the Environment (MINAM) is the national normative authority that coordinates, designs, implements, monitors, and evaluates the national public policies aimed to mitigate and adapt to climate change (MINAM, 2018). As such, MINAM reports annually to the Plenary of the Congress on the progress of compliance with the climate-related targets, including those included in the Peruvian NDC. In consequence, it is the entity in charge of, among others, the preparation of national GHG and carbon stocks inventories, in coordination with public entities of the three levels of government.

Besides MINAM, other Ministries, as well as regional and local governments, are requested by the Law to support the design, monitoring and implementation of public policies related to climate change in accordance with the NDC, and report to MINAM the execution of sectorial strategies that contribute to the achievement of the national targets (Ibid.). Furthermore, in 1993 Peru created the National Commission on Climate Change (CNCC) chaired by MINAM, which supports both the public sector and civil society to monitor the compliance with public policies on climate change, promoting especially the participation of civil society (MINAM, n.d.). Finally, the High-Level Commission on Climate Change created in July 2020 is a multi-sector commission under MINAM responsible for the proposal of the climate mitigation and adaptation measures for Peru and for the elaboration of the NDC technical report to be submitted to the UNFCCC in line with the Paris Agreement (MINAM, 2020).

In **Ecuador**, the Ministry of Environment and Water (MAE) is the entity in charge of the formulation and execution of the national strategies aimed at raising awareness of climate change in Ecuador. In particular, MAE is responsible for overseeing the National Directorates for Adaptation and Mitigation to Climate Change of Ecuador under the Secretary of Climate Change (SCC) (MAE, n.d.a). Their activities are framed by the Constitution of Ecuador which, since 2008, includes a specific section for climate change (Art. 414) (MAE, n.d.b). Further, the Climate Change National Strategy 2012-2025 (ENCC) was established as State policy in Ecuador in 2013 (MAE 2012). Since then, additional strategies have been developed to guide the climate change activities in thecountry, including the National Plan for Good Living 2017-2021. This plan was inspired by the teachings of indigenous cultures on sumak kawsay or "good living" and promotes harmonious co-existence with nature (Senplades, 2017). The plan aims at promoting environmental practices that contribute to the reduction of pollution, and to the conservation, mitigation, and adaptation to climate change at the national and global level as well as the complementary national strategies for climate adaptation and mitigation (Ibid). In 2020, Ecuador published its National Strategy for Climate Finance (EFIC), which seeks to define the priorities, strategic lines and enabling conditions to improve the access to climate finance and the mobilization of international, national, public and private resources (MAE, 2020).

2. Biodiversity

The Andean countries signed and ratified the Convention on Biological Diversity (CBD),[216] the Cartagena Protocol[217] and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).[218] The Nagoya Protocol[219] was initially only ratified by Peru and Ecuador. Colombia signed the protocol in 2014. In December 2020, Colombia, Bolivia, Ecuador and Peru signed the Andean environmental charter, an instrument to facilitate co-operation in efforts to protect local ecosystems and tackle the climate crisis, as well as to establish shared goals for sustainable development (Republic of Colombia, 2020; LatinNews, 2020).

In **Colombia**, the National Policy for the Comprehensive Management of Biodiversity and its Ecosystem Services (PNGIBSE) was launched in July 2012 and introduced a new way of addressing biodiversity in the country (CBD, n.d.). PNGIBSE recognises the intrinsic value of species and ecosystems and the functions derived from them, and links biodiversity to human well-being and social viability of local communities.

In 2016, the Ministry of Environment and Sustainable Development launched the Biodiversity Action Plan 2016-2030 (PAB), an instrument that guides the implementation of PNGIBSE (Minambiente, 2017b). In the CBD's Sixth National Report, Colombia reported the implementation of various important management improvements driven by PAB, which have resulted in progress of the Strategic Plan 2011-2020 and its Aichi Targets (Minambiente, 2019a).

As part of the PAB, Colombia is expanding its protected areas which are managed by the National System of Protected Areas (SINAP). Forest protection started with the introduction of Law 2 of 1959, which created seven large (national) Forest Reserves Zones (RFZ) for developing the economy and protecting water resources, soils, and wildlife (Mes, 2008). There are a variety of schemes targeting the conservation of Colombia's natural and cultural wealth, such as Ramsar sites, biosphere reserves, and Peasant Reserve Areas,[220] Zero Deforestation Agreement (Minambiente, 2017b and 2020a). Despite these institutional and regulatory frameworks, the PAB reports that there are several factors[221] preventing the effective implementation of forestry and biodiversity protection measures (Minambiente, 2017b).

In **Peru**, the National Biodiversity Strategy for 2021 and its Action Plan (2014-2018) was developed by the Ministry of the Environment (MINAM) in coordination with the National Commission for Biological Diversity (MINAM, 2014). The Strategy is in line with the 1997 Law on Conservation and Sustainable Use of Biodiversity and is the main instrument for the management of biodiversity in Peru.

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[216] The Convention on Biological Diversity aims to 1) conserve the biological diversity, 2) sustainably use of the components of biological diversity and 3) fair and share equitably and fairly the benefits arising out of the utilisation of genetic resources

[217] The Cartagena Protocol on Biosafety to the Convention on Biological. The Cartagena Protocol on Biosafety to the Convention on Biological Diversity was adopted by the Conference of the Parties to the Convention on 29 January 2000.

[218] CITES aims is to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

[219] The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity. The protocol was adopted by the Conference of the Parties to the Convention on Biological Diversity at its tenth meeting on 29 October 2010 in Nagoya, Japan.

[220] Zones that were established to support small scale farmers. It prevents the expansion of the agricultural frontier and neutralize the concentration of ownership

[221] These factors are: i) institutional weakness, reflected in poor implementation of enforcement mechanisms (especially related to illegal logging) and ii) conflicts related to land-use planning (i.e. conflicts between human settlement, production activities, (legal and illegal) and extraction of renewable and non-renewable natural resources (Minambiente, 2017b).

The Natural Protected Areas System (SINANPE) only includes areas at the national level. Areas at regional level and privately protected areas are referred to as "areas complementary to SINANPE" (IUCN, 2009). Until 2008, the Ministry of Agriculture managed the protected areas system. In 2008, the Ministry of Environment was created and was tasked with implementing the SINANPE (SINIA, n.d.). Peru developed its first National Biodiversity Strategy in 2001.

Despite Peru's institutional and legal framework for the conservation of biodiversity, the OECD (2018) reports that a number of challenges remain to effectively protect the country's biodiversity, such as improving private sector involvement, strengthening capacity of the public sector with a focus on the sub-national level, improving the quality and coverage of data to inform biodiversity mainstreaming, and scaling up biodiversity finance including through the use of economic instrument (p. 57-60).

Box D-1: Peru's governance for biosafety

Peru adopted the National Biosafety Law related to the prevention of risks derived from the use of biotechnology in 1999. Notably, in 2011, the Moratorium Law was adopted which declared a ten-year moratorium on the entry of genetically modified organisms (GMOs) into Peru for cultivation, breeding, or as any other type of transgenic product (ICTSD. 2011). In 2012, Peru began implementing the National Biosafety Framework project, in order to fill existing gaps in the implementation of the national regulatory framework. As such, progress has been made over the past years to achieve biosafety, however sectoral regulations for biosafety are still limited (CBD Secretariat, n.d.).

The Forests and Wildlife Law aims to integrate forest conservation with the sustainable use of resources and services (MINAM, 2014). This law was published in 2011 as a response to the introduction of the free trade treaty with the United States (US), where the US specifically required improvements for assurance of legal forest trade (Yale University, n.d.). Under this law forest plantations must have authorisation certificates[222] and management plans, to ensure the legal origin of their forest and wildlife products. However, the new law also created loopholes to convert forest land into agricultural land via reclassification of land use (Yale University, n.d.).

In **Ecuador**, the Ministry of Environment developed the National Biodiversity Strategy (ENB) in 2015 (MAE, 2016). This strategy was developed to implement provisions from Ecuador's new Constitution (passed in 2008) and the National Development Plan for Good Living (2013-2017) (see climate change baseline). The ENB aims to foster the responsible use of Ecuador's strategic natural resources. Other relevant policies, developed by the Ecuadorian Ministry of the Environment, include the National System of Protected Areas (PANE) and the forest conservation incentive program SocioBosque (PSB). The latter involves both private and community lands.

While all environmental laws in Ecuador are legally enforceable, the control and enforcement practises in most areas of environmental law are not fully implemented, as stated in a previous EU-Andean Trade Sustainability assessment (Development Solutions et al., 2009).

With the installation of a newly elected Government in May 2017, a new National Development Plan titled "All a Life" (2017-2021) was developed. The new government's ambitions regarding biodiversity conservation are not reflected in the ENB and in the Sixth national report under the CBD it was stated that the ENB has not been properly implemented (MAE, 2018). In 2017, the new Organic Code of the Environment (COA)[223] was approved. This provision has been regarded as the most important norm for environmental matters and is in line with the *buen vivir* ("good living") principle (MAE, n.d.c.), as discussed in the previous section on climate change. The COA aims to strengthen

[222] Regulated by the National System of Forestry and Wildlife Information (SERFOR)
[223] This law replaces the old Forestry and Conservation Law of natural areas and wildlife (FAO, 2017).

the management of protected areas. However, there are also several environmental setbacks[224] related to this new code as it eases the exceptional authorisation mechanism for extractive activities of non-renewable resources in protected areas (FES-ILDIS and CDES, 2017).

Fishing and aquaculture activities are regulated by the revised Fisheries and Fisheries Development Law. In 2019 Ecuador received a "yellow card" by the European Commission to flag Ecuador's limited action against Illegal, Unreported and Unregulated (IUU) fishing[225] (European Commission, 2019). In February 2020, a new Fishing and Aquaculture Law passed: The Organic Law for the Development of Aquaculture and Fishing. This law is designed to strengthen the existing system of sanctions related to IUU and to improve surveillance, control and monitoring and will replace the Fisheries and Fisheries Development Law on this topic (European Commission, 2020; MPCEIP, 2020).

3. Other environmental indicators

3.1 Water

Colombia has a unique institutional framework in Latin America, with decentralised environmental authorities and a market-based regulation for potable water and electricity utilities (Blanco, 2018). The regional environmental authorities (CAR) are the institutions in charge of implementing the national policies and regulations regarding, among other, water resources. The CAR is responsible for the evaluation, control, and monitoring of the uses of water, including the discharge of waste into water bodies. The CARs are responsible for the issuance of the respective environmental licenses, concessions, and safeguards and for formulating and adopting the Territorial Ordering Plans (POT), which means that the CAR would issue the authorisation of the use of water for electric generation, domestic use, and agriculture irrigation (CAR, n.d.). Access to potable water, abstraction, storage, distribution, discharge, and wastewater treatment of residual water is the responsibility of the municipal authorities. Further, the Institute of Hydrology, Meteorology and Environmental Studies (IDEAM) is the technical and scientific entity of the National Environmental System (SINA), and thus, the official source of environmental information in the areas of hydrology and meteorology.

In **Peru**, the National Water Authority (ANA) of the Ministry of Agriculture and Irrigation (MINAGRI) is the governing body and highest regulatory and technical authority of the country. Since 2008, the ANA is the entity responsible for managing and monitoring the national natural water sources, which includes the issuing of authorisations to water service providers for its use and distribution, as well as for the permits for wastewater discharge and reuse. The ANA is a decentralised organisation, which works through 14 Water Administrative Authorities (AAA), 71 Local Water Administrations (ALA), and 12 Cuenca Water Resources Councils (CRHC) (ANA, n.d.). Among other functions, the AAAs are responsible for water management at a basin-level, authorising studies and works (e.g. distribution systems), and issuing water use rights. The ALAs, complementarily, support the AAA in their functions and provide training, awareness-raising actions, and communication campaigns related to water issues at the national level. Finally, the CRHCs were conceived as institutional spaces for dialogue, where the water sector's stakeholders exchange and reach consensus on the implementation of key actions and plans (Ibid.).

The main legal instrument for water management in Peru is the Water Resources Law (Law No. 29338) which entered into force on March 30, 2009 (Congreso de la República de Perú, 2009). In addition, the ANA is the entity in charge of the National Water Resources

[224] Oil exploration in the buffer areas of the Tagaeri Taromenane Intangible Zone (i.e. an indigenous community) and shrimp farming within mangrove ecosystems have been authorised by the Ministry of the Environment (Friedrich-Ebert-Stiftung and Ecuador and Centro de Derechos Económicos y Sociales (n.d.)-

[225] As part of the EU's IUU regulation.

Management System (SNGRH), a platform comprising all public sector institutions and users with functions related to water management in the country. The SNGRH articulates the actions of all its members to ensure compliance with the National Water Resources Policy and Strategy and the National Water Resources Plan (ANA, n.d.). In 2019, the ANA presented its Institutional Strategic Plan 2019 – 2024 (ANA, 2019).

In **Ecuador**, the Ministry of Water and Environment oversees the water resources in the country. According to the 2008 National Constitution, drinking water and irrigation water services are the exclusive responsibility of the State. This is supervised by the Executive Authority of Water Resources (SENAGUA) (SENAGUA, n.d.). Since 2014, the work of SENAGUA is regulated by the Law on Water Resources and the Use of Water (LORHUyA), which guarantees the right for all people to have clean, sufficient, accessible, and affordable water in Ecuador, besides imposing provisions on the administration of water catchment areas (Asamblea Nacional, 2014). The Law includes a prioritisation for the use of the Ecuadorian water resources: a) drinking water; b) irrigation water; c) ecological flow; and, d) productive activities; and it is characterised by enhanced cooperation between the central government and subnational authorities (Martínez, A and Larson, R, 2019).

Besides the LORHUyA, the Law of Environmental Management from 2004 promotes comprehensive participation between sectors to issue and apply technical standards and general parameters for environmental protection (Congreso Nacional del Ecuador, 2004a). Other regulatory instruments of relevance within the Ecuadorian water sector include the Law on Prevention and Control of Environmental Pollution, which describes the responsibilities and intersectoral coordination on technical standards and regulations related to water discharges; and the Mining Law, which establishes the regulatory framework to prevent water contamination due to mining activities (Congreso Nacional del Ecuador, 2004b). Seeking alignment with the SDGs, Ecuador formulated the National Strategy for Water Quality (ENCA) 2016-2030, an instrument that articulates actions of various institutions related to water resources (SENAGUA, 2016).

3.2 Air quality

In **Colombia**, the main governmental body responsible for air quality is Minambiente, which designed the main instruments for air pollution regulation including, among others, the Resolutions 610, 650 and 2154 of 2010 that define the national protocol for the monitoring and control of air quality indicators (IDEAM, n.d.). Through these instruments, Minambiente established maximum permissible levels of pollutants, such as particulate material (PM_{10} and $PM_{2.5}$), sulphur dioxide (SO_2), nitrogen dioxide (NO_2), and tropospheric ozone (O_3). These air pollutants are monitored by the Environmental Authorities (Regional Autonomous Corporations, Sustainable Development Corporations and Urban Environmental Authorities) through Air Quality Surveillance Systems (SVCA), designed and operated by Minambiente. In 2019, Minambiente published the Air Quality National Strategy that presents a set of actions aimed to achieve a considerable reduction of the particulate material level in cities (Minambiente, 2019b).

In **Peru**, air quality issues are managed within an institutional framework established at the national level, that includes the participation of MINAM, the General Directorate of Environmental Health (DIGESA), the National Service of Meteorology and Hydrology of Peru (SENAMHI) and the Environmental Assessment and Enforcement Agency (OEFA), which monitor indicators such as Environmental Quality Standards (ECA), and Maximum Permissible Limits (LMP) (MINAM, 2016). Moreover, MINAM coordinates the Environmental Technical Study Groups (GESTA) with the objective of developing air quality action plans and monitoring their implementation, as well as air quality surveillance programs (Ibid.).

In **Ecuador**, the Unified Text of Secondary Environmental Legislation of the Ministry of Environment (TULAS, Book VI: Environmental Quality) establishes the basic environmental

policies related to air quality. In addition, the National Plan of Air Quality (PNCA) developed by the MAE in 2010 presents the current national framework that guides air quality management and monitoring through various institutions (i.e., at the national, regional, and sectoral levels) (MAE, 2010). For instance, CORPAIRE was created in 2004 in Quito to monitor the air quality index of Quito (IQCA) which measures key paraments such as $PM_{2.5}$, CO, NO_x (Ibid.).

3.3 Waste & circular economy

Colombia's framework of waste management is mainly defined by the National Policy for the Integral Management of Solid Waste published in 2016 (DNP, 2016). Further, Resolution 1407/2018, obligates all producers to create Environmental Management Plans (PGA) for their packaging and subsequent packaging waste and requires manufacturers and importers to support the producers' PGAs while contributing to the research of innovative packaging solutions (Minambiente, 2018a) (WWF and CyclosGmbH, 2019). As such, today circular economy (CE) in Colombia is mainly promoted by the collaboration between Minambiente, the Ministry of Commerce, Industry and Tourism (MINCIT), and the National Planning Department (DNP). This alliance led to the publication in 2018 of the National Strategy on Circular Economy, one of the central vehicles to meet the Colombian government's goals of increasing the recycling and reuse of solid waste to 17.9% by 2030 (Minambiente, 2018b). The strategy presents six lines of action, with their corresponding indicators and goals: (i) industrial materials and mass consumer products, (ii) packaging materials, (iii) biomass flows, (iv) energy, (v) water, and (vi) construction materials (Ibid.).

In **Peru**, the regulatory structure governing waste management follows different levels of authority: (i) national government agencies, which determine the legal requirements for waste management within the various sectors that produce solid waste; ii) sectorial authorities that regulate waste origin; (iv) regional government promoting waste management in the field of their jurisdiction; and (iv) provincial and municipal authorities, which develop policies, regulate practices, and institutionalise programs for solid waste management (WWF and CyclosGmbH, 2019). Overall, MINAM, the Ministry of Production (PRODUCE) and the National Industry Society (SNI) are the main organisations joining the efforts to encourage the adoption of circular economy models in the country (Ibid). In 2018, SNI created the Circular Economy Commission aiming to seek mechanisms to encourage the adoption of circular economy models in the national industry and gather key stakeholders from different sectors (Rodriguez D., 2020). Subsequently, in coordination with MINAM and PRODUCE, the SIN guided the development of the *Roadmap towards a Circular Economy in Industry* which complemented the *National Plan for Comprehensive Solid Waste Management 2*016-2024 (Ñíquen, A., 2020) (MINAM, 2017). Furthermore, the legal framework of the sector in Peru includes the Law of Management of Solid Waste (MINAM, 2000), Law No. 29419 (MINAM, 2010) that regulates the activity of waste pickers, and the Plastics Law No. 30884 (MINAM, 2019).

In **Ecuador**, the Organic Environmental Code (COA) is currently the most important norm in the country in environmental matters, including waste management. The Ministries of Environment and Water of Ecuador (MAE) and of Production, Foreign Trade, Investments and Fisheries (MPCEIP)–, have been working since the beginning of 2019 in the development of a country roadmap towards a National Strategy of Circular Economy: The *White Book of the Circular Economy,* which will establish the route for the country's industry to participate in the development of the model of circularity at a national level. Additionally, the government has promoted a Pact for the Circular Economy, which gathers 161 signatories of the industrial and academic sectors (MPCEIP, 2019). In Ecuador, the instrument Institutional Framework for Environmental Incentives establishes economic incentives for the private and public sector to develop environmental initiatives related to, among others, the promotion of a circular economy (MAE, 2015). Further, a Law that prohibits single-use plastics is expected to enter into force in Ecuador in the first quarter of 2021 (Infobae, 2020).

Annex D-2: Impact screening and scoping of potential environmental impacts

The impact screening exercise is based on the following information:

- The **environmental baselines** covering the current performance and governance framework (to identify the most prevailing environmental threats in the countries/regions);
- Additional information from **literature and stakeholders** (governments, NGOs, research institutions) on the implementation of the Agreement and on potential effects of the Agreement; and
- The **Agreement** (to identify the environmental areas which are likely to be most affected by the Agreement):
  - The characteristics and specific provisions within the **TSD Title** of the Agreement;
  - **CGE results** prepared for this ex-post evaluation for changed economic activity by sector due to the Agreement, and where possible compare these with CGE modelling undertaken for the SIA; and
  - The *nature* of these impacts, the geographical scope and duration, as well as their potential *cumulative* effect.

Based on this information, 'impact alerts' have been identified. The matrices show the economic impacts (based on the CGE results), the environmental status (for different environmental impact areas), and relevant issues (e.g., risks or potential impacts) related to certain environmental impact areas or sectors. The relevant issues are numbered in the tables. In the accompanying table of each matrix, further information on the numbered issues is provided.

The incidence and intensity of potential impacts across a given sector (horizontal) or impact area (vertical) have informed:

- the identification of priority areas, which are to be assessed in detail in the evaluation; and
- decisions on case study selection, along with other considerations.

Impact screening & scoping results

Below, we present the impact screening matrices for transparency reasons. These matrices show *potential* risks and impacts. We have not established (possible) causal links between the Agreement and these potential impacts.

<u>How to read the matrices:</u>

The rows contain all CGE sectors and more aggregated (overall) sectors. The columns contain all environmental impact areas. In this matrix you can (1) see the production changes per sector resulting from the Agreement (economic impact) based on CGE (++ refers to relatively large increase in production), (2) various potential impacts that may have been caused by the Agreement or general environmental threats in specific countries. Each number refers to a specific issue, which is explained in the corresponding table below each matrix.

Colombia

Table D-2: Impact screening & scoping matrix Colombia

Sectors			Econ. impacts	Environmental status				
						Other environmental parameters		
Overall sector		CGE Sector		Climate change	Biodiversity and natural resources	Water	Waste management and CE	Air quality
Horticulture	1	Paddy rice		1	1,2,4	1	1,2	
	2	Wheat						
	3	Cereal grains						
	4	Vegetables, fruit	+					
	5	Oils seeds						
	6	Sugar cane/beet						
	7	Plant-based fibres						
	8	Crops	+					
Animals	9	Cattle, sheep, goats						
	10	Animal products	-					
	11	Wool	--					
	12	Forestry		1,5	2,5			
	13	Fishing			6			
	14	Coal		2,3	2,3	2,3	2,3	
	15	Oil		2,3	2,3	2,3	2,3	
	16	Minerals		2,3	2,3	2,3	2,3	
Meat/ dairy pr.	17	Bovine meat products						
	18	Meat products	-					
	19	Vegetable oils and fat						
	20	Dairy products						
V. food pr.	21	Processed rice			1,4	1,4	1,4	
	22	Sugar cane / beet						
	23	Other food products	+					
	24	Beverages, tobacco products						
Clot-hing pr.	25	Textiles	+	8	4		8	9
	26	Wearing apparel						
	27	Leather products	+					
Wood pr.	28	Wood products			5			
	29	Paper products						
	30	Petroleum						
Chem-ical pr.	31	Chemical products	+	8	8	8	8	9
	32	Basic pharmaceutical products	--					
	33	Rubber, plastic products	+					
	34	Mineral products			2,3,8	2,3,8	2,3,8	
Metal pr.	35	Ferrous metals			2,3,8	2,3,8	2,3,8	
	36	Metals	++					
	37	Metal products	-					
Machinery pr.	38	Computer, electronic	+	8	8	8	8	8
	39	Electrical equipment	+					
	40	Machinery and equipment	-					
	41	Motor vehicles and parts						
	42	Transport equipment	++					
	43	Manufactures						
Elec. / gas	44	Electricity		7				
	45	Gas manufacture, distribution	+					
	46	Water			1,2	1,2	1,2	
	47	Construction		8	8	8	8	8
Serv-ices	48	Trade			4	2,5	2,5	
	49	Accommodation, food and services						
Trans-port	50	Transport						
	51	Water transport						
	52	Air transport	+					

++ refers to large positive economic impact, + refers to moderate positive economic impact,
-- refers to large negative economic impact, - refers to moderate negative economic impact.
The numbers shown in the matrix refer to the numbers in the table on the next page

Table D-3: Impact screening & scoping matrix Colombia, details

#	Topic		Issue
1	Potential impacts of horticultural sector		Potential positive impact on the production of and trade in **sustainable and organic products** (e.g., coffee, cocoa). This may be affected by strict SPS regulations, EU customer expectations, and support from REDD & DG DEVCO (Stakeholder input, DG DEVCO). Particularly in the case of Colombia, a recent study showed that the import of sustainable palm oil from Colombia to the EU increased from 23% to 31% between 2014- 2018, and that a growing trend of certified biofuels has been observed (using the ISCC certification) (from 7% in 2017 to 26% in 2018) (Solidaridad, 2019).
			Increased agricultural production may have resulted in **land use conversion** (e.g., deforestation) and may have affected **water availability and quality** (Development Solutions, CEPR, and University of Manchester 2009). Specific concerns have been expressed regarding palm oil, which besides being associated with deforestation of tropical forests, traditionally uses large quantities of fertilisers, and thus may pose a negative impact on the local soil and water quality. If the Agreement increased the production of palm oil, these pressures may have been intensified. Furthermore, it has been reported that a considerably increase in the use of fertilisers for agriculture has been observed, affecting the wealth of water bodies (IDEAM, 2019). In Colombia, the main economic sectors driving higher water demand are agriculture (43.1 %) (IDEAM, 2019). Particularly, pressure on the land resources has been driven by the expansion of the agricultural area (which increased by about 21%, compared to 2014) (Ibid.)
2	Environmental standards & regulation		As per the TSD Title, all parties commit to **effectively implement various multilateral environmental agreements**, which could result in positive impacts (see chapter IX of the Agreement).
			The effective implementation of the TSD Title with regards to the environmental provisions has been criticised by civil society representatives as stakeholders noted that no mechanisms to resolve **disputes over non-compliance** claims have been established (EPRS and ICEI, 2018). Some stakeholders argue that the net effect has been a lowering of environmental regulation (ICEAI, 2018). In a response to resolution 2628, Colombia developed **roadmaps to improve environmental rights**. The effective implementation of this roadmap has been questioned (OIDHACO, 2017; Fritz, 2018).
3	Pressures resulting from mining		In general, trade agreements may have supported initiatives and **certification standards** towards a sustainable mining (e.g. Better Gold Initiative, Fairtrade and Fairmined) (Stakeholder input) In Colombia, the Agreement may have helped advancing in environmental legislation for the mining sector, as, for instance, in March 2018, the Congress of Colombia approved Colombia's joining of MINAMata Convention on Mercury (EPRS and ICEI, 2018). Besides, co-founded by the European Union, the Colombian government signed in 2018 an agreement to take stronger action to implement OECD Due Diligence Guidance in Colombian gold supply chains, including better mining registry, monitoring mechanisms to assess risk, and support capacity building for industry and government (OECD, 2017). Further, the European Parliament asked the Colombian government, within the framework of the Agreement, to be informed about the measures adopted to guarantee the effective application of the legislation on the protection of the environment and diversity, especially related to deforestation and the extraction of raw materials (Delgado and Hawkins, 2020)
			The mining sector (both legal and illegal mining) has historically been related to negative environmental impacts in Colombia, such as deforestation, soil depletion, and water pollution. If the Agreement increased mining activities, these pressures may have been intensified. In some regions of Colombia, mining exploitation is driving the increase in the discharge of untreated water considerably (IDEAM, 2019). In the Colombian Amazon, for example, mining is reported to have increased in the last years due to the extraction of minerals such as gold, cobalt, copper, among others (Ibid).
4	Biodiversity and property rights		As per the TSD Title, all parties commit to conserve the biological diversity in accordance with the CBD (see chapter IX of the Agreement). Moreover, efforts have been made to increase the protection of biodiversity by safeguarding local wildlife species in Colombia: for instance, the Colombian government developed the sustainable management framework of an indigenous species of caiman under the Agreement, leading to positive impacts on wildlife biodiversity in Colombia (EPRS and ICEI, 2018).
			The **intellectual property** rights related to **biodiversity** (knowledge from indigenous people) may not have been addressed sufficiently in the Agreement (Stakeholder input). In addition, a potential increase in the production of non-traditional products for export may have affected the variety of cultures and thus possibly the ecosystems of the respective lands (Giorgetti, 2015; Delgado et al. 2020). The link with the Agreement with the EU remains unclear. Regarding wildlife spices, concerns have been raised about the enforcement and effectiveness of the legislative framework on reptile skins exports and their impact on wild caimans (Eurogroup for Animals, 2020).
5	Forestry		As per the TSD Title, the parties commit to improve forest law enforcement and the effective implementation of **CITES** for endangered timber species (see chapter IX of the Agreement).
			At the same time, the impact on the forestry sector may also have been negative in case the improvements of the **institutional environmental** frameworks have not kept pace with the potential increased export of forest products (Stakeholder input; Development Solutions, CEPR, and University of Manchester 2009; Cantaurias Salaverry, et al., 2015). In Colombia in particular, experts flag deforestation (e.g. in the Amazon) as a major issue.
6	Fish resources		The Agreement may have led to **improved cooperation** in the context of Regional Fisheries Management Organisations (RFMO) & combat IUU (Development Solutions, CEPR, and University of Manchester 2009).
7	Climate change		Increased production in various sectors may have led to increased greenhouse gas emissions. In addition, the Agreement's impact on the **LULUCF sector** is of particular importance for the Andean countries, given the importance of the Amazon in this respect.
			Under the TSD Title, all parties commit to promote trade in energy efficiency, renewable energy, innovation, and **technologies to mitigate and adapt to climate change** + reduction of emissions from deforestation and forest degradation ('REDD') (see chapter IX of the Agreement).
8	Industrial pollution, electronic waste & circular economy		In the SIA, increased **pollution** was identified as a risk in case the Agreement would lead to higher production levels of chemicals, textiles, rubber, plastics, and metals (Development Solutions, CEPR, and University of Manchester, 2009)
			The EU and Colombia started cooperating on **circular economy** (Stakeholder input, DG ENV; EPRS 2018).
9	Urban air pollution		Urban **air pollution** has been mentioned as an important environmental challenge in large cities in the SIA (Development Solutions, CEPR, and University of Manchester, 2009).

Green=potential positive impact, red=potential negative impact, yellow=mixed-undefined potential impact

Identification of priority areas in Colombia

The identification of priority areas is based on a joint analysis of the expected (economic and regulatory) impacts of the Agreement and the existing environmental framework and performance. The selected priority areas will be assessed in more detail in the next stage of the evaluation.

The following priority areas[226] have been identified for Colombia:

1. **The potential impact of the Agreement through the horticulture sector on land conversion (related to climate change and biodiversity) and water availability** – this has been identified as a priority area based on the Agreement's positive impact on output in the horticulture sector, especially for the products under the categories 'vegetables, fruits' and 'other crops' (e.g., etc., flowers), and the existing environmental pressures within the sector, related to deforestation, biodiversity loss, pollution and water use. The assessment of this priority area will also consider the potential impact of the Agreement on the promotion of sustainable and organic products, as the Agreement may have improved the (export) position for sustainable and organic products (e.g., bananas). This, in combination with the provisions on sustainable production in the TSD Title, warrant additional research on this matter.

2. **The potential impact of the Agreement on climate change through economic changes –** the Agreement affected the production in different sectors in all countries in various ways. As shown in Table D-2, the economic modelling showed a moderate economic impact of the Agreement on 'gas manufacture and distribution', and 'air transport', both of which may have caused appreciable changes in the GHG emissions of the country, as the energy sector accounts for a significant share of the local GHG emissions (see baseline analysis in section 7.1 of the main report and Annex D-1). Furthermore, in Colombia the Agreement had a large economic impact on the output of 'metals' and 'transport equipment', which may have involved an important change in the GHG emissions of these sectors. To a lesser extent, the Agreement's output in products such as 'textiles', 'leather', 'chemicals', 'rubbers and plastics' may imply a change in the associated GHG emissions. In other sectors, output decreased instead. Finally, given the importance of the Amazon, and the LULUCF sector for the GHG emissions inventory of Colombia (responsible for over 20% of the total GHG emissions, as highlighted in the baseline analysis in section 7.1 of the main report and Annex D-1), particular attention will be spent on this aspect. For all these reasons, evaluating the impact of the Agreement on greenhouse gas emissions is considered a priority.

3. **The potential impact on air pollution through economic changes -** the changes in the economic outputs of and 'transport equipment', resulting from the Agreement's (see Table D-2) bring attention to the potential effect on air pollution (through the increased imports and production of transport equipment) as a result of the Agreement.

4. **The potential impact of the Agreement on the improvement and effective implementation of environmental standards –** as per the TSD Title, all parties commit to effectively implement various multilateral environmental agreements, as well as to uphold levels of protection and effectively enforce environmental laws (Article 277). As such, it can be expected that the Agreement has improved the (implementation of) environmental agreements in all countries. Yet, based on literature and stakeholder input, various concerns are raised concerning the effective implementation of environmental agreements and standards, related to e.g., the mechanisms for disputes over non-compliance claims, (exploration) certification

[226] Note that all priority areas are equally important, and that the listed order of priority areas does not give any indication regarding importance.

procedures, and intellectual property rights related to biodiversity. Having regarded the positive impact on metals, chemicals, and horticulture, the environmental standards associated with these sectors will be given special priority (see Table D-2).

The following environmental issues have not been selected for further analysis:

- **Pressures on biodiversity due to skin exports:** Even though concerns have been raised about the enforcement and effectiveness of the legislative framework on reptile skins exports, the Agreement does not show a change in the export of animal products (which includes skins). For this reason, this aspect will not be considered a priority for the next stages of the analysis.

- **Pressures due to mining due to coal and minerals extraction** since no economic impact of the Agreement on the extraction of coal or minerals have been observed (and as potential regulatory issues are covered will be covered under point 4), the potential impacts of these products previously considered of concern (as described in Table D-3) will not be considered a priority.

Peru

Table D-4: Impact screening & scoping matrix Peru

Sectors			Econ. impacts	Environmental status				
						Other environmental parameters		
Overall sector		CGE Sector		Climate change	Biodiversity and natural resources	Water	Waste management and CE	Air quality
Horticulture	1	Paddy rice		1,7	1,4	1	1	
	2	Wheat						
	3	Cereal grains						
	4	Vegetables, fruit	++					
	5	Oils seeds	+					
	6	Sugar cane/beet						
	7	Plant-based fibres	+					
	8	Crops	-					
Anim-als	9	Cattle, sheep, goats						
	10	Animal products						
	11	Wool						
	12	Forestry		1,5,7	5			
	13	Fishing			6			
	14	Coal		2,3	2,3	2,3	2,3	
	15	Oil		3	2,3	2,3	2,3	
	16	Minerals		2,3	2,3	2,3	2,3	
Meat/ dairy pr.	17	Bovine meat products						
	18	Meat products						
	19	Vegetable oils and fat	+					
	20	Dairy products						
V. food pr.	21	Processed rice			1,4	1,4		
	22	Sugar cane / beet						
	23	Other food products	++					
	24	Beverages, tobacco products						
Clot-hing pr.	25	Textiles		8	8	8	8	9
	26	Wearing apparel	+					
	27	Leather products						
Wood pr.	28	Wood products			5			
	29	Paper products	-					
	30	Petroleum						
Chemical pr.	31	Chemical products	++		8	8	8	9
	32	Basic pharmaceutical products	-					
	33	Rubber, plastic products						
	34	Mineral products			2,3,8	2,3,8	2,3,8	
Metal pr.	35	Ferrous metals	-		2,3	2,3	2,3	
	36	Metals	-					
	37	Metal products						
Machinery pr.	38	Computer, electronic	-					8
	39	Electrical equipment	-					
	40	Machinery and equipment	-					
	41	Motor vehicles and parts						
	42	Transport equipment						
	43	Manufactures	-					
Elec./ gas	44	Electricity						
	45	Gas manufacture, distribution						
	46	Water			1,3	1,3	1,3	
	47	Construction		8	8	8	8	8
Servi-ces	48	Trade						
	49	Accommodation, food and services						
Trans-port	50	Transport			8			
	51	Water transport						
	52	Air transport						

++ refers to large positive economic impact, + refers to moderate positive economic impact,
-- refers to large negative economic impact, - refers to moderate negative economic impact.
The numbers shown in the matrix refer to the numbers in the table on the next page

Table D-5: Impact screening & scoping matrix Peru, details

#	Topic		Issue
1	Potential impacts of horticultural sector		Potential positive impact on the production of and trade in **sustainable and organic products** (e.g., coffee, cocoa). This may be affected by strict SPS regulations, EU customer expectations, and support from REDD & DG DEVCO (Stakeholder input, DG DEVCO). However, it was also discussed in the biodiversity baseline that the growing international demand for organic products[227] is still insufficient to promote a change in performance in the national agricultural sector (MINAM, 2014).
			Increased agricultural production may have resulted in **land use conversion** (e.g. deforestation) and may have affected **water availability** (Development Solutions, CEPR, and University of Manchester 2009). Specific concerns have been expressed regarding avocado production, biofuel production (e.g. palm oil and sugar cane) and asparagus production in the Ica and Villacurí valley (Stakeholder input, DG ENV & EUD Peru; EQUIDAD, 2017; EPRS and ICLEI, 2018).
2	Environmental standards & regulation		As per the TSD Title, all parties commit to **effectively implement various multilateral environmental agreements**, which could result in positive impacts (see chapter IX of the Agreement).
			The effective implementation of the TSD Title with regards to the environmental provisions has been criticised by civil society representatives as no mechanisms to resolve **disputes over non-compliance** claims have been established (EPRS and ICEI, 2018). Some stakeholders argue that the net effect has been a lowering of environmental regulation (ICEAI, 2018). In a response to resolution 2628, Peru developed **roadmaps to improve environmental rights**. The effective implementation of this roadmap has been questioned (OIDHACO, 2017; Fritz, 2018).
3	Pressures resulting from mining		Trade agreements may have supported initiatives and **certification standards** towards a sustainable mining (e.g. Better Gold Initiative, Fairtrade and Fairmined) (Stakeholder input)
			The mining sector (both legal and illegal mining) has historically been related to negative environmental impacts, such as **deforestation**, **soil depletion**, and **water pollution**. Mining is currently the sector driving the release of the largest among of treated water into the Peruvian rivers, followed by the domestic and energy sector. If the Agreement increased mining activities, these pressures may have been intensified. In the Artisanal and Small Scale Mining (MAPE) sector, illegal mining has been an issue, using toxic reagents such as mercury and cyanide for the extraction of e.g. gold). Increased hydrocarbon exploitation is a pressure to deforestation (Stakeholder input, DG ENV and DG DEVCO).
4	(Genetic) biodiversity and property rights		As per the TSD Title, all parties commit to conserve the biological diversity in accordance with the CBD (see chapter IX of the Agreement).
			The **intellectual property** rights related to **biodiversity** (knowledge from indigenous people) may not have been addressed sufficiently in the Agreement. As such, other (non-Peruvian) parties commercially benefit from Peruvian natural intellectual property, without benefiting the native populations (Stakeholder input; EPRS and ICEI, 2018). The link with the Agreement with the EU remains unclear. The Agreement may have resulted in increased production of **non-native crops**, affecting biodiversity. Regarding wildlife spices and native plans, concerns have been raised as the exports of these products are increasing (CBD Secretariat, n.d.).
5	Forestry		As per the TSD Title, the parties commit to improve forest law enforcement and the effective implementation of **CITES** for endangered timber species (see chapter IX of the Agreement).
			The impact on the forestry sector may also have been negative in case the improvements of the **institutional environmental** frameworks have not kept pace with the potential increased export of forest products (Stakeholder input; Development Solutions, CEPR, and University of Manchester 2009; Cantaurias Salaverry, et al., 2015). Despite the large number of rules to regulate deforestation, surveillance and control of forest reportedly remains ineffective (Development Solutions et al., 2009). Notably, palm oil production is growing in the Amazonian region, where 72% of new plantations have expanded into forested areas, representing 1.3% of the total deforestation for that country for the years 2000–2010 (Gutiérrez-Vélez et al., 2011).
6	Fish resources		The Agreement may have led to **improved cooperation** in the context of Regional Fisheries Management Organisations (RFMO) & combat IUU (Development Solutions, CEPR, and University of Manchester 2009). Moreover, a small increase in the **proportion of sustainable fishing** with respect to GDP is reported in 2018 (INEI, 2018).
			Despite programmes and policies for the sustainable use of the marine resources, analysts report that there is a need for better environmental and economic policies to ensure there is sustainable framework to promote diversification, regulate fisheries, support sustainable development, and ensure the responsible use of aquatic resources (McKinley, et al., 2019).
7	Climate change		Under the TSD Title, all parties commit to promote trade in energy efficiency, renewable energy, innovation and **technologies to mitigate and adapt to climate change** as well as to reduce emissions from deforestation and forest degradation ('REDD') (see chapter IX of the Agreement).
			Agriculture, gold mining, extensive cattle ranching, hydroelectric generation, and the exploitation of hydrocarbons, among others, are the main drivers of a high deforestation rate and thus of the significant GHG emissions (CDP, 2019). In addition, the Agreement's impact on the **LULUCF sector** is of particular importance for the Andean countries, given the importance of the Amazon in this respect. In Peru, 43% of the total GHG emissions came from the LULUCF sector in 2017 (CAIT Data).
8	Industrial pollution & circular economy		The EU and Peru started cooperating on **circular economy** (Stakeholder input, DG ENV; EPRS and ICEI 2018)
			In the SIA, increased **pollution** was identified as a risk in case the Agreement would lead to higher production levels of chemicals, textiles, rubber, plastics, and metals (Development Solutions, CEPR, and University of Manchester 2009).
9	Urban air pollution		Urban **air pollution** has been mentioned as an important environmental challenge in large cities in the SIA (Development Solutions, CEPR, and University of Manchester 2009).

Green=potential positive impact, red=potential negative impact, yellow=mixed-undefined potential impact

[227] The contribution of eco-friendly businesses to the national economy has increased considerably in recent years, with a recorded increase of 20% in exports of bio products, as well as a 25% increase in surface dedicated to organic or ecological production.

Identification of priority areas in Peru

The identification of priority areas is based on a joint analysis of the expected (economic and regulatory) impacts of the Agreement and the existing environmental framework and performance. The selected priority areas will be assessed in more detail in the next stage of the evaluation.

The following priority areas[228] have been identified for Peru:

1. **The potential impact of the Agreement through the horticulture and oil seed sector on land conversion (related to climate change and biodiversity) and water availability** - this has been identified as priority area based on the Agreement's positive impact on output in the horticulture sector and the existing environmental pressures, related to deforestation, biodiversity loss, pollution and water use. Special attention will be given to palm oil production as the Agreement has a positive impact on the output of the oil seed sector (see Table D-4) and as historically a large share of the new plantations are located in the Amazonian region.

2. **The potential impact of the Agreement on the promotion of sustainable and organic products –** various stakeholders argue that the Agreement may have improved the (export) position for sustainable and organic products in Peru (e.g. bananas). This, in combination with the provisions on sustainable production in the TSD Title, warrant additional research on this matter.

3. **The potential impact of the Agreement on climate change through economic changes –** the Agreement affected the production in different sectors in various ways. These sectors have different emission intensities. Evaluating the impact of the Agreement on greenhouse gas emissions is considered a priority, given the global importance of climate change. In addition, the pressures related to climate change in Peru are mostly related to the land use conversion in the Amazon. For that reason, particular attention will be spent on the LULUCF sector.

4. **The potential impact of the Agreement on the improvement and effective implementation of environmental standards –** as per the TSD Title, all parties commit to effectively implement various multilateral environmental agreements, as well as to uphold levels of protection and effectively enforce environmental laws (Article 277). As such, it can be expected that the Agreement has improved the (implementation of) environmental agreements in all countries. Yet, based on literature and stakeholder input, various concerns are raised concerning the effective implementation of environmental agreements and standard, related to e.g., the mechanisms for disputes over non-compliance claims, (exploration) certification procedures and intellectual property rights related to biodiversity.

5. **Potential impact of the Agreement on industrial pollution –** The Agreement has resulted in output changes in various industrial sectors (i.e., wearing apparel and chemical products). These sectors have historically been related to soil and water pollution. Moreover, industrial pollution, driven by increased production, has been identified by the TSIA as a key environmental threat. Based on these reasons, industrial pollution will be analysed in more detail.

The following environmental issues have not been selected for further analysis:

1. **The potential impact of the Agreement through the mining sector –** the mining sector in Peru has been related to various negative environmental impacts. However,

[228] Note that all priority areas are equally important, and that the listed order of priority areas does not give any indication regarding importance.

as no economic impact of the Agreement on the mining sector has been observed (and as potential regulatory issues are covered under point 4), the potential impacts on the mining sector are not considered a priority.

2. **(Genetic) biodiversity and property rights –** although there is no absolute consensus in the literature on the impact of the provisions of the Agreement on the protection of IPR, due to lack of information, the topic of property rights is not included in the assessment. Moreover, biodiversity conservation is discussed in relation to point 1 and 4 as biodiversity loss is often associated with loss and degradation of ecosystems.

The following environmental topic areas have been identified in the baselines as important, but due to a missing positive impact of the Agreement (see Table 0-3) on the related sectors, they are not selected as a priority area:

1. **Trade in sustainable forest products**

2. **Fish resources**

3. **Urban air pollution**

Ecuador

Table D-6: Impact screening & scoping matrix Ecuador

Sectors			Econ. impacts	Environmental status				
				Climate change	Biodiversity and natural resources	Other environmental parameters		
Overall sector		CGE Sector				Water	Waste management and CE	Air quality
Horticulture	1	Paddy rice		1,7	1,4	1	1	
	2	Wheat	--					
	3	Cereal grains	++					
	4	Vegetables, fruit	+					
	5	Oils seeds	--					
	6	Sugar cane/beet	-					
	7	Plant-based fibres	--					
	8	Crops	--					
Anim-als	9	Cattle, sheep, goats						
	10	Animal products						
	11	Wool	--					
	12	Forestry		1,5	5			
	13	Fishing	+		6	6		
	14	Coal		3	3	3	3	
	15	Oil		3	3	3	3	
	16	Minerals		3	3	3	3	
Meat/ dairy pr.	17	Bovine meat products						
	18	Meat products						
	19	Vegetable oils and fat	--					
	20	Dairy products						
V. food pr.	21	Processed rice			1	1	1	
	22	Sugar cane / beet	-					
	23	Other food products	++					
	24	Beverages, tobacco products						
Clot-hing pr.	25	Textiles	--	8	8	8	8	8
	26	Wearing apparel	+					
	27	Leather products	--					
Wood pr.	28	Wood products	-		5			
	29	Paper products	--					
	30	Petroleum						
Chemical pr.	31	Chemical products	--	8	8	8	8	8
	32	Basic pharmaceutical products	-					
	33	Rubber, plastic products	--					
	34	Mineral products			3	3	3	
Metal pr.	35	Ferrous metals	-					
	36	Metals	--					
	37	Metal products	+					
Machinery pr.	38	Computer, electronic	-	8	8	8	8	8,9
	39	Electrical equipment	--					
	40	Machinery and equipment						
	41	Motor vehicles and parts	--					
	42	Transport equipment						
	43	Manufactures						
Elec./ gas	44	Electricity						
	45	Gas manufacture, distribution	-					
	46	Water			1,3	1,3	1,3	
	47	Construction	+	8	8	8	8	9
Servi-ces	48	Trade	+		5			
	49	Accommodation, food and services						
Trans-port	50	Transport						
	51	Water transport						
	52	Air transport						

++ refers to large positive economic impact, + refers to moderate positive economic impact,
-- refers to large negative economic impact, - refers to moderate negative economic impact.
The numbers shown in the matrix refer to the numbers in the table on the next page

Table D-7: Impact screening & scoping matrix Ecuador, details

#	Topic		Issue
1	Potential impacts of horticultural trade		Potential positive impact on the production of and trade in **sustainable and organic products** (e.g., coffee, cocoa). This may be affected by strict SPS regulations, EU customer expectations, and support from REDD & DG DEVCO (Stakeholder input, DG DEVCO).
			Increased agricultural production may have resulted in **land use conversion** (e.g. deforestation) and may have affected **water availability and quality** (Development Solutions, CEPR, and University of Manchester 2009). In the Ecuadorian Sixth National Report under the CBD, it was stated that 99.4% of the deforested areas between 2000 and 2008 were transformed into agricultural areas. Deforestation remains a pressing issue as the country lost 4.3% of its tree cover between 2001 and 2019 (Global Forest Watch, 2020). The production of fruits, and especially **bananas, may be related to the harmful use of pesticides**, which has violated labour rights and generated negative environmental impacts in plantations and their surroundings (Heifer Foundation, 2014; Instituto de Estudios Ecuatorianos, ASTAC and FES, 2019). Banana production may also **affect the water quantity and quality** of the local water resources (SENAGUA, 2019). Moreover, an increase of the illegal use of land and irrigation water has been reported in the banana sector resulting from increased production (Heifer Foundation 2014; Vera, 2020). In Ecuador, water pollution is also related to shrimp farming (Silva,2015; Acción Ecológica, 2020)
2	Environmental standards & regulation		As per the TSD Title, all parties commit to **effectively implement various multilateral environmental agreements**, which could result in positive impacts (see chapter IX (TSD) of the Agreement).
			The effective implementation of the TSD Title with regards to the environmental provisions has also been criticised by civil society representatives as no mechanisms to resolve **disputes over non-compliance** claims have been established (EPRS and ICLEI 2018). In Ecuador, several regulatory reforms (e.g., COA; see section Annex D-1) have been implemented which may have **lowered the environmental protection levels** (de la Vega, 2020).
3	Pressures resulting from mining		Trade agreements may have supported initiatives and **certification standards** towards a sustainable mining (e.g. Better Gold Initiative, Fairtrade and Fairmined) (Stakeholder input).
			The mining sector (both legal and illegal mining) has historically been related to negative environmental impacts, such as **deforestation**, **soil depletion**, and **water and soil pollution**. If the Agreement increased mining activities, these pressures may have been intensified.
4	(Genetic) biodiversity and property rights		As per the TSD Title, all parties commit to conserve the biological diversity in accordance with the CBD (see chapter IX of the Agreement).
			The **intellectual property** rights related to **biodiversity** (knowledge from indigenous people) may not have been addressed sufficiently in the Agreement. The Agreement may have resulted in increased production of **non-native crops**, affecting biodiversity.
5	Forestry		As per the TSD Title, the parties commit to improve forest law enforcement and the effective implementation of **CITES** for endangered timber species (see chapter IX of the Agreement).
			The impact on the forestry sector may also have been negative in case the improvements of the **institutional environmental** frameworks have not kept pace with the potential increased export of forest products (Stakeholders, Development Solutions, CEPR, and University of Manchester 2009). Ecuador's Wood Industry Association has estimated that 70% of all timber sold in the country is illegally harvested (Development Solutions, CEPR, and University of Manchester 2009, 85).
6	Pressures resulting from fisheries and in particular shrimp production		The Agreement may have led to **improved cooperation** in the context of Regional Fisheries Management Organisations (RFMO) & combat IUU (Stakeholders, Development Solutions, CEPR, and University of Manchester 2009). Moreover, sustainable partnerships and initiatives for shrimp production have been developed (e.g. **Sustainable Shrimp Partnership (SSP) and Sustainable Trade Initiative (IDH)**) as of 2017. They aim to reduce industry-wide antibiotic use and the impacts of climate change among others (Acción Ecológica, 2020)
			In 2019 Ecuador received a **"yellow card"** by the European Commission to flag Ecuador's limited action against Illegal, Unreported and Unregulated (IUU) fishing (European Commission, 2019). The mangrove areas of Cojimies estuary, the Chone estuary and the Jambelí Archipelago estuary have lost most of their mangrove coverage, predominately driven by land use change related to shrimp farming (Rodríguez, 2018).
7	Climate change		Under the TSD Title, all parties commit to promote trade in energy efficiency, renewable energy, innovation and **technologies to mitigate and adapt to climate change** + reduction of emissions from deforestation and forest degradation ('REDD') (see chapter IX of the Agreement).
			Increased production in various sectors may have led to increased greenhouse gas emissions. In addition, the Agreement's impact on the **LULUCF sector** is of particular importance for the Andean countries, given the importance of the Amazon in this respect. In Ecuador, where the LULUCF sector was responsible for 35% of the total GHG emissions, changes in agricultural land is the main pressure contributing to the emissions of the sector (97% of the sectorial emissions) (CAIT Data) (MAE, 2017b).
8	Industrial pollution & circular economy		In the SIA of 2009, increased **pollution** was identified as a risk in case the Agreement would lead to higher production levels of chemicals, textiles, rubber, plastics, and metals (Development Solutions, CEPR, and University of Manchester 2009).
9	Urban air pollution		Urban **air pollution** has been mentioned as an important environmental challenge in large cities in the SIA (Development Solutions, CEPR, and University of Manchester 2009).

Green=potential positive impact, red=potential negative impact, yellow=mixed-undefined potential impact

Identification of priority areas in Ecuador

The identification of priority areas is based on a joint analysis of the expected (economic and regulatory) impacts of the Agreement and the existing environmental framework and performance. The selected priority areas will be assessed in more detail in the next stage of the evaluation.

The following priority areas[229] have been identified for Ecuador:

1. **The potential impact of the Agreement through the horticulture sector on land conversion (related to climate change and biodiversity) and water availability** - this has been identified as priority area based on the Agreement's positive impact on output in the horticulture sector (see Table D-6:). and the existing environmental pressures, related to pesticides use, water use and land conversion, which are associated with ecosystem degradation and biodiversity loss as well as global warming. The assessment of this priority area will especially focus on the banana sector as several reports express concerns regarding with respect to pesticide and water use. The assessment will also consider the potential impact of the Agreement on the promotion of sustainable and organic products, as the Agreement may have improved the (export) position for sustainable and organic products and trade in forest-related products. This, in combination with the provisions on sustainable production in the TSD Title, warrant additional research on this matter.

2. **The potential impact of shrimp farming** the change in the economic output of 'fishing' resulting from the Agreement's (see Table D-7) indicates that the environmental pressures caused by this sector (e.g., water pollution, negative effects on mangrove ecosystems) may have been intensified by the Agreement. Since the fishing sector and, in particular, shrimp production in Ecuador has been related to various negative environmental impacts, as described in Table D-7, this issue is considered a priority for the next stages of our analysis. The evaluation of this priority area will also consider the potential impact of the Agreement on the promotion of sustainable fishing practices (e.g., Sustainable Shrimp Partnership).

3. **The potential impact of the Agreement on climate change through economic changes –** the Agreement affected the production in different sectors in all countries in various ways. These sectors have different emission intensities. Evaluating the impact of the Agreement on greenhouse gas emissions is considered a priority, given the global importance of climate change. In addition, the pressures related to climate change in Ecuador are mostly related to the land use conversion in the Amazon (which is closely related to priority area one). For that reason, particular attention will be spent on the LULUCF sector.

4. **The potential impact of the Agreement on the improvement and effective implementation of environmental standards –** as per the TSD Title, all parties commit to effectively implement various multilateral environmental agreements, as well as to uphold levels of protection and effectively enforce environmental laws (Article 277). As such, it can be expected that the Agreement has improved the (implementation of) environmental agreements in all countries. Yet, based on literature and stakeholder input, various concerns are raised concerning the effective implementation of (international) environmental agreements and standards.

The following environmental issues have not been selected for further analysis:

[229] Note that all priority areas are equally important, and that the listed order of priority areas does not give any indication regarding importance.

1. **Pressures resulting from mining** since no economic impact of the Agreement on the extraction of coal or minerals have been observed (and as potential regulatory issues are covered will be covered under point 4), the potential impacts of these products previously considered of concern (as described in Table D-7) will not be considered a priority.

The following environmental issues are not included as no specific evidence was found on a potential positive or negative impact:

1. **(Genetic) biodiversity and property rights** (biodiversity loss is discussed under priority area one and four)

2. **Industrial pollution & circular economy**; and

3. **Urban air pollution.**

References applied in impact screening

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Annex D-3: Potential impacts of the Agreement on land use change: Detailed quantitative analysis

1.1.1 Stage 1: Estimating the land footprint of the Agreement based on output changes (CGE)

The methodology uses the results of the CGE model as inputs to estimate the extent to which the Agreement-induced output change resulted in permanent deforestation. The CGE modelling results are used because they provide the most (and only) reliable estimate of *Agreement-induced changes* by calculating the difference between the actual observed situation and the modelled (hypothetical) situation without the Agreement. As such, the results of the CGE model show the Agreement-induced economic changes in 2020. The CGE results cannot be directly used to assess the impact on land use change and deforestation as the results are in monetary units (millions of USD). The first step therefore aims to transpose the CGE results on Agreement-induced output changes per sector into a spatial metric (hectares of land). The following steps are followed to get to the result of stage 1:

A. The first step is to extract the **Agreement-induced output changes per sector (in million USD)** from the CGE model. The output changes at sector level are then disaggregated to output changes at crop level (B). This is done by multiplying the output changes at sector level by the relative share (%) of the total value of production of a certain crop in the total value of production from the overarching sector. This is a necessary step as both the price information and land use intensity are only available at crop level.

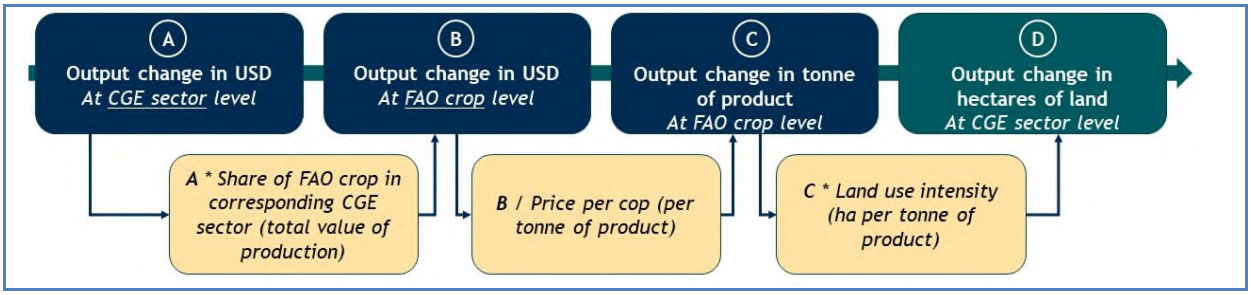
B. Now that the **Agreement-induced output changes per crop are estimated (in million USD)**, the output change per crop in terms of tonne of product can be calculated. To do this, the output change in million USD per crop is divided by the price of that crop.

C. This results in the estimated **Agreement-induced output change at crop level (in tonne of product)**. The output change at crop level is multiplied by the average land use intensity of that crop, to estimate the hectares of land corresponding with the Agreement-induced output change.

D. The last step is to aggregate the data again to estimate the **Agreement-induced output change in hectares of land per sector**.

This section explains these steps in detail. Figure 1 summarises the main steps.

Figure 1: Overview stage 1 - Estimating the hectares of land corresponding with the Agreement-induced output change in the agricultural sector



1.1.1.1 Output change in USD at CGE sector level

As explained above, the Agreement-induced change in output per country at sector level serves as the basis for this analysis. This data results from the (economic) modelling

exercise performed by DG Trade to assess the impacts of this Agreement. Although the CGE results cover 59 sectors in total, only the (nine) sectors related to agriculture are included in this analysis, as the objective is to analyse the biodiversity impacts related to changes in the agricultural sector as the agricultural sector is responsible for most deforestation (we exclude the potential of illegal deforestation that we cannot accurately estimate in this analysis). The first two columns in Table 1 show the relevant sectors from the CGE model and columns 3-5 show the estimated Agreement-induced output change in 2020 per sector per country.

1.1.1.2 Output change in USD at FAO crop level

To estimate the corresponding hectares of land associated with economic activity changes, the output changes in USD are first transformed to output change in volumes of product (based on price data) and then to hectares of land (based on land use intensity data). In these steps, FAO data on prices and land use intensity at crop level is used. As the CGE results on output change are not at crop level, the CGE data is distributed over crops using share (%) of the total value of production of a certain crop in the total value of production in the corresponding CGE sector. Data on the total value of production was extracted from FAO and the average shares between 2012-2018 (to correct for yearly differences).

Lastly, the CGE results on output per sector are multiplied with the calculated share (%) of the total value of production of a certain crop in the total value of production in the corresponding CGE sector, to estimate the CGE results at crop level.

1.1.1.3 Output change in tonne of product/crop

In the next step, the output change in million USD at crop level is divided by the price per tonne of product to estimate the output change per crop in tonne of product. For this analysis, producer price data[230] from FAO has been used (the average price between 2012-2018 has been used).

1.1.1.4 Output change in hectares of land

The output change in tonnes of product at crop level was then multiplied by land use intensity per crop to estimate the corresponding area of land. For land use intensity data, FAO statistics at national level have been used (average value between 2012-2018).

The final step was to aggregate the results (from crop level to CGE sector level), which resulted in estimates of Agreement-induced output change in hectares of land at CGE level. As shown in Table 1, in all Andean countries, the *vegetables, fruits nuts* sector experiences the largest Agreement-induced output change (in USD). The second largest in output change (in USD) the *crops nec* sector, which includes cocoa and coffee production. The negative *net* impact of Agreement-induced output change on cropland area in Peru and Ecuador is driven by the negative *gross* impacts on the *crops nec* sector (the average land use intensity of crops under the *crops nec* sector is larger than the average land use intensity of the crops under the *vegetables, fruit, nuts* sector). It is also noted that the Agreement-induced output change in the sector related to grazing (*bovine cattle, sheep, and goats*) is negative. As such, it is considered very unlikely that the Agreement contributed to deforestation through grazing activities. For that reason, the analysis focusses on estimating the impacts through the Agreement-induced changes in cropland area.

[230] Producer prices are considered the relevant price to estimate volumes of production. The CGE results show the output change in the agricultural sector, dominated by agricultural producers. Ultimately, producers receive a production price. Output change (USD) divided by the production price is considered the most accurate way to estimate production volumes.

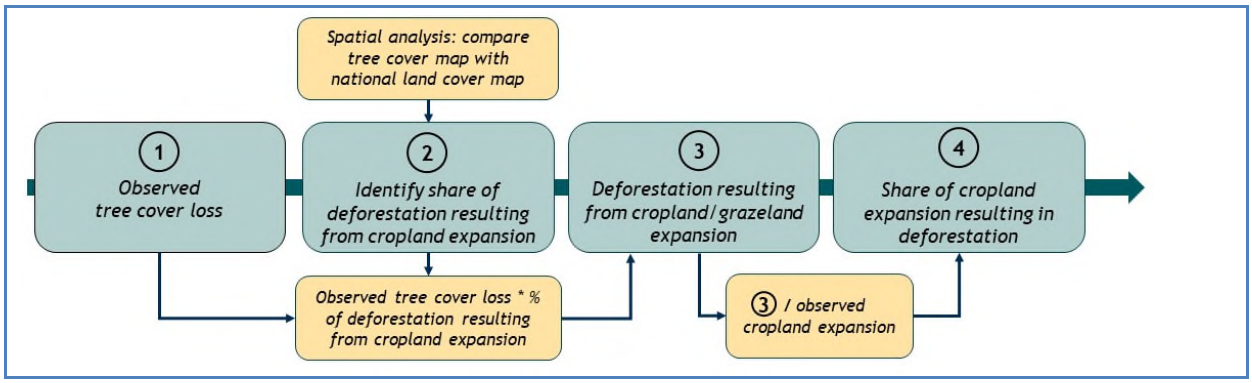
Table 1: Agreement-induced output change in 2020 and corresponding hectares of land

#	Sector	Agreement-induced output change in 2020 (in mln USD)			Sector	Estimated land use change (in ha)		
		COL	*PER*	*ECU*		*COL*	*PER*	*ECU*
1	Paddy rice	0.0	2.0	1.0	Cropland	10,766	-4,336	-2,007
2	Wheat	0.0	-3.5	-0.1				
3	Cereal grains nec	-0.5	1.7	5.0				
4	Vegetables, fruit, nuts	45.9	54.8	27.1				
5	Oil seeds	-1.4	2.5	-2.4				
6	Sugar cane, sugar beet	-2.3	2.0	-3.0				
7	Plant-based fibers	0.0	1.6	-2.7				
8	Crops nec	8.3	-26.0	-7.3				
9	Bovine cattle, sheep and goats	-5.9	-0.4	-0.4	Grazing	n/a	n/a	n/a

1.1.2 Stage 2: Spatial analysis

The second stage is to analyse past trends related to land use conversion in the Andean countries and to perform the spatial analysis. This is schematically shown in Figure 2.

Figure 2: Overview stage 2 - Estimating the share of deforestation resulting from cropland and grazing activities



1.1.2.1 Estimating deforestation due to agricultural activities between 2012-2019

Increased agricultural output can be achieved in various ways. As such, the relation between output change in the agricultural sector and deforestation is a not given. The first step to assess this, was to extract data on observed **tree cover loss** from Global Forest Watch data[231] (GFW, 2021).

Next, estimates on the share of tree cover loss due to commercial agriculture activities resulting in permanent deforestation from Curtis et al. (2018) were consulted. The three countries differ in terms of respective shares of commercial agriculture in total deforestation, as shown in Table 2. Based on the estimates, it was decided to discontinue the analysis for Ecuador as the role of commercial agriculture in forest clearing is negligible (which suggests that increased agricultural output is increased in other ways) and because the CGE results show a net decrease in cropland area resulting from Agreement-induced output change (as shown in Table 1). The uncertainties related to this analysis are larger than this (uncertainty in the input data and our estimates).

Table 2 shows the observed tree cover loss per country between 2012 and 2019, the share of tree cover loss due to commercial agriculture activities resulting in permanent deforestation, and the multiplication of these numbers to show the estimated amount of

[231] The GFW data is available for the period 2012-2019, which we used for our estimates.

deforested areas due to commercial agriculture. Note that, except for the data on observed tree cover loss, these values are not used in the next parts of the analysis.

Table 2: Role of commercial agriculture in deforestation between 2012 and 2019

Country	Observed tree cover loss ('12-'19)	% of deforestation due to commercial agriculture ('12-'19)	Deforested areas due to commercial agriculture ('12-'19)
Colombia	2,026,000 ha[232]	35.2 %	713,000 ha
Ecuador	378,000 ha	0.5 %	2,000 ha
Peru	1,802,000 ha	24.8 %	447,000 ha

Source: Global Forest Watch data (2021) & Curtis et al. (2018)

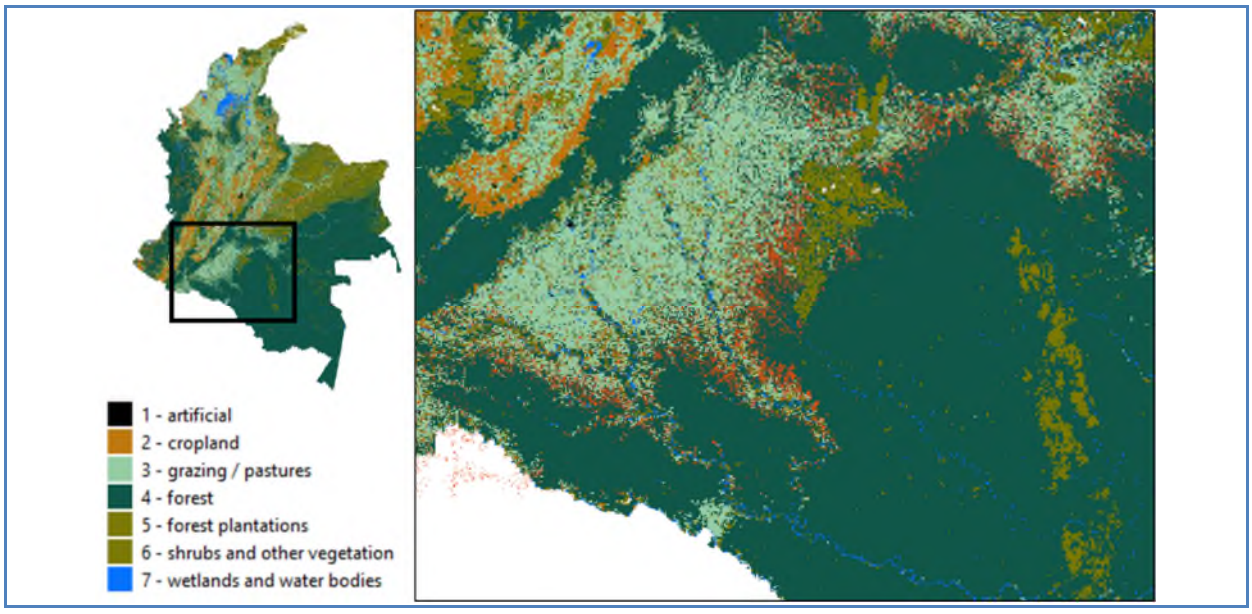
1.1.2.2 Share of deforestation resulting from and livestock grazing

No reliable data exists to distinguish the share of deforestation caused by cropland and livestock grazing in Colombia and Peru over the analysis time period. Spatial land *use* data, combined with regularly updated tree cover loss data from Hansen et al. (2013), has therefore been used to identify this relation.

Most recent national land use has been used, available from different national authorities in the respective countries (IDEAM, 2020; MAGAP, 2014; MINAM, 2015). It is noted that, even though this data is the most up-to-date data available, a time lag remains.

Based on a geographic information system (QGIS Development Team, 2020), it was then estimated to what extent deforestation could be attributed to cropland and livestock grazing per country. **The tree cover loss data for the period 2000-2015 was overlaid with the national land cover maps to identify what the forests in the countries were converted to.** An example is provided in Figure 3.

Figure 3: Overlaying observed deforestation (red locations) with a land cover map on the example of Colombia



Based on this spatial analysis, it is concluded that livestock grazing is the main driver for deforestation in all three countries. As shown in Table 3, it is estimated that 64% to 90% of deforestation resulting from commercial agriculture is driven by livestock grazing. These

[232] Data after 2016 was considered unreliable for Colombia. The analysis is therefore based on the data between 2012 and 2016. Observed tree cover loss in Colombia between 2012 and 2016 is equal to 942,900 ha.

findings were then validated using academic literature on deforestation drivers in the Andean countries, which confirmed that:

- In **Colombia**, livestock grazing (in the form or extensive ranching systems) is the predominant deforestation driver, being relatively inexpensive (see for example Armenteras et al., 2013; Clerici et al., 2020).

- In **Peru**, livestock farming is also the main driver for deforestation, though non-agricultural activities (e.g., mining and forestry) are also important drivers. Among the main drivers for deforestation in Peru are oil palm plantations, cocoa and banana plantations (Raschio et al., 2018; Vijay et al., 2016).

Table 3: Estimated shares of cropland and livestock grazing in deforestation due to agricultural activities (in %), based on data between the period 2000-2015

Country	Estimated % of cropland in deforestation due to agricultural activities	Estimated % of livestock grazing in deforestation due to agricultural activities
Colombia	10.2 %	89.8 %
Ecuador	N/a	N/a
Peru	35.9 %	64.1 %

Source: Trinomics & IVM based on IDEAM, 2020; MAGAP, 2014; MINAM, 2015

As noted in section 1.1.1.4, it is unlikely that the Agreement resulted in increased grazing activities in any Andean countries. For that reason - and because the Agreement does not cover illicit crops, which are important deforestation drivers in the wider Central American and Andes region (Armenteras et al., 2013; Quintero-Gallego et al., 2018; Tellman et al., 2020) - the focal point of the analysis is deforestation due to cropland activities.

1.1.2.3 Cropland change resulting in deforestation

The next step was to identify the extent to which cropland expansion resulted in deforestation. This **share of cropland expansion resulting in deforestation** has only been calculated for Colombia as no net cropland increase has been observed over the last years in Peru and Ecuador, as a result of which such a share cannot be calculated for these countries. In fact, statistics from FAO (FAO, 2021) show that cropland areas in Ecuador and Peru decreased in the analysis period. This was also confirmed by looking at alternative data sources (World Bank, 2021).

The numerator in the share is equal to the observed tree cover loss multiplied by the share of deforestation caused by cropland expansion (10.2%). Due to lack of certain data after the year 2016 in Colombia, it was decided to base the estimates for the period 2012-2016. The observed tree cover loss in this period in Colombia was equal to 942,900 ha. The denominator is based on FAO statistics (FAO, 2021) on observed **change in cropland area** for Colombia over the same period (273,200 ha). The result of this calculation shows the share of cropland expansion resulting in deforestation in Colombia between 2012 and 2016, which equals 34.5%.

Table 4: Final calculation to estimate the share of cropland change resulting in deforestation in Colombia (2012-2016)

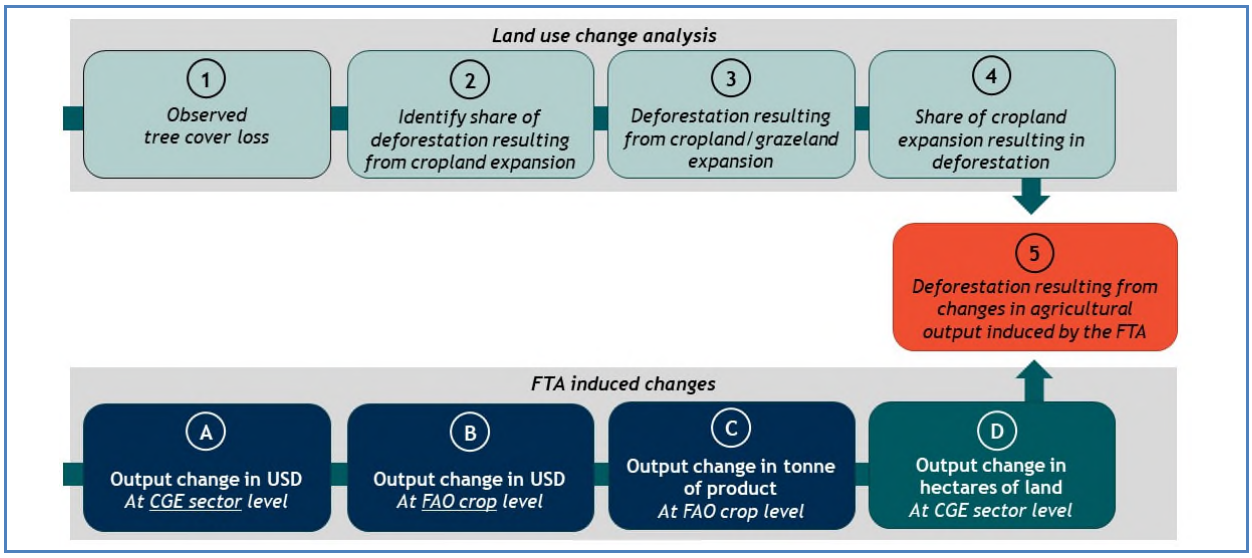
Country	Observed tree cover loss	% deforestation caused by cropland expansion	Observed change in cropland area	% cropland expansion resulting in deforestation
Retrieved from	*Section 1.1.2*	*Section 1.1.2.2*	*Section 1.1.2.3*	*N/A*
Colombia	942,900 ha	10.2%	272,300 ha	34.5%

Source: Calculations Trinomics & IVM

1.1.3 *Stage 3: Deforestation resulting from Agreement-induced changes in agricultural output & related biodiversity impacts*

In stage 3, the outcomes of the previous stages are combined to estimate the deforestation resulting from changes in the agricultural sector induced by the Agreement, as shown in Figure 4.

Figure 4 Overall approach



1.1.3.1 Deforestation resulting from Agreement-induced changes in agricultural output

The final step is to multiply the cropland area corresponding with the Agreement-induced output change in the agricultural sector by the share of cropland resulting in deforestation. It is noted that the analysis is focussed on cropland area in all Andean countries. This is justified by the fact that the CGE results show negative Agreement-induced output changes in the grazing sector, making it highly unlikely that the Agreement has contributed to deforestation through grazing activities.

For Colombia, it is estimated that the Agreement-induced output change in the agricultural sector resulted in 3,500 to 4,000 hectares of land being permanently deforested, which corresponds to roughly 0.5% of observed deforestation driven by commercial agriculture:

- Overall, it is estimated that the Agreement resulted in a *net* increase in cropland area in Colombia, compared with the hypothetical situation without an Agreement (based on the estimated cropland area corresponding with the CGE results, as calculated in section 1.1.1.4). This increase is driven by the *vegetables fruits and nuts* sector, in which the Agreement-induced output change equals + 46 million USD and the *crops nec sector* (+ 8 million USD). The corresponding estimated amount of cropland area equals roughly 11,000 ha of crop land. Using the share from section 1.1.2.3 on the % of cropland expansion resulting in deforestation, it is estimated that the Agreement-induced output change in the agricultural sector is related to 3,500 to 4,000 ha of permanent deforested area.

- It is difficult to single out individual crops responsible for most deforestation in Colombia. Evidence suggests, that deforestation patterns from similar countries in the vicinity (Brazil, Peru), where soybean and oil palm are major deforestation drivers, have not yet fully emerged in Colombia, also due to the lack of road infrastructure, high poverty levels in the forested areas and overall earlier stage of colonization processes (Armenteras et al. 2013). Nevertheless, cocoa and coffee could have resulted

in deforestation in Colombia as well, and in the Caribbean part of the country also banana (Blanco et al. 2012). For all these reasons, we treated all cropland as potential deforestation driver, and did not isolate individual crop types like in Peru.

For Ecuador, there is no evidence to conclude that the Agreement-induced output change in the agricultural sector resulted in permanent deforestation:

- Overall, it it is estimated that the Agreement resulted in a *net* decrease in cropland areas in Ecuador (considering *all* crops produced). Despite the net decrease in cropland area, cropland area for specific sectors increased (in particular the *vegetables fruits and nuts* sector where output increased by + 27 million USD, corresponding with roughly 6,000 ha). This *could* have resulted in deforestation. However, as only 0.5% of deforestation can be attributed to commercial agriculture in Ecuador over the past years, it is unlikely that the Agreement induced output change in the agricultural sector resulted in permanent deforestation in Ecuador.

For Peru, there is no evidence to conclude that the Agreement-induced output change in the agricultural sector resulted in permanent deforestation:

- Overall, it is estimated that the Agreement resulted in a *net* decrease in cropland areas in Peru (considering all crops produced). Despite the net decrease in cropland area, cropland area for specific sectors increased, which could have resulted in deforestation. For instance, the estimated Agreement-induced output change in 2020 in the *vegetables fruits and nuts* sector equals + 55 million USD, corresponding with roughly 14,000 ha. The *vegetables fruits and nuts* sector includes crops that are usually associated with deforestation in Peru, such as banana (e.g. Horgan, 2005; Zambrano et al., 2021), but also crops which are not associated with deforestation (e.g. potatoes, which account for 25% of total value of production in the sector). Evidence suggests that most bananas for export are being produced in the region of Piura (Guirkinger, 2008; Mills-Novoa, 2019). Piura is a semi-dry region, where it is difficult to differentiate between deforestation for banana production and other activities such as firewood collection (Ektvedt, 2011). No evidence was found on banana related deforestation in the Piura region (GFW, 2021), based on which it is unlikely that the Agreement resulted in deforestation through economic changes in this sector, over this period.

- Other crops that are related to deforestation in Peru are cocoa (e.g. Raschio et al., 2018) and coffee (e.g. Barham and Weber, 2012). Yet, the CGE results show that the Agreement-induced change in output in the *crops nec* sector (in which cocoa and coffee jointly account for 88% of the total value of production) is negative, which implies that the Agreement-induced output change should not have led to deforestation in this sector.

- The most notable crop related to deforestation in Peru is oil palm (Gutiérrez-Vélez et al., 2011). The CGE results show that output in the corresponding sector (oil seeds, in which oil palm represents almost 50% of the total value of production) increased by 0.4% compared to a situation without the Agreement, corresponding with 2.5 million USD. This would correspond with about 611 ha in oil palm production. This amount is considered too low to attribute to deforestation within reasonable boundaries of uncertainty; it could have also been produced in existing oil-palm areas, or on former deforested areas[233].

- The Agreement-induced output change in the grazing sector is negative. As such, it is unlikely that the Agreement contributed to deforestation through grazing activities.

[233] Oil palm is used to restore formerly deforested areas in Peru (Chazdon et a., 2016)

Table 5 summarises the findings.

Table 5. Estimated shares of cropland expansion resulting in deforestation for the three countries

Country	Agreement driven cropland change (ha)	Cropland change resulting in deforestation (%)	Agreement induced deforestation (ha)	Total (net) cropland change (ha)	% of total net cropland change resulting from Agreement
COL	10,766	34.5%*	3,500-4,000 ha	+273,200	1.4%
ECU	-4,336	N/A	N/A	-176,900	N/A
PER	-2,007	N/A	N/A	-726,300	N/A

* This estimate is based on 2012-2016 data. Due to the post conflict period after 2016 the data fluctuates considerably and is too uncertain to use

1.1.3.2 Estimating the biodiversity impact using spatial allocation in Colombia

1.1.3.2.1 Spatial allocation – modelling

To estimate the related biodiversity impact of deforestation related to Agreement-induced output changes in the agricultural sector, the estimated deforestation in Colombia was allocated across a 1 km by 1 km grid with a spatially explicit land use change model. Land use maps for each Colombia served as the initial year (pre-Agreement) and the result was the land use in the year 2020 as a result of the Agreement. The CLUE (Conversion of Land Use and its Effects; Verburg et al., 2008, 1999; Verburg and Overmars, 2009a) modelling framework was used to spatially allocate changes to cropland areas. The CLUE model is the most widely used spatial LULCC models and has been applied on different scales in more than 150 locations across the globe, among others also in the same countries as in the Agreement (Colombia, Ecuador, Peru), and other countries in the region (Bolivia, Costa Rica, Brazil). Additionally, it has been applied on a continental scale for the wider Amazon region (the whole amazon biome).

The Dyna-CLUE model is sub-divided into two parts: a non-spatial demand module and a spatially explicit allocation procedure. The non-spatial part calculates the area of land use change at the aggregate level (the whole territory of Colombia) is in this study derived from the CGE model and the assumptions explained in the previous sections. The second part of the CLUE model translates the Agreement land use demands into land use changes at different locations within Colombia using a raster-based system (spatially explicit data developed using geographic information systems).

To allocate the cropland area resulting from the previous sections, we used empirically quantified relationships between land use and location factors, in combination with the dynamic modelling of competition between land use types. Location factors consist of socio-economic (distance to cities, distance to roads, market accessibility), soil (e.g., soil clay and sand, soil depth, soil organic content, soil pH) and climate and terrain characteristics (precipitation and temperature, elevation, and slope). In this way, CLUE allocates land use change (e.g., cropland expansion) in areas most suitable for cropland activities (based on combinations of accessibility, soil and climate).

Due to the marginal impacts of the Agreement on land use activities so far, the impacts on biodiversity (compared to a no-Agreement situation) could be marginal as well and difficult to observe on a national scale (as shown in Figure 5). However, having spatially explicit results, the areas where the model allocated deforestation can be observed in detail (Figure 6). The model was also validated by comparing the results to actual observed deforestation in the same period (Hansen et al., 2013). As shown in Figure 7, much more deforestation has been observed in the same period. Yet, one can observe that the locations in which the model predicted deforestation are in line with the location where deforestation has been observed. It is noted that the model's spatial resolution (1 km) and the observed data (30 km) cannot be directly compared. The observed data presents a much finer spatial distribution, to the extent that actual patterns of how deforestation looked like on the field.

The model identified landscapes, where deforestation could have occurred, and should therefore be used to identify the context of where deforestation due to an Agreement could have occurred.

1.1.3.2.2 Biodiversity impact of land use change resulting from Agreement-induced output change

It is concluded that it is unlikely that the Agreement resulted in deforestation in the most (biodiverse) intact areas in Colombia. This conclusion is based on two observations (1) the overall estimated Agreement-induced land use change is marginal in terms of scale, and (2) the spatial modelling exercise shows that most of the projected deforestation was close to existing cropland, cities, and road infrastructure, and very likely in forests that had already been subject to human influence in the past decades. Additionally, none of it seems to have resulted in large scale deforestation, and local disappearance of forests. Nevertheless, locally, the Agreement could have resulted in forest fragmentation and an overall increase of human influence in areas with high biodiversity, for example in the Central Andean and Caribbean region.

Figure 5: Allocated Agreement-induced deforestation in COL

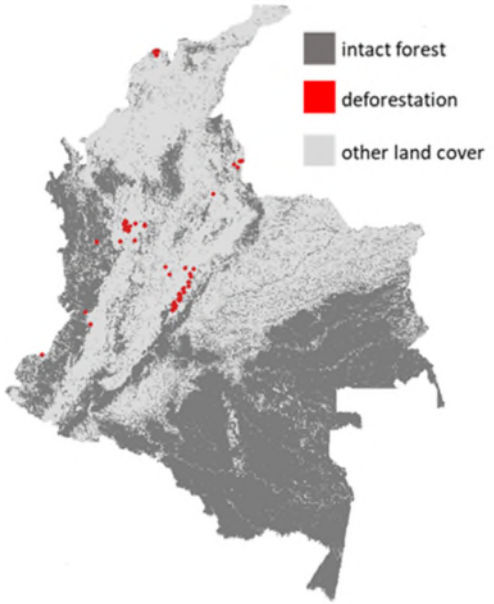


Figure 6: Allocated deforestation (red color) in central COL

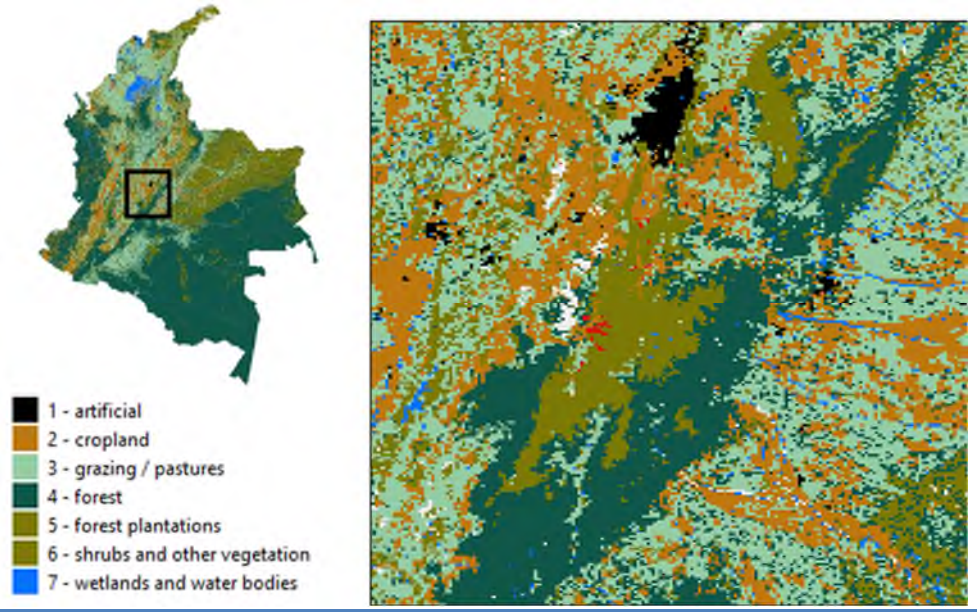
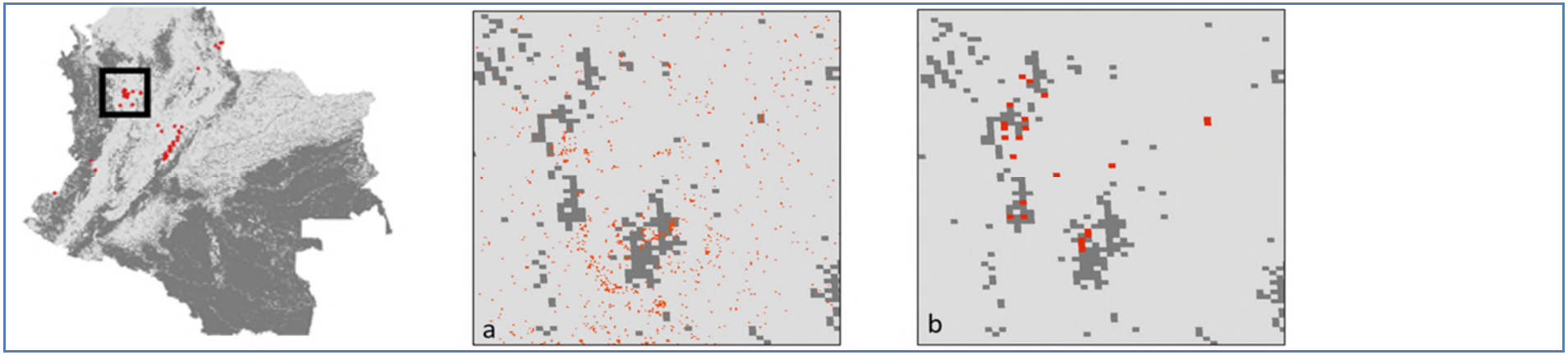


Figure 7: Comparing all observed (a) deforestation in the period 2012-2020, with the Agreement related allocated deforestation (b). Deforested areas are in red, intact forests in dark grey.



ANNEX E: ANALYSIS OF HUMAN RIGHTS IMPACTS

Annex E-1: Human Rights Profiles of the Andean countries

In this annex, human rights profiles are presented for Colombia, Peru and Ecuador. The profiles contain (1) human rights legal obligations of the parties to the Agreement, (2) screening of general human rights-related indices and (3) baseline conditions for the enjoyment of the relevant human rights in the period from five years before the provisional application of the Agreement until 2019. Particular attention is given to the pre-existing conditions of stress and vulnerabilities with respect to human rights, highlighting the position of specific vulnerable groups.

The human rights profiles serve several purposes:

- Set the scene regarding the enjoyment of the relevant human rights in the partner countries;
- Identify social and political developments that may have impacted the huma rights situation in the partner countries;
- Allow for a targeted assessment of the human rights impacts of the Agreement.

The profiles are based on the analysis of the international human rights obligations, national legislation and policy framework as well as implementation issues with respect to relevant human rights. Potential links with the Agreement are not included here. The analysis is based on the literature review, relevant indicators and preliminary stakeholder consultations.

1. Colombia

1.1. Human rights framework

The Constitution of Colombia recognises a comprehensive list of human rights as interpreted in the international human rights treaties ratified by the state.[234] Colombia ratified all core UN human rights conventions and five out of nine optional protocols. It did not ratify the Optional Protocol to the Convention against Torture (CAT), the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Optional Protocol to the Convention on the Rights of the Child on a communication procedure and the Optional Protocol to the Convention on the Rights of Persons with Disabilities (CRPD) (Table 1). As part of its reporting obligations, Colombia regularly reports to the UN monitoring treaty bodies. The country has one report that has been overdue since 2014 – report to the Committee on Civil and Political Rights.[235] In the period 2008 to 2019, Colombia ratified the International Convention for the Protection of all Persons from Enforced Disappearance (in 2012) and the Convention on the Rights of Persons with Disabilities (in 2011).

[234] Articles 11-41 of the 1991 Constitution of Colombia.
[235] UN Treaty Body Database: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/LateReporting.aspx

Table 1: Ratification status of core international human rights treaties by Colombia

Human Rights Treaty	Ratified or not
International Covenant on Civil and Political Rights (ICCPR)	✓
- Optional Protocol to the ICCPR	✓
- Second Optional Protocol to the ICCPR	✓
International Covenant on Economic, Social and Cultural Rights (ICESCR)	✓
- Optional Protocol to the ICESCR	×
Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT)	✓
- Optional Protocol to the CAT	×
International Convention for the Protection of All Persons from Enforced Disappearance (CPED)	✓
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	✓
- Optional Protocol to the CEDAW	✓
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	✓
Convention on the Rights of the Child (CRC)	✓
- Optional Protocol to the CRC on the involvement of children in the armed conflict	✓
- Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	✓
- Optional Protocol to the CRC on a communication procedure	×
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW)	✓
Convention on the Rights of Persons with Disabilities (CRPD)	✓
- Optional Protocol to the CRPD	×

Source: OHCHR.

Colombia has ratified all eight fundamental ILO Conventions that cover freedom of association, forced labour, discrimination and child labour. It has not ratified only one out of four ILO governance conventions that refers to employment policy. It has ratified the ILO Indigenous and Tribal Peoples Convention (No.169) (Table 2). In the period 2008 to 2019, Colombia ratified the ILO Domestic Workers Convention (No. 189).

Table 2: Ratification status of key ILO Conventions by Colombia

Convention	Ratified or not
C029 – Forced Labour Convention	✓
C087 – Freedom of Association and Protection of the Right to Organise Convention	✓
C098 – Right to Organise and Collective bargaining Convention	✓
C100 – Equal Enumeration Convention	✓
C105 – Abolition of Forced Labour Convention	✓
C111 – Discrimination (Employment and Occupation) Convention	✓
C138 – Minimum Age Convention	✓
C182 – Worst Forms of Child Labour Convention	✓
C081 – Labour Inspection Convention	✓
C122 – Employment Policy Convention	×
C129 – Labour Inspection (Agriculture) Convention)	✓
C144 – Tripartite Consultation (International Labour Standards) Convention)	✓
C155 – Occupational Safety and Health Convention	×
C169 – Indigenous and Tribal Peoples Convention	✓

Source: ILO.

Next to that, Colombia is a party to the main human rights instruments of the inter-American system and recognises the competence of the Inter-American Court of Human Rights (see full list of ratifications of regional human rights treaties in Table E-1 in Annex E-2).

1.2. Overall screening of human rights-related indices

To illustrate general changes in human rights and human rights related issues over the evaluation period, the following relevant indices are reported: the Human Development Index and the Gender Equality Index of the UNDP, the Political Rights Index and the Civil Liberties Index of the Freedom House, the Corruption Perception Index of the Transparency

International, the Social Progress Index (available from 2011), and the Voice and Accountability, Political Stability, Government Effectiveness, Rule of Law Indices of the World Governance Indicators.[236] Table 3 presents an overview of all the scores for Colombia over the period from 2008 to 2019, depending on the availability of the data. The indices use different methodologies in covering various human rights-related issues. Some of the indices overlap or are intertwined, but that allows to look at the trends in human rights performance from various angles.

The Human Development Index (HDI) covers three dimensions of human development – a long and healthy life, education and a decent standard of living.[237] Over the period 2008 to 2019, Colombia has experienced a small but steady increase in this index. *The Gender Inequality Index (GII)* shows that there has been a modest improvement in the position of women in Colombia with respect to their reproductive health, political participation and labour inclusion.[238] *The Political Rights Index* illustrates a rather stable situation with respect to political rights in the country (electoral freedoms, political participation and functioning of the government), while *the Civil Liberties Index* (freedom of expression and belief, associational and organisational rights, rule of law, personal autonomy and individual rights)[239] shows a decline in civil freedoms from 2009 till 2017 caused by the rise in internal displacement and extrajudicial executions as well as the increase in violence against protesters and protest organisers.[240] In 2017 the score improved due to the decrease in violence that was a result of the peace process between the government and the left-wing guerrillas.[241] *The Corruption Perception Index* has changed its underlying methodology, so comparable data is available only since 2012. This data shows that corruption has remained constant between 2012 and 2019. *The Social Progress Index,* which covers such dimensions as basic human needs (water, basic medical care, nutrition, etc.), foundations of wellbeing (education, health, environmental quality, etc.) and opportunity (personal rights and freedoms, inclusiveness, etc.),[242] recorded a gradual improvement in several human rights captured within the score until 2018. For 2019, the score deteriorated marginally due to the decreased scores on personal safety related to increased levels of violence as well as the decreased scores on the access to quality health care, freedom of expression, access to justice and property rights for women.[243] *The Voice and Accountability Indicator* reflects upon a wide range of personal freedoms – freedom of press, democracy, freedom of association and assembly, electoral freedoms, etc.) and illustrates an improvement with respect to these rights overall in the period from 2008 until 2019. *The Political Stability Indicator* covers the degree of violence in the country and shows that in Colombia it has been volatile over the evaluation period. *The Government Effectiveness Indicator* reflects on the functioning of the government and the quality of public services. It fluctuated from 2008 to 2019 in Colombia and shows that scores of 2008 and 2019 have almost remained constant. Finally, *the Rule of Law indicator* illustrates the Colombian situation with respect to crime, property rights and trafficking of people, among others. Law and order scores have been volatile over the period between 2008 and 2019. Since 2015 they show a steady decrease in the rule of law in Colombia.[244]

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[236] Kaufmann, Daniel and Kraay, Aart and Mastruzzi, Massimo, The Worldwide Governance Indicators: Methodology and Analytical Issues (September 2010). World Bank Policy Research Working Paper No. 5430, available at SSRN: https://ssrn.com/abstract=1682130

[237] See full methodological note on the Human Development Index at: http://hdr.undp.org/en/content/human-development-index-hdi

[238] See full methodological note on the Gender Inequality Index at: http://hdr.undp.org/en/content/gender-inequality-index-gii

[239] See full methodological note on the Political Rights Index and the Civil Liberties Index at: https://freedomhouse.org/reports/freedom-world/freedom-world-research-methodology

[240] Based on the Freedom House Colombia country reports from 2008 until 2017: www.freedomhouse.org

[241] See Freedom House Colombia Reports from 2017 to 2020: www.freedomhouse.org

[242] See full methodological note at: www.socialprogress.org/about-us

[243] Based on the scorecards for Colombia from 2012 until 2019: www.socialprogress.org

[244] See full methodology at: https://info.worldbank.org/governance/wgi/Home/Documents

Table 3: Overview of the key human rights-related indices for Colombia (2008 – 2019)

Key indicators	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Human Development Index	0.72	0.72	0.73	0.74	0.74	0.75	0.75	0.75	0.76	0.76	0.76	
Gender Inequality index			0.47	0.47	0.46	0.46	0.44	0.43	0.43	0.43	0.43	0.43
Political Rights Index	3	3	3	3	3	3	3	3	3	3	3	3
Civil Liberties Index	3	4	4	4	4	4	4	4	4	3	3	3
Corruption Perception Index					36	36	37	37	37	37	36	37
Social Progress Index				70.9	72.4	72.6	73.3	73.7	74.7	75.0	75.4	74.5
Voice & Accountability Index	42.8	42.7	42.7	47.0	46.0	45.5	47.8	47.8	49.8	49.3	52.7	55.2
Political Stability Index	5.8	5.2	8.5	12.3	8.1	10.4	11.0	12.9	16.2	17.6	19.5	15.7
Government Effectiveness	54.4	48	51.7	56.4	57.4	57.8	49.5	52.4	53.4	51.4	50.0	55.8
Rule of Law	41.8	43.1	46.0	47.4	45.1	41.8	44.7	46.6	43.8	40.4	38.5	38.5

Source: own compilation based on UNDP Human Development Reports, Freedom House Reports, Social Progress scorecards and World Governance Indicators for Colombia over the period 2008-2019.

Following this high-level screening of relevant human rights related indices, in the next section, a concise baseline analysis of the relevant human rights is presented, covering *inter alia* the pre-existing conditions of stress and vulnerabilities with respect to human rights in Colombia before the provisional application of the Agreement as well as identifying relevant social and political developments that could have affected the human rights situation in the country.

1.3. Baseline analysis of relevant human rights/issues[245]

Colombia has been exposed to armed conflict for many years which heavily affected its human rights situation. The Colombian government signed a peace accord with the Revolutionary Armed Forces of Colombia (FARC) in 2016. However, conflict-related violence and abuses remained. According to the International Committee of the Red Cross, there are five armed conflicts in Colombia.[246] The UN Committee on the Elimination of All Forms of Discrimination against Women characterises the presence of the state as weak in some areas (particularly in former conflict zones), where civil population is reported to have been challenged by the threats, violence and displacement from the armed groups.[247] Human Rights Watch notes that guerrillas and the FARC dissident groups continue to commit murder, sexual violence, child recruitment kidnapping, and forced labour.[248] The 2020 report of the United Nation High Commissioner for Human Rights on the situation of human rights in Colombia mentions that the National Liberations Army (ELN), persistently breaches international humanitarian law, for example, with the 17 January 2019 car bomb attack in Bogotá.[249] The implementation of the Integrated System for Truth, Justice, Reparation and Non-recurrence established by the peace accord continues to progress positively.[250] Over 900 convictions of mid and low-level soldiers happened in relation to the past killings of civilians, senior army officers, however, have not been convicted yet.[251] The Inter-American Commission on Human Rights, as the main organ of the OAS, recognises the efforts of the Colombian government in developing important public policies on human rights to face the complex reality of the victims of the conflict, and the significant investment in human and financial resources in these areas. However, in its 2019 report,

[245] Human rights in the baseline analysis are drawn from the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, supplemented where relevant with references to the core UN human rights treaties and conventions, regional human rights treaties, and ILO Conventions.

[246] International Committee of the Red Cross (ICRC) (2019). Colombia: Five armed conflicts – What's happening? https://www.icrc.org/en/document/colombia-five-armed-conflicts-whats-happening

[247] United Nations Committee on the Elimination of Discrimination against Women (2019). Concluding observations on the ninth periodic report of Colombia, UN doc. CEDAW/C/COL/CO/9.

[248] Human Rights Watch (2020). World Report 2020 - Colombia: https://www.hrw.org/world-report/2020/country-chapters/colombia

[249] Human Rights Council (2020). Situation of human rights in Colombia, Report of the United High Commissioner for Human Rights, UN doc. A/HRC/43/3/Add.3

[250] Ibid.

[251] Human Rights Watch (2020). Freedom in the World 2020, Colombia: https://freedomhouse.org/country/colombia/freedom-world/2020

the Commission expressed its concern about the persistence of displacements and murders of human rights defenders and social and territorial leaders.[252]

1.3.1. Cross-cutting issues

Non-discrimination

While the Colombian constitution prohibits discrimination in general (Article 13) and discrimination of women (Article 43), as well as includes other provisions that seek to protect indigenous groups and Afro-Colombian communities, Colombia continues to be one of the most unequal countries in the region and in the world.[253] Enforcement of these laws remains weak. Despite some improvements, discrimination based on gender continues to be present as there is still a lack of political empowerment and economic opportunities for women are few.[254] Indigenous groups and Afro-Colombians face discrimination at work and in access to public services.[255] The Freedom House reports that 80% of Afro-Colombians live below the poverty line.[256] Venezuelan migrants who came to Colombia because of the Venezuelan crisis have faced discrimination and xenophobic sentiments.[257] LGBTI people also face discrimination in Colombia and though some of the positive developments have occurred with respect to their rights, discrimination remains[258] (see also section 1.3.3 on vulnerable groups below).

Corruption

From 2012 to 2019 the Corruption Perception Index (CPI) indicated that corruption remained largely constant in Colombia. The Freedom House reports from 2008 to 2019 state that corruption in Colombia is a major issue and is present at all levels of public administration.[259] The UN Committee on Economic, Social and Cultural Rights points out that while some measures were introduced to combat corruption in Colombia, their effectiveness has been limited and there has been only a small number of convictions on corruption charges.[260] The UN Human Rights Council has repeatedly noted that corruption has a negative impact on the enjoyment of human rights and affects the duty of Colombia to allocate the largest possible amount of resources to guarantee these rights.[261]

Environment, development, business and human rights

The Colombian Constitution recognises "the right to a healthy environment" in Article 79. Under the terms of the Law No. 1076 (2015) and Law No. 3573 (2011), the state, through the National Authority for Environmental Licenses (ANLA), regulates the licensing of environmental projects, works or activities to comply with environmental regulations set

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[252] Inter-American Commission on Human Rights (2019). Annual Report 2019, Chapter V Follow-up to Recommendations Made by the IACHR in the Report Truth, Justice and Reparation: Fifth Report on the Human Rights Situation in Colombia: https://www.oas.org/en/iachr/docs/annual/2019/docs/IA2019cap5CO-en.pdf

[253] See BTI Colombia reports for 2008, 2010, 2012, 2014, 2016, 2018 and 2020.

[254] BTI (2020). World Economic Forum (2020), Global Gender Gap Report: http://www3.weforum.org/docs/WEF_GGGR_2020.pdf

[255] UN CERD (2020).

[256] Freedom House (2020).

[257] BTI (2020), UN CERD (2020), UN CEDAW (2019), UN CMW (2019).

[258] Corporación Caribe Afirmativo, Akahatá – equipo de trabajo en sexualidades y géneros, Heartland Alliance for Human Needs and Human Rights (2017). Situation of LGBTI Human Rights in Colombia, Report submitted to the Committee on Economic, Social and Cultural Rights, 62nd Session: https://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/COL/INT_CESCR_CSS_COL_28549_E.pdf

[259] Based on the annual Freedom House reports *Freedom in the World, Colombia* from 2008 till 2019.

[260] United Nations Committee on Economic, Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN doc. E/C.12/COL/CO.6.

[261] UN Human Rights Council (2019). Report of the UN High Commissioner for Human Rights, Situation of human rights in Colombia, UN Doc. A/HRC/40/3/Add.3; UN Human Rights Council (2018). Annual Report of the UN Hight Commissioner for Human Rights on the situation of human rights in Colombia, UN Doc. A/HRC/37/3/Add.3.

out in these laws. The ANLA is also responsible for the follow-up and environmental monitoring of projects as laid down in the Law No. 1076, to verify compliance with the environmental legislation. In 2018, Colombia joined the Minamata Convention on Mercury, which compliments its Mercury Law, which bans the use of heavy metal in gold mining, and in other industrial sectors from 2023.[262] In 2019 Colombia signed but did not yet ratify the Escazú Agreement[263] which deepens the link between environmental protection and human rights in Latin America and provides for the right to informed participation in the environmental approval process for investment projects and access to justice for people affected, among other guarantees.

In the 2017 Concluding observations on Colombia, UN Committee on Economic, Social and Cultural Rights notes that mining, hydroelectric dams, deforestation and agricultural activities with the use of toxic substances have had a negative impact on the environment and the communities involved.[264] The UN Committee on the Elimination of Racial Discrimination notes that licences for investment, tourism, industrial fishing and mining projects are granted without prior consultations with the indigenous peoples and communities of Afro-Colombian descent.[265] The 2020 Colombia Report of the Bertelsmann Foundation states that public consultations with communities that may be affected by projects that exploit natural resources are being conducted, but their outcomes are not duly taken into account.[266]

1.3.2. Human rights

Administration of justice, including impunity, and the rule of law

Corruption and extortion have been affecting the judicial system for years, the 2017 corruption allegations involving Supreme Court justices have seriously impacted its credibility. In 2018, a Latinobarómetro opinion survey found that only 23% of respondents trusted the judicial sectors, whereas 39% did not.[267] The Freedom House reports that due process protection remains weak and trial processes move slowly.[268] In 2019, the UN Committee on the Elimination of Discrimination against Women expressed a particular concern about the limited institutional capacity of the judiciary in rural areas and in the way they address cases related to femicide, sexual violence and violence against human rights defenders.[269]

Freedom of assembly and freedom of association, including the right to form and join trade unions

Freedom of assembly and freedom of association are guaranteed by the Constitution (Arts. 37 and 38, respectively). However, in practice, this right is restricted by violence. Since 2016, the International Trade Union Confederation (ITUC) Global Rights Index consistently ranks Colombia as one of the ten worst countries for workers in the world.[270] Various UN

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[262] European Parliamentary Research Service (2018). Trade agreement between the European Union and Colombia and Peru – European Implementation Assessment.
[263] See website of the UN depositary: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-18&chapter=27&clang=_en
[264] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc, E/C.12/COL/CO.6.
[265] United Nations Committee on the Elimination of Racial Discrimination (2020). Concluding observations on the combined seventeenth to nineteenth periodic reports of Colombia, UN doc. CERD/C/COL/17-19.
[266] BTI Colombia reports for 2016, 2018 and 2020: https://bti-project.org/en/meta/downloads.html?content=country&country=COL
[267] BTI (2020). Colombia Country Report 2020, at: https://www.bti-project.org/en/reports/country-report-COL-2020.html
[268] Freedom House (2020).
[269] United Nations Committee on the Elimination of Discrimination against Women (2019). Concluding observations on the ninth periodic report of Colombia, UN doc. CEDAW/C/COL/CO/9.
[270] ITUC Global Index Reports 2014-2020.

monitoring bodies note that violence against human rights defenders has persisted over the years.[271] Civil society organisations are reported to face the risk of physical danger from illegal armed groups, especially in rural areas.[272] The Freedom House states that the Duque administration has reiterated its support for civil society organisations and signed an agreement in August 2018 for developing more effective protection policies, which however did not lead to major improvements.[273] The Bertelsmann Foundation reports that only five percent of investigations on the cases of homicides of human rights advocates by the General Attorney's office have led to court cases.[274]

Workers may form and join trade unions, bargain collectively, and anti-union discrimination is prohibited, however joining a trade union is limited by legal requirements.[275] This is reflected in the low rates of union membership over the evaluation period, and in the large numbers of strikes that were declared illegal.[276] Table 4 represents an overview of the number of active trade unions in Colombia in the period from 2008 till 2017 (see statistics related to the number of members per trade union in the social part of the analysis). The number of trade unions has increased but the ILO and stakeholders note that illegal worker representation practices have become common.[277]

Table 4: Overview of trade unions in Colombia from 2008 till 2017

	2008	2009	2010	2011	2012	2013	2015	2016	2017
Number of active trade unions	2933	2885	2936	3459	3868	4384	5229	5449	5523

Source: Sistema de Información Sindical y Laboral (Sislab)

While violence against trade union activists has decreased due to the implementation of President Uribe's "Democratic security" program,[278] according to data of the Escuela Nacional Sindical, 19 unionists were murdered in 2020.[279] Prosecutions of those responsible for the violence and the killings remain low.[280] According to the Colombian Research Institute, the Escuela Nacional Sindical (ENS), such economic sectors as education,

[271] See United Nations Committee on Economic, Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN doc. E/C.12/COL/CO.6 and United Nations Committee on the Rights of the Child (2015). Concluding observations on the fourth and fifth periodic reports of Colombia, UN doc. CRC/C/COL/CO/4-5.

[272] See BTI Colombia reports for 2008, 2010, 2012, 2014, 2016, 2018 and 2020: and Oidhaco & Catapa (2020). Trade Agreement between the EU, Colombia, Peru and Ecuador, at: http://www.oidhaco.org/uploaded/content/article/1326853725.pdf

[273] Freedom House (2020). Freedom in the World 2020, Colombia: https://freedomhouse.org/country/colombia/freedom-world/2020

[274] BTI (2020); United Nations Human Rights Council (2019). Report of the Special Rapporteur on the situation of human rights defenders, UN Doc. A/HRC/43/51/Add.1.

[275] The Constitution of Colombia, Articles 55 and 56.

[276] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN doc, E/C.12/COL/CO.6

[277] International Trade Union Confederation (2019). Colombia: Peace at Risk, at: https://www.ituc-csi.org/colombia-peace-at-risk; Fernando Forero, L. (2016). Repercussions in Colombia of the Free Trade Agreement with the European Union after Three Years of Implementation, publication of the Transnational Institute (TNI) and the International Office on Human Rights – Action Colombia (OIDHACO), at: https://www.tni.org/files/publication-downloads/ue-colombia_ftaen.pdf; Oidhaco & Catapa (2020). Trade Agreement between the EU, Colombia, Peru and Ecuador, at: http://www.oidhaco.org/uploaded/content/article/1326853725.pdf; ILO (2019). OIT fortalece los actores del mundo del trabajo en prevención y resolución de conflictos con diálogo social: http://www.oit.org/lima/sala-de-prensa/WCMS_732703/lang--es/index.htm

[278] BTI (2016). Colombia Country Report: https://www.bti-project.org/content/en/downloads/reports/country_report_2016_COL.pdf

[279] Escuela Nacional Sindical (2021). Powerpoint presentation on file.

[280] Naciones Unidas (2020). Informe del Relator Especial sobre la situación de los defensores de derechos humanos acerca de su visita a Colombia, Comentarios formulados por el Estado, NU Doc. A/HRC/43/51/Add.4; United Nations Human Rights Council (2019). Report of the Special Rapporteur on the situation of human rights defenders, UN Doc. A/HRC/43/51/Add.1.

agriculture and fishing, and mining are the three top sectors where violence against trade union activists is most common.[281]

Table 5: Violence against trade union representatives

Type of violence	2011	2012	2013	2014	2015	2016	2017	2018	2019*
Threat	321	450	337	244	121	202	137	175	51
Harassment	41	50	63	78	30	30	26	8	7
Murder	24	25	37	21	21	20	22	34	9
Attack	10	9	18	24	17	18	17	10	1
Forced displacement	17	91	3	1	0	1	1	2	0
Arbitrary detention	12	19	24	17	8	5	9	0	0
Illegal search and seizure	1	3	2	2	2	8	1	1	0
Enforced disappearance	1	5	1	0	2	0	1	3	0
Torture	1	2	0	1	4	2	1	1	1
Kidnapping	3	0	4	0	3	0	0	0	1
Total cases of violence	*431*	*654*	*489*	*388*	*208*	*286*	*215*	*234*	*70*

* Data until July 2019
Source: based on data of Sistema de Información de Derechos Humanos (Sinderh), Escuela Nacional Sindical.

Various measures have been taken to ensure protection of trade union representatives and address the high level of impunity for crimes against them: through the creation of the National Protection Unit, special arrangements within the Prosecutor General's Office to look into the patterns of the murders against trade union representatives, targeted trainings for judicial workers provided by the ILO, etc. However, progress has been considered as insufficient as impunity for crimes against trade union representatives remains, the rates of collective bargaining are still low and multiple complaints are submitted to the ILO related to the violations of the Conventions No. 87 and 98:[282] cancellation of trade union registration, the practice of negotiating collective pacts with non-unionised workers[283] and limitations with respect to the right to strike (e.g. the Avianca case, where the Supreme Court declared the strike of pilots unlawful because the right to strike is not a fundamental right and is prohibited in essential public services).[284]

Freedom of press is guaranteed by the Constitution (Art. 20). However, enforcement has been weak. Various Freedom House reports from 2008 until 2019 note that journalists have faced intimidations, kidnapping and violence in their work. In 2019, the local press watchdog Foundations for Press Freedom (FLIP in Spanish) registered 491 attacks on press freedom.[285] This demonstrates an increasing trend when compared to the numbers in previous years, 310 in 2017[286] and 216 in 2016.[287] Opinion plurality is respected as the government has allowed the existence of newspapers and radio stations that produce alternative political and economic views, and the government does not restrict access to the internet or censors' sites. The Freedom House states that self-censorship remains common over the period from 2008 till 2019, and slander and defamation continue to be criminal offences.[288]

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[281] Escuela Nacional Sindical (2020). El País de los 3.240 sindicalistas asesinados, informe especial, 21 septiembre 2020, at: https://ail.ens.org.co/informe-especial/el-pais-de-los-3-240-sindicalistas-asesinados/

[282] ILO recorded 38 complaints procedures on freedom of association cases, 25 of them are active, see https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11110:0::NO::P11110_COUNTRY_ID:102595

[283] International Trade Union Confederation (2019), Colombia: Peace at Risk, at: https://www.ituc-csi.org/colombia-peace-at-risk

[284] Corte Suprema de Justicia, República de Colombia, Sala de Casación Laboral, SL20094-2017, Radicación no. 79047, Acta 44, 77: https://cortesuprema.gov.co/corte/wp-content/uploads/relatorias/la/bdic12017/SL20094-2017.pdf

[285] Freedom House (2020).

[286] BTI (2020).

[287] BTI (2018). Colombia Country Report, available at: https://www.bti-project.org/content/en/downloads/reports/country_report_2018_COL.pdf

[288] Based on the annual Freedom House reports *Freedom in the World, Colombia* from 2008 till 2019.

Freedom of religion is guaranteed under Article 19 of the Constitution and the government has generally respected this right in practice.[289]

Right to work and right to just and favourable conditions of work

The Constitution of Colombia recognises the right to work in its Article 25. Additionally, there are several legislative, institutional and policy documents which are aimed to promote the right to work in the country. For example, the 2010 Act on formalising and generating employment (Act No. 1429), the 2013 Act establishing the unemployment protection mechanism (Act No. 1636), the 2019 National Development Plan 2018-2022, "Pact for Colombia, Pact for Equity" (Act No. 1955). When comparing unemployment data of 2008 with 2019, it can be seen that unemployment in Colombia remained at the same level (see detailed statistics in the social part of the analysis). High rates of unemployment have been affecting young people, women, persons with disabilities, indigenous and Afro-Colombian peoples and persons living in rural areas. Colombia has made efforts to reduce the number of people working in the informal sector from 57% in 2007 to 46.4% in 2019 (DANE statistics). The UN Committee on Economic, Social and Cultural Rights (CESCR) in its reports of 2010 and 2017 has expressed concern that workers in the informal economy were not adequately protected by labour law and do not have access to social security protection system (see the right to social security).[290] Based on the number of accidents at work, working conditions have improved and several projects have been implemented in cooperation with the ILO that targeted improved safe and healthy working conditions in specific sectors (see social analysis). Stakeholders report that situation with respect to labour inspections has also improved over the period 2008–2019, although international standards that establish the number of labour inspections per number of workers have not been reached yet,[291] especially in rural and remote areas.[292] The 2017 UN CESCR report also notes that workers in the agricultural sector are paid less than the minimum wage.[293]

Prohibition of all forms of slavery (forced or compulsory labour)

Colombia ratified the ILO Conventions on forced labour (Conventions No. 29 and No.105) and child labour (Conventions No. 138 and 182) as well as the ILO Indigenous and Tribal Peoples Convention (Convention No. 169) which provides in its Article 112 that 'the exaction from members of the peoples concerned of compulsory personal services in any form, whether paid or unpaid, shall be prohibited and punishable by law, except in cases prescribed by law for all citizens". Colombia also ratified the International Covenant on Economic, Social and Cultural Rights (Article 6(1)), the International Covenant on Civil and Political Rights (Article 8), the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Article 11), the International Convention on the Rights of Persons with Disabilities (Article 27(2)), the International Convention on the Rights of the Child (Article 32 and 34), the International Convention on the Elimination of All Forms of Discrimination against Women (Article 11), the American Convention on Human Rights (Article 6) and the Trafficking Protocol. It did not ratify the Smuggling Protocol. In 2005 the Interagency Committee for the Fight Against Trafficking in Persons was established which continues to operate together with the Ministry of

[289] Freedom House (2020). Freedom in the World 2020, Colombia: https://freedomhouse.org/country/colombia/freedom-world/2020

[290] United Nations Committee on Economic Social and Cultural Rights (2010). Concluding observations on the fifth periodic report of Colombia, UN. Doc. E/C.12/COL/CO.5 and United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc. E/C.12/COL/CO.6

[291] Oidhaco & Catapa (2020). Trade Agreement between the EU, Colombia, Peru and Ecuador, at: http://www.oidhaco.org/uploaded/content/article/1326853725.pdf

[292] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc. E/C.12/COL/CO.6.

[293] Ibid.

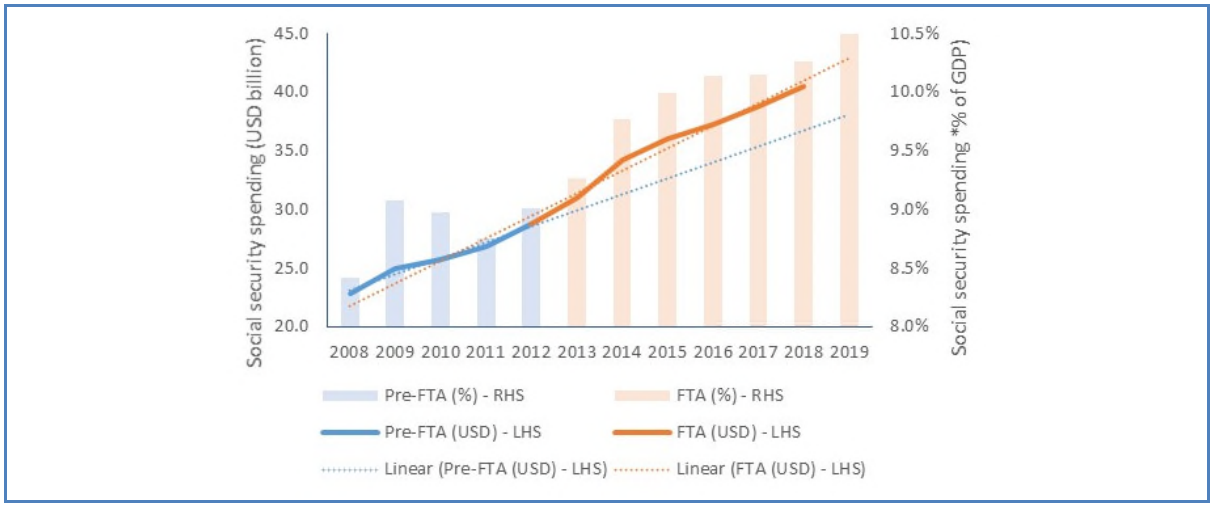
Interior. The Colombian Family Welfare Institute, together with the Ministry of Interior are responsible for victim protection.[294]

According to the Global Slavery Index 2018, approximately 131,000 persons are estimated to be living in modern slavery.[295] The UN Committee on Elimination of Discrimination against Women (CEDAW) welcomed various legislative and policy measures taken by the Colombian government to address forced labour, trafficking and sexual exploitation. However, it also noted that women and girls from Venezuela are frequently victimised and exploited.[296] The 2020 Trafficking in Persons Report on Colombia prepared by the U.S. Department of State states that efforts to combat labour trafficking remained deficient and cases of forced labour were underreported. Inspectors did not receive special training and did not have a protocol for victim identification.[297]

Right to social security

Colombia is a party to the ICESCR which guarantees the right to social protection under Article 9 and defines key features of this right in CESCR General Comment No. 19. Colombia is not party to the ILO Conventions No. 102, 202 or other ILO conventions on social protection. The Constitution of Colombia guarantees the right to social security for all its citizens (Article 48). However, multiple sources report that social security protection mechanisms in Colombia have been limited and weak for years.[298] One of the biggest issues of Colombia's social security is that informal sector workers are not covered by the social protection system. Discussion to reform the pensions system, including increasing the age of retirement, are currently underway.[299] According to OECD data, social benefits to households from 2008 to 2019 have increased[300] (Figure 1).

Figure 1: Colombian social security expenditures (% of GDP and USD)



Source: based on the OECD data.

[294] U.S. Department of State (2020). Trafficking in Persons Report: Colombia: https://www.state.gov/reports/2020-trafficking-in-persons-report/colombia/

[295] See also social analysis.

[296] United Nations Committee on the Elimination of Discrimination against Women (2019). Concluding observations on the ninth periodic report of Colombia, UN. Doc. CEDAW/C/COL/CO/9.

[297] U.S. Department of State (2020). Trafficking in Persons Report: Colombia: https://www.state.gov/reports/2020-trafficking-in-persons-report/colombia/

[298] See BTI reports, various UN monitoring bodies reports, e.g. E/C.12/COL/CO/6, A/HRC/43/3/Add.3, CMW/C/COL/CO/3.

[299] BTI (2020).

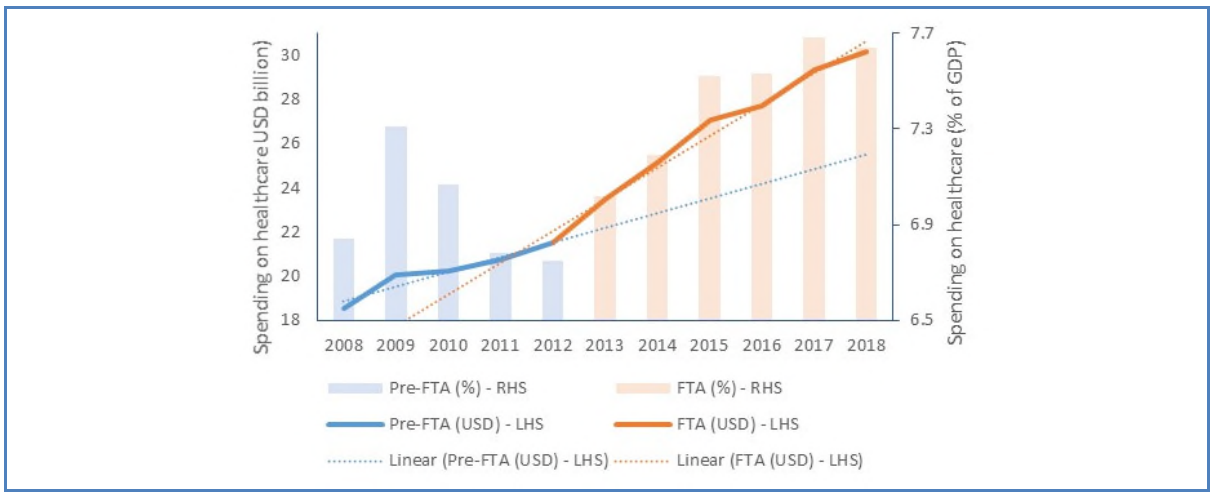
[300] OECD (2020): Data on social benefits to households: https://data.oecd.org/socialexp/social-benefits-to-households.htm#indicator-chart

However, in 2017, the UN CESCR noted with concern that a significant number of people were not covered by the social protection system, especially workers in the informal economy, in rural areas and the self-employed.[301] The data may focus on the social protection in formal employment while informal sector is difficult to reflect in numbers.

Right to health

Article 49 of the Constitution guarantees all Colombians access to health care. Coverage levels have increased from 70% in 2006[302] to 94.9% in 2017.[303] According to the OECD data, health care expenditures from 2008 to 2019 have increased (Figure 2).

Figure 2: Colombian health care expenditures (% of GDP and USD)



Source: based on the OECD data.

However, there are prevailing disparities in the availability, accessibility, quality, and affordability of health care services. Various UN monitoring bodies report that this mainly affected people from low-income brackets, indigenous people and persons living in rural or remote areas.[304] There are reports that some hospitals had scarce supplies and a shortage of doctors and other health care professionals.[305] Also, the Administradora de los Recursos del Sistema General de Seguridad Social en Salud (ADRES) which funds the subsidised health care regime, is estimated to be in debt to an amount of nearly 850 million US dollars with the scheme for private health care entities (Entidades Promotoras de Salud, EPS).[306]

Right to food

The Constitution guarantees the right to adequate food. Explicit references are made in Articles 43, 44 and 46 of the Constitution. A number of legal and policy documents also regulate the enjoyment of the right to food in the country: e.g. the Law No. 1990 on prevention of the loss and waste of food, the Law No. 1776 on the creation and promotion of the zones of interest for rural, economic and social development (ZIDRES), and the 2016

[301] UN Committee on Economic, Social and Cultural Rights (2017). Concluding observations on the sixth report of Colombia, UN Doc. E/C.12/COL/CO/6.
[302] BTI (2010). Colombia Country Report: https://www.bti-project.org/content/en/downloads/reports/country_report_2010_COL.pdf
[303] BTI (2020).
[304] See UN CESCR (2010); UN CESCR (2017) and UN CEDAW (2019).
[305] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc, E/C.12/COL/CO.6.
[306] BTI (2020).

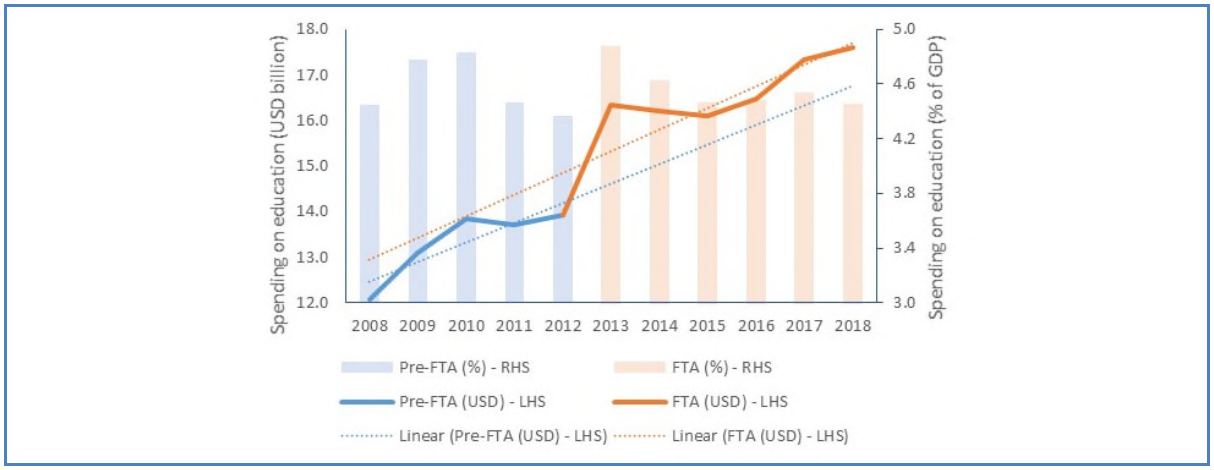
National information, education and communication strategy on food and nutrition security and others.[307]

The number of confirmed deaths from chronic malnutrition has decreased over the period from 2008 till 2019.[308] While this is encouraging, disparities with respect to the right to food have also prevailed, in particular between the critical rates of malnutrition and food insecurity in indigenous communities and the rising number of overweight persons in some areas.[309] In 2020 the UN Human Rights Council reported negative impact of the Hidroituango dam on the right to food of the communities in that region. A draft decree of the Ministry of Justice of Colombia aimed to resume aerial fumigation of illicit crops with glyphosate, could negatively affect the right to food and right to health of the affected communities.[310]

Right to education

The right to education is guaranteed by the Constitution. Colombia has made investments in education. Spending on education has increased from 2,658 US dollars per student in 2013 to 2,987 US dollars per student in 2016.[311] Public expenditure on education has increased from 14.7% of total government expenditure in 2008 to 16.3% in 2018.[312] Data on education expenditures in USD and in percentage of the GDP is presented in Figure 3.

Figure 3: Colombian education expenditures (% of GDP and USD)



Source: based on the UNESCO data.

However, this did not correlate to an improvement of quality.[313] While enrolment has increased in both primary and secondary education institutions, still few people have access to tertiary education. People living in rural areas face difficulties in getting adequate access to education. Completion rates are also influenced by the background and the locations of the students; the rates are lower for the poorest segments of the population and those

[307] UN Food and Agriculture Organisation, The right to food around the Globe: Colombia: http://www.fao.org/right-to-food-around-the-globe/countries/col/en/

[308] Inter-American Commission on Human Rights (2019). Annual Report 2019, Chapter V Follow-up to Recommendations Made by the IACHR in the Report Truth, Justice and Reparation: Fifth Report on the Human Rights Situation in Colombia, at: https://www.oas.org/en/iachr/docs/annual/2019/docs/IA2019cap5CO-en.pdf

[309] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc. E/C.12/COL/CO.6.

[310] UN Human Rights Council (2020). Situation of human rights in Colombia, Report of the United Nations High commissioner for Human Rights, UN Doc. A/HRC/43/3/Add.3.

[311] OECD, Data – Education Spending – Colombia: https://data.oecd.org/eduresource/education-spending.htm

[312] UNESCO data.

[313] Ibid.

who are from rural areas.[314] Rural and remote areas have suffered from poor quality education, owing to the shortage of qualified teachers and the absence of adequate infrastructure.[315] The 2020 UNESCO report notes significant efforts of the Colombian government to ensure access to education for Venezuelan children but also states that many children remain outside the educational system.[316]

Right to an adequate standard of living

Poverty rates have decreased in Colombia, from 42% in 2008 to 27% in 2018. Extreme poverty has also decreased from 17.8% in 2008 to 7.4% in 2017 (DANE statistics). Nevertheless, poverty is still consistently higher in rural areas than in urban areas.[317] Additionally, 80% of Afro-Colombians still live below the poverty line.[318] There are five programmes that aim to reduce poverty in Colombia. The "Free Housing Programme" assists in housing to families-victims of forced displacement and vulnerable groups. From 2014 to 2019, 66,782 households who were displaced, 4,498 Afro-descendent households and 525 indigenous households benefited from this programme. The "Programa de Vivienda de Interés Prioritario para Ahorradores," "Mi Casas Ya," and "Semillero de Proprietarios" programmes facilitate access to subsidised housing for persons with low income levels. The programme "Casss Digna-Vida Digna" adopted by the Decree 867 (2019) is aimed at the possibility to apply for improved sanitary conditions of the home, public services and the quality of housing infrastructure for vulnerable population groups.[319] According to the UN Committee on the Economic, Social and Cultural Rights and the Inter-American Commission on Human Rights, efforts by Colombia to combat poverty have not been sufficiently effective to address the issues disproportionately affecting persons living in rural, and remote areas, including victims of the armed conflict.[320] [321] Additionally, according to the National Statistics Directorate (DANE), the population in a situation of multidimensional poverty increased from 17.8% in 2016 to 19.6% in 2018.[322]

Right to water

Colombia ratified the ICESCR which recognises the right to water under Article 11 of the Covenant, the scope and the content of the right is clarified in the CESCR General Comment No. 15. The right to water is not explicitly recognised under the Colombian Constitution. However, the Constitutional Court has upheld the right in various cases on the basis of Article 79 of the Constitution that refers to the "right to a healthy environment".[323] Next to that Colombia is a party to the International Covenant on Economic, Social and Cultural

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[314] El Espectador, Una hoja de ruta para mejorar la calidad y reducir la deserción en la educación en Colombia, 24 April 2019.

[315] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc. E/C.12/COL/CO.6.

[316] UNESCO (2020). Derecho a la educación bajo: presión principales desafíos y acciones transformadoras en la respuesta educativa al flujo migratorio mixto de población venezolana en Colombia, prepared by Henry Renna: https://unesdoc.unesco.org/ark:/48223/pf0000373455

[317] See social analysis.

[318] Freedom House (2020).

[319] Inter-American Commission on Human Rights (2019). Annual Report 2019, Chapter V Follow-up to Recommendations Made by the IACHR in the Report Truth, Justice and Reparation: Fifth Report on the Human Rights Situation in Colombia, at: https://www.oas.org/en/iachr/docs/annual/2019/docs/IA2019cap5CO-en.pdf

[320] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc. E/C.12/COL/CO.6.

[321] Inter-American Commission on Human Rights (2018). Annual Report 2018, Chapter V Follow-up to Recommendations Made by the IACHR in the Report Truth, Justice and Reparation: Fifth Report on the Human Rights Situation in Colombia, at: https://www.oas.org/en/iachr/docs/annual/2018/docs/IA2018cap.5CO-en.pdf

[322] Departamento Administrativo Nacional de Estadística (DANE). Pobreza multidimensional en Colombia, Año 2018, at: https://www.dane.gov.co/files/investigaciones/condiciones_vida/pobreza/2018/bt_pobreza_multidimensional_18.pdf

[323] See cases T-406-1992, T-539 (1993), T-091 (2010) of the Constitutional Court of Colombia.

Rights which recognises the right to water (Article 11, CESCR General Comment No. 15). The National Development Plan 2018-2022 was adopted by the government to improve access to safe drinking water, manage wastewater and improve the quality of water services in rural areas.[324] The programme "Programa Guajira Azul" was introduced to increase access to safe drinking water in the Department of La Guajira, one of the most impoverished departments of Colombia with limited water supply and frequent draughts. As a result, the Casa Azul module has been installed in the Manaure municipality, improving access to safe drinking water for 131 communities.[325] Cooperation with the World Bank has also contributed to improved access to water in the Department of La Guajira in the framework of the La Guajira Water and Sanitation Infrastructure Service Management Project.[326]

A large proportion of the population has no access to safe drinking water and sanitation services.[327] In rural areas the percentage of households without access to drinking water was 14% higher than in urban areas.[328] In 2017, the UN Committee on Social, Economic and Cultural Rights expressed concerns about the disproportionate and uncontrolled use of water and about the river pollution as a result of mining activities. Water pollution in the rivers resulted in serious violations of the right to water, affecting the health of several communities and damaging the environment.[329] Environmental analysis indicates that water pollution has also been common due to a considerably increased use of fertilisers in the agricultural sector.[330]

1.3.3. Vulnerable populations groups

Indigenous peoples and Afro-Colombian populations

According to the national census in 2018, there were 115 different indigenous peoples in the country, whereas in 2005 only 93 indigenous populations were identified. The population of indigenous groups has grown by 36.8% and is around 1.9 million.[331] Colombian indigenous peoples make up 3% of the population and live on 34 hectares of land granted to them by the government, often in regions rich in natural resources (Figure 4).

[324] Inter-American Commission on Human Rights (2019). Annual Report 2019, Chapter V Follow-up to Recommendations Made by the IACHR in the Report Truth, Justice and Reparation: Fifth Report on the Human Rights Situation in Colombia, at: https://www.oas.org/en/iachr/docs/annual/2019/docs/IA2019cap5CO-en.pdf

[325] Ibid.

[326] World Bank (2019). Improving Water Supply and Sanitation Services in La Guajira, Colombia, 23 April 2019: https://www.worldbank.org/en/results/2019/04/23/improving-water-supply-and-sanitation-services-in-la-guajira-colombia

[327] According to the ourworldindata.org, the number of people without access to safe drinking water in Colombia in 2015 was 13.9 million people, based on data from WHO and WASH: https://ourworldindata.org/water-access

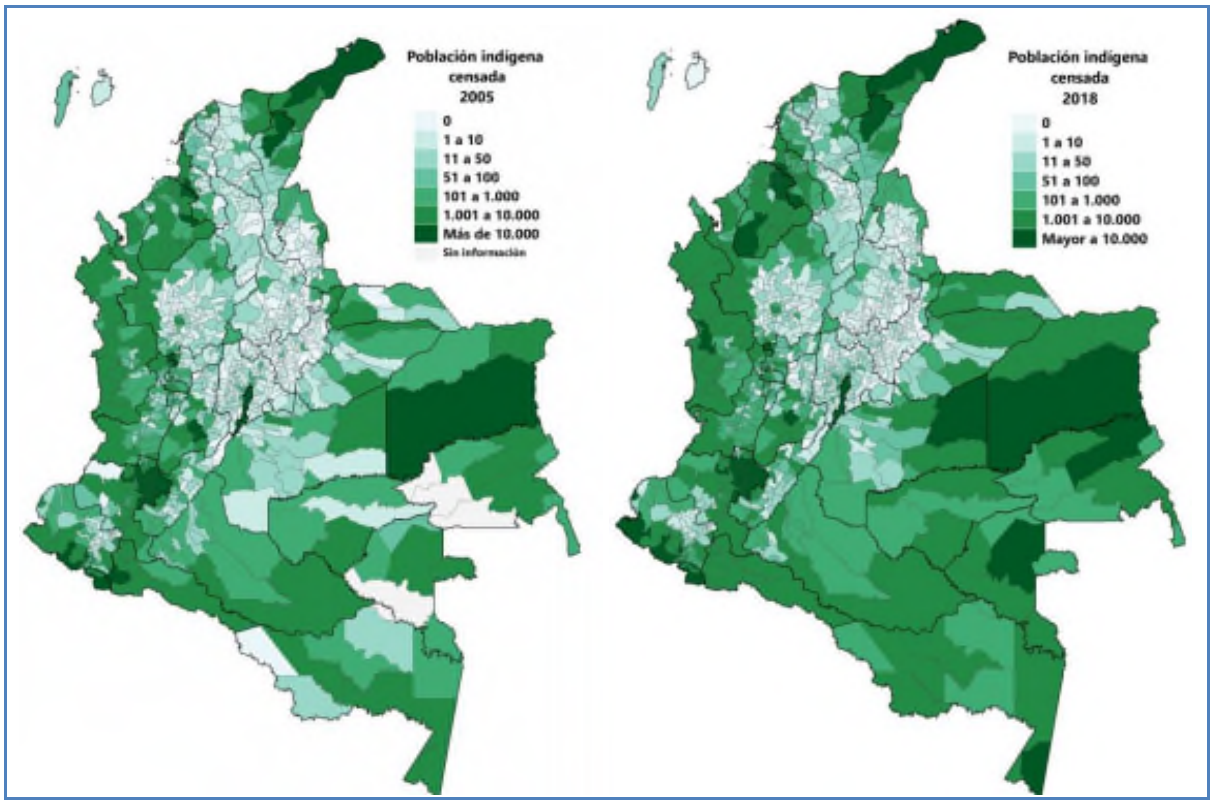
[328] UN Human Rights Council (2020). Situation of human rights in Colombia, Report of the United Nations High commissioner for Human Rights, UN Doc. A/HRC/43/3/Add.3. Analysis in the environmental section shows a higher gap – approximately 24% in 2019.

[329] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc. E/C.12/COL/CO.6.

[330] See environmental section of the analysis.

[331] DANE (2019). Población Indígena de Colombia, Resultados del Censo Nacional de Población y Vivienda 2018, 16 septiembre, 2019, at: https://www.dane.gov.co/files/investigaciones/boletines/grupos-etnicos/presentacion-grupos-etnicos-2019.pdf

Figure 4: Indigenous population per municipality in 2005 and in 2018



Source: DANE (2019).

The fundamental rights of indigenous peoples are recognised in the Constitution, and Colombia has ratified the ILO Convention No. 169 and supported the UN Declaration on the Rights of Indigenous Peoples.[332] However, the 2017 Concluding observations of the UN Human Rights Committee note that indigenous peoples and Afro-Colombians face discrimination, and permits for resource exploitation on the territories of Indigenous People have impacted their way of life.[333] Additionally, indigenous communities also face limitations in terms of their economic and social rights.[334] For example, national statistics indicates that only 5.5% of the persons belonging to indigenous groups complete university education, and only 52% of them complete primary education.[335] The 2020 Concluding observations of the UN Committee on the Elimination of Racial Discrimination note structural discrimination of the members of indigenous communities and communities of African descent compared to the rest of the population. In particular, the Committee points out the following issues: obstacles to effective employment, limited availability and accessibility of health care services in areas populated by these population groups, cases of malnutrition among indigenous children, low levels of education compared to the rest of the population and the lack of adequate representation at all levels of public administration.[336] Freedom House reports that in 2019, indigenous communities in the departments of Choco, Cauca, Valle de Cauca and Narino suffered increased violence and

[332] International work Group for Indigenous Affairs (2020). The Indigenous World 2020: Colombia: https://www.iwgia.org/en/colombia/3618-iw-2020-colombia.html

[333] United Nations Human Rights Committee (2016). Concluding Observations on the seventh periodic report of Colombia, UN Doc. CCPR/C/COL/CO/7; Minority Rights Group International, World Directory of Minorities and Indigenous Peoples – Colombia: https://minorityrights.org/country/colombia/.

[334] Organización Nacional Indígena de Colombia (2015): ONIC - Violencia contra mujeres indígenas: Realidades y retos, mandato y acciones de la ONIC

[335] DANE (2019). Población indígena de Colombia. Resultados del censo nacional de población y vivienda 2018: https://www.dane.gov.co/files/investigaciones/boletines/grupos-etnicos/presentacion-grupos-etnicos-2019.pdf

[336] UN Committee on the Elimination of Racial Discrimination (2020). Concluding observations on the combined seventeenth to nineteenth periodic reports of Colombia, UN Doc. CERD/C/COL/CO/17-19.

displacement.[337] Between January 2016 and mid-2019 over 704 community leaders have been murdered.[338] Human Rights Watch states that, also in 2019, at least 21 indigenous children died in the province of La Guajira of causes associated with malnutrition and limited access to safe drinking water.[339] Indigenous women face ethnic discrimination and are often victims of gender violence and socio-political violence.[340]

Children

Colombia ratified the Convention on the Rights of the Child and two protocols to the convention. The Constitution recognises rights of the children in Articles 44 and 45. Colombia ratified all the key international conventions concerning child labour (see Annex E-2). In 2017 Colombia made a significant effort in eliminating child labour by approving the National Policy to Prevent and Eliminate Child Labour and Protect the Young Worker and a roadmap to prevent and eliminate child labour in mining.[341] Colombian law (Resolution 1796) provides that children of 15-17 years old may work with an official authorisation which may be revoked if minimum guarantees protecting health, social security, education, and acceptable conditions of work are not met. DANE notes a declining trend in child labour over the evaluation period but reports that in 2019 5.9% of children between 5 and 17 were subjected to forced labour (see detailed statistics in the social analysis).[342] The National Strategy for the Prevention and Eradication of the Worst Forms of Child Labour is seen as not effectively addressing the exploitation of children and adolescents in illegal mining activities.[343] The UN Committee on Social, Economic and Cultural Rights finds that child labour, the recruitment of children by illegal armed groups, and related sexual abuse are still serious problems in Colombia.[344] The measures taken to reintegrate children and adolescents from illegal armed groups are crucial but have shortcomings in terms of access to education, health and psychosocial support.[345] More targeted actions have been taken by the government in 2020. For example, in cooperation with UNICEF and IOM, the government has launched a programme "Súmate por me" which aims to prevent recruitment of minors by illegal military groups. Five departments have been identified as priority regions within the programme: Putumayo, Chocó, Antioquia, Nariño and Norte de Santander. In November 2020, one more department has been added – Guaviare. The government has pledged to invest 690 million US dollars in this department.[346] In 2015, the UN Committee on the Rights of the Child expressed concerns about the insufficient progress made by the local institutions protecting children's rights, the insufficient resources and measures, high levels of violence that children face, sexual exploration and abuse.[347]

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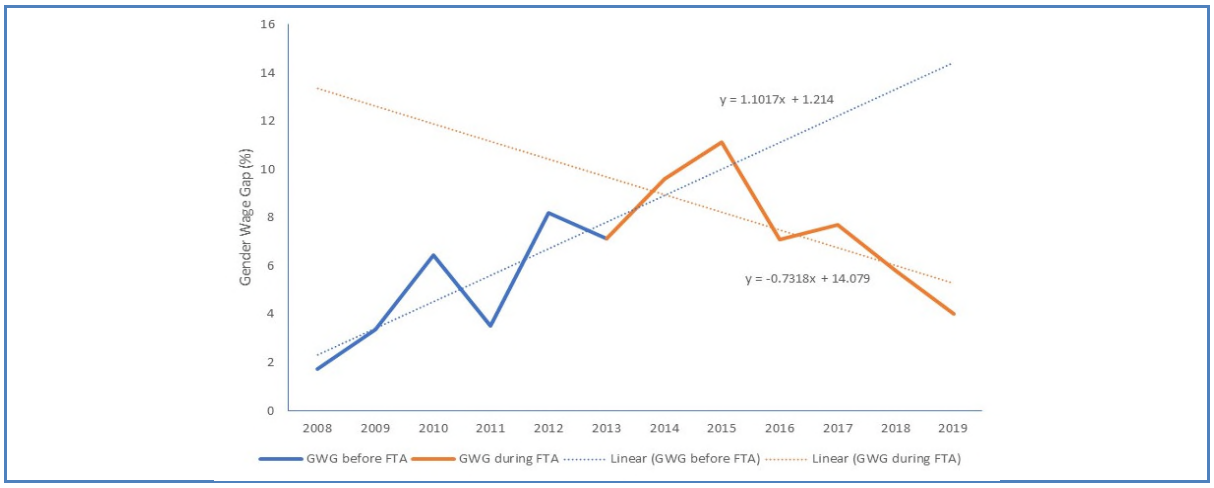
[337] Freedom House (2020).
[338] United Nations, Human Rights Office of the High Commissioner (2019). Committee on the Elimination of Racial Discrimination raises concerns about violence and discrimination against indigenous peoples and Afro-Colombians as it reviews Colombia's report: https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25365&LangID=E
[339] Human Rights Watch (2020). World Report 2020: Colombia: https://www.hrw.org/world-report/2020/country-chapters/colombia
[340] Organización Nacional Indígena de Colombia (2015): https://www.onic.org.co/m/noticias/784-violencia-contra-mujeres-indigenas-realidades-y-retos-mandato-y-acciones-de-la-onic
[341] United States Department of Labour, 2017 Findings on the Worst Forms of Child Labour- Colombia, at: https://www.refworld.org/pdfid/5bd05ab70.pdf
[342] Colombiareports.com (2019). Child labour in Colombia: declining but still endemic, 19 June 2019, at: https://colombiareports.com/child-labor-in-colombia-declining-but-still-endemic/
[343] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc. E/C.12/COL/CO.6
[344] Ibid.
[345] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc. E/C.12/COL/CO.6
[346] Based on the press releases of the Consejeria Presidencial para los derechos humanos y asuntos internacionales: http://www.derechoshumanos.gov.co/Prensa/2020/Paginas/2020.aspx
[347] United Nations Committee on the Rights of the Child (2015). Concluding observations on the combined fourth and fifth periodic reports of Colombia, UN. doc. CRC/C/COL/CO/4-5.

Women

Colombia ratified the ICESCR, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as well as the Optional Protocol to the CEDAW. The Constitution of Colombia recognises women's rights in Articles 40 and 43. It specifically provides for their freedom from discrimination, right to participate in politics and public administration as well as include provisions on special protection of pregnant women and possibility of support in case of divorce. Colombia has made substantial progress in gender equality by adopting robust normative framework that aims to protect women's rights. The Law No. 1475 (2011) further establishes a 30% quota of women candidates in all elections and provides for higher representation of women in public institutions. The Law No. 1257 (2008) is aimed to prevent violence and discrimination against women. The Law No. 1719 (2014) includes provisions that allow access to justice for victims of sexual violence. Next to that, a number of policy instruments have been introduced to promote women's rights, e.g. the 2013 National Policy on Gender Equality, the National Development Plans of 2012-2014 and 2018-2022. In practice, however, Colombia still faces challenges with respect to gender equality.[348] While the female labour force participation is at 42.9%, according to the 2017 National Consultancy Centre (Centro Nacional de Consultoria) report, only 23% of women have a full-time job and 34% of women dedicate their time to household duties. In public office, only 21% of Congress and 17% of departmental assemblies are composed of women.[349] The female unemployment rate has increased from 14.1% in 2007 to 15.8% in 2010 and then fell to 11.6% in 2015 and increased again to 13.4% in 2019.[350] According to the OECD data, in 2019 the gender gap in Colombia is 4% (Figure 5).[351]

Figure 5: Gender Wage Gap in Colombia from 2008 till 2019



Source: based on the OECD data.

The UN Committee on the Elimination of Discrimination against Women states that women in the informal sector in Colombia do not have social security protection. While measures have been taken to increase the economic empowerment of women, such as through trainings with technology, these programs do not always reach those in need, e.g. indigenous and rural women.[352] A comprehensive public policy has been adopted to address land restitution for rural women and girls. However, in practice it has been of limited effectiveness due to deep discrimination against indigenous and Afro-Colombian women.[353]

[348] Freedom House (2020).
[349] BTI (2020).
[350] See also social analysis.
[351] OECD data, at: https://www.oecd.org/gender/data/employment/
[352] United Nations Committee on the Elimination of Discrimination against Women (2019). Concluding observations on the ninth periodic report of Colombia, UN. Doc. CEDAW/C/COL/CO/9.
[353] United Nations Committee on the Elimination of Discrimination against Women (2019). Concluding observations on the ninth periodic report of Colombia, UN. Doc. CEDAW/C/COL/CO/9.

According to the UN Committee on the Elimination of Discrimination against Women, gender-based violence is still a persisting issue. In some parts of the country, such as Bogota, the rate of violence against women increased by 17% in the first trimester of 2018 compared to the same period in 2017.[354] Many women who are victims of violence, including victims of domestic violence, do not have timely access either to health services and shelters or to effective remedies.[355] Moreover, indigenous women and women of Afro-Colombian descent receive multiple forms of discrimination and are disproportionately affected by high rates of sexual violence.[356]

Migrants and refugees

Colombia ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW) and the Refugee Convention and its Protocol. Next to that, Colombia is a member of the International Organisation for Migration (IOC). Due to the political, economic, and social crisis in Venezuela, Colombia is host to more than 1.6 million Venezuelans.[357] The government has continued efforts to accommodate them, offering work permits, creating two new Special Stay Permits (PEP),[358] and giving Colombian citizenship to children of Venezuelans born in Colombia.[359] Programs have been enacted to provide access to education, employment, and health care.[360] However, migrants continue to face discrimination in society in accessing health services and work, as well as face obstacles in gaining access to documentation.[361] Between 2014 and 2018 Colombia adopted a national strategy to address trafficking in persons and to align national legislation with international standards. Nevertheless, migrant women and girls from Venezuela have been frequently victimized and exploited.[362] According to the Report of the Rosario university, 0.7% of Venezuelan migrant workers are employed in the formal sectors and 45.5% in informal sectors of the Colombian economy.[363] In 2017, the Ministry of Labour established a special administrative unit to provide Venezuelan nationals with employment management and placement services, guaranteeing them the same rights as Colombians when they apply for jobs.[364] In practice, however, Rueckert (2019) reports that the Venezuelan migrant workers' rights have been compromised, in particular in informal work settings.[365]

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[354] Ibid.
[355] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN. Doc. E/C.12/COL/CO.6.
[356] United Nations Committee on the Elimination of Racial Discrimination (2020). Concluding observation on the combined seventeenth to nineteenth periodic reports of Colombia, UN. Doc. CERD/C/COL/CO/17-19.
[357] UNHCR (2020). UNHCR welcomes Colombia's decision to regularize stay of Venezuelans in the country: https://www.unhcr.org/news/briefing/2020/2/5e3930db4/unhcr-welcomes-colombias-decision-regularize-stay-venezuelans-country.html
[358] Ibid.
[359] Freedom House (2020).
[360] Migration Policy Institute (2020). An Uneven Welcome – Latin American and Caribbean Responses to Venezuelan and Nicaraguan Migration: https://www.migrationpolicy.org/research/latam-caribbean-responses-venezuelan-nicaraguan-migration
[361] United Nations Committee on the Elimination of Racial Discrimination (2020). Concluding observation on the combined seventeenth to nineteenth periodic reports of Colombia, UN. Doc. CERD/C/COL/CO/17-19.
[362] United Nations Committee on the Elimination of Discrimination against Women (2019). Concluding observations on the ninth periodic report of Colombia, UN doc. CEDAW/C/COL/CO/9.
[363] Universidad del Rosario & Konrad Adenauer Stiftung (2018). Retos y oportunidades de la movilidad humana venezolana en la Construcción de una política migratoria colombiana, at: https://www.kas.de/documents/287914/287963/Retos+y+oportunidades+de+la+movilidad+humana+venezolana+en+la+construcci%C3%B3n+de+una+pol%C3%ADtica+migratoria+colombiana.pdf/bcee4a33-9677-4405-bc16-b10dc4565937
[364] United Nations Committee on the Protection of the Rights of All migrant Workers and Members of Their Families (2018). Consideration of the third periodic report submitted by Colombia under article 73 of the Convention, UN doc. CMW/C/COL/3.
[365] Rueckert, Ph. (2019). Venezuelan Migrant Workers Struggle for Labour Rights in Colombia, NACLA Report on the Americas, Vol. 51, issue 3: Todes Somos Trabajadores: Seeking Labour Justice in the 21st Century, at: https://www.tandfonline.com/doi/full/10.1080/10714839.2019.1650511

Persons with disabilities

Colombia ratified the Convention on the Rights of Persons with Disabilities but not the Optional Protocol to the Convention which establishes an individual complaint mechanism and gives the Committee on the Rights of Persons with Disabilities competence to examine complaints from individuals or groups of individuals or their representatives who claim their rights have been violated under the Convention. Also, Colombia ratified the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities. Several legal acts have been introduced to improve position of persons with disabilities in Colombia: The Disability Act of 2013, the Decree No.2107 (2016) and Resolution No. 1904 (2017). However, stakeholders report that their effectiveness has been limited.[366] Persons with disabilities are particularly affected by unemployment. Access to inclusive education for children and adolescents with disabilities has been limited.[367] The UN Committee on the Rights of Persons with Disabilities has expressed concerns about derogatory terminology used in official capacities to refer to a person with disabilities, the lack of resources for organisations working with persons with disabilities, the lack of steps taken to address discrimination, the absence of a national plan for implementing accessibility standards, and the lack of adequate standards of living and social protection.[368]

LGBTI persons

While on October 2019, Claudia López became the first woman and openly gay mayor of Bogotá, LGBTI people face societal discrimination and abuse. In addition, there is also a high level of impunity for crimes committed against them.[369] Colombia Diversa, an NGO on LGBTI rights, reported that between 2013 and 2018, 465 homicide cases against LGBTI people occurred, of which 148 allegedly were motivated by prejudice due to sexual orientation (BTI 2020). Positive changes have happened, trans people over the age of 18 can now legally change their gender, same-sex marriage was legalised, and progressive legislation has been adopted.[370] Stakeholders report that the main issues that LGBTI face refer to discrimination, difficulties in entering formal labour market and because of that lack of social security coverage and difficulties in accessing health services. [371]

2. Peru

2.1. Human rights framework

The Constitution of Peru recognises a comprehensive list of human rights as interpreted in the international human rights treaties ratified by the state.[372] Peru ratified all core UN human rights conventions and seven out of nine optional protocols. It did not ratify the Second Optional Protocol to the ICCPR on the abolition of death penalty and the Optional Protocol to the ICESCR (Table 6). As part of its reporting obligations, Peru regularly reports

[366] UN Human Rights Council (2018). Summary of Stakeholders' submissions on Colombia, UN Doc. A/HRC/WG.6/30/COL/3.
[367] United Nations Committee on Economic Social and Cultural Rights (2017). Concluding observations on the sixth periodic report of Colombia, UN doc, E/C.12/COL/CO.6.
[368] United Nations Committee on the Rights of Persons with Disabilities (2016). Concluding observation on the initial report of Colombia, UN doc. CRPD/C/COL/CO/1.
[369] Freedom House (2020).
[370] Washington Office on Latin America (2020). LGBT+ Rights and Peace in Colombia: The Paradox Between Law and Practice: https://www.wola.org/analysis/lgbt-rights-and-peace-in-colombia-the-paradox-between-law-and-practice/
[371] Corporación Caribe Afirmativo, Akahatá – equipo de trabajo en sexualidades y géneros, Heartland Alliance for Human Needs and Human Rights (2017). Situation of LGBTI Human Rights in Colombia, Report submitted to the Committee on Economic, Social and Cultural Rights, 62nd Session: https://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/COL/INT_CESCR_CSS_COL_28549_E.pdf
[372] The Constitution of Peru of 1993 with Amendments through 2009: https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en

to the UN monitoring treaty bodies. The country has two overdue reports (i) report to the Committee on Economic and Social Rights since 2017 and (ii) report to the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families since 2020.[373] In the evaluation period from 2008 till 2019, Peru ratified the International Convention for the Protection of all Persons from Enforced Disappearance (in 2012) and the Optional Protocol to the CRC on a communications procedure (in 2016).

Table 6: Ratification status of core international human rights treaties by Peru

Human Rights Treaty	Ratified or not
International Covenant on Civil and Political Rights (ICCPR)	✓
- Optional Protocol to the ICCPR	✓
- Second Optional Protocol to the ICCPR	×
International Covenant on Economic, Social and Cultural Rights (ICESCR)	✓
- Optional Protocol to the ICESCR	×
Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT)	✓
- Optional Protocol to the CAT	✓
International Convention for the Protection of All Persons from Enforced Disappearance (CPED)	✓
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	✓
- Optional Protocol to the CEDAW	✓
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	✓
Convention on the Rights of the Child (CRC)	✓
- Optional Protocol to the CRC on the involvement of children in the armed conflict	✓
- Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	✓
- Optional Protocol to the CRC on a communication procedure	✓
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW)	✓
Convention on the Rights of Persons with Disabilities (CRPD)	✓
- Optional Protocol to the CRPD	✓

Source: OHCHR.

Peru has ratified all eight fundamental ILO Conventions that cover freedom of association, forced labour, discrimination and child labour. It has not ratified one out of four ILO governance conventions that refers to labour inspection in agriculture. It has ratified the ILO Indigenous and Tribal Peoples Convention (No.169) (Table 7). In the evaluation period from 2008 till 2019, Peru ratified the ILO Maternity Protection Convention (No.183) and the Domestic Workers Convention (No. 189).

Table 7: Ratification status of key ILO Conventions by Peru

Convention	Ratified or not
C029 – Forced Labour Convention	✓
C087 – Freedom of Association and Protection of the Right to Organise Convention	✓
C098 – Right to Organise and Collective bargaining Convention	✓
C100 – Equal Enumeration Convention	✓
C105 – Abolition of Forced Labour Convention	✓
C111 – Discrimination (Employment and Occupation) Convention	✓
C138 – Minimum Age Convention	✓
C182 – Worst Forms of Child Labour Convention	✓
C081 – Labour Inspection Convention	✓
C122 – Employment Policy Convention	✓
C129 – Labour Inspection (Agriculture) Convention)	×
C144 – Tripartite Consultation (International Labour Standards) Convention)	✓
C155 – Occupational Safety and Health Convention	×
C169 – Indigenous and Tribal Peoples Convention	✓

Source: ILO.

[373] UN Treaty Body Database: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/LateReporting.aspx

Next to that, Peru is a party to the main human rights instruments of the inter-American system (e.g. American Convention on Human Rights, the Protocol of San Salvador, Belém do Pará Convention) and recognises the competence of the Inter-American Court of Human Rights (see full list of ratifications of regional human rights treaties in Table E-1 in Annex E-2).

2.2. Overall screening of human rights-related indices

To illustrate general changes in human rights and human rights related issues over the evaluation period, the following relevant indices are reported: the Human Development Index and the Gender Inequality Index of the UNDP, the Political Rights Index and the Civil Liberties Index of the Freedom House, the Corruption Perception Index of the Transparency International, the Social Progress Index (available from 2011), and the Voice and Accountability, Political Stability, Government Effectiveness, Rule of Law Indices of the World Governance Indicators.[374] Table 8 presents an overview of all the scores for Peru over the period from 2008 until 2019, depending on the availability of the data. The indices use different methodologies in covering various human rights related issues. Some of the indices overlap or are intertwined, but that allows to look at the trends in human rights performance from various angles.

The Human Development Index (HDI) covers three dimensions of human development – long and healthy life, education and a decent standard of living.[375] Over the evaluation period, Peru has experienced a small but steady increase in this index. *The Gender Inequality Index (GII)* also shows that there has been a modest improvement in the position of women in Peru in reproductive health, political participation and labour inclusion.[376] *The Political Rights Index* of the Freedom House (which covers electoral freedoms, political participation and functioning of the government) and *the Civil Liberties Index* (which covers freedom of expression and belief, associational and organisational rights, rule of law, personal autonomy and individual rights) both illustrate a rather stable situation with respect to these rights in the country.[377] *The Corruption Perception Index* of Transparency International has changed its underlying methodology, so comparable data is available only since 2012. This data shows that corruption in Peru has deteriorated slightly (the higher the score, the lower the corruption). *The Social Progress Index,* which covers such dimensions as basic human needs (water, basic medical care, nutrition, etc.), foundations of wellbeing (education, health, environmental quality, etc.) and opportunity (personal rights and freedoms, inclusiveness, etc.),[378] recorded a gradual improvement in several human rights captured within the score. *The Voice and Accountability Indicator* reflects upon a wide range of personal freedoms (freedom of press, democracy, freedom of association and assembly, electoral freedoms, etc.) and illustrates an improvement of these rights overall in the period from 2008 until 2019. *The Political Stability Indicator* covers the degree of violence in the Peru and shows a gradual improvement until 2019. *The Government Effectiveness Indicator* reflects on the functioning of the government and quality of public services, in Peru it has fluctuated over the years. Finally, *the Rule of Law indicator* illustrates situation with respect to crime, property rights, trafficking of people,

[374] Kaufmann, Daniel and Kraay, Aart and Mastruzzi, Massimo, The Worldwide Governance Indicators: Methodology and Analytical Issues (September 2010). World Bank Policy Research Working Paper No. 5430: SSRN: https://ssrn.com/abstract=1682130

[375] See full methodological note on the Human Development Index at: http://hdr.undp.org/en/content/human-development-index-hdi

[376] See full methodological note on the Gender Inequality Index at: http://hdr.undp.org/en/content/gender-inequality-index-gii

[377] See full methodological note on the Political Rights Index and the Civil Liberties Index at: https://freedomhouse.org/reports/freedom-world/freedom-world-research-methodology

[378] See full methodological note at www.socialprogress.org/about-us

among others. In Peru, law and order scores have also been volatile over the period between 2008 and 2019.[379]

Table 8: Overview of key human rights-related indices for Peru (2008 – 2019)

Key indicators	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Human Development Index	0.72	0.72	0.72	0.73	0.73	0.74	0.75	0.75	0.76	0.76	0.76	0.76
Gender Inequality index			0.43	0.44	0.44	0.43	0.43	0.43	0.41	0.41	0.40	0.40
Political Rights Index	2	2	2	2	2	2	2	2	2	2	2	2
Civil Liberties Index	3	3	3	3	3	3	3	3	3	3	3	3
Corruption Perception Index					38	38	38	36	35	37	35	36
Social Progress Index				69.0	69.6	71.0	71.3	71.6	72.2	73.5	74.0	73.8
Voice & Accountability Index	52.4	51.2	52.6	53.5	54.5	52.1	54.7	54.7	55.2	55.2	55.2	57.1
Political Stability Index	17.3	13.7	16.6	21.8	19.4	20.3	27.1	32.4	38.1	36.2	37.6	42.4
Government Effectiveness	44.7	41.6	48.3	48.3	49.3	49.8	44.2	44.2	45.7	48.6	44.2	49.5
Rule of Law	26.0	32.7	34.1	31.9	34.7	34.7	34.1	37.5	34.1	33.2	32.2	33.2

Source: own compilation based on UNDP Human Development reports, Freedom House reports, Transparency International reports, Social Progress scorecards and World Governance Indicators for Peru over the period of 2008-2019.

Following this high-level screening of relevant human rights-related indices, in the next section a concise baseline analysis of relevant human rights is presented, covering *inter alia* pre-existing conditions of stress and vulnerabilities with respect to human rights in Peru before the provisional application of the Agreement as well as identifying relevant social and political developments that could have affected the human rights situation in the country.

2.3. Baseline analysis of relevant human rights/issues[380]

2.3.1. Cross-cutting issues

Non- discrimination

The Constitution of Peru recognises freedom from discrimination: "No person shall be discriminated against on the basis of origin, race, sex, language, religion, opinion, economic situation or any other distinguishing feature".[381] Various UN monitoring bodies report that discrimination against women, indigenous populations, Afro-Peruvians, persons with disabilities, migrants and refugees and LGBTI people is common. Civil society organisations and the Ombudsman Office continue to engage in campaigns to publicise this issue.[382] The government has taken various measures to address the issue of discrimination. The 2018-2021 National Plan of Human Rights has a special focus on vulnerable populations groups.[383] In 2019, the Gender Inequality Index of the UNDP ranked Peru 87th out of 162 countries. The 2019 Human Development report states that 27.2% of parliamentary seats are held by women, 57.4% of adult women have secondary education,

[379] See full methodology at: https://info.worldbank.org/governance/wgi/Home/Documents

[380] Human rights in the baseline analysis are drawn from the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, supplemented where relevant with references to the core UN human rights treaties and conventions, regional human rights treaties, and ILO Conventions.

[381] Article 2(2) of the Peru's Constitution of 1993 with Amendments through 2009: https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en

[382] Minority Rights Group International (2020). World Directory of Minorities and Indigenous Peoples – Peru: https://minorityrights.org/country/peru/

[383] European External Action Service (2019). EU Annual Report on Human Rights and Democracy in the World. 2019 Country Updates: https://eeas.europa.eu/sites/eeas/files/201007_eu_country_updates_on_human_rights_and_democracy_2019.pdf

69.9% of Peruvian women participate in the labour market.[384] The UN Human Rights Council reports that women continue to face discrimination in terms of the access to the labour market, wage discrimination and discriminatory conditions of work.[385] Ultimately, the income gap between men and women is rather large (it was 28.7% in 2007 and 28.6% in 2018).[386] Innovative measures have been taken to improve the employment of persons with disabilities. However, discrimination in accessing employment remains.[387] Indigenous peoples and Afro-Peruvian populations face obstacles in having access to labour participation, only 43.5% of them worked in adequate employment in 2018 (INEI statistics). Migrant workers (mostly from Venezuela) face difficulties in finding formal employment and as a result have had to accept work in the informal sector with low levels of social protection, in possibly precarious working conditions with pay below the minimum wage.[388] The UN Human Rights Council notes that LGBTI persons suffer from discrimination at work, which often goes unreported [389] (see also section 2.3.3 on vulnerable groups).

Corruption

The Corruption Perception Index (CPI) for Peru shows that corruption has increased in Peru – based on the deterioration in the score from 38 in 2012 to 36 in 2019 (the lower the score, the more corruption).[390] The Freedom House reports point to the pervasive character of corruption in the government over the period from 2008 till 2019.[391] In 2018, President Kuczynski resigned as lawmakers prepared impeachment proceedings over corruption allegations. President Vizcarra has proposed four anti-corruption measures, wherein three measures were approved by a referendum which received support from more than 85% of voters.[392] In November 2020, President Vizcarra was impeached over allegations of corruption related to construction projects, and his successor lasted five days before resigning under pressure of street protests.[393] Corrupt officials are being increasingly prosecuted, but the number of convictions remains low.[394] Corruption is also one of the major causes of low support for democracy among Peruvians. According to Latinobarómetro, in 2018 only 43% of respondents prefer democracy to any other form of government, whereas the number was 61% in 2010.[395]

Environment, development, business and human rights

The Constitution of Peru does not recognise the right to a healthy and sustainable environment as a human right but includes provisions that define obligation of the state to

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[384] UNDP (2019). Human Development Report 2019, Inequalities in Human Development in the 21st Century, Briefing note for countries on the 2019 Human Development Report – Peru: http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/PER.pdf

[385] UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

[386] Mujica M. & E. Fernandez (2020). Comercio Justo, Estudio de impactos del Tratado de Libre Comercio entre la UE y Perú en la agricultura: https://library.fes.de/pdf-files/iez/16310.pdf. More detailed baseline data on gender equality is presented under the social analysis.

[387] UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

[388] El Comercio (2018). Inmigración: un impulso para el mercado laboral actual: https://elcomercio.pe/economia/peru/inmigracion-ayuda-mercado-laboral-actual-noticia-578810-noticia/; ECHO (2020). Peru: Supporting Venezuelan migrants and refugees in times of coronavirus. Available at: https://reliefweb.int/report/peru/peru-supporting-venezuelan-migrants-and-refugees-times-coronavirus

[389] UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

[390] Transparency International (2019). Corruption Perceptions Index for Peru: https://www.transparency.org/en/cpi/2019/results/per

[391] Freedom House report from 2008 till 2019: https://freedomhouse.org/country/peru

[392] Ibid.

[393] The Economist, Early Retirement, November 14th to 20th 2020, p.41; CNN, Peru got its third president in a week. What happens now, 18 November 2020, by Jack Guy: https://edition.cnn.com/2020/11/18/americas/peru-protests-explainer-scli-intl/index.html

[394] BTI (2020). Peru Country Report: https://www.bti-project.org/en/reports/country-report-PER-2020.html

[395] Ibid.

promote conservation of biological diversity and protected natural areas (Article 68) and to promote sustainable use of its natural resources (Article 67). The state is defined as the one having the ultimate power over the use of natural resources (Article 66).[396] In 2012 the UN Committee on Economic, Social and Cultural Rights noted that extractive industries' activities had an adverse impact on the health of the population in affected areas.[397] Since then, the government has implemented different policies, such as the creation of the National Service of Environmental Certification for Sustainable Investment (SENACE) in 2012, to provide a more impartial evaluation of environmental impact assessments. However, while the Ministry of Environment (MINAM) has been recently consolidated, stakeholders report that pressures for economic growth seem to favour the interest of extractive industries.[398] In 2018, the UN Human Rights Council expressed concern about the fact that environmental impact assessments on water, air and soil conditions are not always carried out, and that effective consultations on prior informed consent of indigenous peoples related to the exploitation of the natural resource in their territories are not common.[399] The strategic pillar *Clean Peru* and new environmental standards were adopted in 2017 but their effect has been limited so far. The UN and stakeholders report adverse effects of large-scale business operations on health and the environment – industrial pollution, pollution from the mining operations (e.g., through emissions and releases of mercury),[400] oil spills, water contamination,[401] deforestation in indigenous peoples' communities due to large scale agriculture.[402] In 2018 Peru signed but did not yet ratify the Escazú Agreement which deepens the link between environmental protection and human rights in Latin America and provides for the right to informed participation in the environmental approval process for investment projects and access to justice for people affected, among other guarantees.

2.3.2. Human Rights

Administration of justice, including impunity and the rule of law

The judiciary is perceived as highly impacted by corruption. Judicial reform has been on the political agenda since 2000, but only in 2018 the reform to replace the National Council of Judges, the body which selects and appoints judges, with a new National Board of Justice was approved.[403] The members of this new body are voted by the public and restricted to one five-year term. Constitutional guarantees of due process have been unevenly upheld. Equal access to justice has been difficult for indigenous peoples and persons of Afro-Peruvian descent as well as for people with low income. The UN and various stakeholders report that impunity for violence against environmental activists has been of concern over the years.[404]

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[396] See the Constitution of Peru of 1993 with Amendments through 2009: https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en

[397] United Nations Committee on Economic Social and Cultural Rights (2012). Concluding observations of the Committee on Economic, Social and Cultural Rights, UN. Doc, E/C.12/PER/CO/2-4.

[398] Plataforma Europa Perú Complaint against the Peruvian Government for failing to fulfil its labour and environmental commitments under the Trade Agreement between Peru and the European Union: https://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeetingDoc&docid=12295

[399] UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

[400] Comisión Económica para América Latina y el Caribe (CEPAL)/Organización de Cooperación y Desarrollo Económicos (OCDE) (2017). Evaluciones del desempeño ambiental: Perú, Santiago: https://repositorio.cepal.org/bitstream/handle/11362/42527/1/S1600240_es.pdf

[401] UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

[402] Comisión Económica para América Latina y el Caribe (CEPAL)/ Organización de Cooperación y Desarrollo Económicos (OCDE), Evaluaciones del desempeño ambiental: Perú, Santiago, 2017: https://repositorio.cepal.org/bitstream/handle/11362/42527/1/S1600240_es.pdf

[403] BTI Peru Country Reports.

[404] Based on various Peru reports of the Freedom House, UN CERD (2017).

Freedom of association and assembly, including the right to form and join trade unions

Peru ratified the ICESCR and the ILO Conventions pertaining to freedom of association, collective bargaining and the right to strike (Conventions No. 87 and No. 98). The freedom of assembly and association are provided for in Article 2, paragraphs 12 and 13 of the Peruvian Constitution.[405] The Law on Collective Labour Relations (2003) provides regulations on the trade union's rights in the private and public sector. The Civil Service Law No. 35007 (2016) establishes workers' rights in the public sector, replacing the Civil Service Law of 2013.

The UN reports that many social protests in Peru result in violent clashes with the police and the Armed Forces.[406] Violence against human rights defenders is common,[407] in particular in protests related to extractive industries, land rights, and resource allocation.[408] The state Ombudsman Office and the National Office of Dialogue and Sustainability (ONDS) have taken action that has facilitated a reduction in protest-related violence. The National Action Plan on Human Rights was adopted. It proposes the creation of a mechanism for the protection of human rights defenders by 2021.[409] However, environmental activists who discourage land development continue to face intimidation.[410]

Peruvian law recognizes the right of workers to organize and bargain collectively; strikes are also legal with advance notification to the Ministry of Labour (Articles 28 and 29 of the Constitution).[411] The Regulation on the Collective Work Relations Law defines conditions to issue a trade union license as well as the necessary criteria for declaring a strike. However, in practice, the Bertelsmann Foundation reports that the union activity is hampered by regulations that dilute certain labour rights, by large informal sector, and by high numbers of short-term contracts.[412] This is also reflected in the complaints submitted to the ILO.[413] The Plataforma Europa Perú filed a complaint to the European Commission noting multiple violations of freedom of association in Peru.[414] The platform TrabajoDigno.pe reported that the number of unionised workers in the non-traditional export regime decreased from 4.2% in 2008 to 3.3% in 2016, and the salaries of unionised workers were substantially higher

[405] See the Constitution of Peru of 1993 with Amendments through 2009: https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en

[406] United Nations General Assembly (2018). Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on its Mission to Peru. UN. Doc. A/HRC/38/48/Add.2.

[407] Based on the 2013, 2014, 2015, 2016, 2017, 2018, 2019 EU Annual Reports on Human Rights and Democracy in the World of the European External Service Action: https://eeas.europa.eu/headquarters/headquarters-homepage/8437/eu-annual-reports-human-rights-and-democracy_en; Naciones Unidas (2020). Los defensores de los derechos humanos en Perú continúan en peligro, asegura relator, Noticias ONU, 3 Febrero 2020: https://news.un.org/es/story/2020/02/1468992

[408] European Parliamentary Research Service (2018), Trade agreement between the European Union and Colombia and Peru – European Implementation Assessment; Movimiento Ciudadano frente al Cambio Climático (2020). Perú figura en lista de países con defensores ambientales asesinados en 2019, Noticias Amazonía, 5 febrero 2020: https://www.mocicc.org/amazonia/peru-figura-en-lista-de-paises-con-defensores-ambientales-asesinados-en-2019/.

[409] United Nations General Assembly (2018). Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on its Mission to Peru. UN. Doc. A/HRC/38/48/Add.2.

[410] Based on the information in various report on Peru by the Freedom House and the Bertelsmann Foundation; FDCL (2018). Cinco Años del Tratado de Libre Comercio de la Unión Europea con Colombia y Perú. Available at: https://www.fdcl.org/publication/2018-10-01-cinco-anos-del-tratado-de-libre-comercio-de-la-union-europea-con-colombia-y-peru/.

[411] See the Constitution of Peru of 1993 with Amendments through 2009: https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en

[412] BTI (2020).

[413] See ILO profile for Peru: https://www.ilo.org/dyn/normlex/en/f?p=1000:11110:0::NO:11110:P11110_COUNTRY_ID:102805

[414] Plataforma Europa Perú Complaint against the Peruvian Government for failing to fulfil its labour and environmental commitments under the Trade Agreement between Peru and the European Union: https://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeetingDoc&docid=12295

than the salaries of non-unionised workers.[415] The UN Human Rights Council reports that only 6% of formal workers in the private sector and 13% of workers in the public sector were unionised in 2018.[416] The highest number of trade union members are registered in such sectors as construction, mining, fisheries, and the manufacturing industry.[417]

Freedom of expression

The freedom of expression is guaranteed under Article 2(4) of the Constitution. However, harassment, intimidation and violence against journalists as well a rigid application of libel laws and self-censorship occur. Offences against journalists are reported to be more frequent at the local level.[418]

Freedom of religion

The Peruvian constitution guarantees the freedom of religion and belief (Art. 2(3)), and these rights are generally respected.[419]

Right to work and right to just and favourable conditions of work

The right to work is provided for in Article 2(15) of the Constitution: "every person has the right to work freely; in accordance with the law". The right to just and favourable conditions is guaranteed under Articles 24, 25, 26 and 27 of the Constitution that cover adequate and fair compensation for the work done; provisions on the regulation of minimum wages in consultation with representative organisations of workers; non-discrimination at work; maximum working hours per week (48 hours); right to weekly and annual paid vacations; and protection against unfair dismissal. While national labour law in Peru is rather comprehensive,[420] it is characterised as highly fragmented with almost 40 different labour regulations applying to different types of work.[421] The labour market participation rate in Peru has decreased slightly from 73.8% in 2007 to 72.4% in 2019. The unemployment rate has fluctuated over the evaluation period - it was recorded at 6.3% in 2007 and at 4.4% in 2018. For 2020, due to COVID-19, unemployment has increased to 9.6%. Informal employment is high and has been recorded at 68.4% in 2019, affecting in particular workers in small companies[422] and workers in rural areas and agricultural sectors (Maldonado Mujica 2020). The government established the Social Protection Commission in 2017 in efforts to decrease informality, but its work has not yet brought tangible results. In agriculture, even formal employment has been impacted by the national legislation that allows short-term and seasonal labour contracts in the sector which may be renewed unlimited number of times. [423] Public policy institutions in Peru are characterised as weak

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[415] TrabajoDigno.pe portal (12 June 2017) ' Claves para entender el debate sobre el régimen laboral de las Exportaciones No Tradicionales cuando el objetivo es impedir la sindicalización: http://trabajodigno.pe/claves-para-entender-el-debate-sobre-el-regimen-laboral-de-las-exportaciones-no-tradicionales-cuando-el-objetivo-es-impedir-la-sindicalizacion/

[416] UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

[417] See social analysis for more statistical data.

[418] Based on the Freedom House annual reports on Peru and the BTI biennial reports on Peru.

[419] Ibid.

[420] OECD (2020). Responsible Business Conduct Policy Reviews: Peru: https://mneguidelines.oecd.org/OECD-Responsible-Business-Conduct-Policy-Review-Peru.pdf

[421] Orbie, J. & L. Van den Putte (2016). Labour Rights in Peru and the EU Trade Agreement: Compliance with the Commitments under the Sustainable Development Chapter, OFSE Working Paper, No. 58, Austrian Foundation for Development Research (OFSE), Vienna: https://www.econstor.eu/bitstream/10419/145974/1/866273727.pdf

[422] International Labour Organization (2019). ILOSTAT – Country profiles – Peru: https://ilostat.ilo.org/data/country-profiles/

[423] Plataforma Europa Perú Complaint against the Peruvian Government for failing to fulfil its labour and environmental commitments under the Trade Agreement between Peru and the European Union: https://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeetingDoc&docid=12295

in the implementation of public policy.[424] In addition, the Ministry of Labour and its National Superintendency of Labour Inspection (SUNAFIL) continue to have inadequate resources to enforce workers' rights.[425] The SUNAFIL is also criticised for its lack of independence from the government and from the companies as well as its limited sanctioning power which led to weakening of labour inspections in the country (Orbie and Van den Putte 2016). The U.S. Department of State notes that wage laws, occupations safety and health standards are not effectively enforced.[426] The Plataforma Europa Perú filed a complaint to the European Commission noting multiple violations of labour rights in Peru, the lack of enforcement of the right to just and favourable conditions of work.[427]

Prohibition of all forms of slavery (forced or compulsory labour, including child labour)

Peru ratified the ILO Conventions on forced labour (Conventions No. 29 and No.105) and child labour (Conventions No. 138 and 182) as well as the ILO Indigenous and Tribal Peoples Convention (Convention No. 169) which provides in its Article 112 that 'the exaction from members of the peoples concerned of compulsory personal services in any form, whether paid or unpaid, shall be prohibited and punishable by law, except in cases prescribed by law for all citizens". Peru also ratified the International Covenant on Economic, Social and Cultural Rights (Article 6(1)), the International Covenant on Civil and Political Rights (Article 8), the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Article 11), the Convention on the Rights of Persons with Disabilities (Article 27(2)), the Convention on the Rights of the Child (Article 32 and 34), the Convention on the Elimination of All Forms of Discrimination against Women (Article 11), the American Convention on Human Rights (Article 6), the Trafficking (Palermo) Protocol and the Smuggling Protocol. Since 2017, the Penal Code of Peru criminalises forced labour (Article 168-B) and establishes fines and imprisonment for violations of prohibitions on forced labour and trafficking. At the policy level, Peru adopted the 2013-2017 National Plan to Combat Forced Labour which aimed to eradicate forced labour and to ensure comprehensive support system for rescued victims and to approve the intersectoral protocol against forced labour.[428] However, due to insufficient funding the National Plan was not fully implemented. In 2012 the National Labour Inspection Superintendence (SUNAFIL) under the Ministry of Labour and Employment Promotion was set up, but its effectiveness has been limited due to underfunding, lack of independence from the government, lack of independence from companies, limited sanctioning power and lack of authority (Orbie and Van den Putte 2016). In 2019, the 2019-2022 National Plan of Action for the Eradication of Forced Labour and the 2019-2022 National Plan to Combat Trafficking in Persons were adopted. The Ministry or Women and Vulnerable Populations approved a guide for the reintegration of victims of human trafficking.[429] On **child labour**, the Child and Adolescent Code of Peru prohibits forced labour, economically exploitative labour, prostitution, and trafficking in children, adolescents, and establishes fines and imprisonments for violations. At the policy level, the 2012-2021 National Strategy

[424] OECD (2016). Public Governance Reform, Peru, Highlights: https://www.oecd.org/gov/public-governance-review-peru-highlights-en.pdf and Public Policies and weak institutions: the case of compulsory sterlisation in Peru, Achic Lema, Rostra publication: Rostra Economica – Public Policies and Weak Institutions: The Case of Compulsory Sterilization in Peru

[425] UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

[426] United States Department of State, Bureau of Democracy, Human Rights, and Labor (2020). Country Reports on Human Rights Practices for 2019 – Peru: https://www.state.gov/wp-content/uploads/2020/02/PERU-2019-HUMAN-RIGHTS-REPORT.pdf

[427] Plataforma Europa Perú Complaint against the Peruvian Government for failing to fulfil its labour and environmental commitments under the Trade Agreement between Peru and the European Union: https://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeetingDoc&docid=12295

[428] European Parliamentary Research Service (2018). Trade Agreement between the European Union and Colombia and Peru, European Implementation Assessment.

[429] U.S. Department of State (2020). Trafficking in Persons Report: Peru: https://www.state.gov/reports/2020-trafficking-in-persons-report/peru/

to Prevent and Eradicate Child Labour was adopted in 2012 which sets out various measures aimed at eradication of child labour. Under the Semilla Project, the Ministry of Labour created the Child Labour Free Seal which recognises products and services of companies whose operations are free from child labour.[430] Peru joined the Alliance 8.7 to work towards the SDG 8.7 to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour.[431]

According to the Global Slavery Index 2018, approximately 80,000 persons are estimated to be living in modern slavery.[432] Peruvian women and girls, particularly from the indigenous communities, continue to fall victim to sex trafficking. Men, women, and children are still subject to forced labour in mining and logging and in the informal economy.[433] Legislation and policies have been adopted to combat child labour and hazardous and abusive work.[434] However, the UN Committee on the Rights of the Child is concerned about the extensive prevalence of child labour in the country.[435] The UN Human Rights Council reports that in 2018 26.1% of Peruvian children aged between 5 and 17 were engaged in economic activity, with 16.8% (1.25 million) of them being involved in hazardous work.[436] The Alliance 8.7 reports that child labour is more prevalent in rural areas than in urban areas (25.6% vs. 4.7% respectively).[437] Labour law enforcement agencies (SUNAFIL), lack sufficient inspectors to effectively combat child labour.

Right to social security

The right to social security is recognised in Article 10 of the Constitution. Article 11 of the Constitution provides specific guarantees with respect to health benefits and pensions through public, private or joint agencies. Peru has a comprehensive hybrid welfare regime, but it does not reach all parts of the population, as deficiencies are pronounced especially in rural areas. The social safety net is also marked by a distinction between formal and informal sectors. The Humala administration has created an important infrastructure for social policy, and subsequent administrations appears to continue to support it. The creation of the Ministry of Development and Social Inclusion (MIDIS) is one of the major advances to address issues of inequality and poverty resulting from structural conditions of the country. Expansion of coverage of existing social security services has been progressing as well.[438] From 2005 to 2017 there has been an upward trend in social protections, from 28% to 79%, mainly resulting from greater access to health insurance (43.7% of workers) and a pension system (35% or workers). Rural areas have an increase in health insurance but not in pension coverage (Maldonado Mujica 2020). The Bertelsmann Foundation report on Peru states that around half of Peruvian economically active population is not affiliated with any pension system (BTI 2020).

Right to health

Article 7 of the Constitution provides for the right to protection of one's health. Article 9 includes provisions on the regulation of the health system by the state with the aim to ensure equal access of everyone to health services. The Garcia administration reformed the health insurance system in 2009 by introducing the Universal Health Insurance (AUS)

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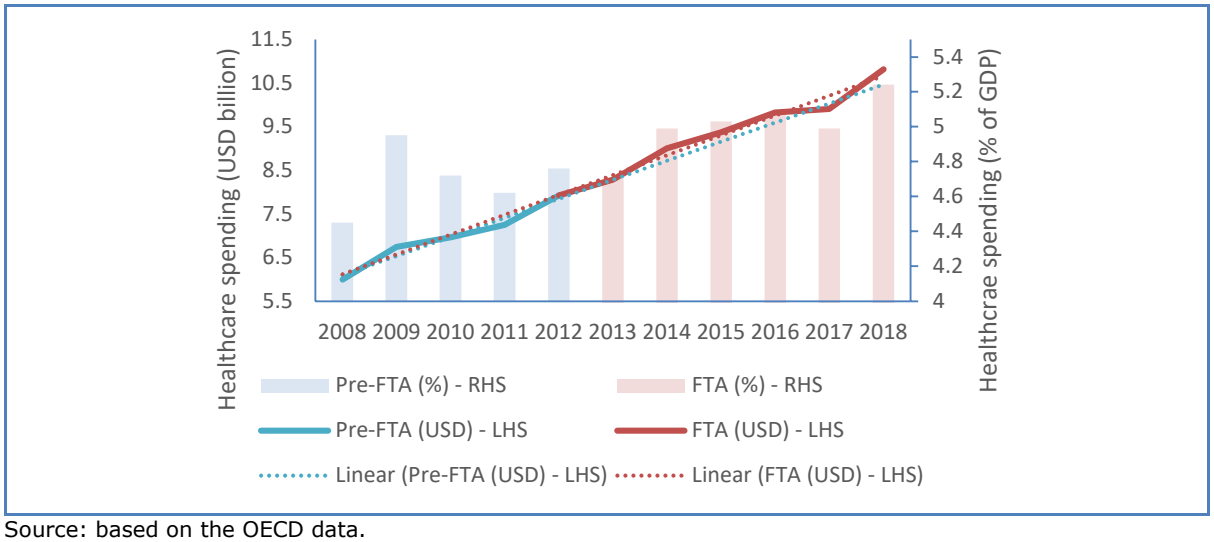
[430] U.S. Department of Labour (2019). Findings on the Worst Forms of Child Labour: Peru: https://www.dol.gov/agencies/ilab/resources/reports/child-labor/peru
[431] See website of the Alliance 8.7: https://www.alliance87.org/pathfinder_countries/peru-2/
[432] See also social analysis.
[433] UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.
[434] Ibid.
[435] UN Committee on the Rights of the Child (2015). Concluding observations on the combined fourth and fifth periodic reports of Peru, UN Doc. CRC/C/PER/CO/4-5.
[436] UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.
[437] See website of the Alliance 8.7: https://www.alliance87.org/pathfinder_countries/peru-2/
[438] BTI (2018). Peru Country Report: https://www.bti-project.org/en/reports/country-report-PER-2018.html

and the Essential Plan of Health Insurance (PEAS), making insurance obligatory and access to healthcare free. Insurance coverage has increased from 37% in 2004 to 83% in 2017, due to the expansion of the non-contributory comprehensive health insurance system (SIS). The government aims to reach universal coverage by 2021, but it is questionable if, with the low public expenditure, this goal can be achieved.[439] According to the World Bank data, Peru spent $159/capita in 2007 and $369/per capita in 2018.[440] Overall healthcare spending of Peru in the period from 2008 till 2018 increased (Figure 6) but remains among the lowest in Latin America.[441]

Figure 6: Peruvian health care expenditures (% of GDP and USD)



Source: based on the OECD data.

Various UN monitoring bodies report that there are prevailing disparities in the accessibility and quality of health care services which affects mainly people from low-income brackets, indigenous people, women, migrants and persons living in rural or remote areas.[442] Additionally, the UN Human Rights Council reports adverse effects of large-scale business operations on health and the environment – health emergencies related to industrial pollution, impact of mining operations on the health of adjacent communities (e.g., among others, through emissions and releases of mercury),[443] health impacts related to the oil and gas sector operations, including oil spills and water contamination.[444]

Right to food

Peru is a party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) which contains protection of this right under Article 11. The Constitution of Peru does not explicitly recognise the right to adequate food. However, implicit guarantees can be derived through broader human rights, e.g. the right to life. Article 2 of the Constitution states that everyone has the right "to life, identity, moral, mental and physical integrity and development and well-being". Article 3 specifies the possibility of rights that are not

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439 Ibid.

440 World Bank Data – Current health expenditure per capita -Peru: https://data.worldbank.org/indicator/SH.XPD.CHEX.PC.CD?locations=PE

441 Minority Rights Group International (2020). World Directory of Minorities and Indigenous Peoples – Peru: https://minorityrights.org/country/peru

442 United Nations Committee on the Elimination of All Forms of Racial Discrimination (2018). Concluding observations on the combined twenty-second and twenty-third periodic reports of Peru, UN. Doc. CERD/C/PER/CO/22-23.

443 Comisión Económica para América Latina y el Caribe (CEPAL)/Organización de Cooperación y Desarrollo Económicos (OCDE) (2017). Evaluaciones del desempeño ambiental: Perú, Santiago: https://repositorio.cepal.org/bitstream/handle/11362/42527/1/S1600240_es.pdf

444 UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

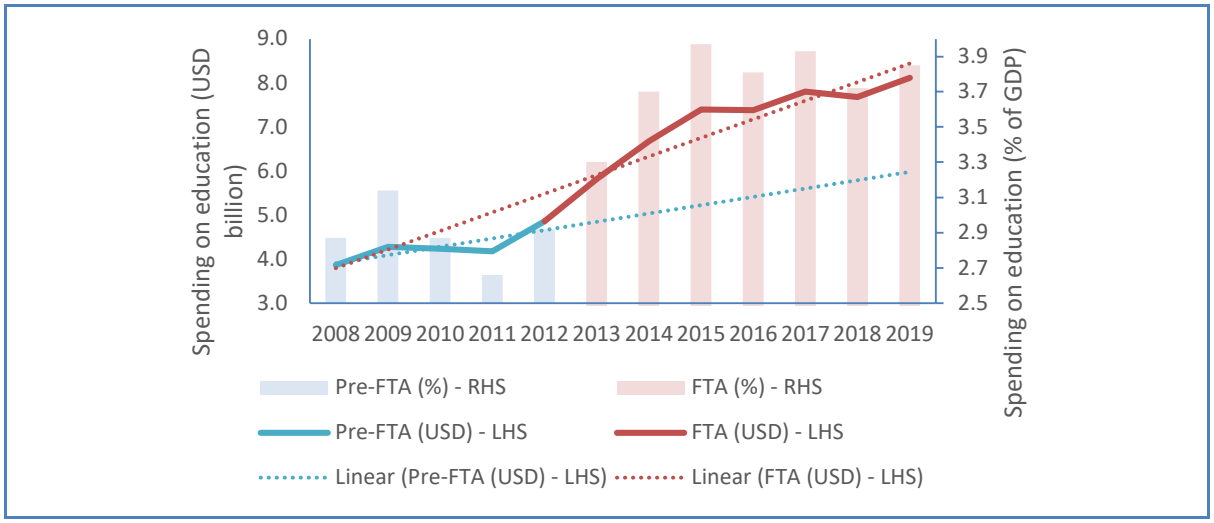
explicitly included in the Constitution: "The enumeration of rights in this chapter does not exclude others that the Constitution guarantees, or others of similar nature or others based on the dignity of man". Article 55 of the Constitution states: "The treaties established by the State form part of national law" which then suggests that because Peru has ratified ICESCR, human rights not explicitly recognised by the Constitution still form part of the national law. Under national law, the General Health Law (Law No. 1163 (2011) on the right to adequate food and promoting food security) specifically addresses the right to healthy and sufficient food (Article 10).

The UN World Food Programme reports that hunger and poverty have decreased significantly in Peru in recent years. Chronic child malnutrition in 2019 was 13.1% (in 2008 it was at 28%). However, data varies over the regions and peaks at 33.4% in the rural areas of the Sierra and Amazon regions, particularly affecting indigenous communities.[445] The COVID-19 pandemic has aggravated the situation for the most affected groups.[446]

Right to education

Articles 13-19 of the Constitution refer to the right to education. Constitution guarantees free education in public schools. Article 17 includes provisions on bilingual and intercultural education, in accordance with the particular characteristics of each area and sets out the duty of the state to preserve "diverse cultural and linguistic manifestations through the country".[447] Education remains one of the most important issues in the public debate. Peru has raised spending on education from 2.7% of GDP in 2008 to about 3.8% of GDP in 2019 (Figure 7).

Figure 7: Peruvian education expenditures (% of GDP and USD)



Source: based on the OECD data.

Peru has broadened the reach of its secondary education which improved the school access and retention rates, especially for indigenous, rural and poor youth. However, the low quality of education in some areas remains an issue.[448] Dropouts levels are higher for rural and indigenous students. Peru's Programme for International Student Assessment (PISA)

[445] UN World Food Programme (2020). Peru: https://www.wfp.org/countries/peru
[446] UN World Food Programme (2020). Peru Country Brief, October 2020: https://docs.wfp.org/api/documents/WFP-0000121243/download/?_ga=2.96501981.356443666.1608669171-1299161679.1608669171
[447] Article 17 of the Constitution of Peru of 1993 with Amendments through 2009: https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en
[448] OECD Development Centre (2017). Youth well-being policy review of Peru. Assessment and recommendations: https://www.oecd.org/countries/peru/PERU%20Assessment%20and%20recommendations_web.pdf

evaluation scores have improved by the largest margin of any Latin American country.[449] In cooperation with the World Bank, the Basic Education Project was carried out in Peru to support and reform basic education in the country.[450]

Right to an adequate standard of living

While poverty rates have significantly reduced from 37.3% in 2008 to 20.2% in 2019, poverty is still more pronounced in rural regions at 44%. [451] The most disadvantaged people are the rural poor, notably, women and children, but also indigenous peoples, Afro-Peruvian communities, members of households with over four persons as well as persons with low levels of education attainment.[452] The UN World Food Programme reports that while chronic child malnutrition is currently at 13.1%, rates still vary widely across the regions, reaching peaks of 33.4% in remote rural areas.[453] The government continues several social programs that are aimed at vulnerable segments of Peruvian society, such as the National Fund for Compensation and Social Development (FONCODES), which aims to reduce poverty by investing in economic and social infrastructure, and the conditional cash transfer program (Juntos).[454] Most persons with low income had health insurance in 2018 (83%, compared to 36.2% in 2007). The impact of the COVID-19 may affect poverty levels in Peru, with more people facing a risk of falling into poverty.

Right to water

Peru ratified the ICESCR which recognises the right to water under Article 11 of the Covenant, the scope and content of the right is clarified in the CESCR General Comment No. 15. The Constitution of Peru does not contain explicit provisions on the right to water. The 2009 Law on water resources and the National Water Resource Management System regulate water issues in the country. Next to that, the 2015-2035 National Water Resources Plan has been adopted to regulate the growing demand for water in Peru, it calls to increase the crop area under mechanized irrigation from 2% (in 2017) to 24% in 2035. The environmental quality standards introduced in 2010 have helped to improve water quality, which is reflected in a decrease of diarrhea illnesses in children under five years. Some shortfalls exist in the water infrastructure related to water quality.[455] The main issues named by the OECD study with respect to water quality and the impact of water pollution on the health of the population refer to improperly treated domestic wastewater, untreated dumping from informal mining activities, the use of untreated water for irrigation, the use of agrochemicals in intensive agriculture and high level of incompliance with the environmental standards that pollute adjacent rivers. Additionally, the report notes that there has been no assessment of water quality monitoring.[456] A large proportion of the population has no access to safe drinking water and sanitation services.[457] Urban wastewater in nine out of 24 regions is not being treated. In many regions of Peru water security is under threat from the growing demand for water.[458]

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[449] Ibid.
[450] The World Bank (2019). Improving Basic Education in Peru: https://www.worldbank.org/en/results/2019/05/13/improving-basic-education-in-peru
[451] World Bank data, at: https://data.worldbank.org/country/PE
[452] See also social analysis.
[453] UN World Food Programme, at: https://www.wfp.org/countries/peru
[454] Ibid.
[455] Comisión Económica para América Latina y el Caribe (CEPAL)/Organización de Cooperación y Desarrollo Económicos (OCDE) (2017). Evaluaciones del desempeño ambiental: Perú, Santiago: https://repositorio.cepal.org/bitstream/handle/11362/42527/1/S1600240_es.pdf
[456] Ibid.
[457] According to the ourworldindata.org, the number of people without access to safe drinking water in Peru in 2015 was 15.6 million people, based on data from WHO and WASH: https://ourworldindata.org/water-access
[458] Comisión Económica para América Latina y el Caribe (CEPAL)/Organización de Cooperación y Desarrollo Económicos (OCDE) (2017). Evaluaciones del desempeño ambiental: Perú, Santiago: https://repositorio.cepal.org/bitstream/handle/11362/42527/1/S1600240_es.pdf

2.3.3. Vulnerable population groups

Indigenous peoples and Afro-Peruvian populations

According to the 2007 Census, there were more than four million Indigenous persons in Peru. The largest group, comprising of 83.1% of the indigenous populations resides in the highland Quechua, 10,9% identify themselves as Aymara, 1.7% - as Ashaninka and 4.3% belong to other Amazonian indigenous peoples. But this list of indigenous peoples is not complete as the Database of Indigenous or Original Peoples states that there are 55 indigenous peoples in the country.[459] In 2017, the number of people who identified themselves as Quechuan grew to around five million people, comprising 22.3% of the Peruvian population.[460] Indigenous peoples often live in areas rich with natural resources such as oil and gas, or in rich mining areas.

Peru has ratified the ILO Indigenous and Tribal Peoples Convention (Convention No. 169) and supported the UN Declaration on the Rights of Indigenous People. The main issue for many indigenous communities remains the inadequate level of consultation in extractive projects.[461] While the 2011 Law of Prior Consultation attempted to improve participation and consultation efforts, the results have not been sufficient. Various UN monitoring bodies report that the right of indigenous peoples to prior consultation with a view of obtaining their free, prior and informed consent is not applied in line with the legislative requirements. There is no effective mechanism for the protection of indigenous people's rights to their land, territories, and resources.[462] There continues to be a lack of access to necessary water and sanitation facilities for indigenous peoples affected by resource extraction projects. The National Ombudsman's Office and the Ministry of Culture have launched several initiatives to tackle issues faced by the indigenous peoples and the Afro-Peruvian population, but structural racial discrimination remains common, which is reflected especially in the difficulties they encounter to access employment, education, and quality health services.[463] Only 43.5% of indigenous peoples and Afro-Peruvian populations worked in adequate employment in 2018 (INEI, 2019).

Children

Peru ratified the Convention on the Rights of the Child and all the Optional Protocols to the Convention. The Constitution of Peru contains provisions on special social protection of children and adolescents (Article 4). The Civil Code, the Children and Young Persons Code, the General Law on Labour Inspection, and a Decree on the impacts of hazardous work and night work on health of teenagers also regulate working activities of children. The minimum age for admission to work has been established at 14 years and for certain sectors, it is at 15-18 years of age.

A number of children in Peru engage in the worst forms of child labour, including in mining and commercial sexual exploitations. In its 2012 Concluding observations of Peru, the Committee on Economic, Social and Cultural Rights, stated that it is concerned that child

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[459] International Work Group for Indigenous Affairs (2020), The Indigenous World 2020: http://iwgia.org/images/yearbook/2020/IWGIA_The_Indigenous_World_2020.pdf

[460] Instituto Nacional de Estadística e Informática (2018), Perú: Perfil Sociodemográfico: https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib1539/libro.pdf

[461] UN Committee on the Elimination of Discrimination against Women (2014). Concluding observations on the combined seventh and eighth reports of Peru, UN Doc. CEDAW/C/PER/CO/7-8; UN Committee on the Elimination of Racial Discrimination (2018). Concluding observations on the combined twenty-second and twenty-third periodic reports of Peru, UN Doc. CERD/C/PER/CO/22-23; UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

[462] United Nations Committee on the Elimination of All Forms of Racial Discrimination (2018). Concluding observations on the combined twenty-second and twenty-third periodic reports of Peru, UN. Doc. CERD/C/PER/CO/22-23.

[463] World Directory of Minorites and Indigenous People (2020).

labour remains extensive and that they are exposed to dangerous and/or degrading work.[464] The 2018 Report of the Human Rights Council states that 26% of Peruvian children aged between 15 and 17 worked and 16.8% of children were involved in hazardous work, in particular in agriculture, fishing and mining.[465] While statistical analysis shows that a big share of working children are involved in economic activities of their family or community, most indigenous children work for others, on plantations, in mining or in domestic service.[466] Child sex tourism also remains an issue, even in light of measures taken to address it, such as the introduction of the criminal offence of child sex tourism.[467] Peru has made advancements to eliminate the worst forms of child labour, such as modifying the Penal Code to strengthen penalties for the sexual exploitation of women and minors,[468] adopting the 2017-2021 National Plan of Action to Combat Trafficking in Persons, the 2013-2017 and the 2019-2020 National Plans to Combat Forced Labour[469] and the 2012-2012 National Plan of Action for Children and Adolescents to tackle child trafficking and sexual exploitation, but there exists concern that there are limited resources allocated for their implementation. In addition, labour law enforcement agencies in Peru still lack sufficient inspectors and training to adequately address this issue.[470] The 2019 report of the ILO Committee of Experts recorded 460 inspection notices regarding minimum age and 34 infringement cases related to child labour.[471]

Women

Peru ratified the ICESCR, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as well as the Optional Protocol to the CEDAW. Next to that, Peru ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belem do Para Convention). Article 2 of the Peruvian Constitution contains provisions that guarantee non-discrimination based on gender. Article 191 of the Constitution mentions an obligation to facilitate female representation in regional and municipal councils.

Gender-based violence is widespread in Peru, with more than half of the Peruvian women reporting an instance of physical, sexual, or emotional abuse (Freedom House 2020). Femicide cases have also increased, in 2018 there were 123 cases of femicide reported, which is a 21% increase over the previous year (BTI 2020). Steps were taken to address violence against women and promote equality between women and men. In 2015, Act No. 30364 on the prevention, punishment and eradication of violence against women and members of the family was adopted. In 2016, the National Plan against gender-based violence was introduced. In 2018, Act No. 30819 was adopted that amended the Criminal Code and the Code on Children and Adolescents in order to strengthen the protection afforded under criminal law in relation to violence against women. In the same year, the

[464] United Nations Committee on Economic Social and Cultural Rights (2012). Consideration of reports submitted by States parties under articles 16 and 17 of the Covenant, Concluding observations of the Committee on Economic, Social and Cultural Rights. UN. Doc. E/C.12/PER/CO/2-4.
[465] UN Human Rights Council (2018). Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.
[466] See social analysis for statistical data.
[467] United Nations Committee on the Rights of the Child (2016). Concluding observations on the report submitted by Peru under article 12(1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, UN. Doc, CRC/C/OPSC/PER/CO/1.
[468] U.S. Department of Labor, Bureaus of International Labor Affairs (2019).
[469] United States Department of State, Bureau of Democracy, Human Rights and Labor (2020).
[470] U.S. Department of Labor, Bureaus of International Labor Affairs (2019). Child Labor and Forced Labor Reports: https://www.dol.gov/agencies/ilab/resources/reports/child-labor/peru
[471] CEACR (2019). Comments adopted by the CEACR: Peru: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13202:0::NO::P13202_COUNTRY_ID:102805

Joint Action Plan to Prevent Violence against Women was adopted too. Nonetheless, violence against women and girls has persisted over the period from 2008 to 2019.[472]

Based on a series of the annual Global Gender Gap reports of the World Economic Forum, it can be seen that while progress has been made, women still remain underrepresented in decision making position in the public sector.[473] In August 2019, a new law was signed which required 40% of congressional candidates to be female by 2021, 45% by 2026, and 50% by 2031.[474] Women continue to have limited access regarding sexual reproduction health, such as limited access to abortions and emergency contraception pills. The score on health and survival of women within the Global Gender Gap Index has improved since 2008 but remains low in 2019.[475] The 2020 Global Gender Gap Report for Peru states that with respect to labour participation, the country is only halfway in its journey to achieving gender parity.[476] Indigenous women in Peru are affected by multiple forms of discrimination which contributes to structural disadvantages in employment, health, and education.[477]

Refugees and migrants

Peru ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW) and the Refugee Convention and its Protocol. Next to that, Peru is a member of the International Organisation for Migration (IOC) and has formally accepted the Constitution of the IOM by Law No. 17559 (1969). There are several legal instruments adopted in Peru that matter for the protection of the rights of the migrants, e.g. Law No. 30103 (2013) on establishing the residency procedure for foreign nationals in an irregular situation; Law No. 30001 (2013) on the economic and social reintegration of returned migrants, Law No. 28950 (2007) on trafficking in persons and smuggling of migrants, Law No. 1350 on migration. Additionally, migrants' rights are covered in several policy instruments like the 2018-2021 National Human Rights Plan, the General migration policy guidelines and others. The majority of irregular migrants arriving in Peru are nationals of the Bolivarian Republic of Venezuela.[478] The Peruvian government passed a resolution in 2019, requiring all Venezuelans migrants to apply for a humanitarian visa before entry.[479] More than 1 million Venezuelans live in Peru of which 500,000 are seeking asylum.[480] In addition, around 486,000 hold a year-long temporary residence permit which allows them to work, enrol their children in school, and ensures access health care.[481] Nonetheless, many Venezuelans still have difficulty in gaining access to basic services, especially health services and education.[482] Complex regulations for recognition of professional qualifications allow only 7.6% of migrants to work in their original jobs. A large proportion of migrants face difficulties in finding formal employment and, as a result,

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[472] See UN Committee on Civil and Political Rights (2013). Concluding observations on the fifth periodic report of Peru, UN Doc. CCPR/C/PER/CO/5 and UN Committee against Torture (2018). Concluding observations on the seventh periodic report of Peru, UN Doc. CAT/C/PER/CO/7.

[473] Global Gender Gap Reports 2008-2020.

[474] Human Rights Watch (2020).

[475] World Economic Forum (2020). Global Gender Gap Report 2020: http://www3.weforum.org/docs/WEF_GGGR_2020.pdf

[476] Ibid.

[477] ILO (2016). The Labour Situation of Indigenous Women in Peru: A Study, at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_546285.pdf ; UN Committee on the Elimination of Racial Discrimination (2018). Concluding observations on the combined twenty-second and twenty-third periodic reports of Peru, UN Doc. CERD/C/PER/CO/22-23.

[478] UN Committee against Torture (2018). Concluding observations on the seventh periodic report of Peru, UN Doc. CAT/C/PER/CO/7.

[479] Human Rights Watch (2020).

[480] Based on data of the Response for Venezuelans Coordination Platform: https://r4v.info/en/situations/platform/location/7416

[481] UNHCR (2019). UNHCR scales up response as record number of Venezuelans arrive in Peru: https://www.unhcr.org/news/press/2019/6/5d05310d4/unhcr-scales-response-record-number-venezuelans-arrive-peru.html?query=peru

[482] United Nations Committee on the Elimination of All Forms of Racial Discrimination (2018). Concluding observations on the combined twenty-second and twenty-third periodic reports of Peru, UN. Doc. CERD/C/PER/CO/22-23.

have to accept work in the informal sector with low levels of social protection and possible precarious working conditions with pay below the minimum wage.[483]

Persons with disabilities

Peru ratified the Convention on the Rights of Persons with Disabilities and the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities. The Constitution of Peru contains provisions on the special protection for persons with disabilities, their access to education and work (Articles 7, 16 and 23). The rights of people with disabilities are recognised under the General Law on Persons with Disabilities of 2012, and Peru has published a 10-year plan for the equalization of opportunities for people with disabilities (2009-2018).[484] In 2018, the legal capacity of people with disabilities was recognised after reforms were made to Peruvian law.[485] The Government in cooperation with the International Labour Organisation is promoting disability inclusive policies in the workplace through the Joint Program on Employment and Disability. However, discrimination remains, as many persons with disabilities are not yet able to exercise their political rights, and there is a lack of health care for persons with disabilities.[486] In the 2012 Consideration reports by the Committee on Economic, Social and Cultural Rights, it was mentioned that persons with disabilities faced discrimination in accessing employment and that only 1.4% of persons with disabilities were covered by social security programmes.[487] The ILO states that the unemployment rate for people with disabilities is three times higher than the average in the country.[488] The 2018 Report of the UN Human Rights Council notes that only 15% of the persons with disabilities in the country have an employment.[489]

LGBTI persons

Article 2 of the Constitution of Peru implicitly recognises the rights of the LGBTI persons: "every person has the right to equality before the law. No person shall be discriminated against on the basis of origin, race, sex, language, religion, opinion, economic situation, or *any other distinguishing feature*" (italics added). Law No. 28.237 (2004) prohibits discrimination based on sexual orientation, recognises sexual minorities as a protected group and allows individuals to submit complaints in cases of discrimination. While there is a growing acceptance of the LGBTI people in Peru, discrimination against LGBTI persons has remained widespread (BTI 2019). Same-sex civil union or marriages are illegal but in 2019 a judge ordered the civil registry to recognize marriage of a same-sex Peruvian couple who had wed in the United States. Lawmakers have introduced bills aimed at excluding the use of the concept of gender from domestic legislation (Human Rights Watch 2020).

[483] See statistics in the social part of the analysis.
[484] Global Disability Rights Now!, Peru: https://www.globaldisabilityrightsnow.org/peru
[485] United Nations Human Rights, Office of the High Commissioner (2018). Peru: Milestone disability reforms lead the way for other States, says UN expert, at: https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23501&LangID=E
[486] UN Human Rights Council (2017). Summary of stakeholders' submissions on Peru, UN Doc. A/HRC/WG.6/28/PER/3.
[487] UN Committee on Economic, Social and Cultural Rights (2012). Concluding observations of the Committee on Economic, Social and Cultural Rights, UN Doc. E/C.12/PER/CO/2-4.
[488] International Labour Organization (2019). Hiring people with disabilities is good business – but it is also a matter of rights: http://www.businessanddisability.org/news/hiring-people-with-disabilities-is-good-business-but-it-is-also-a-matter-of-rights/
[489] UN Human Rights Council (2018). Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

3. Ecuador

3.1. Human rights framework

The Constitution of Ecuador recognises a comprehensive list of human rights as interpreted in the international human rights treaties ratified by the state.[490] Ecuador ratified all core UN human rights conventions and all nine optional protocols (Table 9). In the evaluation period from 2012 till 2019, Ecuador ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (in 2018). As part of its reporting obligations, Ecuador regularly reports to the UN monitoring treaty bodies. Ecuador is one of the few states that does not have any overdue reports under the UN conventions it ratified.[491] The Constitution of Ecuador establishes in Article 11(3) that "the rights and guarantees set forth in the Constitution and in international instruments shall be directly and immediately enforced by and before any civil, administrative or judicial servant, either by virtue of their office or at the request of a party." Additionally, Article 426 establishes that "judges, administrative authorities, and public servants shall directly apply constitutional standards and those provided for in international human rights instruments as long as the latter are more favourable than those set forth in the Constitution, although the parties do not invoke them expressly".[492]

Table 9: Ratification status of core international human rights treaties by Ecuador

Human Rights Treaty	Ratified or not
International Covenant on Civil and Political Rights (ICCPR)	✓
- Optional Protocol to the ICCPR	✓
- Second Optional Protocol to the ICCPR	✓
International Covenant on Economic, Social and Cultural Rights (ICESCR)	✓
- Optional Protocol to the ICESCR	✓
Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT)	✓
- Optional Protocol to the CAT	✓
International Convention for the Protection of All Persons from Enforced Disappearance (CPED)	✓
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	✓
- Optional Protocol to the CEDAW	✓
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	✓
Convention on the Rights of the Child (CRC)	✓
- Optional Protocol to the CRC on the involvement of children in the armed conflict	✓
- Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	✓
- Optional Protocol to the CRC on a communication procedure	✓
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW)	✓
Convention on the Rights of Persons with Disabilities (CRPD)	✓
- Optional Protocol to the CRPD	✓

Source: OHCHR.

Ecuador has ratified all eight fundamental ILO Conventions that cover freedom of association, forced labour, discrimination and child labour. It has not ratified one out of four ILO governance conventions that refers to labour inspection in agriculture. It has ratified the ILO Indigenous and Tribal Peoples Convention (No.169) (Table 10). In the evaluation period from 2012 till 2019, Ecuador ratified the ILO Domestic Workers Convention (No. 189) and the Workers with Family Responsibilities Convention (No. 156).

[490] Title II of the 2008 Constitution of Ecuador.
[491] UN Treaty Body Database: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/LateReporting.aspx
[492] The Constitution of Ecuador of 2008: https://www.constituteproject.org/constitution/Ecuador_2008.pdf

Table 10: Ratification status of key ILO Conventions by Ecuador

Convention	Ratified or not
C029 – Forced Labour Convention	✓
C087 – Freedom of Association and Protection of the Right to Organise Convention	✓
C098 – Right to Organise and Collective bargaining Convention	✓
C100 – Equal Enumeration Convention	✓
C105 – Abolition of Forced Labour Convention	✓
C111 – Discrimination (Employment and Occupation) Convention	✓
C138 – Minimum Age Convention	✓
C182 – Worst Forms of Child Labour Convention	✓
C081 – Labour Inspection Convention	✓
C122 – Employment Policy Convention	✓
C129 – Labour Inspection (Agriculture) Convention)	×
C144 – Tripartite Consultation (International Labour Standards) Convention)	✓
C155 – Occupational Safety and Health Convention	×
C169 – Indigenous and Tribal Peoples Convention	✓

Source: ILO.

Next to that, Ecuador is a party to the main human rights instruments of the inter-American system and recognises the competence of the Inter-American Court of Human Rights (see full list of ratifications of regional human rights treaties in Table E-1 in Annex E-2).

3.2. Overall screening of human rights-related indices

To illustrate general changes in human rights and human rights related issues over the evaluation period, the following relevant indices are reported: the Human Development Index of the UNDP, the Political Rights Index and the Civil Liberties Index of the Freedom House, the Corruption Perception Index of the Transparency International, the Gender Inequality index of the UNDP, the Social Progress Index (from 2011), and the Voice and Accountability, Political Stability, Government Effectiveness, Rule of Law Indices of the World Governance Indicators (Kaufmann, Kraay, and Mastruzzi 2010). Table 11 presents an overview of all the scores for Ecuador over the period from 2012 until 2019, depending on the availability of the data. The indices use different methodologies in covering various human rights related issues. Some of the indices overlap or are intertwined, but that allows to look at the trends in human rights performance from different angles.

The *Human Development Index (HDI)* covers three dimensions of human development – long and healthy life, education and a decent standard of living.[493] Over the period from 2012 till 2019, Ecuador has experienced a small but steady increase in this index. *The Gender Inequality Index (GII)* also shows a modest improvement in the position of women in Ecuador in reproductive health, political participation and labour inclusion.[494] *The Political Rights Index* of the Freedom House shows a rather stable situation regarding political rights in the country (electoral freedoms, political participation and functioning of the government), while the *Civil Liberties Index* (freedom of expression and belief, associational and organisational rights, rule of law, personal autonomy and individual rights)[495] shows a decline in civil freedoms in 2016 and 2017, which is in particular attributed to the government's decision to order the closure of a major teachers' union as well as regulatory actions and legislation that threatened the sustainability of two graduate universities. In 2018, the rating improved due to reduced pressure on the media and civil society, as well as progress with anticorruption efforts under the new state administration.[496] *The Corruption Perception Index* of Transparency International shows

[493] See full methodological note on the Human Development Index at: http://hdr.undp.org/en/content/human-development-index-hdi

[494] See full methodological note on the Gender Inequality Index at: http://hdr.undp.org/en/content/gender-inequality-index-gii

[495] See full methodological note on the Political Rights Index and the Civil Liberties Index at: https://freedomhouse.org/reports/freedom-world/freedom-world-research-methodology

[496] See Freedom House Ecuador Reports from 2017 to 2020: www.freedomhouse.org

that corruption has been volatile between 2012 and 2019 but has improved slightly from the level of 2012. *The Social Progress Index* which covers such dimensions as basic human needs (water, basic medical care, nutrition, etc.), foundations of wellbeing (education, health, environmental quality, etc.) and opportunity (personal rights and freedoms, inclusiveness, etc.),[497] recorded a gradual improvement in several human rights captured within the score until 2018. *The Voice and Accountability Indicator* reflects upon a wide range of personal freedoms – freedom of press, democracy, freedom of association and assembly, electoral freedoms, etc.) and illustrates an improvement of these rights overall in the period from 2012 until 2019. *The Political Stability Indicator* covers the degree of violence in Ecuador, the score fluctuated from 27 to 45 over the period of 2012 and 2019. *The Government Effectiveness Indicator* reflects on the functioning of the government and quality of public services, in Ecuador it has fluctuated between 2012 and 2019. Finally, *the Rule of Law indicator* illustrates the situation with respect to crime, property rights, trafficking of people, among others. In Ecuador, law and order scores have been volatile over the period between 2012 and 2019 and indicate a steady improvement in the rule of law since 2016.[498]

Table 11: Key human rights indicators for Ecuador (2012 – 2019)

Key indicators	2012	2013	2014	2015	2016	2017	2018	2019
Human Development Index	0.74	0.75	0.75	0.76	0.76	0.76	0.76	
Gender Inequality index	0.42	0.41	0.40	0.39	0.39	0.39	0.39	
Political Rights Index	3	3	3	3	3	3	3	3
Civil Liberties Index	3	3	3	3	4	4	3	3
Corruption Perception Index	32	35	33	32	31	32	34	38
Social Progress Index	70.6	71.5	71.7	72.5	73.2	73.6	74.4	75.6
Voice & Accountability Index	38.5	40.4	39.9	39.4	38.4	40.9	47.3	48.8
Political Stability Index	27.5	39.3	45.2	41.0	44.3	41.4	43.3	41.0
Government Effectiveness	37.9	36.0	35.6	38.5	37.5	39.9	42.8	37.0
Rule of Law	12.7	17.4	12.0	13.9	25.0	25.5	28.4	29.8

Source: own compilation based on UNDP Human Development reports, Freedom House reports, Transparency International reports, Social Progress scorecards and World Governance Indicators for Ecuador over the period of 2012-2019.

Following this high-level screening of relevant human rights-related indices, in the next section a concise baseline analysis of relevant human rights is presented, covering *inter alia* the pre-existing conditions of stress and vulnerabilities with respect to human rights in Ecuador before the provisional application of the Agreement as well as identifying relevant social and political developments that could have affected the human rights situation in the country.

3.3. Baseline analysis of relevant human rights/issues[499]

3.3.1. Cross-cutting issues

Non-discrimination

Ecuador is party to various international human rights treaties that provide for the freedom from discrimination (the ICCPR, the ICESCR, the CEDAW, the CRC, the CRPD, the ICMW, etc.). Ecuador's Constitution promotes non-discrimination in general (Article 11(3), as well as with respect to specific population groups (e.g. Articles 19, 46, 48, 57), and aims to guarantee equality through representing minority groups. The UN Committee on Economic,

[497] See full methodological note at: www.socialprogress.org/about-us
[498] See full methodology at: https://info.worldbank.org/governance/wgi/Home/Documents.
[499] Human rights in the baseline analysis are drawn from the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, supplemented where relevant with references to the core UN human rights treaties and conventions, regional human rights treaties, and ILO Conventions.

Social and Cultural Rights, however, also expressed concern that there is no general law establishing a comprehensive list of prohibited grounds of discrimination.[500] Various UN Committees report that discrimination is common against such population groups as women, indigenous peoples, people of African descent, Montubio people, rural populations, migrants and LGBTI persons, and persons with disabilities.[501] Indigenous groups often are not included in decision making regarding their lands and resources.[502] Additionally, women's interests are not reflected in political decisions.[503]

Corruption

Fluctuations in the Corruption Perception Index (CPI) indicate a minor improvement from 2012 to 2019. There have been measures taken to combat corruption and to encourage transparency, such as the National Public Integrity and Anti-Corruption Plan 2019-2023.[504] However, the CPI demonstrates the pervasiveness of corruption in Ecuador over the years which can also be mirrored in political decision making. The Freedom House states that while political choices are generally democratically accountable, business interests can undermine democratic accountability by encouraging corruption by elected officials.[505] In 2019 the UN Committee on Social, Economic and Social Rights expressed concern about the practice of extortion and sexual abuse as forms of corruption.[506]

Environment, development, business and human rights

The right to a healthy environment is recognised under the Constitution of Ecuador: "the right of the population to live in a healthy and ecologically balanced environment that guarantees sustainability and the good way of living (sumac kawsay) is recognized" (Article 14). Climate change mitigation and adaptation measures have been adopted. Nevertheless, the increase in extractive activities announced under the prosperity plan could run counter to the State Party's commitment under the Paris Agreement.[507] Drilling for oil in protected areas and large-scale mining activities continue to take place in areas with high biodiversity over the period from 2012 till 2019. The 2019 Concluding Observations of the Committee on Economic, Social and Cultural Rights expressed serious concern at the environmental impact of large-scale mining and other extractive activities that particularly affect rural Afro-descendent and indigenous communities (e.g. Montubio people, Tagaeri and Taromenane indigenous peoples) as well as the relaxation of the rules on extractive activities.[508] For example, the 2019 legislation regarding, the reform of the Executive Decree No. 2187 (2007) on the Zona Intangible Tagaeri Taromenane (ZITT), raises concerns of the stakeholders who state that the exemption of from the prohibition under Article 3 of the new legislation (exemption of the hydrocarbon drilling and production

[500] UN Committee on Economic, Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN Doc. E/C.12/ECU/CO/4.
[501] United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4; UN Committee on the Rights of Persons with Disabilities (2019). Concluding observations on the second and third periodic reports of Ecuador, UN Doc. CRPD/C/ECU/CO/2-3; UN Human Rights Council (2017). Report of the Office of the UN High Commissioner for Human Rights. Compilation on Ecuador, U Doc. A/HRC/WG.6/27/ECU/2.
[502] Freedom House (2019). Freedom in the World 2019. Ecuador: https://freedomhouse.org/country/ecuador/freedom-world/2020
[503] Ibid.
[504] United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4.
[505] Freedom House (2018). Freedom in the World 2018. Ecuador: https://freedomhouse.org/country/ecuador/freedom-world/2018
[506] United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4
[507] Ibid.
[508] Ibid.; El Universo (2020). Cuáles son los 5 desafíos de Ecuador para el medioambiente en 2020: https://www.eluniverso.com/noticias/2020/01/17/nota/7694943/cuales-son-desafios-ecuador-medioambiente-2020

platforms to carry out infrastructure works in the buffer zones provides)[509] is in violation of the Constitution of Ecuador.[510] Analysis of key environmental indicators in the environmental section show that Ecuador lost 4.3% of its tree coverage between 2001 and 2019 and 99.4% of that land was transformed into agricultural areas (for example for the production of palm oil).[511] Stakeholders report that in the agricultural sector, there has been an increase in the use of water resources and an increase in the use of chemical fertilisers that are polluting soil and water in the region (Daza et al. 2020). Sewage water treatment remains a major issue.[512]

3.3.2. Human rights

Administration of justice, including impunity and the rule of law

Corruption and political interference have played a big role in the functioning of Ecuador's judiciary.[513] The independence of the judiciary has improved. The Council of Citizen Participation was established which identified and subsequently removed Judiciary Council members who were involved in creating a system that favoured government interests. New Judiciary Council members have been appointed. Nonetheless, the legal framework exposes judges to political pressure, and undermines judicial independence. Human Rights Watch reports that from January to August 2019, 19 judges were removed for "inexcusable errors",[514] this practice was already noted by the UN Human Rights Council in 2016.[515] The Freedom House states that the judicial processes remain slow, and many people are held in pre-trial detention for longer than it is permitted by law.[516] While the number of public defenders has increased over the years, it remains inadequate.[517] Stakeholders report challenges with the access to justice for Afro-Ecuadorians and indigenous peoples.[518]

Freedom of association and assembly, including the right to form and join trade unions

The freedom of assembly and association are guaranteed by the Constitution (Article 66(12)). Ecuador also ratified the ICESCR and the ILO Conventions pertaining to freedom of association, collective bargaining and the right to strike (Conventions No. 87 and No. 98). However, in practice, government restrictions have been common both under the Correa government (until 2017) and until recently under the Moreno government. In 2017 pardons were granted to a number of activists who had been charged for their participation in peaceful demonstrations from the previous administration.[519] The 2020 Bertelsmann Foundation country report on Ecuador notes a substantial transformation with respect to

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[509] Registro Oficial No. 506 – Suplemento, 11 June 2019: https://www.derechoecuador.com/registro-oficial/2019/06/registro-oficial-no506--martes-11-de-junio-de-2019-suplemento

[510] Based on the stakeholder consultations within this project.

[511] See also environmental section of the analysis.

[512] El Universo (2020). Cuáles son los 5 desafíos de Ecuador para el medioambiente en 2020: https://www.eluniverso.com/noticias/2020/01/17/nota/7694943/cuales-son-desafios-ecuador-medioambiente-2020

[513] United Nations Human Rights Council (2017). Summary of other stakeholders' submissions on Ecuador. Report of the Office of the United Nations High Commissioner for Human Rights, UN Doc. A/HRC/WG.6/27/ECU/3.

[514] Human Rights Watch (2020). Country Report Ecuador: https://www.hrw.org/world-report/2020/country-chapters/ecuador#

[515] Unites Nations Human Rights Committee (2016). Concluding observations on the sixth periodic report of Ecuador, UN Doc. CCPR/C/ECU/CO/6.

[516] Freedom House (2019). Freedom in the World 2019. Ecuador: https://freedomhouse.org/country/ecuador/freedom-world/2020

[517] Freedom House (2018). Freedom in the World 2018. Ecuador: https://freedomhouse.org/country/ecuador/freedom-world/2018

[518] United Nations Human Rights Council (2017). Summary of other stakeholders' submissions on Ecuador. Report of the Office of the United Nations High Commissioner for Human Rights, UN Doc. A/HRC/WG.6/27/ECU/3.

[519] Ibid.

these rights that 'fostered a climate of open debate'.[520] The Freedom House reports that strict requirements for starting NGOs have been rescinded but the government retains excessive regulatory power over the actions of the NGOs.[521] [522] The International Trade Union Confederation reports the use of violence by riot police in response to protestors.[523]

Ecuadorian law recognizes the right of workers to organize and bargain collectively and the right to strike is also guaranteed (Article 326 of the Constitution of Ecuador). However, the Bertelsmann Foundation reports that there is concern about the lack of ease in joining trade unions, and the allegations of intimidation and persecution of people exercising their trade union rights.[524] Since 2016, the International Trade Union Confederation (ITUC) Global Rights Index for Ecuador has dropped from 3 (regular violations of rights) to 5 (no guarantee of rights).[525] The Freedom House states that private sector labour unions have the right to strike, though the Labour Code limits public sector strikes.[526] The large amount of people working in the informal sector mean that only a small portion of the workforce is unionized.[527] The UN Committee on Economic, Social and Cultural Rights noted that there was a lack of data on the enjoyment of trade union freedoms and allegations of intimidation and persecution of persons exercising trade union rights.[528] Instituto Latinoamericano de Investigaciones Sociales (ILDIS) notes that the Labour Code of Ecuador recognises unions by individual company only, not branch unions and require a minimum of 30 workers from a single employer to form a trade union (Article 443).[529] According to the data from the Ministry of Labour, only 2,969 out of 5,853 trade unions were active in 2017.[530] In the period from 2012 to 2019, there were 6 complaints submitted to the ILO regarding the freedom of association.[531]

Freedom of expression

Ecuador ratified the International Covenant on Civil and Political Rights which includes provisions that ensure the right to hold opinions without interference (Article 19) as well as other international human rights treaties that contain provisions pertaining to this right (e.g. the ICESCR, the CEDAW). At the regional level, Ecuador is party to the American Convention on Human Rights which enshrines the freedom of expression in Article 13. The freedom of expression is guaranteed under the Constitution (Articles 66(6), 39 and 45). Enjoyment of this right has noticeably improved following the introduction of the new government, led by Moreno in 2017.[532] While the press has been regulated and faced government restrictions under Moreno's predecessor, important steps have been made towards creating a more open reporting environment. Attacks on the press decreased by

[520] Human Rights Watch (2019). Ecuador Country Report, at: https://www.hrw.org/world-report/2020/country-chapters/ecuador#6a43ba
[521] Freedom House (2018). Freedom in the World 2018. Ecuador: https://freedomhouse.org/country/ecuador/freedom-world/2018
[522] Tegantai (2019). Pánico Económico, otra forma de criminalizar la protesta: https://agenciaecologista.info/2019/04/25/comunicado-panico-economico-otra-forma-criminalizar-la-protesta/
[523] International Trade Union Confederation (2019). Violent repression in Ecuador as workers resist IMF package: https://www.ituc-csi.org/Ecuador-resists-Moreno-IMF-cutbacks
[524] BTI (2020). Country Report Ecuador: https://www.bti-project.org/en/reports/country-report-ECU.html
[525] ITUC Global Index Reports 2014-2020.
[526] See also social analysis.
[527] Freedom House (2019). Freedom in the World 2019. Ecuador: https://freedomhouse.org/country/ecuador/freedom-world/2020
[528] United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4.
[529] Código del Trabajo del Ecuador: http://www.trabajo.gob.ec/wp-content/uploads/downloads/2012/11/C%C3%B3digo-de-Tabajo-PDF.pdf
[530] El Comercio (2017). 2,969 sindicatos con baja representación: https://www.elcomercio.com/actualidad/sindicatos-baja-representacion-ecuador-trabajadores.html
[531] ILO country profile – Ecuador: http://ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11110:0::NO::P11110_COUNTRY_ID:102616
[532] UN Human Rights Council (2019). Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, UN Doc. A/HRC/41/35/Add.1.

52% in 2018[533] but journalists continue to report assaults by local authorities.[534] Individual freedom of expression is generally accepted, although crackdowns due to online posts have taken place.[535]

Freedom of religion

The Constitution of Ecuador recognises the freedom of religion in Article 66(8). It has been generally respected in the period between 2012 and 2019.[536]

Right to work and right to just and favorable conditions of work

The Constitution of Ecuador guarantees the right to work and the right to just and favourable conditions of work (Articles 325 and 326). Ecuador has made efforts to implement laws that promote employment, but some stakeholders report that the efforts to tackle youth unemployment are lacking.[537] In 2019 the UN Committee on Economic, Social and Cultural Rights (CESCR) expressed concern about the unemployment rate in the country and adverse effect of unemployment on the most disadvantaged population groups.[538] The labour participation rate has increased (from 61.7% in 2012 to 65.3% in 2019). The unemployment rate in Ecuador decreased slightly from 5% in 2007 to 3.8% in 2019 (INEC, 2018f), but youth unemployment remains high, reaching according to some sources 40% of total unemployment.[539] The share of the informal economy in Ecuador was 67% in 2018.[540] The UN CESCR points out that the informal economy is growing both in urban and rural areas and there is a large proportion of older persons working in the informal sector. Based on the number of accidents at work (which increased over the evaluation period), working conditions have not improved. The number of labour inspectors has decreased.[541] The ILO Committee of Experts noted that a large proportion of labour inspectors did not have a permanent contract. The UN and the Trade Union Association of Agricultural, Banana and Rural Workers (ASTAC) report that working conditions of the banana workers are extremely vulnerable as they are not working in safe and healthy conditions due to the excessive use of agrochemicals and toxins.[542] Next to that, ASTAC reports that according to the survey carried out among the workers, 68% of them lacked formal contracts and 82% of workers who had a contract did not receive a copy of it and did not know their rights. A majority of the workers did not receive a payslip and did not know how their salary was calculated. Working extra hours without paid holidays was reported as a common practice.[543]

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[533] EU annual Report on Human Rights and Democracy in the World, 2018 Country Updates, Ecuador: https://eeas.europa.eu/sites/eeas/files/complete_eu_country_updates_on_human_rights_and_democracy_in_the_world_2018-29.05.pdf

[534] Ibid.

[535] Ibid.

[536] Freedom House reports on Ecuador 2020, 2019, 2018, 2017.

[537] Human Rights Council (2017). Summary of other stakeholders' submissions on Ecuador, UN. Doc. A/HRC/WG.6/27/ECU/3.

[538] UN Committee on Economic, Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN Doc. E/C.12/ECU/CO/4.

[539] Olmedo, P.M. (2018). El Empleo en el Ecuador – Una mirada a la situación y perspectivas para el mercado laboral actual, Friedrich Ebert Stiftung Ecuador publication: https://library.fes.de/pdf-files/bueros/quito/14525.pdf

[540] K. Arias (2019). Empleo informal y Plataformas Digitales en el Ecuador: https://www.cepal.org/sites/default/files/events/files/2._arias_k_presentacion.pdf

[541] See social analysis for statistical data.

[542] United Nations Human Rights Council (2017). Summary of other stakeholders' submissions on Ecuador, UN. Doc. A/HRC/WG.6/27/ECU/3.

[543] ASTAC (2019). Queja de las trabajadoras y los trabajadores bananeros por violación de derechos: https://ecuador.fes.de/news-list/e/queja-de-las-trabajadoras-y-los-trabajadores-bananeros-por-violacion-de-derechos/

Prohibition of all forms of slavery (forced or compulsory labour, including child labour)

Ecuador ratified the ILO Conventions on forced labour (Conventions No. 29 and No. 105) and child labour (Conventions No. 138 and 182), as well as the ILO Indigenous and Tribal Peoples Convention (Convention No. 169) which provides in its Article 112 that "the exaction from members of the peoples concerned of compulsory personal services in any form, whether paid or unpaid, shall be prohibited and punishable by law, except in cases prescribed by law for all citizens". Ecuador also ratified the International Covenant on Economic, Social and Cultural Rights (Article 6(1)), the International Covenant on Civil and Political Rights (Article 8), the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Article 11), the Convention on the Rights of Persons with Disabilities (Article 27(2)), the Convention on the Rights of the Child (Article 32 and 34), the Convention on the Elimination of All Forms of Discrimination against Women (Article 11), the American Convention on Human Rights (Article 6), the Trafficking (Palermo) Protocol and the Smuggling Protocol. The Constitution prohibits forced labour, human trafficking and all forms of exploitation, including the use of children for illicit activities (Articles 46 & 66). The Criminal Code of Ecuador criminalises the exaction of forced labour or other forms of exploitation (Article 105) as well as sex and labour trafficking (Articles 91 & 92), prescribing penalties ranging from 10 to 13 years of imprisonment for forced labour and from 13 to 16 years for sex and labour trafficking.[544] The Inter-Institutional Action Protocol for the Comprehensive Care and Protection of Victim of Trafficking in Persons was put into effect. On child labour, the Childhood and Adolescence Code sets the minimum age for work at 15 years of age and the minimum age for hazardous work at 18. Resolution No. 16 (2008) prohibits children under the age of 18 from working in certain economic activities. The Labour Code authorises labour inspectors to conduct inspections. Policy framework includes various measures to combat forced labour, human trafficking and child labour: e.g. the Organic Act on human mobility the National Plan to Combat Trafficking in Persons, the 2012-2021 National Action Plan for Childhood and Adolescence, the 2017-2021 National Agenda for Intergenerational Equality, the 2017-2021 National Development Plan. The Unified System of Registration of Child Labour was upgraded.[545]

According to the Global Slavery Index 2018, approximately 39,000 persons in Ecuador are estimated to be living in modern slavery.[546] Human Rights Watch reports that state institutions omit to report and follow up on these issues.[547] Men, women, and children are sometimes subjected to forced labour and sex work in Ecuador; disproportionately affecting migrants, Afro-Ecuadorians and indigenous peoples.[548] The UN has expressed concern about forced labour in the Furukawa company case (Japanese company operating in the agriculture and livestock), in particular with respect to indigenous peoples and minors.[549] While the government has taken actions to address this problem, services to identify and support victims are inadequate and trafficking operations continue.[550] The National Institute of Statistics and Census reported over 1,200 cases of economic exploitation

[544] Código Orgánico Integral Penal del Ecuador: https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/ECU/INT_CEDAW_ARL_ECU_18950_S.pdf
[545] U.S. Department of Labour, Bureau of International Labor Affairs, Child Labor and Forced Labor Reports – Ecuador: https://www.dol.gov/agencies/ilab/resources/reports/child-labor/ecuador
[546] See also social analysis.
[547] Human Rights Watch (2020). Country Report Ecuador: https://www.hrw.org/world-report/2020/country-chapters/ecuador#
[548] United Nations Committee on the Elimination of Racial Discrimination (2017). Concluding observations on the combined twenty-third and twenty-fourth periodic reports of Ecuador, UN Doc. CERD/C/ECU/CO/23-24.
[549] United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4.
[550] Freedom House (2018). Freedom in the World 2018. Ecuador: https://freedomhouse.org/country/ecuador/freedom-world/2018

against migrants from Venezuela.[551] It is difficult to estimate the real scale of child labour in Ecuador due to the lack of updated statistics, which also hampered the effectiveness of measures to combat child labour.[552] The UN Committee on the Rights of the Child recommend Ecuador in 2017 to intensify its efforts in combatting child labour in all sectors of economy and to establish programmes at the local and cantonal levels to implement the national strategy against child labour.[553]

Right to social security

The right to social security is recognised in the Constitution of Ecuador (Article 34). The 2015 "Organic Act on Labour Justice and the Recognition of Work in the Home" recognised unpaid work in the home, establishing the right to social security for women. There are several social security schemes in the country and protection is largely guaranteed for the workers in formal employment. The UN report that many banana workers still have no access to social security and most female workers on banana plantations reportedly have neither social security nor insurance.[554] In 2019, the Trade Union Association of Agricultural, Banana and Rural Workers (ASTAC) filed a complaint that stated that only 49% of the workers were registered for social security.[555] Next to that, there have been a series of regressive measures that have reduced the contributions to the retirement fund of the Ecuadorian Social Security Institute which makes the social security of older persons vulnerable.[556] The UN Committee on the Rights of Persons with Disabilities reports that disability pension for persons with disabilities is not sufficient to cover basic expenses.[557]

Right to health

The right to health is guaranteed under the Ecuadorian Constitution (Article 32). The 2012 UN Human Rights Council report noted high rates of malnutrition among rural indigenous communities and high incidence of maternal mortality as the main concerns with respect to health in Ecuador.[558] The 2017 UN Human Rights Council report states that malnutrition rate remains high among indigenous and Afro-Ecuadorian populations. Ecuador has made significant investments into the health care system, which has strengthened the right to health in Ecuador. Public spending on health and education has increased from 5-6% of the GDP in 2008 to 16% in 2018 (Figure 8). Despite this encouraging picture, some challenges remain. For example, regarding inequalities in access to the healthcare system for different socio-economic groups. There is also unequal distribution of health resources across the country.[559]

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[551] Freedom House (2019). Freedom in the World 2019. Ecuador: https://freedomhouse.org/country/ecuador/freedom-world/2020

[552] BTI (2020). Country Report Ecuador: https://www.bti-project.org/en/reports/country-report-ECU.html

[553] United Nations Committee on the Rights of the Child (2017). Concluding observations on the combined fifth and sixth periodic reports of Ecuador, UN Doc. CRC/C/ECU/CO/4-5.

[554] United Nations Human Rights Council (2017). Summary of other stakeholders' submissions on Ecuador, UN. Doc. A/HRC/WG.6/27/ECU/3.

[555] ASTAC (2019), Queja de las trabajadoras y los trabajadores bananeros por violación de derechos: https://ecuador.fes.de/news-list/e/queja-de-las-trabajadoras-y-los-trabajadores-bananeros-por-violacion-de-derechos/

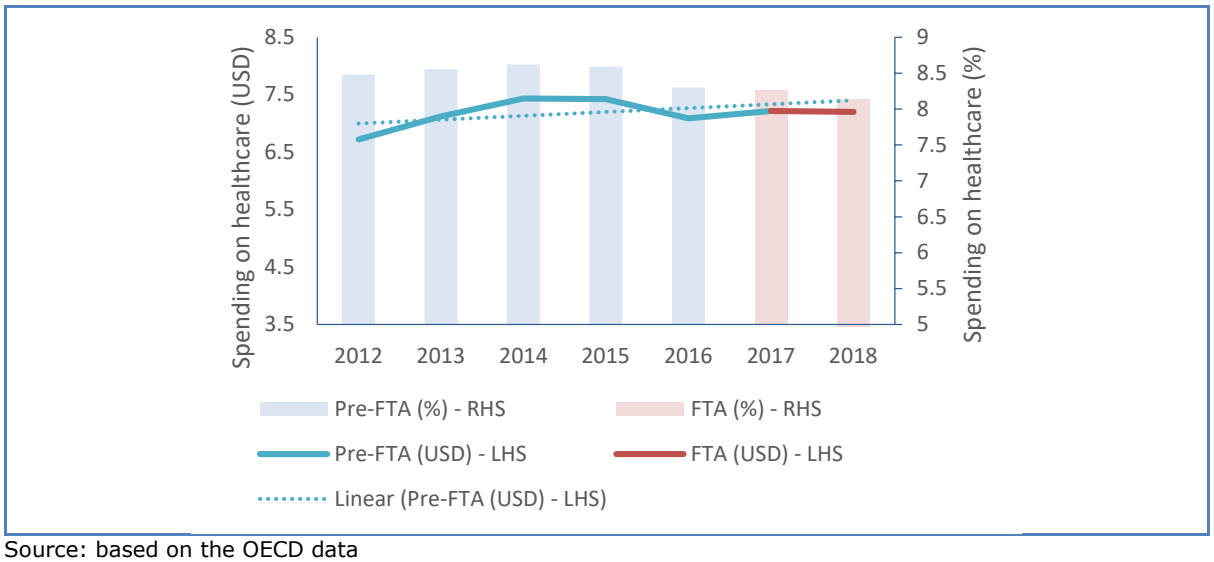
[556] United Nations Human Rights Council (2017). Summary of other stakeholders' submissions on Ecuador, UN. Doc. A/HRC/WG.6/27/ECU/3.

[557] United Nations Committee on the Rights of Persons with Disabilities (2019). Concluding observations on the combined second and third periodic reports of Ecuador, UN Doc. CRPD/C/ECU/CO/2-3.

[558] Human Rights Council (2012). Compilation prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, UN. Doc. A/HRC/WG.6/13/ECU/2.

[559] United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4.

Figure 8: Ecuadorian healthcare expenditures (% of GDP and USD)



Source: based on the OECD data

Right to education

The right to education is guaranteed under the Constitution (Articles 26-28). There has been an increase in the access to and quality of education because of the progressive increase in investment and multi-year education policies, e.g. the 10-Year Education Plan 2016-2025 approved by the Ministry of Education which, among others, provides for easier access to the education system for women.[560] But persistent disparities between rural and urban areas also remain, and there are high dropout rates among low-income groups, indigenous peoples, Montubio people, Afro-Ecuadorian peoples and migrants.[561] The UN Committee on Economic, Social and Cultural Rights notes that migrants continue to struggle to access the education system, and there are obstacles to accessing bilingual education.[562]

Right to an adequate standard of living

Poverty has decreased between 2012 and 2019 (see also social analysis). Nevertheless, it remains a structural problem[563] and continues to be concentrated in rural areas, affecting women and indigenous peoples, as well as Afro-descendants and Montubios.[564] The impact of the COVID-19 may affect poverty levels in Ecuador, with more people facing the risk to fall into poverty. The implementation of public policies favouring large transnational corporations or powerful interest groups have resulted in forced evictions, largely for indigenous and rural people. This has curbed their access to land and right to food. [565] The UN Committee on the Elimination of Discrimination against Women expressed concerns about the obstacles faced by rural women in obtaining formal recognition of their land rights.[566]

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[560] United Nations Human Rights Council (2017). Summary of other stakeholders' submissions on Ecuador, UN. Doc. A/HRC/WG.6/27/ECU/3.

[561] United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (2017). Concluding Observations on the third periodic report of Ecuador, UN. Doc. CMW/C/ECU/CO/3.

[562] United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4.

[563] BTI (2020). Country Report Ecuador: https://www.bti-project.org/en/reports/country-report-ECU.html

[564] United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4.

[565] Ibid.

[566] United Nations Committee on the Elimination of Discrimination against Women (2015). Concluding observations on the combined eighth and ninth periodic reports of Ecuador, UN Doc. CEDAW/C/ECU/CO/8-9.

Right to water

Ecuador ratified the ICESCR which recognises the right to water under Article 11 of the Covenant, the scope and the content of the right is clarified in the CESCR General Comment No. 15. The Constitution of Ecuador explicitly recognises the right to water as a human right (Article 3(1)): "The State's prime duties are (1) Guaranteeing without any discrimination whatsoever the true possession of the rights set forth in the Constitution and in international instruments, especially the rights to education, health, food, social security and *water* for its inhabitants…" (emphasis added). Clean water is named as one of the components of the right to a decent life specified under Article 66(2). Article 318 of the Constitution prohibits any form of water privatisation and declares water management as the prerogative of the legal entities of the states or communities. Next to that, Ecuador is a party to the International Covenant on Economic, Social and Cultural Rights which recognises the right to water (Article 11, CESCR General Comment No. 15).

A large proportion of the population has no access to safe drinking water and sanitation services.[567] Even though the statistics on the access to drinking water in Ecuador shows a trend of the increasing access to improved water sources, disparity in the access to water between rural and urban areas remains high. This indicates that the share of households without access to safe drinking water in the rural areas is almost 70% higher than in urban areas.[568] In its 2017 The Committee on Economic, Social and Cultural Rights notes that environmental impacts of mining and agribusiness activities affected the right to water of rural populations.[569] Environmental baseline analysis shows that the right to water of coastal communities is negatively affected by water pollution from shrimp and aquaculture activities, the right to water of people from the communities adjacent to banana and palm oil plantations is under pressure due to pollution from pesticides and fertilisers used in these sectors.[570] Stakeholders report pollution in the rivers due to various economic activities and the pressure on water availability as well as issues with the purification systems, especially in small villages, that are not able to filter out the toxic substances from the water.[571]

3.3.3. Vulnerable populations groups

Indigenous peoples and Afro-descendant peoples

In 2011 there were 14 indigenous nationalities and Afro-descendant peoples in Ecuador – nearly 2 million people. In 2019 the indigenous population of Ecuador was close to 1.1 million.[572] Vast majority of the indigenous population are Kichwa (Quichua), and seven other groups are very small: Epera, Manta, A'I Cofan, Shiwiar, Siekopai, Siona and Sapara.[573] Two peoples live in voluntary isolation within the borders of the Yasuní National Park in the Central North Amazon: the Tagaeti and Taromenane.[574] The 2008 Constitution

[567] According to the ourworldindata.org, the number of people without access to safe drinking water in Ecuador in 2015 was 4.1 million people, based on data from WHO and WASH: https://ourworldindata.org/water-access

[568] See environmental analysis in the main report, Table 7-2.

[569] UN Human Rights Council (2017). Report of the Office of the United Nations High Commissioner for Human Rights, Compilation on Ecuador, UN Doc. A/HRC/WG.6/27/ECU/2; United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4.

[570] See environmental section of the analysis.

[571] Acción Ecológica (2020). Cuando el mar entra al la Tierra. Producción camaronera en tierras atlas: https://www.naturalezaconderechos.org/wp-content/uploads/2020/07/CUANDO-EL-MAR-ENTRA-A-LA-TIERRA2.pdf

[572] International Work Group for Indigenous Affairs (2019). The Indigenous World 2019: https://www.iwgia.org/en/ecuador/3397-iw2019-ecuador.html

[573] Cultural Survival (2016). Observations on the State of Indigenous Human Rights in Ecuador, prepared for the UN Human Rights Council Periodic Review 2016: https://www.culturalsurvival.org/sites/default/files/ECUADOR%20UPR2016%20final.pdf

[574] International Work Group for Indigenous Affairs (2011). The Indigenous World 2011: https://www.iwgia.org/images/publications/0454_THE_INDIGENOUS_ORLD-2011_eb.pdf

of Ecuador defines the country as intercultural and multinational (Article 1). Ecuador ratified ILO Convention No. 169 in 1998 and voted in favour of the UN Declaration on the Rights of Indigenous Peoples in 2007. Indigenous peoples in Ecuador are in a vulnerable situation which is owing to the exploitation of natural resources in the territories they inhabit.[575] The Constitution of Ecuador prohibits the use of indigenous lands for private development without free, prior, informed consent (Articles 57 & 171). The Executive Decree No. 1247 (2012) requires the government to carry out consultations with indigenous peoples but does not require explicit consent.[576] In its 2019 Concluding Observations, the UN CESCR expressed concern about the widespread failure to respect the right of indigenous peoples and communities of African descent to prior consultation on decisions that may affect them and their ancestral lands.[577] In April 2019 the Pastaza court invalidated the Ecuadorian government's consultation with the Waorani people in 2012, and in September 2019, an appeals court in Pastaza Province ruled in favour on the Kichwa indigenous people's complaint that authorities disregarded their rights.[578] There is also concern for the safety of those human rights defenders protecting indigenous people's rights.[579]

Next to that, a significant proportion of indigenous people of African descent and Montubio people are reported as living below the poverty line.[580] Afro-Ecuadorians living in rural areas are very vulnerable and do not have access to good quality basic services or decent housing.[581] Minority Rights Group International reports that indigenous people still face challenges in accessing health care. There is a lack of available health centres in or near indigenous communities. Furthermore, there is an inadequate access to medication.[582]

Children

Ecuador ratified the Convention on the Rights of the Child and all the Optional Protocols to the Convention. The Constitution of Ecuador contains provisions on special protection of children and adolescents (Section 5 of the Constitution). Ecuador has been developing campaigns against ill-treatment of children. However, corporal punishment and domestic violence have remained common.[583] While efforts have been made to address gender-based violence, there is still a lot of concern about this, in particular sexual violence, harassment, and abuse against girls in all areas, as well as about the high level of impunity in these cases.[584] The 2017 Concluding Observations of the UN Committee on the Rights of the Child expressed concerns about the persisting barriers for children in accessing sexual and reproductive health care and services, the high rate of teenage pregnancy, often connected to sexual violence, practice of unsafe abortions and barriers to access

[575] United Nations Human Rights Committee (2016). Concluding observations on the sixth periodic report of Ecuador, UN. Doc. CCPR/C/ECU/CO/6.
[576] Decreto núm. 1247 que dicta el reglamento para la ejecución de la consulta previa libre e informada en los procesos de licitación y asignación de áreas y bloques hidrocarburíferos: https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98181/116733/F1965072964/ECU98181.pdf
[577] United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4.
[578] Human Rights Watch (2020). Country Report Ecuador: https://www.hrw.org/world-report/2020/country-chapters/ecuador#
[579] Amnesty International (2019). Country Report Ecuador: https://www.amnesty.org/en/countries/americas/ecuador/report-ecuador/ and United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4.
[580] United Nations Committee for Economic Social and Cultural Rights (2019). Concluding observations on the fourth periodic report of Ecuador, UN. Doc. E/C.12/ECU/CO/4.
[581] Human Rights Council (2017). Summary of other stakeholders' submissions on Ecuador, UN. Doc. A/HRC/WG.6/27/ECU/3.
[582] Minority rights group international, World Directory of Minorities and Indigenous Peoples – Ecuador: https://minorityrights.org/country/ecuador/
[583] Human Rights Council (2017). Summary of other stakeholders' submissions on Ecuador, UN. Doc. A/HRC/WG.6/27/ECU/3.
[584] United Nations Committee on the Rights of the Child (2017). Concluding observations on the combined fifth and sixth periodic reports of Ecuador, UN. Doc. CRC/C/ECU/CO/5-6.

abortion services, the high number of suicides among children from indigenous communities.[585] Next to that, stakeholders report that chronic malnutrition in children under 5 years is common, especially in rural areas where it has reached to 31% of the national level, and that high levels of chronic malnutrition exist mostly in regions with a high presence of the agricultural economic activities (Daza et al. 2020).

Women

Ecuador ratified the ICESCR, the UN Convention on Elimination of All Forms of Discrimination against Women (CEDAW) as well as the Optional Protocol to the CEDAW. Next to that, Ecuador ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará Convention). The Constitution recognises rights of women (Articles 35 and 71), as well as guarantees special protection to pregnant women (Article 43) and includes provisions on the obligation to promote equality in political participation (Article 65).[586] Ecuador adopted various legislative acts aimed at the protection of women's rights, e.g. Organisation Act on National Councils for Equality (2014), the Organisation Act on an Economy of Solidarity with the People (2011) which contains measures to reduce gender inequality at the workplace, the Comprehensive Organic Criminal Code (2014) which criminalises femicide, the Code of Democracy (2009) which requires gender parity in elections. Next to that, various policy instruments have been adopted, e.g. the National Agenda on Women and Gender Equality, the National Agenda on Equality for Human Mobility.[587] The government has taken steps to protect the rights of women, both through legal measures and through awareness campaigns.[588] Various organisations have noted that, although progress has been made, certain practices and laws continue to discriminate on basis of sex. The UNDPs Gender Inequality Index shows that the situation of Ecuadorian women is quite uneven when compared with bordering countries. Challenges remain with respect to the public participation of women at all levels in decision making, gender pay gap, violence against women, trafficking and exploitation (see section on forced labour).[589] Female households earn $167 less on average then male headed households. Income inequalities are exacerbated in rural areas, where the income of heads of households is on average $213 lower than those in urban areas.[590] Sexual harassment is now punishable by law with prison sentences, and femicide has become a crime. However, violence against women continues to be a serious problem in Ecuador.[591] Further improvements in terms of monitoring and inspection necessary to prevent discrimination against pregnant women.[592] Between 2014 and 2019, the government recorded 343 femicides, with women being killed for "being a woman".[593] A Friedrich Stifung study on the employment in Ecuador also reports that

[585] United Nations Committee on the Rights of the Child (2017). Concluding observations on the combined fifth and sixth periodic reports of Ecuador, UN Doc. CRC/C/ECU/CO/5-6.
[586] The Constitution of Ecuador of 2008: https://www.constituteproject.org/constitution/Ecuador_2008.pdf
[587] United Nations, ECLAC and Cooperación Española (2017). Gender equality plans in Latin America and the Caribbean. Road maps for development: https://www.cepal.org/sites/default/files/events/files/gender_equality_plans_in_latin_america_and_the_caribbean._road_maps_for_development.pdf
[588] Freedom House (2018). Freedom in the World 2018. Ecuador: https://freedomhouse.org/country/ecuador/freedom-world/2018
[589] United Nations Committee on the Elimination of Discrimination against Women (2015). Concluding observations on the combined eighth and ninth periodic reports of Ecuador, UN Doc. CEDAW/C/ECU/CO/8-9.
[590] BTI (2020). Country Report Ecuador: https://www.bti-project.org/en/reports/country-report-ECU.html
[591] Freedom House (2018). Freedom in the World 2018. Ecuador: https://freedomhouse.org/country/ecuador/freedom-world/2018
[592] Human Rights Council (2017). Summary of other stakeholders' submissions on Ecuador, UN. Doc. A/HRC/WG.6/27/ECU/3.
[593] Human Rights Watch (2020). World Report - Ecuador: https://www.hrw.org/world-report/2020/country-chapters/ecuador#

labour standards for women in the rural areas are far more inferior to the labour standards for women in the urban areas.[594]

Refugees and migrants

Ecuador ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICMW). Next to that, Ecuador is a member of the International Organisation for Migration (IOM) and in 2016 the government of Ecuador signed a cooperation agreement with the Technical Secretariat for International Cooperation (SETECI) which calls for cooperation to deliver commitments laid down in the 2030 Sustainable Development Agenda with respect to the rights of refugees, displaced peoples and migrants, regardless of their migratory status.[595] Ecuador is the largest recipient of refugees in Latin America. Since 2016, 2.2 million (out of 5 million) Venezuelans have entered Ecuador. The United Nations High Commissioner for Refugees estimates that 400.000 of them are staying in Ecuador.[596] The 2017 Organic Act on Human Mobility secures the rights of refugees and asylum seekers and should help refugees claim resident status. After murder of a young pregnant woman by a Venezuelan man, the requirements for Venezuelan refugees seeking international protection in Ecuador have become stricter (e.g. obligatory certified background checks for criminal records).[597] There have also been registered xenophobic attacks against Venezuelans.[598]

Persons with disabilities

Ecuador ratified the Convention on the Rights of Persons with Disabilities and the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities. The Constitution of Ecuador recognises the rights of persons with disabilities as "rights of priority persons or groups" (Article 36). Section 6 of the Constitution specifies a list of rights persons with disabilities are entitled to. The disability-related public policies have been incorporated under the National Agenda for the Equality of Persons with Disabilities 2017-2021.

The UN Committee on Rights of Persons with Disabilities (CRPD) notes that legislation of Ecuador has not been harmonised with the provisions set out in the Convention. In particular, the CRPD finds that the law does not incorporate the prohibition of discrimination on the basis of disability in all areas of life and that there is no identification mechanism and punishment of the acts of discrimination against persons with disabilities. Next to that, the CRPD expressed concern about the persistence of stereotypes and harmful attitudes towards persons with disabilities, especially persons facing multiple and intersecting forms of discrimination. Finally, the Committee noted issues with access to health, education, work and employment for persons with disabilities.[599]

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[594] Olmedo, P.M. (2018). El Empleo en el Ecuador – Una mirada a la situación y perspectivas para el mercado laboral actual, Friedrich Ebert Stiftung Ecuador publication: https://library.fes.de/pdf-files/bueros/quito/14525.pdf

[595] IOM (2016). IOM, Ecuador sign Agreement to protect rights of migrants under New Urban Agenda: https://www.iom.int/news/iom-ecuador-sign-agreement-protect-rights-migrants-under-new-urban-agenda

[596] UNHCR (2020). Ecuador fact sheet: https://reporting.unhcr.org/node/2543?y=2014#year

[597] Human Rights Watch (2020). Ecuador Country Report, https://www.hrw.org/world-report/2020/country-chapters/ecuador#4694c7

[598] Amnesty International (2019). Country Report Ecuador: https://www.amnesty.org/en/countries/americas/ecuador/report-ecuador/; The World Bank (2020). Challenges and Opportunities of Venezuelan and Migration in Ecuador. Available at: https://documents.worldbank.org/en/publication/documents-reports/documentdetail/662681592905703335/challenges-and-opportunities-of-venezuelan-migration-in-ecuador

[599] United Nations Committee on the Rights of Persons with Disabilities (2019). Concluding observations on the combined second and third periodic reports of Ecuador, UN. Doc. CRPD/C/ECU/CO/2-3.

LGBTI persons

The Constitution of Ecuador recognises the rights of LGBTI persons. Article 11(2) says that "no one shall be discriminated against for reasons of … sexual orientation… All forms of discrimination are punishable by law". Article 66(9) says "The right to freely take informed, voluntary, and responsible decisions on one's sexuality and one's sexual life and orientation. The State shall promote access to the necessary means so that these decisions take place in safe conditions." The Constitution defines marriage as between a man and a woman (Article 67), but the Constitutional Court ruled in favour of same sex marriages in 2019.[600] While discrimination based on sexual discrimination is prohibited by law, discrimination against LGBTI persons takes place.[601] Stakeholders point out to multiple violations of the rights of the LGBTI persons in Ecuador.[602]

[600] Human Rights Watch (2019). Ecuador country Report: https://www.hrw.org/world-report/2020/country-chapters/ecuador#49dda6

[601] Reuters News (2020). Ecuador's LGBT+ community seen suffering deadliest year in a decade, 21 January 2020: https://in.reuters.com/article/us-ecuador-lgbt-murder-idUSKBN1ZK2I8

[602] Organización Ecuatoriana de mujeres lesbianas, Matrimonio civil igualitario, Red Internacional de Derechos Humanos (RIDH) (2016). Violations in Ecuador in relation to non-discrimination and equality laws (Article 2, paragraph 1 and Articles 3, 25 and 26, submitted for consideration in the 117th session of the Human Rights Committee: https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/ECU/INT_CCPR_CSS_ECU_24067_E.pdf

Annex E-2: Parties to the Agreement and International Human Rights Treaties

Table E-1: Ratification status of core international human rights treaties by EU Member States, Peru, Colombia and Ecuador*

Treaty[603]	Colombia	Ecuador	Peru	Austria	Belgium	Bulgaria	Cyprus	Croatia	Czech Rep.	Denmark	Estonia	Finland	France	Germany	Greece	Hungary	Ireland	Italy	Latvia	Lithuania	Luxembourg	Malta	Netherlands	Poland	Portugal	Romania	Slovakia	Slovenia	Spain	Sweden
CAT	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OP-CAT	×	✓	✓	✓	S	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	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	✓	✓	✓	×
CRPD	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OP-CRPD	×	✓	✓	✓	✓	S	✓	✓	S	✓	✓	✓	✓	✓	✓	✓	×	✓	✓	✓	✓	✓	×	×	✓	S	✓	✓	✓	✓

* (✓) state party, (S) signatory party, (×) no action.
Source: Study team compilation based on the OHCHR Dashboard of ratifications and UN Treaties database (https://indicators.ohchr.org)

[603] CAT- Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment; OP-CAT – Optional Protocol to the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment; ICCPR – International Covenant on Civil and Political Rights; ICCPR-OP1 – Optional Protocol to the International Covenant on Civil and Political Rights; ICCPR – OP2 – Second Protocol to the International Covenant on Civil and Political Rights; CPED – International Convention for the Protection of All Persons from Enforced Disappearance; CEDAW – International Convention on the Elimination of All Forms of Discrimination against Women; OP-CEDAW - Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; ICERD – International Convention on the Elimination of All Forms of Racial Discrimination; ICESCR – International Covenant on Economic, Social and Cultural Rights; ICESCR-OP – Optional Protocol to the Covenant on Economic, Social and Cultural Rights; ICMW – International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; CRC – Convention on the Rights of the Child; OP-CRC-AC – Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; OP-CRC-SC – Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; OP-CRC-IC - Optional Protocol to the Convention on the Rights of the Child on a communications procedure; CRPD – Convention on the Rights of Persons with Disabilities; OP-CRPD – Optional Protocol of the Convention on the Rights of Persons with Disabilities.

Table E-2: Status of Ratifications of key ILO Conventions for the European Union Member States, Peru, Colombia and Ecuador*

Treaty[604]	Colombia	Ecuador	Peru	Austria	Belgium	Bulgaria	Cyprus	Croatia	Czech	Denmark	Estonia	Finland	France	Germany	Greece	Hungary	Ireland	Italy	Latvia	Lithuania	Luxembou	Malta	Netherlan	Poland	Portugal	Romania	Slovakia	Slovenia	Spain	Sweden
C029	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C087	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C098	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C100	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C105	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C111	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C138	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C182	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C081	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C122	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓
C129	✓	✗	✗	✗	✓	✗	✗	✓	✓	✓	✓	✓	✓	✓	✗	✓	✗	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
C144	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓
C155	✗	✗	✗	✗	✓	✗	✓	✓	✓	✓	✗	✓	✗	✗	✗	✓	✓	✗	✓	✗	✓	✗	✓	✗	✓	✗	✓	✓	✓	✓
C169	✓	✓	✓	✗	✗	✗	✗	✗	✗	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗	✗	✗	✓	✗

* (✓) ratified; (✗) no action.
Source: Study team compilation based on ILO NORMLEX – Information System on International Labour Standards (www.ilo.org)

[604] Fundamental ILO Conventions: C029 – Forced Labour Convention, 1930 (No.29); C087 – Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); C098 – Right to Organise and Collective Bargaining Convention, 1949 (No. 98); C100 – Equal Remuneration Convention, 1951 (No.100); C105 – Abolition of Forced Labour Convention, 1957 (No.105); C111 – Discrimination (Employment and Occupation) Convention, 1958 (No.111); C138 - Minimum Age Convention, 1973 (No.138); C182 – Worst Forms of Child Labour Convention, 1999 (No.182); Governance (Priority) ILO Conventions: C081 – Labour Inspection Convention, 1947 (No. 81); C122 – Employment Policy Convention, 1964 (No. 122); C129 – Labour Inspection (Agriculture) Convention, 1969 (No. 129); C144 – Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144); Technical ILO Conventions: C155 – Occupational Safety and Health Convention, 1981 (No. 155); C169 – Indigenous and Tribal Peoples Convention, 1989 (No. 169).

Table E-3: Status of Ratifications of Inter-American Human Rights Treaties for Colombia, Peru and Ecuador*

Treaty	Colombia	Ecuador	Peru
American Convention on Human Rights 'Pact of San Jose, Costa Rica' (B-32)	✓	✓	✓
Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights 'Protocol of San Salvador' (A-52)	A	✓	✓
Protocol to the American Convention on Human Rights to Abolish the Death Penalty (A-53)	×	✓	×
Inter-American Convention on the Forced Disappearance of Persons (A-60)	✓	✓	✓
Inter-American Convention to Prevent and Punish Torture (A-51)	✓	✓	✓
Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance (A-68)	S	✓	S
Inter-American Convention against All Forms of Discrimination and Intolerance (A-69)	S	S	S
Inter-American Convention on the Elimination of all Forms of Discrimination against Persons with Disabilities (A-65)	✓	✓	✓
Inter-American Convention on the Granting of Civil Rights to Women (A-45)	✓	✓	S
Inter-American Convention on the Granting of Political Rights to Women (A-44)	✓	✓	✓
Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women 'Convention of Belem do Para' (A-61)	A	✓	✓
Inter-American Convention on Protection the Human Rights of Older Persons (A-70)	×	A	×
Inter-American Convention on International Traffic in Minors (B-57)	A	✓	A
Charter of the Organisation of American States (A-41)	✓	✓	✓
Convention on the Status of Aliens (A-22)	×	✓	✓

* (✓) ratified; (×) no action; (A) - acceded; (S) – signatory party.
Source: Study team compilation based on the information provided on the website of the Organization of American States, www.oas.org

Table E-4: List of reservations and declarations of Colombia to international human rights treaties

Human Rights Instrument	Declarations/Reservations
International Covenant on Civil and Political Rights (ICCPR)	5 June 2020 The Secretary-General received from the Government of Colombia a notification dated 5 June 2020, made under article 4 (3) of the above Covenant, regarding the end of the state of emergency on 4 June 2020, at the end of Decree No. 637 of 2020. (See C.N.200.2020.TREATIES-IV.4 of 15 June 2020 for the text of the notification.) 7 May 2020 The Secretary-General received from the Government of Colombia a notification dated 7 May 2020, made under article 4 (3) of the above Covenant, regarding the state of emergency throughout the territory of Colombia for a period of 30 days in effect from 6 May to 4 June 2020, by Decree No. 637 of 2020. (See C.N.163.2020.TREATIES-IV.4 of 15 May 2020 for the text of the notification.) The Secretary-General received from the Government of Colombia a notification dated 17 April 2020, made under article 4 (3) of the above Covenant, regarding the expiration of the state of emergency throughout the territory of Colombia for a period of 30 days starting on 17 March 2020, by Decree No. 417 of 2020. (See C.N.141.2020.TREATIES-IV.4 of 20 April 2020 for the text of the notification.) 25 March 2020 The Secretary-General received from the Government of Colombia a notification dated 25 March 2020, made under article 4 (3) of the above Covenant, regarding the declaration of a state of emergency throughout the territory of Colombia for a period of 30 days starting on 17 March 2020, by Decree No. 417 of 2020. (See C.N.131.2020.TREATIES-IV.4 of 20 April 2020 for the text of the notification.)
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW)	Declarations : 1. The Government of Colombia, exercising the discretion provided for in article 10 of the Optional Protocol, and subject to the conditions set out therein, declares that it does not recognize the competence of the Committee provided for in articles 8 and 9 of the Protocol. 2. The Government of Colombia understands article 5 of the Protocol to mean that interim measures not only preclude "a determination on admissibility or on the merits of the communication", as established in article 5, paragraph 2, but that any measures involving the enjoyment of economic, social and cultural rights shall be applied in keeping with the progressive nature of these rights. 3. The Government of Colombia declares that no provision of the Optional Protocol and no recommendation of the Committee may be interpreted as requiring Colombia to decriminalize offences against life or personal integrity.
Convention on the Rights of the Child (CRC)	Upon signature: *Reservation:* The Colombian Government considers that, while the minimum age of 15 years for taking part in armed conflicts, set forth in article 38 of the Convention, is the outcome of serious negotiations which reflect various legal, political and cultural systems in the world, it would have been preferable to fix that age at 18 years in accordance with the principles and norms prevailing in various regions and countries, Colombia among them, for which reason the Colombian Government, for the purpose of article 38 of the Convention, shall construe the age in question to be 18 years. Upon ratification: *Reservation:* The Government of Colombia, pursuant to article 2, paragraph 1 (d) of the Convention, declares that for the purposes of article 38, paragraphs 2 and 3, of the Convention, the age referred to in said paragraphs shall be understood to be 18 years, given the fact that, under Colombian law, the minimum age for recruitment into the armed forces of personnel called for military service is 18 years.
Optional Protocol to the Convention on the Rights of Child on the involvement of children in armed conflict (OP-CRC-AC)	Declaration: The military forces of Colombia, in application of the norms of international humanitarian law for the protection of the best interests of the child and in application of domestic legislation, do not recruit minors in age into their ranks, even if they have the consent of their parents. Act 418 of 1997, extended through Act 548 of 1999 and amended by Act 642 of 2001, stipulates that persons under 18 years of age shall not be recruited to perform military service. Students in the eleventh grade who are minors, in accordance with Act 48 of 1993, and who are selected to perform such service, shall defer their enlistment until they have reached age 18. If, on reaching majority, the youth who has deferred military service shall have been matriculated or admitted to an undergraduate programme in an institution of higher education, he shall have the option of serving his duty immediately or deferring it until completion of his studies. If he should choose to serve immediately, the educational institution shall reserve a space for him under the same conditions; if he should choose to defer, the corresponding degree may be granted only when his military service has been completed as ordered by law. Interruption of higher-level studies shall entail the obligation of enlistment into military service. Civilian or military authorities who disregard this provision shall be subject to dismissal on grounds of misconduct. The youth recruited who has deferred his military service until completion of his

Human Rights Instrument	Declarations/Reservations
	professional studies shall fulfil his constitutional duty as a graduate professional or technician in the service of the armed forces in activities of social service to the community, public works and tasks of a scientific or technical nature as required in the respective unit to which he has been assigned. In such case, military service shall be of six months' duration and shall be credited as the rural service year, practicum, industrial semester, year of court internship, obligatory social service or similar academic requirements that the programme of study establishes as a degree requirement. For those entering a law career, such military service may replace the thesis or monograph for the degree and in any case, shall replace the obligatory social service referred to in article 149 of Act 446 of 1998.
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OP-CRC-SC)	Declaration: Concerning article 7 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, Colombia declares that, in accordance with its domestic legal system, it construes the penalty of "confiscation" (confiscación) only as seizure or forfeiture during the penalty phase.
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW)	Reservation: Articles 15, 46 and 47 of the [said Convention], which was adopted by means of Act No. 146 of 1994, shall be executed with the understanding that the State of Colombia retains the right to promulgate taxation, exchange and monetary regulations establishing equality of treatment of migrant workers and their families with that of nationals in respect of the import and export of personal and household effects and the transfer of earnings and savings abroad, and in respect of expropriation for reasons of equity and the nullification of ownership of property in the cases envisaged in article 34 of the Political Constitution.

Source: OHCHR dashboard, https://indicators.ohchr.org/

Table E-5: List of reservations and declarations of Peru to international human rights treaties

Human Rights Instrument	Declarations/Reservations
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	27 November 1984 [The Government of the Republic of Peru declares] that, in accordance with its policy of full respect for human rights and fundamental freedoms, without distinctions as to race, sex, language or religion, and with the aim of strengthening the international instruments on the subject, Peru recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction, who claim to be victims of violations of any of the rights set forth in the Convention on the Elimination of All Forms of Racial Discrimination, in conformity with the provisions of article 14 of the Convention.
International Covenant on Civil and Political Rights (ICCPR)	2 September 2020 The Secretary-General received from the Government of Peru a notification dated 2 September 2020, made under article 4 (3) of the above Covenant, regarding the extension of the state of national emergency and targeted quarantine in various provinces and departments by Supreme Decree No. 146-2020-PCM of 28 August 2020. (See C.N.392.2020.TREATIES-IV.4 of 14 September 2020 for the text of the notification.) 5 August 2020 The Secretary-General received from the Government of Peru a notification dated 4 August 2020, made under article 4 (3) of the above Covenant, regarding the extension of the state of national emergency from 1 to 31 August 2020 by Supreme Decree No. 135-2020-PCM of 31 July 2020. (See C.N.351.2020.TREATIES-IV.4 of 24 August 2020 for the text of the notification.) 30 June 2020 The Secretary-General received from the Government of Peru a notification dated 29 June 2020, made under article 4 (3) of the above Covenant, regarding the extension of the state of national emergency from 1 to 31 July 2020 by Supreme Decree No. 116-2020-PCM of 26 June 2019. (See C.N.276.2020.TREATIES-IV.4 of 1 July 2020 for the text of the notification.) 25 May 2020 The Secretary-General received from the Government of Peru a notification dated 24 May 2020, made under article 4 (3) of the above Covenant, regarding the extension of the state of national emergency from 25 May 2020 to 30 June 2020, the state of national emergency, by Supreme Decree No. 094-2020-PCM of 23 May 2020. (See C.N.181.2020.TREATIES-IV.4 of 2 June 2020 for the text of the notification.) 27 April 2020 The Secretary-General received from the Government of Peru a notification dated 25 April 2020, made under article 4 (3) of the above Covenant, regarding the extension of the state of national emergency for a period of fourteen (14) calendar days, from 27 April 2020 to 10 May 2020, the state of national emergency, by Supreme Decree No. 075-2020-PCM of 25 April 2020. (See C.N.152.2020.TREATIES-IV.4 of 1 May 2020 for the text of the notification.) 11 April 2020 The Secretary-General received from the Government of Peru a notification dated 10 April 2020, made under article 4 (3) of the above Covenant, regarding the extension of the state of national emergency for a period of fourteen (14) calendar days, from 13 April 2020 to 26 April 2020, by Supreme Decree No. 064-2020-PCM of 9 April 2020. (See C.N.133.2020.TREATIES-IV.4 of 21 April 2020 for the text of the notification.) 30 March 2020 The Secretary-General received from the Government of Peru a notification dated 27 March 2020, made under article 4 (3) of the above Covenant, regarding the extension of the state of national emergency for a period of thirteen (13) calendar days by Supreme Decree No. 051-2020-PCM of 27 March 2020. (See C.N.126.2020.TREATIES-IV.4 of 7 April 2020 for the text of the notification.) 20 March 2020 The Secretary-General received from the Government of Peru a notification dated 19 March 2020, made under article 4 (3) of the above Covenant, regarding the declaration of a state of national emergency for a period of fifteen (15) calendar days by Supreme Decrees No. 044-2020-PCM of 15 March 2020, No. 045-2020-PCM of 17 March 2020 and No. 046-2020-PCM of 18 March 2020. (See C.N.123.2020.TREATIES-IV.4 of 3 April 2020 for the text of the notification.) 9 April 1984 Peru recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant on Civil and Political Rights, in accordance with article 41 of the said Covenant.
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	The Republic of Peru recognizes, in accordance with Article 21 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the said Convention.

Human Rights Instrument	Declarations/Reservations
	Likewise, the Republic of Peru recognizes, in accordance with the provisions of Article 22 of the above-mentioned Convention, the competence of the Committee against Torture to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.
Optional Protocol to the Convention on the Rights of Child on the involvement of children in armed conflict (OP-CRC-AC)	Declaration: In depositing the instrument of ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Government of Peru declares that, in compliance with its article 3, paragraph 2, the minimum age for voluntary recruitment into the national armed forces, under national legislation, is 18 years.
International Convention for the Protection of all Persons from Enforced Disappearance (CPED)	22 July 2016 Declaration under article 31: In accordance with article 31 of the International Convention for the Protection of All Persons from Enforced Disappearances, the Republic of Peru declares that it recognizes the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of individuals subject to its jurisdiction, claiming to be victims of a violation of the provisions of the Convention by the Republic of Peru.

Source: OHCHR dashboard, https://indicators.ohchr.org/

Table E-6: List of reservations and declarations of Ecuador to international human rights treaties

Human Rights Instrument	Declarations/Reservations
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	18 March 1977 The State of Ecuador, by virtue of Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, recognizes the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation of the rights set forth in the above-mentioned Convention.
International Covenant on Civil and Political Rights (ICCPR)	19 August 2020 The Secretary-General received from the Government of Ecuador a notification dated 13 August 2020, made under article 4 (3) of the above Covenant, regarding the state of emergency declared for a period of 60 days by Executive Decree No. 1125 of 11 August 2020. (See C.N.379.2020.TREATIES-IV.4 of 4 September 2020 for the text of the notification.) 17 June 2020 The Secretary-General received from the Government of Ecuador a notification dated 16 June 2020, made under article 4 (3) of the above Covenant, regarding the declaration of a state of emergency throughout the national territory for a period of 60 days by Executive Decree No. 1074 of 15 June 2020. (See C.N.256.2020.TREATIES-IV.4 of 23 June 2020 for the text of the notification.) 24 March 2020 The Secretary-General received from the Government of Ecuador a notification dated 18 March 2020, made under article 4 (3) of the above Covenant, regarding the declaration of a state of emergency throughout the national territory for a period of 60 days by Executive Decree No. 1017 of 16 March 2020. (See C.N.119.2020.TREATIES-IV.4 of 31 March 2020 for the text of the notification.) 6 August 1984 The Government of Ecuador recognizes the competence of the Human Rights Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the aforementioned Covenant, as provided for in paragraph 1 (a), (b), (c), (d), (e), (f), (g) and (h) of that article. This recognition of competence is effective for an indefinite period and is subject to the provisions of article 41, paragraph 2, of the International Covenant on Civil and Political Rights.
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	Reservation: Ecuador declares that, in accordance with the provisions of article 42 of its Political Constitution, it will not permit extradition of its nationals. 6 September 1988 The Ecuadorian State, pursuant to article 21 of the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention; it also recognizes in regard to itself the competence of the Committee, in accordance with article 21. It further declares, in accordance with the provisions of article 22 of the Convention, that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the Convention.
Convention on the Rights of Child (CRC)	Upon signature: *Declaration:* "In signing the Convention on the Rights of the Child, Ecuador reaffirms . . . [that it is] especially pleased with the ninth preambular paragraph of the draft Convention, which pointed to the need to protect the unborn child, and believed that that paragraph should be borne in mind in interpreting all the articles of the Convention, particularly article 24. While the minimum age set in article 38 was, in its view, too low, [the Government of Ecuador] did not wish to endanger the chances for the Convention's adoption by consensus and therefore would not propose any amendment to the text."
Optional Protocol to the Convention on the Rights of Child on the involvement of children in armed conflict (OP-CRC-AC)	Declaration: The Government of the Republic of Ecuador hereby declares that, in accordance with the provisions of its Constitution, military service is compulsory. Citizens who invoke conscientious objection on moral, religious or philosophical grounds are assigned to community service, in the manner prescribed by the law. Article 5 of the Act on Compulsory Military Service states that "military obligations begin, for Ecuadorian citizens, at 18 years of age, and end at 55 years of age. The period between the ages of 18 and 55 shall be called 'military age' ".
International Convention on the Protection of the Rights	12 January 2018 Declaration under articles 76 and 77: The Government of the Republic of Ecuador recognizes the competence of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families:

of All Migrant Workers and Members of their Families (ICRMW)	a) to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Convention, in accordance with article 76 of the Convention; and b) to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim that their individual rights as established by the Convention have been violated by that State Party, in accordance with the article 77 of the Convention.
International Convention for the Protection of all Persons from Enforced Disappearance (CPED)	Article 31 In accordance with the provisions of article 31 (1) of the International Convention for the Protection of All Persons from Enforced Disappearance, the Republic of Ecuador recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction claiming to be victims of violations of provisions of this Convention by this State Party. Article 32 In accordance with the provisions of article 32 of the Convention for the Protection of All Persons from Enforced Disappearance, the Republic of Ecuador recognizes the competence of the Committee to receive and consider communications in which a State Party claims that another State Party is not fulfilling its obligations under the Convention.

Source: OHCHR dashboard, https://indicators.ohchr.org/

ANNEX F: ANALYSIS OF INSTITUTIONAL AND IMPLEMENTATION ASPECTS

Operation of the Sub-committees established under the Agreement

Sub-committee on Market Access

The Sub-committee on Market Access is responsible for promoting trade in goods between the Parties, e.g. through consultations on accelerating and broadening the scope of tariff elimination under the Agreement; addressing any non-tariff measure which may restrict trade in goods between the Parties and, if appropriate, referring such matters to the Trade Committee for its consideration; providing advice and recommendations to the Trade Committee on cooperation needs regarding market access matters; consulting on and seeking to resolve any difference that may arise between the Parties on matters related to amendments to the Harmonized System, including the classification of goods, to ensure that the obligations of each Party are not altered (Article 35).

The Sub-committee held meetings annually. Discussions included review of bilateral trade flows and format of data collection and reporting, and clarification of aspects of interest or concern which could potentially affect trade relations between the Parties. These included e.g. Colombian policy on biofuels, trucks (the need to withdraw from transport services old trucks of over 20 years to be able to put new ones into operation, with a replacement rate of 1:1 or 15% tax), higher consumption tax on imported cars exceeding a certain value, local regulations discriminating imported beer, charges on alcoholic beverages, anti-dumping investigation on frozen fries imported from EU Member States and animal feed. In relations with Ecuador, treatment of imported alcoholic beverages (resolved in 2019) and tax on vehicles (of value up to USD 30,000) were discussed. In relations with Peru, a duty drawback mechanism was raised that resembled a subsidy. Colombia raised Spanish reservation regarding provision of legal services, EU labelling referring to palm oil-free products and tax imposed on imported coffee. The EU provided information about planned carbon border adjustment mechanism and a revision of the Regulation 2018/1977 setting up tariff rate quotas for certain fisheries products. Moreover, the Parties discussed topics related to a possible further trade liberalisation, e.g., in trade in bananas and negotiations of mutual recognition agreement of professional qualifications for engineers. They also discussed ways to encourage a better use of tariff preferences, by promoting support service available to exporters and raising awareness of the Agreement (in 2018, Colombia used the preferences in 98% and Peru and Ecuador in 99%).

Overall, while one of discussed measures was removed (treatment of imported alcoholic beverages by Ecuador), others were raised several times with only some progress being achieved (e.g., on alcoholic beverages in Colombia). The reports do not mention whether discussions were conducted also between the annual meetings, as part of market access barriers dialogue and whether there was engagement with other stakeholder, and at the technical level to suggest preferable solutions. The reports from meetings do not mention either whether there was a follow-up to discussions about further liberalisation, such as in trade in services (mutual recognition of qualifications).

Sub-committee on Agriculture

The Sub-committee on Agriculture is responsible for monitoring and promoting cooperation on the implementation of the Section on agricultural goods, in order to facilitate trade in agricultural goods between the Parties; resolving any unjustified obstacle in that trade; consulting on matters related to agricultural goods in coordination with other relevant sub-committees or bodies under the Agreement; evaluating the development of agricultural trade between the Parties and the impact of the Agreement on the agricultural sector of each Party, and the operation of the instruments of the Agreement, and recommending any appropriate action to the Trade Committee (Article 36).

The Sub-committee held meetings annually and its discussions included trade flows in agricultural products, administration of tariff rate quotas (TRQs) and indicators to analyse trends in bilateral trade, such as new exported products (diversification), new exporting companies, the usage of TRQs, and others. The Parties took the opportunity to raise their concerns, e.g., about taxes imposed by Peru on alcoholic beverages applying a different treatment to Pisco compared to other products, heavy metal legislation in Peru with regard to alcoholic beverages, taxes and restrictions in trade in alcoholic beverages in Colombia, and monopoly practices, certification requirements in trade in alcoholic beverages (related to good manufacturing practices) and the price setting mechanism for alcoholic beverages in Colombia. In relations with Ecuador, the EU raised concerns about the TRQ management mechanism, including allocation of licences. Partner countries expressed concerns about EU requirements related to residue levels of pesticides which may affect their agricultural exports. There was also discussion about cooperation activities, e.g., good practice sharing to support development of agriculture in post-conflict areas in Colombia or the EU support to dairy sector in Colombia, being vulnerable to import competition, e.g., EU powder milk. The Parties discussed furthermore interests in extending trade, to cover organic products. Moreover, there was a recurring review of the operation of the system for trade in bananas with the EU monitoring of trade flows, and situation on the EU market. The EU presented its new policy initiatives, such as "from farm to fork" strategy and discussed possible future measures related to sustainability reporting.

Sub-committee on Customs, Trade Facilitation and Rules of Origin

The Sub-committee on Customs, Trade Facilitation and Rules of Origin is responsible for monitoring the implementation and administration of the chapter on customs and trade facilitation and the related Annex II. Its functions include: providing a forum to consult and discuss on all issues relating to customs, rules of origin (e.g. requests for cumulation of origin) and administrative cooperation; enhancing cooperation on the development, application and enforcement of customs procedures, mutual administrative assistance in customs matters, rules of origin and administrative cooperation; submit to the Trade Committee proposals for modifications to Annex II for their adoption; endeavour to reach mutually satisfactory solutions when differences arise between the Parties, e.g. regarding the tariff classification of goods (Article 68).

The Sub-committee held meetings annually. The Parties exchanged information about their customs-related legislation and updates (e.g., the Union Customs Code in force since May 2016, EU Import Control System2, Update of Customs Law in Peru, consolidation of the customs legislation in Colombia and fiscal labels consolidation for imported alcoholic beverages, except beer, in Ecuador), risk management and operational systems, incl. Single Window and Authorised Economic Operator programme, as well as issuance of preferential origin certificates. They also used the opportunity to consider possibilities of technical assistance, e.g., for Colombia to set up Approved Exporter System and exchange information about good laboratory practices. The Parties discussed also preferential origin verification, elimination of free circulation certificates, interpretation of direct transport clause (notably splitting of consignments), adaptation of Appendixes to Annex II to the Harmonised System 2012 and 2017, ratification of the WTO Trade Facilitation Agreement, mutual administrative cooperation between Central America and the Andean countries, and Brexit impacts on cumulation of origin. Moreover, at each meeting, the Parties were addressing technical issues and providing clarifications.

Overall, the Sub-committee seems to provide a forum for a useful exchange of information, and updates related to policy and legislation, as well as advice and clarifications related to technical aspects, such as the use and the way of filling in certain forms (documents), customs procedures and questions related to the rules of origin. It also enables Parties to the Agreement to signal problems and expect that these will be addressed, e.g. application of certain procedures by EU Member States. Finally, information provided in minutes from meetings suggests the usefulness of technical assistance offered to other Parties.

Sub-committee on Technical Obstacles to Trade

The Sub-committee on Technical Obstacles to Trade is responsible for the follow up and evaluation of the implementation of / compliance with the TBT chapter. Its functions include: consulting on and addressing any issue arising under the chapter and the TBT Agreement (and if necessary, establishing working groups to deal with specific matters); identification of priorities for cooperation and technical assistance programmes in the area of TBT and assessment of progress or results obtained; exchanging information on the work carried out in nongovernmental, regional and multilateral fora involved in activities relating to TBT; facilitating dialogue and cooperation between the regulators; revising the chapter in the light of any developments under the TBT Agreement and of the decisions or recommendations of the WTO Committee on Technical Barriers to Trade, and making suggestions on possible amendments to the chapter (Article 83).

The meetings of the Sub-committee were held annually. They provided an opportunity for exchange of information, e.g., on the quality infrastructure in Parties to the Agreement, norms for personal protective equipment and changes in policy and legislation in technical aspects which may have an impact on bilateral trade. The Parties also discussed issues of concerns, such as technical regulations and conformity assessment procedures in the automotive industry (vehicle parts) in Colombia, labelling (registration number) for textile products and footwear in Colombia (the obstacle was in the process of being removed further to amendments of technical regulations), technical regulations and labelling for alcoholic beverages in Colombia, biofuels policy (requirements related to fuel mix in the automotive sector) in Colombia, pricing system for pharmaceuticals and medical devices in Colombia, food ingredients and labelling of food products in Colombia, Peru and the EU, delays in registration of pharmaceuticals in Peru, the possibility to recognise in Peru the EU and its Member States as implementing strict health monitoring, labelling of alcoholic beverages in Ecuador, negative labelling related to palm oil in the EU ("free from palm oil"), measurement of the level of pesticides in fruits by the EU, revision of a Directive on renewable energy in the EU, and imports of hydrobiological products (e.g. fish). Moreover, meetings provided an opportunity to discuss cooperation and technical assistance, e.g. on regulatory impact assessment as part of good regulatory practices.

Sub-committee on Sanitary and Phytosanitary Measures

The Sub-committee on Sanitary and Phytosanitary Measures is responsible for development and monitoring of the SPS chapter; providing a forum for discussing problems arising from the application of SPS measures and the application of the SPS chapter, and identifying possible solutions; discussing the need to establish joint study programmes; identifying cooperation needs; and conducting consultations concerning the settlement of disputes regarding SPS measures or special and differential treatment (Article 103).

The Sub-committee meetings were held annually. The Parties adopted rules of procedure and discussed implementation of certain provisions in the Trade Agreement, e.g., import requirements, procedures, checks, certificates and verifications, equivalence, approval of establishments, and recognition of sanitary systems. Discussion focused also on issues of concern, operational problems emerging in application of the Agreement and areas of potential technical assistance.

Sub-committee on Government Procurement

The Sub-committee on Government Procurement is responsible for evaluating the implementation of the government procurement Title (e.g., the use of the opportunities offered by increased access to government procurement) and recommending to the Parties the appropriate activities; evaluating and following up the cooperation activities that the Parties submit; and considering further negotiations aimed at broadening the coverage of the Title (Article 194).

The Sub-committee held meetings annually providing an opportunity for the Parties to exchange information about legislative and policy developments, e.g., revision of EU public procurement Directives, reform of public procurement legislation in Peru, consolidation of public procurement legislative acts in Colombia, update of a manual to cover provisions of concluded trade agreements and setting up of new bidding systems for pharmaceuticals and medical devices in Ecuador. The Parties discussed as well as other changes (e.g., in administrative structures) which may require amendments in the Agreement (in market access lists). Moreover, the Parties considered measures which would increase the usage of the Agreement, e.g., promotion of opportunities related to public procurement to SMEs, and capability building supporting participation of Colombian, Peruvian and Ecuadorean companies in public procurement tenders in the EU, as well as support to sub-state entities in Ecuador to implement provisions of the Agreement. The meetings also allowed for clarifications regarding issues raised by any Party, such as coverage by the Agreement of public entities at the local level (below a department) and additional agencies in Colombia[605], update of the Colombian manual setting out public procurement commitments covered by concluded trade agreements, the use by Colombia of financial indexes, the reference to standards in technical public procurement specifications in Peru and emergency schemes in Ecuador.

Sub-committee on Intellectual Property

The Sub-committee on Intellectual Property is responsible for the follow-up on the implementation of the provisions of the IP chapter. Specifically, if a Party wishes to add new Geographical Indications (GIs), the sub-committee is responsible for assessing the information and proposing to the Trade Committee the modification of the lists of GIs in Annex XIII of the Agreement (Article 257).

Sub-committee on Trade and Sustainable Development (TSD)

The Sub-committee on Trade and Sustainable Development (TSD) is analysed in detail in chapter 9 of the main report.

[605] This matter has been addressed in the Trade Committee Decision 1/2017, of 24 November 2017 amending Appendix 1 of Annex XII ('Government Procurement') to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part [2018/1]: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22018D0001&from=EN

ANNEX G: FINAL QUESTIONNAIRE FOR THE ONLINE PUBLIC CONSULTATION

Online Public Consultation for an Evaluation of the FTA between the EU and its Member States and Colombia, Peru and Ecuador

Fields marked with * are mandatory.

A
Introduction

About the Trade Agreement

Since 2013, the European Union (EU) has a Trade Agreement with Colombia and Peru in place, which Ecuador joined in 2017. The Agreement gradually opens up markets on both sides and increases the stability and predictability of the trade and investment environment. It is also one of the first “new generation” trade agreements of the EU, characterised by their comprehensive scope. In addition to liberalisation of trade in goods and services, the Agreement covers investment, public procurement, competition, intellectual property rights, as well as trade and sustainable development issues.

About the evaluation of the Agreement

After several years of implementation, an evaluation study is currently under way to analyse the economic, social, human rights (including labour rights) and environmental impacts of the implementation of the Agreement. The purpose is to identify areas of strong performance, as well as opportunities to improve the implementation of the Agreement.

More information about the evaluation is available from a dedicated evaluation study website.

About this survey

The purpose of the present consultation is to seek inputs to the evaluation study. All citizens, organisations and public authorities, regardless of where they are located, are welcome to participate in this survey.

Please note that a separate questionnaire for businesses is available – if you are responding on behalf of a business, including an SME, please (also) participate in the business survey.

The questionnaire is available in English, Spanish, French and German. Completing it should take 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 the questionnaire.

The survey will be available online until **08 April 2021 (midnight Brussels time)**.

B About you

* B.1 Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish

- Dutch
- English
- Estonian
- Finnish
- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

* B.2 I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

* B.3 First name

* B.4 Surname

* B.5 Email (this won't be published)

B.6 What is your gender?

- Female
- Male
- Other/I prefer not to state

B.7 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)?

- Yes
- No

B.8 Transparency register number

255 character(s) maximum

Check if your organisation is on the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making.

* B.9 Country of origin

Please add your country of origin, or that of your organisation.

- Afghanistan
- Åland Islands
- Albania
- Algeria
- American Samoa
- Djibouti
- Dominica
- Dominican Republic
- Ecuador
- Egypt
- Libya
- Liechtenstein
- Lithuania
- Luxembourg
- Macau
- Saint Martin
- Saint Pierre and Miquelon
- Saint Vincent and the Grenadines
- Samoa
- San Marino

- Andorra
- Angola
- Anguilla
- Antarctica
- Antigua and Barbuda
- Argentina
- Armenia
- Aruba
- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Bangladesh
- Barbados
- Belarus
- Belgium
- Belize
- Benin
- Bermuda
- Bhutan
- Bolivia
- Bonaire Saint Eustatius and Saba
- El Salvador
- Equatorial Guinea
- Eritrea
- Estonia
- Eswatini
- Ethiopia
- Falkland Islands
- Faroe Islands
- Fiji
- Finland
- France
- French Guiana
- French Polynesia
- French Southern and Antarctic Lands
- Gabon
- Georgia
- Germany
- Ghana
- Gibraltar
- Greece
- Greenland
- Grenada
- Guadeloupe
- Madagascar
- Malawi
- Malaysia
- Maldives
- Mali
- Malta
- Marshall Islands
- Martinique
- Mauritania
- Mauritius
- Mayotte
- Mexico
- Micronesia
- Moldova
- Monaco
- Mongolia
- Montenegro
- Montserrat
- Morocco
- Mozambique
- Myanmar /Burma
- Namibia
- Nauru
- São Tomé and Príncipe
- Saudi Arabia
- Senegal
- Serbia
- Seychelles
- Sierra Leone
- Singapore
- Sint Maarten
- Slovakia
- Slovenia
- Solomon Islands
- Somalia
- South Africa
- South Georgia and the South Sandwich Islands
- South Korea
- South Sudan
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Sweden
- Switzerland

- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Guam
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Niue
- Norfolk Island
- Northern Mariana Islands
- North Korea
- North Macedonia
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand
- The Gambia
- Timor-Leste
- Togo
- Tokelau
- Tonga
- Trinidad and Tobago
- Tunisia
- Turkey
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States

- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d'Ivoire
- Croatia
- Cuba
- Curaçao
- Cyprus
- Czechia
- Democratic Republic of the Congo
- Denmark
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Kosovo
- Kuwait
- Kyrgyzstan
- Laos
- Latvia
- Lebanon
- Lesotho
- Liberia
- Philippines
- Pitcairn Islands
- Poland
- Portugal
- Puerto Rico
- Qatar
- Réunion
- Romania
- Russia
- Rwanda
- Saint Barthélemy
- Saint Helena Ascension and Tristan da Cunha
- Saint Kitts and Nevis
- Saint Lucia
- United States Minor Outlying Islands
- Uruguay
- US Virgin Islands
- Uzbekistan
- Vanuatu
- Vatican City
- Venezuela
- Vietnam
- Wallis and Futuna
- Western Sahara
- Yemen
- Zambia
- Zimbabwe

* B.10 Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

* B.11 Scope

- International
- Local
- National

- ○ Regional

B.12 In which sector(s) do your members operate?

- ☐ Agriculture: fruit and vegetable production
- ☐ Agriculture: other crops (incl. cereals, oilseeds, sugar)
- ☐ Agriculture: livestock raising, meat production, dairy and other animal products
- ☐ Other agriculture and food products (incl. beverages)
- ☐ Forestry, wood and wood products
- ☐ Fishing and aquaculture
- ☐ Mining and quarrying
- ☐ Leather, footwear, textiles and garments
- ☐ Chemical, plastics and rubber products
- ☐ Electrical equipment and machinery
- ☐ Automotive and transport equipment
- ☐ Other manufacturing
- ☐ Utilities (gas, electricity, water supply)
- ☐ Construction
- ☐ Wholesale and retail trade
- ☐ Transportation and storage
- ☐ Tourism, accommodation and hospitality services
- ☐ Information and communication services
- ☐ Financial and insurance services
- ☐ Business services
- ☐ Other services

* B.13 Organisation name

255 character(s) maximum

* B.14 Publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

- **Anonymous**
  Only your type of respondent, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.
- **Public**
  Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

☐ I agree with the personal data protection provisions

C Your awareness of the Agreement

C.1 How well do you know the Trade Agreement that the EU, Colombia and Peru have had in place since 2013, and which Ecuador joined in 2017?

- Very well
- Reasonably well
- I have heard about it but don't know any details
- I had not heard about it prior to this evaluation/survey

C.2 Which sources have provided you with information about the Agreement? Check all that apply.

- ☐ Information provided by EU or government entities (including export or investment promotion agencies)
- ☐ Non-state organisations (such as chambers of commerce, other business associations, civil society organisations)
- ☐ Own research (such as market research, own studies)
- ☐ Traditional media (TV, radio, press)
- ☐ Social media
- ☐ Personal contacts

D Operational objectives and implementation of the Agreement

D.1 To what extent do you think the Agreement has achieved the following operational objectives?

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree	I don't know /no opinion
i) It has reduced tariffs in the EU for exports from the three Andean partner countries	○	○	○	○	○	○
ii) It has reduced tariffs in the three Andean partner countries for exports from the EU	○	○	○	○	○	○
iii) It has facilitated bilateral goods trade by reducing non-tariff barriers (such as technical regulations and standards, simplifying customs procedures, etc.) in the three Andean partner countries	○	○	○	○	○	○

iv) It has facilitated bilateral goods trade by reducing non-tariff barriers (such as technical regulations and standards, simplifying customs procedures, etc.) in the EU						
v) It has opened up public procurement markets in the EU for firms from the three Andean partner countries						
vi) It has opened up public procurement markets in the three Andean partner countries for EU firms						
vii) It has simplified rules in the EU for bilateral trade in services						
viii) It has simplified rules in the three Andean partner countries for bilateral trade in services						
ix) It has helped remove barriers in the EU for bilateral investment						

x) It has helped remove barriers in the three Andean partner countries for bilateral investment						
xi) It has strengthened compliance with intellectual property rights, including geographical indications						
xii) It has strengthened market competition						
xiii) It has created a functioning mechanism for the settlement of bilateral trade disputes						
xiv) It has established an effective framework for ensuring inclusive and equitable trade between the Parties, including support for an uptake of responsible business conduct / CSR practices or promotion of fair trade schemes						
xv) It has established an effective framework for ensuring environmentally sustainable trade between the Parties						

xvi) It has established an effective framework for supporting and contributing to respect for labour standards and decent working conditions in the context of trade relations between the Parties	○	○	○	○	○	○
xvii) It has established an effective framework for supporting sustainable development of the Parties, and contribution to achieving Sustainable Development Goals (SDGs)	○	○	○	○	○	○
xviii)It has established an effective framework for ensuring that trade between the Parties does not negatively affect the enjoyment of human rights	○	○	○	○	○	○
xix) It has established an effective framework for civil society participation in monitoring and evaluating implementation of the Agreement	○	○	○	○	○	○

xx) It has provided for effective technical assistance and capacity building						

D.2 Please explain your main views regarding operational objectives

D.3 To what extent do you agree with the following statements on the involvement of non-state actors (business representatives, civil society groups, workers' organisations) in the implementation of the Agreement and its monitoring?

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree	I don't know /no opinion
i) Non-state actors receive information about the Agreement	○	○	○	○	○	○
ii) Non-stake actors provide their views about the Agreement	○	○	○	○	○	○
iii) Views of non-state actors are adequately considered by the Parties	○	○	○	○	○	○
iv) The composition of Domestic Advisory Groups established by the Trade and Sustainable Development Title of the Agreement adequately reflects the different societal groups and interests, and the provisions of the TSD Title	○	○	○	○	○	○

D.4 Please elaborate your views regarding participation of non-state actors, and also provide recommendations for improvement, if you have any.

E Economic impact of the Agreement

E.1 To what extent do you think the Agreement has led to the following business and economic impacts **in the EU**?

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree	I don't know/ no opinion
i) Goods exports by EU firms to the three Andean partner countries have increased	○	○	○	○	○	○
ii) Services exports by EU firms to the three Andean partner countries have increased	○	○	○	○	○	○
iii) Investment in the EU from the three Andean partner countries has increased	○	○	○	○	○	○
iv) More EU companies are now exporting to the three Andean partner countries	○	○	○	○	○	○
v) New products (goods and services) are now being exported from the EU	○	○	○	○	○	○
vi) Production costs for EU firms have decreased due to cheaper inputs	○	○	○	○	○	○
vii) EU firms have become involved in bilateral value/supply chains	○	○	○	○	○	○
viii) EU firms have obtained better access to new technologies	○	○	○	○	○	○
ix) EU SMEs have benefited less from the Agreement than large companies	○	○	○	○	○	○
x) Government revenues in the EU and Member States have increased as a result of the Agreement	○	○	○	○	○	○

xi) Overall, the EU economy has grown stronger as a result of the Agreement						

E.2 Please explain how (through what mechanism) the Agreement has led to these effects. If you think that the Agreement has had any other economic impacts in the EU, please also describe them here.

E.3 To what extent do you think the Agreement has led to the following business and economic impacts **in the three Andean partner countries**?

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree	I don't know/ no opinion
i) Goods exports by firms from the three Andean partner countries to the EU have increased	○	○	○	○	○	○
ii) Services exports by firms from the three Andean partner countries to the EU have increased	○	○	○	○	○	○
iii) Investment in the three Andean partner countries from the EU has increased	○	○	○	○	○	○
iv) More companies from the three Andean partner countries are now exporting to the EU	○	○	○	○	○	○
v) New products (goods and services) are now being exported from the three Andean partner countries to the EU	○	○	○	○	○	○

vi) Production costs for firms in the three Andean partner countries have decreased due to cheaper inputs	○	○	○	○	○	○
vii) Firms in Colombia /Ecuador/Peru have become involved in bilateral value/supply chains	○	○	○	○	○	○
viii) Firms in Colombia /Ecuador/Peru have obtained better access to new technologies	○	○	○	○	○	○
ix) SMEs in Colombia /Ecuador/Peru have benefited less from the Agreement than large companies	○	○	○	○	○	○
x) Government revenues in the three Andean partner countries have increased as a result of the Agreement	○	○	○	○	○	○
xi) Overall, the economies of the three Andean partner countries have grown stronger as a result of the Agreement	○	○	○	○	○	○

E.4 Please explain how (through what mechanism) the Agreement has led to these effects. If you think that the Agreement has had any other economic impacts in the three Andean partner countries, please describe also them here.

E.5 How do you rate the Agreement's overall economic impact?

	Strongly negative	Somewhat negative	No effect	Somewhat positive	Strongly positive	I don't know
i) On the EU economy	○	○	○	○	○	○
ii) On the economy in Colombia	○	○	○	○	○	○
iii) On the economy in Ecuador	○	○	○	○	○	○
iv) On the economy in Peru	○	○	○	○	○	○

E.6 Please explain your views on the economic impact – how has the Agreement contributed to them?

E.7 Name a maximum of three economic sectors that you think have been strongly influenced by the Agreement. (Sectors could be broad, such as agriculture, mining, tourism, etc., or narrow, such as dairy products, renewable energy, etc.)

	Name of sector	Where? (EU/ Colombia/ Ecuador/ Peru)	Negative or positive effect of the Agreement?	Why do you think the sector has been affected?
1				
2				
3				

E.8 What impact do you think the Agreement has had on the following countries and regions?

	Strongly negative	Somewhat negative	No effect	Somewhat positive	Strongly positive	I don't know/ no opinion
Other Latin American countries	○	○	○	○	○	○
Least-developed countries	○	○	○	○	○	○

E.9 Name a maximum of three regions that you think have be strongly influenced by the Agreement.

	Name of region	Where? (EU/ Colombia/ Ecuador/ Peru)	Negative or positive effect of the Agreement?	Why do you think the region has been affected?
1				
2				
3				

F Social Impact of the Agreement

F.1 What **influence** – if any – do you think the Agreement has had upon social development issues in the Parties, including gender equality, respect for labour standards (e.g. freedom of association or child labour), working conditions (job quality), the informal sector and vulnerable groups (e.g. poverty levels)?

	Strongly negative	Somewhat negative	No effect	Somewhat positive	Strongly positive	I don't know/ no opinion
i) In the EU	○	○	○	○	○	○
ii) In Colombia	○	○	○	○	○	○
iii) In Ecuador	○	○	○	○	○	○
iv) In Peru	○	○	○	○	○	○

F.2 Would you like to respond to more detailed questions on the Agreement's social impacts?

- ○ Yes
- ○ No

F.3 What **impact** – if any – do you think the Agreement has had upon the following social indicators **in the EU**?

	Very negative	Somewhat negative	None at all	Somewhat positive	Very positive	I don't know/ no opinion
Overall social indicators i) Employment level in general, and across sectors	○	○	○	○	○	○
ii) Wages	○	○	○	○	○	○
iii) Poverty	○	○	○	○	○	○
iv) Income inequality	○	○	○	○	○	○
v) Wealth inequality	○	○	○	○	○	○
Gender issues vi) Female participation in the labour market	○	○	○	○	○	○

vii) Female entrepreneurship						
viii) Gender equality (e.g. incomes)						
Labour conditions and rights ix) Quality of work (e. g. working hours, type and duration of contract, occupational safety)						
x) Discrimination at work						
xi) Child labour						
xii) Forced labour						
xiii) Establishment and operation of trade unions, collective bargaining and protection of workers' rights						
xiv) Operation of labour inspection systems						
xv) Responsible business conduct and corporate social responsibility						
xvi) Vocational training (including 'on the job')						
Informal sector xvii) Employment levels in the informal sector						
xviii)Wages in the informal sector						
xix) Transition from informal to formal employment						
Vulnerable groups xx) Disabled people/employees						
xxi) Young workers/youth and other vulnerable groups						
xxii) The rights and protection of migrant workers						
Consumer issues xxiii) Prices of goods and services						
xxiv)Quality and safety of goods and services						

xxv) Choice and availability of goods and services						
xxvi) Provision of consumer information						
xxvii) Protection of consumer rights (e.g. enforcement and redress mechanisms)						
Social protection and public policies xxviii) Social protection (e.g. pensions, other benefits)						
xxix) Access to education						
xxx) Access to health care						

F.4 Please explain how (through what mechanism) the Agreement has led to these effects. If you think that the Agreement has had any other social impacts in the EU, please also explain here.

F.5 What impact – if any – do you think the Agreement has had upon the following social indicators **in the three Andean partner countries**?

	Very negative	Somewhat negative	None at all	Somewhat positive	Very positive	I don't know/ no opinion
Overall social indicators i) Employment level in general, and across sectors						
ii) Wages						
iii) Poverty						
iv) Income inequality						
v) Wealth inequality						
Gender issues vi) Female participation in the labour market						
vii) Female entrepreneurship						
viii) Gender equality (e.g. incomes)						

Labour conditions and rights ix) Quality of work (e. g. working hours, type and duration of contract, occupational safety)						
x) Discrimination at work						
xi) Child labour						
xii) Forced labour						
xiii) Establishment and operation of trade unions, collective bargaining and protection of workers' rights						
xiv) Operation of labour inspection systems						
xv) Responsible business conduct and corporate social responsibility						
xvi) Vocational training (including 'on the job')						
Informal sector xvii) Employment levels in the informal sector						
xviii)Wages in the informal sector						
xix) Transition from informal to formal employment						
Vulnerable groups xx) Disabled people/employees						
xxi) Young workers/youth and other vulnerable groups						
xxii) The rights and protection of migrant workers						
Consumer issues xxiii) Prices of goods and services						
xxiv)Quality and safety of goods and services						
xxv) Choice and availability of goods and services						
xxvi) Provision of consumer information						

xxvii) Protection of consumer rights (e.g. enforcement and redress mechanisms)						
Social protection and public policies xxviii) Social protection (e.g. pensions, other benefits)						
xxix) Access to education						
xxx) Access to health care						

F.6 Please explain how (through what mechanism) the Agreement has led to these effects. If you think that the Agreement has had any other social impacts in the three Andean partner countries, please also explain here.

F.7 Which **social groups** do you think have been most affected by the Agreement,
in any of the participating countries?

	Most negatively affected groups	Most positively affected groups
i) In the EU		
ii) In Colombia		
iii) In Ecuador		
iv) In Peru		

F.8 Please elaborate

G Environmental Impact of the Agreement

G.1 What **influence** – if any – do you think the Agreement has had upon environmental issues in the Parties?

	Strongly negative	Somewhat negative	No effect	Somewhat positive	Strongly positive	I don't know/ no opinion
i) In the EU	○	○	○	○	○	○
ii) In Colombia	○	○	○	○	○	○
iii) In Ecuador	○	○	○	○	○	○
iv) In Peru	○	○	○	○	○	○

G.2 Would you like to respond to more detailed questions on the Agreement's environmental impacts?

- ○ Yes
- ○ No

G.3 What **impact** – if any – do you think the Agreement has had upon the following environmental indicators **in the EU**?

	Very negative	Somewhat negative	None at all	Somewhat positive	Very positive	I don't know/ no opinion
i) Greenhouse gas emissions	○	○	○	○	○	○
ii) Transport and the use of energy	○	○	○	○	○	○
iii) Air quality	○	○	○	○	○	○
iv) Land use (including soil, livestock, agricultural fertilizers)	○	○	○	○	○	○
v) Biodiversity	○	○	○	○	○	○

vi) Water quality and resources						
vii) Waste and waste management						
viii) Ecosystems services and protected areas						
ix) Use of renewable energy						
x) Natural resource exploitation (including fisheries, and forest resources)						

G.4 Please explain how (through what mechanism) the Agreement has led to these effects. If you think that the Agreement has had any other environmental impacts in the EU, please also explain here.

G.5 What **impact** – if any – do you think the Agreement has had upon the following environmental indicators **in the three Andean partner countries**?

	Very negative	Somewhat negative	None at all	Somewhat positive	Very positive	I don't know/ no opinion
i) Greenhouse gas emissions						
ii) Transport and the use of energy						
iii) Air quality						
iv) Land use (including soil, livestock, agricultural fertilizers)						
v) Biodiversity						
vi) Water quality and resources						
vii) Waste and waste management						
viii) Ecosystems services and protected areas						
ix) Use of renewable energy						

x) Natural resource exploitation (including fisheries, and forest resources)						

G.6 Please explain how (through what mechanism) the Agreement has led to these effects. If you think that the Agreement has had any other environmental impacts in the three Andean partner countries, please also explain here.

H Human Rights Impact of the Agreement

H.1 What **influence** – if any – do you think the Agreement has had upon the enjoyment of human rights in the Parties?

	Strongly negative	Somewhat negative	No effect	Somewhat positive	Strongly positive	I don't know/ no opinion
i) In the EU						
ii) In Colombia						
iii) In Ecuador						
iv) In Peru						

H.2 Would you like to respond to more detailed questions on the Agreement's impacts on human rights?

- Yes
- No

H.3 What **impact** – if any – do you think the Agreement has had upon the following human rights **in the EU**?

	Very negative	Somewhat negative	None at all	Somewhat positive	Very positive	I don't know/ no opinion
i) Right to work (Art. 6 ICESCR)						

ii) Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)						
iii) Right to form trade unions (Art. 8 ICESCR)						
iv) Right to strike (Art. 8 ICESCR)						
v) Right to social security, including social insurance (Art. 9 ICESCR)						
vi) 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)]						
vii) 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)]						
viii) Right to education (Art. 14 ICESCR)						
ix) Right to take part in cultural life (Art. 15 ICESCR)						
x) Right to privacy (Art. 12 UDHR, Art. 17 ICCPR)						
xi) Right to property (Art. 17 UDHR)						
xii) Right to protection of intellectual property (Art. 15 ICESCR, Art.27 UDHR)						
xiii) Right to information (Art. 19 UDHR)						
xiv) Right to participate in the conduct of public affairs (Art. 25 ICCPR, Art. 21 UDHR, Art. 8 ICESCR)						

xv) Right of equal access to public services (Art. 25 ICCPR, CCPR General Comment No.25)						
xvi) Right to freedom of assembly and association (Art. 21 ICCPR, Art. 22 ICCPR)						
xvii)Rights of persons with disabilities (Convention on the Rights of Persons with Disabilities and its Optional Protocol)						
xviii) LGBTI rights (Art. 2 ICESCR, Art. 2 ICCPR)						
xix) Rights of indigenous peoples (Art. 27 ICCPR, ILO Convention No. 169, HRC General Comment No.23, CESCR General Comment No.21)						
xx) Women's rights (Art. 2 and 3 ICCPR, Art. 2 and 3 ICESCR, International Convention on Elimination of All Forms of Discrimination Against Women)						
xxi) 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)						

H.4 Which human rights do you think have been most affected by the implementation of the Agreement in the EU?

- i) Right to work (Art. 6 ICESCR)
- ii) Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)
- iii) Right to form trade unions (Art. 8 ICESCR)
- iv) Right to strike (Art. 8 ICESCR)
- v) Right to social security, including social insurance (Art. 9 ICESCR)
- vi) 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)]

- vii) 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)]
- viii) Right to education (Art. 14 ICESCR)
- ix) Right to take part in cultural life (Art. 15 ICESCR)
- x) Right to privacy (Art. 12 UDHR, Art. 17 ICCPR)
- xi) Right to property (Art. 17 UDHR)
- xii) Right to protection of intellectual property (Art. 15 ICESCR, Art.27 UDHR)
- xiii) Right to information (Art. 19 UDHR)
- xiv) Right to participate in the conduct of public affairs (Art. 25 ICCPR, Art. 21 UDHR, Art. 8 ICESCR)
- xv) Right of equal access to public services (Art. 25 ICCPR, CCPR General Comment No.25)
- xvi) Right to freedom of assembly and association (Art. 21 ICCPR, Art. 22 ICCPR)
- xvii)Rights of persons with disabilities (Convention on the Rights of Persons with Disabilities and its Optional Protocol)
- xviii) LGBTI rights (Art. 2 ICESCR, Art. 2 ICCPR)
- xix) Rights of indigenous peoples (Art. 27 ICCPR, ILO Convention No. 169, HRC General Comment No.23, CESCR General Comment No.21)
- xx) Women's rights (Art. 2 and 3 ICCPR, Art. 2 and 3 ICESCR, International Convention on Elimination of All Forms of Discrimination Against Women)
- xxi) 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)

H.5 And second most affected?

- i) Right to work (Art. 6 ICESCR)
- ii) Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)
- iii) Right to form trade unions (Art. 8 ICESCR)
- iv) Right to strike (Art. 8 ICESCR)
- v) Right to social security, including social insurance (Art. 9 ICESCR)

- vi) 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)]
- vii) 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)]
- viii) Right to education (Art. 14 ICESCR)
- ix) Right to take part in cultural life (Art. 15 ICESCR)
- x) Right to privacy (Art. 12 UDHR, Art. 17 ICCPR)
- xi) Right to property (Art. 17 UDHR)
- xii) Right to protection of intellectual property (Art. 15 ICESCR, Art.27 UDHR)
- xiii) Right to information (Art. 19 UDHR)
- xiv) Right to participate in the conduct of public affairs (Art. 25 ICCPR, Art. 21 UDHR, Art. 8 ICESCR)
- xv) Right of equal access to public services (Art. 25 ICCPR, CCPR General Comment No.25)
- xvi) Right to freedom of assembly and association (Art. 21 ICCPR, Art. 22 ICCPR)
- xvii)Rights of persons with disabilities (Convention on the Rights of Persons with Disabilities and its Optional Protocol)
- xviii) LGBTI rights (Art. 2 ICESCR, Art. 2 ICCPR)
- xix) Rights of indigenous peoples (Art. 27 ICCPR, ILO Convention No. 169, HRC General Comment No.23, CESCR General Comment No.21)
- xx) Women's rights (Art. 2 and 3 ICCPR, Art. 2 and 3 ICESCR, International Convention on Elimination of All Forms of Discrimination Against Women)
- xxi) 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)

H.6 Please explain how (through what mechanism) the Agreement has affected human rights. If you think that the Agreement has had any other impacts on human rights in the EU, please also explain here.

H.7 What **impact** – if any – do you think the Agreement has had upon the following human rights in **the three Andean partner countries**?

	Very negative	Somewhat negative	None at all	Somewhat positive	Very positive	I don't know/ no opinion
i) Right to work (Art. 6 ICESCR)	○	○	○	○	○	○
ii) Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)	○	○	○	○	○	○
iii) Right to form trade unions (Art. 8 ICESCR)	○	○	○	○	○	○
iv) Right to strike (Art. 8 ICESCR)	○	○	○	○	○	○
v) Right to social security, including social insurance (Art. 9 ICESCR)	○	○	○	○	○	○
vi) 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)]	○	○	○	○	○	○
vii) 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)]	○	○	○	○	○	○
viii) Right to education (Art. 14 ICESCR)	○	○	○	○	○	○
ix) Right to take part in cultural life (Art. 15 ICESCR)	○	○	○	○	○	○
x) Right to privacy (Art. 12 UDHR, Art. 17 ICCPR)	○	○	○	○	○	○
xi) Right to property (Art. 17 UDHR)	○	○	○	○	○	○
xii) Right to protection of intellectual property (Art. 15 ICESCR, Art.27 UDHR)	○	○	○	○	○	○

xiii) Right to information (Art. 19 UDHR)						
xiv) Right to participate in the conduct of public affairs (Art. 25 ICCPR, Art. 21 UDHR, Art. 8 ICESCR)						
xv) Right of equal access to public services (Art. 25 ICCPR, CCPR General Comment No.25)						
xvi) Right to freedom of assembly and association (Art. 21 ICCPR, Art. 22 ICCPR)						
xvii)Rights of persons with disabilities (Convention on the Rights of Persons with Disabilities and its Optional Protocol)						
xviii) LGBTI rights (Art. 2 ICESCR, Art. 2 ICCPR)						
xix) Rights of indigenous peoples (Art. 27 ICCPR, ILO Convention No. 169, HRC General Comment No.23, CESCR General Comment No.21)						
xx) Women's rights (Art. 2 and 3 ICCPR, Art. 2 and 3 ICESCR, International Convention on Elimination of All Forms of Discrimination Against Women)						
xxi) 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)						

H.8 Which human rights do you think have been most affected by the implementation of the Agreement in the three Andean partner countries?

- i) Right to work (Art. 6 ICESCR)
- ii) Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)
- iii) Right to form trade unions (Art. 8 ICESCR)
- iv) Right to strike (Art. 8 ICESCR)

- v) Right to social security, including social insurance (Art. 9 ICESCR)
- vi) 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)]
- vii) 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)]
- viii) Right to education (Art. 14 ICESCR)
- ix) Right to take part in cultural life (Art. 15 ICESCR)
- x) Right to privacy (Art. 12 UDHR, Art. 17 ICCPR)
- xi) Right to property (Art. 17 UDHR)
- xii) Right to protection of intellectual property (Art. 15 ICESCR, Art.27 UDHR)
- xiii) Right to information (Art. 19 UDHR)
- xiv) Right to participate in the conduct of public affairs (Art. 25 ICCPR, Art. 21 UDHR, Art. 8 ICESCR)
- xv) Right of equal access to public services (Art. 25 ICCPR, CCPR General Comment No.25)
- xvi) Right to freedom of assembly and association (Art. 21 ICCPR, Art. 22 ICCPR)
- xvii)Rights of persons with disabilities (Convention on the Rights of Persons with Disabilities and its Optional Protocol)
- xviii) LGBTI rights (Art. 2 ICESCR, Art. 2 ICCPR)
- xix) Rights of indigenous peoples (Art. 27 ICCPR, ILO Convention No. 169, HRC General Comment No.23, CESCR General Comment No.21)
- xx) Women's rights (Art. 2 and 3 ICCPR, Art. 2 and 3 ICESCR, International Convention on Elimination of All Forms of Discrimination Against Women)
- xxi) 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)

H.9 And second most affected?

- i) Right to work (Art. 6 ICESCR)
- ii) Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)
- iii) Right to form trade unions (Art. 8 ICESCR)

- iv) Right to strike (Art. 8 ICESCR)
- v) Right to social security, including social insurance (Art. 9 ICESCR)
- vi) 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)]
- vii) 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)]
- viii) Right to education (Art. 14 ICESCR)
- ix) Right to take part in cultural life (Art. 15 ICESCR)
- x) Right to privacy (Art. 12 UDHR, Art. 17 ICCPR)
- xi) Right to property (Art. 17 UDHR)
- xii) Right to protection of intellectual property (Art. 15 ICESCR, Art.27 UDHR)
- xiii) Right to information (Art. 19 UDHR)
- xiv) Right to participate in the conduct of public affairs (Art. 25 ICCPR, Art. 21 UDHR, Art. 8 ICESCR)
- xv) Right of equal access to public services (Art. 25 ICCPR, CCPR General Comment No.25)
- xvi) Right to freedom of assembly and association (Art. 21 ICCPR, Art. 22 ICCPR)
- xvii)Rights of persons with disabilities (Convention on the Rights of Persons with Disabilities and its Optional Protocol)
- xviii) LGBTI rights (Art. 2 ICESCR, Art. 2 ICCPR)
- xix) Rights of indigenous peoples (Art. 27 ICCPR, ILO Convention No. 169, HRC General Comment No.23, CESCR General Comment No.21)
- xx) Women’s rights (Art. 2 and 3 ICCPR, Art. 2 and 3 ICESCR, International Convention on Elimination of All Forms of Discrimination Against Women)
- xxi) 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)

H.10 Please explain how (through what mechanism) the Agreement has affected human rights. If you think that the Agreement has had any other impacts on human rights in the three Andean partner countries, please also explain here.

I Concluding questions

I.1 In your view, to what extent is the Agreement aligned with the following policy objectives?

	Not at all aligned	Somewhat aligned	Fully aligned	I don't know/ no opinion
i) Current EU trade policy	○	○	○	○
ii) EU's commitment to sustainable development in trade policies as a contribution to the attainment of the SDGs	○	○	○	○
iii) EU's commitment to promote decent work	○	○	○	○
iv) EU environmental policies	○	○	○	○

I.2 Please elaborate, and provide recommendations, if any.

I.3 Overall, what are the most positive aspects of the Trade Agreement between the EU and the three Andean countries?

I.4 Overall, what are the most negative aspects of the Agreement?

I.5 Overall, is there a need for improvement in the operation of the Agreement?

- ○ No
- ○ Implementation of the Agreement needs to improve
- ○ Parts of the Agreement should be revised
- ○ I don't know

I.6 What aspects of the Agreement should be the focus for improvements?

I.7 Are there any other comments you would like to make on EU-Colombia/Ecuador /Peru trade or the Agreement?

I.8 If you would like to upload any documents, such as position papers on EU-Colombia/Ecuador/Peru trade relations, please do so here.

The maximum file size is 1 MB
Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

Many thanks!

ANNEX H: SUMMARY OF THE ONLINE PUBLIC CONSULTATION RESULTS

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1 INTRODUCTION

This report summarises the responses received to the Online Public Consultation for the Ex post Evaluation of the Trade Agreement between the EU and Colombia, Ecuador and Peru, which received contributions from stakeholders in the period January to 06 May 2021. The following sections summarise the responses to closed questions statistically and the open questions in a qualitative manner.

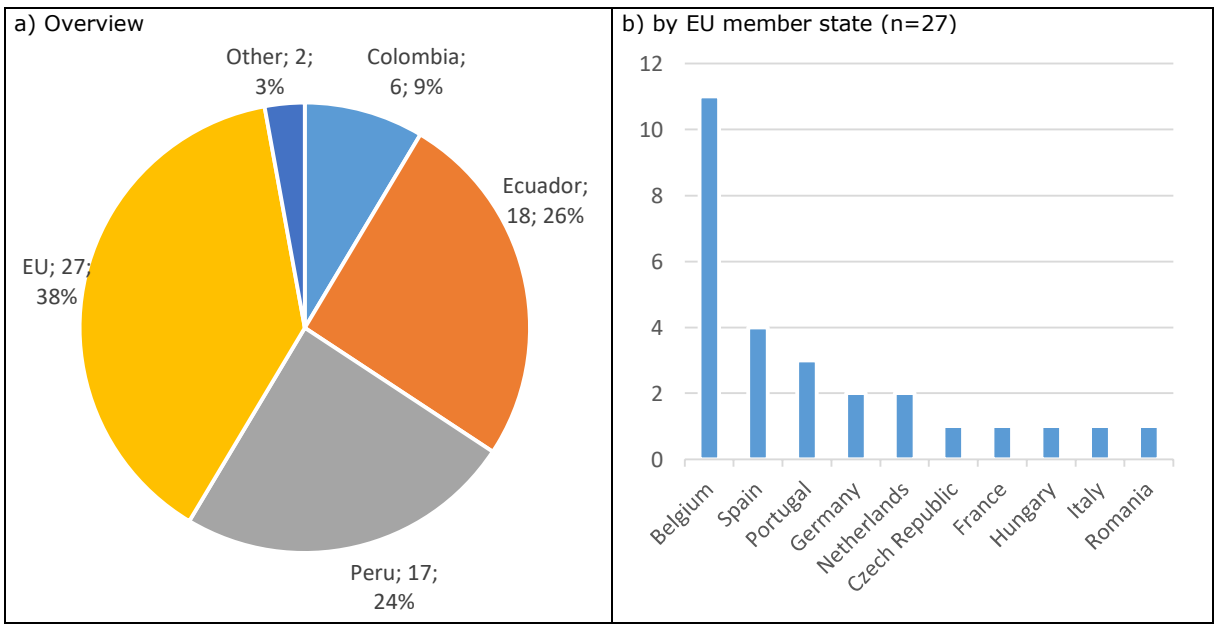
Two caveats need to be mentioned:

- It is important to note that the accuracy of responses provided by survey participant is not discussed in this report. The main evaluation report filters stakeholder contributions and critically addresses, where necessary, wrong or misleading assertions.
- Given the relatively limited number of 70 responses received, the survey has no claim to representativeness – neither among EU or Andean partner country stakeholders. Rather, it provides anecdotal information about views held by stakeholders on the Agreement and its impacts on the Parties. The lack of representativeness needs to be kept in mind when interpreting the survey responses.

2 RESPONDENT CHARACTERISTICS

Figure 1 shows the composition of the 70 respondents by their region and country of origin; as can be seen, 38% are EU stakeholders, 28% from Peru, 26% from Ecuador, and 9% from Colombia. Among the EU respondents, almost half are based in Belgium, which includes a number of EU-wide organisations (Figure 1b).

Figure 1: Respondents by region and country of origin (n=70)



In terms of the type of respondent, the OPC questionnaire provides for a fairly detailed disaggregation (Figure 2a). According to this, "business associations" and "companies/business organisations" account for the largest share of responses (21% each), followed by NGOs and trade unions. For the purposes of further analyses of contributions, stakeholders are grouped into broader types (Figure 2b), representing business interests (comprised of companies and business associations, 43%), civil society

(NGOs, environmental and consumer organisations, and academia; 18%), individuals (EU and non-EU citizens, 10%), public sector (10%), and others (including trade unions; 19%).

Across countries, the composition of respondents by type varies (Table 1), with the share of business responses in the EU and Ecuador being higher than average, whereas in Peru the share of responses by NGOs and others (mostly trade unions, which also account for the majority of responses from Colombia) is particularly high. Aggregating the three Andean partner countries into an "Andean" region, the difference compared to the EU is slightly smaller, although the share of respondents representing business interests from the EU is higher than from Andean, and conversely the share of NGO and trade union responses from Andean countries is higher than from the EU (Figure 3).

Figure 2: Respondents by stakeholder type (n=70)

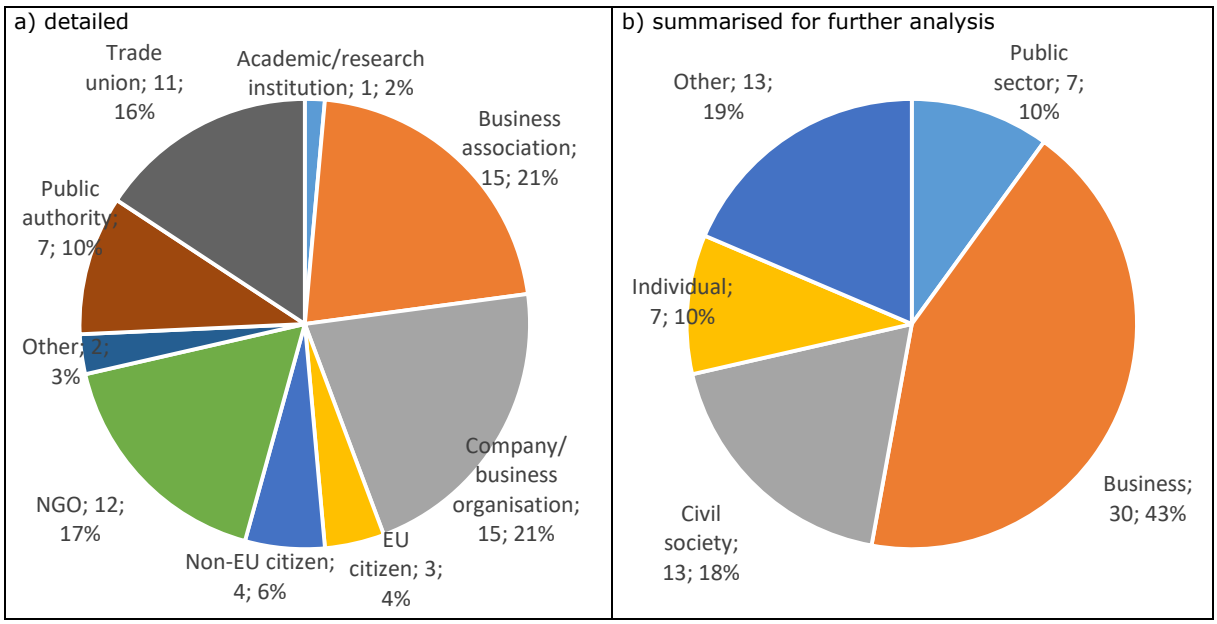
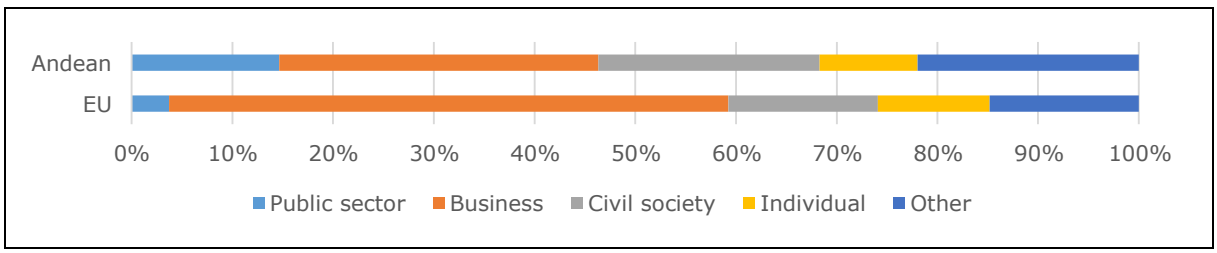


Table 1: Respondents by stakeholder type

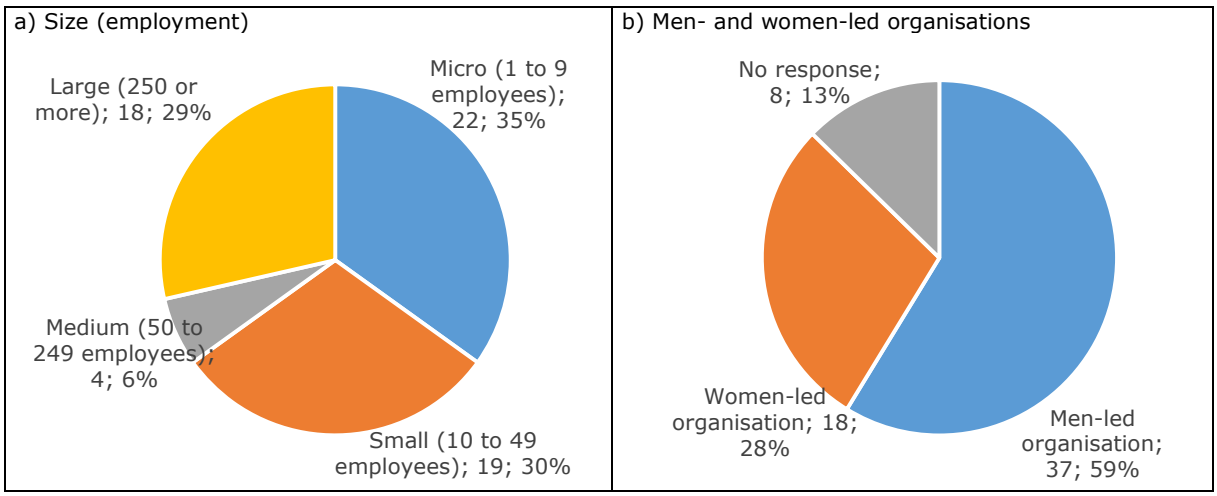
	Colombia	Ecuador	Peru	EU	Other	Total
Public sector		3	3	1		**7**
Business	1	11	1	15	2	**30**
Civil society	1	1	7	4		**13**
Individual		3	1	3		**7**
Other	4		5	4		**13**
Total	**6**	**18**	**17**	**27**	**2**	**70**

Figure 3: Respondents by stakeholder type: EU and Andean partner countries compared (n=68)



Of the 63 responses provided by organisations (i.e. not individual citizens), the vast majority are either very small (35%) to small (30%) or large (29%) (Figure 4a), and more than half (59%) are led by men (Figure 4b).

Figure 4: Institutional respondent characteristics (n=63)



38 institutional respondents provided information about the economic sectors represented (with multiple responses possible, on average each respondent stated to represent 3.1 sectors). Agricultural sub-sectors as well as services are most represented (Figure 5). Overall, the services sector is most represented (44%), followed by agriculture (29%), manufacturing industries (10%) and primary sectors (7%) – although the composition varies considerably across countries (Figure 6).

Figure 5: Respondents by sector and sub-sector (n=38)

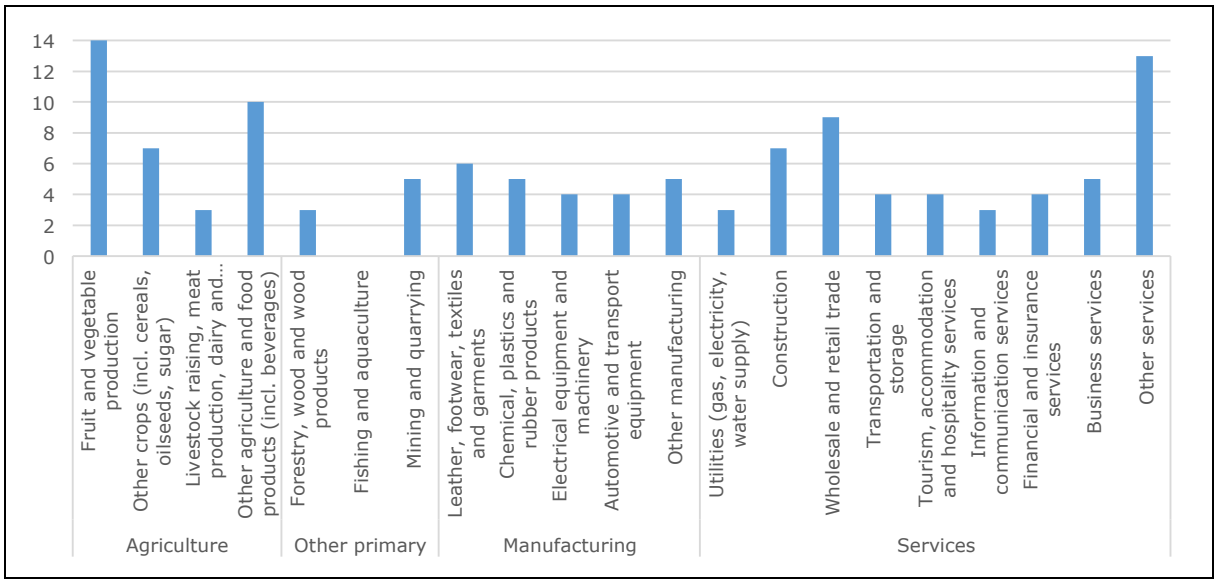
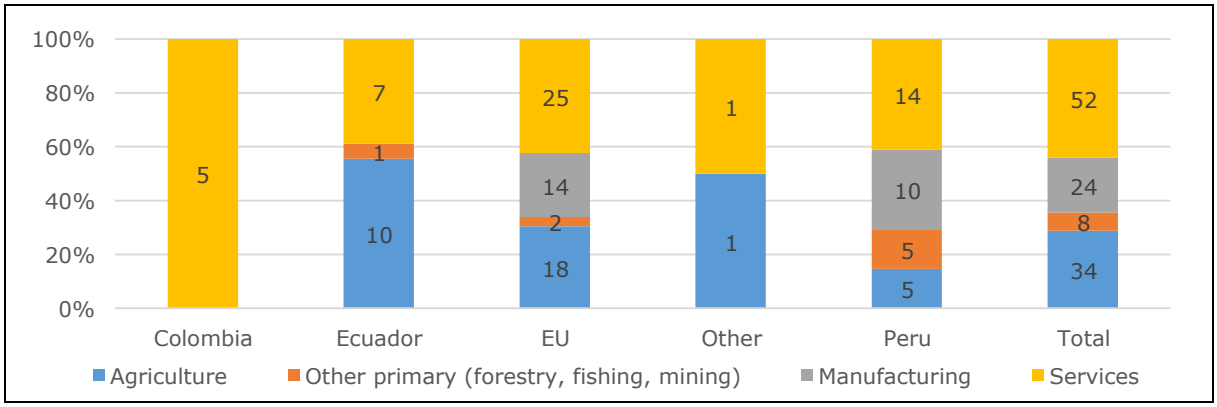


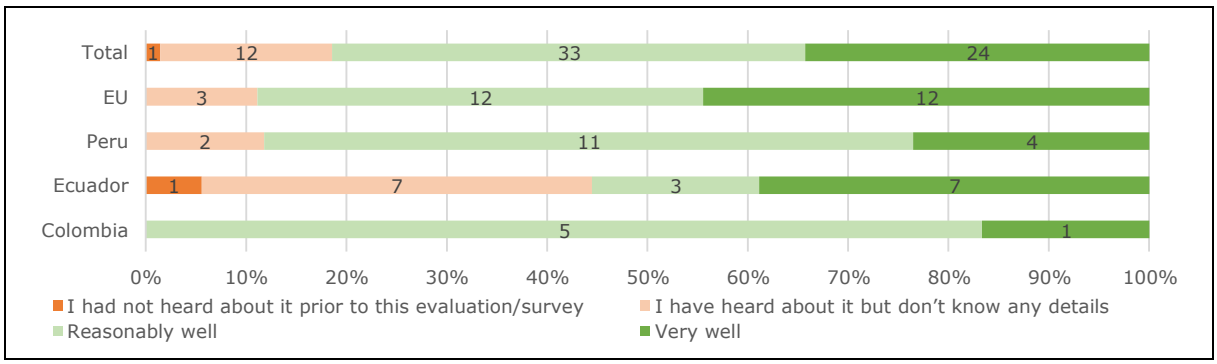
Figure 6: Respondents by region and sector (n=38)



3 AWARENESS OF THE AGREEMENT AND INFORMATION SOURCES

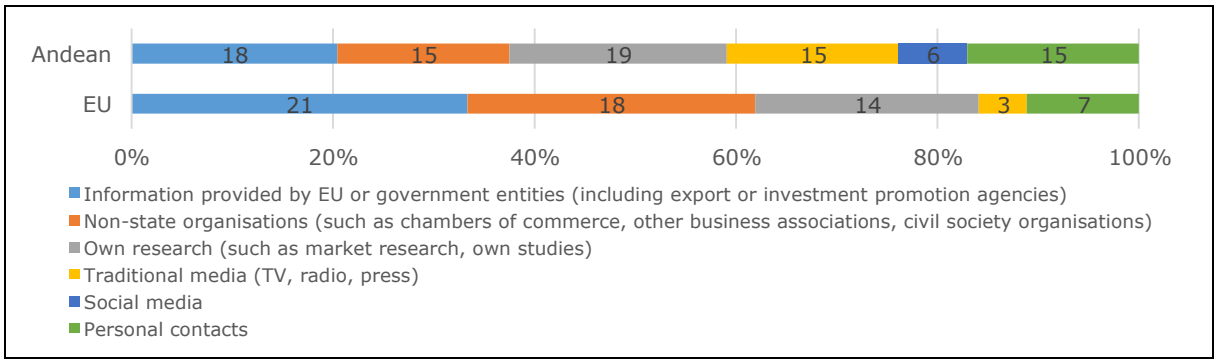
In terms of respondents' **awareness and knowledge of the Agreement**, more than 80% state that they know it "very well" or "reasonably well" (Figure 7). The only country where knowledge is more limited is Ecuador, where 44% of respondents state that they have only a basic understanding or not heard about the Agreement previously.

Figure 7: Knowledge of the Agreement (n=70)



The most important **sources providing information** to respondents are official information sources, non-state organisations and own research (Figure 8). The difference between the EU and Andean is considerable, however: in the Andean partner countries, traditional media, social media and personal contacts are much more important than in the EU. This could indicate a lack of information provided by official sources and organisations, or a lower level of trust in these sources in the Andean countries. At the same time, the higher reliance in the Andean partner countries on information obtained through personal contacts and social media could also mean a lower level of reliability of the information provided and held by respondents.

Figure 8: Sources of information about the Agreement (n=62)



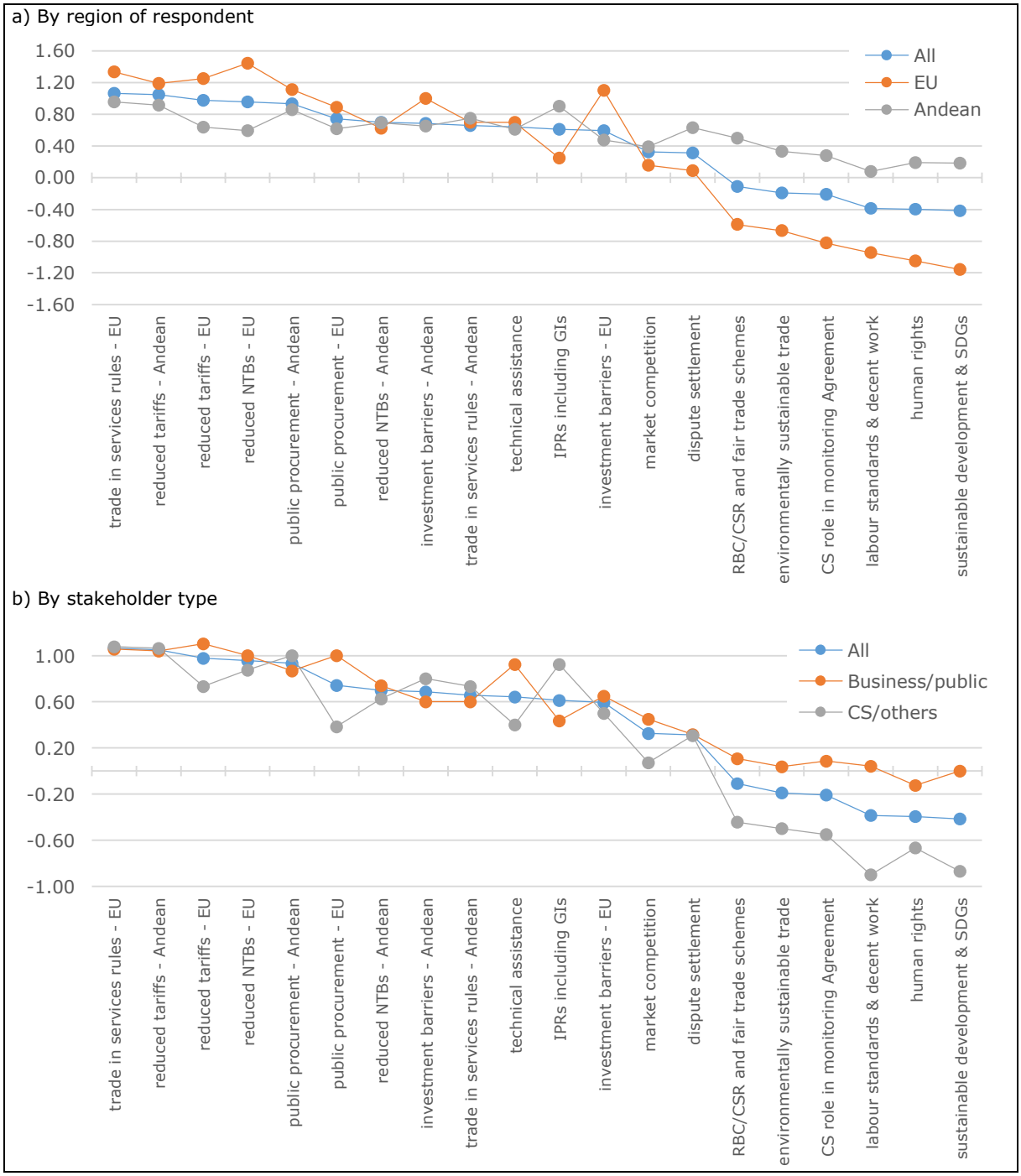
4 VIEWS ON THE ACHIEVEMENT OF OPERATIONAL OBJECTIVES AND IMPLEMENTATION OF THE AGREEMENT

4.1 Achievement of operational objectives

To summarise the views held by stakeholders on the different operational objectives of the Agreement, a simple indicator was constructed, whereby each response where a respondent "strongly agreed" with a statement in the questionnaire was assigned a value of 2, "somewhat agreed" a value of 1, "somewhat disagreed" a value of -1, and "strongly disagreed" a value of -2. All other responses ("no impact"; "I don't know") were assigned a value of zero. The indicator thus ranges from -2 (all respondents strongly disagreeing) to +2 (all respondents strongly agreeing).

Figure 9 shows the indicator values for all respondents as well as respondents by region (Figure 9a) and by type of stakeholder (Figure 9b).

Figure 9: Views on the achievement of operational objectives as seen by stakeholders - indicator (n=70)



Note: Indicator values range from -2 (all respondents strongly disagreeing) to +2 (all respondents strongly agreeing).

The main observations are:

- The achievement of the trade and economic objectives – liberalisation of tariffs, NTBs, trade in services, public procurement markets, investment barriers, and strengthening of IPR and GIs – as well as technical assistance is viewed as clearly positively (index scores of 0.5 and more). Wider objectives such as strengthening market competition and dispute settlement are also viewed slightly positively, on average. Conversely,

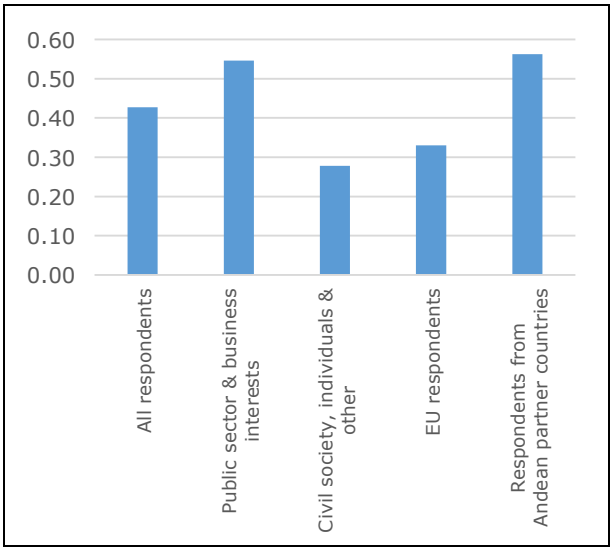
average index scores are negative regarding the achievement of the Agreement's objectives related to ensuring inclusive and equitable trade between the parties (incl. uptake of CSR/RBC and promotion of fair trade), fostering environmentally sustainable trade, promoting labour standards and decent work, avoidance of negative impacts on the enjoyment of human rights, and contributing to the achievement of the SDGs. Its roles in establishing a framework for civil society participation is also seen critically;

- Differences in views between EU and partner country respondents (Figure 9a) are limited with respect to the trade and economic aspects, although EU stakeholders are slightly more positive about these – except for the protection of IPRs/GIs, which EU stakeholders view less positive than partner country respondents. Conversely, views differ substantially with regard to the achievement of non-economic objectives, where EU stakeholders are markedly more critical than Andean stakeholders;
- A similar pattern exists when disaggregating responses by type of respondent (Figure 9b). Differences in views regarding the achievement of trade/economic objectives are mostly limited, except more positive views held by business and public sector respondents regarding the Agreement's effects on public procurement in the EU and technical assistance, and a more positive view among civil society and individual respondents on its role for strengthening IPRs. With regard to the non-economic objectives, business and public sector respondents see a neutral or limited role of the Agreement, whereas civil society and individual respondents are clearly more dissatisfied with the Agreement (as indicated by index scores of -0.5 and below).

To measure the **overall level of stakeholder satisfaction with the achievement of operational objectives**, the simple average index score across all individual questions was calculated (Figure 10). This indicates that on average all groups of stakeholders distinguished assess the Agreement positively (index scores are all positive), with an average score of 0.43 (zero would be neutral). Business and public sector respondents are more positive (0.55) than civil society and individuals (0.28), and respondents from Andean countries are more positive (0.56) than EU respondents (0.33).

Survey participants were also asked to explain their responses regarding the achievement of the Agreement's operational objectives. 44 out of 70 respondents did so. The responses show that business representatives focus on the performance of the Agreement regarding the facilitation of trade between the Parties, including remaining trade irritants, whereas other respondents explain their views regarding the effects of the Agreement on various aspects of sustainable development.

Figure 10: Achievement of operational objectives as seen by stakeholders (overall score)

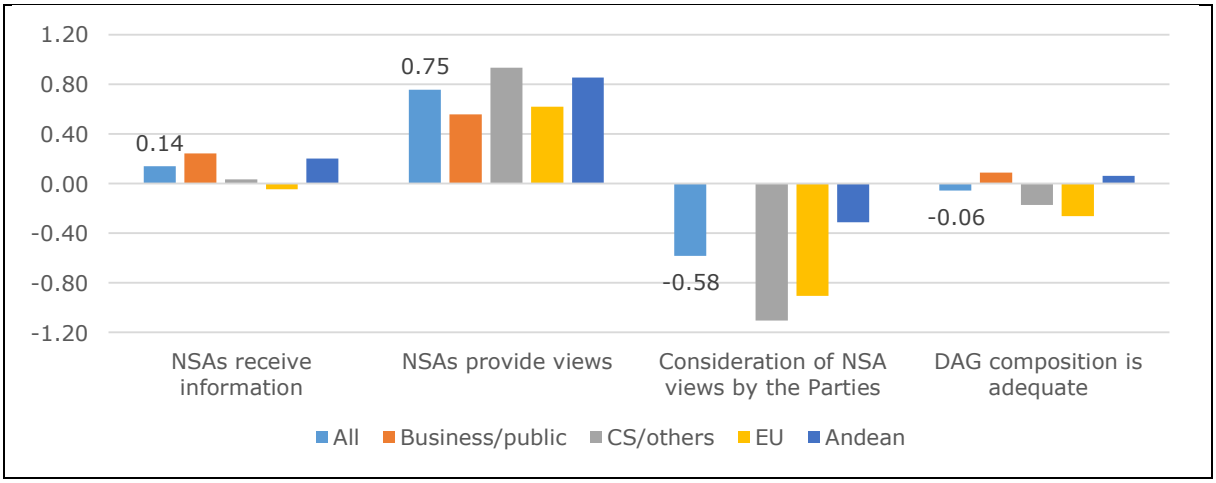


4.2 Involvement on non-state actors in the implementation and monitoring of the Agreement

Survey participants were also asked to state their level of agreement or disagreement with a number of statements on the involvement of non-state actors (business representatives, civil society groups, workers' organisations) in the implementation of the Agreement and its monitoring, notably to what extent they receive information, provide their views about the Agreement, to what extent their views are taken into consideration by the Parties, and whether the composition of the DAGs/civil society participatory bodies is adequate.

Figure 11 summarises the responses, using the same index scoring as for the operational views (section 4.1). It shows that respondents view the contribution of views by non-state actors on the Agreement positively (index score of 0.75), and are largely indifferent (on average) regarding the level of information that non-state actors receive by the Parties as well as regarding the composition of the civil society bodies under the Agreement. On the other hand, the extent to which views and contributions by non-state actors are taken up by the Parties is seen critically (indicated by the negative index score of -0.58) – this applies both to the average across all respondents and also individually to all stakeholder groups except public sector and business respondents. Generally, civil society/trade union/ individual as well as EU respondents are more critical than public sector/business and Andean respondents, with the (unsurprising) exception of the role of non-state actors in providing their views on the Agreement.

Figure 11: Stakeholder views on the involvement of non-state actors in the implementation and monitoring of the Agreement



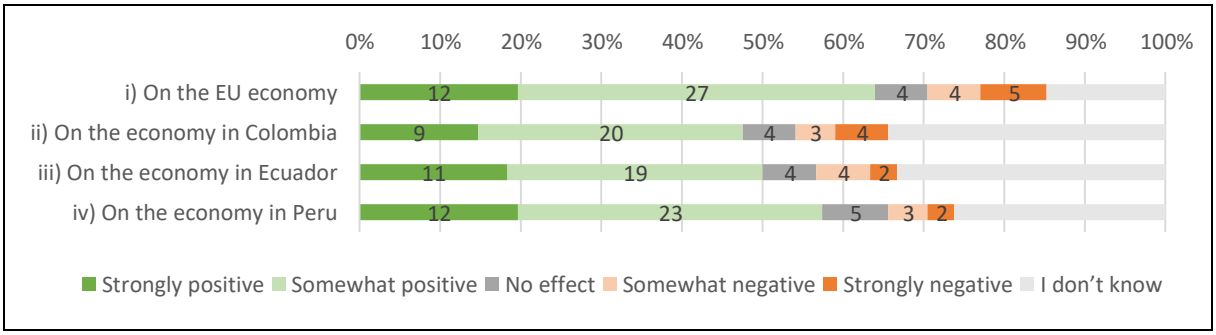
In their explanations of the views expressed, most respondents mentioned weaknesses in the current composition of the DAGs as well as the reluctance of Governments/the Parties to take on board or consider views of civil society actors; most of the critical comments refer to the situation in the partner countries rather than the EU, although one respondent also stated that the mechanism should be broadened more generally and include all those stakeholders that would be impacted by the Agreement, including those outside of the Parties. Some recommendations for improving the operations of DAGs were also provided.

5 VIEWS ON THE ECONOMIC IMPACT OF THE AGREEMENT

5.1 Overall economic impact

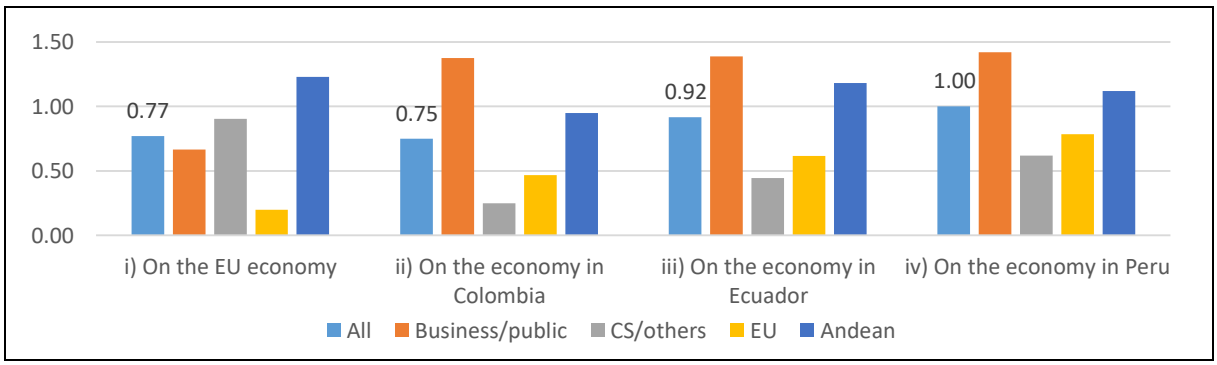
When asked about the Agreement's overall impact on the economies of the Parties, a clear majority of respondents considers the impact to be positive for all four Parties (Figure 12).

Figure 12: Distribution of views on the economic effects of the Agreement on the Parties



The overall positive assessment is held across all respondent groups (by type and by region), as indicated by the positive scores in Figure 11. Based on all responses, the positive impacts noted are fairly strong, ranging from a score of +0.75 for Colombia to +1.00 for Peru (on a range from -2.0 to +2.0). At the same time, views differ considerably across sub-groups of respondents. Thus, EU respondents tend to see the larger economic benefits in the Andean partner countries and vice versa. Business and public sector respondents also see the strongest positive impacts in the Andean partner countries (with index scores of about +1.4 for all three countries), with still considerable positive effects on the EU economy (+0.67). On the other hand, civil society, trade union and individual respondents find the larger benefits for the EU economy (+0.90) and only smaller benefits for the Andean partner countries (ranging from +0.25 for Colombia to +0.62 for Peru) – but positive impacts nevertheless. This latter group of respondents is more critical overall, with the exception of their assessment of the Agreement's impact on the EU economy.

Figure 13: Agreement impact on the Parties' economies, by respondent type and region



Note: Indicator values range from -2 (all respondents noting a strong negative impact) to +2 (all respondents noting a strong positive impact). 52 respondents expressed their view on the impact in the EU, 45 on Peru, and 40 each on Colombia and Ecuador.

Respondent's explanations of the stated economic impacts refer to the increased trade between the parties as the basis for the economic benefits. However, a number of respondents also note that exports from the Andean countries have not diversified, that certain sectors have not benefitted, and that benefits have not been distributed equitably.

5.2 Economic effects in the EU and Partner countries

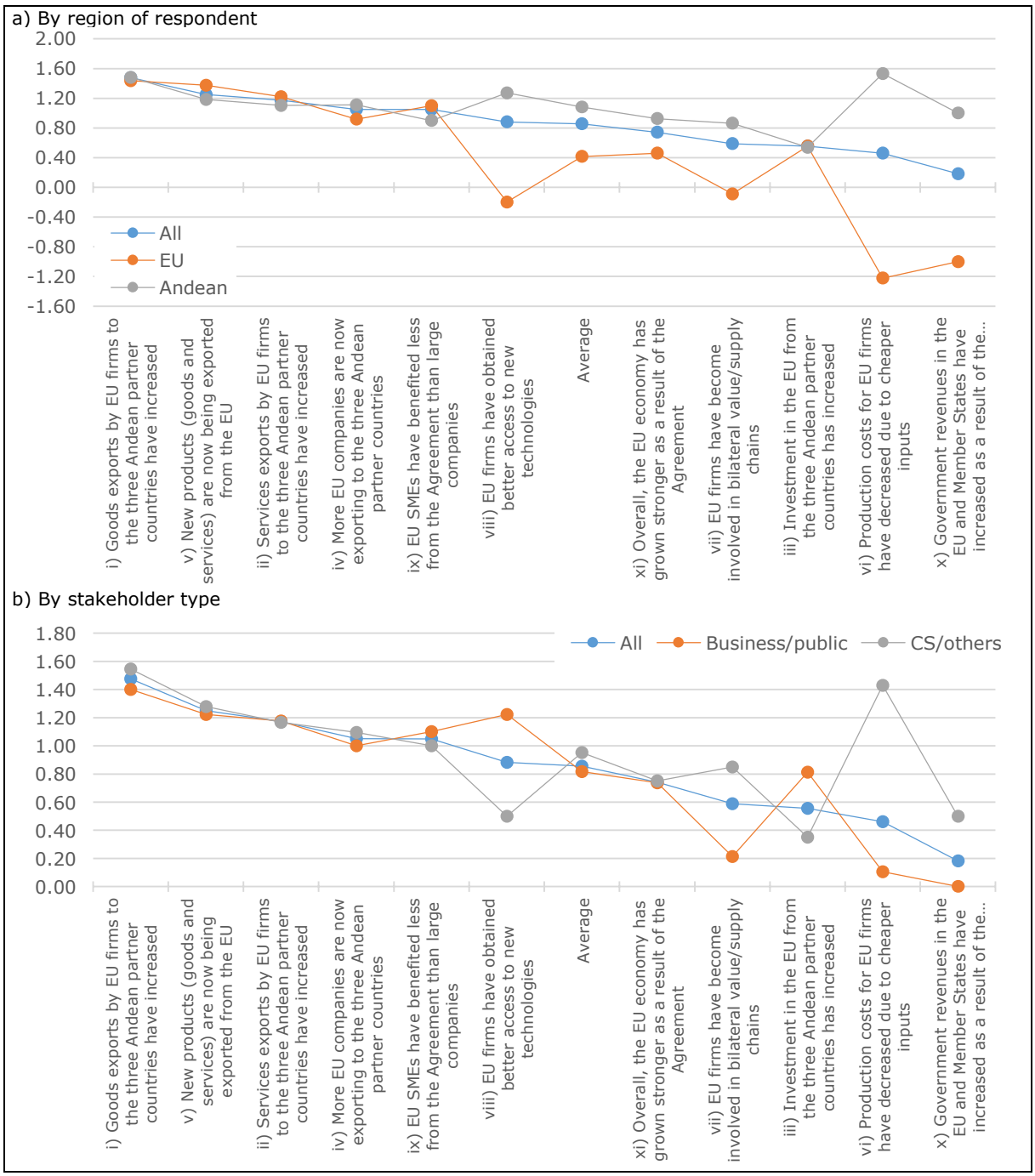
Asked about various business and economic effects that the Agreement has had **in the EU** (Figure 14), the average assessment across all respondents is positive for almost all different effects, with the strongest positive effect found being increases in EU goods exports to the partners (+1.48 on a scale of -2 to +2), and a still slightly positive effect (+0.18) on public revenues in the EU and its Member States. Other strongly positive effects are noted for new EU products being exported (+1.25), EU services export increases (+1.17), and more EU companies exporting to the partners (+1.05). Weaker positive effects are noted (apart from public revenues) for the Agreement's effect on EU production costs (+0.46), Andean partner investments in the EU (+0.56) and EU firms' involvement in bilateral value chains (+0.59). The only negative effect noted by respondents overall is that SMEs have benefitted less from the Agreement than larger firms (agreement score of +1.05).

Whereas there is broad agreement across different groups of respondents (by region and stakeholder type) on the most positive effects, regarding some effects views differ substantially. In particular:

- EU respondents are sceptical regarding the Agreement's effects on EU firms' production costs (-1.22), and public revenues (-1.0), and to a lesser extent also the Agreement's effect on enabling access to new technologies (-0.2) and the facilitation of bilateral value chains (-0.09). Andean respondents see much more positive effects in these areas;

- Business and public sector respondents are relatively more positive than other stakeholders about the access to technology which the Agreement has generated for EU firms as well as Andean investment in the EU facilitated by the Agreement. Conversely, civil society and other respondents consider cheap access to inputs and associated reduction in production costs as the main effect of the Agreement in the EU.

Figure 14: Views on the Agreement's different economic effects in the EU

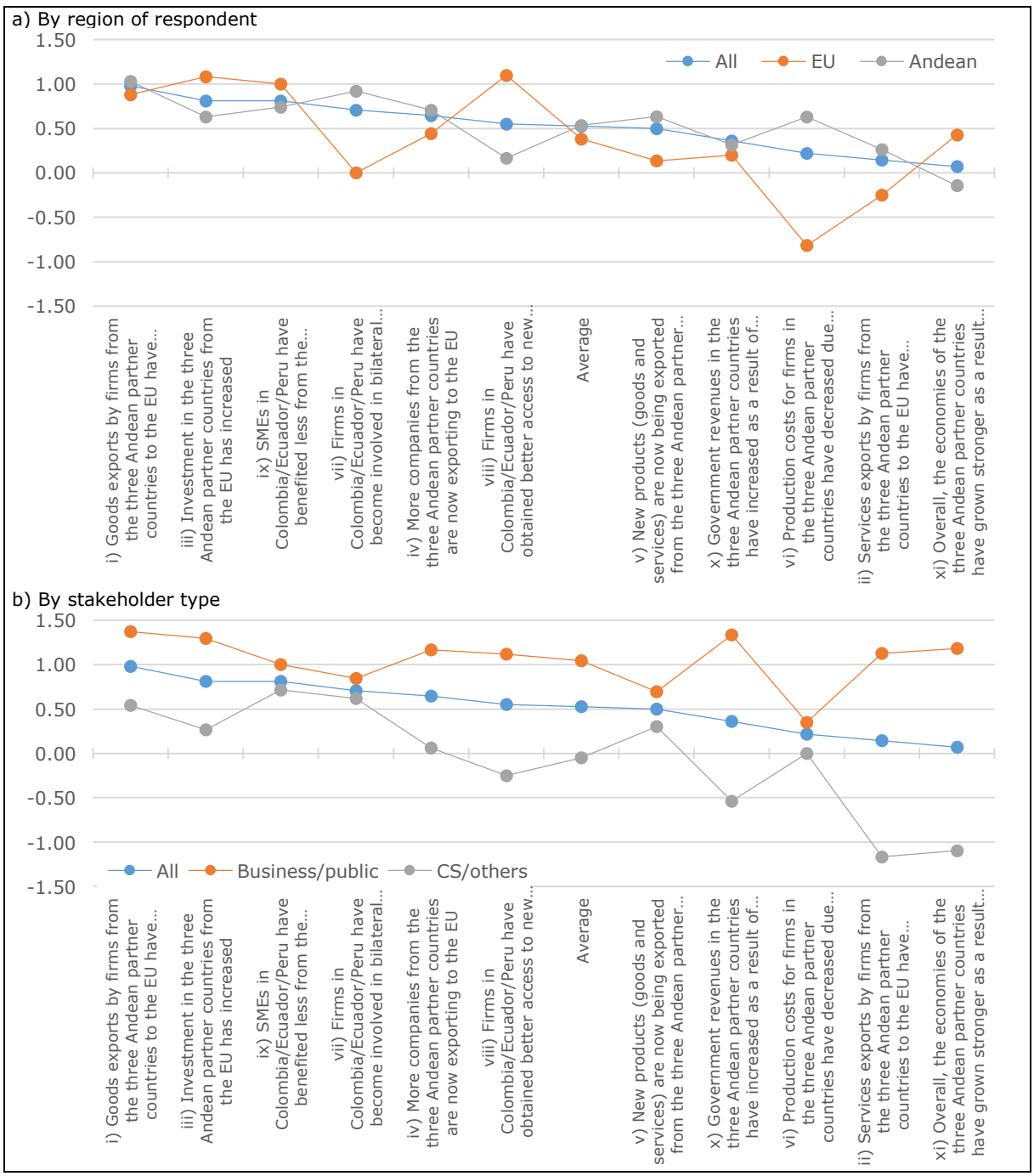


Note: Indicator values range from -2 (all respondents strongly disagreeing) to +2 (all respondents strongly agreeing). Between 24 and 46 respondents expressed a view on the different effects.

Explanations and comments made by respondents regarding the Agreement's effects in the EU mostly focus on developments in goods trade, i.e. increases in EU exports, participation of more EU firms in bilateral trade, and improvements in the EU's bilateral trade balance with the partner countries.

The average assessment across all respondents is also positive for most of the Agreement's business and **economic effects in the Andean partner countries**, but slightly less so than for effects in the EU (Figure 15). The strongest perceived positive effects are increases in Andean partner countries' goods exports to the EU (+0.98 on a scale of -2 to +2), followed by increased EU investment in the partner countries (+0.81) and a higher involvement of partner country firms in bilateral value chains (+0.71). Weaker positive effects are noted for the Agreement's effect on an overall strengthening of the partner country economies (+0.07), increased partner country services exports (+0.14) and a reduction in partner country firms' production costs (+0.22). The only negative effect noted by respondents overall is, as in the case of effects in the EU, that SMEs have benefitted less from the Agreement than larger firms (agreement score of +0.81).

Figure 15: Views on the Agreement's different economic effects in the Andean partner countries



Note: Indicator values range from -2 (all respondents strongly disagreeing) to +2 (all respondents strongly agreeing). Between 32 and 58 respondents expressed a view on the different effects.

Compared with the views on effects in the EU, the different groups of respondents have more diverse views on the Agreement's economic and business effects in the partner countries. In particular:

- EU respondents are more positive than partner country respondents (Figure 15a) about the Agreement's effects on partner country firms' access to better technology (+1.10 vs. +0.17), partner investments in the EU (1.08 vs. +0.63), and the effect on the Andean economies overall (+0.43 vs. -0.14) – note, however, that this result conflicts with the responses provided to the question on overall effects on the economies, where Andean respondents were more positive than EU respondents (see section 5.1 above). Andean respondents are more positive about all other effects mentioned in the survey question, most clearly so regarding the Agreement's impact on production costs for Andean firms (+0.63 vs. -0.82), and a stronger involvement of partner country firms in bilateral value chains (+0.92 vs. 0.00);
- Business and public sector respondents are more positive than other stakeholders regarding most effects of the Agreement (Figure 15b). The biggest differences in views between them and other stakeholders (civil society, trade unions and individual respondents) are those regarding government revenues (1.33 vs. -0.54), partner country services exports (+1.13 vs. -1.17) and the impact on the economy overall (+1.18 vs. -1.10) – the negative views of other stakeholders on the overall effect do not align with the alternative question posed separately in the survey (see section 5.1 above).

Explanations and comments made by respondents regarding the Agreement's effects in the partner countries on the positive side refer to increases in partner country exports, diversification of exports, better access to innovation and technology, and more investment. On the negative side, the effects of increased import competition on certain sectors and groups (dairy and smallholder farmers), slower export growth and a worsening of the trade balances since the start of application of the Agreement are mentioned, as well as a return to more exports of primary products. Some respondents highlight the positive effects for SMEs, whereas others point to the need for further support to them.

5.3 Sectoral and regional effects

According to the survey responses, the Agreement has affected more **sectors**, and in greater intensity, in the Andean partners countries than in the EU – for the Andean countries, 17 sectors are mentioned, compared to five for the EU, and individual sectors in the Andean countries are also typically more often mentioned by respondents.

Table 2 summarises the responses, listing all the sectors that were mentioned, as well as the number of positive, negative or indeterminate effects of the Agreements as mentioned in the responses, separately for the EU and the Andean partner countries; where the number of positive impacts mentioned is larger than the number of negative impacts, a sector is listed in green; in the opposite case in red.

By far the most often mentioned sector is agriculture and agroindustry, for which a large majority of respondents finds positive impacts in the Andean countries, driven by the increase in exports; in turn, a majority of respondents listing this sector as being affected in the EU notes a negative effect, mostly due to "unfair competition generated by imports from Andean countries." Two agricultural subsectors, dairy and processed potatoes, are seen as negatively affected in the Andean countries (and not mentioned for the EU). In both cases this is explained by "heavily subsidised sector in EU, unfair competition with small scale industry in Colombia" (dairy), respectively "apoyo en UE a productores y transformadores" (processed potatoes exported to Peru).

Other benefiting sectors mentioned several times for the Andean countries are fishery (and aquaculture), tourism, and the automotive sector. This latter sector is also the only one

(in addition to the TSD "sector"), where net positive effects are mentioned both for the EU and the Andean partner countries.

Table 2: Sectors affected positively or negatively by the Agreement in the Andean partner countries and the EU, as seen by respondents

Sector	Effects in Andean partner countries (positive/negative/ indeterminate)	Effects in EU (positive/negative)
Agriculture	20/5/1	1/4
Mining	2/3/7	-/-
Dairy	-/8/-	-/-
Textiles & garments	-/-/7	-/-
Agroexports	-/-/7	-/-
Fishery	5/1/-	-/-
Tourism	5/-/-	-/-
Automotive	2/1/-	2/-
Agroindustry	4/-/-	-/-
Paper	-/4/-	-/-
Services	1/1/-	1/1
Aquaculture	2/-/-	-/-
Processed potatoes	-/2/-	-/-
Banana	1/-/-	-/1
Trade & Sustainable Development	1/-/-	1/-
Sugar	-/-/-	-/2
Renewable energy	1/-/-	-/-
Shrimps	1/-/-	-/-
Coffee	1/-/-	-/-
SMEs	1/-/-	-/-
Cut flowers	1/-/-	-/-
Beverages	1/-/-	-/-
Mercado publico	1/-/-	-/-
Food	-/1/-	-/-
Cheese	-/1/-	-/-
Milk powder	-/1/-	-/-
Textiles	-/1/-	-/-
Metal-mechanics	-/1/-	-/-
Visas	-/1/-	-/-
Manufacturing	-/1/-	-/-
Chemicals	-/-/-	1/-
IT	-/-/-	1/-
Transport	-/-/-	1/-
Ethanol	-/-/-	-/1

Relatively few survey participants highlight specific **regions** across the four Parties where the Agreement had an impact (Table 3). By and large, the effects mentioned mirror the country-wide effects: Where positive effects are stated, these are explained by increased exports of a region (e.g. in most regions in Ecuador, as well as some in Colombia and Peru). Negative regional effects in the Andean partner countries are the result of increased import competition for products on which a region depends (e.g. dairy in Antioquia, Colombia), lack of value addition, as well as regional environmental and labour effects (in Peruvian regions). In the EU, negative impacts on the banana sectors of outermost regions (Canary Islands, Madeira, Martinique and Guadeloupe) are mentioned, resulting from increased banana exports from the Andean partner countries to the EU.

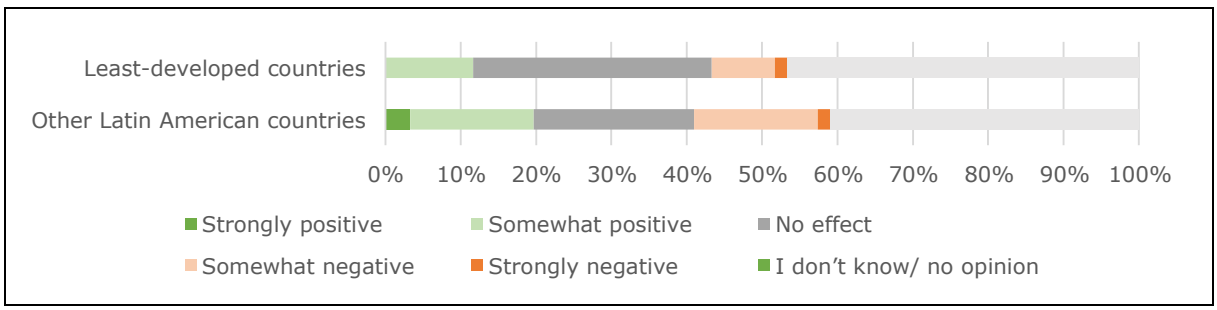
Table 3: Regions within the Agreement Parties affected positively or negatively by the Agreement, as seen by respondents

Party	Region	Effect	Explanation/comment
Colombia	Antioquia	Negative	Por los impactos sobre el sector lácteo en este departamento del país. Los crecientes importaciones de productos lácteos provenientes de la UE ha impactado fuertemente la producción local
	Bogotá	Positive	En términos de inversión, la UE sigue siendo el principal inversionista en Colombia
	Caribe	Positive	More trade related business activities
Ecuador	Costa	Positive (7 reponses)	Increase in exports: more products for export, like cacao, fruits, fish, shrimp, etc
	Galapagos	Positive	Tourism
	Guayaquil	Positive	More trade related business activities
	Provincias	Positive	El Acuerdo ha permitido el acceso a empresas dispersas en diferentes provincias del país
	Región subtropical	Positive	Diversificación de exportaciones
	Sierra	Positive (3)	The industry has developed more new and local products for export, like beverages, grains, cereal, etc
EU	Canarias, Madeira, Martinique & Guadeloupe	Negative	Extremely negative: Increase in banana imports from Andean countries, which caused an oversupply of the European market
Peru	Amazonia	Negative	Forcierung Palmölexport: dadurch Regenwaldzerstörung
	Costa	Indeterminate (7)	Positivo: incremento de las exportaciones de productos agroindustriales y confecciones hacia Europa. Negativo: no mejoraron las condiciones de empleo ni el ejercicio de derechos fundamentales.
	Costa	Negative	keine Weiterverarbeitung von Agarprodukten
	Highlands	Negative	keine Weiterverarbeitung mineralischer Rohstoffe
	Huancayo	Negative	Abuso en contra de los trabajadores
	Ica	Positive (2)	Crecimiento de exportaciones. Incremento de empleo. Aumento de área de producción
	La Libertad	Negative	Estreches hídrica. Aumento de área de producción
	Lima	Positive	More trade related business activities
	Moquegua	Negative	Impacto ambiental
	Piura	Indeterminate (3)	Positivo para empresarios: Crecimiento de exportaciones. Negativo para trabajadores del sector agrario. - Por la alta producción agroexportadora; violaciones de Derechos laborales.
	San Martín	Positive	Crecimiento de exportaciones

5.4 Economic effects in other countries

Survey participants do not have strong views on the Agreement's impacts on other Latin American countries and LDCs, as indicated by a relatively low number of responses. Those who did express a view are roughly evenly divided between seeing a positive or a negative impact (Figure 16).

Figure 16: Agreement impact on other Latin American countries and LDCs



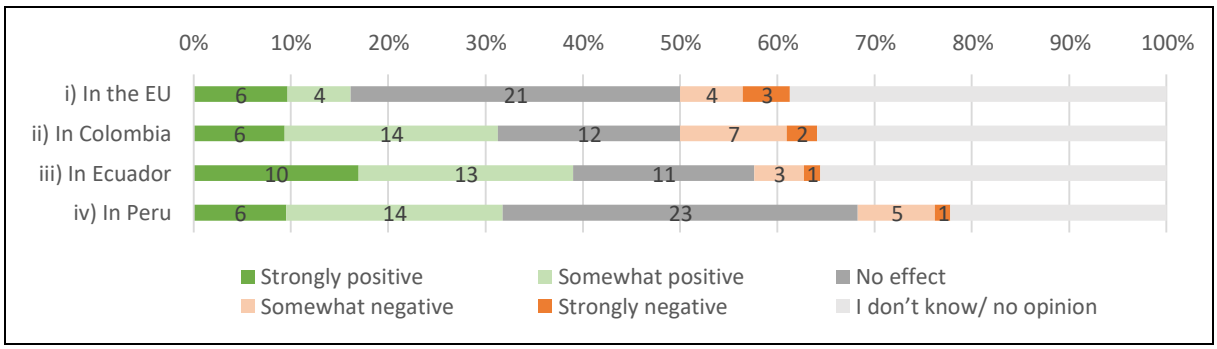
Note: 36 respondents expressed their view on the impact on other Latin American countries, and 32 on the LDCs.

6 VIEWS ON THE SOCIAL IMPACT OF THE AGREEMENT

6.1 Influence of the Agreement on overall social development issues

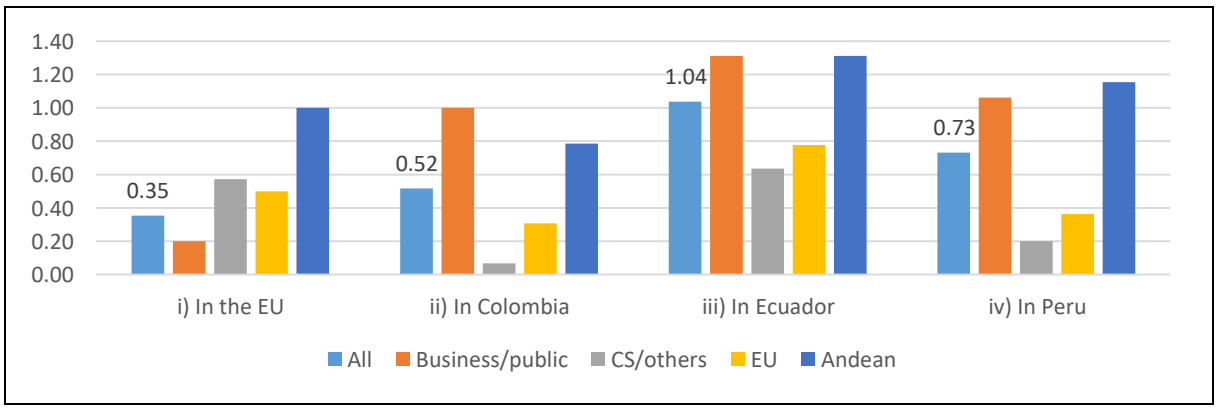
A majority of survey respondents also considers that the Agreement has exerted a positive influence on social development in each of the Parties (Figure 17). However, the majority is less clear than for the economic effects (see section 5.1 above), with a relatively high share of respondents finding no effect.

Figure 17: Distribution of views on Agreement influence on social development issues in the Parties



As in the case of economic effects, on average all respondent groups (EU and Andean; public sector/business and civil society/trade union/individual) consider that the influence on social development issues has been positive (Figure 18). EU and especially civil society respondents are more critical regarding the effects in the Andean partner countries, whereas public sector and business respondents consider the Agreement's influence in the EU to be small. All stakeholder groups consider that the influence on social development issues in Ecuador was most positive.

Figure 18: Agreement influence on social development issues in the Parties, by respondent type and region



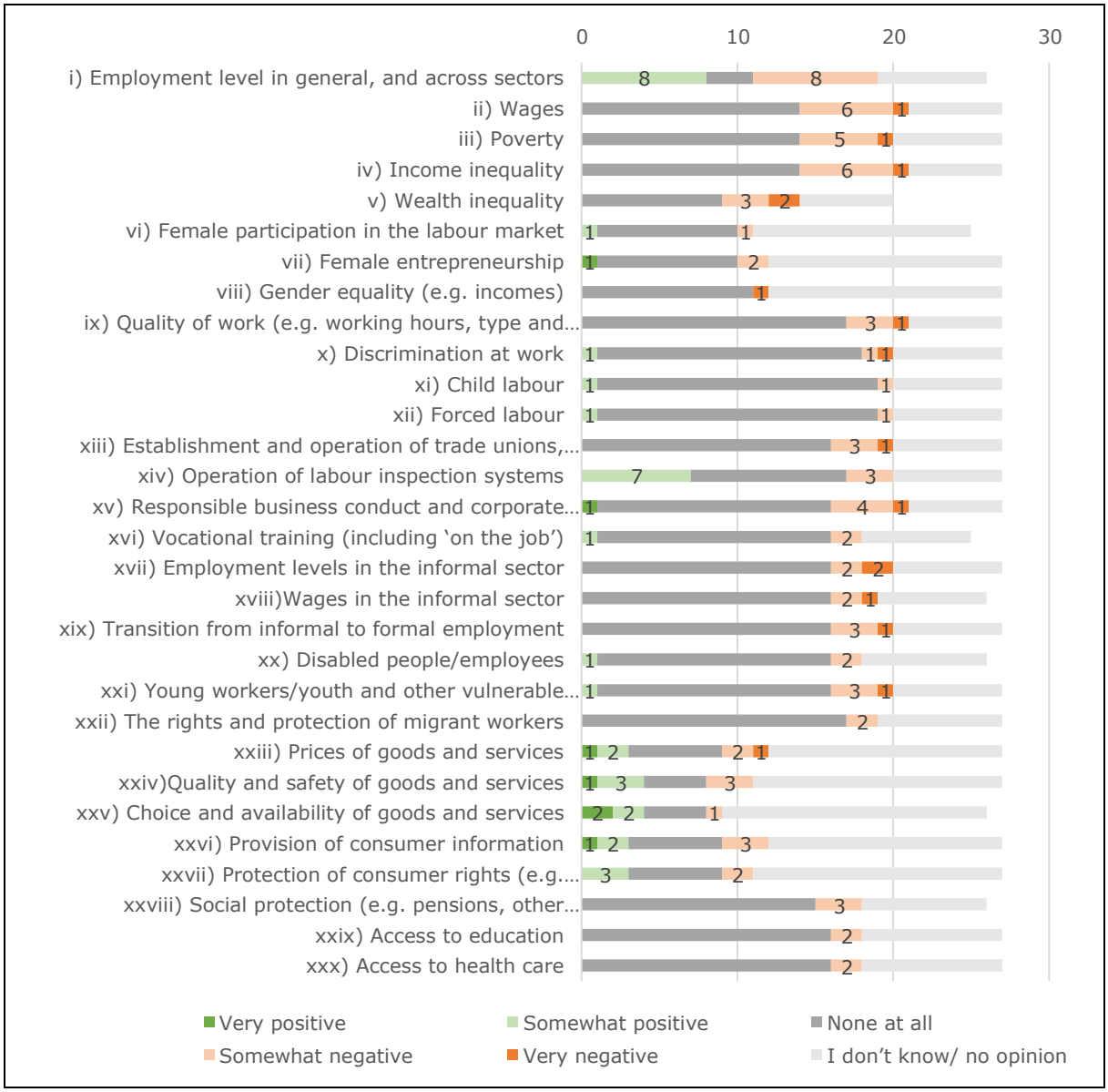
Note: Indicator values range from -2 (all respondents noting a strong negative influence) to +2 (all respondents noting a strong positive influence). 53 respondents expressed their views on the impact in the EU, 58 on Colombia, 49 on Ecuador, and 57 on Peru.

6.2 Social effects in the EU and Partner countries

Few respondents provided responses to the more detailed questions on social development effects of the Agreement – and most of those who did considered that the Agreement had no impact on most of the social indicators. Therefore, no disaggregation of responses into respondent sub-groups is provided here. Even the totals as reported in Figure 19 and Figure 20 are heavily affected by individual responses. In this context, it is to note that most detailed responses were provided by civil society actors who, as shown throughout this report, tend to be particularly critical of the Agreement's effects.

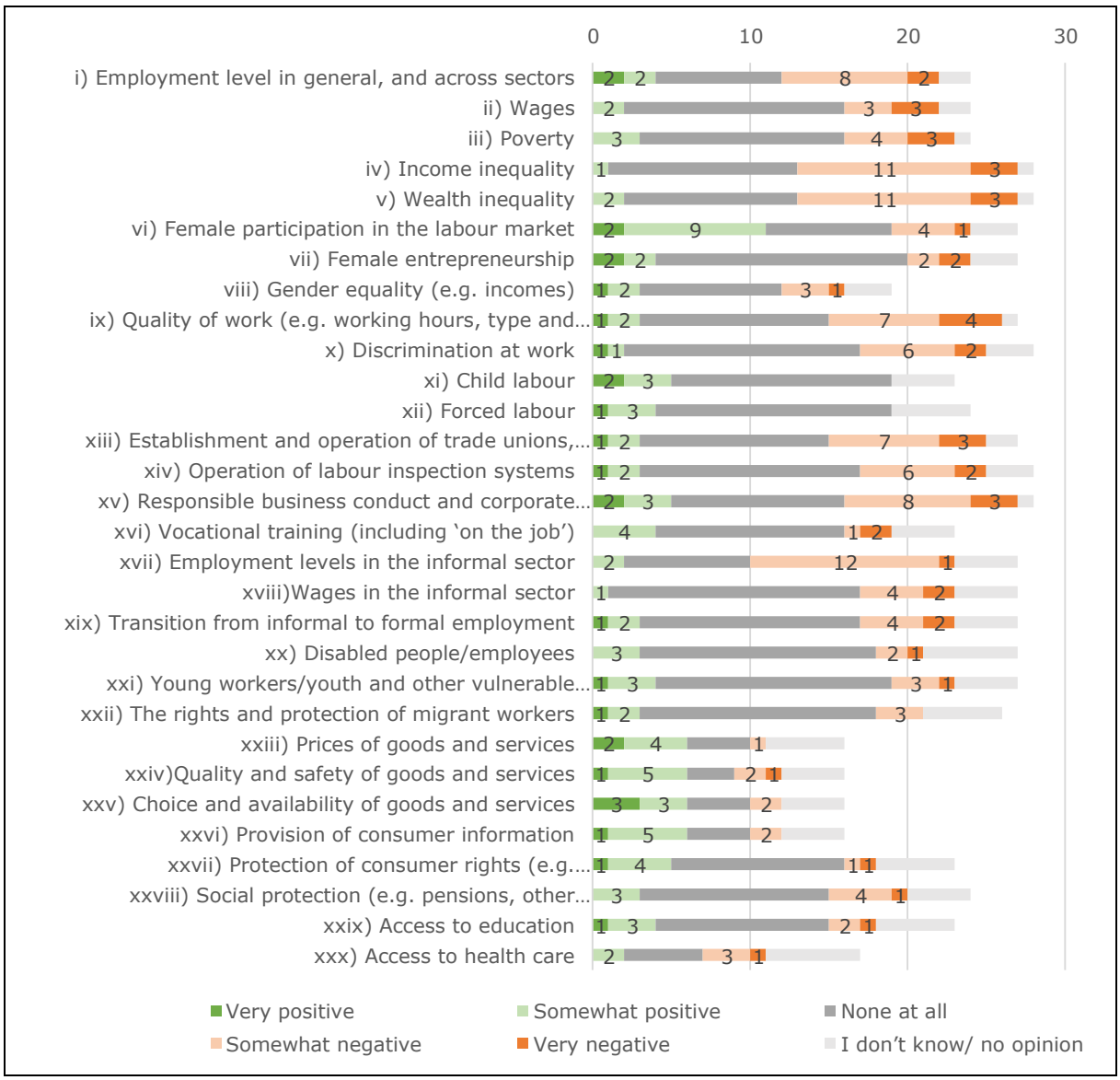
Given these considerations, we only provide the results in terms of numbers of responses but no interpretation regarding majorities.

Figure 19: Impact of the Agreement on social indicators in the EU (nr of responses)



The few comments provided regarding the Agreement's effects on social indicators in the EU mostly reflect the views that these have been limited. Most comments related to social effects in the Andean countries address issues with labour rights and working conditions.

Figure 20: Impact of the Agreement on social indicators in the Andean partner countries (nr of responses)



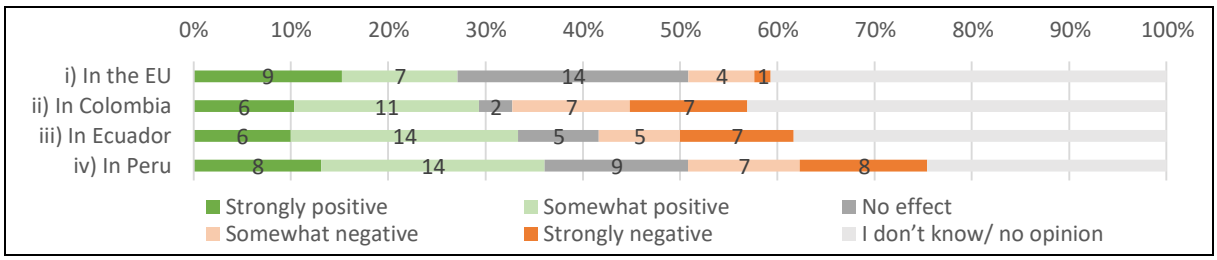
Responses to the effects of the Agreement on different **societal groups** show the heterogeneous views held by survey participants. No clear pattern is discernible, except for a slight tendency to see small-scale farmers and workers as mostly negatively affected, and large companies as mostly positively affected.

7 VIEWS ON THE ENVIRONMENTAL IMPACT OF THE AGREEMENT

7.1 Influence of the Agreement on environmental issues overall

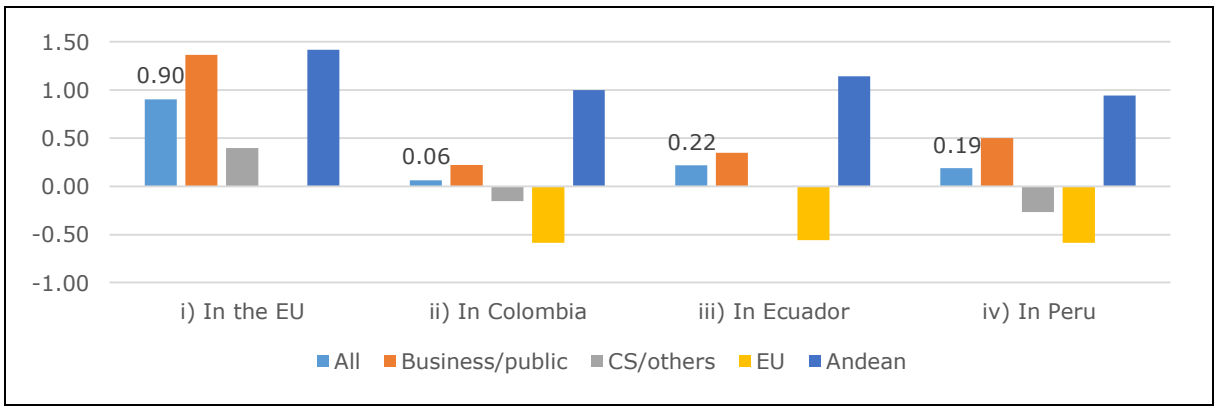
A majority of survey respondents also considers that the Agreement has exerted a positive influence on environmental issues in each of the Parties (Figure 21). However, for the Andean countries the majority is small, and respondents are clearly divided in their assessment, with relatively large numbers of responses finding "strong" positive respectively negative effects.

Figure 21: Distribution of views on Agreement influence on environmental issues in the Parties



The corresponding index scores confirm this (Figure 22): whereas the average across all respondents is clearly positive for the EU (+0.90), it is only marginally so for the Andean partner countries (ranging from +0.06 to +0.22). As before, EU and civil society respondents are more critical regarding the Agreement's environmental effects, especially in the Andean partner countries, where they on average find that the Agreement has had negative environmental effects. Conversely, Andean respondents are clearly positive about the effects in the Andean countries.

Figure 22: Agreement influence on environmental issues in the Parties, by respondent type and region



Note: Indicator values range from -2 (all respondents noting a strong negative influence) to +2 (all respondents noting a strong positive influence). 35 respondents expressed their views on the impact in the EU, 33 on Colombia, 37 on Ecuador, and 46 on Peru.

7.2 Environmental effects in the EU and Partner countries

As in the case of social effects (see section 6.2), few respondents provided responses to the more detailed questions on environmental effects of the Agreement. We therefore again only provide the results in Figure 23 and Figure 24 but no interpretation.

Figure 23: Impact of the Agreement on environmental issues in the EU (nr of responses)

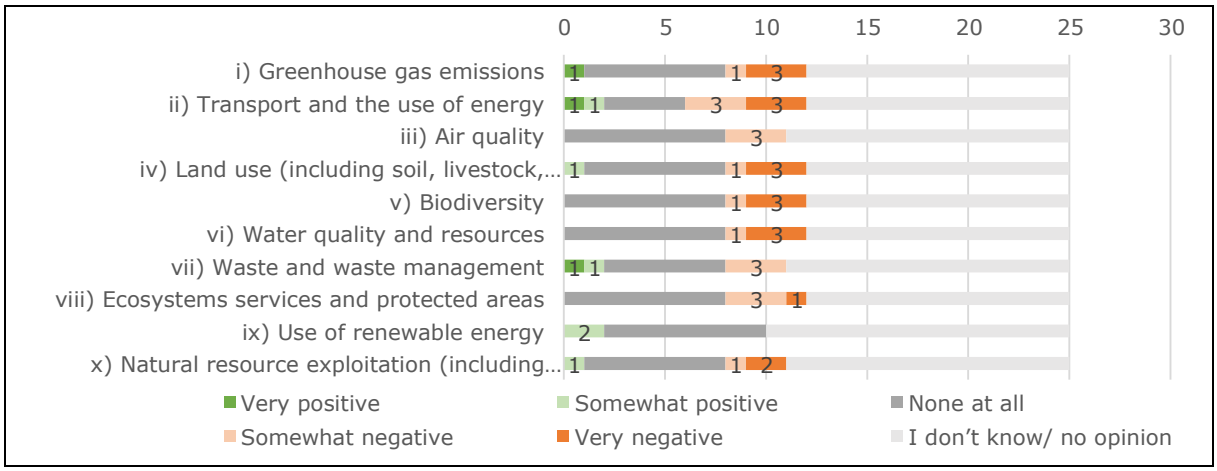
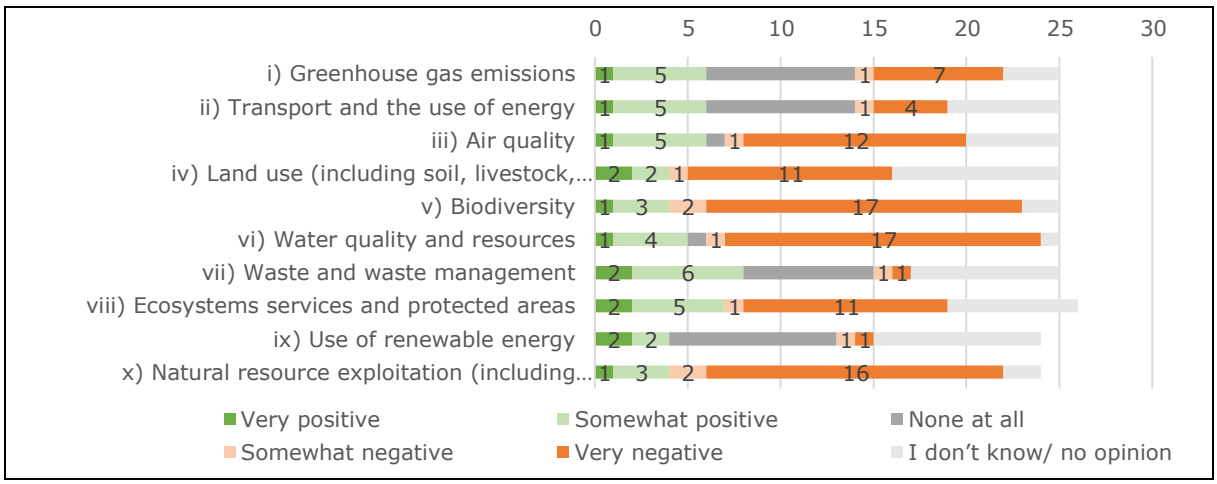


Figure 24: Impact of the Agreement on environmental issues in the Andean partner countries (nr of responses)



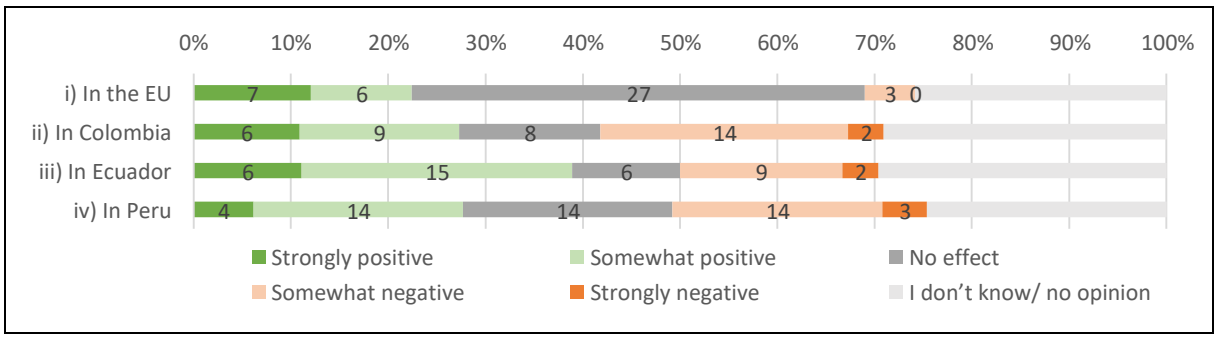
The comments provided regarding the Agreement's environmental effects in the EU (and globally) referred to the increases in output and transport and the corresponding effects on the environment. Comments provided regarding the Agreement's environmental effects in the Andean partner countries reflect the divided views of survey participants. On the one hand, the impact on increased production (especially in agriculture and mining) and the corresponding negative impacts on the environment, especially in a context of weak environmental protection rules, are highlighted. On the other hand, the effects of the Agreement's TSD Title on strengthening environmental norms and commitments are pointed out.

8 VIEWS ON THE HUMAN RIGHTS IMPACT OF THE AGREEMENT

8.1 Influence of the Agreement on human rights issues overall

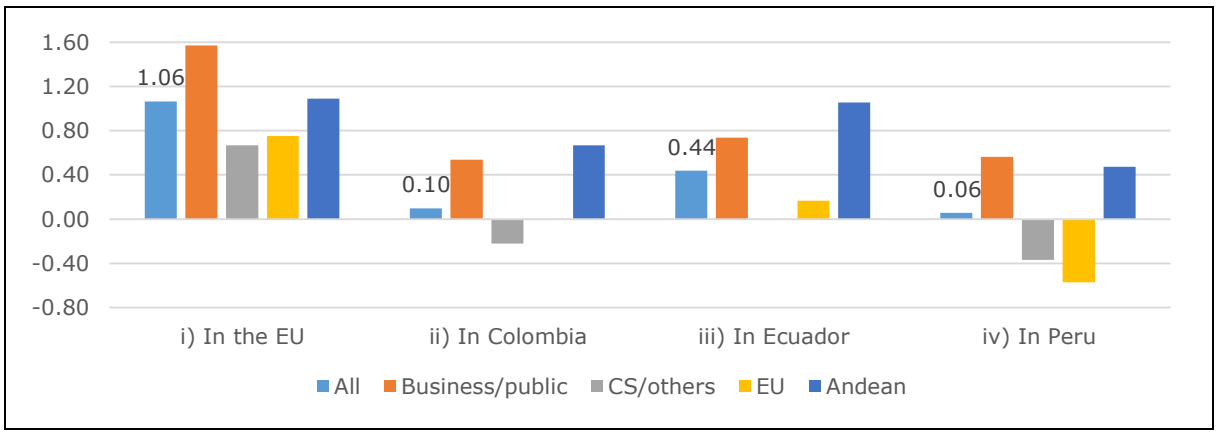
As in the case of environmental effects, survey respondents are divided over the influence which the Agreement has had on human rights, especially in Colombia and Peru, where almost the same number of respondents find a negative respectively positive influence; for Ecuador and the EU, majorities see positive effects (Figure 25).

Figure 25: Distribution of views on Agreement influence on the enjoyment of human rights in the Parties



This is also reflected in the corresponding index scores (Figure 26): the average assessment across all respondents is clearly positive for the EU (+1.06), and to a lesser extent also for Ecuador (+0.44), it is almost neutral for Colombia and Peru (+0.10 and +0.06, respectively). As before, EU and civil society respondents are particularly critical regarding the Agreement's influence on the enjoyment of human rights in the parties.

Figure 26: Agreement influence on the enjoyment of human rights issues in the Parties, by respondent type and region



Note: Indicator values range from -2 (all respondents noting a strong negative influence) to +2 (all respondents noting a strong positive influence). 43 respondents expressed their views on the impact in the EU, 39 on Colombia, 38 on Ecuador, and 49 on Peru.

8.2 Effects on selected human rights in the EU and Partner countries

As in the case of social effects (see section 6.2), few respondents provided responses to the more detailed questions on the human rights effects of the Agreement. We therefore again only provide the results in Figure 27 and Figure 28 but no interpretation.

Figure 27: Impact of the Agreement on selected human rights in the EU (nr of responses)

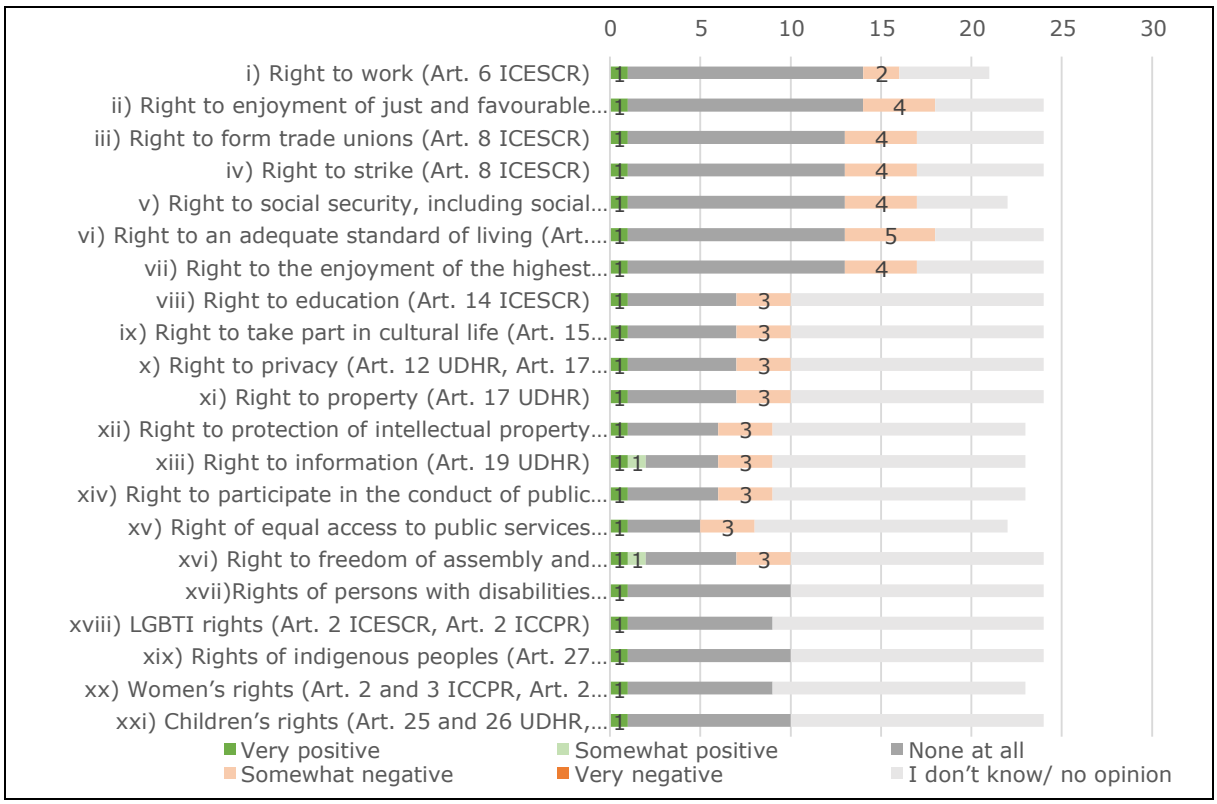
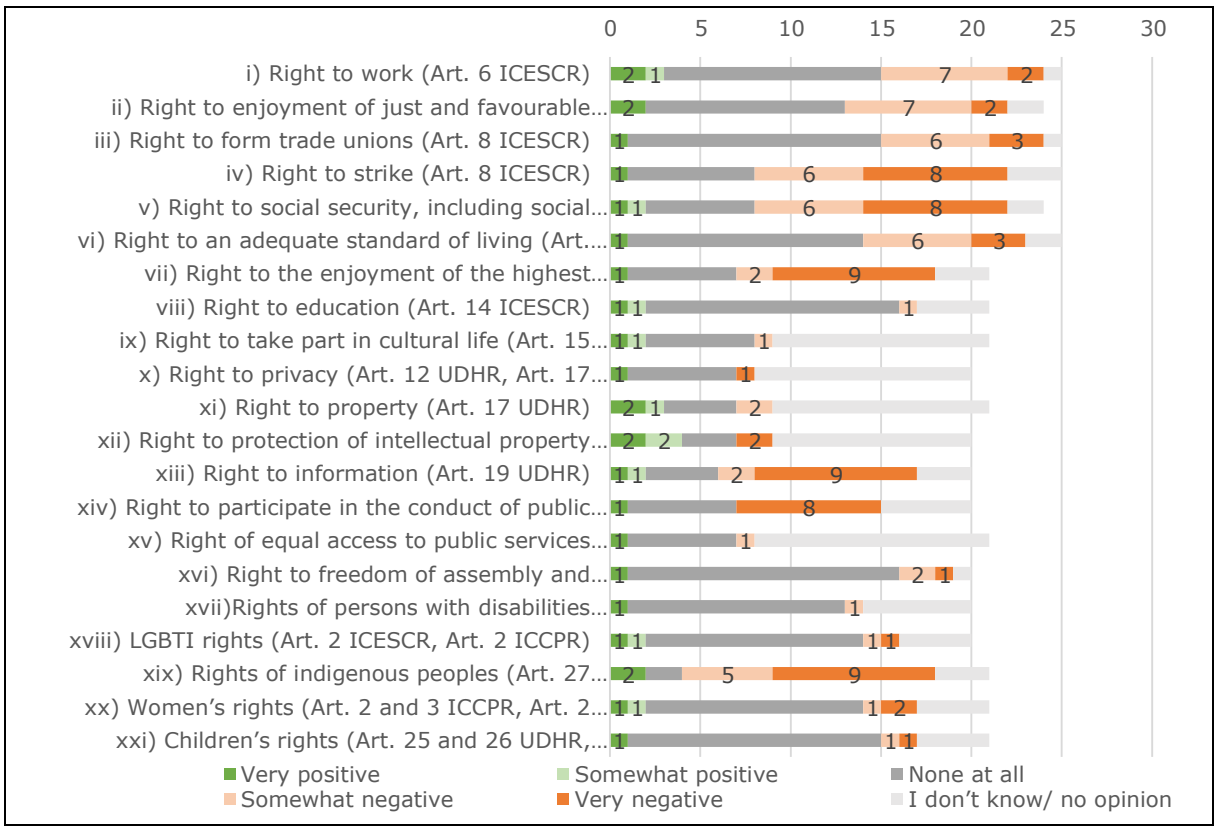


Figure 28: Impact of the Agreement on selected human rights in the Andean partner countries (nr of responses)



Labour-related rights are seen as most affected in the EU (Table 4), but few responses were provided, as already noted.

Table 4: Human rights in the EU most affected by the Agreement, as seen by respondents

Human right	Nr of mentions
Most affected human right	
iii) Right to form trade unions (Art. 8 ICESCR)	3
i) Right to work (Art. 6 ICESCR)	2
vi) 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)]	1
xiii) Right to information (Art. 19 UDHR)	1
Second most affected human right	
ii) Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)	6
xii) Right to protection of intellectual property (Art. 15 ICESCR, Art.27 UDHR)	1

The comments provided regarding the Agreement's human rights effects in the EU mostly highlight the limited nature of any effects.

Also in the Andean partner countries, labour-related rights are seen as most affected (Table 5). Broader social rights, such as the right to adequate standard of living) and the rights of indigenous peoples were also mentioned by more than one respondent.

Table 5: Human rights in the Andean partner countries most affected by the Agreement, as seen by respondents

Human right	Nr of mentions
Most affected human right	
iii) Right to form trade unions (Art. 8 ICESCR)	6
ii) Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)	2
vi) 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)]	2

xiii) Right to information (Art. 19 UDHR)	1
i) Right to work (Art. 6 ICESCR)	1
xix) Rights of indigenous peoples (Art. 27 ICCPR, ILO Convention No. 169, HRC General Comment No.23, CESCR General Comment No.21)	1
Second most affected human right	
ii) Right to enjoyment of just and favourable conditions of work (Art. 7 ICESCR)	7
xix) Rights of indigenous peoples (Art. 27 ICCPR, ILO Convention No. 169, HRC General Comment No.23, CESCR General Comment No.21)	2
i) Right to work (Art. 6 ICESCR)	1
xvi) Right to freedom of assembly and association (Art. 21 ICCPR, Art. 22 ICCPR)	1
v) Right to social security, including social insurance (Art. 9 ICESCR)	1
xii) Right to protection of intellectual property (Art. 15 ICESCR, Art.27 UDHR)	1

Most comments related to human rights effects in the Andean countries again address labour rights issues, as well as the limited powers which the Agreement provides to address matters under the TSD Title; limited protection of indigenous populations and rural communities are also mentioned.

9 CONCLUDING QUESTIONS

9.1 Policy Coherence

Respondents' views on the Agreement's coherence with wider EU policy objectives are divided. A large majority considers that the Agreement is fully or at least somewhat aligned with the EU's trade policy, but simple majorities of respondents consider that it is "not at all aligned" with the EU's commitment to the SGs and to the promotion of decent work, as well as EU environmental policy objectives (Figure 29). EU respondents as well as civil society/trade unions/individuals are particularly critical of the Agreement's alignment with wider EU policy objectives (Figure 30).

Figure 29: Distribution of views on the Agreement's alignment with EU policy objectives (nr and % of responses)

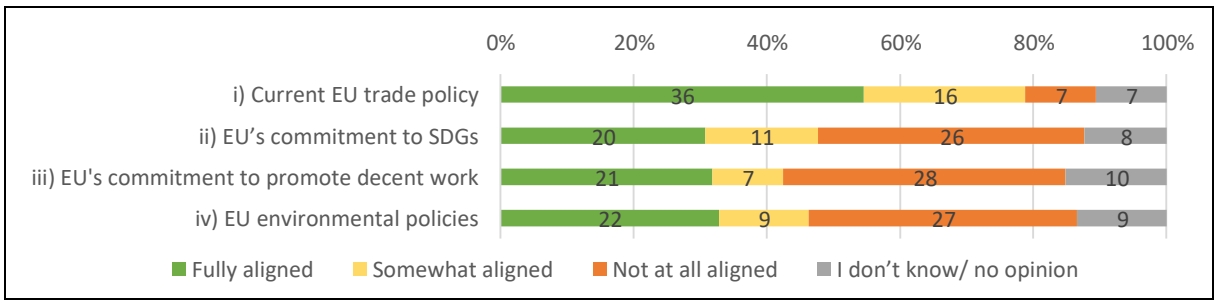
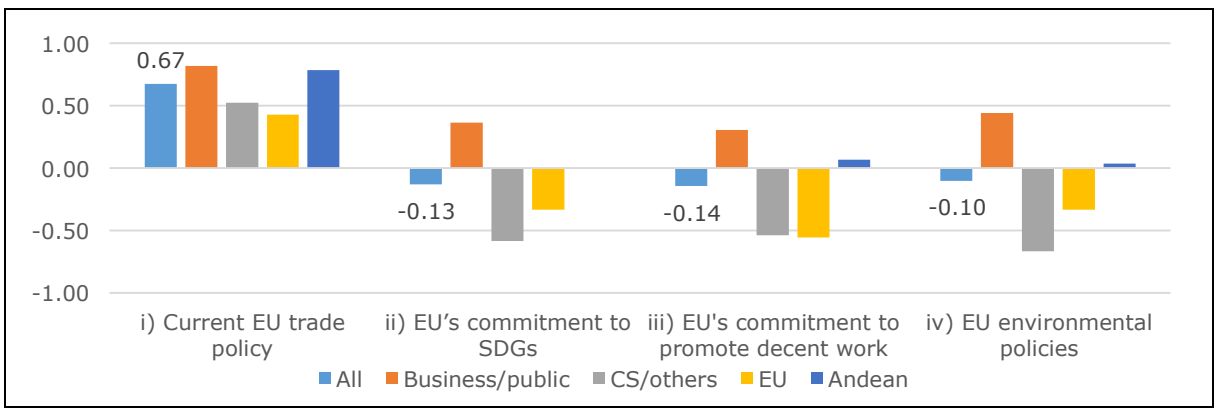


Figure 30: Views on Agreement's alignment with EU policy objectives, by respondent type and region (index scores)



Note: Index values range from -1 (all respondents noting no alignment at all) to +1 (all respondents noting full alignment). 56 to 59 respondents expressed their views on the different policy areas.

The critical views are also reflected in the further comments and explanations provided by respondents. These highlight in particular the divide between the intentions in the Agreement to contribute to sustainable development and the implementation practice of the Agreement. Some of the observations refer to the need for institutional improvements or the setting of clearer sustainable development targets in the context of the Agreement.

9.2 Most positive and negative aspects of the Agreement

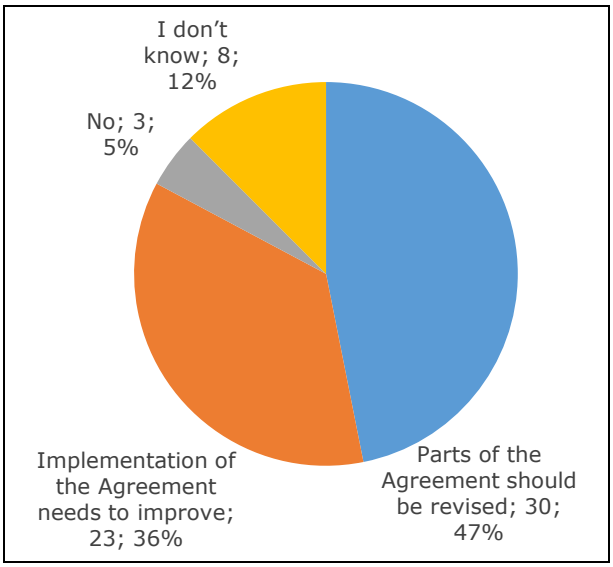
Reflecting the more critical comments made by EU respondents throughout the survey, these also find relatively few positive aspects of the Agreement. The liberalisation of trade and deepened commercial relations, enhanced transparency of the business environment, as well as the TSD chapter are mentioned as positive aspects of the Agreement. Andean respondents are more positive about the Agreement, mentioning in particular increased export opportunities to the EU.

Weaknesses of the Agreement as identified by respondents refer to a range of issues. A number refer to a deepening of inequalities caused by the Agreement between the EU and the Andean countries and between (large) companies and smallholder farmers/workers, as well as a lack of diversification and sustainable development effects in the Andean partner countries. The lack of effective implementation of the TSD chapter and a general negligence of socially inclusive and environmentally sustainable development issues are also mentioned. Some respondents also mention remaining trade barriers between the parties and negative effects in certain sectors (bananas) as negative aspects of the Agreement.

9.3 Areas for improvement of the Agreement and its implementation

Of the 64 survey participants that responded to this question, almost half consider that parts of the Agreement should be revised, and another third state that the implementation needs to improve (Figure 31). Only 5% see no need for changes in the implementation or text of the Agreement.

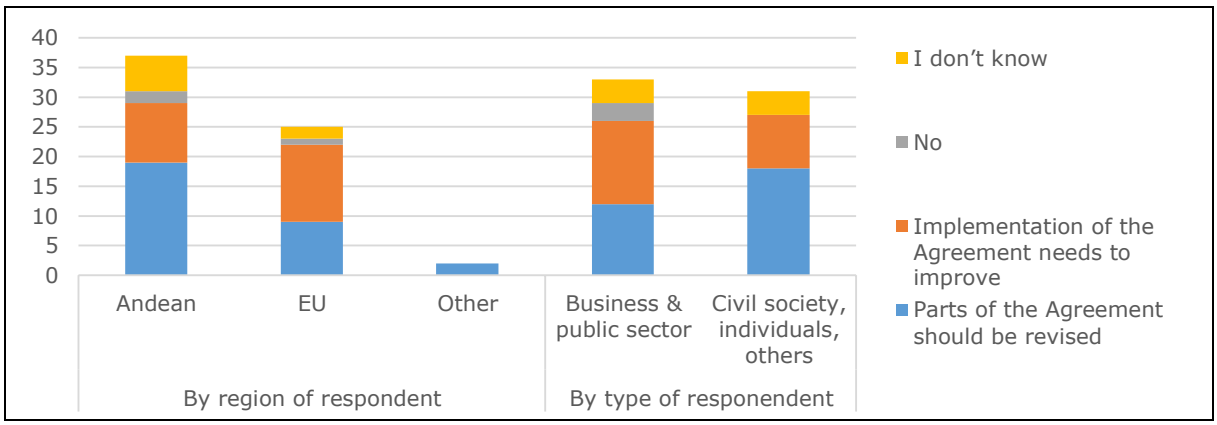
Figure 31: Perceived need for changes in implementation and text of the Agreement (%; n=64)



Andean respondents as well as civil society respondents in particular see the need for a revision of the Agreement – in each case, more than half of these respondents, but also among EU and business/public sector respondents about a third consider such a revision as needed (Figure 32).

With respect to the type of changes suggested for an improved Agreement or improved implementation, most EU respondents refer to a strengthening of trade and sustainable development issues. Others call for further efforts to remove remaining (esp. technical) barriers to trade between the parties, and a strengthening of institutional provisions including the involvement of civil society. These issues are also mentioned by Andean respondents, but a higher share refers to improvements in the economic and operational aspects for traders, such as removal of TBTs, efforts to enhance SME participation in trade, or investment.

Figure 32: Perceived need for changes in implementation and text of the Agreement, by respondent type and region (nr of responses)



9.4 Final comments

Few respondents provided concluding comments. These reiterate observations already made earlier in the survey.

9.5 Number of uploaded position papers

Ten respondents uploaded position papers, providing additional information and views. Nine of these contributions were provided by EU respondents and one by Andean respondents; seven by business representatives and three by civil society and other organisations.

ANNEX I: NATIONAL WORKSHOP REPORTS

Annex I-1: Colombia

Informe del taller[1]

Día 1: 02 de marzo de 2021

Introducción y palabras de bienvenida

- José Alejandro Cheyne García, Rector de Universidad del Rosario
- Patricia Llombart Cussac, Jefe de la Delegación de la Unión Europea
- Adriana Vargas Saldarriaga, Directora de la Sección de Comercio de la Misión de Colombia ante la Unión Europea

El Dr. Cheyne García dio la bienvenida a todos los participantes al taller. Destacó la importancia del tema para Colombia, así como la necesidad de evaluar el acuerdo, involucrando un discurso público abierto en el que se escuchen todas las opiniones.

La Embajadora Llombart dio la bienvenida a los participantes y abrió el taller destacando dos ideas fundamentales detrás del Acuerdo y de la evaluación: Primero, cómo el Acuerdo no es sino una de las piezas del compromiso de la Unión Europea con Colombia, y, segundo, cómo esta evaluación del impacto del acuerdo refleja el compromiso de la Unión Europea con una política comercial transparente y sostenible.

Destacó que la Unión Europea es el tercer socio comercial de Colombia, y es el primer proveedor de inversión extranjera directa en el país. Pero, más fundamentalmente, la Unión Europea y Colombia compartirían ideas y objetivos en muchas áreas, son socios en la promoción del multilateralismo, la agenda climática de París y en la protección del medio

[1] Nota: Las opiniones presentadas en este informe son las de las personas que las expresan; no todas estas opiniones se basan en datos o evidencia.

Proyecto financiado por la Unión Europea. Las opiniones expresadas en este documento no representan el punto de vista oficial de la Comisión Europea ni del Gobierno de Colombia.

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ambiente. Dijo que Colombia es un socio privilegiado de la Unión Europea que junto con sus Estados Miembros participa de una manera activa en la implementación del acuerdo de paz, en el apoyo de las políticas de Derechos Humanos y en esfuerzos para fortalecer la democracia, y en una multiplicidad de proyectos en sectores tan diversos como la política agraria, la igualdad de género o la protección de las poblaciones migrantes.

La Embajadora añadió que el Acuerdo comercial no es sino otro pilar de esta estrecha relación, proporcionando un marco legal claro a los operadores económicos y también un marco de diálogo regular y estructurado entre Colombia y la Unión Europea. Desde la Unión Europea se utiliza el acuerdo como catalizador de reformas que redunden en la mejora del ambiente de negocios en Colombia, reformas que beneficien tanto a los operadores económicos locales como europeos. Mejoras, al fin, que redunden en beneficio de las empresas, pero también en beneficio de los colombianos tanto como consumidores y como contribuyentes. Por todo ello la Unión Europea hace una valoración positiva del Acuerdo.

En su intervención la Sra. Vargas se centró en dos puntos: primero, algunos resultados del Acuerdo en Colombia, y segundo algunos retos que el gobierno debe afrontar en conjunto con la Unión Europea en un contexto de recuperación económica como elemento clave para superar la crisis generada por la pandemia.

En cuanto a los resultados del Acuerdo mencionó lo siguiente:

- La Unión Europea es el segundo destino de las exportaciones de Colombia, después de Estados Unidos (respecto de las importaciones, la Unión Europea es el tercer proveedor de bienes para Colombia después de EE.UU y China). Lo más importante, es que la UE es el principal destino de las exportaciones agrícolas de Colombia, y es un mercado fundamental para las exportaciones de banano, gulupa, uchuva y aguacate. El aguacate es el mejor ejemplo de aprovechamiento del Acuerdo por Colombia: En el año 2012, prácticamente no se exportaba aguacate a la UE, mientras que en el año 2020 se exportaron USD 132,4 millones.
- Las pequeñas empresas han recibido un nuevo impulso con el Acuerdo, garantizando en el largo plazo un mercado relativamente bien remunerado. Desde 2013, más de 1.300 nuevas empresas han exportado productos no minero-energéticos por montos iguales o mayores a USD 10.000.
- El acceso preferencial a la UE también les permite a los empresarios colombianos diversificar sus mercados y productos de exportación: Gracias al Acuerdo se han exportado más de 590 productos nuevos.
- El Acuerdo también beneficia a los empresarios en la medida en que les permite importar de la Unión Europea equipos y maquinaria a mejores precios, lo cual contribuye a la tecnificación de la industria colombiana y, por tanto, mayor competitividad.
- Finalmente, el Acuerdo a través de su institucionalidad, ha permitido contar con canales de diálogo para evaluar los resultados del desarrollo del acuerdo y dar solución a asuntos puntuales detectados en su aplicación.

La Sra. Vargas también señalo algunos retos en la relación comercial con la UE:

- Se considera importante que se tome en consideración los esfuerzos de Colombia por promover cadenas productivas ambientalmente sostenibles y socialmente responsables, para evitar que los productos se cataloguen o estigmaticen automáticamente como relacionados con la deforestación. En cambio, sería necesario que se establezcan mecanismos que permitan demostrar la sostenibilidad de la producción.
- En línea con lo anterior, y a fin de proteger el derecho de los consumidores, también es necesario que los etiquetados negativos puedan ser controlados de tal manera que, previo a incluirlos, exista información científica cierta sobre las propiedades para la salud y sobre la sostenibilidad de los productos.

- En el camino del cumplimiento de los Objetivos de Desarrollo Sostenible, es importante encontrar mecanismos de cooperación y diálogo para reducir las desigualdades entre los países y garantizar que nadie se quede atrás. En este sentido, es importante tener en consideración el derecho a un pago justo por los bienes de origen colombiano que se exportan a la UE.
- Es necesario reconocer un tratamiento diferenciado, en especial en algunos ámbitos que permitan plazos amplios para cumplimiento de requisitos como los sanitarios, el uso de plaguicidas y fertilizantes. Por ello, resulta fundamental que las decisiones hacia mayores exigencias sanitarias y de sostenibilidad, así como la adopción de diligencias debidas, se adopten con un enfoque integral y diferenciado, con base en resultados de estudios y evidencia científica.

Concluyó destacando que, debido a la crisis generada por la COVID19, hoy más que nunca, se necesita mantener los canales de diálogo y cooperación para encontrar oportunidades en medio de la crisis para los exportadores colombianos.

Primer panel: Contexto, enfoque y estado de la evaluación y puntos de vista de la sociedad

Panelistas:
- Derk Bienen, líder del equipo de la evaluación
- Daniel James Hawkins, Director de Investigación de Escuela Nacional Sindical (ENS)
- Javier Díaz Molina, Presidente de ANALDEX
- Diógenes Orjuela García, Presidente de Central Unitaria de Trabajadores de Colombia (CUT)

Moderador:
- Merlín Patricia Grueso, Profesora y Consiliaria de la Universidad del Rosario

Tras 7 años de implementación del acuerdo se hace necesaria una evaluación de impacto, cuya metodología fue explicada por Derk Bienen,[2] basada en los efectos de la liberalización comercial y las disposiciones del acuerdo, quien manifestó que para lograr dicha evaluación es necesario evidenciar los efectos por grupos, por sectores, género, trabajadores, consumidores, así como aislar efectos a través de modelamiento económico y comprensión de la situación actual a nivel comercial.

Dentro de los resultados obtenidos y a nivel general el acuerdo ha tenido impactos positivos pero limitados en todas las economías involucradas, interponiendo riesgos para ciertos grupos. Los impactos no económicos son limitados.

Al panel se presentó la intervención de Diógenes García, quien manifestó las dificultades en materia laboral y macroeconómica que ha tenido el acuerdo en el país, fundamentado en las asimetrías económicas de las partes, aludiendo a factores como; tamaño de mercado, tecnología, y producción, desencadenando una baja efectividad en lo negociado. Ello es reflejo del comportamiento deficitario de la balanza comercial 2019 en comparación de una balanza superavitaria en 2013, llegando a un déficit igual a 24,4 billones COP. Añadió que los temas laborales han sido un tema de controversia por la OIT y otras organizaciones, quienes cuestionan las políticas implementadas por el gobierno en los últimos años.

[2] Todas las presentaciones realizadas durante el taller están disponibles en http://www.fta-evaluation.eu/es/consultations-es/talleres/2-uncategorised/59-taller-en-colombia

La segunda intervención estuvo a cargo de Daniel Hawkins, quien realizó especial énfasis en el mercado laboral actual y su evolución a la luz del acuerdo. De esta manera expuso que los impactos positivos del acuerdo en términos laborales no son visibles; al contrario, los problemas estructurales del mercado laboral se han profundizado en términos de informalidad, desempleo, libertad sindical, contratación, y regulación laboral, ello aunado con la implementación del Decreto 1164 de 2020 en Colombia.

Así los compromisos en materia laboral no se han cumplido frente al Título IX (sobre comercio y desarrollo sostenible) del acuerdo, el Dr. Hawkins hizo alusión a 131 actos de violencia contra sindicalistas, los cuales no han obtenido respuesta de parte del gobierno colombiano, por lo que es necesario que se tomen medidas legales para validar lo ya establecido en el acuerdo.

La intervención de Javier Díaz Molina subrayó que los resultados del acuerdo han sido positivos, aunque hay margen de mejora, dado que las exportaciones colombianas siguen basadas en productos minero-energéticos. Aun cuando el país ha logrado que productos agroindustriales como el banano, frutas, flores, y aguacate tengan mayor presencia en el mercado europeo.

Lo anterior se debe en gran medida por la falta de conocimiento de los patrones de consumo de la Unión Europea, que es un mercado con altos estándares en términos de calidad y diseño, siendo el precio un factor secundario, lo cual es diferente, a la relación comercial con países como Estados Unidos o Canadá. El Sr. Díaz Molina comparó el acuerdo con una bicicleta, el cual es una herramienta que se le proporciono al país para que avance, pero Colombia debe hacer más para aprender a andar en bicicleta.

Los participantes realizaron diferentes preguntas a los panelistas; las cuales se desarrollan a continuación:

1. **¿El acuerdo ha facilitado el desarrollo de emprendimientos entre las partes?**
   La respuesta fue dada por el Sr. Díaz Molina, quien manifestó que los empresarios pequeños y campesinos han tenido gran potencial de crecimiento gracias al acuerdo, el cual es un instrumento para llegar a la competitividad; ello aunado a la gestión de alianzas estratégicas como Analdex y Procolombia que son quienes han facilitado el proceso de exportación y logrado incursionar en el mercado de la Unión Europea, donde el e-commerce ha sido una herramienta fundamental.

2. **¿Cuál es la visión de los trabajadores respecto al acuerdo comercial?**
   El Sr. Orjuela García resaltó que las diferencias entre las economías desarrolladas (como la UE) y subdesarrolladas (como Colombia) han generado impactos negativos sobre todo en el sector agroindustrial y manufacturero, generando una relación win-lose cuyo comportamiento en la producción ha sido descendente, afectando variables como el desempleo, que va en aumento. Esto afecta el empleo y ello tiene afectaciones en la informalidad, la pobreza y la precarización del empleo.

3. **¿Cuáles considera deben ser los mecanismos para la renegociación del acuerdo?**
   Es claro para el Dr. Hawkins que el acuerdo debe renegociarse, ya que está basado en asimetrías tanto del poder de negociación como de las economías, tal como ocurre con países como Perú y Ecuador. Por tanto, es necesario generar mecanismos legales más allá del debate, de acuerdo con lo pactado en el acuerdo en el Título IX, a través de sanciones sustentadas en investigaciones al gobierno colombiano y a empresas, con el fin de aumentar las protecciones a derechos fundamentales en términos laborales, de salarios mínimos, de acceso a servicios de

salud y de seguridad en el trabajo. Dio como ejemplo sectores de la industria primaria donde no se les pide una prueba de inscripción de los trabajadores al seguro social, por lo cual estos trabajadores siguen en la informalidad.

4. **¿Cuáles han sido los sectores que se han dinamizado, y cuáles han perdido espacio bajo el acuerdo?**
   El Sr. Díaz Molina resaltó el comportamiento del sector agroindustria, que ha tenido resultados positivos aun en medio de la coyuntura actual. Aun así, resaltó la necesidad de dar garantías a la inversión para que aumenten las oportunidades. Por otro lado, uno de los sectores beneficiados ha sido el manufacturero, con nichos en la confección, marroquinería y plásticos ambientalmente sostenibles. Finalmente, el sector de servicios (en especial el turismo) había tenido dinamismo con servicios de ecoturismo y turismo aventura, pero esto se vio truncado por la pandemia. En cuanto al mercado de la papa, específicamente las importaciones desde la UE y el caso anti-dumping, según el Sr. Díaz Molina el problema no es del acuerdo o de las importaciones sino son los problemas estructurales en el sector basados en el costo y la tenencia de tierra.

5. **¿Qué tan preparada esta la agroindustria del país en igualdad de condiciones?**
   El Sr. Orjuela García expuso que Colombia no es capaz de competir con los subsidios que tiene la Unión Europea para el sector agrícola, los productores colombianos no gozan de iguales beneficios, a lo que se suma el rezago del sector en términos tecnológicos, jugando un papel importante en la productividad y competitividad del sector frente a mercados de desarrollo.

Segundo Panel: Efectos del acuerdo sobre el desarrollo sostenible

Moderador:
- Carlos Gustavo Patarroyo, Decano de la Escuela de Ciencias Humanas de la Universidad del Rosario

a) <u>Efectos sociales</u>

Panelistas:
- Magdalena Ruda, Investigadora principal en el equipo de evaluación para el análisis social e institucional
- Mario Valencia, Profesor y Analista económico de la Universidad Nacional
- Rubén Sánchez David, Profesor de la Facultad de Estudios Internacionales, Políticos y Urbanos de la Universidad del Rosario

La evaluación de impacto considera aspectos sociales donde se destacan fenómenos como el desempleo, la economía informal, el trabajo infantil, la pobreza y las brechas de género. De esta forma Magdalena Rueda destacó que la situación actual del país en términos de mercado laboral presenta condiciones onduladas. Así, la tasa de desempleo cayó del 10,7% en 2007, al 9% en 2016 y aumentó al 10,8% en 2019; en cuanto a la tasa de ocupación, esta mejoró entre 2007 y 2014; persisten las brechas de género a pesar del aumento de la participación femenina. Se evidenció también una reducción en la incidencia del trabajo infantil y la tasa de subempleo.

Dentro de los impactos del acuerdo más relevantes se encuentra el aumento del empleo en sectores beneficiando por las reducciones arancelarias como hortalizas frutas y frutos secos (1,2%), textiles y metales. Los cambios en la manufactura y servicios en general son limitados o insignificantes.

Seguida a esta intervención, el Dr. Mario Valencia realizó énfasis en que la evaluación debe ser hacia una política pública, a partir de los objetivos que ha estimado el acuerdo. Sin embargo, la perspectiva no es alentadora, ya que el país ha estado inmerso en la desaceleración sin considerar los efectos de pandemia, esto causado principalmente por los problemas estructurales del mercado laboral, redundando en el aumento de la tasa de desempleo desde 2016 y el incremento de la inactividad, ocultando la tendencia de las mujeres en actividades no remuneradas.

Así, los resultados del acuerdo no han sido contundentes. En primer lugar, no se han diversificado las exportaciones que se supone deben jalonar el crecimiento económico, con una caída del 47% de las exportaciones hacia la Unión Europea. En segundo lugar, la informalidad no solo es para los trabajadores, pues según la ANIF el 53% de las colombianas son informales (ANIF), y en adición el 63% de las empresas en Colombia representa el 5% de la ocupación del país. Finalmente, concluyó que el deterioro del mercado laboral es resultado de las decisiones políticas en materia económica de los últimos 30 años, por lo cual es necesario generar inversión en ciencia, créditos y educación que puedan desarrollar la productividad necesaria para competir en el mercado de la UE.

Complementado las ideas de los anteriores panelistas, el Dr. Rubén Sánchez anotó que uno de los propósitos del acuerdo fue fomentar la integración de países andinos, sin embargo, el efecto fue el contrario. Además, apuntó que el acuerdo comercial contribuye al regreso de Colombia a la economía extractivista.

b) Efectos ambientales

Panelistas:

- Tatiana Cuervo Blanca, Investigadora en el equipo de evaluación para el análisis de impactos ambientales
- Estefanía Acosta Páez, Estudiante de Doctorado en Derecho de la Universidad del Rosario
- Clara Inés Pardo Martínez, Profesora de la Escuela de Administración de la Universidad del Rosario

Dentro de los efectos ambientales se relacionan cinco áreas de evaluación, según la intervención de Tatiana Cuervo: cambio climático, biodiversidad y vida silvestre, agua, residuos y productos químicos, y calidad del aire. En perspectiva, se relaciona el aumento de la emisión de gases con efecto invernadero en Colombia, tendencia contraria al nivel global. Se evidencia un cambio en la producción agrícola pues tras el acuerdo se aumentó el neto de las áreas cultivadas (considerando todos los cultivos producidos) y ello pudo haber contribuido a la deforestación (alrededor del 1% de la deforestación causada por la expansión de cultivos durante el período del Acuerdo), y que es poco probable que esta deforestación haya ocurrido en las áreas más biodiversas del país.

Estefanía Acosta mencionó ventajas y desventajas frente al acuerdo y el medio ambiente, entre las desventajas destacan, la flexibilización de estándares ambientales y normativa frente al sector minero, la ausencia del desarrollo de la Agenda 2030, la inexistencia de integración con los compromisos del acuerdo, la profundización de conflictos ambientales relacionados a la violencia, derechos humanos y los recursos. Por otro lado, las ventajas se sintetizan en la normatividad creciente de Colombia hacia el desarrollo sostenible, dentro de los que destacan el tratado de Paris en 2017, comisión sobre cambio climático, CONPES, política pública que se ha ido enriqueciendo, rescata la vulnerabilidad del cambio climático frente a poblaciones y ecosistemas en orientación a los compromisos adquiridos con los Objetivos de Desarrollo Sostenible.

Si bien las disposiciones ambientales no son vinculantes, refleja una posibilidad en la medida en que las partes aúnen esfuerzos para romper con el ciclo de la economía extractivista sumando valor agregado, tal como plantea la Dra. Clara Pardo, quien agrego que los estudios cuantitativos son limitados, y los existentes tienen efectos directos e indirectos, bajo premisas como la reducción de emisiones, lo cual responde a las exigencias internacionales del mercado europeo o japones, que indican la responsabilidad social y ambiental obligando a la productividad empresarial, siendo una oportunidad de mejora e inclusión a nuevos mercados.

c) Efectos en derechos humanos

Panelistas:

- Derk Bienen, líder del equipo de la evaluación
- Italo Cardona, Especialista en Legislación Laboral y Administración del Trabajo de la OIT
- Laura Victoria García, Vicedecana de Facultad de Jurisprudencia Universidad del Rosario

Según la intervención de Derk Bienen, hay dos lugares donde el Acuerdo aborda los derechos humanos. El primero es la cláusula estándar de "elementos esenciales" (cláusula de derechos humanos) en el Artículo 1; y el segundo el Título IX del Acuerdo (sobre comercio y desarrollo sostenible), que constituye un conjunto separado de disposiciones sobre normas laborales y ambientales que también están relacionadas con los derechos humanos. En la evaluación el análisis de derechos humanos cubre cinco pasos. Los dos primeros, el análisis de línea de base y la detección y determinación de magnitud de impactos, están (casi) completos. Los hallazgos preliminares indican que el impacto del Acuerdo es bajo para la mayoría de los derechos humanos, pero que un análisis más profundo de tres derechos seleccionados aún está por hacer: el derecho al agua; la libertad de asociación, incluido el derecho de afiliarse y formar sindicatos; y los derechos de los niños (trabajo infantil).

Italo Cardona realizó diversas reflexiones de la OIT respecto al impacto de los tratados de libre comercio, las cuales están relacionadas con las posiciones laborales en los acuerdos de libre comercio que aluden a los principales derechos del trabajo, como trabajo forzoso, discriminación y trabajo infantil, lo cual tiene relación con diversos convenios de la OIT relacionados al trabajo. Quien concluye con la necesidad de fortalecer el dialogo social sobre los aspectos que se derivan de ejercicios laborales, trabajo infantil, con especial preocupación en derechos humanos vinculados al trabajo. Subrayó que los expertos de la OIT expresaron preocupación en Colombia de acuerdo con los convenios 87, 98, 138, 111 y 29.

Finalmente, la Dra. Laura García concluyó el panel a partir de una posición política frente a la cláusula del acuerdo sobre derechos humanos, la cual debe conllevar a garantizar los derechos fundamentales y tomar medidas frente a la violación de estos, pero también frente a la soberanía y respeto de estos. Sin embargo, es necesario realizar un análisis más exhaustivo en términos de protección del medio ambiente y las obligaciones del estado por el acuerdo de paz en la redistribución de la tierra, que incluye temas de despojo y relaciones en comunidades afro y étnicas, siendo así el acuerdo un instrumento de poder político para la consecución de las problemáticas más relevantes en relación con derechos humanos. La Dra. García propuso la posibilidad de dar algún tipo de incentivo con respecto al respeto de los derechos humanos en lugar de una sanción económica, el cual podría tener un efecto más positivo.

Los panelistas recibieron las siguientes preguntas:

1. **¿Cómo ve la relación de la diversificación y economía extractivistas y qué efectos sociales trae ello?**
   El Dr. Rubén Sánchez respondió aludiendo a que los principales productos exportados siguen siendo el carbón y el petróleo, y no existe la capacidad de utilizar otras formas de producción energética, generando como resultado la perdida de recursos. Ello será superable cuando se focalicen las acciones y estrategias hacia el fortalecimiento de la innovación y conocimiento, para generar mayor dinamismo en sectores como el agroindustrial con alto potencial en el marco del acuerdo.

2. **¿Cómo lograr armonía entre los problemas ambientales y el acuerdo?**
   Estefani Acosta anotó que es importante generar un mecanismo para abarcar conflictos y controversias ambientales, ya sea por fuera o no del acuerdo, que incida en la gobernanza territorial y tenga en cuenta la participación de las poblaciones afectadas.

3. **¿Cuáles son las exigencias de sostenibilidad para los productos que se desean exportar hacia la Unión Europea? ¿Existen condiciones preferentes a los que cumplan con las exigencias?**
   Se exigen ciertas verificaciones, un ejemplo es el sector floricultor, agricultura orgánica quienes deben cumplir con una serie de certificaciones debido a la especialización del sector. Adicionalmente existen certificaciones establecidas como la ISO 9001 y otras que están relacionadas con los productos, ello depende de la tipología del producto. El cumplimiento de estas certificaciones favorece a la entrada al mercado de la Unión Europea.

4. **¿Cuáles son las lecciones aprendidas que ha podido recopilar la OIT en materia de dumping social?**
   Es necesario la puesta en marcha de los convenios de la OIT además de la ratificación de estos, articulación de la regulación laboral de carácter universal que debe ser aplicable en los miembros de la OIT ya que son principios inherentes en el mundo del trabajo, por tanto, es necesario que exista unos estándares laboral similares en los países que no solo contribuyan al comercio justo sino además en una sociedad basada en la justicia social.

5. **¿Qué efectividad podrían tener las medidas que promueva los derechos humanos?**
   Un ejemplo de estas medidas que promueven los derechos humanos en el marco de los acuerdos comerciales fue la sustitución de cultivos ilícitos en el TLC firmado con Estados Unidos. Así, estas experiencias exitosas incentivan económicamente a poblaciones y sectores vulnerables en el marco de la integración comercial.

Día 2: 05 de marzo de 2021

Panel 1. Efectos económicos

Panelistas:
- Derk Bienen, líder del equipo de la evaluación
- Juan Carlos Cadena, Director de Relaciones Comerciales del Ministerio de Comercio, Industria y Turismo (MINCIT)

- Alejandro Useche, Profesor Asociado de la Escuela de Administración de la Universidad del Rosario y presidente del Comité Académico del Autorregulador del Mercado de Valores (AMV)
- Pablo Neira, Jefe de la Sección Comercial de la Delegación de la Unión Europea

Moderador:

- Sandra Milena Chacón S., Decana de la Escuela de Administración Universidad del Rosario

El panel se inició con la presentación de los impactos en el comercio y en la economía a cargo de Derk Bienen. Dichos impactos están sustentados en estadística descriptiva y modelamiento económico; el último aísla los efectos del acuerdo. Las primeras evidencias revelan que el acuerdo ha causado un aumento del comercio entre la UE y Colombia, así como de las exportaciones totales de ambas partes. También se aumentó el número de nuevos productos exportados por Colombia, el valor de las nuevas exportaciones, y se mejoró su tasa de supervivencia. La concentración de las exportaciones colombianas sigue siendo alta y la diversificación en productos manufactureros limitada; alguna diversificación tuvo lugar, pero más bien dentro del sector agrícola y agroindustrial. El impacto del acuerdo sobre el PIB de Colombia es limitado, pero positivo. En cuanto a los impactos en los sectores colombianos, se observan disminuciones en la producción en pocos sectores, principalmente manufacturero (hasta -1,2% / - USD 40 M). Los aumentos de la producción (hasta + 1,7% / USD 136 M) son más fuertes en productos químicos, otros productos alimenticios, frutas y hortalizas y plásticos. Netamente, la producción colombiana aumenta. El impacto estimado en los ingresos del gobierno de Colombia es relativamente grande, estimado en 1.2% del total de ingresos del gobierno de 2019. En cuanto al comercio de servicios y la inversión bilateral no se determinaron cambios a lo largo del tiempo. Finalmente, las barreras comerciales no arancelarias no han impedido el crecimiento del comercio; sin embargo, de no existir seguramente habría crecido más. Las instituciones bajo el acuerdo han logrado avances sobre algunos temas (p.ej. MSF, IG), pero otros no.

Dando paso a la discusión, Juan Carlos Cadena afirmó que la balanza comercial deficitaria no genera un problema en si ya que es necesario analizar otros factores de comercio. De esta manera, las importaciones han generado un valor agregado a la producción colombiana, pues permiten mejorar y aumentar la producción de bienes complementarios. Antes del acuerdo los productos monoenergéticos representaban el 80%, cayendo desde 2014, coincidiendo con la baja de precios. Se evidencian también crecimientos importantes en las exportaciones de productos manufactureros, como accesorios y tubos con un 10.000%, además el número de empresas exportadoras creció un 31%, ello indica que el flujo comercial del acuerdo ha generado un hito significativo, sin olvidar que la Unión Europea es el principal inversionista en Colombia.

Pablo Neira enfatizó que el acuerdo es una política pública y se debe evaluar en este sentido. No obstante, es necesario tener en cuenta las limitaciones y los efectos de otras políticas sobre el acuerdo. Desde el punto de vista comercial de la Unión Europea se valora el acuerdo en la medida en que se establece un marco estructurado, que tiene beneficios para las empresas. Cabe resaltar que el dialogo establecido ha sido frecuente, lo cual genera un aporte significativo a pesar de las diferencias que se han generado entorno a compras públicas, registros sanitarios y otros. En esta medida se ha posibilitado la negociación a través del acuerdo y lo establecido con un impacto en aspectos sociales, ambientales y de derechos humanos. Finalmente, resaltó que dentro de los aspectos positivos que se destacan es la diversificación: que si bien ha sido limitada ha beneficiado a algunos sectores; también resaltó que hay que hacer más sobre la facilitación de negocios, tecnologías y otros aspectos exógenos al acuerdo.

El Dr. Alejandro Useche resaltó retos frente al acuerdo: el efecto en el PIB, empleo y oferta exportadora ha sido bajo. Dijo que más del 60% del PIB está basado en servicios, dando valor agregado al mercado local, sin embargo, ello no se ha visto reflejado en mercado exterior. Continuó con las diferencias de los mercados, las cuales se acentúan en el sector agro, pues la competencia sin aranceles ha generado tensión en este sector. Subrayó la diferencia entre las grandes empresas y los pequeños productores, siendo que éstos últimos enfrentan barreras como el idioma, las regulaciones y las formalidades para hacer uso del acuerdo.

Por otro lado, resaltó algunos aspectos positivos del acuerdo. El primero es la cooperación, el aporte en términos no solo de comercio sino también alrededor del desarrollo sostenible, frente a la desglobalización y el receso del comercio. Por tanto, concluyó estableciendo la necesidad, por un lado, de incentivar mayor cooperación técnica de parte la Unión Europea a Colombia, ya que cuenta con la experiencia en términos de productividad, y por otro de incentivar el turismo que ha venido creciendo con Europa, y que de la mano se genere un cambio cultural en perspectiva hacia Europa.

El panel finalizó con una ronda de preguntas:

1. **¿Las limitaciones en infraestructura y preparación de su aparato productivo son un cuello de botella para el aprovechamiento de Colombia del acuerdo? ¿Existe algún tipo de apoyo para las empresas en pro de adaptar nuevas tecnologías en el sector de alimentos y pueda generar mayor competitividad?**
   Juan Carlos Cadena precisó que estas limitaciones definitivamente son una dificultad importante en procesos de exportación e importación, por tanto, es necesario facilitar el comercio a través de la modernización de la infraestructura. El MINCIT identificó que sólo el 22% de las empresas cuentan con certificados de calidad de procesos, siendo esto una llave de éxito para ingresar a los mercados internacionales, que se ha acentuado con los requerimientos de calidad y protocolos de bioseguridad por la pandemia.

   Existen programas del gobierno de cofinanciación para mejorar la productividad de las empresas como el programa Calidad para Crecer, que tiene como objetivo el fortalecimiento de las empresas para la reactivación que genere el ambiente previo para estándares a mercados para aprovechar acertadamente los beneficios de los acuerdos comerciales.

2. **¿Cuál es el impacto del acuerdo en los avances que Colombia debe tener para el cumplimiento de los ODS?**
   Alejandro Useche respondió que, si bien los resultados han sido limitados, las oportunidades de ahora en adelante nos enormes, en esta medida menciona la importancia de generar empleos de calidad en pro de reducir la inequidad y la pobreza en Colombia. En esta medida se debe integrar a poblaciones como emprendedores y comunidades excluidas. Adicional las cadenas de producción deben garantizar el respeto de los derechos humanos, ambientales y sociales, como por ejemplo en la cadena del carbón. Las cláusulas son bastante importantes, así como las certificaciones como requisitos de entrada al mercado europea, esto permite contribuir en torno al desarrollo sostenible. Dichos aspectos en términos de ODS se pueden fortalecer a través del acceso a salud, y lucha contra el hambre, jugando un papel importante el sector agropecuario generando espacios más transparentes y eficientes para ampliar el acceso a alimentos de Colombia para otros países con menores costos.

3. **¿Cuáles han sido los principales retos y experiencias del acuerdo?**

Pablo Neira respondió que la importancia del dialogo entre las partes y con la sociedad civil sobre el acuerdo han sido uno de los factores de éxito, y en complemento es necesario realizar otro tipo de intervenciones a la luz de políticas públicas ya que por sí solo el acuerdo no va a mejorar los problemas que hoy existen en ámbitos como el ambiente de negocios o la baja diversificación de la economía.

Panel 2. Efectos en el desempeño institucional

Panelistas:

- Magdalena Ruda, Investigadora principal en el equipo de evaluación para el análisis social e institucional
- Olga Lucía Lozano, Exviceministra de Comercio Exterior y Consejera ante la Organización Mundial de Comercio (OMC)
- Nataly Bernal Parra, Asesora en la Oficina de Cooperación y Relaciones Internacionales del Ministerio del Trabajo de Colombia
- Germán Pardo Carrero, Director de la Especialización internacional en "Derecho aduanero y Comercio exterior" en la Universidad del Rosario
- Walter Orlando Arévalo, Profesor de la Facultad de Jurisprudencia de la Universidad del Rosario

Moderador:

- Merlín Patricia Grueso H. Profesora y Consiliaria de la Universidad del Rosario

Magdalena Ruda hizo un resumen del desempeño institucional del acuerdo que tuvo en cuenta un análisis legal del acuerdo, análisis de documentos de reuniones y la participación de las partes interesadas. En este orden de ideas las conclusiones más relevantes están ligadas a la importancia que proporcionan los espacios técnicos del comité de comercio y 8 subcomités para evaluar y debatir sobre aspectos como flujos comerciales, nuevas políticas y legislación, barreas de acceso al mercado medidas facilitadoras de comercio, medidas sanitarias y contratación pública.

A pesar del reconocimiento de estos espacios se resalta que aún existen problemas en la aplicación del capítulo de contratación pública y el capítulo de desarrollo sostenible. Dentro de los aspectos a mejorar se propuso la creación de secretarias técnicas para facilitar las discusiones de las reuniones, informes y transparencia.

Los comentarios de Olga Lucía Lozano hicieron énfasis sobre las ventajas del acuerdo a nivel institucional, las que se han dado a través de la reducción de barreras institucionales. A pesar de que en el inicio del acuerdo los efectos institucionales se vieron truncados porque no se estableció un acercamiento de bloque comercial europeo al bloque comercial de países andinos, esta relación significó una oportunidad de realizar un puente entre la comunidad andina y Europa que hoy están aprovechando Colombia, Perú y Ecuador.

El impacto de la institucionalidad en Colombia planteó otras formas de conversación entre las instituciones del país. Un ejemplo que resaltó la ponente es en el campo sanitario y fitosanitario, donde se generó una red institucional que tiene como propósito trabajar mancomunadamente para dar acceso a otros mercados, y ello ha provenido de los requerimientos del acuerdo y de otros acuerdos comerciales que tiene Colombia.

Por otro lado, en términos de regulación han sido evidentes los efectos positivos, como en lo referente a la protección de datos y estándares que provienen de la Unión Europea, lo cual evidencia como un relacionamiento comercial va más allá de beneficios arancelarios. Dentro de la institucionalidad, la nueva visión de socio comercial desde perspectiva estratégica ha sido importante teniendo en cuenta la posición que ha ido ganando el país

dentro de organizaciones internacionales como la OMS y la OCDE. Finalmente, es necesario maximizar dichos efectos y contemplar una visión más integral del análisis cuantitativo.

La siguiente intervención estuvo a cargo de Nataly Bernal, quien apuntó los avances laborales a partir del subcomité de desarrollo sostenible. Así, se resaltan tres aspectos, el primero está relacionado con la libertad de asociación, afianzar instrumentos internacionales para defender los derechos laborales, donde se creó un grupo elite con la fiscalía, para analizar casos que atentaron contra la vida de sindicalistas, trabajo articulado, fortaleciendo la reglamentación de la protección colectiva a los líderes sociales y defensores de derechos humanos.

El segundo aspecto está relacionado con la inspección laboral, donde se asignaron 5,8 millones para fortalecer el sistema de inspección del trabajo y adicional se creó un proyecto de cooperación dirigido a poblaciones rurales para promover la seguridad en el trabajo. El tercer aspecto está relacionado con las acciones frente al trabajo infantil, que ha presentado avances en la identificación de casos de trabajo infantil a partir de un sistema integrado de información. Finalmente, la ponente planteó avances frente al dialogo con la sociedad civil dentro de las que resaltan dos mecanismos, el primero son los mecanismos nacionales, representado por la comisión nacional permanente de políticas salariales y laborales la cual es tripartita, y además cuenta con una comisión específica de asuntos internacionales y el segundo son grupos internos consultivos de la sociedad civil que se une libremente y discute sobre temas que se consideran importantes.

Germán Pardo Carrero inició su intervención con observaciones sobre la facilitación del comercio y comentó que el país no está preparado para el cumplimiento del acuerdo. También habló sobre el conocimiento del acuerdo, resaltando que es desconocido por empresarios y profesionales. Adicionalmente, realizó un análisis del capítulo tercero respecto a asuntos aduaneros, y evidenció diferentes falencias. Precisó que la legislación aduanera colombiana se encuentra alejada del acuerdo de Kioto y no se ha actualizado, plasmando una desconfianza entre las entidades aduaneras y los operadores de comercio exterior. Además, existen obstáculos de carácter formal que dificulta el comercio, aunado a que la aplicación de técnicas modernas y de riesgo no están sustentadas en datos. Se suman aspectos como la baja modernización del sistema tecnológico en las aduanas y en materia de sanciones, estas parecen ser discriminatorias. Así, los operadores económicos son muy pocos dada las limitaciones en costos y beneficios y procedimientos lentos desencadenando una desconfianza entre aduana y sector privado. A manera de conclusión, destacó que es importante que estos acuerdos y la integración a organizaciones mundiales respeten y favorezcan la seguridad jurídica en materia judicial y administrativa, normas trasparentes y procesos rápidos y comprensibles, con una verdadera vocación de seguridad jurídica y administrativa para atraer inversión, y aprovechar los beneficios del acuerdo.

La intervención de Walter Orlando Arévalo partió del derecho internacional indicando, en primer lugar, que la integración andina es una oportunidad para el fortaleciendo del comercio en el área andina, lo cual puede repuntar en la reducción de asimetrías del acuerdo. En segundo lugar, desde la perspectiva de derecho internacional, bajo la cosmovisión cultural de Colombia solo mantiene relaciones con los mismos países; España, Holanda y Francia y antes Reino Unido, quedando 27 submercados por explorar, que pueden impactar el propósito de la diversificación, y ello depende en gran medida de la expansión de la institucionalidad diplomática. Finalmente, en temas laborales, Colombia no ha cumplido en términos de tercerización, informalidad y baja participación de la sociedad civil, y cabe resaltar dos externalidades que pueden impactar la eficacia del acuerdo que se refiere en primer lugar a acuerdo de protecciones en la Unión Europea y Chile, y en segundo lugar, la externalidad se da en medio de la pandemia, y tiene que ver

con la actuación unilateral de la Unión Europea frente a la distribución de las vacunas contra el COVID.

A continuación, se realizaron las preguntas de los participantes del seminario a este último panel.

1. **¿Cuáles son las acciones entre las partes para favorecer el ingreso de trabajo a la Unión Europea?**
   Nataly Bernal respondió que se realizan ferias laborales en los que se orienta, a través de programas de capacitación, con observatorio del SENA y el Servicio Público de Empleo, y una contante lucha contra la informalidad, que se redujo de 68% en 2010 a ser actualmente de 60%, lo que significa que aún se deben aunar esfuerzos para superar este factor.

2. **¿El acuerdo tiene alcance de beneficios a los PDET o zonas futuro?**
   Respondió Germán Pardo que los territorios PDET y zonas futuro se crean a partir de un contexto de postconflicto con el fin de aumentar el crecimiento de las zonas rurales más afectados por el flagelo del narcotráfico y violencia armada, esto son posteriores a la entrada en vigor del acuerdo, sin embargo, muchos de los beneficios del acuerdo se pueden extender, en términos laborales derechos humanos.

3. **¿Cómo desde la academia podemos aunar esfuerzos?**
   Según Walter Arévalo, existen espacios de difusión como observatorios y revistas europeas que pueden cooperar al aumento de conocimiento frente a aspectos relativos a los acuerdos, que permitan la inserción de la academia y la sociedad civil, en Europa esto ha funcionado de tal forma que Colombia necesita adaptar este tipo de redes. También, funciona la promoción de pasantías, insertar escenarios colombianos en Europa y retornar ese conocimiento para instalar visones y diálogos, se deben profundizarse a partir de un ejercicio más atento de la academia.

Sesión de clausura

En la sesión de clausura, Derk Bienen realizó algunas observaciones finales:

- Las perspectivas proporcionadas por las panelistas han sido variadas, y esto es importante para asegurar una evaluación balanceada del acuerdo.

- Se deben valorar la multiplicidad de opiniones que se evidenciaron en el desarrollo del seminario.

- Algunas evaluaciones del acuerdo presentadas por los panelistas están impulsadas más bien por un punto de vista o ideas preconcebidas y no por un análisis propio, lo cual desenfoca los resultados obtenidos del acuerdo. La evaluación tiene un enfoque sobre los impactos del acuerdo únicamente. Los resultados hasta ahora indican que el impacto neto parece ser positivo, por lo que debería verse como un elemento entre muchos del desarrollo sostenible del país.

- Llamadas por cambios drásticos en el acuerdo tendrían tener en cuenta las posibles consecuencias, p. ej. ¿Se beneficiarían los trabajadores agrícolas en Colombia si las exportaciones a la UE disminuyen debido a los aranceles y cuotas que estos productos enfrentarían sin el Acuerdo? ¿Los compradores en la UE empezarían a pagar mejores precios en ausencia del Acuerdo? Etc.

Se espera que la evaluación contribuya a una valoración racional de los beneficios y también de los costos del acuerdo, y sobre esa base, que ayude a identificar las medidas necesarias para mejorar la implementación del acuerdo y minimizar los efectos negativos.

Anexo: Participantes

Participaron 297 representantes de las siguientes organizaciones:

- Agence wallonne à l'Exportation et aux Investissements étrangers
- Alcaldia de Pereira
- Andi
- Asamblea Permanente de la Sociedad Civil Por La Paz
- Asociación Colombiana de Porcicultores (Porkcolombia)
- Asociación Colombiana de Procesadores de la Leche (Asoleche)
- Asociación de Industrias Farmacéuticas (ASINFAR)
- Asociación Nacional de Comercio Exterior (ANALDEX)
- Café Las Margaritas
- Cámara Colombo Nordica
- Cámara de Comercio Aburra Sur
- Cámara de Comercio de Armenia y del Quindio
- Cámara de Comercio de Tunja
- Cámara de Comercio de Valledupar
- Cámara de Comercio de Villavicencio
- Cámara de Comercio del Piedemonte Araucano
- Cámara de Comercio Hispano Colombiana
- Caralz
- Cedetrabajo
- Centro Objetivos de Desarrollo Sostenible
- Colombian Mission to the European Union
- Comisión Regional de Competitividad de Cartagena y Bolívar
- Comisión Regional de Competitividad de Risaralda (Crc Risaralda)
- Comision Regional de Competividad e Innovación
- Consejería Presidencial para los Derechos Humanos y Asuntos Internacionales
- Corporación Colombiana Internacional (CCI)
- Corporación Universitaria Centro Superior (UNICUCES)
- Corporación Universitaria Minuto de Dios
- Corporación Universitaria Republicana
- DANE
- Davivienda
- Defensoría del Pueblo
- DNP
- Electrodomésticos - mabe Colombia
- Embassy of Finland to Colombia
- Embassy of Italy to Colombia
- Embassy of Spain to Colombia
- Escuela Nacional Sindical (ENS)
- Federación Nacional de Arroceros
- Federación Nacional de Cacaoteros (FEDECACAO)
- Federación Nacional de Cafeteros de Colombia
- Federación Nacional de Cultivadores de Palma de Aceite (FEDEPALMA)
- Federación Nacional Sindical Unitaria Agropecuaria (FENSUAGRO-CUT)
- Fundación Universitaria Los Libertadores
- ILAW Network
- Institución Educativa Gabo - Colegio Público de Cartago
- Institución Tecnológico de Soledad Atlántico
- Institución Universitaria de Envigado
- Institución Universitario de la Paz
- Invest in Bogota
- Invest In Nariño
- Luxottica
- Ministerio de Comercio, Industria y Turismo (MINCIT)

- Ministerio de Relaciones Exteriores - Cancillería
- Ministerio del Trabajo
- Observatorio laboral Universidad del Rosario
- Oficina Internacional de los Derechos Humanos - Acción Colombia (OIDHACO)
- Piccolinni Sabores y Fragancias
- ProColombia
- Punto Estratégico - Centro de Innovación y Productividad
- Servicio Nacional de Aprendizaje SENA
- Siruma Coffee
- SONDA
- TICSA Grupo
- Tropicália Coffee
- Universidad Antonio Nariño
- Universidad Autónoma de Occidente -UAO-
- Universidad Cooperativa de Colombia
- Universidad de La Sabana
- Universidad del Quindío
- Universidad del Rosario
- Universidad del Tolima
- Universidad del Valle
- Universidad Distrital Francisco José de Caldas
- Universidad EAFIT
- Universidad Externado de Colombia
- Universidad Icesi
- Universidad Industrial de Santander -UIS
- Universidad Jorge Tadeo Lozano
- Universidad Mariana
- Universidad Nacional Abierta y a Distancia -UNAD-
- Universidad Nacional de Colombia - Instituto de Estudios Ambientales
- Universidad Pontificia Bolivariana -UPB- Bucaramanga
- Universidad Simón Bolívar – Barranquilla
- Universitaria Agustiniana -Uniagustiniana

Annex I-2: Ecuador

Evaluación del Acuerdo comercial entre la Unión Europea y Colombia, Perú y Ecuador

Taller virtual para presentar y discutir resultados preliminares: Ecuador

11 y 12 de marzo 2021, 8:30-12:00

Informe del taller

Día 1: 11 de marzo de 2021

Introducción y palabras de bienvenida

Panelistas:

- Charles Michel Geurts, Jefe de la Delegación, Delegación de la Unión Europea
- Ivan Ontaneda, Ministro, Ministerio de Producción, Comercio Exterior, Inversiones y Pesca (MPCEIP)

Moderador:

- Diego Grijalva, Profesor, USFQ Business School y USFQ School of Economics, Universidad San Francisco de Quito

El taller dio inicio con la intervención del Embajador Geurts quien presentó una visión general de la importancia del Acuerdo Comercial señalando que el mismo es el instrumento clave de la cooperación entre la Unión Europea (UE) y Ecuador. Recalcó además la importancia del ejercicio de transparencia donde consultores independientes analizan los efectos económicos, sociales, ambientales y de derechos humanos.

Más específicamente, señaló que el acuerdo ha sido fundamental para Ecuador al proporcionar un marco jurídico estable y previsible, contribuyendo a la mejora del clima de negocios en el país. Segundo, el acuerdo ha sido clave para que Ecuador adopte normativas y regulaciones internacionales facilitando su integración en las cadenas productivas de valor mundiales. Tercero, el diálogo entre las partes se ha fortalecido. Adicionalmente, el acuerdo abrió un espacio para que la sociedad civil tenga una voz a través del Comité Consultivo.

Proyecto financiado por la Unión Europea. Las opiniones expresadas en este documento no representan el punto de vista oficial de la Comisión Europea ni del Gobierno del Ecuador.

Organiza:

bkp

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El acuerdo ha sido muy beneficioso para el Ecuador. En particular durante la pandemia el acuerdo contribuyó a asegurar un flujo ininterrumpido de bienes y servicios lo que contribuyó a generar un importante superávit comercial para Ecuador. Señaló igualmente que quedan muchas cosas por hacer como por ejemplo lograr una mayor diversificación de los productos y lograr un mayor volumen de inversión directa extranjera en Ecuador. Las cifras muestran que se puede aprovechar mucho más el acuerdo comercial.

El Embajador Geurts concluyó señalando que el estudio debe servir para que ambas partes usen de mejor forma las herramientas comerciales del acuerdo.

A continuación, el Ministro Ontaneda ofreció una perspectiva general desde el gobierno ecuatoriano. Inició señalando que Ecuador tiene una agenda comercial muy clara orientada hacia la integración internacional, particularmente en relación a socios "premium". Durante la pandemia la producción nacional no se detuvo para asegurar el flujo de productos en el país logrando que la caída económica no sea tan grande. Como muestra de ello, Ecuador es el único país de la región cuyas exportaciones no petroleras crecieron en 2020.

En cuanto al acuerdo comercial en concreto afirmó que es necesario incrementar la cantidad y diversidad de las exportaciones y que para ello es muy importante abrir mercados. Como ejemplo del progreso señaló que precisamente en la fecha del taller se exportó a la UE el primer contenedor de pitahaya.

Señaló igualmente que a pesar de que el acuerdo está en vigor hace tan solo cuatro años, este acuerdo ha abierto el camino para la firma e implementación de otros acuerdos como el firmado con EFTA, y el Reino Unido, y ha ayudado a entrar en un proceso de negociación con Estados Unidos.

El Ministro Ontaneda concluyó indicando que el estudio va a permitir identificar las oportunidades tanto para Ecuador como para la UE.

Primer panel: Contexto, enfoque y estado de la evaluación y puntos de vista de la sociedad

Panelistas:

- Derk Bienen, líder del equipo de la evaluación
- Pablo Iturralde, Director, Centro de Derechos Económicos y Sociales (CDES)
- Pablo A. de la Vega M., Coordinador del Centro de Documentación en Derechos Humanos, "Segundo Montes Mozo S.J.", CSMM
- Genaro Baldeón, Presidente, Consejo de Cámaras y Asociaciones de la Producción (CCAP)

Moderador:

- Diego Grijalva, Profesor, USFQ Business School y USFQ School of Economics, Universidad San Francisco de Quito (USFQ)

Tras cuatro años de implementación del acuerdo se hace necesaria una evaluación de impacto, cuya metodología fue explicada por el Dr. Derk Bienen. La evaluación se basa en los efectos de la liberalización comercial y de las disposiciones del acuerdo. El Dr. Bienen manifestó que para lograr esta evaluación es necesario evidenciar los efectos sobre el

desarrollo sostenible, incluyendo aspectos económicos, sociales, medio ambientales, de derechos humanos -incluyendo derechos laborales- junto con los aspectos institucionales. El análisis se realiza por grupos, por sectores, género, trabajadores, consumidores y poblaciones. La evaluación se enfoca en el impacto del acuerdo, aislando los efectos a través de un análisis contrafactual usando un modelo de equilibrio general computable (MEGC) y de la comprensión de la situación actual a nivel comercial.

El Dr. Bienen señaló que, sin el acuerdo, Ecuador hubiera perdido el acceso preferencial al mercado de la UE en condiciones de desventaja comparativa frente a Colombia y Perú, que ya tenían el acuerdo en vigor. Destacó que las condiciones son mejores bajo el acuerdo que bajo el sistema general de preferencias (SGP y SGP+).

En cuanto a los resultados obtenidos, a nivel general el acuerdo ha tenido impactos positivos pero limitados en las economías involucradas. En Ecuador específicamente hay efectos limitados sobre la diversificación de exportaciones a la UE. De igual forma, hay impactos positivos limitados en cuanto al aumento de empleo, la reducción de la informalidad y la reducción de emisiones de gases de efecto invernadero (GEI). No hay evidencia de que el acuerdo haya tenido un efecto sobre la deforestación. El efecto en derechos humanos es menor y mixto, mientras que el mecanismo institucional se debe fortalecer.

El panel continuó con la intervención de Pablo Iturralde, quien planteó varias dudas respecto de los beneficios del acuerdo con la Unión Europea. Primero, mencionó que la balanza comercial con la UE ha venido empeorando. La única excepción es el 2020 cuando la balanza comercial se benefició debido sobre todo al impacto de la pandemia en las importaciones. El Ec. Iturralde mencionó que las exportaciones no se han diversificado y que además existe una gran concentración empresarial en las exportaciones a la UE, las que se centran en los sectores de banano, camarón, conservas de pescado, flores y cacao. Aseveró que no se puede probar que el acuerdo haya mejorado los derechos laborales y que existe una preocupación de que las condiciones generales de empleo existentes durante la pandemia se vuelvan algo más sostenido, particularmente considerando la reforma laboral de junio de 2020.

Concluyó que el Acuerdo ha mejorado la seguridad jurídica para el comercio y las inversiones, pero que la ha reducido para los trabajadores. El título IX tiene limitaciones, incluyendo una falta de mecanismos para resolver controversias; no es vinculante. De igual forma, el gobierno no ha comprometido una política de apoyo al Consejo Consultivo Interno (CCI). Son necesarios mecanismos para incidir sobre las peores formas de explotación laboral y es necesario revisar la compatibilidad con los instrumentos internacionales de DDHH.

La siguiente intervención estuvo a cargo de Pablo de la Vega, quien se enfocó en la participación ciudadana, considerando que la misma es un derecho (Art. 95 de la Constitución del Ecuador). Por otro lado, señaló que la UE considera que los acuerdos comerciales deben fomentar el desarrollo sostenible, los derechos humanos y la buena gobernanza. En este contexto, el CCI se creó en el año 2018 partiendo de los esfuerzos iniciales centrados en el gobierno nacional.

El Ab. De la Vega argumentó que existe una falta de comunicación entre las iniciativas de la sociedad civil y el CCI. De hecho, mencionó que el Comité Económico y Social Europeo considera necesario aumentar la eficacia de los actuales mecanismos de participación. De igual forma, es necesario que exista mayor apoyo en términos de asistencia técnica, financiamiento, etc. para que los mecanismos de participación funcionen de manera efectiva. Sin embargo, recalcó que solamente en el caso ecuatoriano hay un CCI reconocido

plenamente por las autoridades. Finalmente, hizo énfasis en que la evaluación incluya un análisis relacionado al Art. 276 en cuanto a trabajadores migratorios.

En la última intervención el Dr. Genaro Baldeón enfatizó la importancia del Acuerdo y que el punto de comparación debería ser en relación a que Ecuador iba a perder el acceso al mercado de la UE a través del SGP. Sin el acuerdo, Ecuador estaría en desventaja no solamente frente a Colombia y Perú, sino también frente a otros países de la región que producen productos similares. La compensación que se realizaría para cubrir los aranceles de la UE –de manera similar a lo que se realizaba con el ATPDEA en el caso de USA– implicaría $500 millones anuales. Sin el acuerdo, las exportaciones habrían sido cerca de $3912 millones menos entre 2017 y 2020.

En cuanto a la dinámica de mayores exportaciones e importaciones a partir del año 2017, el Dr. Baldeón también mencionó que se debe considerar que es una recuperación del comercio luego de las medidas distorsionantes del año 2016, particularmente las salvaguardas. Mencionó también que las importaciones también generan una dinámica de desarrollo económico puesto que las importaciones de bienes de capital y materias primas representan alrededor del 70% de las importaciones de la UE, a lo que se suma el 10% de productos farmacéuticos. Además, sí existen nuevos productos de exportación, si bien todavía son pequeños. Por otro lado, enfatizó que tanto el sector productivo como el consumidor también ganan cuando se observan reducciones en los precios de los bienes importados. Esto se puede ver en el contexto específico de vehículos en donde se han observado reducciones en precios de hasta el 39%.

Existe una complementariedad en el comercio entre Ecuador y la UE por lo que Ecuador se ha beneficiado de gran manera. El tratado comercial ha permitido dinamizar el comercio dentro de un marco jurídico previsible, ha permitido mejorar el entorno de negocios porque se han modificado regulaciones que iban en contra del tratado y también ha promovido inversiones, lo cual ha generado oportunidades de empleo. El incremento del comercio ha permitido generar divisas e incrementar la recaudación fiscal. Además, ha permitido reducir los costos de producción, impulsar la competencia, la innovación y la oferta de nuevas tecnologías. En el intercambio de servicios igualmente se observa un incremento, específicamente en turismo, teniendo una balanza positiva para Ecuador.

El Dr. Baldeón concluyó indicando que, pese a todos estos avances, quedan varios retos. Las licencias de importación deben eliminarse y de forma más general la discriminación que existe entre productos ecuatorianos y de la UE debe desaparecer. Para la facilitación comercial es necesaria la cooperación de la UE. De igual forma es necesario mejorar la transparencia y previsibilidad en particular en cuanto a la regulación, incluyendo las compras públicas. Es fundamental tener una política de estado y no de gobierno.

Debido al retraso inicial, en esta sesión no se realizaron preguntas directas de la audiencia. Sin embargo, se realizaron las siguientes preguntas por el chat y la aplicación de Q&A:

1. **En la cooperación con la Unión Europea, ¿dentro del acuerdo consta la convalidación de títulos académicos para que los ecuatorianos podamos convalidar títulos en los países miembros?**

   Responde Derk Bienen: El Acuerdo en sí no prevé asistencia técnica para la convalidación de títulos académicos. Sí alienta a las partes a desarrollar acuerdos de reconocimiento mutuo (ver artículo 129), pero hasta donde sabemos, aún no se han celebrado dichos acuerdos. Si algún participante en este taller tiene más información al respecto, ¡háganoslo saber!

2. **¿A partir de qué fecha se contarían los cuatro años de vigencia del acuerdo puesto que en la exposición se mencionó que aún es provisional y no definitivo y al haber iniciado en el año 2017 este año fenecería?**

   Responde Derk Bienen: Para todos los efectos prácticos la implementación del Acuerdo comenzó el 1 de enero de 2017. Por lo tanto, esa es la fecha de inicio.

Segundo panel: Aspectos de desarrollo sostenible

a) Efectos sociales

Panelistas:

- Magdalena Ruda, líder del análisis social e institucional
- Sharian Moreno, Viceministra de Trabajo y Empleo, Ministerio de Trabajo

Moderador:

- Pier Paolo Pigozzi, Profesor, Facultad de Derecho, Universidad Finis Terrae, Santiago de Chile

La Dra. Magdalena Rueda explicó que la evaluación de impacto incorpora un análisis de los aspectos sociales incluyendo elementos como el desempleo, la pobreza, el empleo informal, el trabajo infantil, la libertad sindical y las brechas de género. Para ello se considera la situación previa al acuerdo y se analiza la tendencia, intentando siempre aislar el efecto del acuerdo comercial de otros factores relevantes.

La Dra. Rueda destacó que la situación actual del país en cuanto a factores sociales ha sido afectada de manera importante por la reducción del precio del petróleo. Existió un progreso entre los años 2007 y 2014, seguido por un estancamiento o retroceso. Pero existen importantes mejoras en cuanto a la reducción del empleo informal que cayó del 81.1% en 2007 al 67.1% en 2004, seguida por un aumenta al 72.9% en 2018. De igual forma, el acceso a seguro aumentó significativamente entre 2007 y 2018. Adicionalmente, la pobreza y pobreza extrema pasaron de 36.7% y 16.5% en 2007 a 24.5% y 9% en 2018, respectivamente. Finalmente, ha existido una reducción del empleo infantil.

Sin embargo, sigue habiendo brechas de género y la diferente participación por sectores implica que el acuerdo puede tener efectos diferenciados sobre hombres y mujeres. Adicionalmente, la proporción de miembros sindicales en el sector privado es baja.

En cuanto a los impactos más relevantes del Acuerdo se encuentra el aumento del empleo en sectores beneficiados por las reducciones arancelarias como hortalizas, frutas y frutos secos, y pesca (2,0%). Los efectos en la industria son limitados y existen también reducciones de empleo o crecimiento más lento en varios sectores incluyendo vehículos de motor, textiles, productos químicos, caucho y plásticos, equipos eléctricos, y papel, al igual que en servicios. Las diferentes provincias se benefician del acuerdo. No se ha identificado ningún vínculo directo con el trabajo infantil. Es complejo obtener datos precisos acerca del efecto sobre los sindicatos dada la limitada disponibilidad de datos.

La Dra. Ruda concluyó que los cambios en las condiciones de trabajo se deben a eventos macroeconómicos y a las medidas adoptadas por el gobierno, pero que la cooperación ha tenido un efecto positivo, por ejemplo sobre la inspección laboral.

Tras esta intervención, la Dra. Sharian Moreno realizó una presentación de las acciones del gobierno encaminadas a mitigar varios de los potenciales problemas asociados al ámbito social. En Ecuador hay 17424 organizaciones sociales (11606) y laborales (5818). En base a la experiencia de la Unión Nacional de Educadores (UNE) se han relajado los requisitos necesarios para constituir una organización.

En cuanto a las inspecciones de trabajo, la Dra. Moreno señaló que las mismas se realizan en los distintos sectores económicos. Entre 2017 y 2021 hubo 15765 verificaciones y acompañamientos a inspecciones de trabajo para identificar trabajo infantil. Además, señaló que el gobierno garantiza los derechos sindicales en los sectores con mayor riesgo. Por ejemplo, en el sector bananero existen 31 organizaciones registradas. Igualmente se están desarrollando varios proyectos relacionados a prevenir y eliminar la discriminación, así como a reducir las brechas de género.

La Dra. Moreno concluyó señalando las acciones del Ministerio de Trabajo en relación a la pandemia. Se crearon nuevas modalidades de contratos, lo cual llevó a conservar muchos empleos.

b) Efectos ambientales

Panelistas:

- Tatiana Cuervo Blanco, Investigadora principal de la dimensión de impactos ambientales
- Elizabeth Bravo, Fundadora, Acción Ecológica, y Profesora, Universidad Politécnica Salesiana

Moderador:

- Pier Paolo Pigozzi, Profesor, Facultad de Derecho, Universidad Finis Terrae, Santiago de Chile

En cuanto a los efectos ambientales la Dra. Tatiana Cuervo mencionó que la evaluación del Acuerdo considera esta dimensión en base al mayor acceso a los mercados y a las reglas comerciales. Hay cinco áreas principales de evaluación: cambio climático, biodiversidad y vida silvestre, agua, residuos y productos químicos, y calidad del aire. En el caso de Ecuador se prioriza la emisión de gases de efecto invernadero (GEI), la conversión de tierras agrícolas, el cultivo de camarón y la implementación de estándares ambientales.

La Dra. Cuervo concluyó que el Acuerdo ha contribuido a una leve disminución en emisiones de GEI. No hay evidencia de que el Acuerdo haya resultado en deforestación permanente. Queda por realizar un análisis cualitativo en varias áreas.

A continuación, la Dra. Elizabeth Bravo enfocó su presentación sobre los potenciales impactos ambientales del Acuerdo en dos actividades específicas: banano y camarón. Planteó que el objetivo del Ecuador es incrementar las exportaciones. Bajo esta premisa, enfatizó la existencia de agrotóxicos en el ciclo metabólico del banano, donde se usan 29 ingredientes activos altamente peligrosos, 8 de los cuales están prohibidos en Europa, principalmente herbicidas y fungicidas. Mencionó específicamente los efectos nocivos del Mancozeb.

En cuanto a las exportaciones de camarón, Ecuador es el principal exportador a la UE y estas exportaciones han venido aumentando. La industria camaronera históricamente ha tenido un efecto negativo sobre los manglares. Debido al daño causado, más recientemente se ha empezado a usar tierras altas. Este movimiento está asociado con

destrucción de cultivos, humedales y con deforestación. Específicamente, la Dra. Bravo mencionó el humedal de La Segua donde debido a que se ha desviado agua del humedal hacia las camaroneras se dieron dos incendios grandes, con impactos significativos en el ambiente.

c) Efectos sobre los derechos humanos

Panelistas:

- Tatiana Berden-Antonenko, líder responsable de la evaluación del impacto en los derechos humanos
- Gina Benavides, Profesora, Universidad Andina Simón Bolívar

Moderador:

- Pier Paolo Pigozzi, Profesor, Facultad de Derecho, Universidad Finis Terrae, Santiago de Chile

La Dra. Tatiana Berden-Antonenko proveyó una descripción general de la evaluación sobre los derechos humanos. Se utiliza un enfoque múltiple para aislar los efectos del Acuerdo realizando una validación cruzada. Parte de un análisis de la línea de base de derechos humanos, con lo que se crea un perfil de derechos humanos en Ecuador desde 2012 hasta 2019. Para una evaluación detallada se ha escogido el derecho al agua, la libertad de asociación y los derechos de los niños (trabajo infantil).

La Dra. Berden-Antonenko mostró en primera instancia que todas las principales convenciones de derechos humanos han sido ratificadas por las partes. En cuanto a las condiciones preexistentes de estrés identificó que existen altas tasas de desempleo y un alto nivel de informalidad. De igual forma, la baja participación sindical es obstaculizada por la regulación nacional debido a la cuota mínima de 30 trabajadores. Adicionalmente, existen altos niveles de pobreza y de desnutrición infantil, y existen violaciones de derechos laborales.

La Dra. Berden-Antonenko concluyó que el Acuerdo ha tenido efectos directos e indirectos sobre una serie de derechos humanos, pero que su impacto ha sido mixto y reducido. Afirmó que es posible que exista un efecto más sustancial en relación al derecho al agua relacionado al aumento en la producción de cereales, y vegetales, frutas y frutos secos.

La Dra. Gina Benavides enfatizó que es positivo que exista un análisis de un acuerdo comercial que incluya el análisis de derechos humanos. Enfatizó que el Acuerdo con la UE tiene una cláusula en relación a derechos humanos, pero que a la vez no existe un mecanismo específico para monitorear su implementación. En cuanto a la definición de derechos humanos, enfatizó que es importante considerar la perspectiva nacional de cómo se los ha definido. Adicionalmente, mencionó que la comprensión de los derechos humanos no se debería limitar a la visión normativa, sino que se deberían integrar los diferentes elementos de protección de derechos humanos bajo el concepto de *corpus juris,* que es más amplio. De igual forma, mencionó que es necesario enmarcar al tratado comercial y su cláusula referente a derechos humanos en relación al resto de normativa existente en el país.

En cuanto al contexto, la Dra. Benavides afirmó que han existido impactos ambientales, sociales y políticos en relación a la criminalización como consecuencia de la reacción de las comunidades frente a la falta de consulta en cuanto a explotación petrolera, minera, etc. En relación al cuadro de identificación de efectos, afirmó que se deberían incluir más

derechos, por ejemplo, el derecho a defender derechos, el derecho a la reparación y el derecho a la protesta. Igualmente, preguntó si se está incluyendo propiedad intelectual.

Para concluir, la Dra. Benavides señaló que es importante identificar qué obligaciones implican estos derechos para los estados en relación a disponibilidad, accesibilidad, calidad y adaptación. En este sentido, afirmó que no es suficiente mirar indicadores de estructura, sino que también se deben mirar indicadores de proceso y resultado. Específicamente, el enfoque de género debería ser algo transversal y, si se enfatiza la cuestión relativa a las mujeres indígenas, también se debería incorporar la cuestión relativa a las mujeres afro. Finalmente, mencionó que es necesario generar información constante respecto al Acuerdo y que se articulen los proyectos de derechos humanos junto con otros proyectos.

Los panelistas recibieron las siguientes preguntas y comentarios. Las dos primeras fueron respondidas en vivo, mientras que las demás fueron respondidas de manera escrita en el chat o en la herramienta de Q&A:

1. **[Respuesta a los comentarios de la Dra. Benavides por invitación del moderador]**

   Responde Tatiana Berden-Antonenko. Enfatizó que el enfoque es específico a los efectos del Acuerdo y no a la situación general de derechos humanos en el país, lo cual limita la relevancia de ciertos derechos. Mencionó que el derecho relacionado a consultas está incluido en los derechos indígenas. De igual forma, los derechos de los protectores de derechos humanos junto con los derechos de propiedad intelectual al igual que la corrupción se incluyen en el análisis de base. Finalmente, mencionó que el objetivo de la evaluación no es evaluar el cumplimiento del gobierno ecuatoriano, sino el impacto del acuerdo específicamente.

2. **Se ha destacado el impacto positivo de la eliminación de aranceles para facilitar la exportación e incluso se ha hablado de que el sector del banano ha sido uno de los principales beneficiarios. Sin embargo, las políticas propias de la UE están en plena reforma de sus estándares fitosanitarios lo cual afecta a las condiciones que se imponen a las importaciones. Frente a esta situación los productores de la región se ven obligados a asumir los costes de adaptación a los nuevos estándares. ¿Se van a promover ayudas financieras para ayudar a los productores a cumplir con los estándares de sostenibilidad impuestos por la UE? ¿Se van a invertir recursos para que los productores puedan encontrar productos fitosanitarios alternativos para asegurar los niveles de producción?**

   La respuesta fue dada en primer lugar por Derk Bienen, quien afirmó que la evaluación no considera cambios en normas, particularmente normas que se van a realizar en el futuro; la evaluación es ex-post. Por otro lado, las normas sanitarias no se modifican en el marco del Acuerdo, sino que rigen a toda la producción para la Unión Europea. Todos los productores locales e internacionales tienen que respetar las reglas establecidas. Por ello, no hay una obligación en la Unión Europea de apoyar a productores en países específicos, pero habrá negociaciones sobre programas de asistencia para la implementación de estas normas.

   También la Dra. Inmaculada Montero, quien es la consejera comercial en la Unión Europea, contribuyó a la respuesta. Mencionó que las reglas vienen junto con un diálogo con el gobierno y el sector productivo para ayudarles a adaptarse. Las reglas están cambiando y van a cambiar más en el futuro. Hay un proceso en marcha para identificar los sectores prioritarios para la Cooperación EU en Ecuador para el

periodo 2021-2027, dentro del cual figura de manera importante una respuesta articulada a las nuevas normas sanitarias y fitosanitarias que la EU aplicará a sus Estados Miembros y a los países con los cuales mantiene acuerdos comerciales.

3. **¿Cuántos inspectores laborales existen a nivel nacional?**

   La respuesta la dio la viceministra de trabajo, Dra. Sharian Moreno indicando que existen 154 inspectores a nivel nacional.

   En esta pregunta hubo una repregunta de Pablo de la Vega:

   La pregunta apunta a conocer el número desde que entró en vigencia el ACM (2017). ¿Cuántos inspectores ha habido en 2018, 2019, 2020 y 2021 (154)? ¿Por qué razones el Estado ecuatoriano mantiene un número reducido de inspectores de trabajo? Entiendo que las cifras evidencian una disminución de ese número que no le permiten alcanzar los estándares internacionales recomendados.

   La Dra. Moreno respondió indicando que no se han disminuido inspectores de trabajo y que ellos tienen nombramientos definitivos en concordancia con los convenios internacionales que determinan que los inspectores deben tener estabilidad.

4. **De las 980 denuncias que ha recibido el Ministerio, ¿cuántos casos han sido sancionados?, ¿o en qué estado se encuentran?**

   Responde la Dra. Sharian Moreno. Ella señaló que respecto de las demandas de inconstitucionalidad sobre la ley de apoyo humanitario, resulta imperativo señalar que ninguna ha sido resuelta. Al respecto, la ley de apoyo humanitario, mientras no cuente con una sentencia que la declare inconstitucional, es una norma constitucional.

5. **En relación a lo señalado como libertad sindical y el crecimiento de la constitución de organizaciones sociales que en términos de derechos por ejemplo para la negociación colectiva no es lo mismo que las organizaciones laborales, ¿no considera que esta diferencia da cuenta de las dificultades para ejercer el derecho a la libre sindicalización en el país? Sobre todo ante la Ley de Apoyo Humanitario que justamente habilita formas de contratación que limitan la negociación colectiva y la libertad sindical, razón por la cual existen más de una decena de demandas de inconstitucionalidad presentadas incluyendo la elaborada por la Defensoría del Pueblo.**

   La respuesta la dio la viceministra de trabajo Sharian Moreno quien señaló que de conformidad con lo que estipula el artículo 221 del Código de Trabajo, no es un requisito ser una organización sindical para negociar un contrato colectivo. Este artículo señala claramente que de existir un comité de empresa se deberá celebrar con este el contrato colectivo. En el caso en el que no exista, se celebrará con la asociación que tenga mayor número de trabajadores afiliados. En el caso del sector público se suscribirá el contrato colectivo con un comité central único (que no es una organización ni laboral ni social) que se encuentre conformado por más del 50% de los trabajadores.

   La Dra. Moreno enfatizó que, como se puede evidenciar, de acuerdo a la normativa existente, no es un requisito constituirse como organización sindical para negociar o suscribir un contrato colectivo.

Día 2: 12 de marzo de 2021

Panel 1. Efectos económicos

Panelistas:

- Derk Bienen - líder del equipo de la evaluación.
- Daniel Legarda, Viceministro de Comercio Exterior, Ministerio de Producción, Comercio Exterior, Inversiones y Pesca (MPCEIP)
- Pablo Zambrano, Presidente, Cámara de Industrias y Producción (CIP)
- Diego Caicedo, Director General, Comunidad Andina (CAN)

Moderador:

- Carlos Uribe, Profesor, USFQ School of Economics, Universidad San Francisco de Quito (USFQ)

El Dr. Derk Bienen dio inicio a este panel presentado los efectos económicos y sobre el comercio del Acuerdo Comercial. Enfatizó nuevamente que la evaluación es específicamente en relación a los efectos del Acuerdo. Las estadísticas descriptivas son un punto de partida, tras lo cual es necesario usar un modelo económico para intentar aislar el impacto del Acuerdo, comparando la situación actual con un contrafactual donde el nivel arancelario corresponde a la nación más favorecida (MFN).

Se encuentra que existe un aumento de exportaciones e importaciones entre Ecuador y la UE (bilaterales), pero las exportaciones de Ecuador aumentan más que las importaciones. A nivel sectorial el efecto se ha concretado en pocos sectores, principalmente en otros productos alimenticios, y frutas y hortalizas.

En cuanto a los impactos macroeconómicos, el Dr. Bienen afirmó que existe un efecto positivo sobre el PIB (0.16%), siendo Ecuador el mayor beneficiario del Acuerdo. En cuanto a la producción, existe un efecto total positivo. A nivel sectorial, existe un incremento en la producción concentrada en pocos sectores incluyendo otros productos alimenticios, frutas y hortalizas, y construcción. Pero también existe una disminución en la producción en vehículos de motor, textiles, y productos químicos. Los demás sectores no han sido mayormente afectados. En relación a los ingresos públicos, Ecuador es el único país que muestra un efecto positivo del Acuerdo (0.1% del total de ingresos del gobierno). Esto se debe al gran efecto positivo del Acuerdo sobre el PIB, de tal forma que la pérdida de ingresos por aranceles no solo se compensa, sino que existe un efecto neto positivo.

El comercio de servicios bilateral ha regresado a su senda de crecimiento desde 2017, si bien la composición de exportaciones de servicios no ha cambiado, concentrándose en transporte, turismo y otros servicios profesionales. En cuanto a la inversión bilateral, no ha habido nuevas grandes inversiones de la UE, lo cual es posible que haya sido afectado por la terminación de los tratados bilaterales de inversión. No existe casi ninguna inversión de Ecuador en la UE.

Finalmente, en relación a las barreras no arancelarias, existen irritantes en el comercio bilateral. Sin embargo, el comercio de los productos afectados por estos irritantes ha aumentado. En relación a los aspectos institucionales, se encuentra una efectividad limitada, pero las partes valoran la discusión técnica con el objetivo de mejorar las condiciones de acceso al mercado.

Esta presentación fue seguida por el Ec. Daniel Legarda, quien subrayó la objetividad de la evaluación y planteó algunas aclaraciones en cuanto a ciertos comentarios por parte de la sociedad civil durante el primer día del taller. El Ec. Legarda mencionó que el Acuerdo no es perfecto, pero que trae importantes beneficios para el país. Ecuador tiene una balanza comercial superavitaria con la UE, la cual se incrementó en el año 2020 bajo el contexto de la pandemia.

El Ec. Legarda enfatizó la complementariedad entre la UE y Ecuador. Afirmó que el Acuerdo ayuda a cerrar las brechas existentes en aspectos que van más allá del intercambio comercial, por ejemplo en relación a MIPYMES y participantes de la economía popular y solidaria. Por otro lado, el no tener el acuerdo hubiera significado una reducción en las exportaciones de más de $3000 millones, lo que hubiera significado un impacto negativo de 0.2% del PIB por año en promedio.

Finalmente, señaló que existen desafíos pendientes. Por un lado, hace falta diversificación de los productos de exportación. Hay alrededor de 190 nuevos productos de exportación, pero todavía son pequeños debido a que desarrollar un mercado exportador toma tiempo. Por otro lado, existe preocupación respecto de las modificaciones al reglamento de pesca y a las normativas no arancelarias como por ejemplo la iniciativa "de la granja a la mesa" que ponen presión sobre los productores nacionales. Ellos requieren tiempo y ayuda de cooperación para adaptarse a estos nuevos requerimientos. De igual forma existen compromisos por el lado ecuatoriano que deben cumplirse, por ejemplo en relación a reducir restricciones administrativas.

A continuación, el Ab. Pablo Zambrano enfatizó que el Acuerdo es un hito histórico pues antes de este Acuerdo Ecuador no tenía un acuerdo con un socio comercial tan importante. Desde el punto de vista del sector privado el acuerdo se ha recibido con beneplácito, pero es importante aprovecharlo de mejor manera. En este sentido mencionó que es clave conocer mejor las normas de la UE e implementar nuevas tecnologías que contribuyan a la productividad del sector privado ecuatoriano, permitiendo una mayor diversificación de las exportaciones.

De igual forma, afirmó que el consumidor también obtiene beneficios, los cuales están asociados a una mayor competencia en el país por parte de los productores europeos. Esto igualmente obliga a mejorar la productividad del sector productivo ecuatoriano. Concluyó indicando que hay un reto de lograr incorporar productos manufacturados en las exportaciones y que el sector servicios también debe ser impulsado.

Para concluir el panel, el Dr. Diego Caicedo afirmó que los datos confirman las valoraciones positivas que se realizaron ex-ante. Con esto se rompió la idea de que Ecuador no podía acceder a acuerdos comerciales de nueva generación, que incorporan muchas dimensiones además del aspecto comercial. Señaló que los sub-comités son el espacio adecuado para dialogar y poder resolver las dificultades relacionadas al Acuerdo. Estos comités también deberían plantearse los retos futuros asociados al Acuerdo como por ejemplo la nueva era digital.

Pese al avance, todavía no se ha logrado explotar el acuerdo específicamente en cuanto a la diversificación de las exportaciones. Para ello enfatizó tres elementos clave: calidad, cantidad y continuidad. Adicionalmente, es necesario aprovechar más las cadenas de valor regionales. Desde la perspectiva de los servicios hay un reto para identificar oportunidades desde ambas partes. Y, en cuanto a inversiones, es necesario hacer un trabajo más fuerte de promoción de los proyectos que se están realizando en Ecuador.

Finalmente, señaló que el diálogo dentro del sector privado ha sido muy valioso para el desarrollo pos-acuerdo y que es importante que esto siga. Es necesario hacer un trabajo

muy fuerte para poder cumplir con la parte regulatoria e intentar incorporar los comentarios de Ecuador sobre esta regulación.

Concluyó indicando que el Acuerdo es muy positivo en cuanto a generar una nueva dinámica económica en Ecuador junto con bienestar económico y la posibilidad de que haya más trabajo.

Hubo varios comentarios escritos de la audiencia, además de un comentario hablado:

1. **Andres Quiroz mencionó que sería importante que en el análisis que realizan se incluya el impacto que podría generarse en las exportaciones ecuatorianas en frutas y hortalizas por la política de reducción de LMR de la UE, la que afecta directamente a los principales productos de la oferta exportable del Ecuador, lo cual a un corto plazo podría diluir lo logrado desde el 2017 con los beneficios obtenidos del Acuerdo.**
2. **Eduardo Egas de CORPEI mencionó que no se puede echar la culpa al Acuerdo Comercial con la UE de que Ecuador no haya podido diversificar la oferta exportable, porque las razones de ello están fuera del ámbito del Acuerdo Comercial. Ello obedece a la falta de competitividad y condiciones para realizar inversiones en nuevos productos.**
3. **De igual forma, Eduardo Egas solicitó a los consultores que tomen las experiencias en campo que se ha hecho con programas de asistencia técnica que la misma UE ha apoyado. Esas experiencias son una "muestra representativa" de los efectos del Acuerdo en amplios sectores exportadores. Esto incluye realidades en el campo social, de género, trabajo infantil, ambiente y laboral que difieren de algunos análisis que se presentaron el primer día del taller.**

   Derk Bienen comentó al respecto afirmando que, en efecto, la asistencia técnica se considera y se incluye en el estudio y solicitando si tiene más información sobre los programas y sus resultados. Si es así, por favor que envíen la información a d.bienen@bkp-advisors.com. Eduardo Egas aseguró que será un placer proveer de más información aunque ya se entregó información en el contexto de la entrevista realizadas por la USFQ.

4. **Eduardo Egas de CORPEI comentó acerca de los programas de ayuda a exportación de MIPYMES, y los efectos positivos del Acuerdo. Él enfatizó que no se puede usar un ejemplo de una empresa que haya delinquido para argumentar que el Acuerdo haya generado estos problemas. Por otro lado, mencionó que el Acuerdo con la Unión Europea es un acuerdo modelo.**

El panel finaliza con una ronda de preguntas, las cuales se mencionan a continuación:

1. **¿Cuál es la fuente de las estadísticas de comercio de servicios?**

   Responde Derk Bienen señalando que es de la base de datos BaTIS de WTO/OECD, https://data.wto.org/. Es la única fuente que tiene datos sobre el comercio de servicios bilaterales para Ecuador que BKP encontró.

2. **Se tiene previsto en el Acuerdo bilateral impulsar como desafíos: transformación digital, impulso de la industria pesada, industria manufacturera y la tecnología sostenible, sustentable y con incorporación**

de industria 4.0. No solo debemos pensar en productos primarios, el país debe crecer y desarrollarse en estos campos.

La respuesta fue dada por Daniel Legarda, quien señaló que uno de los desafíos es la diversificación productiva. Igualmente es importante hacer que lo que ya se tiene se internacionalice. Enfatizó que su perspectiva es que se debe fortalecer aquellos sectores que ya existen. De igual forma, es necesario considerar que existen sectores en Ecuador que no son competitivos.

3. **De acuerdo con Diego Caicedo, tenemos que aprovechar estas conversaciones para profundizar conceptos como Diferentes Latitudes, Diferentes Necesidades y Responsabilidad Compartida. Nuestros grandes desafíos en la UE son su política ante LMR, específicamente la transición para terceros países, que encarece la producción y la dejan expuesta a plagas. A eso se suma la falta de compromisos del otro lado de la cadena en no compartir los costos de esta transición. Ante esto quisiera preguntar: ¿cuáles son los mecanismos para garantizar que otros actores de la cadena de valor como son los retailers y los consumidores también asumirán parte de los costos relacionados con la sostenibilidad y la transición que plantea el Farm to Fork? Asimismo, ¿cómo pretenden garantizar que el desarrollo de las políticas sobre Tolerancias de Importación incluya la perspectiva de que distintas regiones tienen distintas necesidades?**

   Esta pregunta fue respondida por Diego Caicedo. Él afirmó que desde el sector público se deben generar protocolos que promuevan la trazabilidad de los productos. En el sector privado existen iniciativas como en el sector camaronero en que ya se han desarrollado estas herramientas. Adicionalmente, mencionó que este reto no se debe ver como un problema respecto a la futura regulación , sino como una pregunta de cómo se puede beneficiar a los consumidores. Es necesario incorporar a otras cadenas.

4. **A Diego Caicedo, señalaba usted en su exposición que determinados sectores como el bananero, camaronero o cacaotero deben mejorar en las relaciones con el sector público sobre todo en materia de higiene alimentaria. ¿Se refiere usted que la normativa ecuatoriana no satisface los estándares europeos? En caso contrario, ¿podría ser más preciso?**

   Esta pregunta fue respondida por Diego Caicedo, quien afirmó que parece que se entendió mal el comentario; que su punto es que se debe consolidar el diálogo público-privado, lo cual se ha logrado de manera efectiva en el sector camaronero y bananero. Pero se debe extender este diálogo a otros sectores productivos.

Panel 2. Efectos en el desempeño institucional

Panelistas:

- Magdalena Ruda, líder para el análisis social e institucional en la evaluación.
- Luigi Antonio Benincasa Azúa, Director Ejecutivo de la Asociación de Atuneros del Ecuador (ATUNEC), Coordinador del Subgrupo de Gremios Empresariales
- Anahí Macaroff, Instituto de Estudios Ecuatorianos (IEE).

Moderador:

- Diego Grijalva, Profesor, USFQ Business School y USFQ School of Economics, Universidad San Francisco de Quito (USFQ)

El panel inicia con la presentación de la Dra. Magdalena Ruda, quien realizó una revisión preliminar de los impactos del Acuerdo a nivel institucional. El análisis considera el texto legal del acuerdo, evaluación de documentos de reuniones y la participación de las partes interesadas.

Los resultados preliminares en base a la lectura de los textos legales muestran que las reuniones anuales del Comité de Comercio y de los ocho subcomités proporcionan un espacio muy útil para abordar temas como flujos comerciales, nuevas políticas y legislación, barreas de acceso a los mercados, asesoría sobre aspectos técnicos, medidas facilitadoras de comercio, medidas sanitarias y fitosanitarias e indicaciones geográficas. Los comités también incrementan la transparencia de la aplicación del Acuerdo pues los informes están publicados en la página web de la UE.

En cuanto al título de comercio y desarrollo sostenible, la Dra. Ruda menciona que los puntos de contacto funcionan muy bien. Se han planteado cuestiones importantes como por ejemplo el establecimiento de grupos asesores de la sociedad civil. La conclusión general es que se han logrado algunos avances en la resolución de problemas, pero que es necesario hacer más.

Los grupos consultivos internos funcionan en todas las partes del acuerdo, pero funcionan de forma diferente en cada parte. Es muy bueno que exista el espacio para el diálogo, pero existen elementos que necesitan mejorarse. Específicamente sugiere la existencia de una secretaría técnica y también de financiamiento para el funcionamiento de los GCI.

Como conclusión, existe una apreciación del título de Comercio y Desarrollo Sostenible. Sin embargo, debe fortalecerse para evitar la frustración de los involucrados, incluyendo financiamiento, una secretaría técnica y reuniones más frecuentes. De igual forma, la discusión debería centrarse más en contenidos que en el proceso. La sociedad civil proporciona recomendaciones a las partes. Por parte de la sociedad civil se espera que el gobierno realice un mejor seguimiento de las recomendaciones. El gobierno, por su parte, argumenta que las recomendaciones deberían ser más precisas.

A continuación, el Sr. Luigi Benincasa habló acerca de su participación en el CCI y su perspectiva acerca de los efectos del Acuerdo. En primera instancia mencionó que el Acuerdo en el sector pesca permitió continuar con lo que se había conseguido previamente, pero con una mayor seguridad jurídica en relación al acceso previo mediante preferencias arancelarias. Mencionó que existe un problema relacionado con los contingentes.

En cuanto al CCI, mencionó que es el único formalmente establecido. En Colombia y Perú no existen. Mencionó que no se previó una renuncia de todo el bloque del subgrupo de trabajadores, lo cual ha causado un bloqueo en el trabajo del subgrupo. Esto es importante que se considere en la creación de subgrupos hacia el futuro.

Luego de ello, realizó una crítica al documento elaborado por la Friedrich Ebert Stiftung, que según él ataca a los productos estrella del Ecuador al afirmar que los sectores de banano, camarón, enlatados de pescado, café, cacao y flores se han beneficiado del Acuerdo sin mejorar las condiciones laborales.

Finalmente, hace referencia a los 17 Objetivos de Desarrollo Sostenible. Él plantea serias dudas de que se logren estos objetivos considerando el impacto de la pandemia y el manejo de las vacunas a nivel global.

A continuación, la Dra. Anahí Macaroff realizó su presentación enfatizando los desafíos para la participación de la sociedad civil. Los consejos consultivos no son vinculantes, pero sí se espera que la consulta tenga incidencia.

En este sentido, falta divulgación e información sobre el Título IX y los mecanismos de participación de la sociedad civil. No existe ningún sitio web oficial, ni información en la página del MPCEIP. Adicionalmente, hace falta las condiciones apropiadas para el funcionamiento del CCI. Existe una asimetría entre el funcionamiento de los consejos consultivos en los países andinos en relación a la UE. Por otro lado, hacen falta espacio y canales de diálogo. La reunión anual es muy breve. Se pierde la oportunidad de tener un canal abierto tanto entre los países andinos como dentro de los estados específicos. De igual forma, hace falta la entrega de información de carácter oficial por parte del Estado.

Adicionalmente, hace falta seguimiento, respuesta y espacios de trabajo de las preocupaciones y demandas de la sociedad civil. Hacen falta respuestas a las quejas formales elaboradas por la sociedad civil, faltan mecanismos de resolución de controversias, mecanismos de seguimiento y sanciones.

De manera importante, la Dra. Macaroff mencionó que hay incumplimientos al Titulo IX que no son producto del Acuerdo Comercial, pero que sí son violaciones al Título IX, específicamente en relación a derechos laborales y ambientales.

Finalmente, afirmó que el Acuerdo tiene un espacio de participación, pero que es necesario que este espacio de participación realmente sea implementado para que las recomendaciones sean escuchadas.

A continuación, se realizaron preguntas de los participantes. En los puntos 1-2 no hubo preguntas específicas pero se realizaron comentarios en relación a afirmaciones de los ponentes. Las preguntas 3-5 fueron respondidas en vivo.

1. Dulce García del MPCEIP afirmó que el **proceso de conformación del Consejo Consultivo Interno** llevó más de 10 meses, para lo cual se realizaron un sin número de talleres en varias provincias del país, llegando a más de 2550 actores de la sociedad civil y logrando contar con más de 150 asociaciones a nivel nacional, las cuales estaban interesadas en formar parte de este mecanismo de diálogo interno. Por tanto, no es correcto lo mencionado respecto a que el Consejo Interno se creó de manera "rápida e imprecisa" solo para cumplir con la reunión anual. Este proceso mereció la felicitación y reconocimiento por parte de la UE.

2. Anaís Mejía comentó que respecto al **argumento de que no se brindó respuesta a la "Queja De Las Trabajadoras Y Trabajadores Del Sector Bananero"**, entregada al MPCEIP por parte del señor Jorge Acosta en marzo de 2019, es importante aclarar que el Gobierno, de manera conjunta, tomó de manera seria y responsable lo expresado en el documento y, tras recibir la queja, se creó un grupo de trabajo interinstitucional junto con el Ministerio del Trabajo, Ministerio del Ambiente, Ministerio de Agricultura, Ministerio de Salud Pública y Ministerio de Relaciones Exteriores y Movilidad Humana, con el objetivo de recopilar información que permita contrastar aquella vertida en los diferentes ámbitos de la Queja. En tal sentido, se logró contar con un informe interinstitucional de respuesta a dicha Queja, trabajado durante cerca de diez meses, por parte de las diferentes carteras de Estado involucradas.

   Debido a que este fue un documento que presentó una Queja en el Marco del Título de Comercio y Desarrollo Sostenible del Acuerdo Comercial Multipartes con la UE, y considerando que la Unión Europea, a través de su Delegación en Ecuador, insistió en reiteradas ocasiones sobre la necesidad de contar con un informe que contenga

la posición del Ecuador ante las alegaciones de ASTAC, el MPCEIP remitió dicha respuesta a la Comisión Europea y a la Delegación de la UE en Ecuador.

Asimismo, esto fue explicado al señor Acosta, como respuesta a su comunicación 0003072, de octubre de 2019, la cual fue enviada a este Viceministerio, con copia a la DG-TRADE.

3. **¿Cuáles han sido específicamente los avances que se han realizado en el Consejo Consultivo?**

Responde la Dra. Ruda. Menciona que los avances no son muchos, pero que sí existen algunos. En primera instancia, en los inicios del Acuerdo había participación muy limitada debido a la falta de apoyo financiero. La implementación de asistencia técnica de la UE a partir del 2018 ha contribuido a que exista participación de la sociedad civil en las reuniones anuales. El mecanismo de resolución de controversias sí existe –si bien no hay sanciones-. Este año la Comisión Europea ha lanzado un mecanismo para que la sociedad civil pueda proporcionar una queja en cuanto al Título de Comercio y Desarrollo Sostenible, al igual que un mecanismo donde se puede proporcionar información en cuanto a los obstáculos técnicos de acceso a los mercados. Además, la Comisión Europea va a evaluar los títulos de desarrollo sostenible y va a presentar una propuesta de cómo mejorarlos.

Los avances son limitados y queda mucho trabajo por hacer.

4. **¿Existe en el mecanismo de evaluación una perspectiva de los consumidores en cuanto a la medición de los beneficios o no de acceso a productos de mejor calidad de origen europeo, o viceversa?**

Responde Magdalena Ruda. El análisis de los beneficios sobre los consumidores es limitado. En el análisis cuantitativo existen resultados del modelo económico en áreas específicas como salarios o precios, además del efecto de la reducción de barreras arancelarias y no arancelarias sobre la cantidad y calidad de los productos disponibles para los consumidores.

Es posible mejorar esta parte del análisis entrevistando a los representantes de los consumidores.

5. **¿Cómo se puede participar del Consejo Consultivo? Podrían por favor compartir la persona de contacto para conocimiento de tod@s.**

Responde Diego Grijalva, dado que Luigi Benincasa tuvo que salir del panel. Señala que Luigi Benincasa y Pablo de la Vega son las personas con quienes se podría conversar para participar en el Consejo Consultivo.

Sesión de clausura

La culminación del seminario está a cargo del Dr. Diego Grijalva y del Dr. Derk Bienen.

El Dr. Grijalva realiza una breve presentación resumiendo los principales temas discutidos en el taller. Menciona en primera instancia que los diferentes participantes han considerado positivo el enfoque de BKP en cuanto a tres aspectos. En primer lugar, la evaluación incluye varias dimensiones incluyendo efectos económicos, sociales, ambientales, de derechos humanos e institucionales. En segundo lugar, se ha incorporado un esquema participativo

que permite incorporar diferentes perspectivas. Finalmente, se ha recalcado el objetivo de intentar identificar un efecto causal mediante un análisis contrafactual.

El tratado comercial es importante y tiene impacto en varias dimensiones. Existen problemas en varias de estas dimensiones, pero en algunos casos estos problemas no son específicos al tratado. Por ejemplo, la evaluación no ha identificado un efecto causal del tratado sobre trabajo infantil. De igual forma, en relación a temas de informalidad y en relación a las condiciones de trabajo, estas tienen que ver con condiciones macroeconómicas y las políticas gubernamentales específicas y el Acuerdo parece haber tenido un impacto menor. Lo mismo ocurre con el ámbito ambiental, donde hay un efecto pequeño positivo en cuanto a emisiones de gases de efecto invernadero y no hay evidencia de un impacto en deforestación. En cuanto al tema institucional hay retos para mejorar la participación y la respuesta a las recomendaciones realizadas.

Lo más importante del Acuerdo sigue siendo el efecto económico. Ecuador es el país que más se ha beneficiado del Acuerdo Comercial en comparación con Colombia y Perú. Esto es natural dado que estos países ya tienen otros Acuerdos Comerciales por lo que el impacto de un acuerdo adicional es menor. Es importante que el efecto sobre el PIB es tan grande que contrarresta el impacto negativo de la reducción de aranceles en los ingresos del sector público a tal punto que el análisis contrafactual muestra un efecto neto positivo en los ingresos del Estado.

Existen diversas áreas en las que hay que avanzar relacionadas específicamente a la diversificación de exportaciones, mejora en servicios y atracción de inversiones. En cuanto al área de productos específicamente, el Acuerdo ha llevado a mayores importaciones y, mayormente, exportaciones del Ecuador, lo que ha contribuido a incrementar la balanza comercial positiva con la UE. La existencia del Acuerdo ha redireccionado las exportaciones del Ecuador hacia esta región, puesto que es más fácil acceder a este mercado. El reto es cómo hacer que los exportadores puedan acceder a otros mercados con condiciones similares a las que existen actualmente con la UE dado el Acuerdo.

En relación al contrafactual, se ha hablado de cuál es el contrafactual apropiado. A la luz de la discusión, un contrafactual interesante es qué hubiese pasado si no hubiésemos tenido el tratado comercial y tampoco hubiésemos tenido acceso a las preferencias arancelarias, que era el escenario planteado en el momento en que Ecuador pasó a ser un país de ingresos medios altos.

Finalmente, cuando pensamos en los costos y beneficios de los acuerdos comerciales es necesario pensar en todos los actores afectados, entre los cuales se encuentran los consumidores. La razón por la cual exportamos es para importar. Esto se debe a que existe una complementariedad en la dinámica de producción entre los diferentes países por lo que cada país obtiene beneficios al acceder a la producción de otros países. Por ello, el acceso a importaciones se traduce en una mejora del bienestar de los hogares.

A continuación, el Dr. Bienen respondió a los dos comentarios indicando en primer lugar que el contrafactual propuesto no necesariamente genera un valor agregado. En cuanto al efecto sobre los consumidores, hay limitaciones en el modelo, que tienen que ver con la estructura económica de Colombia. La simulación analiza de manera conjunta el efecto del Acuerdo sobre las cuatro partes. La situación con Colombia es que el gran tamaño del sector de carbón en Colombia distorsiona los efectos sobre los precios y los precios son el mecanismo principal para analizar los efectos cuantitativos sobre los consumidores. Por eso la única posibilidad es realizar un análisis cualitativo al respecto.

El Dr. Bienen concluyó indicando que las distintas perspectivas son valiosas para asegurar que la evaluación sea balanceada y que incorpora los diferentes puntos de vista de la sociedad. Los diferentes puntos de vista serán incorporados en la evaluación, pero siempre bajo el análisis de BKP.

Los siguientes comentarios y preguntas se realizaron en esta sesión:

1. **Los temas ambientales, de desarrollo sostenible, de derechos laborales y trabajo infantil y otros temas sociales deben ser estudiados a profundidad para tener data dura y real sobre estos temas pues los pronunciamientos que han hecho algunos de los panelistas parecen más ser percepciones que realidades.**

   Respondió Diego Grijalva mostrando su acuerdo con el comentario. En este sentido, la idea es contribuir con evidencia más precisa para lograr tener una evaluación lo más objetiva posible.

2. Eduardo Egas de CORPEI plantea que **se confronten los resultados del modelo con los efectos que el Acuerdo ha tenido sobre los pequeños productores del Ecuador**. Adicionalmente, se deben considerar otros efectos como el efecto sobre los consumidores y también las nuevas inversiones que se tuvieron que hacer en Ecuador debido a las regulaciones y la demanda adicional como consecuencia del Acuerdo. El acuerdo comercial permitió a la UE liberarse de restricciones al comercio implementados por Ecuador y protege a la UE de futuras restricciones.

3. **¿La entrada en vigencia del Pacto Verde , no llevaría a los países andinos a una situación inmediata de perder acceso al mercado europeo? ¿Hay un plazo para ajustarse a esas nuevas exigencias?**

   Responde Derk Bienen. Afirma que esto no se incluye en la evaluación porque la evaluación es ex post. Estas exigencias se aplican a todos los productores que vendan en el mercado europeo; no son reglas que se aplican solamente a los productores en Ecuador. La implementación de estas nuevas reglas toma tiempo, seguramente habrá periodos de transición para poder implementar los cambios necesarios en los procesos de producción.

   Fernando Domínguez de la Dirección de Comercio de la Comisión Europea dio una visión acerca del Pacto Verde indicando que es la implementación del Acuerdo de Paris donde la UE junto con un gran número de países se comprometió a reducir las emisiones. Es mucho más amplio que solamente la agricultura. Incluye la estrategia de la granja a la mesa, entre otras. Este compromiso de la UE no obliga a Ecuador a producir de acuerdo a esta perspectiva, pero cuando los productos ingresan a la UE tienen que cumplir con esta regulación. Esto es una gran oportunidad para tener una perspectiva diferente y movernos a otro tipo de economía.

Anexo: Participantes

Participaron 97 representantes de las siguientes organizaciones:

- Acción Ecológica
- América Economía
- Asociación de Empresarios del Norte (AEN)
- Asociación de Empresas Automotrices del Ecuador (AEADE)
- Asociación de Exportadores de Banano del Ecuador (AEBE)
- Asociación de Industriales Textiles del Ecuador (AITE)
- Asociación de Productores de Alimentos Balanceados (APROBAL)
- Asociación Ecuatoriana de Plásticos (ASEPLAS)
- Asociación Nacional de Exportadores de Café (ANECAFE)
- Asociación Nacional de Fabricantes de Alimentos y Bebidas (ANFAB)
- Asociación Nacional de Productores y Exportadores de Flores del Ecuador (EXPOFLORES)
- Atrevia
- Cámara de Comercio Binacional Ecuatoriano Italiana (CBEI)
- Cámara de Comercio e Industrias Ecuatoriana Croata
- Cámara de Comercio Ecuatoriana-Americana (AMCHAM)
- Cámara de Industrias de Guayaquil (CIG)
- Cámara de Industrias y Comercio Ecuatoriano Suiza
- Cámara de Industrias y Producción (CIP)
- Cámara de la Industria Automotriz Ecuatoriana (CINAE)
- Cámara Ecuatoriana de Industriales y Procesadores Atuneros (CEIPA)
- Cámara Nacional de Acuacultura (CNA)
- Cámara Oficial Española de Comercio del Ecuador
- Cedal
- CEPAL
- Conagopare Pichincha
- Confederación de Trabajadores del Ecuador (CTE)
- Consejo de Cámaras y Asociaciones de la Producción (CCAP)
- Consorcio Legal S.A.
- CORPEI
- Corpesa
- Corporación para la Promoción, Gestión y Desarrollo Social (PROGEDESO)
- Delegación de la Unión Europea en Ecuador
- Diario El Universo
- Ecos
- El Comercio
- Embajada de Italia en Ecuador
- Escuela Politécnica del Litoral
- Estudio Jurídico Falconi
- Estudio Jurídico Puente & Asociados
- Facultad Latinoamericana de Ciencias Sociales (FLACSO)
- Federación Ecuatoriana de Exportadores (FEDEXPOR)
- FOS
- Friedrich-Ebert-Stiftung
- Indeltro
- Instituto de Altos Estudios Nacionales (IAEN)
- Internacional de Servicios Públicos (ISP)
- Ministerio de Agricultura y Ganadería
- Ministerio de Comercio Exterior (MPCEIP)
- Ministerio de Relaciones Exteriores
- Ministerio de Trabajo
- Ministerio del Ambiente y Agua
- Mission of Ecuador to the EU

- Oficina Comercial Embajada España
- Organic Sorbent
- PROCOBANRO S.A.
- Service économique régional, Ministère de l'Economie, France
- Servicesmart
- Servicio Nacional de Derechos Intelectuales
- Swisscham Ecuador
- Transmarina
- Universidad San Francisco de Quito
- University of Bonn
- Villacres Asociados

Annex I-3: Peru

Informe del taller

Día 1: 17 de marzo de 2021

Introducción y palabras de bienvenida

- Diego Mellado- Jefe de la Delegación de la Unión Europea en Perú
- José Luis Castillo Mezarina- Director General de Negociaciones Comerciales Internacionales, Ministerio de Comercio Exterior y Turismo (MINCETUR)

Ante todo, el Dr. Diego Mellado dio la bienvenida a los participantes al evento. Empezó su presentación subrayando la relevancia del tema de análisis, tanto por los retos que acarrea el contexto actual como por la importancia del Acuerdo comercial en las relaciones bilaterales y subregionales. Un aspecto fundamental que se encuentra en la base de la concepción de la política comercial de la UE y que es destacado por el Dr. Mellado es su carácter multilateral y abierto, propósito que ha sido reafirmado en una declaración de principios publicada recientemente. Así, en las circunstancias actuales, ratifica la trascendencia del comercio internacional como una de las vías de superación de la crisis en la que nos encontramos inmersos.

En ese sentido, puso en relieve la importancia de la UE para el Perú en estos tiempos inciertos. Así, mientras el comercio internacional se veía afectado y decaía, algunas de las exportaciones peruanas, apoyándose en el Acuerdo, continuaron arribando a Europa e incluso se vio incrementos en algunos rubros. Por lo tanto, parecería evidente que ambas partes se necesitan mutuamente para su recuperación económica. Pero no solo es importante por lo que puede representar en el presente o a futuro, sino también es pertinente valorar lo que se ha conseguido hasta el momento, y es por ello que hizo mención al desarrollo de relaciones más estables, de una mayor seguridad jurídica, al crecimiento de algunos sectores (como el de la agroexportación), y al beneficio que ha reportado a pequeñas y medianas empresas. En consecuencia, si bien es cierto que hay aspectos técnicos a mejorar, el balance general sería positivo.

A continuación, intervino el Dr. José Luis Castillo Mezarina. De la misma forma, inició su presentación dando la bienvenida a los asistentes al taller y a continuación, relató su experiencia personal como parte del equipo negociador de Perú desde el inicio del proceso

hace más de quince años. En línea con lo expuesto por el Dr. Mellado, realizó una valoración positiva del Acuerdo, pues ha generado oportunidades para el crecimiento del comercio bajo un marco previsible que contempla reglas de juego claras. En ese sentido, destacó algunos datos claves, como por ejemplo, que la UE es el tercer socio comercial del Perú, solo por detrás de China y EEUU, representando el 11.6 % de su comercio internacional. Además, el Acuerdo ha permitido que Perú se ubique entre los principales proveedores extracomunitarios de productos como la palta, los arándanos, la uva fresca, entre otros.

Por otro lado, la UE es el primer proveedor farmacológico del Perú y una muy importante fuente de otros productos como acero, vehículos o maquinarias. Pero la UE es también el principal inversor en el Perú, posición que ha mantenido desde el año 2010, destacándose en los sectores de telecomunicaciones, finanzas, energía, minas e industria. Estimó que entre los beneficios obtenidos, pueden señalarse a los avances alcanzados en materia laboral y ambiental, así como el intercambio de información y experiencias sobre temas de desarrollo sostenible. Sin embargo, hay algunos puntos, como los sanitarios y fitosanitarios, que pueden ser afianzados. Finalmente, el Dr. Castillo hizo énfasis en la necesidad de medir y hacer evaluación ex post con el fin de mejorar.

Primer panel: Contexto, enfoque y estado de la evaluación y puntos de vista de la sociedad

Panelistas:

- Derk Bienen- Líder del equipo de evaluación
- Luis Lazo- Coordinador Nacional de Foro Salud
- Julio César Bazán- Presidente de la Central Unitaria de Trabajadores (CUT)
- Edgar Vásquez- Director del Centro de Investigación de Economía y Negocios (CIEN) en la Asociación de Exportadores (ADEX)

Moderadora:

- Mayte Anais Dongo Sueiro- Profesora de la Pontificia Universidad Católica del Perú (PUCP)

La primera intervención estuvo a cargo del Dr. Derk Bienen, líder del equipo de evaluación, quien ofreció una mirada general sobre el Acuerdo y brindó algunos alcances acerca del proceso de evaluación en curso. En su presentación desarrolló cuatro puntos. En primer lugar, a modo de introducción, explicó brevemente algunas características fundamentales del Acuerdo, que en el mes de marzo cumplió 8 años de vigencia. Destacó que si bien la eliminación de los aranceles a la mayoría de los bienes comercializados entre la UE y sus tres socios constituye la base del Tratado, su contenido contempla otros aspectos, como los compromisos sobre comercio de servicios, inversión y contratación pública; disposiciones sobre otros aspectos relacionados al comercio, un título sobre comercio y desarrollo sostenible; y disposiciones institucionales.

En el segundo punto, explicó la metodología de la evaluación. Empezó definiendo los objetivos principales, los efectos del Acuerdo a evaluar, los criterios de análisis, el alcance geográfico, el marco temporal y los grupos afectados. Luego, expuso el enfoque de la evaluación, subrayando que el propósito es establecer el impacto del Acuerdo en las Partes, y no realizar una revisión general de la situación comercial, social o de otra índole. También precisó que la medición de los efectos se realiza mediante dos mecanismos causales: uno económico basado en la liberalización comercial que promueve el Acuerdo, y otro regulatorio que se centra en las disposiciones que conducen a cambios normativos. En cuanto a las maneras de aislar los efectos, se refirió a dos: un análisis contrafáctico

empleando un modelo económico (modelo de equilibrio general computable); y diferentes métodos de comparación.

El tercer punto consistió en la exposición de los objetivos del taller y, finalmente en el último se expuso algunos de los hallazgos que ha arrojado hasta el momento la evaluación. Al respecto, destacó que en líneas generales, el impacto del Acuerdo ha sido positivo, pero limitado. En el plano comercial, hay un impacto positivo en el comercio bilateral de bienes y en el comercio en general. Las exportaciones de todas las partes aumentaron y se ha observado efectos positivos para las medianas, pequeñas y microempresas. Además, se ha producido una reducción en la concentración de las exportaciones de Perú a la UE y un incremento en la inversión bilateral.

En el ámbito social, si bien se ha registrado una reducción de la informalidad en las regiones que comercian con la UE, en general, el impacto ha sido acotado. En materia ambiental, no existe evidencia de deforestación en Perú por la aplicación del Acuerdo y se evidencia un ligero impacto positivo sobre el cambio climático en el mundo. En cuanto a los derechos humanos, falta estudiar el impacto del Acuerdo a nivel sectorial y subnacional. Finalmente, en lo que concierne al desempeño institucional, aun cuando los mecanismos de participación existentes son valorados, hay una sensación general de que estos deben ser fortalecidos, con el fin de evitar la frustración de parte de la sociedad civil.

En su exposición, el Sr. Luis Lazo se mostró crítico con el Acuerdo. En primer lugar, refirió que desde sus inicios, la esencia de los tratados de libre comercio ha sido el crecimiento económico, descuidando otros elementos clave para el desarrollo del país como la promoción de mejores condiciones de vida de la población. Sostuvo, también, que el Acuerdo tiene como base la relación desigual con los países del norte, reflejada de forma notoria en la gran distancia existente en materia de desarrollo tecnológico y científico. Ello ha llevado, por ejemplo, a una gran dependencia de la importación de medicamentos producidos en países con potentes industrias farmacéuticas.

Luego, hizo hincapié en lo impropio de equiparar la crisis generada por la pandemia en Perú y en Europa, y alegó que esta última región ha podido soportar los estragos debido a los acuerdos comerciales desiguales con países como Colombia, Ecuador y Perú. Finalmente, opinó que la UE impulsaría negociaciones bilaterales, contribuyendo al debilitamiento de los mecanismos de integración regionales (CAN, MERCOSUR, UNASUR).

El Sr. Julio César Bazán compartió la mirada crítica del Sr. Lazo respecto del Acuerdo y señaló que su evaluación debe producirse identificando si se cumplieron o no los compromisos y expectativas generados inicialmente. El balance general sería negativo, pues muchos de los ofrecimientos no se han visto materializados y el impacto ha sido bastante limitado. Entonces, si bien el intercambio comercial ha aumentado, los beneficios no han llegado a todas las personas. Un ejemplo palpable de esta situación sería el sector de la agroexportación, pues su desarrollo en los últimos años se ha producido bajo la vulneración de los derechos humanos de los trabajadores. De acuerdo con el Sr. Bazán, los gobiernos de los países que conforman la UE y de Perú no llevan a cabo acciones concretas para garantizar que las empresas importadoras y exportadoras respeten los derechos de los trabajadores.

Un enfoque distinto es el del Sr. Edgar Vásquez, quien al contrario de los panelistas anteriores, consideró que el Acuerdo ha sido positivo para ambas partes. Ve dos beneficios principales. Primero, la certidumbre en las relaciones comerciales entre la UE y sus tres socios en contraste con la situación anterior cuando se regían bajo el Sistema General de Preferencias (SGP). Otro beneficio concreto ha sido el fortalecimiento de las relaciones políticas, económicas, comerciales y culturales.

Sin embargo, matizó su visión esencialmente positiva al señalar que no se ha aprovechado todo el potencial del Acuerdo. Entre las principales causas estarían los sucesivos procesos de crisis por los que ha atravesado el mundo y especialmente la UE en los últimos años, y, por otro lado, el desarrollo de un marco regulatorio proteccionista que cautela los intereses de la UE, pero que ha dificultado la posibilidad de que las micro y pequeñas empresas se beneficien más del Acuerdo. Frente a este escenario, planteó la pregunta sobre la manera en que las barreras no arancelarias han actuado limitando los beneficios potenciales del Tratado. Aun así, remarcó que diversos grupos se han visto favorecidos, como el sector agroexportador, pero también las micro, pequeñas y medianas empresas (Mipymes), que representan la mayor parte de las empresas exportadoras a la UE.

A continuación, se presentan las preguntas formuladas por los participantes y sus respectivas respuestas:

1. **¿El acuerdo con la UE está considerando la evaluación en territorios más acotados (gobierno regional o provincial) o en sectores específicos?**

El Dr. Bienen respondió que sí. No solamente se están evaluando los efectos en la economía en su conjunto, sino también a nivel regional. Se usa varios métodos, entre ellos los estudios de casos y también los datos sobre exportaciones e importaciones. Por el modelo se sabe qué productos son los que más se han beneficiado del Acuerdo y al ver dónde se producen es posible establecer las regiones que han sido más favorecidas y aquellas que no.

2. **¿Los límites de residuos máximos están contemplados en el Acuerdo?**

De acuerdo con el Dr. Bienen no, y por ello no se trata en la evaluación. Un efecto del Acuerdo podría ser la discusión del tema al interior de los mecanismos de diálogo dispuestos. Además, este es un tema que se dirige al futuro, mientras que la evaluación es ex post, por lo que solo se analiza los efectos desde la entrada en vigor del Acuerdo hasta cuando se dispone de datos completos.

Al cierre de la mesa, se produjo una breve discusión entre los comentaristas. El Sr. Bazán tomó la palabra para indicar que está de acuerdo con una evaluación objetiva de los efectos del Acuerdo. El Sr. Vásquez señaló que la discusión sobre el tema en cuestión es necesaria y que todas las opiniones deben ser respetadas. Luego, manifestó sus discrepancias con lo expuesto por el líder del equipo de evaluación. Cuestionó los cambios surgidos en el marco regulatorio de la UE con posterioridad a la entrada en vigencia del Acuerdo, pues afectan o podrían afectar negativamente los beneficios esperados bajo el marco inicial. Así, dificultan el aprovechamiento pleno del Acuerdo por las Partes. Agregó que los cambios se inscriben en el marco de la soberanía de la UE y no necesariamente han beneficiado a la contraparte peruana.

Segundo Panel: Efectos del acuerdo sobre el desarrollo sostenible

a) <u>Efectos sociales</u>

Panelistas:

- Magdalena Ruda- Miembro del equipo de evaluación
- Enrique Fernández-Maldonado- Editor del blog Trabajo Digno
- Juan Carlos Gutiérrez- Director General de la Dirección General de Trabajo, Ministerio de Trabajo y Promoción del Empleo (MTPE)

Moderadora:

- Mayte Anais Dongo Sueiro- Profesora de la Pontificia Universidad Católica del Perú (PUCP)

La Sra. Magdalena Ruda empezó su presentación explicando la metodología para el análisis de los efectos sociales del Acuerdo, que incluye cuatro partes. Primero se realiza una descripción de la situación en Perú y de las otras Partes del Acuerdo con respecto a los diversos aspectos que comprende el análisis de los impactos sociales. El marco temporal se extiende desde el año 2007 hasta el 2019/2020 con el fin de identificar tendencias y cambios en el tiempo a partir de la entrada en vigor del Acuerdo. También se reconocen y examinan otros factores que influyen en la situación observada. Luego, se realiza un análisis de los efectos producidos por la implementación del Acuerdo utilizando modelos económicos. Además, se recurre a estudios de casos para un análisis a profundidad de aquellos ámbitos que lo requieran. Por último, se plantean conclusiones y recomendaciones.

A continuación, expuso brevemente sobre la situación en Perú. En este punto, cabe resaltar que se observa una reducción de la tasa de desempleo, del empleo informal, de la pobreza y pobreza extrema, y del trabajo infantil en los últimos años. También, se ha identificado algunos cambios positivos en las condiciones laborales y la persistencia de las brechas de género. Por otro lado, los resultados preliminares del análisis muestran un aumento del empleo en los sectores que se han beneficiado de las reducciones en las barreras arancelarias (como la agricultura o el sector textil). Sin embargo, el impacto en otros ámbitos sería limitado. La Sra. Ruda concluyó su exposición explicando los próximos pasos a seguir en la evaluación.

El Sr. Enrique Fernández-Maldonado subrayó algunas ideas centrales de la evaluación del Acuerdo. Una de ellas es que el Acuerdo no ha modificado el patrón de crecimiento primario-exportador en el Perú, sino que lo ha reforzado. También, puso de relieve que si bien ha impulsado el crecimiento de las exportaciones no tradicionales, los beneficios se han concentrado especialmente en el sector empresarial. Al profundizar en los planteamientos previos, indica que se ha producido un proceso de reprimarización de la economía peruana y que al 2018, la gran mayoría de las exportaciones peruanas, un 73 %, seguía estando conformada por productos primarios, mientras que las exportaciones no tradicionales se han quedado por debajo del 30 %.

El Sr. Fernández-Maldonado se explayó en el examen del sector agroexportador, que ha experimentado un crecimiento exponencial entre los años 2010 y 2018, además de que una proporción muy importante de sus productos, el 40 %, se dirige a la UE. El problema se encuentra en que ese crecimiento no se ve reflejado en una mejora tangible en las condiciones laborales y una de las mayores dificultades es el predominio de la contratación temporal, que, al mismo tiempo, vulnera otros derechos como la libertad sindical, de asociación y a la negociación colectiva.

Se cuestionó que el Acuerdo carece de mecanismos que permitan a los Estados implementar las recomendaciones realizadas por los otros socios comerciales con respecto al cumplimiento de los estándares laborales y ambientales incorporados en el propio Tratado. Finalizó señalando que las autoridades peruanas son responsables por no cumplir con los compromisos asumidos, mientras que la UE podría impulsar la mejora de los mecanismos existentes para velar y exigir el cumplimiento de los mismos.

Por su parte, el Sr. Juan Carlos Gutiérrez afirmó que en los últimos años se han producido mejoras en las condiciones laborales de los trabajadores. Admitió que en el caso específico

del sector agrario hay problemas que deben ser abordados, pero acentuó que el Estado peruano ha tomado una serie de medidas para conseguir mejoras reales en este ámbito. Destacó que entre los años 2008-2009 y 2019-2020, el número de trabajadores formalizados ha aumentado, al mismo tiempo que se ha fortalecido el sistema de inspección del trabajo.

El Sr. Gutiérrez también hizó referencia a la implementación de plataformas de inspección en zonas que requieren mayor fiscalización, como aquellas que concentran mayor producción agraria y que, al mismo tiempo, tienen mayores vínculos comerciales con los países de la UE. Por último, brindó una valoración positiva de los acuerdos comerciales, porque impulsan a establecer comparaciones con las otras Partes y, en consecuencia, a proponer mejoras en los estándares de producción y en materia de derechos.

b) Efectos ambientales

Panelistas:

- Tatiana Cuervo- Miembro del equipo de evaluación
- Vanessa Cueto- Vicepresidenta de Derecho, Ambiente y Recursos Naturales (DAR)
- Jimpson Dávila- Asesor del Gabinete de Asesores, Ministerio del Ambiente

Moderadora:

- Mayte Anais Dongo Sueiro- Profesora de la Pontificia Universidad Católica del Perú (PUCP)

En su intervención, la Sra. Tatiana Cuervo presentó los resultados preliminares de la evaluación del impacto ambiental. Al explicar la metodología, detalló que el impacto del Acuerdo en el medioambiente puede darse principalmente de dos formas, por el mayor acceso a los mercados y por el cambio de algunas de las reglas comerciales. También, puntualizó que la evaluación contempla el análisis del impacto en cinco áreas, que son cambio climático, biodiversidad y vida silvestre, agua, residuos y productos químicos, y calidad del aire.

Los resultados preliminares implican cinco áreas prioritarias, debido a que se ha observado la posibilidad de un impacto producto de la implementación del Acuerdo. En cambio, algunas actividades como la minería, la pesca o el sector forestal no constituyen áreas prioritarias, porque los análisis con los modelos económicos no arrojaron una afectación producida por el Tratado. Por otro lado, tanto en Perú como en la UE se ha identificado una tendencia ascendente en las emisiones de gases de efecto invernadero (GEI), a contracorriente con la trayectoria mundial en la que se ve una disminuciòn, lo que lleva a preguntar si acaso el Acuerdo pudo haber ejercido alguna influencia. Finalmente, un hallazgo importante es que no se ha encontrado evidencia que permita afirmar una relación entre el Acuerdo y la deforestación.

La Sra. Vanessa Cueto enfatizó la existencia de un proceso de debilitamiento de la institucionalidad ambiental en Perú y propuso algunas recomendaciones para la evaluación del impacto ambiental. Comenzó señalando la necesidad de un análisis integral que considere toda la cadena que conduce al uso de un recurso natural, la cual implica una serie de procedimientos administrativos que en varias oportunidades han sido modificados para agilizar las evaluaciones. El ordenamiento territorial, la fiscalización ambiental, la gestión y evaluación ambiental sectoriales y la calidad del recurso hídrico son otros ámbitos sobre los que llamó la atención.

La Sra. Cueto planteó que si no se toman en cuenta los temas propuestos, la evaluación se verá reducida a los efectos del Acuerdo, dejando de lado otros aspectos que también son esenciales en un contexto en que las presiones para el debilitamiento de las normas y las instituciones ambientales son muy fuertes. Asimismo, cuestionó la omisión de algunos temas, como el de la minería, y enfatizó la necesidad de un enfoque intersectorial en la evaluación.

El Sr. Jimpson Dávila destacó el trabajo conjunto entre Perú y la UE para impulsar la agenda internacional en materia ambiental, así como los espacios de diálogo a nivel bilateral a través del Subcomité de Comercio y Desarrollo Sostenible. Específicamente en relación con el Acuerdo, señaló que su evaluación debe restringirse a los efectos específicos generados a partir de su entrada en vigor y no ampliarse a una revisión general de la política ambiental de Perú.

Así también, indicó la necesidad de identificar los sectores de la economía que son materia de análisis para esclarecer la relación entre un determinado sector y su rol en la emisión de GEI. En consecuencia, resaltó la relevancia de delimitar si y en qué medida las actividades cubiertas por el Acuerdo contribuyen en la emisión de GEI en Perú. Finalmente, coincidió en que la evaluación requiere un trabajo intersectorial.

b) Efectos sobre los Derechos Humanos

Panelistas:

- Tatiana Berden-Antonenko- Miembro del equipo de evaluación
- Javier Mujica Petit- Miembro de la Federación Internacional de Derechos Humanos
- Juan Carlos Gutiérrez- Director General de la Dirección General del Trabajo, Ministerio de Trabajo y Promoción del Empleo (MTPE)

Moderadora:

- Mayte Anais Dongo Sueiro- Profesora de la Pontificia Universidad Católica del Perú (PUCP)

El panel inició con las palabras de la Dra. Tatiana Berden-Antonenko, quien precisó el alcance del análisis de los derechos humanos en la evaluación y que se refiere al impacto del Acuerdo en los Estados Partes. Como ocurrió en las secciones anteriores, primero se presentó la metodología, basada en los principios rectores de las Naciones Unidas y las directrices de la Union Europea para la evaluación del impacto de los acuerdos y las políticas comerciales- y de inversión- en los derechos humanos. Señaló también que el aislamiento de los efectos del Acuerdo se consiguió mediante un enfoque múltiple de validación cruzada y corroboración de los datos obtenidos de diversas fuentes.

En cuanto a los resultados preliminares, cabe destacar que los principales tratados de derechos humanos han sido ratificados por todas las Partes. Asimismo, se identifica una serie de condiciones preexistentes de estrés como una escasa sindicalización; la presencia de trabajo infantil, sobre todo en el sector informal y la minería; vulneraciones de los derechos laborales; entre otras. Entre los efectos del Acuerdo detectados en la evaluación están el forjamiento de una cooperación más estrecha en la protección de los derechos de grupos vulnerables, el intercambio de buenas prácticas con respecto a inspecciones laborales, en trabajo infantil y protección de datos y privacidad. Se explica que tres derechos han sido elegidos con miras a un análisis de mayor profundidad: el derecho al agua, a la libertad de asociación y el derecho de los niños (específicamente, el trabajo infantil).

El Sr. Javier Mujica señaló que tres artículos del Acuerdo- el 1, el 8.1 y el 286- son fundamentales para el análisis del impacto en los derechos humanos. Subrayó las obligaciones contraídas que se encuentran especificadas en el Título IX en materia de cumplimiento de los estándares de derechos humanos, con particular énfasis en los ámbitos ambiental y laboral. Sin embargo, la realidad es que se han identificado serias deficiencias en el cumplimiento efectivo de estos compromisos. El Sr. Mujica confirmó los diversos problemas existentes en materia laboral, a lo que se agrega una debilidad institucional que afecta la capacidad de fiscalización e inspección del trabajo, que pese a los progresos registrados en los últimos años continúa siendo insuficiente para garantizar condiciones de empleo dignas.

El Sr. Mujica puso especial énfasis en el bajo nivel de cumplimiento de los tratados internacionales de DDHH por parte del Estado peruano. Afirmó, entonces, que hay una reiterada preocupación sobre los derechos en general, pero con particular notoriedad acerca de aquellos de índole laboral y ambiental, a los que añadió la delicada situación de los defensores de DDHH, tanto por el escaso nivel de sindicalización como por la amenaza constante a los defensores ambientales. Consideró que es una problemática que no puede ser omitida en el análisis propuesto.

El Sr. Juan Carlos Gutiérrez concluyó recalcando que desde el Estado se ha tomado un conjunto importante de acciones orientadas a la eliminación de la discriminación entre hombres y mujeres. Lo mismo en cuanto al trabajo infantil, frente a lo que se ha implementado una estrategia nacional de prevención y erradicación del trabajo infantil que ha merecido el reconocimiento internacional del Estado peruano. Agregó que también se han dado pasos con el objetivo de erradicar el trabajo forzoso.

A continuación, se presentan las preguntas formuladas por los participantes y sus respectivas respuestas:

1. Pregunta sobre el fortalecimiento de las capacidades de inspección laboral y si se puede hacer algo para continuar el trabajo en este ámbito

La respuesta estuvo a cargo de la Sra. Magdalena Ruda. Reiteró que el gobierno peruano ha tomado varias medidas para el fortalecimiento de la capacidad de inspección laboral. También, señaló que sí es posible una cooperación en el marco del Título de Comercio y Desarrollo Sostenible. El diálogo sobre la inspección laboral se produce durante las reuniones anuales del Subcomité, por lo que sí hay oportunidades para la cooperación, el intercambio de información y de buenas prácticas. Asimismo, existe la posibilidad de asistencia técnica. Por lo tanto, sí hay oportunidades en el marco del Acuerdo.

2. Pregunta sobre el funcionamiento de las empresas multinacionales que tienen sus operaciones en el Perú en cuanto al cumplimiento de las normas laborales y medioambientales

La Sra. Ruda respondió que el Acuerdo no contiene disposiciones que obliguen a las empresas a funcionar de una determinada manera. Claramente, deben cumplir la legislación del país donde actúan, lo que incluye las normas laborales. Sin embargo, el Título de Comercio y Desarrollo Sostenible sí contempla un diálogo entre las partes para promover actividades y conductas que cumplan, por ejemplo, con el marco de la OCDE con respecto a las directrices sobre normas laborales dirigidas a las empresas multinacionales. Por otro lado, el gobierno peruano, la sociedad civil y el sector empresarial han tomado varias acciones para promover la responsabilidad social corporativa y el vínculo entre las empresas y los DDHH.

3. **¿Qué edades comprenden a los "jóvenes"?, con el fin de comprender si refiere a los que tienen documento de identidad (18 años) y, por lo tanto, independencia de sus decisiones laborales.**

La Sra. Ruda precisó que el grupo de jóvenes comprende a las personas entre 15 y 24 años.

4. **¿Por qué excluyeron al sector minero del análisis?**

La Sra. Tatiana Cuervo es la encargada de responder. Sostuvo que el equipo de evaluación es consciente de las presiones ambientales históricas en Perú generadas por la actividad minera. Sin embargo, la comparación entre la situación real de Perú con otra sin Acuerdo no arrojó evidencia de un aumento de la producción en el sector minero. Es por esa razón que no se la considera un área prioritaria. En cambio, en otros sectores sí se identificaron aumentos en la producción debido al Acuerdo (agrícola o textil).

5. **Pregunta sobre la exclusión del sector de cambio de uso de suelos en el análisis de GEI**

La Sra. Cuervo precisó que no ha sido excluido del análisis. Uno de los estudios de casos está relacionado con el análisis del cambio de uso de suelo y su influencia en las emisiones GEI. Otro caso es el de cultivo de paltas en el que también se hará un análisis del impacto en diversas áreas ambientales.

6. **Desde una aproximación metodológica, ¿no hay doble evaluación entre efectos sociales y efectos de los derechos humanos? ¿Cuál es la razón?**

La Dra. Tatiana Berden-Antonenko señaló que sí están conscientes de que hay superposición. Sin embargo, en su opinión, es importante realizar un análisis desde diferentes ángulos y campos, de modo que las distintas perspectivas se complementen y ayuden en la construcción de una evaluación más integral.

Día 2: 18 de marzo de 2021

Primer Panel: Efectos económicos del Acuerdo

Panelistas:

- Derk Bienen- Líder del equipo de evaluación
- Germán Alarco y César Castillo- Profesores de la Universidad del Pacífico
- Ana Vera- Directora General de Investigación y Estudios sobre Comercio Exterior, Ministerio de Comercio Exterior y Turismo (MINCETUR)
- Alexandre Mateus- Jefe de Sección Económica y Comercial para Perú y Bolivia de la Delegación de la Unión Europea en Perú

Moderadora:

- Mayte Anais Dongo Sueiro- Profesora de la Pontificia Universidad Católica del Perú (PUCP)

La primera intervención de esta mesa estuvo a cargo del Dr. Derk Bienen. Comenzó realizando algunas precisiones con respecto a la metodología. En línea con lo explicado anteriormente, indicó que el aislamiento de los efectos del Acuerdo se consigue mediante

un modelo económico que permite la comparación entre el escenario real con las tarifas establecidas por el Tratado y uno contrafáctico bajo aranceles NMF. En contraste, el impacto de las barreras no arancelarias se analiza empleando métodos cualitativos.

En cuanto al impacto del Acuerdo sobre el comercio, se ha registrado un aumento de las exportaciones bilaterales, que es mayor en el caso de Perú. A nivel sectorial, son las exportaciones de productos alimenticios, químicos, frutas y hortalizas las que más han crecido y por las cuales el Acuerdo brinda mayores márgenes de preferencia. Se ha observado una reducción de las exportaciones totales en un solo sector, que es el de otros metales. Ello permite al Dr. Bienen señalar que la simulación no apoya la idea de la reprimarización de la economía peruana planteada el día anterior. Asimismo, afirmó que el Tratado ha contribuido a la diversificación de la canasta de productos exportados a la UE.

A nivel macroeconómico, resaltó que el impacto del Acuerdo en el PBI es positivo pero limitado, y si se tiene en cuenta los efectos en la producción, algunos sectores sí se han visto beneficiados (productos alimenticios, vegetales, hortalizas, entre otros). Se ha observado también un aumento en las exportaciones de servicios de Perú a la UE y la tasa de crecimiento ha sido mayor en el periodo de vigencia del Acuerdo. Pese a este incremento, no se ve que haya favorecido cambios en la estructura de servicios. Por el lado de las inversiones, estas aumentaron en ambas direcciones desde la entrada en vigor del Acuerdo hasta el año 2016, pero luego se estancaron.

Con relación a las cuestiones no arancelarias, el Dr. Bienen explicó que las partes interesadas en el Acuerdo no las consideran un gran problema para el flujo de bienes, pero reconocen que la eliminación de estas barreras permitiría un intercambio mayor. Finalmente, valoró los mecanismos institucionales establecidos por el Tratado a través de los cuales se ha podido mantener el diálogo y resolver algunos problemas, aunque hay temas que se han dilatado y que todavía no han podido ser solucionados.

El Dr. Germán Alarco sostuvo que pueden verse algunos efectos económicos positivos, pero estos son, en general, marginales. Señaló que en comparación con otros TLCs (especialmente aquellos suscritos con EEUU y China), el Acuerdo con la UE es mejor. Sin embargo, contribuye a la perpetuación de un patrón comercial tradicional consistente en exportaciones con escaso valor agregado. Admitió que el Tratado ha promovido la diversificación productiva y un leve incremento en la supervivencia empresarial, pero coincidió en que su impacto en el PBI ha sido muy bajo.

Por último, el Dr. Alarco planteó dos observaciones. Primero, que la política comercial solo es una parte de una estrategia más amplia de diversificación productiva y exportadora. Segundo, la política de apertura comercial debe ir acompañada de un conjunto de políticas complementarias. Si se tiene en cuenta este último punto, el modesto impacto positivo para Perú podría incrementarse.

El Dr. César Castillo llamó la atención sobre algunos aspectos metodológicos y la presentación de los resultados. Indicó que no había quedado claro el año de partida para el análisis de los cambios en las exportaciones bilaterales, si correspondía al año 2013 o antes. También, subrayó que pese a la diversificación, los productos exportados siguen siendo de escaso valor agregado y que Perú aún es un país primario exportador. Finalmente, hizo hincapié en la necesidad de explorar el impacto del Acuerdo en materia distributiva.

La Dra. Ana Vera se enfocó en los efectos del Acuerdo sobre la evolución de los flujos comerciales. Presentó los resultados de la evaluación hasta el sétimo año de vigencia del

Acuerdo, pues los datos del último año se encuentran incompletos. Insistió en la expansión de las exportaciones no tradicionales, que crecieron a una tasa promedio anual de 7.8 % durante el lapso de tiempo examinado. El mayor aumento se produjo en los rubros agropecuario, pesquero, químico y metal mecánico.

Como en otras intervenciones, la Dra. Vera resaltó el proceso de diversificación productiva y el aumento de la participación del sector no tradicional en el conjunto de las exportaciones peruanas a la UE. En el 2020, los productos no tradicionales superaron a los tradicionales (57 % y 43 % respectivamente). Subrayó también el importante incremento en el número de nuevos productos exportados (1,016).

En cuanto a las nuevas empresas exportadoras, durante los primeros siete años de la entrada en vigencia del Acuerdo, la mayoría fueron microempresas, aunque las grandes empresas concentraron la mayor parte del valor exportado. Para el 2020, el stock de empresas que exportaron a la UE estuvo compuesta en un 57 % por Mipymes y en un 43 % por grandes empresas. También, indicó que las exportaciones de servicios del Perú a la UE crecieron durante los primeros tres años de vigencia del Acuerdo (hasta el 2015, último año sobre el que se tiene datos), pero el superávit correspondió a la UE durante todo ese tiempo.

El Dr. Alexandre Mateus destacó que el Acuerdo es una política pública que impacta tanto en los Estados Partes como en otros países. Advirtió que es necesario tener claro el alcance de la evaluación, que se limita a los efectos del Acuerdo, y asimismo afirma que no puede pretenderse que este Tratado sustituya las políticas internas de los Estados. A su modo de ver, el Acuerdo es relevante, sobre todo, porque proporciona un marco estable, predecible y con reglas claras para las relaciones comerciales entre las Partes. Además, reafirmó los efectos económicos positivos explicados anteriormente.

Adicionalmente, el Dr. Mateus hizo hincapié en tres puntos. Primero, el acceso preferencial del Perú al mercado europeo a partir del SGP ha continuado con el Acuerdo, con la ventaja de que bajo este último marco los beneficios no se encuentran restringidos a un espacio temporal limitado. Segundo, una serie de factores externos han afectado el flujo comercial, lo que es necesario tener en consideración al evaluar el impacto del Acuerdo. Tercero, un efecto positivo del Tratado es la diversificación productiva que ha impulsado en Perú.

En una segunda intervención y atendiendo a algunas de las observaciones formuladas por los comentaristas, el Dr. Bienen manifestó brevemente dos ideas. En relación con la diversificación fomentada por el Acuerdo, reconoce que no se ha producido un cambio profundo, pero aun así la dependencia de los productos mineros ha disminuido. Por lo tanto, si bien es cierto esta diversificación ha implicado una expansión en la exportación de otros productos primarios, la dependencia frente a un stock reducido y concentrado en pocos bienes ha decrecido.

El segundo punto tratado es el relativo a las políticas complementarias en la línea de lo señalado por el Dr. Alarco. El Dr. Bienen sostuvo que el Acuerdo es un instrumento, un elemento de política comercial. En cambio, la diversificación económica es un proceso más amplio que la diversificación comercial, por lo que el Tratado debe actuar junto con otras políticas públicas en el objetivo señalado.

A continuación, se presentan las preguntas formuladas por los participantes y sus respectivas respuestas:

1. ¿Existe alguna forma de cuantificar el efecto de la promoción comercial de ambos lados? Se puede tener un acuerdo comercial perfecto, pero si no se hace conocer, se difunde o no se hace promoción sostenida, eventualmente no se

tienen los resultados que los negociadores iniciales hubieran esperado. Perú ha hecho mucha promoción, con escasos recursos. ¿Lo ha hecho también la UE y sus países miembros?

El Dr. Alexandre Mateus contesta que la UE sí hace promoción, por ejemplo, junto con PromPerú. Sin embargo, advierte que por la forma de organización de la política en la UE, la responsabilidad de la promoción comercial recae en cada uno de los Estados miembros. Por lo tanto, lo que hace la UE es apoyar la actividad de promoción desplegada por cada uno de los países. Sí se coordina, pero se realiza a través de las embajadas.

2. **¿Se va a considerar un nuevo análisis con el efecto de la pandemia?, considerando que los datos oficiales se han modificado con brechas significativas**

La pregunta fue respondida por el Dr. Derk Bienen. Señaló que no, porque la pandemia es un fenómeno independiente del Acuerdo. En el análisis no hay ningún efecto de la pandemia, pero sí considera necesario tener en cuenta el impacto sobre los ingresos de la población. Sin embargo, este es un elemento del contexto en el que se produce su implementación y no un efecto del mismo.

Segundo Panel: Desempeño de Instituciones y Procedimientos bajo el Acuerdo

Panelistas:

- Magdalena Ruda- Miembro del equipo de evaluación
- Josefina del Prado- Coordinadora de Asuntos Ambientales; Carlos Rabanal- Director de Coherencia Jurídica y Defensa de los compromisos Comerciales Internacionale, Ministerio de Comercio Exterior y Turismo (MINCETUR)
- Ana Romero- Directora Ejecutiva de la Red peruana por una Globalización con Equidad (RedGE)
- Silvia Hooker- Gerente de Asuntos Internacionales de la Sociedad Nacional de industrias (SNI)

Moderadora:

- Mayte Anais Dongo Sueiro- Profesora de la Pontificia Universidad Católica del Perú (PUCP)

La Sra. Magdalena Ruda empezó presentando la metodología para el análisis de las estructuras institucionales establecidas por el Acuerdo, que implica cuatro pasos. Primero, un análisis del texto del Acuerdo con el fin de comprender el rol de las instituciones, sus responsabilidades y su poder decisión. Segundo, el análisis del funcionamiento de las instituciones en la práctica mediante los documentos producidos a partir de las reuniones. Tercero, entrevistas con las partes interesadas. Y, por último, la presentación de conclusiones sobre el funcionamiento real de las instituciones, así como de recomendaciones a futuro con el fin de mejorarlas.

Del análisis realizado es posible sostener que el marco institucional previsto por el Acuerdo funciona, pues proporciona un espacio útil para el intercambio de ideas entre los grupos comerciales y de inversiones de las Partes. La transparencia está garantizada por la publicación de los informes sobre las reuniones del Comité de Comercio y los Subcomités, que son de acceso libre. Además, la Comisión Europea publica anualmente un informe donde se debate la implementación de todos los acuerdos comerciales. Destaca el Título IX, de Comercio y Desarrollo Sostenible, pues además de establecer el Subcomité, estipula la publicación de sus decisiones y promueve el diálogo con la sociedad civil.

Los Sres. Josefina del Prado y Carlos Rabanal desarrollaron las disposiciones institucionales relativas al Título IX del Acuerdo. La Sra. del Prado explicó que según el Acuerdo el Subcomité de Comercio y Desarrollo Sostenible está compuesto por los representantes de alto nivel de las administraciones de cada Parte con relación a temas laborales, ambientales y de comercio, que en el caso del Perú corresponden a los ministerios de Trabajo y Promoción del Empleo, del Ambiente y de Comercio Exterior y Turismo. Desde el 2014, el Subcomité se reúne anualmente, pero además llamó la atención sobre el intercambio de ideas que se lleva a cabo fuera de él, con organizaciones de la sociedad civil y el sector empresarial.

La modalidad de diálogo con el público en el caso de Perú se da a través de grupos nacionales preexistentes al Acuerdo, y en materia ambiental hay diversos comités creados antes de su puesta en vigor. Además, el Estado peruano ha establecido un marco normativo específico para la promoción de la participación ciudadana en temas ambientales y ha procurado la transparencia en este ámbito. Estos espacios de comunicación anteriores al Tratado han sido aprovechados para abordar asuntos concernientes a su implementación. De igual forma, el Sr. Rabanal explicó los diversos mecanismos nacionales existentes en materia laboral y valoró positivamente el buen funcionamiento de la estructura institucional dispuesta por el Acuerdo.

Desde el lado de la sociedad civil, la Sra. Ana Romero aprecia que se haya contemplado una plataforma de diálogo en el Acuerdo. Precisó que el mecanismo de diálogo elegido en Perú es diferente a los de Colombia, Ecuador o la UE, ya que, como se ha dicho antes, en el caso peruano funcionan los mecanismos nacionales preexistentes. La Sra. Romero, sin embargo, considera que su funcionamiento no ha sido óptimo y, por lo tanto, no ha sido la mejor elección.

Remarcó que en Perú hay un conjunto de organizaciones que monitorean la política comercial y han evaluado el Acuerdo con la UE, pronunciándose en varias oportunidades frente a las autoridades. Sin embargo, hasta el año 2017 no vieron una real apertura al diálogo de parte del Estado, cuando desde la sociedad civil comenzaron a tomarse algunas acciones. Entonces, se formó un grupo consultivo interno no reconocido oficialmente integrado por diferentes organizaciones de la sociedad civil. Este es un espacio de diálogo clave, a falta de plataformas en las que puedan plantear sus preocupaciones y llevar a cabo una discusión real sobre las mismas. Expresó sus objeciones hacia los mecanismos de participación nacionales, porque realmente no son espacios de la sociedad civil, sino que son conducidos por funcionarios gubernamentales y no son independientes. Segundo, se trasmitió una queja contra el gobierno peruano por la falta de cumplimiento de sus compromisos laborales y ambientales previstos en el Título IX.

La Sra. Romero admitió que a partir del 2017 han percibido una mejoría en la relación entre las autoridades y los miembros del mecanismo consultivo interno autoconformado, pero ello no implica que de verdad se hayan incluido sus demandas y preocupaciones. Sostuvo que el Acuerdo no cuenta con mecanismos que exijan el cumplimiento de las recomendaciones expresadas o promuevan el diálogo entre la sociedad civil y el gobierno. Otra crítica es que en las actas del Subcomité de Comercio y Desarrollo Sostenible no se incorporan las demandas presentadas por la sociedad civil. Para cerrar su intervención, brindó un conjunto de recomendaciones con el fin de garantizar una real participación de la sociedad civil en la discusión de los asuntos pertinentes al Acuerdo.

Desde el sector empresarial, la Sra. Silvia Hooker apeló por una evaluación del Acuerdo equilibrada y sin sesgos. Afirmó que el Tratado con la UE es importante para ambas partes y que el sector formal del empresariado cumple con las regulaciones locales y las

disposiciones contenidas en el Acuerdo. Además, señaló que las críticas esgrimidas en intervenciones anteriores son aplicables al sector informal de la economía y que el Tratado puede contribuir a reforzar los canales de reforma necesarios para solucionar el problema de la informalidad.

La Sra. Hooker replicó que las mecanismos de diálogo existentes sí garantizan la participación de la sociedad civil, incluido el sector empresarial, y cree que a través de ellos sí es posible hacer llegar sus preocupaciones. Una crítica planteada al grupo consultivo autoconformado fue que margina al empresariado. En cuanto a la queja presentada, señaló que muchas de estas preocupaciones tuvieron como objetivo llamar la atención, pero carecían de sustento real, pues la mayoría eran demandas que ya habían sido resueltas. A su modo de ver, no tenía razón de ser que escalase a una instancia internacional.

Ve en la informalidad un gran problema y planteó que el Acuerdo puede servir como un instrumento que ayude a la formalización de los trabajadores y de los empresarios. Considera que las instituciones dispuestas por el Acuerdo son útiles para discutir problemas específicos de acceso a mercados que puedan existir en ambos lados y que la UE podría influir más en el Estado peruano en lo relativo a una mejor regulación del comercio, pues cree que esta no es adecuada.

A continuación, se presentan las preguntas formuladas por los participantes y sus respectivas respuestas:

1. **Para el MINCETUR, ¿cuáles son los fundamentos y las ideas detrás de haber elegido los mecanismos preexistentes y no al grupo autoconformado?**

Para la Sra. Josefina del Prado, el hecho de contar con muchos grupos y comisiones no es un defecto, sino una ventaja. Es su deseo que estos sean mejor aprovechados por la sociedad civil con una mayor participación, pues en materia ambiental la diversidad de ángulos y puntos de vista es importante por la complejidad del tema. También, señaló que en el Acuerdo hay temas que eran parte de la agenda doméstica antes de su suscripción. Es por ello que los comités o grupos (por ejemplo, la Comisión Nacional de Cambio Climático) son bastante antiguos, pero se han actualizado y reforzado. Esos temas no son materia exclusiva del Acuerdo con la UE, sino que están presentes en otros acuerdos y, como se dijo, pertenecen a una agenda doméstica. A su parecer, los canales de comunicación, si bien son perfectibles, se han ampliado.

Luego, tomó la palabra la Sra. Ana Romero con el fin de hacer una precisión acerca de la queja interpuesta por la sociedad civil en el año 2017. Aclaró que este reclamo sí tenía sustento y que su insatisfacción con la segunda respuesta se debió a que no se apreciaba un análisis y no contenía recomendaciones para las Partes.

A continuación, intervino el Sr. Carlos Rabanal enfatizando que en materia laboral, la instancia de diálogo más importante a nivel nacional es el Consejo Nacional de Trabajo y Promoción del Empleo, compuesto por las instituciones más representativas de las centrales sindicales y de las organizaciones de empleadores. Es un espacio creado antes del Acuerdo y lo cree ideal para discutir y dialogar. Los temas que se tratan en el Pleno y en sus comités técnicos responden a la agenda de los trabajadores y de los empleadores. Asimismo, afirmó que si hay asuntos relacionados al Acuerdo ese es el espacio ideal para dialogar. También, señaló que la UE instó a quienes plantearon la queja que empleen las plataformas de diálogo ya existentes. Finalmente, confirmó que desde el Estado la discusión es permanente con los socios comerciales y con la sociedad civil.

La Sra. Hooker resaltó la creación de la "Asociación para el trabajo", en la que participan la SNI y la CGTP. En este marco, convocan reuniones de manera constante con el fin de

propiciar la creación de empleo digno, el cumplimiento de los estándares laborales o la inversión productiva que conlleve nuevos puestos de trabajo formales. Por lo tanto, empresarios y sindicatos trabajan juntos con miras a un mismo objetivo: el desarrollo del país.

Discusión de síntesis

Esta sección estuvo a cargo de la Dra. Mayte Dongo, quien recogió las ideas centrales planteadas durante los dos días del taller. En primer lugar, la evaluación está acotada a los efectos del Acuerdo y no a un análisis general de la actuación de los países o de sus políticas públicas. Los miembros del equipo de evaluación han focalizado su atención en observar causales entre el Acuerdo y su impacto en distintas áreas. Por lo tanto, han intentado aislar los efectos del Tratado de otros factores.

Segundo, virtualmente todos los participantes han coincidido en que el Acuerdo ha comportado efectos positivos y beneficios económicos, especialmente para el sector de los productos no tradicionales. Ha sido favorable también para las Mipymes. Por otro lado, gran parte de las exportaciones peruanas al mercado de la UE llegan con arancel cero. Asimismo, el Tratado ha impulsado la diversificación productiva y la menor concentración. Se ha observado un aumento de los servicios exportados de Perú a la UE y este crecimiento ha sido mayor desde la entrada en vigencia del Acuerdo.

En tercer lugar, pese a que hay acuerdo sobre los efectos positivos del Tratado, algunos de los participantes indicaron que los beneficios podrían ser aun mayores o que son modestos, llegando a referir que podrían ser limitados. No obstante, en comparación con otros tratados, es el que mejores resultados ha tenido. Cuarto, desde la perspectiva económica, la propuesta se ha referido al aprovechamiento de lo avanzado y la necesidad de complementarlo con otras políticas, aunque estas trascienden al Acuerdo firmado.

Quinto, un comentario compartido por los representantes de la sociedad civil es que en el análisis de los efectos del Acuerdo debe considerarse el contexto en el que se inserta. Sexto, también desde la sociedad civil se ha hecho hincapié en su preocupación por los derechos laborales, aludiendo constantemente a los acuerdos internacionales suscritos por Perú y que es un tema impulsado por la UE. Sin embargo, cabe la pregunta sobre cuánto se puede hacer o no al respecto en el marco del Acuerdo comercial con la UE.

Sétimo, desde el sector empresarial se ha enfatizado la necesidad de diferenciar entre los empresarios formales, quienes buscan respetar los derechos laborales, y el sector informal. Octavo, los miembros del equipo de evaluación señalan no haber hallado tantos efectos causales a nivel social o laboral. En el plano medioambiental, no hay evidencia de que el Acuerdo haya producido deforestación permanente.

Noveno, los representantes del Estado que han participado en las sesiones del taller han puesto énfasis en los avances logrados en la normativa laboral y han manifestado una disposición a continuar trabajando por la mejora de la respuesta estatal a problemas estructurales en el país. Décimo, también se ha reconocido los beneficios de formar parte de acuerdos y plataformas que brindan al Perú la oportunidad de dialogar con sus socios. También, se ha puesto relieve a la importancia del Comité de Comercio y los Subcomités, y se ha hablado de las dos formas de comunicación con la sociedad civil establecidas por el Acuerdo: los comités creados y los mecanismos preexistentes, este último elegido por el Perú.

Undécimo, la existencia de varios interlocutores se ha visto, en general, como algo positivo. El Estado peruano no ha reconocido al grupo autoconformado con el fin de monitorear el Acuerdo. La sociedad civil valora que el Acuerdo haya previsto un mecanismo de diálogo, aunque habría preferido que se reconociera el espacio autoconformado. No obstante, admite que el diálogo ha mejorado y que sí se están recogiendo y considerando sus

opiniones. Finalmente, es necesario tener en cuenta que la investigación todavía se encuentra en curso y el taller es un instrumento más para el recojo de información.

Terminada la intervención de la Dra. Dongo, tomó la palabra brevemente la Dra. Romero. Precisó que si bien la relación entre autoridades y sociedad civil ha mejorado, sus preocupaciones y recomendaciones todavía no son tomadas en cuenta.

Observaciones finales

Hizo uso de la palabra el Dr. Bienen, quien agradeció a los panelistas, la moderadora y a los asistentes al evento por su participación y aportes. A continuación, ofreció algunas observaciones a modo de cierre. Primero, es importante contar con aportes que reflejen una gama diversa de perspectivas, algunas más críticas del Acuerdo que otras. Este ejercicio es fundamental para un análisis balanceado. Segundo, se habrían generado expectativas muy altas sobre el rol del Acuerdo en la solución de problemas de larga data. Sin embargo, recordó que solo se trata de un Acuerdo comercial, cuyo propósito esencial es fomentar el comercio entre las Partes, y no una política pública amplia.

Tercero, es necesario tener en cuenta los efectos negativos y procurar evitarlos o mitigarlos. Señaló que un criterio para el éxito del Acuerdo es el establecimiento de mecanismos efectivos que lleven a reducir los impactos negativos. Cuarto, es necesario tener presente en la evaluación un escenario sin Acuerdo. Por último, explicó a los participantes los siguientes pasos contemplados en el plan de evaluación.

Anexo: Participantes

Participaron 103 representantes de las siguientes organizaciones:

- 11.11.11
- Asociación de Exportadores (ADEX)
- Asociación de Gremios Productores Agrarios del Perú (AGAP)
- Asociación Nacional de Productores Ecológicos del Perú (ANPE)
- Asociación Peruana de Facilitación del Comercio Exterior (APEFEX)
- Camara de Comercio de España en el Peru
- Cámara de Comercio de Lima (CCL)
- Cámara de Comercio e Industria Peruano-Alemana
- Camara de Comercio Italiana del Peru
- Central Autónoma de Trabajadores del Perú (CATP)
- Central Unitaria de Trabajadores del Perú (CUT)
- Centro de Investigación de Economía y Negocios Globales de ADEX
- Chambre de Commerce et Culture de Belgique et Luxembourg au Pérou (CCBLP)
- Compañia Americanana de Conservas S.A.C.
- Confederación de Trabajadores del Perú (CTP)
- Consejo Nacional de Trabajo y Promoción del Empleo (CNTPE)
- Consejo Nacional para la Integración de la Persona con Discapacidad (CONADIS)
- Consorcio de Investigación Económica y Social (CIES)
- CooperAcción
- Delegación de la Unión Europea en Perú
- Derecho, Ambiente y Recursos Naturales (DAR)
- Embassy of Peru to the EU
- Equidad. Centro de Políticas Públicas y Derechos Humanos
- European Commission DG TRADE
- Foro de la Sociedad Civil en Salud (FOROSALUD)
- Fundación Ecuménica para el Desarrollo y la Paz (FEDEPAZ)
- GMA
- Hertie School of Governance
- ILLA, Centro de Educación y Comunicación
- Instituto Peruano de Productos Naturales (IPPN)
- Instituto Tecnológico de la Producción (ITP)
- Junta Nacional de Palma Aceitera del Perú (JUNPALMA PERÚ)
- Ministerio de Comercio Exterior y Turismo (MINCETUR)
- Ministerio de Relaciones Exteriores
- Ministerio de Trabajo y Promoción del Empleo
- Ministerio del Ambiente
- Parlamento Andino
- Pesquera Exalmar
- Plataforma Europa Perú
- Pontificia Universidad Católica del Perú (PUCP)
- Programa Laboral de Desarrollo (PLADES)
- Red Peruana por una Globalización con Equidad (RedGE)
- Sindicato Único de Trabajadores de la Superintendencia Nacional de Fiscalización Laboral (SUNAFIL) / CATP
- Sociedad de Comercio Exterior del Perú (COMEX PERÚ)
- Sociedad Nacional de Industrias del Perú (SNI)
- Sociedad Peruana de Derecho Ambiental (SPDA)
- Sociedad Peruana de Hidrocarburos
- TrabajoDigno

- Universidad de Lima
- Universidad del Pacífico
- Universidad Nacional Agraria La Molina (UNALM)
- Universidad Nacional Mayor de San Marcos (UNMSM)

ANNEX J: CASE STUDIES

A sub-set of the planned case studies has been prepared at the current stage of the evaluation. These are presented in this Annex.

ANNEX J: CASE STUDY 4 – CHANGES IN INFORMAL EMPLOYMENT IN SELECTED SECTORS IN COLOMBIA, PERU AND ECUADOR INVOLVED IN EXPORTS TO THE EU

1 INTRODUCTION

According to a definition used by the ILO, the informal economy is understood as enterprises and workers (including self-employed) not covered or insufficiently covered by formal arrangements. Informal sector means enterprises which have not been registered and usually do not comply either with the domestic legislation related to payment of taxes, and social security contributions, or working conditions, e.g., minimum wages or health and safety at work and others. Informal employment relates to situations where a person is not offered a written contract, social security contributions (e.g., to a pension scheme or health care) are not paid, wages are usually low and there are no protections related, e.g., to unemployment, illness, or accidents at work. (ILO, 2015).

To encourage transition of informal jobs and enterprises to the formal economy, the ILO suggests a range of policies and measures including using the opportunity of increased trade flows (e.g., pursuing export promotion, providing advisory services for MSMEs to develop their exporting capacity, and supporting their inclusion into the value chains of exporting sectors) (ILO, 2015).

Such measures are in line with the ILO Recommendation No. 204 (2015) "Transition from the Informal to the Formal Economy", which suggests initiatives in areas incl. trade, taxes, business environment, employment, education, skills development, business and financial services, access to markets, infrastructure and technology, governance and targeted actions facilitating operation of MSMEs. On the other hand, the ILO highlights that increased competition on the market (being a result of the reduction of tariff and non-tariff barriers) may increase outsourcing of certain services or processes and sub-contracting at low cost, thus leading to increased levels of informality (ILO, 2014; 2015).

Guided by the ILO definition above, and the initial research regarding informal economy and informal employment in Colombia, Peru, and Ecuador (see Annex C-1 of the main report), in this case study we look at a few selected sectors in each partner country benefitting from tariff preferences and / or playing an important role in exports to the EU, and changes in employment levels and types of jobs in these sectors over time. This is with a view to conclude if the Agreement might have contributed to changes in informality levels in partner countries and in particular, if it may have contributed to a creation of formal jobs in the analysed sectors.

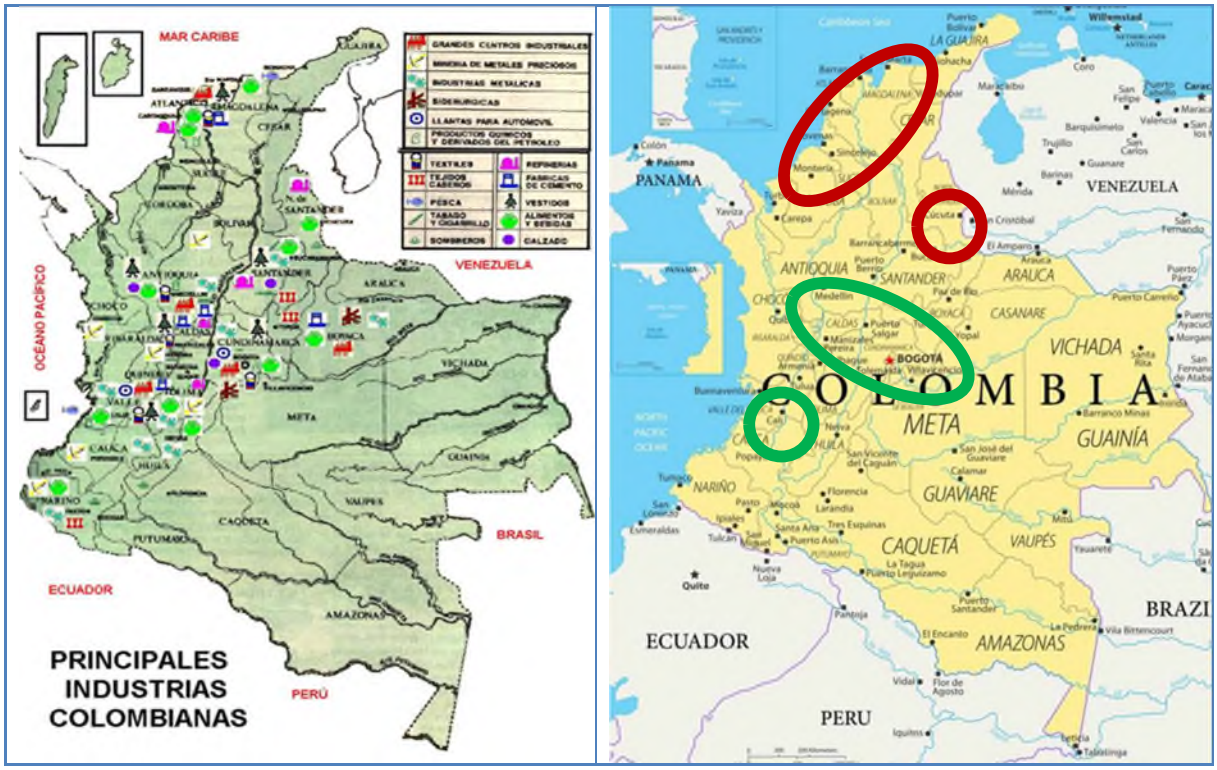
2 CURRENT SITUATION AND OVERALL IMPACTS ON INFORMALITY IN PARTNER COUNTRIES

All three partner countries have taken several initiatives in the analysed period (described in detail in Annex C-1 of the main report) to reduce the levels of informality in the economy (through facilitation of formalisation of enterprises) and employment.

Thanks to these, the overall level of informality in **Colombia** decreased from 68.5% in 2010 to 59.9% in 2020. In 13 metropolitan areas (i.e., excluding agriculture, where the informality rates are the highest), 57% of economically active persons were in informal employment in 2017 (55.5% among men and 58.8% among women). Since then, the rate of informal employment continued falling to 46.4% in 2019 (44.1% among men and 49.1% among women) (DANE, 2007b; 2019a). In addition, over the analysed period, the number

of formally registered enterprises grew (e.g., between 2018 and 2020, 84,724 formal enterprises were established) and so did the number of companies that reported formal book-keeping (information provided for the study by the Ministry of Labour). Regarding territorial break-down (Figure 1), the lowest informality rates were in 2007 and 2019 in the metropolitan areas of Bogotá (capital), Medellin (department of Antioquia), Manizales (Caldas), Tunja (Boyacá), Pereira (Risaralda) and Cali (Valle del Cauca); the highest in Cúcuta (Norte de Santander), Sincelejo (Sucre), Santa Marta (Magdalena) and Monteria (Cordoba), the last three on the north coast, belonging to the poor regions in Colombia (DANE, 2007b; 2019a).[1] It is to note that measuring the level of informality only based on rates in metropolitan cities (as above) does not provide an accurate picture of the situation in the whole country (given high levels of informal employment and informal economic activity in rural areas and agriculture, which have been omitted in Colombian statistics). It is possible though to draw preliminary conclusions based on this analysis.

Figure 1: Spatial distribution of informality in Colombia



Key: **Red shape** – regions with a high level of informality **Green shape** – regions with a low level of informality
Sources: Proyecto Mapamundi: https://proyectomapamundi.com/america-del-sur/colombia/ (right panel); Plataforma virtual ciencias sociales: http://pvcsalicia.blogspot.com/2016/03/a-continuacion-encontraran-un-taller.html (left panel)

Factors contributing to observed trends at the beginning of the analysed period included economic growth supported by monetary and fiscal policy, a reduced inflation rate, a more balanced budget and improved tax system enabling provision of social policies, job creation (notably in services sector) and poverty reduction. At the same time, informality reduction was relatively limited because high productivity sectors (e.g., mining, or financial services) had a low share in employment while those with low productivity (agriculture, trade, hotels and restaurants and services) had a high share (ILO, 2014a).

Looking at patterns of economic activity in a territorial break-down, departments of metropolitan areas with an overall low informality rate host refineries, cement factories,

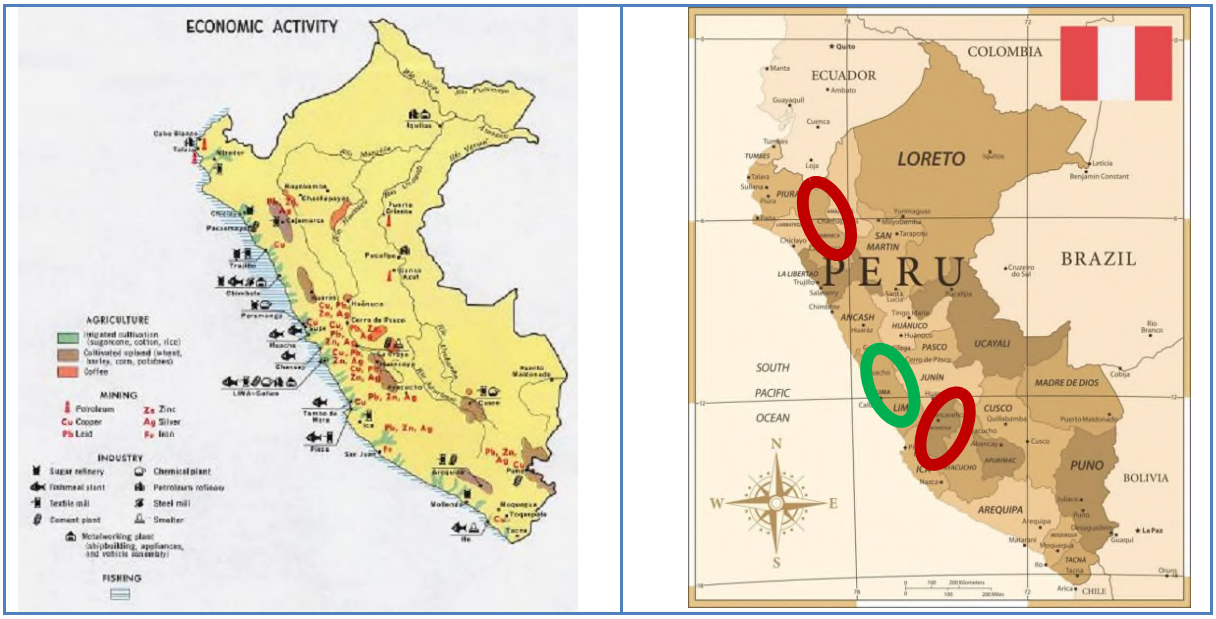
[1] Between 2007 and 2019, informality level decreased from 74.4% to 72.1% in Cúcuta, from 70.6% to 60.4% in Monteria, from 58.6% to 56.5% in Pereira, from 57.7% to 46.3% in Cali, from 50.8% to 41.4% in Medellin, from 53.8% to 39.3% in Manizales, and from 52.3% to 39.1% in Bogotá (DANE, 2007b and 2019a).

metal industry, chemicals, mining of precious metals, pharmaceuticals, textiles, apparel, footwear industry, and food processing. Agriculture in these regions includes vegetables, fruits and nuts, animal breeding, flowers, cotton, sugar cane and coffee cultivation. Regions with metropolitan areas having high informality rates host refineries, textiles and apparel production, fisheries, banana plantations, cotton cultivation, food processing, and tourism (Asohofrucol, 2018, and maps).

In **Peru**, the rate of informal employment in total employment decreased systematically over much of the analysed period, from 80% in 2007 to 72.7% in 2019 (from 83.6% in 2008 to 75.8% in 2019 for women, and from 75.7% in 2008 to 70.3% in 2019 for men) (AA, November 2020, INEI, 2020b).

In the regional overview, the share of informal employment varied in 2019, from 92% in Huancavelica and 87.9% in Cajamarca to 60% in Lima (INEI, 2020b). Economic activities in regions with low informal employment levels include mining, refineries, metal processing, cement plants, chemical industry, textiles, cultivation of fruits, vegetables, nuts, sugar cane, cotton, and rice. In regions recording high informality levels, economic activity includes mining, cultivation of wheat, barley, corn, and potatoes, and animal breeding. Overall, lower rates of informal employment are recorded in the coastal areas thought to be most competitive, while the highest in the mountain regions that record also high poverty levels.

Figure 2: Economic activity and selected regions with informal employment in Peru



Red shape – regions with a high level of informality; **Green shape** – regions with a low level of informality
Source: Proyecto Mapamundi: https://proyectomapamundi.com/america-del-sur/mapas-de-peru/
Mapa económico del Perú: http://perumipais.com/wp-content/uploads/2019/02/produccion-peru-mapa.jpg (left)

Factors supporting a decrease in informal employment included economic growth, fiscal and monetary policy limiting inflation rates and reduced public deficit, favourable terms of trade resulting in investment flows, social policies aimed at poverty reduction, strengthened surveillance of enterprises through introduction of electronic submission of data related to workers, contracts, wages, taxes and social security contributions, and a reduction and simplification of fiscal burden imposed on SMEs (ILO, 2014d).

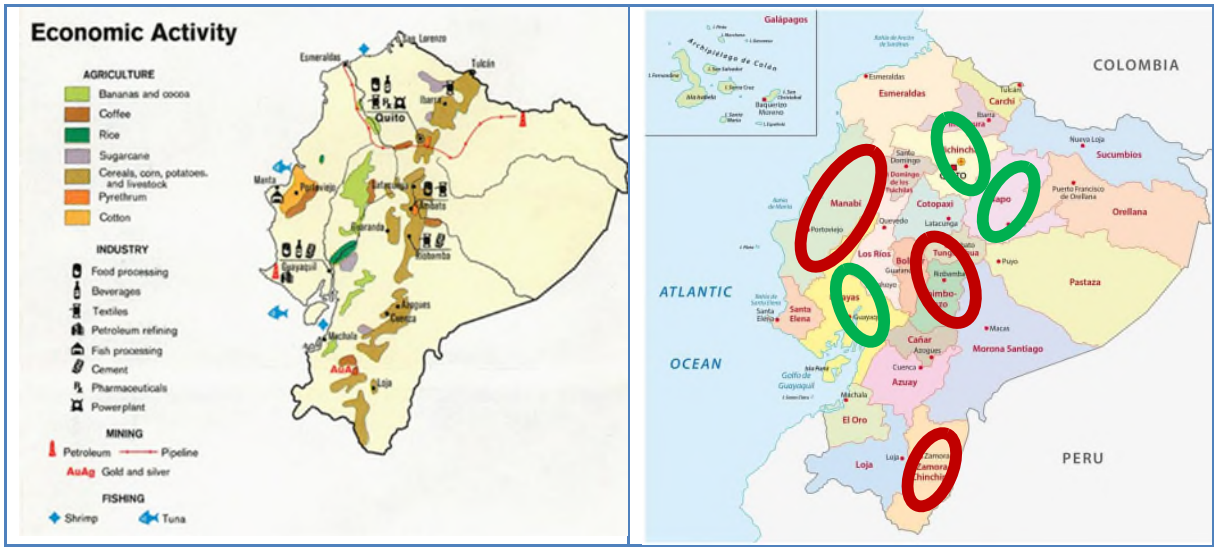
As discussed in section 6.1 of the main report (employment impacts), the economic modelling estimates that an increase in output and employment in Colombian and Peruvian sectors benefitting from tariff reductions in the EU has taken place. In addition, exports have increased in sectors which had tariff free access already before the Agreement, e.g., chemical products. The analysis of geographic coverage of certain economic activities,

including agriculture and industrial sectors in Colombia and Peru suggests that in both countries sectors benefitting from the Agreement are the same as those located in regions with low levels of informality already prior to the Agreement's entry into force and decreasing over the analysed period. According to the literature and data, these regions have a more diversified economy, are more competitive, better connected to the world and more exposed to international trade than the rest of the country (for further details, please see Annex C-1 of the main report).

On the other hand, imports from the EU in the two countries do not appear to have affected informality levels in Colombia and Peru, probably because these imports mostly concern products, such as pharmaceuticals, vehicles, or machinery, which do not compete with the informal sector. Moreover, changes in employment in these sectors in Colombia and Peru which have been caused by the Agreement do not seem to have contributed to a shift of workers to informality. As noted above, the level of informality decreased in Colombia from 57% in 2007 to 46.4% in 2019, and the share of informal employment in industry in total informal employment decreased from 16.5% in 2007 to 12% in 2019 (DANE, 2019a and 2007c). In Peru, the share of informal employment in total employment decreased from 80% in 2007 to 72.4% in 2018, and the share of informal workers employed in industry in the total informal employment decreased from 10% in 2007 to 8.2% in 2017. Moreover, the overall level of informality in the manufacturing industry in Peru decreased from 72.1% in 2008 to 61.9% in 2018 (INEI, 2018d; 2019). An additional case study at the end of this section analyses more in detail changes in employment levels and types of jobs in a few chosen sectors in Colombia and Peru involved in exports to the EU.

In **Ecuador**, the rate of informal employment[2] fell from 81.1% in 2007 to 67.1% in 2014 to increase again to 72.9% in 2018, with a change from 93% in 2007 to 89% in 2019 in rural areas and from 75% in 2007 to 66% in 2019 in urban areas. For men, the level of informality fell from 81% in 2007 to 74% in 2019 and for women, from 80% in 2007 to 74% in 2019 (CEPAL, 2020).

Figure 3: Economic activity and regions with informal employment in Ecuador



Red shape – regions with a high level of informality; **Green shape** – regions with a low level of informality
Source: Proyecto Mapamundi: https://proyectomapamundi.com/america-del-sur/ecuador/ (right) Mapa Owje: https://mapas.owje.com/1938_mapa-de-actividad-economica-de-ecuador.html (left)

In a territorial overview, within each of the three big regions (coast, mountains and east), there have been departments with both, low and high levels of informality (see the map

[2] Definition used in this context by CEPAL (providing data quoted here) considers a person as being in informal employment if that person does not have a formal job contract and does not pay social security contributions.

above). In the coastal region, the department of Guayas recorded a reduction in informality from 81% in 2007 to 69% in 2019. In Manabí, informal employment decreased from 88% in 2007 to 82% in 2019. In Santo Domingo the level of informality increased from 82% in 2007 to almost 90% in 2009 and after decreasing to around 72% in 2014, arrived at 82% in 2019. In Esmeraldas, informal employment started at 82% in 2007 and after a period of fluctuation between 70% and 80% finished at 84% in 2019. In the mountains, the department of Pichincha had a clearly lower level of informal employment than the others during the whole reporting period, recording a decrease in rates from 70% in 2007 to 54% in 2019. Carchi, Cotopaxi, Bolívar, Chimborazo recorded values between 83% and 90% in 2007, and between 83% and 94% in 2019. In the eastern part of the country, Napo recorded similar values (83%-84%) at the beginning and at the end of the analysed period, however, managed to reduce the rate of formal employment in the years of economic growth (going down to 55% in 2012) (CEPAL, 2020).

Economic activity in Ecuadorean regions with lower levels of informality includes refineries, cement factories, textile, pharmaceuticals, beverages and food processing and agriculture covering banana, cocoa and coffee plantations, sugar cane, rice, potatoes, cereals, corn, and animal breeding. Those with high levels of informal employment host fisheries and fish processing, and cotton, banana, cocoa, and coffee plantations, and therefore have a relatively less diversified economy, focused on agriculture and fisheries.

The observed positive trends in the first few years of the analysed period may result from the introduction of new legislation related to formalisation of labour relations, e.g., reduction of sub-contracting, requirement of social security contributions payment by construction companies working on public contracts, and strengthening the labour inspection capacity with an increased number of inspectors and inspections. Moreover, the new Constitution prohibited precarious forms of employment (e.g., hourly contracts and work intermediation) and the subsequent legislation introduced fines for avoidance of payments of social security contributions and extended social security coverage schemes (e.g., health care insurance) to family members of covered workers. This increased the number of workers with access to the social security system receiving benefits. Economic growth, creation of formal jobs, as well as increased public expenditures on education (supporting skills development) and social transfers for poor families may also have played a role (ILO, 2014f).

On the other hand, the increase in the informal employment rate since 2014 may be related to economic recession caused by the fall in the price of exported oil (in the same period, statistics record an increase in unemployment, reduced in 2017 by public expenditures in the pre-election period, as well as substandard employment, with payment below the minimum wage level and the number of working hours per week lower than 40 despite the willingness to work full time). Other reasons mentioned in the literature include migration from rural to urban areas, and from other countries in the region, notably Venezuela (foreign workers are often ready to accept low quality jobs), relative rigidity of the labour market regulation and the related increase in labour costs, the recent growth in the provision of services based on digital platforms, and pessimism among workers who remain in unsatisfactory jobs and don't seek better options, as well as reasons related to personal or family situation (e.g., being made redundant) (Arias, 2019; Cordes, 2020; Comercio, Jan 2019 & 2020; Primicias, Jan 2020).

The economic modelling estimates that the Agreement has led to an increase in Ecuadorean exports to the EU mainly in the sectors of vegetables, fruits, and nuts, but also vegetable oils and fats, crops, fisheries, and other food products, while industrial products are estimated as recording more modest growth. Moreover, as discussed in sections 6.1 (employment impacts), and 6.3 (impacts on women) of the main report, positive changes in employment and output related to the Agreement have been estimated for sectors such as vegetables, fruits, and nuts, cereals, fisheries, other food products, apparel, and metal products. Other sectors may have experienced a reduction in output and employment due

to the Agreement, or a slower increase in case of growing sectors. Given that exporting sectors benefitting from trade with the EU thanks to the Agreement (mainly agriculture and fisheries) are in both groups of provinces, i.e., with high and low informality rates, both groups may have benefitted economically and in social terms thanks to the Agreement. Further analysis follows in the case study.

3 OVERVIEW OF INFORMALITY LEVELS ACROSS SECTORS EXPORTING TO THE EU

In sectors that have been involved in exports to the EU and those that benefitted from tariff reductions, in **Peru**, the number of workers covered by the special regime for agro-industry and promotion of agriculture employed by exporting enterprises, including those exporting to Europe, increased from 182,552 in 2008 to 276,403 in 2017, i.e., by 93,851 persons (literature also speaks of 333,368 in 2017). At the same time, the total number of people working in agriculture in Peru increased from 3,970,673 in 2008 to 4,080,009 in 2017, i.e., by 109,336 persons and the number of hired workers in the sector increased from 715,127 to 902,733 persons, i.e., by 187,606 persons[3]. In relative terms, it means that the number of people employed in jobs under the special regime, which are formal, although for most of the analysed period with less favourable working conditions than the rest of the economy, increased from 4.6% of the total number of people working in agriculture to 6.8%, and their share in the total number of hired workers in the sector went from 25.5% to 30.6% (Maldonado Mujica 2020). Therefore, exports in agricultural products, including those to the EU, are likely to have played a role in the increase in formal employment in the agriculture and agro-industry in Peru (as mentioned in section 6.1 of the main report, the Agreement is likely to have contributed to an employment increase in Peruvian agriculture, including by 1.3% in vegetables, fruits, and nuts sector). However, as mentioned above, for most of the analysed period, rights of workers under that regime were lower than in the rest of the economy and improved only by changes introduced in 2019 and 2020. Only then it was decided, e.g., that the number of days for holidays will increase from 15 to 30 annually, the contribution to health care insurance will increase from 4% of wages to 9% in 2029, the daily wage will increase by 8% and the compensation in case of arbitrary dismissal will increase from 15 to 45 daily wages for each year of service, up to 360 in total (instead of 180) (El Comercio, December 2020; La pasión por derecho, December 2020). An effective implementation and enforcement of the new law, including by labour inspection services will be important. In our interviews, stakeholders raised the issue of non-respect by some companies, e.g., in the avocado sector of minimum wage levels, in addition to non-payment for overtime, long working hours, strict security rules on farms, and controls allowing workers to have breaks for toilet or drinking water only at pre-set times and under control of guards.

According to 2016 data, the textile and garment sector in Peru, incl. cotton cultivation, provided jobs to some 400,000 persons[4] (2.5% of the total employment in the country). Cotton cultivation was pursued by 8,425 farms, 60% of which did not exceed 5 hectares, which means that small-scale family farms played an important role in the sector. Since the year 2000, however, the area used for cotton cultivation had decreased considerably due to low prices, a competition of cotton fibre and fabrics from Asia, the 2008-2009 financial crisis, which led to a reduced demand for Peruvian cotton, and the lack of public policy and support that would encourage further development of the cotton value chain in Peru (e.g. by focusing on high quality fabrics and identification of market niches where Peruvian products would be competitive). In 2016, some 80% of the workforce[5] in the cotton sector was informal and included short-term workers hired for the cotton harvest.

[3] Other job categories in agriculture include independent workers and non-remunerated family members.
[4] Another source speaks about 422,000 jobs in 2016. (IESS, 2021)
[5] This means an increase in informality, from 72% in 2015. (IESS, 2021)

These workers usually earned less than the minimum wage and did not have social security coverage (ILO, Agencia Brasileña de Cooperación, 2016). In 2019, the textile and garment sector continued to offer direct jobs to 400,000 persons[6] (equalling 26.2% of the employment in manufacturing and 2.3% of the total employment in the country) and generated 900,000 indirect jobs. The level of informality was at 78.1%, while among workers in microenterprises accounting for 80% jobs in the sector, the level of informality was at 88.7%. Garment production had a 76.3% share in the employment in the sector, with textile taking 23.7% (IESS, 2021). In 2018, Peru signed a cooperation agreement with Brazil aimed at the exchange of good practice to learn from the Brazilian experience in promoting decent work in cotton value chain, including poverty reduction, formalization of work, health, and safety at work and social dialogue (El Comercio, December 2018). As mentioned in section 6.1 of the main report, the Agreement is estimated to have contributed to an 0.3% employment increase in the garment and textile sector. Given the overall employment in the sector in 2019 equalling 400,000 direct jobs (IESS, 2021), the effect of the Agreement would lead to the generation of some 1,200 jobs or protection of the same number of jobs against a trend of decreasing employment. It is more difficult however to draw conclusions on the nature of jobs (formal or informal), given the high informality rate in the sector. It may be the case that a mix of formal and informal jobs benefitted from the Agreement in different occupational categories along the value chain. In such a case, exports to the EU would help create or preserve jobs and reduce poverty, or prevent some workers from falling into poverty, given the decreasing employment trend in the sector.

In the mining sector in Peru, the number of direct jobs increased from 159,879 in 2010 to 214,006 in 2012, then fell in the following years to around 170,000-180,000, and rose again to 208,716 in 2019. For reasons related to competitiveness and cost cutting, the majority of work, incl. core business activities, is outsourced and therefore the majority of workers (67.9% in 2019) come from sub-contracting companies. The main employers in the sector are the regions of Arequipa, Junin and Lima (Ministerio de Energía y Minas, 2019). The sub-contracted workers usually receive contracts, and half of them (52.2% in 2018) come from the same region as the mining activity, therefore, from this point of view, the jobs can be considered formal and as contributing to regional development and employment opportunities. It is estimated that one direct job in the mining industry contributes to the generation of 6.25 indirect jobs in the country (Ministerio de Energía y Minas, 2019), However, the level of workers' rights and job security, is – according to the literature – lower for sub-contracted workers than in the case of directly employed by mining companies. Sub-contracted workers receive contracts for 2-3 months (in a survey carried out in 2020 in Junin, this were 76% of sub-contracted workers, and in Cusco 56%) and the minority (23% and 31% respectively) have contracts of 4 months and more. Moreover, they do not participate in companies' profits, and do not receive benefits for long-term service, and the short-term nature of contracts is perceived as a constraint to trade union activity, as workers fear their contracts may not be renewed if they start to organise or raise claims related to personal protective equipment or other working conditions. Workers reported also insufficient training on health and safety, long working hours and unpaid overtime (sometimes they receive days-off instead, but these are difficult to use during a short-term contract) and problems with personal protective equipment (CNV Internationaal, 2021). According to the economic modelling, depending on the sub-sector, the Agreement may have contributed to employment reduction in mining ranging from 0.1% in minerals to 0.8% in metals. In illustrative terms, this would mean 214 to 1,712 jobs less in total, in the analysed period. However, given the increase in exports and employment in other sectors, such as agriculture, this may mean, at least theoretically, also a possibility of some workers moving to the growing sectors against the fall of global prices for extractive commodities and the overall downturn trend in the mining sector in Peru and the neighbouring countries. In terms of effects for informality levels, a shift of

[6] However, in 2017, there was a short increase in employment, up to 463,300 persons. (IESS, 2021)

workers to agriculture for jobs under the special regime would mean no change, as those jobs are also formal, although of a low quality. Other changes, incl. a job loss and a subsequent uptake of another activity could mean a marginal or very limited increase in informality in the economy, however, not in the mining sector.

In **Colombia**, the banana sector provides employment to some 150,000 people in 2021 (25,000 direct and 125,000 indirect jobs) (Augura, 2021). This means an increase of 3,200 jobs since 2007 (from the total of 146,800 then) (Viloria de la Hoz, 2008). While we did not manage to identify data regarding the share of formal jobs in the whole sector, there is a view of high level of formality. For example, in a survey carried out by the ILO in 2020 with a group of workers from the banana sector in Colombia, 90% of them declared to have a contract for an indefinite period and being member of a trade union affiliated to one of the trade union confederations (CUT or CTC), which suggests formal employment (ILO, 2020a). Provided that the sample reflects the picture in the sector, one could conclude that exports in bananas, including those to the EU are likely to have contributed to preserving the existing formal jobs and to a further increase in the formal employment in the sector (according to the economic modelling, in the fruits, vegetables and nuts sector, the Agreement is likely to have contributed to a job increase by 1.2%, i.e., which – in illustrative terms – would mean additional 1,762 jobs, i.e., over half of the whole employment increase in the sector between 2007 and 2021, if the number of jobs in 2007 is taken as a starting point).

In the palm oil sector in Colombia, in 2018 there were 170,794 jobs (direct and indirect in total) (Gallo et all, 2020) which means an increase by 35,443 jobs from 135,351 in 2007 (Viloria de la Hoz, 2008). According to trade unions, 80% of workers in the sector have informal jobs as they have been sub-contracted. On the other hand, the Ministry of Labour is of the view that only 20% are informal given that sub-contracted workers have labour contracts and that sub-contracting takes place in a framework envisaged by the law (Quiroz, Achterberg, Arnould, 2021). Given that according to the ILO definition, informal work means a situation without a written job contract, even sub-contracted workers who have a contract would be considered as formal workers, in particular if they are covered by social security insurance. According to the economic modelling, in the oil seeds sector, employment was likely to decrease due to the Agreement by 0.1%. However, given overall growth trend in the sector, this may rather mean a move by some workers to other sectors, including within agriculture, or a slower employment growth than without the Agreement. In illustrative terms, the Agreement would impact some 135 jobs, while the nature of those jobs (formal or informal) is not entirely clear.

The mining sector in Colombia offers in total between 150,000 and 350,000 direct jobs and almost 1 million of indirect ones, according to data from 2019[7]. It also belongs to sectors with lower levels of informality with 35.8% of jobs being informal in 2019 (Radio Caracol, May 2019; Actualícese, September 2019). In the coal mining sector, jobs seem to be formal, however, similar to the case of Peru, a substantial number of workers is sub-contracted. In three chosen companies, the share of sub-contracted workers varied between 47% and 66%. The sub-contracted workers had contracts of 3-6 months and some up to one year. They also used to receive lower salaries than directly employed workers and did not take part in other benefits. It is also reported that trade unions in the sector represent direct workers but not sub-contracted ones. Reportedly, issues with sub-contracting were raised in the context of Colombian trade agreements with the US and Canada (CNV Internationaal, 2021). While it is difficult to estimate the contribution of exports to the EU to the overall employment in the sector, due to diverging figures related to the number of jobs in 2019 in the mining sector, it is probable that trade with the EU has helped to maintain or create jobs over time. Moreover, it is most likely that these jobs

[7] In 2013, the mining sector employed 202,000 persons (Unidad de Planeación Minero Energética, 2014, Indicadores de minería en Colombia: http://www1.upme.gov.co/simco/Cifras-Sectoriales/EstudiosPublicaciones/Indicadores_de_la_mineria_en_Colombia.pdf)

were formal (according to the economic modelling, while the Agreement did not have any impact on employment in minerals, in coal it contributed to an employment increase by 0.1% and in metals, it is likely to have created additional 1.6% of jobs). However, given that around half (or more) of workers are sub-contracted, those jobs may have deficiencies in terms of quality.

In the framework of implementation of the TSD Title, the EU has supported Colombian efforts to fight labour informality through a project aimed at improving technical competence and knowledge of labour inspectors in rural Colombia to promote compliance with fundamental rights at work. The project, which was implemented by ILO, runs from 2019 to 2021.

In **Ecuador**, the tuna sector employs directly around 20,000 and indirectly 80,000 persons, according to data shared with the study team by sector representatives. The jobs are formal and workers sign a contract, with rules related to holidays, contributions to social security systems, participation in profits of their enterprise and other benefits. The companies also provide training and conditions related to health and safety at work. Given that according to the economic modelling, exports to the EU may have contributed to creation of around 2,000 jobs in the sector, one may assume that these were formal.

In the banana sector, the Government representatives claim that the regime set up for the sector was meant to contribute to formalisation of labour relations. However, data provided by trade unions suggests that in reality, there are diverse shortcomings in jobs quality and formality. In 2019, the Trade Union Association of Agricultural, Banana and Rural Workers (ASTAC) outlined in a complaint working conditions in the banana sector directly employing 200,000 workers and up to 2 million indirectly. In a survey carried out among workers in the sector, 68% did not have a formal contract and 82% of those who had a written contract had not received its copy and did not know its provisions. Moreover, 70.3% did not receive payslips and were not able to check how their salaries had been calculated, including extra hours (80% of workers had working days extended to 10 hours a day). Also, around half of the workers did not receive a 13^{th} or 14^{th} salary, and two thirds did not have holidays. Protective clothing and tools provided at the plantations were deducted from salaries, as were other (not explained) items. Tasks allocated to workers were in many cases not possible to be completed during a day, which in turn reduced incomes below the minimum wage level. Furthermore, only 49% of workers were covered by the social security contributions (contrary to the existing law which foresees penalties for no affiliation of workers to social security by their employer). In 2017 and 2018, three Ministerial regulations introduced special regimes for temporary contracts in the banana sector reducing stability of working relations, and worsening conditions for trade union operation and collective bargaining in the sector. In addition, the requirement of having at least 30 workers to establish a trade union represented a hurdle in the sector where many enterprises are small and owners apply practices to avoid trade union activity, e.g., by dividing enterprises into parts, keeping workers without social security affiliation, creating own trade unions, using threats, etc. Finally, the use of chemicals has proved to have negative impacts on health of workers and inhabitants in the plantation areas (ASTAC, 2019). Based on the above, one may draw a conclusion that while exports to the EU may have contributed to job creation in the sector, as part of the estimated employment growth in the vegetables, fruits and nuts sector, the new jobs may not have been formal or – even if they were formal – they may have shortcomings in terms of quality.

In the framework of the TSD Title, the EU has been funding an ILO project aiming at strengthening the capacity of Ecuador's labour inspectorate to improve labour law compliance, focusing on the rural agricultural sector and Fundamental Principles and Rights at Work (FPRW) in collaboration with the social partners. As part of the project, labour inspection interventions in the rural agricultural sector were reviewed to systematize relevant information and challenges to promoting compliance with workplace regulations. The project included consultations with employers and workers' organizations and the

development of tools, such as inspection protocols, action guides, training programs contents.

In 2019 and 2020, the EU funded a similar ILO project strengthening the technical capacity of labour inspection to promote compliance with national labour laws in the rural sector in Colombia. In Peru, an EU-ILO workshop on strategic and participatory strengthening of labour inspection was held in Lima in February 2020.

ANNEX J: CASE STUDY 5 – EXPORT DIVERSIFICATION AND SPATIAL EFFECTS OF THE AGREEMENT: THE CASE OF TROPICAL FRUIT PRODUCTION IN NARIÑO, COLOMBIA

1 INTRODUCTION

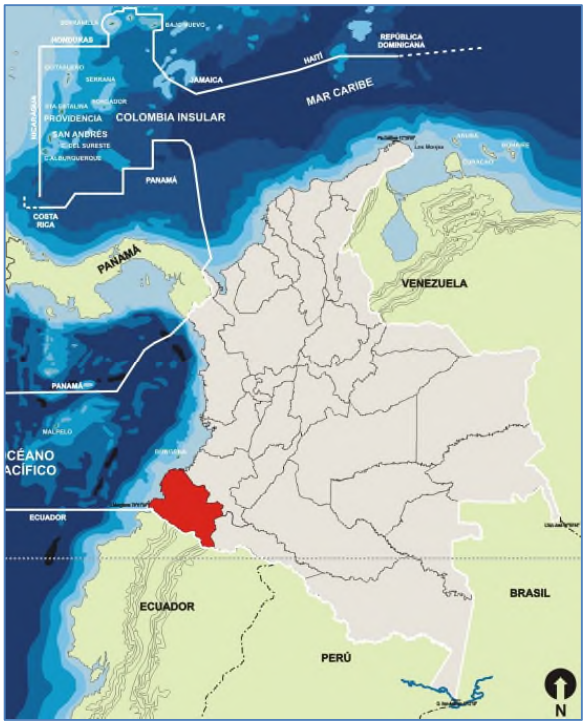
As shown in the overall analysis, the Agreement has led to a diversification of Colombian exports into new agricultural products, some of which are produced in remote areas of the country. This case study seeks to identify the causal link between the Agreement and export performance of rural areas, using the south-western Department of Nariño as an example for its great ethnic diversity. The case study first provides an overview of the current situation and recent trends in Nariño (section 2). Section 3 assesses the impact of the Agreement on the Department.

2 CURRENT SITUATION AND RECENT TRENDS

2.1 Location and population

The Department of Nariño is located in the southwestern part of Colombia, bordering to the south with Ecuador (Figure 1). It has an area of 33,268 km^2, representing 2.9% of the national territory. The geographical location constitutes a potential in terms of trade, given its proximity to the border, its access to the sea and connectivity with other departments. However, the location has also been a variable of territorial vulnerability given the situation related to drug production and trafficking, as well as the armed conflict, as discussed further below.

Figure 1: Location of Nariño



Source: Sociedad Geográfica de Colombia, https://www.sogeocol.edu.co/narino.htm

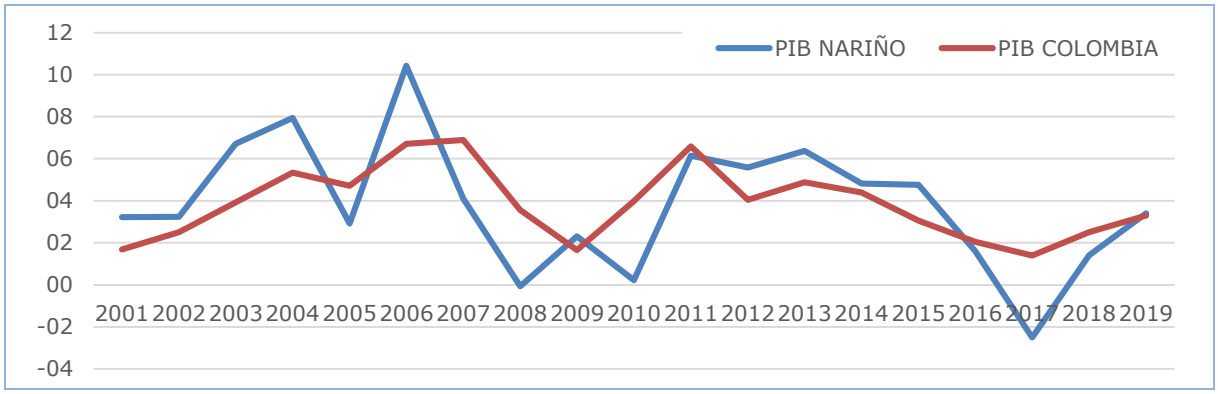
The total population of the Department in 2018 was 1.63 million, of which 352 thousand live in the Department's capital, Pasto. 56.1% of the department's population live in rural areas. This share has remained constant since 2005, indicating a population dynamic contrary to the rest of the country, which characterized by the demographic transition towards urban areas. With birth rates having declined in recent year, the Department's population is projected to stagnate in the coming years (DANE-CNVP, 2018).

One of the fundamental characteristics of the department of Nariño is its great ethnic diversity. Indigenous peoples in Nariño include cultures such as the Inga, Kofan, Awa, Pasto, Eperara, Siapidara and Quillasinga. Also, the Afro-descendant population is an important part of Nariño's population, especially in several municipalities in the Pacific region.

2.2 Economic situation and developments

Nariño's economic contribution to the national GDP represents 1.5% (2017-19). Over the years, GDP has been more volatile in the Department than at the national level (Figure 2).[1] On average, growth over the years in Nariño was below the national average, but the difference was lower in the Agreement period (2013-2019, at 2.8% in Nariño vs. 3.1% nationally, than in the years preceding the Agreement (2007-2012), at 3.0% vs. 4.5%.

Figure 2: Annual GDP growth, at 2015 constant prices (%)



Source: Own preparation based on DANE. Cuentas departamentales, 2020.

The sectoral structure of Nariño's economy differs considerably from the national average (Figure 3): administration and defence (a result of the border location) as well as agriculture are substantially above the national average, at 27.7% vs. 15.1% and 15.6% vs. 6.7%, respectively, in 2019, whereas manufacturing (2.5% vs. 11.0%)[2] and mining (1.0% vs. 5.6%) only play a very limited role in the departmental economy.

Figure 3: Sectoral composition of GDP, Nariño and Colombia, 2019 (% of total)

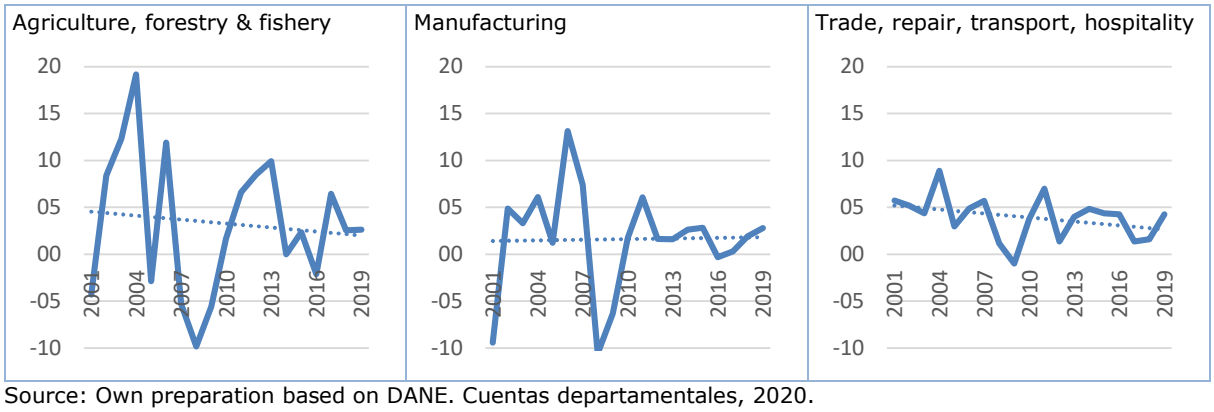
Source: Own preparation based on DANE. Cuentas departamentales, 2020.

[1] This is to be expected as the departmental economy is based on a narrower production base that the national economy, and so GDP depends on fewer products and services.

[2] Manufacturing essentially consists of five activities: other food products (33%), dairy products (25.3%), processed fish and meat (18.1%), milling and starch products (11.7%), and other manufacturing industries (11.8%).

The performance of selected sectors in Nariño over the years shows a slight trend towards an increase in agriculture/forestry/fishery as well as services sectors, which have witnessed higher growth rates than manufacturing activities (Figure 4).

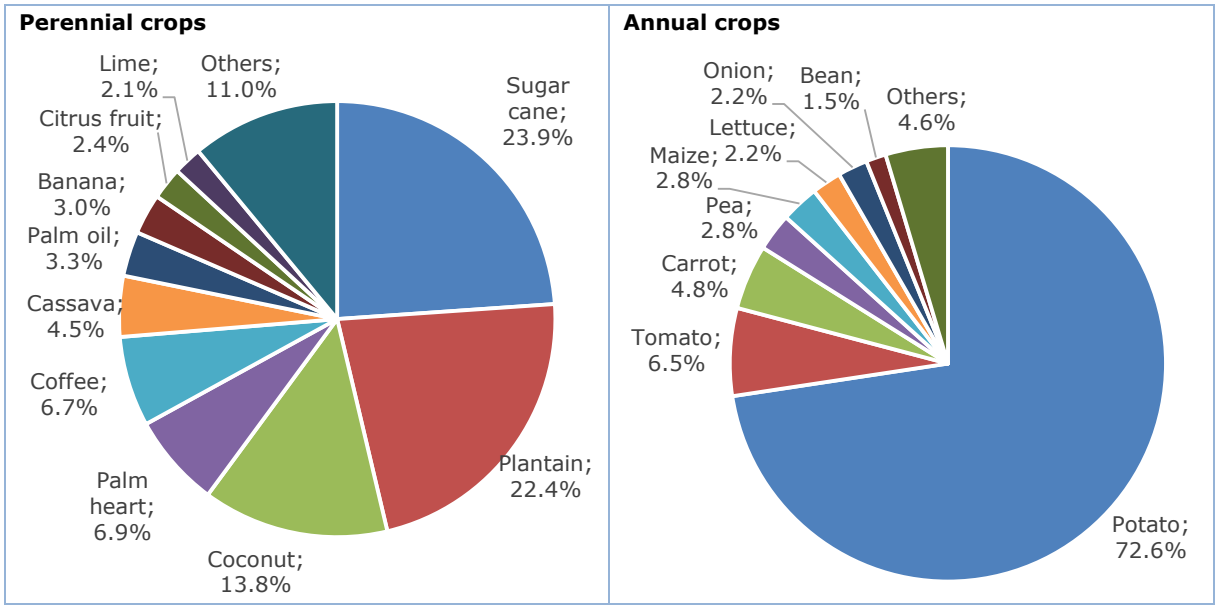
Figure 4: Annual growth of selected economic activities, Nariño, 2019 (%)



Source: Own preparation based on DANE. Cuentas departamentales, 2020.

Within the agricultural sector, the Department's output is fairly diversified (Figure 5). Among the perennial crops, sugar cane, plantains, cocoa, palm hearts and coffee together account for close to three quarters of production; among the annual crops, potatoes dominate, followed by a range of vegetables.

Figure 5: Main crops grown in Nariño, 2018 (% of total)



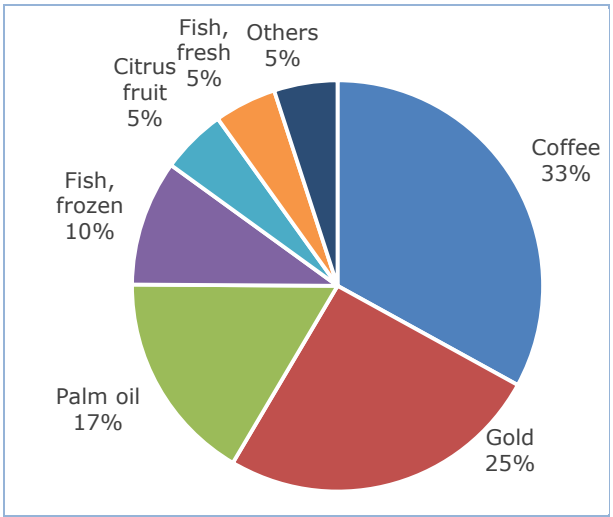
Source: Own preparation based on Ministerio de Agricultura y Desarrollo Rural, 2018.

In terms of the export composition, the Department's main products are coffee (33%), gold (25%), palm oil (17%), fish (15%), and citrus fruit (5%) (Figure 6). Comparing these numbers with the composition of agricultural output shows that the regional economy is mostly producing for the domestic market: none of the main crops planted – potatoes, sugar cane, plantains, cocoa – is found among the main exports. In line with this, in terms of the importance of exports, Nariño is still performing below average, but catching up: the Department's exports represented an average 0.2% of national exports between 2012 and 2019 (compared to a share in national GDP of 1.5%), but increased 15.2% between 2018 and 2019.

Nariño's main trading partners are the United States and Ecuador (Ministerio de Comercio, Industria y Turismo, 2021).

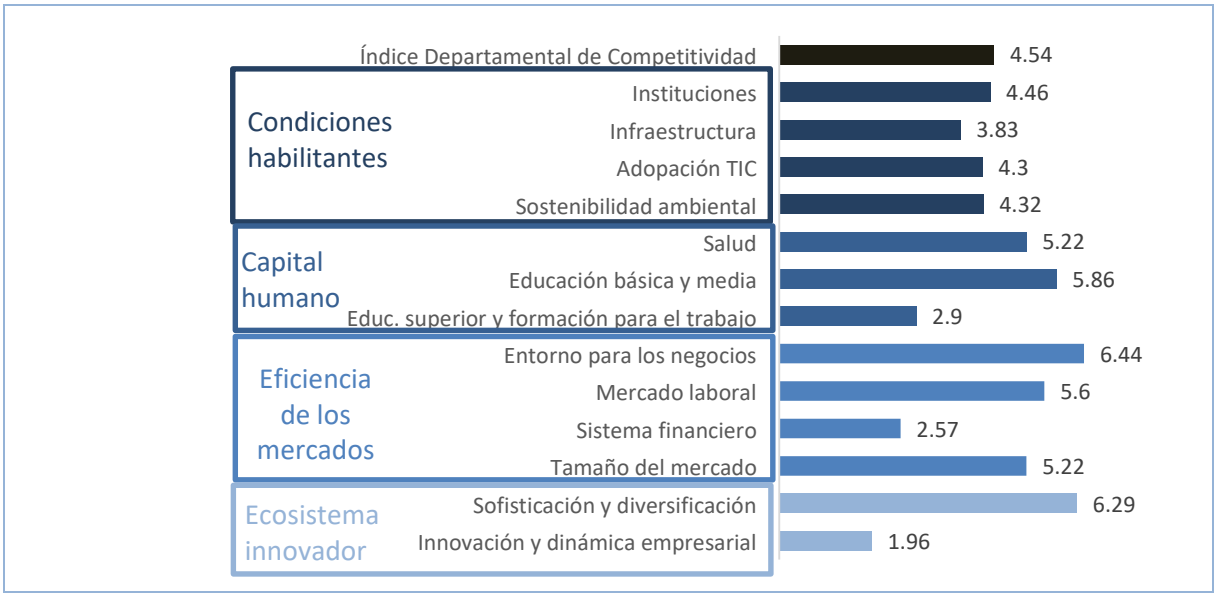
In terms of competitiveness, Nariño in 2019 ranked 20th among Colombia's 33 departments, rising one position compared to 2018 (Consejo Privado de Competitividad, 2019). The competitiveness index evaluates a set of indicators in four areas, innovation ecosystems, market efficiency, human capital and business enabling conditions (Figure 7). Among the best-ranked components for the Department is business innovation in the adoption of ICT (position 17), with the performance of financial services and higher education also performing well. On the other hand, aspects such as the business environment, sophistication and diversification, basic education, the efficiency of the labour market, market size and health show a low performance

Figure 6: Main exports of Nariño, 2020 (% of total)



Source: Own preparation based on Ministerio de Comercio, Industria y Turismo, 2021.

Figure 7: Nariño's scores in the Departmental Competitiveness Index, 2019 (1=best).



Source: Consejo Privado de Competitividad, 2019.

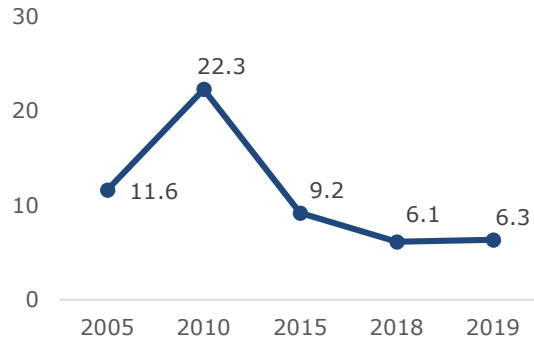
2.3 Social situation and developments

The main indicators presented here to characterise the Department's social situation and trends are employment, poverty – both monetary poverty (based on the comparison between the level of household incomes and the monetary cost of acquiring the food basket) and through the Multidimensional Poverty Index (MPI) –, inequality (measured by the Gini coefficient), and the coverage of public services.

Employment

The development of the job market in the Department has shown a significant evolution: unemployment declined from 22.3% in 2010 to single-digit levels from 2015 onwards (Figure 8). From 2015 to 2019, the unemployment rate fell further by 2.9 percentage points, which is equivalent to 25,000 fewer people without job. Although between 2018 and 2019 3,000 people were added to this condition, increasing the unemployment rate to 6.3%, this was still below the national average of 9.7% (DANE-GEIH, 2020). At the same time, the reduction unemployment has had only limited effects on the poverty situation in the Department (see below). This can partly be explained with the fact that informality, underemployment and inadequate (low wage) employment are pervasive. In addition, obstacles affecting women in the labour market in Nariño are of concern. In 2017, the gender gap in the global participation rate was 19.8%, women's non-participation rate being 39.9%.

Figure 8: Unemployment in Nariño 2005-2019 (%)

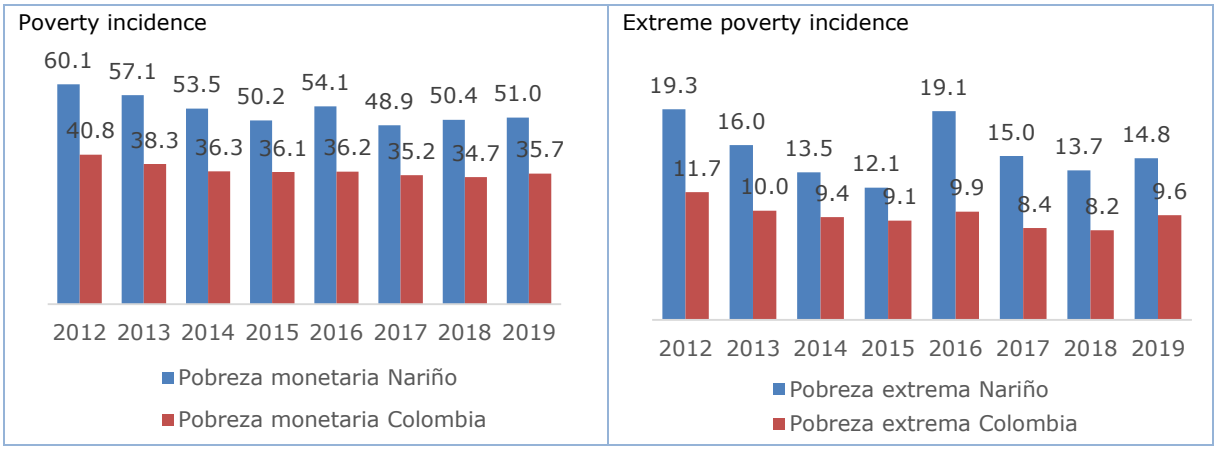


Source: Own preparation based on DANE-GEIH (2020)

Poverty

From 2012 to 2019, 79,000 people managed to get out of monetary poverty in Nariño; the poverty incidence decreased from 60.1% to 51.0% (Figure 9). Even so, in 2019 Nariño was among the nine departments with the highest poverty incidences, the national average being 35.7%. Extreme poverty in the Department (14.8%) was also above the national average (9.6%). In addition, contrary to the national trend which saw poverty reducing from 2012 to 2018 (and then increasing), progress in Nariño happened mostly during the period 2012 to 2015; since then, both poverty and extreme poverty show an increasing rate.

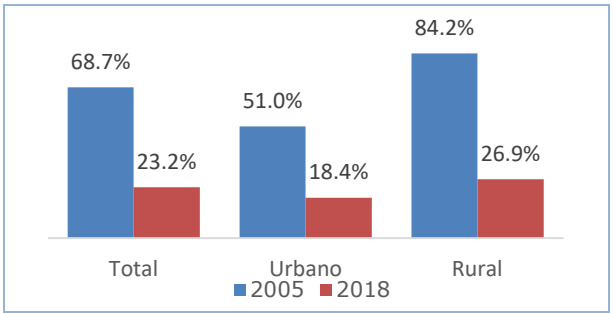
Figure 9: Evolution of monetary poverty in Nariño and Colombia, 2012-2019 (% of population)



Source: Own preparation based on DANE, 2020: Indicadores de Pobreza Monetaria.

In terms of multidimensional poverty, which also incorporates health, education and the coverage of other basic needs, according to data from the 2005 Census, Nariño's population in this condition represented 68.7% (1,023,681 inhabitants); in rural areas 84.2% were poor (Figure 10). By 2018, this declined to 23.2% (26.9% in rural areas and 18.4% in urban areas) – a remarkable achievement. Nevertheless, the Department's performance is still below the Colombian average.

Figure 10: Multidimensional poverty in Nariño, 2018 vs. 2005 (% of population)

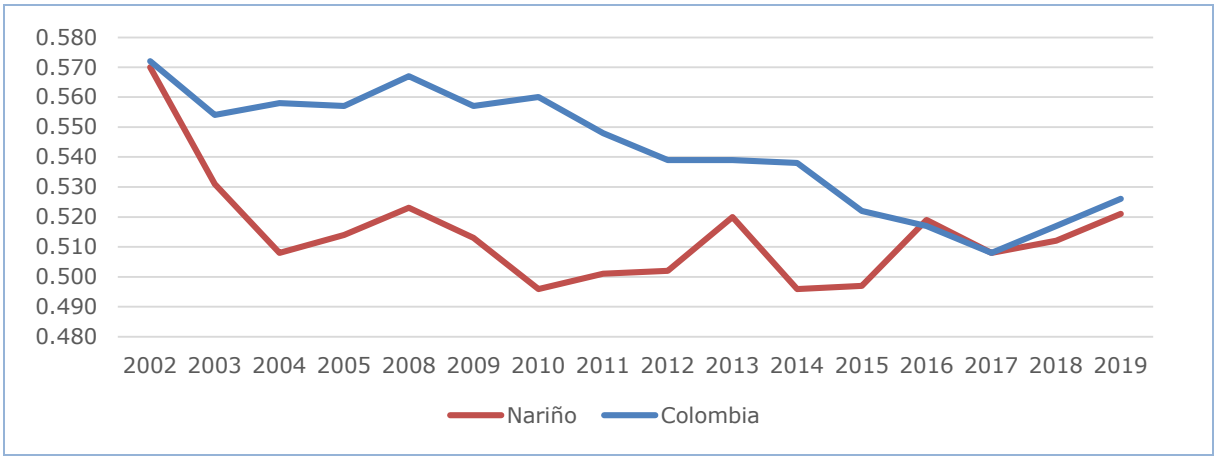


Source: Own preparation based on DANE-ENCV (2020) and DANE-CNVP (2005)

Inequality

The Department also shows an uneven performance regarding inequality. Although this substantially decreased in the early 2000s, and was below the national average until 2015, since then it has increased again until 2019, now being roughly at the national average again (Figure 11).

Figure 11: Evolution of the Gini Index in Nariño and Colombia, 2002-2019

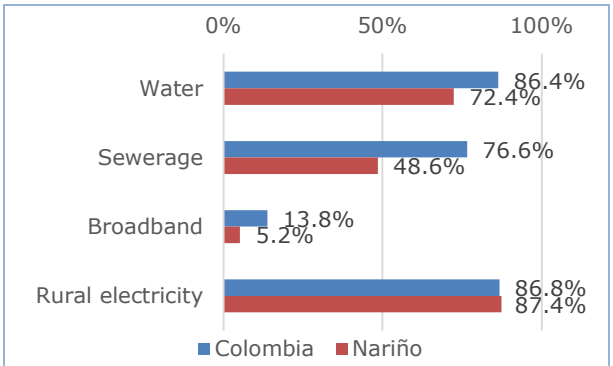


Source: Own preparation based on DANE, 2020.

Coverage of public services

With regard to the provision of basic public services, the Department has challenges in terms of electricity, water and sewerage, which are below the national average. Figure 12 compares the coverage of some public services in Nariño with the Colombian averages. It shows that, with the exception of rural electricity, the Department lags behind the rest of the country – in access to water, sewerages, and internet. Regarding the latter, broadband penetration in 2019 was 5.2%, a very low figure that has a negative impact on the development of commercial, financial and education activities.

Figure 12: Access to basic services in Nariño and Colombia (% of population)



Source: Own preparation based on DANE (2018; water and sewerage), MinTIC (2019; internet), and UPME (2018; electricity)

2.4 Human rights situation and developments

In Nariño, the armed conflict and the planting of illicit crops are key issues affecting the human rights situations, causing displacements of the peasant and indigenous populations to the urban centres of the Department. Additionally, the limitation of means and decent employment has affected the population's living standards and contributed to persistent poverty.

By 2019, Nariño ceased to be the department most affected by coca crops, going from 41,903 to 36,964 hectares planted, which represents a decrease of 12%. Indeed, Nariño, Norte de Santander, Putumayo and Cauca account for 78% of all coca in the country (UNODC, 2020). To this is added the recognition of 541,182 victims of violence in the department, of which about 90% are related to forced displacement as of January 2021 (Unidad de Víctimas, 2021). The current situation has not revealed much progress despite the peace policy, since in 2020, actions of armed violence increased, mainly **affecting Afro-descendant and indigenous communities**. Thus, at least 31,834 people belonging to the Awá indigenous people are at risk from different threats, and have been affected by 21 events of massive forced displacement (OCHA, 2020).

The foregoing is related to the execution of all the activities of the drug chain within the department, which aggravate the situation of violence, displacement, and the presence of armed groups. Undoubtedly, this context shows why Nariño is perceived as a critical place in reference to violence, criminality, public insecurity and problems of coexistence.

Despite the fact that the rural sector in Nariño has a high rate of community organizations, concerns regarding **freedom of association** persist: "these communities are subject to constant human rights violations, violations of international human rights law and forced displacement generated by different armed actors who exercise military control in the areas of coca planting and processing, and in the areas of exploitation of natural resources: mining, oil exploration and agro-industrial plantations of oil palm monocultures" (Castillo Burbano & Jurado, 2014). This situation affects the development of organizational processes since the risks to integrity, the high stigmatization of the social and peasant movement and the low institutional guarantees for the protection of life, contribute to high migration and, therefore, to instability.

Due to the increasing number of forced displacements in the Department, institutional advances were made through the creation of 65 Territorial Committees for Transitional Justice as a way of implementing public policy to mitigate this problem in the region. In total, there are 46 spaces for articulation in which issues related to Human Rights are discussed (Gobernación de Nariño, 2016-2019). Additionally, for the year 2017 the Department of Nariño had 21,058 people affiliated with 186 unions. However, according to the union census of the Ministry of Labour 2017, for this year 25 union organizations were registered.

The National Trade Union School (Escuela Nacional Sindical, ENS) estimates that between 2016 and 2018 there were 6 homicides against trade unionists from the Department; one of the highest numbers across Colombia (ENS, 2020). These practices of violence not only harm the fundamental rights of people, but also affect the work of trade union organisations.

The **right to education** is also regulated as a social right in national legislation. However, the 2014 National Agricultural Survey showed that only 64.3% of agricultural producers in the Department of Nariño have basic primary studies, 7.25% attended basic secondary, 7.38% advanced to secondary education, 1.13% have technical studies, 0.30% complete technological studies, 1.13% have university studies, 0.15% have postgraduate studies, and 16.16% do not have any type of studies.

These indicators can be explained by various factors. On the one hand, the high dropout rate in basic secondary education may be related to child labour in rural areas, a phenomenon that is replicated from generation to generation and that contributes to poor preparation for productive development. Thus, "the opportunity cost of attending school increases after the age of 13, when children begin to have the strength to carry out productive and paid work as day labourers or in their own plots during harvests, or in activities such as transportation or loading"(Martinez et al., 2016).

Government plans have focused on programs for the substitution and eradication of illicit crops through incentives to promote new agricultural developments that generate sustainability for peasants and guarantee their rights.

As agriculture is the main economic source of the Department, since 2014 rural planning instruments began to be generated in order to organize communities in their food production spaces and improve their working conditions. Among these instruments are the Policy and Strategy for the Agricultural Development of the Department of Nariño (CONPES Agropecuario 3811 of 2014; DNP, 2014), the Integrated Plan for Agricultural and Rural Development with a Territorial Focus (Plan Integral de Desarrollo Agropecuario y Rural con Enfoque Territorial, PIDARET) led by the Rural Development Agency (2017), and the Productive and Social Organization Plan of Rural Property led by the Ministry of Agriculture and Rural Development with the support technician from the Rural Agricultural Planning Unit (UPRA). Although the Department of Nariño has not been specifically characterized as one of the large food producers, at the national level it is seeking the substitution of crops (including illicit ones) with a view to improving food security and encouraging the improvement of the quality of food, as well as the working conditions of growers in the area.

The **right to an adequate standard of living** and the **right to adequate food** are also under stress in the Department. The Dhana 2020-2029 Ten-Year Plan (Gobernación de Nariño, 2020) shows a complex territorial context that has limited food security. It should be noted that barriers in terms of availability and accessibility to adequate food mainly affect population groups in conditions of vulnerability. From natural phenomena such as climate change, jungle areas, and geographic dispersion, to social problems such as illegal crops and armed conflict, they hinder the effective enjoyment of the right to food. Thus, for example, the diversity of thermal floors and other geographical characteristics make some areas of the department of Nariño ideal territories for planting illicit crops that alter the biodiversity of ecosystems and increase deforestation of the forest. In addition, it is important to highlight the relationship between people's income levels and their food security, since access to the basket of food goods depends on family and personal economic capacity. Thus, according to the department's poverty indices, in 2018 Food Insecurity affected 61.9% of the population; we also refer to the levels of extreme poverty described above).

2.5 Environmental situation and developments

In Nariño, a medium-low level of natural capital predominates, taking into account that only 5.4% of the Department belongs to "strategic ecosystems", which is defined as the percentage of the territory that is part of the National System of Protected Areas (Sistema Nacional de Áreas Protegidas, SINAP) (DNP, 2017). The highest proportion of strategic ecosystems corresponds to wetlands with 21.5%, followed by páramos with 6.8%. Additionally, the Department has 32 protected areas, among which the following stand out for their extension: Sanquianga, Laguna La Cocha Cerro, Patascoy Páramo de las Ovejas-Tauso and Cabo Manglares Bajo Mira and Frontera (RUNAP, 2020).

Due to the effects of the armed conflict and the production of illicit drugs, the challenges that Nariño faces regarding environmental sustainability are high. For example, 18% of the coca that was found in 2019 in the national territory came from Forest Reserves located

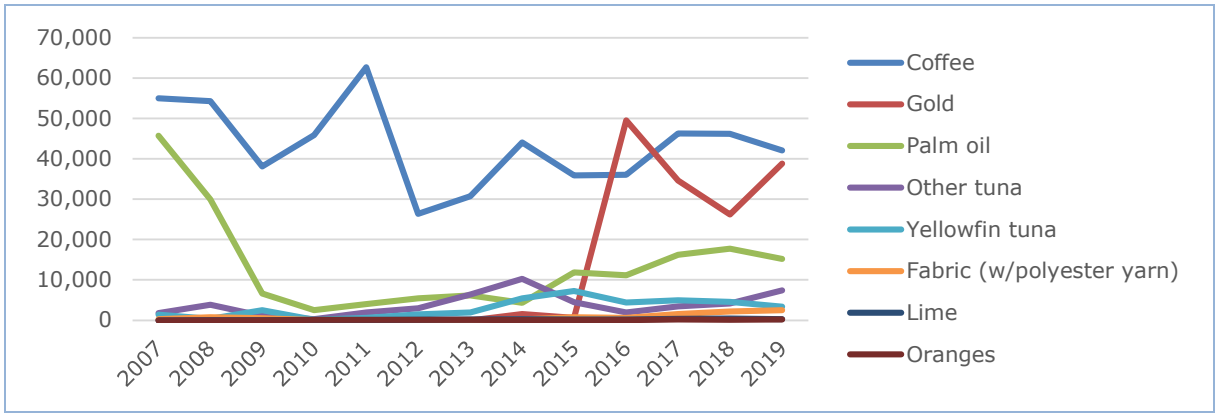
mainly in Norte de Santander, Bolívar and Nariño (UNODC, 2020). This represents a long-term risk that deepens in contexts of socio-economic fragility where the opportunities of the underground economy are greater compared to the formal economy.

3 IMPACT OF THE AGREEMENT IN NARIÑO

3.1 Main exported products

Coffee has consistently been the Department's most important export product, closely followed by gold, since 2016 (Figure 13). Neither of these two exports could have been affected by the Agreement, however, as this provides no tariff preferences for the two products – their import into the EU is duty-free in any case.

Figure 13: Main export products, Nariño, 2007-2019 (USD '000)

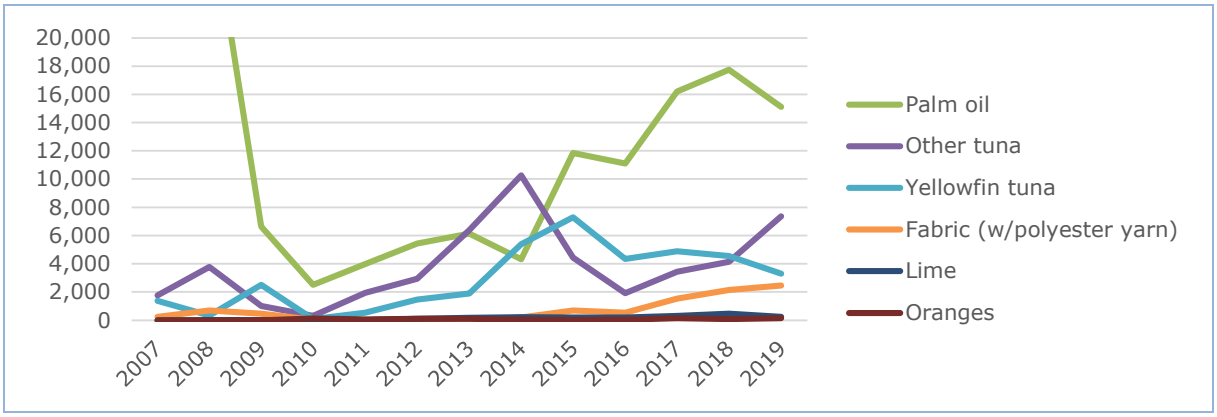


Source: Own preparation based on DANE-DIAN, 2020.

Zooming in to products of the Department where the Agreement provides a tariff preference margin (Figure 14) shows that Nariño's exports of palm oil, tuna, fabrics, and citrus fruit have increased since the start of application of the Agreement in 2013. This is also in line with the findings of the CGE model (as discussed in the main report), which estimates a positive effect on Colombia's total exports of vegetable oils and fats (which includes palm oil) by 9.8%, other food (which includes preserved fish) by 8.2%, textiles (which includes fabrics) by 5.1%, and vegetables, fruits and nuts (which includes citrus fruit) by 32.3%. Other Colombian sectors estimated to have benefitted from the Agreement through higher exports are mostly manufactured products, which are not produced in the Department. In any case, the observed export performance supports the economic model estimations. One can therefore conclude that the tariff preferences provided by the Agreement have positively impact on the exports of key products for Nariño, with the exception of coffee and gold, which were not affected by the Agreement in either way.

Box 1 discusses the importance of the Agreement for lime production in the Department.

Figure 14: Main export products with preference margins under the Agreement, Nariño, 2007-2019 (USD '000)



Source: Own preparation based on DANE-DIAN, 2020.

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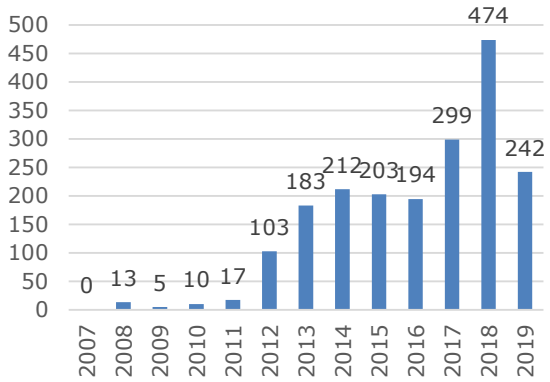
Box 1: The Agreement and Nariño's exports of Tahiti Lime

The production of fresh citrus fruits, including limes, is very important for the Department, since it is one of the largest export crops and contributes significantly to the generation of employment in the region.

Nariño has about 2% of the national citrus production with a cultivation of 4,890 hectares; the Department has about 3,500 producing families, with a yield of 4.6 tons/ha (Ministerio de Agricultura y Desarrollo Rural, 2020). Citrus production takes place in more than ten municipalities of the Department. The main export product is the Tahiti lime, which is grown throughout the southern region of Colombia.

The Agreement allows Colombia to export Tahiti limes duty-free to the EU, compared to an MFN ad valorem tariff of 12.8%. This tariff preference, along with additional support provided to (especially) small-scale producers (see section 3.3 below) explains the rapid growth of lime exports from Nariño since 2012 (see Figure A).

Figure A: Exports of Tahiti lime from Nariño, 2007 to 2019



Source: Source: Own preparation based on DANE-DIAN, 2020.

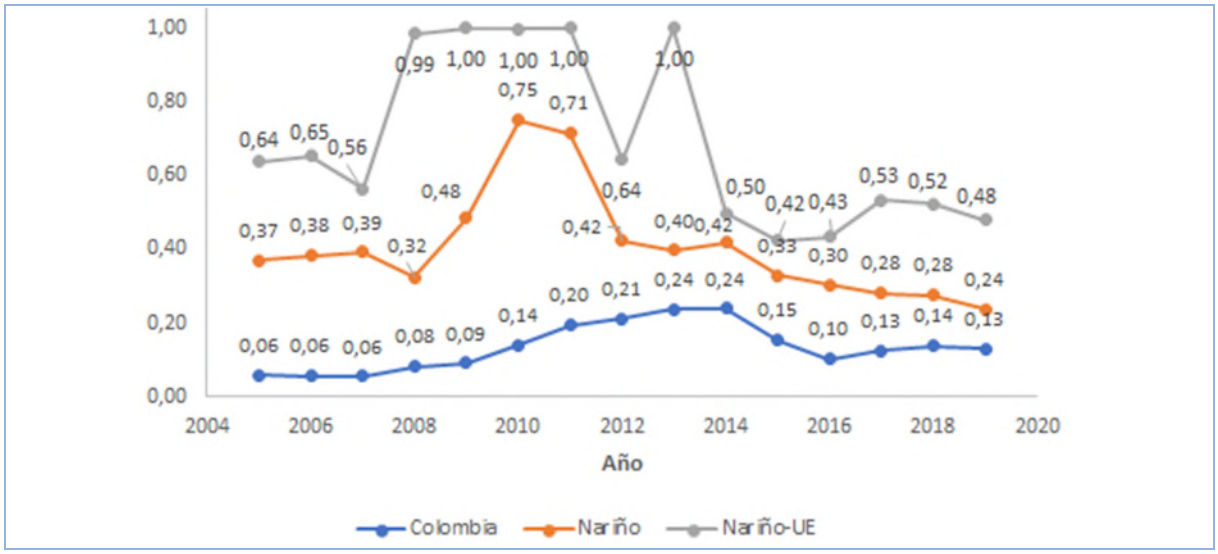
According to the most recent data from the Ministry of Agriculture and Rural Development, the EU is the destination for 37% of Colombian exports of Tahiti lime (Ministerio de Agricultura y Desarrollo Rural, 2020). Considering the importance of lime exports in Nariño, this directly benefits the Department's economy.

3.2 Export diversification

Figure 15 shows the evolution of export product concentration over time, comparing Colombia's performance with that of Nariño's overall exports and Nariño's exports to the

EU.[3] As is to be expected, Nariño's exports are less diversified than Colombia's overall exports. This is because the productive base in the Department is narrower than the productive base in Colombia overall, and also because the share of the Department's economy producing for export is relatively limited, as described in section 2.2 above. Nariño's exports to the EU are even less diversified: this is because the EU is just one market among several, and not the easiest one to reach; this implies that only a sub-set of Nariño's total products are exported to the EU. What is more important is the trend over time: here, it is observed that Nariño's overall export concentration increased until 2010/2011, but since then almost constantly decreased. Likewise, the Department's exports to the EU have diversified since the start of application of the Agreement in 2013, although palm oil still accounts for the lion's share (about 85% in 2019 and 2020, in volume terms). Especially exports of Tahiti lime have started in 2019 and have grown fast in 2020 again; other products that started to be exported since the Agreement's application are palm kernel oil and cocoa.

Figure 15: Evolution of export product concentration index, 2005-2019 (by value)

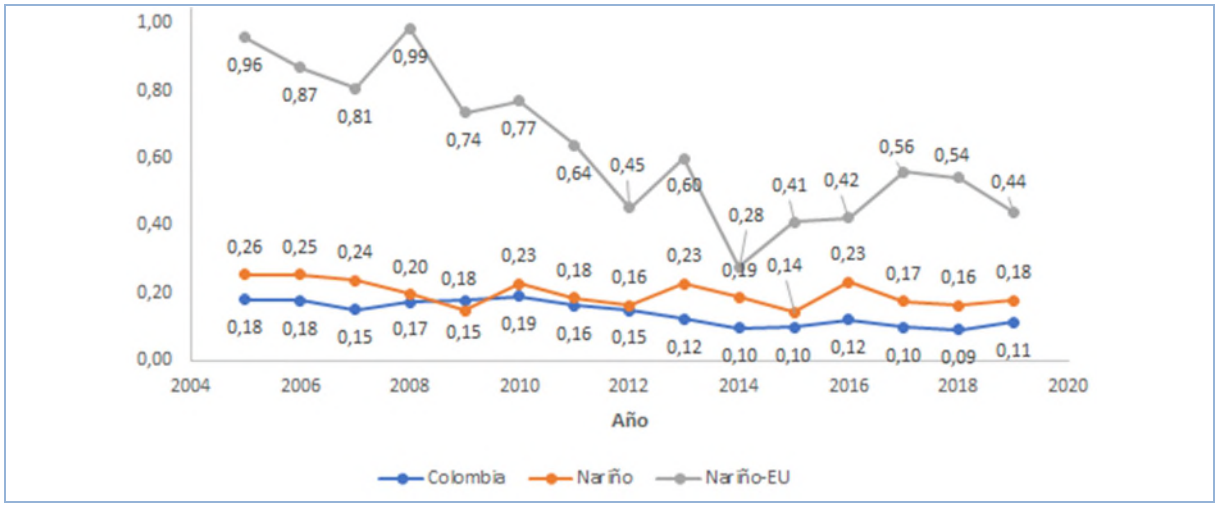


Source: Own preparation based on DANE-DIAN, 2020.

The diversification of Nariño's export in terms of destinations has been relatively high over the years (Figure 16). Regarding diversification within the EU across the Member States, concentration substantially decreased from 2008 to 2014, but then increased again in the following years – although diversification was still higher than in the years up to 2011.

[3] The higher the index value, the more concentrated are exports; a value of 1 indicates that only one product is exported.

Figure 16: Evolution of geographical export market concentration index, 2005-2019 (by value)



Source: Own preparation based on DANE - DIAN, 2020.

At the same time, the United States and Ecuador continue to be the leading export destinations for Nariño. For the USA, this is in line with the direction of Colombia's overall exports; and the dominant export is coffee. Ecuador is an important market for the Department because of its proximity, with the Department being located directly at the border to Ecuador; accordingly the export product portfolio is varies, but with a high importance of fresh produce including lemons and oranges, as well as tuna. Among the EU Members, the Department's largest destinations are Spain – where exports increased substantially since 2013 –, followed with some distance by Belgium (which has shown a flat trend), and then the Netherlands, Germany, Finland and France.

3.3 Investments and technical support

Linked to the agricultural export opportunities provided by the Agreement, the arrival of foreign companies interested in agricultural investment in Nariño has been observed. Additionally, it has contributed to an increased interest of companies to generate strategic alliances for the commercialization of goods and services generated by and for the agricultural sector of the Department.

During the years prior to the start of the implementation of the Agreement, the departmental agricultural sector had a panorama of unconsolidated productive systems, but with opportunities and comparative and competitive advantages for the national and foreign markets. These advantages have been exploited with the new opportunities that the Agreement has brought, in such a way that, in recent years, the department of Nariño has seen the growth of investments in, and output of, the agricultural sector. In this sense, activities related to the strengthening of different agricultural value chains, the strengthening of links, the development of technological packages for clean production, and the formation of production networks and clusters have been supported. This also includes sectors that have not benefited from tariff preferences, such as the coffee sector, which is the most important exporting sector of the Department.

In this context, in Tablón de Gómez, a municipality in the Department of Nariño, new productive developments in the coffee sector have been supported, which is contributing to continued and increased coffee exports to the EU. With 21 different productive projects supported by government agencies, this municipality presents an example of the spatial effects and the formation of production networks in the department (Unidad de Restitución de Tierras, 2020). Similarly, in the municipalities of Leiva and El Rosario, small producers of citrus fruits such as the Tahiti lime have begun to export this product, aided by initiatives financed by the European Fund for Peace in Colombia (Fondo Europea para la Paz en

Colombia), and executed by different government agencies or civil society. Often, these production and export processes are strengthened through the establishment of commercial alliances between producer associations and interested exporting companies (Fresh Plaza, 2020). The European Fund also finances a larger, €8.5 million initiative across the whole Department, "Desarrollo Territorial en el Departamento de Nariño en condiciones de Paz" (2018-2023), which aims at generating sustainable economic and productive opportunities for the Department and the Municipios of Pasto, Tumaco and Ipiales. Although it is impossible to determine if this initiative would have occurred also in the absence of the Agreement, it is clear that the export opportunities facilitated by it complement the project's activities in the Department.

3.4 Social development and human rights

As diagnosed in the 2014 "Policy and strategy for the agricultural development of the department of Nariño" (DNP, 2014), at the time the agricultural sector in Nariño presented competitiveness problems due to high production costs associated with the cost of transport, the overuse of inputs, the cost of labour, and the lack of irrigation and drainage.

As shown above, the Agreement has contributed to growth in exports and production of products such as fruits, as well as an increase in the competitiveness of these goods, including through technical support provided or financed. This has led to new business opportunities for the agricultural sector, promoting the economic inclusion of thousands of peasant families. In this regard, it is important to highlight that these developments have also been supported by the implementation in the Department of measures designed by the Ministry of Commerce, Industry and Tourism regarding opportunities in the fruit and vegetable (as well as coffee) sector (Ministerio de Comercio, Industria y Turismo, 2013).

Increasing the competitiveness and output of the vegetables and fruits sector in the Department has also had positive effects on social development and human rights indicators, as well as the conversion of illicit crops; however, the Department's challenges in relation to social, labour and human rights are too deep and extensive that they could have been eliminated by the Agreement. Therefore, to improve the living conditions of the population and particularly in the agricultural sector in the Department, domestic policy measures are needed, including the implementation of rural planning instruments to organize communities in their production spaces and food safety. In relation to trade union and association rights, policies must be implemented to minimize risks to integrity and stigmatization to the social and peasant movement, guaranteeing the protection of life and thus avoiding forced displacements.

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ANNEX J: CASE STUDY 7 – INCIDENCE OF CHILD LABOUR AND RESPECT FOR CHILDREN'S RIGHTS IN SECTORS IN COLOMBIA, PERU AND ECUADOR INVOLVED IN EXPORTS TO THE EU

1 INTRODUCTION

1.1 Children's rights – references in international human rights law

Children are entitled to the same human rights and fundamental freedoms as adults. Like other vulnerable population groups, children have been given a special status of protection in the UN framework and in regional human rights treaties. The Convention on the Rights of the Child (CRC), a legally binding international treaty, is the key instrument on the rights of the child, which focuses on protection of children against discrimination, exploitation, and neglect, sets out their basic needs and rights, and defines obligations of states to ensure their well-being. Its Optional Protocols cover protection of children against sexual exploitation, protection of children in the situation of armed conflict, and allow children and/or their legal representative to submit complaints in case violations of their rights cannot be addressed effectively at the national level. EU MS and the Andean countries have ratified the CRC and the Optional Protocol on the Involvement of Children in Armed Conflict and hence have accepted legally binding obligations on protection of children's rights specified in these treaties.[1]

Children's rights are also addressed in other core human rights treaties, e.g., both Covenants, the Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of All Forms of Discrimination Against Women and others. Regional treaties also include explicit provisions regarding protection of children's rights, e.g., the American Convention on Human Rights and the EU Charter of Fundamental Rights (see ratification status of human rights treaties in Annex E of the main report).

1.2 Children's rights and trade

Since the entry into force of the Lisbon Treaty, the EU has taken actions to advance the international framework for child protection, including through trade agreements (Lind-Haldorsson, O'Donnell, 2016, European Commission, 2017f). In a trade context, expanding levels of trade liberalisation and increasing business activities affect children, e.g., through impact on their health through increased pollution, or their standard of living through increased job opportunities that open up for adult household members. A more direct, immediate impact of trade on children's rights is usually discussed through the problem of child labour (Jodoin, Pollack, 2019).

1.3 References in the EU Trade Agreement with the Andean countries

Article 269(3)(c) of the TSD Chapter of the Agreement includes commitments of the Parties regarding effective implementation of the already ratified ILO fundamental conventions No. 138 (on minimum age) and 182 (on worst forms of child labour) regarding the abolition of child labour.

[1] The reservation of Colombia to the CRC is in fact an extensive statement by which the state commits to an obligation beyond the one expressed in the treaty (minimum age for recruitment into armed forces set for 18 years of age instead of 15 years as stipulated in the treaty).

2 IMPLEMENTATION OF THE AGREEMENT AND CHILD LABOUR IN THE PARTNER COUNTRIES

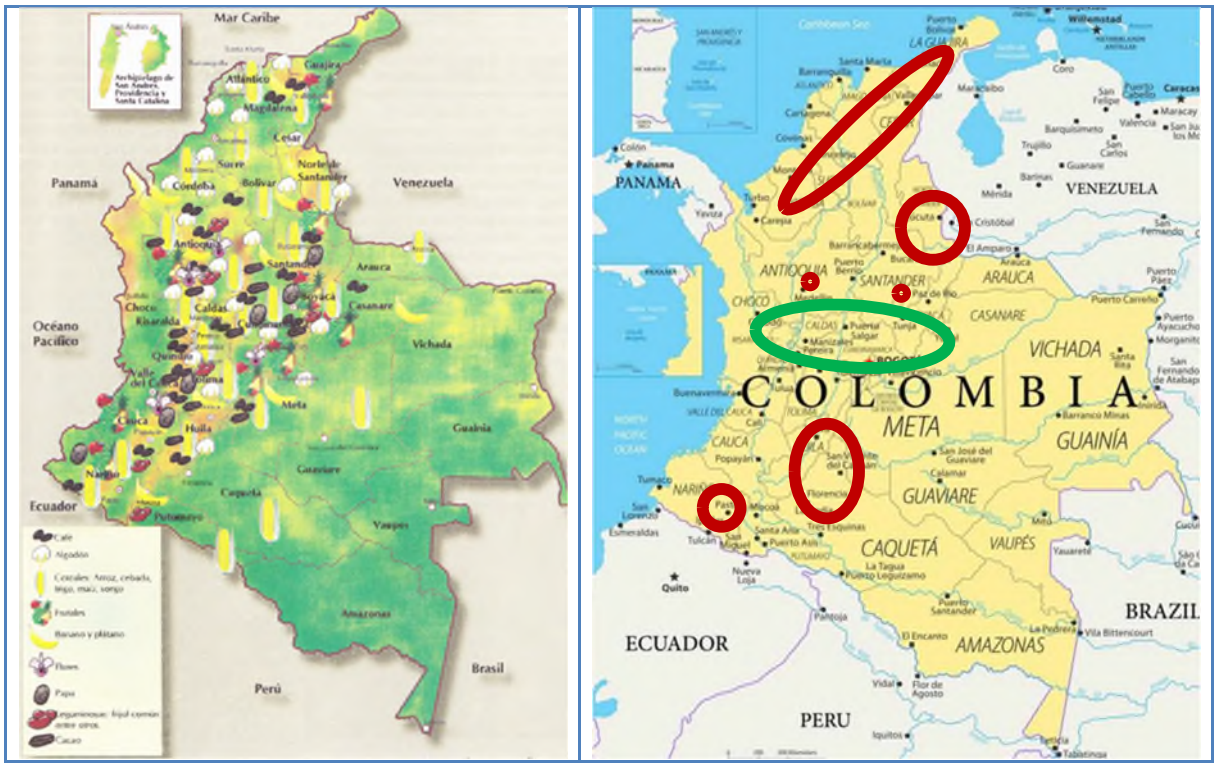
2.1 Child labour in Colombia

The Constitution recognises rights of children in Articles 44 and 45. In 2017, Colombia made a significant effort in eliminating child labour by approving the National Policy to Prevent and Eliminate Child Labour and Protect the Young Worker and a roadmap to prevent and eliminate child labour in mining (US Department of Labour, 2017). In 2021, the Colombian Ministries of Labour and Education, the Colombian Network against Child Labour and the Institute of Family Welfare, as well as representatives of local authorities signed a National Pact for Prevention and Eradication of Child Labour and Protection of Young Workers, in which they emphasised the role of education in the fight against child labour and the need to support return to school after the break caused by the current pandemic. They recognised importance of labour inspection and of identification of local needs and risk factors which may increase probability of child labour (Gobierno de Colombia, 2021). Activities related to prevention and elimination of child labour have also been included in the National Development Plans 2014-2018 and 2018-2022 (see Annex C-1 of the main report). Colombian law (Resolution 1796 of 2018) provides an updated list of hazardous types of work prohibited for persons under 18 years of age. The activities listed there include, e.g., work in mining, work involving contact with chemicals, activities involving direct contact with animals generating a high level of risk for health and safety, activities involving contact with residues of animal origin and with dust of certain plants (cereals, cotton), work with tools and machinery, driving means of transport, work with radioactive or toxic substances, and work in conditions involving extreme temperatures, insufficient ventilation, or light or long-term noise. The same Resolution envisages that persons of 15-17 years of age may work with an official authorisation, which may be revoked if minimum guarantees protecting health, social security, education, and acceptable conditions of work are not met.

As outlined in Annex C-1 of the main report, the Colombian authorities have taken several actions to reduce the incidence of child labour, and the number of working children in the age group of 5-17 years has decreased from 13% in 2011 to4.9% in 2020, in absolute terms from 787,000 in 2007 to 523,000 in 2020 (DANE, 2021, DANE, 2001-2018). Agriculture remains the main sector of activity, with a 44.1% share in total child labour in 2020 (DANE, 2021). Overall, during the analysed period, low rates of child labour have been identified in departments with a more diversified and better developed economy and lower levels of informal adult employment. On the other hand, while there were exceptions, regions with high rates of child labour corresponded with those having high levels of informal adult employment and a less diversified economy. For example, the highest levels of informality were registered in Cucuta (74.4% in 2007 and 73.1% in 2019) and at the same time, the area was marked as having the third highest level of child labour in 2015 (12.5%) (DANE, 2007b; 2019a) and the highest in 2020 (3.6% in the city, without rural areas) (DANE, 2021).

As discussed in the economic analysis and in sections 6.1 to 6.3 of the main report, the Colombian sectors benefitting from trade with the EU (with increases in exports and output supporting job creation) include parts of agriculture (e.g., vegetables, fruits, and nuts), food processing (other food products), textiles, apparel, metals, chemical products, rubber and plastics, and transport equipment. Negative effects have been estimated for machinery, motor vehicles and pharmaceuticals.

Figure 1: Agricultural activity and regions with child labour incidence in Colombia



Key: **Red shape** – higher level of child labour **Green shape** – lower level of child labour
Source: Atlas geográfico: https://atlasgeografico.net/produccin-agrcola-en-colombia.html (left panel); Proyecto Mapamundi: https://proyectomapamundi.com/america-del-sur/colombia/ (right panel)

Regarding sectors benefitting from exports to the EU, agriculture records an overall high rate of child labour incidence (44.1% share in all child labour in 2020, ranking first among sectors recording child labour) (DANE, 2021). According to Torres-Tovar et al. (2018), due to automation of processes and formal employment for adults, there is no evidence of regular child labour in rice, cotton, and sugar cane cultivation in Colombia. This is due to the commitment of formal enterprises and trade union monitoring (Torres Tovar and Helo Molina, July 2020). According to the literature, e.g., in the sugar cane sector, collective workers' actions, including strikes, helped to bring about a change towards direct and formal employment and a recognition of trade unions' role in labour relations (AIL, April 2021). Moreover, the US-Colombia Labour Action Plan of 2011 might have also played a role. It chose sugar cane as one of the priority sectors for labour inspection and envisaged faster than originally planned implementation of laws and regulations on formalisation of work and work intermediation (the laws were adopted in 2010) (Colombian Action Plan, 2011). On the other hand, in the informal economy including in subsistence farming and small-scale family undertakings, work on coffee plantations and in production of panela sugar cane is related to informal employment involving children and adolescents. Reportedly, inspection services have only very limited resources at their disposal in rural areas[2] and therefore, child labour may remain unaddressed. Moreover, the lack of training and respect for health and safety at work principles (incl. that children and adolescents operate field machines) results in a high rate of accidents at work, and the lack of medical infrastructure may reduce the possibility of providing medical assistance in case of an accident. Rice and cotton are cultivated in El Espinal (department of Tolima). While work in these two sectors is automated and in general workers are adult and have formal contracts, there are cases of poor, homeless families moving within the region and undertaking occasional informal work at the harvest, including children and adolescents

[2] To improve labour enforcement in rural areas in Colombia and strengthen the capacity of labour inspection, the EU provided funding for an assistance project implemented by the ILO.

(the latter usually remain outside the education system). Sugar cane is cultivated in the department of Valle de Cauca and panela sugar cane is produced in Cundinamarca (Torres-Tovar et all, 2018). A project has been implemented in Valle de Cauca to prevent and eradicate child labour in production of panela sugar cane (FAO, ILO, 2019). Coffee plantations are *inter alia* in Tolima and Huila. Recently, projects have been implemented with the National Federation of Coffee Producers aiming at eradication of child labour from the sector (Semana Sostenible, October 2019). Moreover, as part of the EU project on CSR practices in Latin America and the Caribbean implemented jointly with the ILO, OECD and the Office of the UN High Commissioner for Human Rights, under the ILO component information materials have been prepared, e.g., a booklet about child labour for enterprises in Colombia and an information campaign for families and communities in the department of Antioquia (Colombia) was launched in June 2021 to prevent and eradicate child labour in the coffee sector (ILO, June 2021). Also, an ILO Vision Zero Fund project financed by the EU has been implemented in Colombia, to improve health and safety at work in the coffee supply chain based on exchanges of best practice with other coffee growing countries from the region, such as Mexico and Honduras (ILO, 2019g).

The involvement of children in work on coffee plantations in Colombia may mean that products related to child labour are exported to the EU. In this context, there are a few elements to consider. First, the Agreement by creating opportunities for increased exports and income generation for coffee producers and hired workers, may have contributed to poverty reduction, better satisfaction of basic needs and, in some cases, potentially reduction of the need for child labour, if incomes of adult household members turned out to be sufficient. In addition, the work of the Colombian Government and civil society organisations, and their awareness-raising campaigns, as well as policy dialogue under the TSD Title may have also helped to stimulate a change towards an increased school attendance by children, increased awareness of adult family members regarding effects of child labour and less time dedicated to work. On the other hand, the tradition of involving the whole family in work on a farm, and economic factors such as reportedly low prices of some commodities (see also the observations on Peru below) preventing small-scale farmers from hiring adult workers, may prolong the use of child labour, including in sectors exporting to the EU even though the Agreement as such does not have a direct impact on the level of incomes (i.e., it does not set prices for traded goods and does not prevent customers from paying decent prices to suppliers).

In the banana sector, a survey carried out in 2017 by a researcher among 210 workers from eight banana plantations in the region of Urabá (department of Antioquía) revealed that only 1 person among them was in the group of 10-20 years of age (which may also suggest an adult person of over 18 years of age), with the largest group (42%) being in the group 30-40 years of age. Moreover, 88.7% of surveyed workers were members of trade unions. Although most of them were generally satisfied with work, 90.2% said they did not want to see their children ever working in the banana sector (Penagos Gaviria, 2017). The replies suggest formal work and a good oversight of trade unions on working conditions and respect for labour standards in the sector, as well as a lack of signs of child labour. Moreover, in a survey carried out by the ILO in 2020 with a group of 194 rural workers, including 95 from banana plantations from regions the of Magdalena and Urabá, only 1.5% declared to be 18-22 years of age (others were older), 90% said to have a contract for an indefinite period and being member of a trade union affiliated to one of the trade union confederations (CUT or CTC), which suggests formal employment and presence of only adult persons (ILO, 2020a).

The flower sector provides around 130,000[3] formal jobs and operates in Cundinamarca, Antioquia y Risaralda. In the 1990s and early 2000s, it was linked to child labour (Morales Rubiano et all, 2020). Since then, the sector is committed to prevention and eradication of

[3] Other sources speak about 90,000 workers in the sector.

child labour through Corporate Social Responsibility (CSR) programmes. They focus on three aspects: 1) engagement with families having cases of child labour to raise awareness of the problem and offering jobs to adult members of a household to encourage replacing income generated by children with adults' wages; 2) working with school children to convince them to continue education and not to abandon it to start working, e.g. by funding scholarships; 3) creating opportunities for children in rural areas to spend actively their leisure time, e.g., by launching sport schools or art activities. Moreover, since 2015 Asocolflores, the association representing flower growers and exporters in Colombia, and 21 companies from the sector have been members of the Colombian network against child labour, a public-private initiative engaging state institutions and private enterprises (Portafolio, 2015). Members of Asocolflores require also from their suppliers not to involve child labour, although this is not always monitored. In a study realised in regions cultivating flowers, sector representatives admitted that actions to eradicate child labour from their operations were driven by requirements of certification schemes and expectations of their international customers. According to the study, the problem of child labour requires involvement and effective cooperation of the sector representatives, local and national government, and school. Moreover, national efforts can be supported by assistance projects (some are financed by the US) (Morales Rubiano et all, 2020). In a workshop organised by the ILO, the sector representatives, based on own experience and an example from Ecuador, recognised that to remove child labour from the sector, there was a need for social dialogue with workers and trade unions, formalization of the sector and compliance with national and international commitments, engagement with children affected by child labour and their communities to remove children from work and create conditions reducing the need for them to work, and joining certification schemes for flower producers which require using only adult workforce (in addition to other possible conditions) (ILO, 2017c). Flower exports to the EU account for some 10% of the Colombian total exports in this sector (ITC, Trade Map, data for 2019) and it may be the case that expectations of European customers also played a role in exercising pressure on Colombian producers (as mentioned above) to respect labour standards, incl. elimination of child labour from their operations and supply chains, and therefore that the Agreement opening additional export opportunities also contributed to it.

Another sector with child labour incidence is small-scale artisanal mining (Alliance for Responsible Mining) classified as hazardous type of work, prohibited for persons under 18 years of age. Child labour is related there to lack of formal employment opportunities for adults, deteriorating living conditions (e.g., due to an accident at work of an adult family member), presence (until recently) of the armed conflict, and the lack of quality education opportunities. Precise data regarding the number of children working in the sector are not available. (Records from the official register SIRITI speak about 5,000 persons, however, the Ministry of Labour admits this number is an underestimation). At the beginning of the 2000s, activities of the small-scale mining sector covered seven departments (Boyacá, Nariño, Cundinamarca, Antioquia, Chocó, Sucre y Santander) (Ministerio del Trabajo, 2017a). According to the UN Committee on Economic Social and Cultural Rights, the National Strategy for the Prevention and Eradication of the Worst Forms of Child Labour is not effective in addressing the exploitation of children and adolescents in illegal mining activities (UN Committee on Economic Social and Cultural Rights, 2017). Given that in this case the evidence is related to the small-scale informal, artisanal mining and not operation of a large-scale mining sector, there is a possibility that there is no connection between this sector and child labour on one hand and exports to the EU (and the Agreement) on the other. The EU, in cooperation with UNIDO, provided assistance focused on sustainable mining, free from mercury.

2.2 Child labour in Peru

The Constitution of Peru contains provisions on special social protection of children and adolescents (Article 4). The Civil Code, the Children and Young Persons Code, the General Law on Labour Inspection, and a Decree on the impacts of hazardous work and night work

on health of teenagers also regulate working activities of children. The minimum age for admission to work has been established at 14 years, and for certain sectors, it is at 15-18 years of age. At the policy level, the 2012-2021 National Strategy to Prevent and Eradicate Child Labour was adopted in 2012, which sets out various measures aimed at eradication of child labour. The policy framework is complemented by the National Action Plan for Childhood and Adolescence 2012-2021 and Interinstitutional Protocol against Forced Labour (Ministerio de Trabajo y Promoción del Empleo, ILO, 2016). Under the Semilla Project, the Ministry of Labour created the Child Labour Free Seal, which recognises products and services of companies whose operations are free from child labour (US Department of Labour, 2019). Peru joined the Alliance 8.7 to work towards the SDG 8.7 to eradicate forced labour, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labour.[4]

Like in Colombia, Peruvian authorities have taken several actions to reduce the incidence of child labour (for details, see Annex C-1 of the main report). While in 2007, 3.3 million children aged 5 to 17 years were economically active in the country (ILO, IPEC, INEI, 2009), by 2015, their number decreased to 2 million (i.e., 26.1% of this age group and 47.6% among indigenous peoples),[5] however, it was at the time the highest rate of child labour in Latin America (INEI, 2016; Peru21, 2018). In 2015, the rate equalled 52.3% in rural areas and 16.2% in urban areas, with higher rates for children of indigenous peoples (73.4% in rural areas) (INEI, 2017). According to another measurement, in Household Survey, where in 2015, the child labour rate equalled 11.5% of the population between 5 and 17 years of age, the incidence of child labour was further reduced by 2019, falling to 10.4% in the whole country, with 4.9% in urban areas and 25.1% in rural areas. The UN Human Rights Council reports that in 2015, 16.8% (1.25 million) of children aged 5 to 17 years in Peru were involved in hazardous work.[6] In a break-down by three big regions, the highest rate of child labour was registered in the mountains, 18.3%, with 14.2% in the selva, and only 3.8% in the coastal area (data shared with the study team by the Ministry of Labour). The reasons behind child labour include poverty, discrimination, and lack of accessible quality education (INEI, 2017). Labour inspection (SUNAFIL) has an insufficient number of inspectors to effectively combat child labour. There is also a link between lower rates of child labour and regions with a more diversified economy, integrated into international trade and exports (e.g., agro-industry, fisheries, minerals, and textiles), developed infrastructure and better connectivity with the rest of the country and the world. On the other hand, regions with high child labour rates mostly rely on traditional sectors, incl. family and subsistence farming and mining (Ministerio de Trabajo y Promoción del Empleo, ILO, 2016).

In Peru, sectors recording employment increases thanks to the Agreement include e.g., vegetables, fruits and nuts, vegetable oils and fats, sugar cane, other food products, chemical products, and textiles and garments. Those which may witness job reductions include metals, pharmaceuticals, computer, electronic and electrical equipment.

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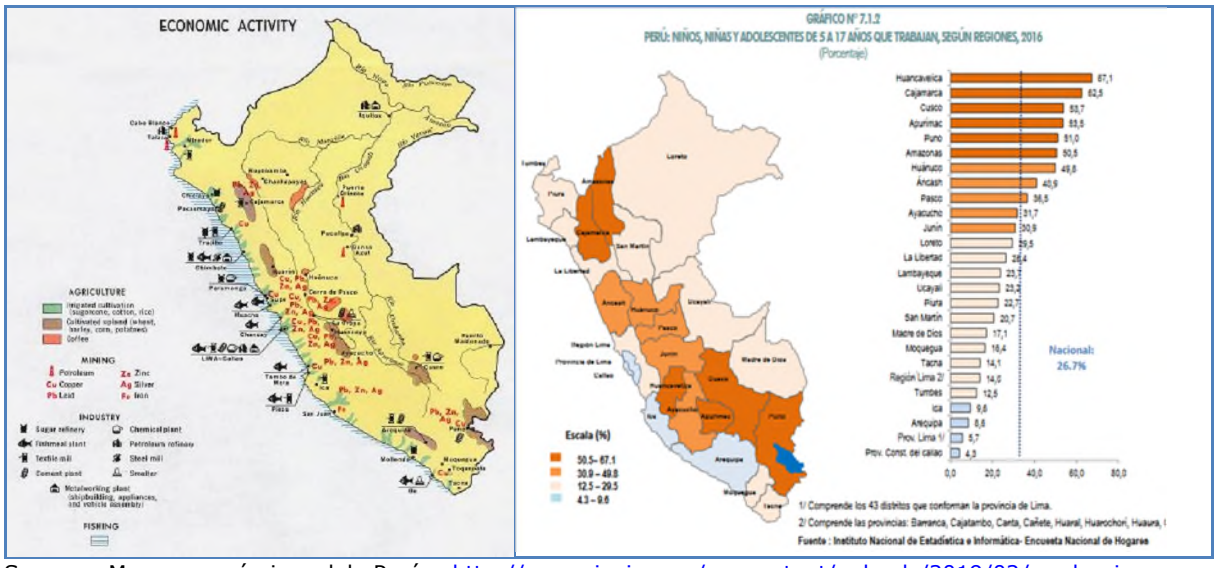
[4] See website of the Alliance 8.7: https://www.alliance87.org/pathfinder_countries/peru-2/

[5] From 2012 to 2016, the child labour rate fell from 31.7% to 26.7%, i.e., by around 370,000 (INE, 2017).

[6] UN Human Rights Council (2018). Report of the Working Group on the issue of human and transnational corporations and other business enterprises on its mission to Peru, UN Doc. A/HRC/38/48/Add.2.

Figure 2: Economic activity and regions with child labour incidence in Peru (2016)



Source: Mapa económico del Perú: http://perumipais.com/wp-content/uploads/2019/02/produccion-peru-mapa.jpg (left panel) INEI (2017), Perú: Características Sociodemográficas de niños, niñas y adolescentes que trabajan 2015; la Encuesta Nacional Especializada de Trabajo Infantil (ETI) 2015: https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib1426/libro.pdf (right)

Regarding sectors benefitting from exports to the EU, in agriculture, child labour in Peru has been present e.g., in cultivation of coffee, cocoa, blueberries, asparagus and avocado, (Desarrollo y Autogestión, Perú) mainly as part of family farms. However, through cooperatives and trade intermediaries buying produce from family farms and subcontracting work on plantations, products involving child labour may be integrated in value chains of goods exported *inter alia* to the EU. Moreover, given that whole families are hired during the harvest season (some migrating from other parts of the country), child labour may be part of it without being registered (the groups of casual workers are not checked for the presence of children and as the payment depends on the weight or number of harvested fruits or vegetables, the more family members participate in work, the higher the income is).

The frequently quoted reasons of continued child labour in agriculture include low-income levels not allowing for contracting adult workers to help on small farms and the custom of passing the agricultural practice between generations. The Peruvian Association of Cocoa Producers estimates, for example, that the cocoa price on the international market should increase by ca. 40% (from USD 2,300 to USD 3,200 per tonne) to ensure decent income for small farmers. There are also initiatives, such as the seal of products "free from child labour" launched in 2019 by the Government of Peru, which is granted to farmers who can demonstrate the absence of child labour use in their practice (Ojo público, August 2020). Representatives of coffee producers in Peru hope that the seal will help to differentiate "child labour free" products from others and gain them appreciation from international customers, which could then translate into higher prices and a sustainable possibility of using only adult workforce. NGOs supporting the initiative also highlight a need for it to be accompanied by targeted support for small-scale producers to improve their economic situation and enable their children to attend school (Gestión Perú, August 2019). Initiatives like the above are indeed complemented by awareness raising campaigns which explain to parents in rural areas that children should attend school and have time for rest in addition to learning agricultural activities, and should not be involved in work which may pose risks to their health and safety (Ojo público, August 2020). However, there is a need to ensure that they will cover all areas in the country where there is likelihood of child labour being involved in cultivation of agricultural products, and that they will be accompanied by economic support for small farmers.

The cultivation of blueberries in Peru is located in the regions of La Libertad (79%), Lambayeque (17%), Ica, Lima and Ancash. While around half of exports is destined for the US market, 25% go to the EU, with the Netherlands marked as an entry point. Given the growing production (from 2.6 thousand tonnes in 2014 to 179.8 thousand tonnes in 2020), investment, innovation, and exports outside of the harvest season in the northern hemisphere, Peru managed to benefit from increasing revenues (in the season of 2020-2021, they were projected to pass USD 1 billion) and higher prices than other producers. The country ranks first among world exporters. However, profit margins have been maintained *inter alia* thanks to the low labour costs, being in line with the special regime for agriculture. This is likely to change due to 2019-2020 amendments to the legislation (see details in section 6.1 of the main report) equalising part of workers' rights in agriculture with other sectors of the economy (Peru Retail, February 2021). It was also estimated that in the 2020-2021 season, cultivation and harvest of blueberries would offer in total 100,000 jobs, out of which 52% would be occupied by women. Jobs covered by the special regime for agriculture are formal. Exporters from the sector feared, however, that a potential action by the US to limit imports in blueberries from Peru (by safeguards or TRQs) may put some jobs in the sector at risk (AgroNoticias, October 2020). Given the presence of child labour in the cultivation of blueberries, the sector will also look at the possibility to use and promote "child labour free" seal as one of the ways of eliminating child labour (Gestión Perú, August 2019). Other measures include the exchange of best practices with other countries in the region such as Argentina, which developed a pilot project to eliminate child labour from the production of yerba mate and blueberries. The concept of the project has been presented at a workshop in Lima. It assumes an analysis of the value chain, identification of weak points and stages where child labour may be involved, optimisation of the production model of participating enterprises and, provision of education and health care services facilitating removal of children from work (Desarrollo y Autogestión, (a)). By ensuring duty-free exports of fruits and vegetables to the EU, the Agreement has created an opportunity for increased exports, effectively used by producers of blueberries from Peru. Given favourable prices obtained by Peru (higher than its competitors), the country managed to maintain profit margins and thus create formal jobs in the sector, potentially also reducing poverty in the regions where blueberries are grown. Moving forward, it will be important to use policy dialogue in the TSD Title, technical assistance and commercial mechanisms, incl. export promotion to raise awareness (among both, producers and customers) of the child labour free seal to obtain decent prices for exported blueberries (and other agricultural products, such as coffee, using it) which in turn would enable implementing an amended special regime for agriculture (with improved workers' rights for adult workers) and eliminate the use of child labour from the sector.

According to 2016 data, the textile and garment sector in Peru, incl. cotton cultivation, provided jobs to some 400,000 persons (2.5% of the total employment in the country). Cotton cultivation was pursued by 8,425 farms, 60% of which did not exceed 5 hectares, which means that small-scale family farms played an important role in the sector. Since the year 2000, however, the area used for cotton cultivation had decreased considerably due to low prices, competition of cotton fibre and fabrics from Asia, the financial crisis of 2008-2009, which reduced demand for Peruvian cotton, and the lack of public policy and support that would encourage further development of the cotton value chain in Peru, with a focus on high-quality fabrics and identification of market niches where Peruvian products would be competitive. In 2016, some 80% of workforce[7] in the cotton sector was informal and included short-term workers hired for the cotton harvest. They usually earned less than the minimum wage and did not have social security cover. Child labour was involved in the sector mainly at the time of the harvest and often included children of temporary workers who were hired for the harvest (ILO, Agencia Brasileña de Cooperación, 2016).

[7] This means an increase in informality, from 72% in 2015 (IESS, 2021).

In 2019, the textile and garment sector continued to offer direct jobs to 400,000 persons[8] (equalling 26.2% of the employment in manufacturing, and 2.3% of the total employment in the country) and generated 900,000 indirect jobs. The level of informality was at 78.1%, while among workers in microenterprises accounting for 80% jobs in the sector, the level of informality was at 88.7%. Garment production had a 76.3% share in the employment in the sector, with textile taking the rest (23.7%). Women represented 61.5% of workers in the sector (IESS, 2021). In 2018, Peru signed a cooperation agreement with Brazil aimed at the exchange of good practices to learn from the Brazilian experience in promoting decent work in the cotton value chain, poverty reduction, prevention and elimination of child labour and forced labour, formalization of work, jobs for youth, vocational training and capability building, health, and safety at work and social dialogue (El Comercio, December 2018). Peruvian labour inspectors also participated in workshops with counterparts from Brazil and Paraguay to exchange practices about work in rural areas and elimination of child labour in the cotton sector (ILO, 2019d). The EU has supported the elimination of child labour from cotton cultivation in Peru through the "Clean cotton" project, aiming at ensuring decent work conditions for working adults, awareness raising among families of working children, capacity building of state institutions and trade unions to reduce and eliminate child labour, and improved access to education for children from rural areas (El Confidencial, November 2018).

To illustrate the overall possible impact of the Agreement on child labour in the sector, we note that according to the economic modelling, the Agreement is estimated to have contributed to a 0.3% employment increase in the sector, which would mean the generation of some 1,200 jobs or protection of this number of jobs against a trend of decreasing employment. It is more difficult however to draw conclusions on the nature of jobs (formal or informal), given the high informality rate in the sector. It may be the case that a mix of formal and informal jobs benefitted from the Agreement in different occupational categories, along the value chain. In such a case, exports to the EU could have helped to create or preserve jobs and to reduce poverty or prevent some workers from falling into poverty given a decreasing employment trend in the sector. This in turn may mean less need for child labour and less poverty among children. However, it may also not influence much the situation around child labour if mainly children of temporary workers join work (in such a case, those children would probably continue coming to the harvest and participating in it with their parents, unless the latter receive an opportunity of a more sustainable, long-term employment and income generation).

Child labour is also present in mining in the regions of Ica, Ayacucho, Arequipa, La Libertad, Huancavelica, and Piura in small-scale underground gold mines,[9] and in Madre de Dios, in open-air gold extraction. Regarding non-metals mining, child labour has been identified in sand, clay, and precious stones exploitation. Working children and adolescents are exposed to hazardous substances, noise in underground mines, vibrations, extreme temperatures, heavy loads, repetitive movements overburdening certain parts of the body, health and safety risks related to operation of heavy machines, and life in a mostly masculine environment, characterised by high consumption of tobacco and alcohol, and high levels of aggression, which may also turn into violence and abuse of young women working in the neighbouring areas. Work in mining does not allow for dedication of much time to education and in some mining areas, there are no schools. Moreover, the work remains informal, and children receive worse contractual conditions than adult workers.[10] There are, however, examples of good practice preventing and eliminating child labour in mines. In Santa Filomena (Ayacucho), it has been prohibited for children to come to a mine, and a school has been established in the community to facilitate education, but also to enable

[8] However, in 2017, there was a short increase in employment, up to 463,300 persons (IESS, 2021).
[9] In the early 2000s, around 30,000 families in Peru lived from income generation in gold mining (Ministerio del Trabajo, Colombia, 2017a).
[10] Ministerio de Energía y Minas, Protejamos a nuestros niños del trabajo infantil: http://intranet2.minem.gob.pe/ProyectoDGE/Mineria/TRIPTICO%20-%20Trabajo%20Infantil.PDF

parents to come to work not being accompanied by children (ILO, 2017c). A similar practice with education for children, health care advisory services and additional income generation opportunities for parents has been developed in Mollehuaca (Arequipa) (Ministerio del Trabajo, Colombia, 2017a).

2.3 Child labour in Ecuador

The Constitution prohibits forced labour, human trafficking, and all forms of exploitation, including the use of children for illicit activities (Arts. 46 & 66). The Criminal Code of Ecuador criminalises the exaction of forced labour or other forms of exploitation (Art. 105) as well as sex and labour trafficking (Arts. 91 & 92), prescribing penalties ranging from 10 to 13 years of imprisonment for forced labour, and from 13 to 16 years for sex and labour trafficking.[11] The Childhood and Adolescence Code sets the minimum age for work at 15 years of age, and the minimum age for hazardous work at 18. Resolution No. 16 (2008) prohibits children under the age of 18 years from working in certain economic activities. The Labour Code authorises labour inspectors to conduct inspections.

The policy framework includes various measures to combat forced labour, human trafficking and child labour: e.g., the Organic Act on human mobility, the National Plan to Combat Trafficking in Persons, the 2012-2021 National Action Plan for Childhood and Adolescence, the 2017-2021 National Agenda for Intergenerational Equality, and the 2017-2021 National Development Plan. The Unified System of Registration of Child Labour has been upgraded.[12] It is difficult to estimate the real scale of child labour in Ecuador due to the lack of updated statistics, which also hampered the effectiveness of measures to combat child labour.[13] The UN Committee on the Rights of the Child recommended Ecuador in 2017 to intensify its efforts in combatting child labour in all sectors of the economy and to establish programmes at the local and cantonal levels to implement the national strategy against child labour.[14]

The child labour rate among children aged 5 to 17 years decreased in the country from 17% in 2006 (INEC, UNICEF, 2015) to 8.4% in 2017 (375,342 persons) (El Comercio, June 2019; Plan V, June 2020). It is however estimated that, due to Covid-19 and the increasing unemployment among adults and family poverty, child labour may increase again (UNICEF, June 2020). According to a focused national survey carried out in 2012 (INEC, 2012a), 8.6% of children and teenagers aged 5 to 17 years were engaged in an economic activity (15.5% in rural areas and 4.3% in urban areas), whereas the rate for indigenous peoples was much higher (29%). Agriculture was the main activity for 66% of working children aged 5-14 years, and 50% of teenagers aged 15-17 years[15] (Plan V, June 2020). Departments with a high child labour incidence overlap partly with those having also high poverty rates (e.g., Cotopaxi, Bolivar, and Chimborazo), while the coastal departments and Pichincha were in 2014 among those recording the lowest poverty rates (INEC, 2015).

Sectors benefitting from the Agreement include vegetables, fruits and nuts, cereals, fisheries, other food products, apparel, and metal products. On the other hand, sectors, such as metals, motor vehicles, textiles, leather products, chemical products, rubber and plastics, pharmaceuticals, and paper products may be negatively affected.

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[11] Código Orgánico Integral Penal del Ecuador: https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/ECU/INT_CEDAW_ARL_ECU_18950_S.pdf

[12] U.S. Department of Labor, Bureau of International Labor Affairs, Child Labor and Forced Labor Reports – Ecuador: https://www.dol.gov/agencies/ilab/resources/reports/child-labor/ecuador

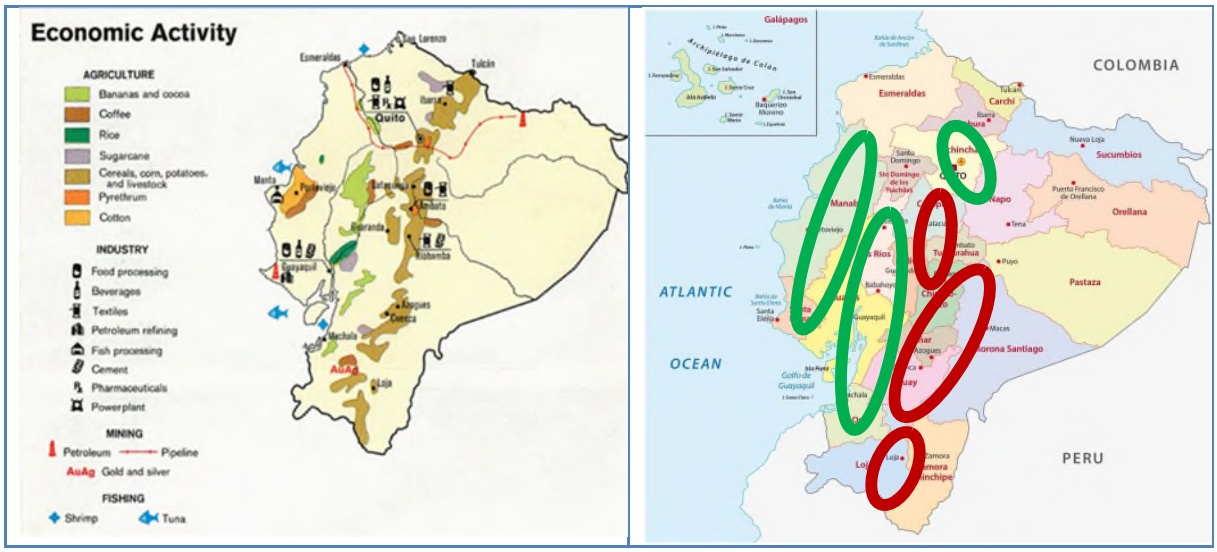
[13] BTI (2020). Country Report Ecuador: https://www.bti-project.org/en/reports/country-report-ECU.html

[14] United Nations Committee on the Rights of the Child (2017). Concluding observations on the combined fifth and sixth periodic reports of Ecuador, UN Doc. CRC/C/ECU/CO/4-5.

[15] Plan V (June 2020), El trabajo infantil en Ecuador aumentará por la pandemia: https://www.planv.com.ec/historias/sociedad/el-trabajo-infantil-ecuador-aumentara-la-pandemia

In agriculture, child labour has been identified in banana and palm oil plantations, flowers and the abacá sector, as well as in fishing. In industry, child labour has been reported in small-scale mining, gold mining and production of bricks, and in services, in construction, as well as in other services, which may not be impacted by the Agreement, e.g., domestic services, shoe cleaning, and selling products (e.g., newspapers) in the streets. There are assistance projects focused, e.g., on reducing the incidence of child labour in the palm oil sector (US Department of Labour, 2019a), and producers and exporters of flowers cooperate with government and trade unions to remove child labour also from this sector (ILO, 2017c). The majority of children working in agriculture in rural areas is not remunerated (in 2012, it was 91%), which suggests work as non-paid family members. Moreover, even if they receive payment, the amounts are usually very low. The poverty rates and job opportunities for adults have been closely related to child labour incidence. Over the last two decades, periods of economic growth and job creation went hand in hand with decreasing poverty and child labour incidence, while economic slowdown provoked an increase in both. A higher incidence of child labour is also recorded in poor families where a short-term gain from additional work carried out and generated income prevails over long-term investment in education and skills development (Consejo Nacional para la Igualdad Intergeneracional, 2018).

Figure 3: Economic activity and regions with child labour incidence in Ecuador



Red shape – high level of child labour; **Green shape** – low level of child labour
Source: Proyecto Mapamundi: https://proyectomapamundi.com/america-del-sur/ecuador/ (right), Mapa Owje: https://mapas.owje.com/1938_mapa-de-actividad-economica-de-ecuador.html (left)

The flower sector in Ecuador provided 100,000 jobs in 2019 and 21% of exports were destined to the EU market, with the US being the main customer receiving 44% of exports in the sector (Expoflores, 2019). Flower cultivation takes place in provinces of Pichincha, Cotopaxi, Carchi, Imbabura, and Azuay (Fairtrade). In 2000, an ILO study evaluated child labour incidence in the sector in provinces of Pichincha and Cotopaxi, concluding that children below 15 years of age were involved in work, along with older adolescents, the latter carrying out hazardous work, working long hours, receiving low wages, and not having access to school. Since then, several projects were implemented covering in total 13,100 children (some of them were financed by EU Member States). Training and awareness raising activities have been provided to employers, workers, and local communities, and children received facilitated access to education and leisure activities. A certification scheme, Flor Ecuador, has also been set up to ensure compliance with labour and environmental standards, and has been made obligatory for members of Expoflores, an association of flower growers and exporters. In the labour-related part, it includes, among others, a requirement to prevent and eradicate child labour, to pay social security contributions for workers, to formalise work of adolescents and to respect norms in health and safety at work. It has been recognised internationally. In 2019, 81 enterprises from

the flower sector in Ecuador were certified and 20 in the process of certification. Experience developed in this context can also be replicated in other sectors (Expoflores, 2019).

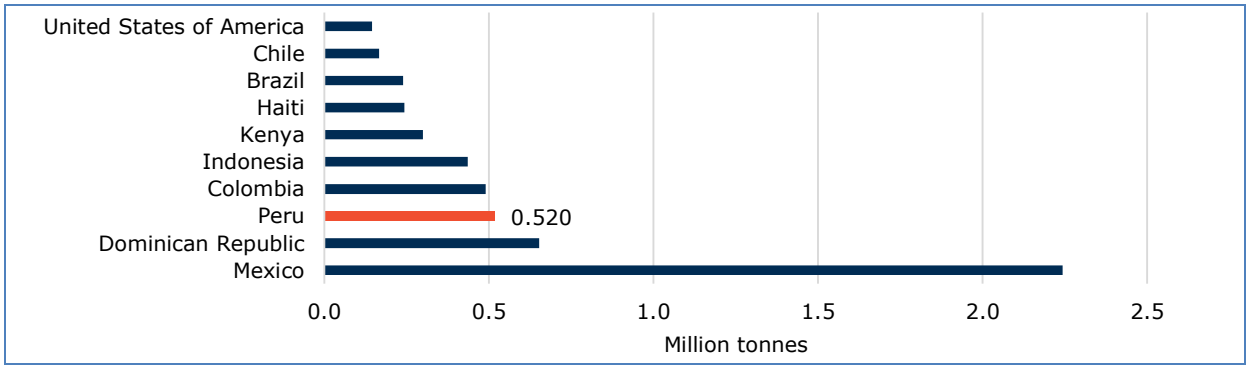
Regarding the banana sector, a survey carried out by ASTAC among workers in the sector suggests challenging working conditions and an overall low job quality. However, the report does not mention cases of child labour which may suggest that these are not too frequent, at least in areas covered by the survey and by ASTAC operations (ASTAC, 2019).

ANNEX J: CASE STUDY 9 – THE IMPACT OF THE AGREEMENT ON BIODIVERSITY – THE CASE OF AVOCADO PRODUCTION IN PERU

1 INTRODUCTION

Production of and trade in avocados is recognised as one of the fastest growing markets in the world, and European avocado consumption is identified as a key driver for this (Sommaruga, and Eldridge, 2021). Peru is one of the world's largest producers of avocados: in 2019, was the third largest one after Mexico and the Dominican Republic (Figure 1).

Figure 1: Total production of avocados by country, 2019



Source: FAO, 2020

Through the Agreement, the avocado sector in Peru benefits from duty free access to the EU market, compared to a 4% tariff which would be due without the Agreement. It is therefore interesting to study if the Agreement has led to an increase in Peruvian exports of avocados to the EU and an associated increase in production, with potential environmental implications.

This case study addresses particularly the potential impact on biodiversity. We first provide some brief background information the remainder of this introduction, then establish the current situation and recent trends of the sector (section 2). Section 3 provides the methodological model for the analysis, followed by the impact analysis itself (Section 4) Section 5 concludes.

1.1 The impacts of avocado production on biodiversity globally

Globally, avocado production can put pressure on biodiversity, by e.g., **water** and **agrochemicals** use as well as **land use change.** Regarding water use, studies indicate that avocados are among the top three crops causing water stress (Stoessel et al., 2012). Irrigation systems used for avocado productions can extract water from both groundwater and surface water, which can intensify various water related risks. These risks include aquifer depletion and reducing surface water levels in rivers, which can potentially both harm the functioning of ecosystems and negatively affect biodiversity (Verones et al., 2012). Avocados are often a mass-scale, monoculture crop, leaving the soil with less nutrients and more vulnerable to diseases, creating the need to use more pesticides and fertilisers. The use of agrochemicals is not limited to the contamination of local soils; agrochemicals also run off into surrounding water bodies and potentially into distant ecosystems. Moreover, over long periods of time, monoculture crops lead to soil depletion, taking away most of its mineral properties. The expansion of avocado production is associated with land use changes and in some countries (e.g., Mexico) with deforestation (WRI, 2020). In these cases, farmers plant young avocado trees beneath forest canopies

and eventually cut down shrubs and old trees to provide more sunlight and space for these plants (UNDEP, 2017).

1.2 Avocado production regions in Peru

Avocado production in Peru is mainly concentrated in the 2,000 km dry coastal strip from Chiclayo in the north to Arequipa in the south (Figure 2). There are several major growing zones, such as:

- The **Olmos irrigated area** (Department of Lambayeque), with about 38,000 ha irrigated area (CIRAD, 2019). The average annual growth rate equalled 31.2% in this area between 2015-2019 (Peruvian Government, 2019);
- The **Chavimochic irrigated area** (Department of La Libertad), with about 75,000 ha of irrigated production (CIRAD, 2019). La liberated area is the largest area in terms of production, representing 37.7% of the national avocado production in 2019 (Peruvian Government, 2019). The average annual growth rate equals 12% over the last five years (ibid.);
- The "**coastal river valleys" of the Departments of Lima** (especially Barranca, Huaura, Huaral, Cañete, Chincha) and Ancash (Casma and Chimbote), with about 10,000-12,000 ha of irrigated production (CIRAD, 2019);
- The **Sierra**, with about 2,000 to 4,000 ha largely unirrigated (the western foothills of the mountain range, mainly in the south of the Departments of Huancavelica, Arequipa, Cuzco, Ayacucho and Ica) (CIRAD, 2019).

Figure 2: Map of main avocado production areas, Peru

Source: CIRAD (2019)

The first three areas are situated in coastal desert zones and use intensive irrigation, while the highland Sierra production area is largely unirrigated. Rainfall in the coastal production areas is low and irrigation water is sourced from rivers (and in the case of the Olmos, from

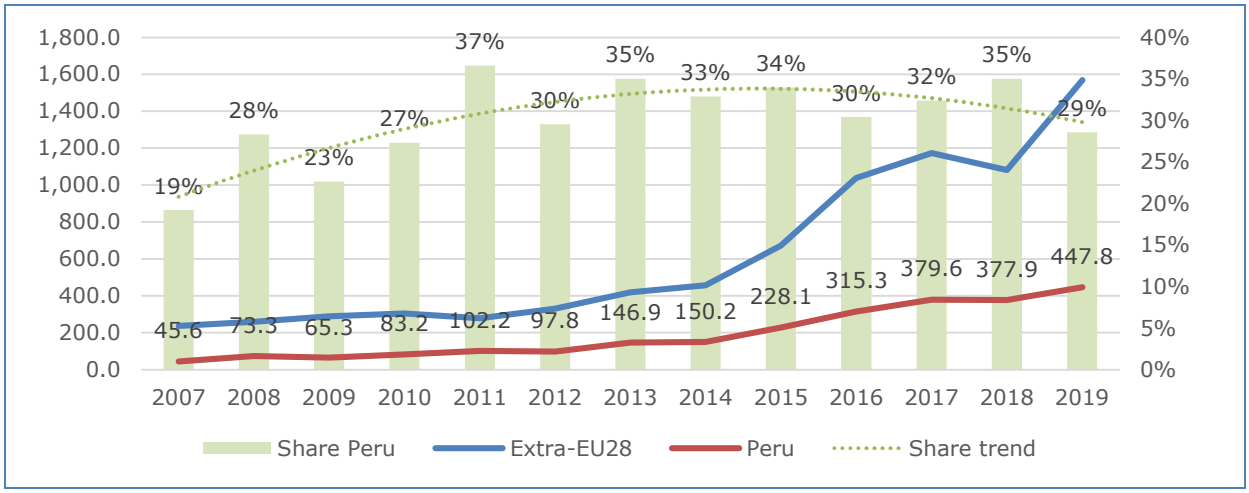
the River Huancabamba, using a 20km tunnel through the Andes to the Palo Verde dam) (CIRAD, 2019). This case study focusses on large production areas such as the Olmos and Chavimochic areas and the coastal river valleys, including the Ica Valley.

2 CURRENT SITUATION AND RECENT TRENDS

2.1 Performance

Peru's **exports** of avocados to the EU have steadily grown since 2012. In 2019, fruits, led by avocados, became the largest import commodity from Peru to the EU. Between 2012 and 2019, the value of avocado imports increased from EUR 98 million to EUR 448 million (Figure 3). Over the same period, total EU avocado imports have however also rapidly expanded; the share of imports from Peru in total EU avocado imports in fact increased from 19% in 2007 to 37% and 30% in 2011 and 2012, and then remained at levels between 30% and 35% since the start of application of the Agreement; in other words, import growth from Peru was proportional, but not higher than, that of total EU avocado imports. In considering this, it needs to be taken into account that almost all EU imports of avocados are from countries benefitting from preferential access to the EU under FTAs or unilateral preferences (the only notable exception being Brazil, whose share in total EU imports is however limited at about 1.2%).

Figure 3: EU28 imports of avocados (HS 080440) from Peru vs. total, 2007-2019 (€ million)

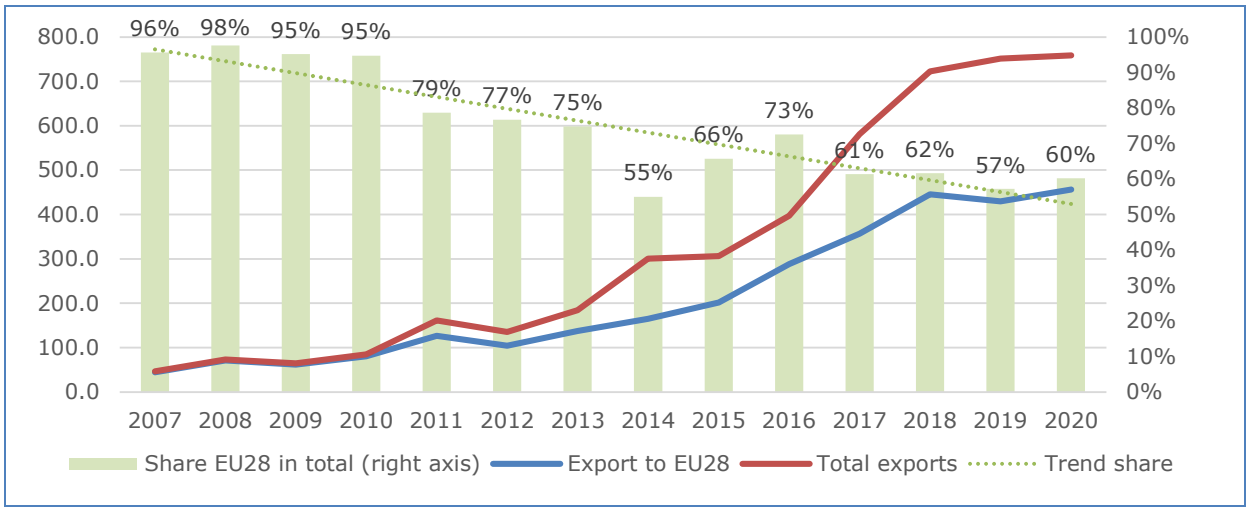


Source: Own calculations based on Eurostat COMEXT.

According to the Commission for the Promotion of Peru for Exports and Tourism (Promperu), Peru is the main supplier of Hass avocado[1] to Europe. The EU is also the largest market for Peru's avocado exports, accounting for about 60% of the total export value since the Agreement's start of application (**Fehler! Ungültiger Eigenverweis auf Textmarke.**). At the same time, that share was higher prior to the Agreement, reaching almost 100% in the years 2007 to 2010 before dropping to the current share since about 2014.

[1] Hass is the most demanded avocado variety in Europe. In 2019, 95% of Hass avocado production was aimed at the international market (CIRAD, 2019).

Figure 4: Peru's exports of avocados (HS 080440) to EU28 vs. total, 2007-2019 (USD million)

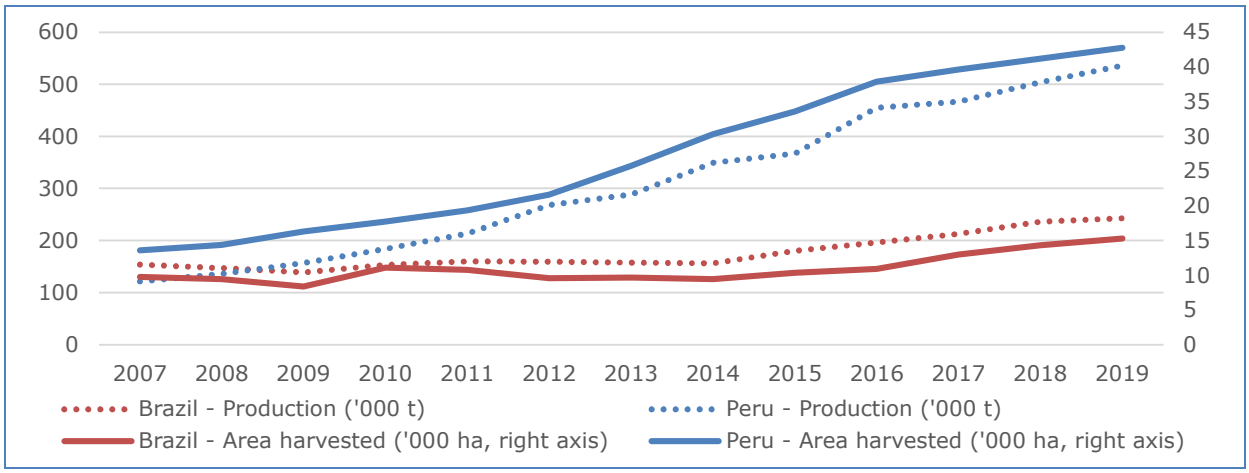


Source: Own calculations based on Eurostat COMEXT.

Figure 5 compares avocado **production** in Peru with avocado production in the largest avocado producing country exporting to the EU under MFN (Brazil). In Brazil, avocado production largely stagnated between 2007 and 2014, at around 150,000 tonnes per year, but then increased to 243,000 in 2019. In Peru, avocado production increased each year over the period 2007 to 2019, with production growth between 2012 and 2019 averaging around 38,000 tonnes per year, compared to 29,000 for the period 2007-2013; in percentage terms, the average growth rate in the Agreement period was however lower, at 10.4% per year, than in the years before the Agreement (17.1%). The area harvested has grown broadly commensurately with production.

The output performance suggests that factors other than the Agreement were the major driver of the growth in avocado production in Peru. Yet, it is also noted that Peru experienced a higher growth rate than Brazil, which may be linked to the Agreement.

Figure 5: Annual production area and total production of avocados, Peru and Brazil (2007-2019)



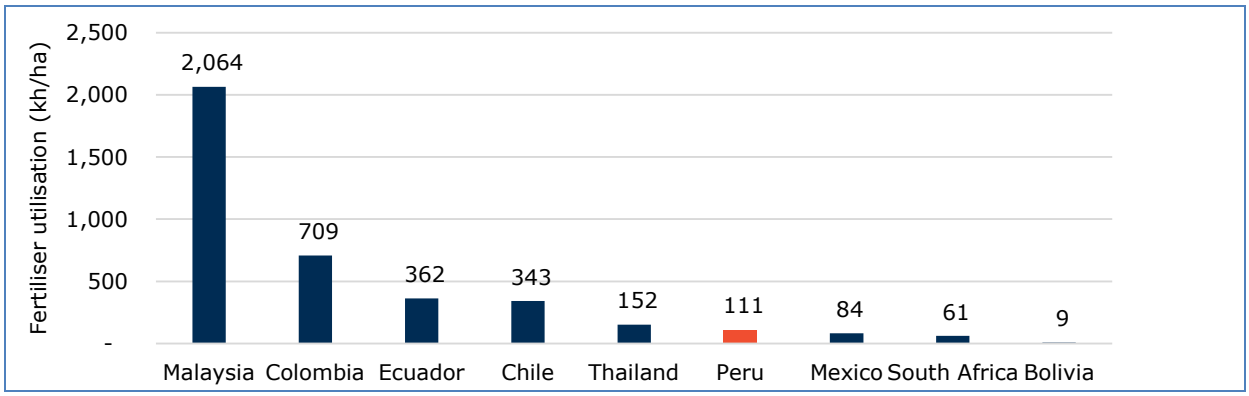
Source: FAO, 2020

In Peru, **water use** is mainly driven by agriculture (46%) and energy generation (47%), though in some regions mining accounts for a significant share of total water demand (DAR, 2017). Most of the crop production in Peru is concentrated in the arid coastal region and part of the Andean zone. Approximately 80% of water withdrawal is used for irrigation (OECD, 2017). In the coastal areas, the agricultural sector relies for 100% on irrigation

and in the mountain area irrigation dependency equals 40% (Sommaruga & Eldridge, 2021). Many irrigation systems are inefficient and/or unreliable; total water use efficiency in irrigation systems is estimated to be approximately 35%, which is considered poor performance and is mainly due to leaks in the distribution systems and extensive use of unimproved gravity or flood irrigation methods, with an estimated total efficiency of 50% (ANA, 2019). In the pacific hydrographic region, 12 out of 43 aquifers are overexploited because of excessive irrigation causing deterioration in water quality due to saline intrusion in aquifers near the coast, leaving unproductive fields (OECD, 2018). In the highlands, the risk of landslides is intensified by overgrazing, bushfires, and poor soil management. Given these trends, water conflicts, water availability, and efficient water management are severe problems in Peru. While Peru is investing in technologies to mitigate these risks, these measures often increase the gap between well managed agribusinesses and smaller farmers that lack resources, knowledge, and efficiency, which results in social conflicts (FAO, 2021).

The average agricultural **fertiliser application** rate of 111 kg/ha is lower than average application rates in other countries (Figure 6) (Word Bank, 2019). However, for the production of avocados, certain levels of fertilisers and **pesticide**s are applied in Peru, which may create environmental pressures (e.g., eutrophication, acidification, human toxicity, and biodiversity loss) (Bartl, 2012).

Figure 6: Fertiliser use, Peru vs comparators



Source: World bank 2017

Globally, avocado production has been related with **land use change and deforestation**. In the Mexican state of Michoacán for instance, reports have claimed that avocado production was driving 30-40% of annual deforestation (World Resource Institute, 2020).

2.2 Governance

The **National Agrarian Policy** (PNA)[2] stipulates the long-term strategy for the agricultural sector and aims to promote the sustainable development of this sector (Peruvian Government, 2016). The PNA includes 12 policy areas including 1) Sustainable Soil and Water Management; 2) Forest and Wildlife Development; 3) Infrastructure and modernization of irrigation. For each topic, the goals and challenges are explored. For instance, for sustainable soil and water management, land degradation is mentioned, because erosion, desertification, and salinisation are identified as environmental challenges by the National Institute of Natural Resources (INRENA). Adequate agricultural water management may restore the soil quality (RVO, 2016).

The Peruvian government has put several policies in place to promote the agro-export sector. Especially, Law N° 27360 - **Law of Agrarian Promotion** (LPA) – played an

[2] Supreme Decree No. 002-2016-MINAGR

important role in the Peruvian agro-export boom, e.g. to attract business to Peru's driest areas (LNV, 2021). The law provides incentives such as tax exemptions to exporting agriculture companies (LNV, 2021). The law was enacted in 2000 and has been extended twice. The latest extension (which will last until 2031) was approved by the Congress in 2020 and includes several changes, such as a sectoral minimum wage for employees in the agricultural sector (see section 6.4 of the main report). Enabled by LPA, the private sector became the main engine driving Peru's successful agriculture export growth and diversification strategy (World Bank, 2017).

At national level, the Ministry of Agriculture and Irrigation (MINAGRI) is responsible for the agricultural sector (as shown in Table 1, together with other relevant organisations).

Table 1: Overview of important (public) organisations in relation to agriculture policies and avocado production

Organisation name	Description
MINAGRI	Ministry of Agriculture and Irrigation
INIA	National Institute of Agricultural Innovation
ANA	the National Water Authority
INRENA	The National Institute of Natural Resources
UNALM "La Agraria"	National Agricultural University La Molina
Concytec	National Council of Science, Technology and Technological Innovation
ProHass	Association of producers of Hass avocados
SENASA	The National Agricultural Health Service

Source: Based on RVO (2016)

The National Water Authority (ANA) of the Ministry of Agriculture and Irrigation (MINAGRI) is responsible for managing and monitoring national natural water resources, which includes the issuing of authorisations to water service providers for its use and distribution, as well as for the permits for wastewater discharge and reuse. The **National Water Plan**, embedded in the PNA (PNRH 2015-2035) aims to increase the crop area under **mechanised irrigation** from 2% (33 000 ha) in 2012 to 24% (602 000 ha) by the year 2035 (OECD, 2017).

In Peru, the **organic avocado** market is still a niche (FreshFruitPortal, 2021b). At the same time, **GlobalGap certification**[3] is widespread in Peruvian avocado production despite the limited size of the plantations (CIRAD, 2019), and the Government is also taking actions to implement GlobalGap certification in certain regions for the export of Hass avocados (NIA, 2019).

According to stakeholders interviewed for the evaluation, for small-scale farmers it is difficult to meet the export criteria set by e.g. the EU. Programmes or Social enterprises like Fairtraca[4] support small farm holders to meet export requirements.

3 THE IMPACT OF THE AGREEMENT ON BIODIVERSITY THROUGH AVOCADO PRODUCTION IN PERU – THE CAUSAL CHAIN

DPSIR framework - The DPSIR (Driver, Pressure, Status, Impact, Response) framework allows to interpret certain environmental indicators by establishing a causal relation between indicators and their analysed effects. The framework is often used in biodiversity analyses and the causal chain developed for this case study applies the logic of the DPSIR framework. As illustrated in Figure 3, the DPSIR framework shows the Status before the

[3] GlobalGAp is an internationally recognized standard for farm production and includes criteria such as food safety, environment (including biodiversity), workers' health, safety and welfare, among others. See https://www.globalgap.org/uk_en/what-we-do/globalg.a.p.-certification/globalg.a.p./

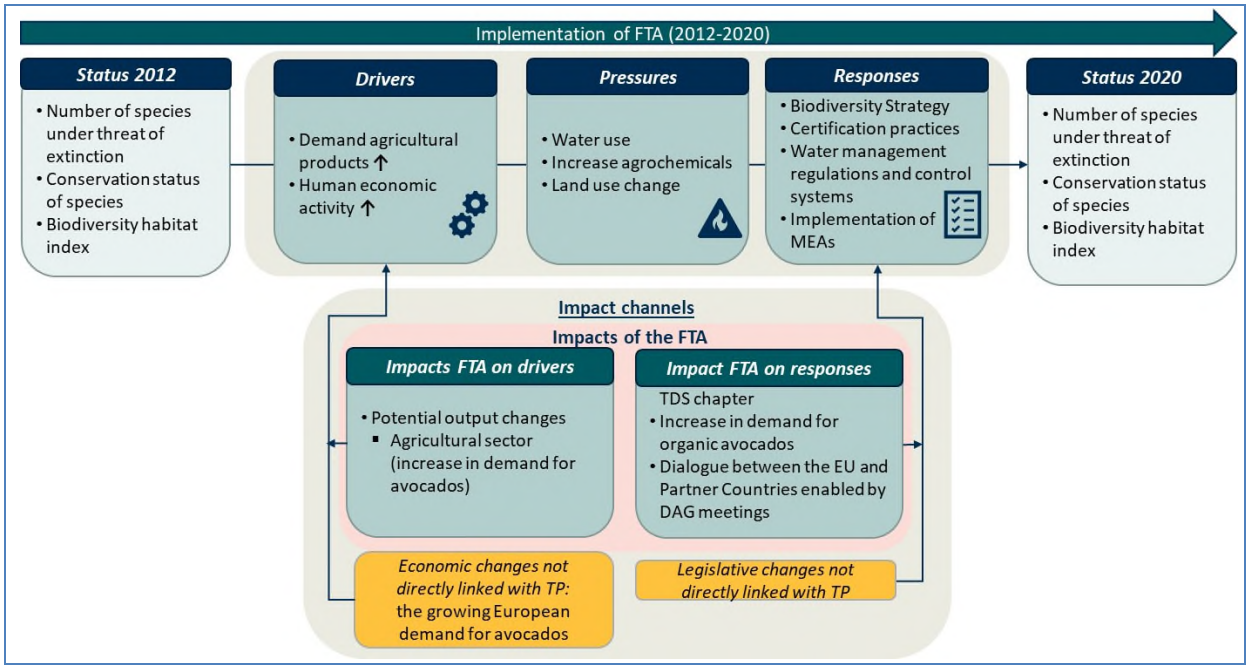
[4] https://fairtrasa.com/organic-farmer-dionisio/

implementation of the Agreement and in 2020. In the analysis (next section), the framework is applied on the biodiversity impacts of the FTA through avocado production in Peru.

1. **DPSIR** – The **Status** describes the factual biodiversity related state in a certain country or area. The state of biodiversity, and changes overtime, are measured by analysing indicators such as the number of species in different threat levels of extinction, as well as the biodiversity habitat index.[5] **Drivers** contain increased demand for agricultural products, such as avocados and increased human economic activity because of their production. A discussed in the introduction, the related **Pressures** include water constraints, land use conversion, and increased agrochemical use. Avocado production is generally associated with several key environmental **impacts**, including water resource and soil depletion, ultimately resulting in negative biodiversity impacts. **Responses** to these impacts can take the form of regulations related to water and pesticide uses (i.e., sustainable agriculture), or related to technical or efficiency improvements (e.g., in irrigation systems).

   The focus in this case study is on the key environmental pressures associated with avocado production. By identifying certain trends in e.g., water scarcity and the expansion of avocado production, certain conclusions are drawn on the biodiversity impact so far and potential future impacts of the FTA through avocado production in Peru. This is reflected in Figure 3 by emphasising the Drivers, Pressures and Responses boxes.

Figure 3: Causal chain and DPSIR for FTA's impact on biodiversity in Peru



2. **Impact channels** – The middle part of Figure 3 shows the pathways through which the FTA can affect the biodiversity status. It can do so by affecting the drivers (mainly through the economic effects on the FTA) and/or the responses (e.g., by changes in the implementation of environmental legislation, or expansion of certification practices). The provisions of the TSD chapter on biodiversity, forestry and in particular

the Multilateral Environmental Agreements such as the Rotterdam Convention are identified as the key channel through which the FTA may have affected the responses.

3. **FTA induced effects and external effects** – The lower part of the figure emphasises the role of external developments, unrelated to the FTA. It shows that developments unrelated to the FTA can also affect both drivers and responses. It also shows the key challenge in assessing the impacts of the FTA – isolating the FTA-induced impacts from external developments. In the case of avocados, a strong external effect is the growing European demand for avocados (CBI, 2021).

4 ANALYSIS

4.1 Water use in avocado production

In the **Olmos area**, avocado is the number two crop (4,200 ha) grown, after sugar cane (10,900 ha) in 2018. The avocado orchards are owned by large exporting companies, which own areas ranging from 250 to 1,000 ha per company.

The Olmos irrigation project enables the irrigation of 38,000 ha by channelling water from the River Huancabamba – which discharges into the River Amazon – to the dry coastal areas (CIRAD, 2019). The project has not reached it potential as approximately 30% of surface areas remain undeveloped due water quotas of 10,000 m^3/ha set by the National Water Authority (ANA). The undeveloped plots are used to obtain the rights for 4,000 – 5,000 m^3/ha of extra water that is required to fuel the micro-irrigation systems, **making water an important limiting factor**. By 2035, the water channelled between the Amazon and Pacific hydrographic region should increase by 50% as envisioned in the National Water Plan (cf. OECD, 2017). However, the plan also discusses the **potential negative environmental effects of water transfer**, including alteration of the ecosystem in the transferring watersheds and the risk of alien aquatic organisms to the recipient regions (OECD, 2017). The Amazon River experiences more frequent, intense, more prolonged and extreme droughts and floods as a result of climate change, which negatively affects river connectivity and aquatic biodiversity migration (Souza et al. 2019). The withdrawal of water for the Olmos irrigation project further intensifies this trend (interview data).

The extensive water use by large agribusiness enterprises **lowers the groundwater levels which has negative ecological consequences for the Bosque Seco (dry forest) in the North of Peru** (interview data). The dry forest is a unique ecosystem with several endemic species (e.g., birds and reptiles), and is a main food source for local communities and their feedstock.

The Chavimochic Special Project is a governmental initiative which aims to transfer and distribute water from the Santa River to irrigate four valleys in the Department of La Libertad (Chao, Virú, Moche, Chicama)[6], including the desert zones between the valleys (CIRAD, 2019). The Santa River is crucial for agricultural businesses in the area as **it can provide water to the agricultural sector whole year round**, turning desert areas into agriculture productive areas. Large avocado orchards (up to 2,600 ha) – mainly owned by export companies – are located in this area. In total, 75,000 ha irrigated land is available of which avocado production takes around 7,000 ha (9.3%) (CIRAD, 2019).

[6] The first part was built between 1986 and 1995 and added 46,000 ha of new irrigated land (Oxford Business Group, 2021). In 2019, three of the four valleys were developed, to cover a total of 75,000 ha of irrigated land (CIRAD, 2019)

Crops are produced with pressurised irrigation systems,[7] using the newest techniques (interview data). Water use varies greatly per farm as avocado cultivation for the export market is still relatively new compared to e.g. asparagus cultivation; farmers cultivating avocados have around 12 years of experience on average, against 25 years of experience of asparagus farmers (Apaza-Tapia, 2020). Due to the irrigation of the Chavimochic area, the Santa River dries up a few times a year, losing its connection to the Pacific Ocean (interview data).

These lower water levels **negatively affect the aquatic ecosystems of the Santa River** as e.g. river shrimp rely on the connection to the Pacific Ocean for reproduction. Note that change in the aquatic ecosystem is not directly linked to the avocado production, as the lower water levels commenced after the completion of the first Chavimochic irrigation project (around 1990), before the large avocado farms settled in this area (interview data). Avocado production *could* exacerbate these pre-existing pressures.

The Chavimochic Special Project and the related expansion of agricultural areas also induced other negative ecological impacts, like **waterlogging**[8] **and salinization in the lower parts of the valley** (Vos and Marshall, 2017). Salinization lowers the soil production and negatively affects the ecosystems and the biodiversity adjacent to agricultural production areas. The region is currently investing in (costly) drainage systems (interview data).

Climate change is significantly diminishing the Cordillera Blanca glaciers which changes the hydrology of the Santa River (Mark et al., 2010). Climate change also increases the temperature, enabling small farm holders to irrigate (different) crops at higher altitudes and at the same time requiring (more) irrigation for that crop production (interview data). The reduced availability of water during the dry season, forms a threat for water supply in the Chavimochic project region, increasing the competition for water among economic sectors, political jurisdictions and upstream and downstream water users (Lynch, 2011). While the small farm holders (more upstream) the water rights of highland irrigators are defined as a share of available volume, large agribusiness enterprises (downstream) are entitled to a fixed yearly allocation of 10,000 m^3/ha, leaving small farm holders vulnerable during dry season (Lynch, 2011).

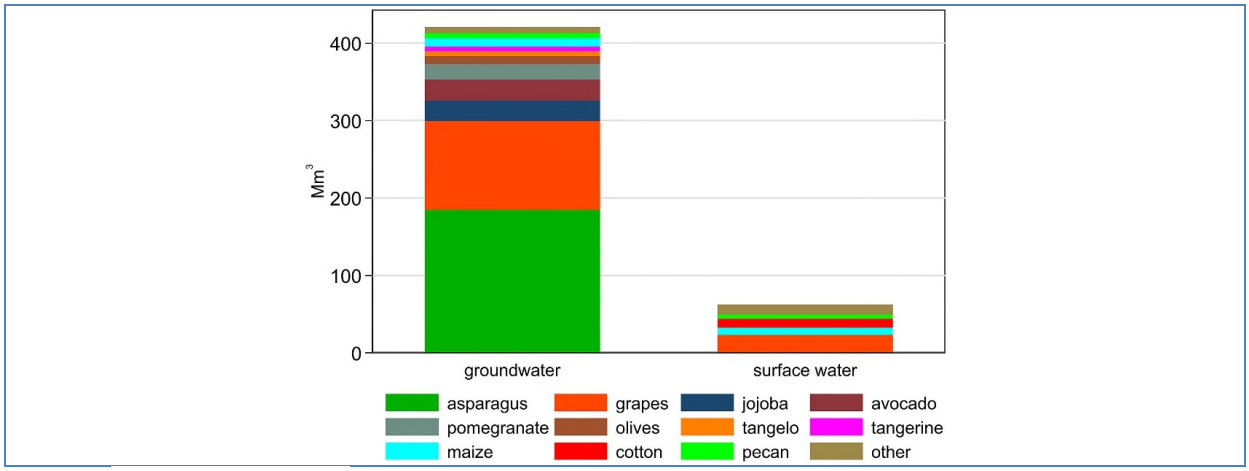
According to ANA, the **Ica Valley aquifer** has been over-exploited. If the current rate of decline in water availability continues, there could be a 76% reduction in the total area irrigated in the valley due to water scarcity within 10 years. This could lead to increased production costs resulting from higher pumping costs (ANA, 2018). Salmoral et al. (2020) estimate that the Water Footprint (WF)[9] in the Ica Valley in 2017 was 483 Mm^3, with 87% being attributed to groundwater and 13% from surface water. Avocados (28 Mm^3) have the third highest water footprint in this area, after asparagus (187 Mm^3) and grapes (138 Mm^3) (considering both water sources). In fact, **avocados grown in the Ica Valley withdraw water mainly from ground water sources** (see Figure 7), **further depleting the aquifer.**

[7] In pressurized irrigation systems water is precisely applied to the plants under pressure through a system of pipes. Drip irrigation systems and sprinkler systems fall under this type of irrigation.

[8] Waterlogging is the saturation of soil with water, either temporarily or permanently. This occurs when the groundwater levels are too high, which leads to salinization of the soil.

[9] The water footprint represents the amount of water consumed by a nation or a specific geographical location, by sector, product or company.

Figure 7: Allocation of Water Footprint (Mm^3) by crop for the year 2017, distinguishing between surface and groundwater sources for the Ica Valley



Source: Salmoral et al. (2020)

Water scarcity in the Ica Valley puts agricultural activities in the valley under serious risk. The economic viability of pumping will also be threatened given the increased costs to abstract water. Economic feasibility studies will be needed to evaluate alternative water sources (e.g. desalination of groundwater) (Aparicio et al., 2019), but given the diversity of farming systems in the valley such initiatives would not be economically feasible for most farmers, particularly for those engaged in small-scale production.

The Agreement-induced impact on water use through its impact on avocado production is estimated **quantitatively**. Based on the data presented in the above analysis, the CGE results and water footprint data from Hoekstra et al. (as discussed in the main report), the additional water resources used in avocado production attributable to the implementation of the Agreement are estimated. Based on the CGE results, the Agreement-induced output change in the *vegetables, fruits and nuts* (VFN) sector equalled 54.8 million USD in 2020. The share of avocados in the VFN sector is calculated based on the value of production within the VFN sector (6%), and the value of avocado exports in the VFN sector (22%). This is combined with the weighted average water footprint of avocado production in the regions Lambayeque (The Olmos area), La Libertad (Chavimochic Special Project), and Ica (Ica Valley aquifer) based on Hoekstra et al (2010).[10] This estimate equals 996 m^3 water per ton of avocado. Based on this approach, it is estimated that the Agreement-induced impact on water use in Peru through avocado production in 2020 was between 4 million m^3 and 14 million m^3. This corresponds to roughly 1%-3% of water used for avocado production in Peru.

4.2 Agrochemicals use

In the **Northern production regions (Olmos and Chavimochic), there is limited use of pesticides** (interview data). This is possible due to 1) the limited number of 'host plants' for pests in the desert, 2) the climatic conditions (i.e. minimum rainfall), 3) the avocado's natural protection through its thick skin and 4) the large desert area between the Olmos and Chavimochic, preventing the transfer of pests (interview data). However, due to the strict requirements for fresh export products (set by GlobalGap and SENASA) the use of pesticides is common for the agro-export sector (interview data). In areas where rainfall is more abundant, (e.g. the Ica valley) the use of pesticides naturally increases (but still

[10] Hoekstra et al. (2010) provide estimates of (blue, green and grey) water footprints per crop and region. Based on their estimates, the weighted average of the three main production and exporting areas was calculated. The estimates on the water footprint for avocados are: Ica 1,221 m^3, La Libertad 998 m^3, Lambayeque 927 m^3. The weights are based on the hectares of irrigated land per production zone, as listed in section 1.2 (Ica 11,000 ha, La Libertad 75,000 ha, Lambayeque 38,000 ha).

remains relatively low). **The use of pesticides is harmful to insects and reduces the biodiversity in and around the avocado farms** (interview data). Some avocado farms apply 'wind hedges' by planting trees around the production areas. In these trees birds and insects can thrive, but the absolute surface in ha of these wind hedges is low.

In the northern production areas (Olmos and Chavimochic) fertilizer use is higher than in e.g. Sierra region as the desert soil is not very fertile (interview data). Fertilizers are applied via advanced irrigation systems, ensuring their efficient use (interview data).

Export-oriented avocado farms often hold several certifications to meet the demand for certified avocados in foreign markets (Apaza-Tapia, 2020). In the **Chavimochic area**, all avocado and asparagus farms have at least one certification. These certifications (e.g. Rain forest, Tesco and Fair for Life) often include strict criteria to reduce pesticides use (Ibid), which aims to reduce harmful environmental impacts like soil and water contamination. Strict food safety criteria (from e.g. Japan and the EU) imply that no residues are permitted in the destination markets to comply with the indications on labels. (Apaza-Tapia, 2020, p. 97).

4.3 Land use change

The Northern production areas experienced land use change as coastal desert areas were turned into production sites, having a potential negative impact on biodiversity due to dry forest degradation and deforestation.

The Sierra and the Huaral regions are more traditional production areas and there is no indication that growth in avocado production resulted in land use change (interview data) with evident negative environmental impacts. It is noted that these regions host important species and are rich in agro-biodiversity, which may become at risk if many farmers shift to (monoculture) avocado farming (interview data). In these regions, including the Chavimochic region, certain crops (e.g., asparagus and peppers) are replaced by avocados to respond to the growing foreign demand for avocados. Avocado is a perennial crop and covers permanently the soil, which has environmental benefits compared to annual crops, i.e., permanent soil cover and the lack of tillage reduced e.g., the leaching of nitrogen which benefits soil production, and water and air quality (Bartels, et al. 2012). During an interview it was mentioned that **avocados are often replaced for annual crops (peppers) which positively impacts the environment.**

5 CONCLUSIONS

The demand for Peruvian avocados has increased over the past years, especially in the EU. The Agreement facilitates the growth in avocado exports, alongside several (inter)national policies and other promotion measures to support the avocado-export business, as well as the key driver: increased demand. It is challenging to isolate the effect of the Agreement from other trends. Even though the lack of detail in CGE data does not allow to identify a one-on-one causal relation between the Agreement and the growth in avocado production in Peru, it is very likely that a proportion of the higher exports is driven by the Agreement. Applying the shares of avocados in output respectively export value as estimates, between 6% and 22% of the calculated output change of USD 54.8 million in the *vegetables, fruits, and nuts* sector refers to avocados. Considering the context, in which virtually all of Peru's competitors benefit from zero-duty access to the EU market, whereas Peru without the Agreement would have fallen back to MFN treatment upon graduation from the previous GSP+ status, the output increase should however best be interpreted as an avoidance of output contraction that would have been observed in the absence of the Agreement.

The Agreement indirectly intensified the following environmental pressures:

- **Water scarcity and management:** The agricultural sector uses a substantial share of the limited water resources in Peru. In the Olmos region and the Ica valley (dominated by agro-export enterprises) water is identified as a limited factor for the avocado production. The Chavimochic area experiences growing competition for water during the dry season as climate change speeds up the retreat of the glaciers that feed the Santa River. Water stress that is further intensified by avocado production, can lead to different environmental impacts as identified in this study: lower water levels in rivers (Santa River and Amazon River) that negatively affect aquatic ecosystems and the reproduction fish and shrimp species; lower groundwater level degrading the Bosque Seco (dry forest) in the North of Peru; and the over-exploitation of the Ica aquifer. Water scarcity further deepens the vulnerability of small avocado farms as water becomes more expensive and/or large agribusiness enterprises are given priority in water allocation. In the regions in the North (the Olmos and Chavimochic region), water is applied via fast irrigation projects by channelling water from rivers to the production sites. Concerns have been expressed about the environmental negative effects of water transfer, including alteration of the ecosystem in the transferring watersheds and the risk of alien aquatic organisms to the recipient regions. In the Chavimochic region, waterlogging and salinization are identified as risks to the soil and water quality.

- **Agrochemical use & soil quality:** Avocado farms in Peru (and in particular the farms in the Northern production regions) apply pesticides. (Multiple) certifications by the Peruvian export-oriented avocado farms may further reduces the harmful environmental impacts related to pesticide use such as soil and water contaminations. The use of pesticides (though limited compared to other crops) is harmful to insects and reduces the biodiversity in and around the avocado farms. Avocado is often grown as a monocrop (especially in the Northern production areas), depleting the soil from its nutrients and thereby threatening biodiversity if agro-biodiverse farmers shift to monoculture avocado production.

- **Land use change:** The Northern production areas experienced land use change as coastal desert areas were turned into productive sites, having a potential negative impact on the biodiversity due to dry forest degradation and deforestation (in the case of Olmos). In the Sierra and the Huaral regions there has been no indication that growth in avocado production resulted in land use change with evident negative environmental impacts. In case avocado crops replace annual crops a positive impact on GHG emissions is generated.

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ANNEX J: CASE STUDY 10: CLIMATE CHANGE – IMPACTS OF THE AGREEMENT ON LULUCF EMISSIONS IN THE ANDEAN PARTNER COUNTRIES

1 INTRODUCTION

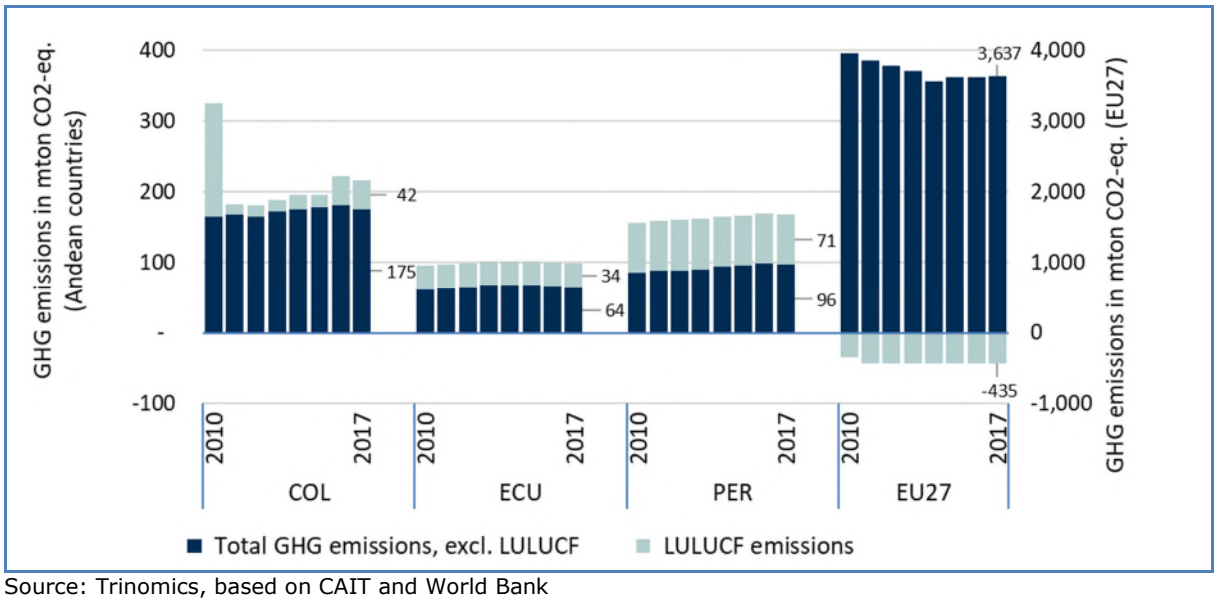
Whereas in many countries gross greenhouse gas (GHG) emissions account for the lion's share of a country's impact on global warming, the LULUCF (land use, land use change and forestry) sector is a key determinant in the Andean partner countries' impact on global warming, given the role of the Amazon as a carbon sink. For that reason, this case study complements the climate change analysis in the general environmental analysis (on gross GHG emissions) in the main report by assessing the Agreement's impact on the LULUCF sector in all partner countries.

We first establish the current situation and recent trends/baseline related to LULUCF in the Andean partner countries (section 2). Section 3 provides the methodological model for the analysis, followed by the impact analysis itself, which consists of a quantitative part (Section 4) and a qualitative one (section 5). Section 6 concludes.

2 BASELINE

Performance - LULUCF activities can result in large amounts of additional GHG emissions, which has been the case in the Andean countries between 2012 and 2020. However, LULUCF activities could also mitigate climate change by the removal of GHGs from the atmosphere and halting the loss of carbon stocks (UNFCCC, n.d.a). Both phenomena are observed in the LULUCF emissions for the signees of the Agreement, as shown in Figure 2: The LULUCF sector of the Andean countries *emitted* GHG emissions to the atmosphere every year. In contrast, the LULUCF sector in the EU *removed* 435 Mt of CO_2eq in 2017. In the Andean countries, Colombia, Ecuador, and Peru, LULUCF emissions account for a very significant share of the total GHG emissions. In 2017, these shares equalled 19%, 35% and 43%.

Figure 2: Gross GHG emissions (excl. LULUCF) and LULUCF emissions in Mt CO2 eq. (EU27 on secondary axis).



Source: Trinomics, based on CAIT and World Bank

In **Colombia**, an abrupt change is observed in LULUCF emissions in 2011. However, this is driven by a change in methodology rather than an actual decrease in emissions, as reported by the country.[1] Although in 2017 the share of LULUCF emissions in the total GHG emissions was relatively low in Colombia (19%) compared to Ecuador (35%) and Peru (43%), it is noted that LULUCF emissions have risen over the past years (2011-2017) in Colombia. The deforestation and forest degradation in the Amazon has been a major pressure on the local CO_2 sinks. Agriculture (incl. change of land to pastures, illicit crops, livestock), and illegal mining are some of the key drivers of the deforestation and associated LULUCF emissions (IDEAM, 2018). In **Peru**, agriculture including extensive cattle ranching, gold mining, hydroelectric generation, and the exploitation of hydrocarbons (e.g. oil), among others, are the main drivers of a high deforestation rate and thus of the significant GHG emissions (CDP, 2019). In **Ecuador**, changes in agricultural land are the main pressure contributing to LULUCF emissions (MAE, 2017b).

Governance - The Andean countries included emission reductions in the LULUCF sector in their Nationally Determined Contributions (NDCs) commitments to the Paris Agreement. **Colombia**'s NDCs reaffirm its pledge to reduce deforestation in the Amazon region as a key strategy to reduce emissions. **Peru** presented eight measures specifically targeting emissions of the LULUCF sector including, for instance, promoting conservation, sustainable forest management, and assignment of emission rights in its NDC. **Ecuador**'s NDC contained eight lines of actions such as expanding protected areas and strengthening forest monitoring that jointly have the potential to result in sectorial GHG reductions of 4% (16% under the condition of sufficient international support). While these commitments are positive, what will be more important is that each country puts in place the measures needed to meet its target, reports on its progress in a transparent manner consistent with the Paris Rulebook, and sets successive NDCs that constitute the country's highest possible ambition.

In this regard, besides the commitments set in the Paris Agreement, the Andean countries joined the Reducing Emissions from Deforestation and Forest Degradation (**REDD+**) **Programme** aiming to reduce the LULUCF-related emissions. REDD+ is a framework negotiated under the UNFCCC to guide activities in the forest sector to reduce emissions from deforestation and forest degradation, as well as the sustainable management of forests and the conservation and enhancement of forest carbon stocks (UNFCCC, n.d.b). In **Colombia**, in the context of REDD+, the Amazon Vision (PVA) and REDD Early Movers (RED) Programmes constitute the basis of payment-for-performance to avoid deforestation in the Colombian Amazon (GGGI, 2018). The Programme rewards emission reductions because of reduced gross deforestation by targeting the beef, dairy, cocoa, rubber, and non-timber sectors and investing the collected funds to further contribute to the efforts to stop deforestation (KfW and GIZ, 2015). In **Peru,** the REDD+ strategy is still under development, led by MINAM and financed by international organizations such as the Moore Foundation and the German bank KfW (MINAM and CIFOR, 2012). In **Ecuador**, the REDD+ Action Plan is framed on the National Climate Change Strategy and guides LULUCF emissions mitigation actions that include sustainable forest management, and transition to sustainable production systems, among others (MAE, 2017a).

[1] While both inventories are based on IPCC guidelines from 2006, the BUR used tier 1 and 2 guidelines while the Third National Communication is based on tier 2 and 3 guidelines, which include also local emission factors. As a result, emissions in 2010, which is used as base year in Colombia's INDC, are much higher in the Third National Communication when compared to the BUR. See: https://www.umweltbundesamt.de/sites/default/files/medien/1410/publikationen/2018-11-01_climate-change_25-2018_country-report-colombia.pdf.

3 THE IMPACT OF THE AGREEMENT ON LULUCF EMISSIONS – THE CAUSAL CHAIN

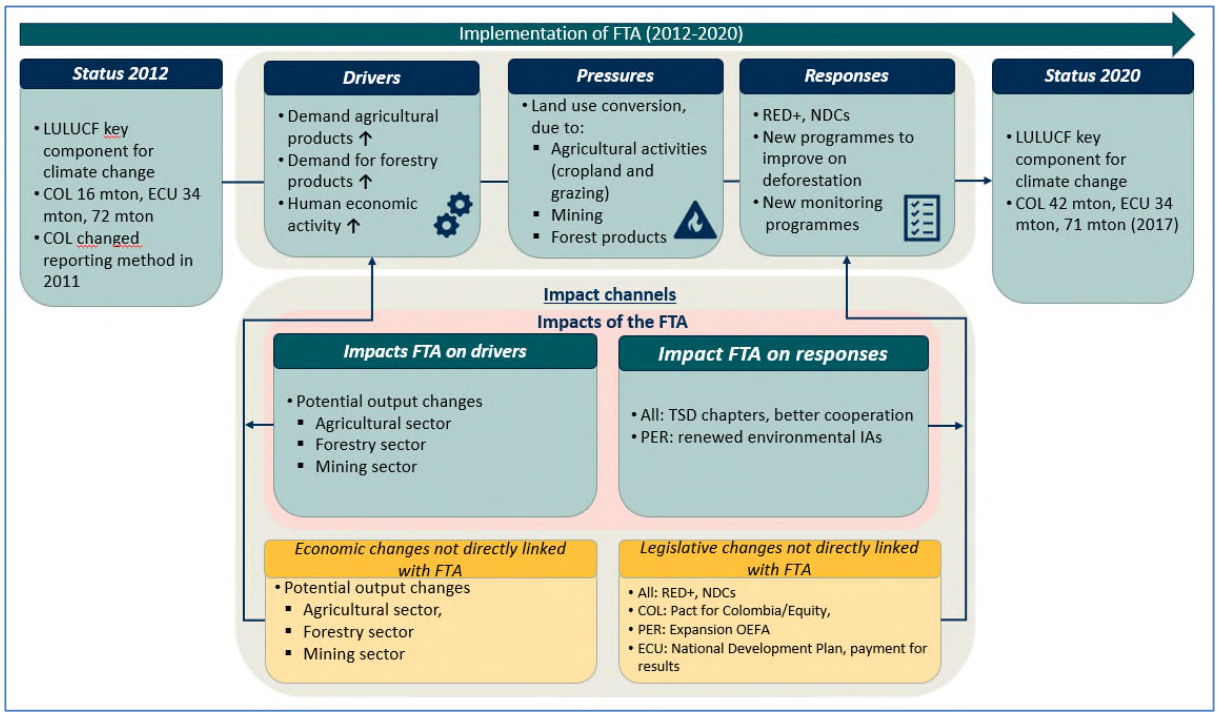
Figure 3 shows the causal chain that has been developed to transparently analyse the potential impacts of the Andean Agreement on LULUCF emissions in the Andean countries. Three elements are integrated into one figure:

1. **DPSIR framework** - The DPSIR (Driver, Pressure, Status, Impact, Response) framework allows to interpret certain environmental impacts by establishing a causal relation between indicators and their analysed effects. The framework is often used in biodiversity analyses. The causal chain developed for this case study applies the logic of the DPSIR framework, though small deviations were made to make it more targeted. The chain shows the status *before* the implementation of the Agreement and in 2020. In between the two status boxes, drivers, pressures, and responses that are relevant for LULUCF emissions are shown. Drivers – societal developments affecting pressures – include increased demand for agricultural/mining/forestry products and increased human economic activity. Pressures – human activities exerting strain on the environment - include land use conversion and deforestation (mostly driven by agriculture, forestry, and mining). Responses – (policy) actions to address pressure - include the REDD+ programme, the inclusion of LULUCF emissions within the NDCs, and several national policies.

2. **Impact channels** – The middle part of Figure 3 shows the pathways through which the Agreement can affect the environmental status. It can do so by affecting the drivers (mainly through the economic effects on the Agreement) and/or the responses (e.g., by changes in the implementation of environmental legislation, or by lowering environmental footprints of products with more strict standards). In the context of the impact of the Andean Agreement on LULUCF emissions in the Andean countries, potential output changes in the agricultural, forestry and mining sectors are identified as the key channels through which the Agreement may affect the drivers of LULUCF emissions. The provisions of the Trade and Sustainable Development (TSD) Title are identified as the key channel through which the Agreement may have affected the Responses.

3. **Agreement induced effects and external effects** – The lower part of the figure emphasises the role of external developments, unrelated to the Agreement. It shows that developments unrelated to the Agreement can also affect both drivers and responses. It also shows the key challenge in assessing the impacts of the Agreement – isolating the Agreement-induced impacts from external developments.

Figure 3: **Causal chain and DPSIR for Agreement's impact on LULUCF emissions**



4 QUANTITATIVE ANALYSIS – BUILDING ON LAND USE CHANGE ANALYSIS

Based on the causal chain developed for this case study (Figure 3), it is concluded that the potential impacts of the Agreement are to be found through the tariff reduction-induced economic changes or through potential Agreement-induced responses. The impact through Agreement-induced economic changes can be estimated quantitively, building on the economic modelling results (providing tariff reduction-induced output changes) and the quantitative land use change analysis (hereafter: the land use change analysis), which is performed in the overall environmental analysis.

The approach to estimate the impact on LULUCF emissions resulting from tariff reduction-induced economic changes, combines the insights of the land use change analysis and the methodology in Banerjee et al. (2020). The estimated tariff reduction-induced changes in cropland and grazing land are based on the land use change analysis. LULUCF emission intensity data from IPCC is used (like in Banerjee et al.), which includes biophysical data on carbon pools, per type of land use, as shown in Table 1.

Table 1: Carbon density of different types of land use in CO_2/ha

Description	Aboveground biomass	Belowground biomass	Soils	Dead matter	Total
Cropland	50.0	0.0	13.9	0.0	63.9
Grasslands	2.9	4.7	12.0	0.0	19.5
Forest	141.0	52.2	47.1	17.5	257.7
Herbaceous and shrubby vegetation	37.6	15.0	16.0	0.0	68.6

Source: IPCC (2006)

To estimate the LULUCF emissions corresponding to the tariff reduction-induced land use change, assumptions have been made based on the CGE results and observed trends in land use change over the relevant period. Firstly, if the tariff reduction-induced land use change with respect to grazing land was negative, and if the tariff reduction-induced impact on cropland was positive, grazing land was assumed to have been converted into cropland.

Secondly, if the tariff reduction-induced increase in cropland area was larger than the decrease in grazing land, it is assumed that the remaining part of cropland was converted from herbaceous and shrubby vegetation into cropland. Thirdly, if the tariff reduction-induced change in both grazing land and cropland was negative, it is assumed that grazing land and cropland were converted into herbaceous and shrubby vegetation.

Based on these assumptions, the LULUCF emission factors (resulting from the net change in LULUCF emissions between different types of land uses) were calculated. Lastly, the estimated tariff reduction-induced changes in cropland and grazing land were then multiplied with the corresponding emission factors to estimate the tariff reduction-induced LULUCF emissions. The results of this analysis are shown in Table 2. It is estimated that LULUCF emissions and removals from the agricultural sector (cropland and grazing land) resulting from tariff reduction-induced economic changes in Colombia, Peru, and Ecuador equal 0.41, -0.05 and -0.04 Mton CO_2 per year respectively in 2020. In Colombia, this corresponds to roughly 0.2% of total GHG emissions. For Peru and Ecuador, it suggests that the tariff reduction-induced output changes in the agricultural sector did not lead to additional LULUCF emissions.

Table 2: Estimated tariff reduction-induced LULUCF emissions based on land use change analysis and Banerjee et al.

	Conversion	Tariff reduction-induced land use change	LULUCF emissions	Tariff reduction-induced LULUCF emissions
		Hectares (ha)	*Ton CO_2 / ha*	*Mton CO_2*
COL	Forest - cropland	3,714	193.8	0.72
	Grazing land - cropland	7,052	-44.4	-0.31
	Total			**0.41**
PER	Cropland - herbaceous/shrubby vegetation	-4,336	4.7	-0.02
	Grazing land - herbaceous/shrubby vegetation	-554	49.1	-0.03
	Total			**-0.05**
ECU	Cropland - herbaceous/shrubby vegetation	-2,007	4.7	-0.01
	Grazing land - herbaceous/shrubby vegetation	-633	49.1	-0.03
	Total			**-0.04**

Source: Quantitative land use analysis (Trinomics and IVM), Banerjee et al. (2020) and IPCC (2006).

5 QUALITATIVE ANALYSIS

5.1 Impact on agricultural LULUCF emissions

As explained in the land use change analysis, it is unlikely that the Agreement resulted in increased grazing activities in any of Andean countries. Therefore, it is expected that the potential tariff reduction-induced impacts related to LULUCF emissions are related to the transformation of forest land to cropland, and it is thus the focus of the analysis presented in this section.

In **Colombia**, the agricultural sector is the largest driver of LULUCF emissions. As shown in the economic analysis, bananas and plantains and coffee, remain today at the top of the EU agricultural imports from Colombia; while palm oil and avocados are the agricultural products that showed the largest increases in production between 2012 and 2020 (the production of avocados showed a 1,323% average annual growth over the period 2012 to 2019, see economic analysis in the main report).

Even though the agricultural sector is the largest driver of LULUCF emissions in Colombia, other phenomena, such as poverty, social inequality, the lack of opportunities and armed conflict in the region also contribute to LULUCF emissions (FAO, 2020). Murad and Pearse (2018) provided insights on land use change (between 2000 and 2016) in the Amazon rainforest and the biophysical and socioeconomic factors driving these changes, and concluded that the differences in deforestation rates observed in neighbouring countries

within the same region suggest that the causes are complex and related not only to the suitability of the climate and soil for activities such as agriculture and livestock farming, but also to the specific social, economic and political conditions of the region (e.g., internal armed conflicts, violence and insecurity). No single factor driving deforestation and forest degradation was found; rather, different regions within the study area displayed different rates and causes (the main being livestock production and commercial agriculture) (Murad and Pearse, 2018). This variety of factors influencing land use change in Colombia should be kept in mind when assessing the Agreement potential impact on LULUCF emissions.

In line with the economic analysis, the CGE results show a positive impact on output in the horticulture sector, especially for the products in the model sectors *vegetables, fruits and nuts (VFN)* and *other crops*. Although it is difficult to single out individual crops responsible for land-use change and corresponding LULUCF emissions in Colombia, some trends can be identified for specific crops. First, in the case of bananas and plantains, the increase in cultivated areas for bananas and plantain production was confirmed by previous research. Quintero-Gallego (2019) described that after a slight decrease in 2012, plantain cultivated areas in the Quimbaya area increased from 2,178 ha to 4,824 ha in 2016. In total, 7,324 ha were cultivated with plantain in the Quindío region in 2016 (Quintero-Gallego et al., 2018). According to the study, it is highly probable that plantain (along with other products) continued pressuring land covers in the area after 2009 and driving the transformation and degradation of forests -and especially pasturelands- for growing crops as plantain (Ibid.). Secondly, regarding avocados, the area planted with avocados in Colombia increased by 127% between 2012 and 2016 (IDEAM, 2019). In the Quindio region, the cultivated area with avocado plants had tripled between 2007 and 2016, suggesting a probable change in land covers in that region (Quintero-Gallego et al., 2018). As discussed above, these developments are also reflected in the growth rates analysed in the economic analysis. Though it is unclear to what extent the increase of cropland for plantain and bananas and avocados -and associated LULUCF emissions- is directly driven by the Agreement, it is plausible that the Agreement may have influenced the reported crops expansion and thus contributed to an increase of LULUCF emissions.

The CGE results show a slight increase in *crops nec* (that includes, among others, coffee and cocoa beans) from Colombia which may as well have affected LULUCF emissions. Thought this CGE estimated increase in *crops nec* cannot be directly inked to the trade of coffee or cocoa beans (as these are both products for which the Agreement does not establish tariff preferences because they have a zero MFN tariff), there is evidence of an increase in the area planted with cocoa and coffee beans in Colombia since the start of application of the Agreement. In fact, the area planted with cocoa is reported to have increased by 89% between 2012 and 2016 (IDEAM, 2019). Yet, the impact of cocoa on land use change and thus LULUCF emissions in Colombia continues to be debated. On the one hand, some authors have shown the potential impact of land use change of cocoa production (Castro-Nunez et al., 2020). On the other, results from correlations and spatially explicit analyses have demonstrated that regardless of its widespread production across Colombia, cocoa has not been an important driver of deforestation between 2005 and 2020 (Ibid.). As such, there is no evident link between the FTA and land use change in Colombia driven by cocoa beans production. Similarly, in the case of coffee, there is no evidence that the FTA has impacted LULUCF emissions of the sector: the Colombian National Centre for Cleaner Production reports that the age of the coffee farms in Colombia permit to conclude that land use change happened more than 20 years ago, and therefore, it is no considered as a current source of LULUCF emissions (CNPML, 2020). In the coming years, however, a combination of factors, particularly climate change, could trigger a new wave of forest clearance, as farmers are forced to shift production to higher altitudes, sometimes encroaching on sensitive montane ecosystems (SEI, 2020). The potential positive impact on the production of and trade in sustainable and organic products (including cocoa and coffee beans) was also raised by stakeholders (see impact-screening Colombia). For instance, the government and its development partners are identifying market opportunities to produce cocoa with zero deforestation in areas prioritized for the

peace process. In fact, in 2019 Minambiente ratified its commitment to the global initiative 'Cocoa, Forests and Peace' and endorsed a 10-year action plan to promote Zero Deforestation cocoa production models (Minambiente, 2019a), which has received support from the private sector (Luker Chocolate, n.d.), but also critics due to the lack of a clear roadmap to implement those commitments (Agro Empresario, n.d.).

Besides the products included under the categories *VFN* and *other crops*, the ex-ante Sustainability Impact Assessment (SIA) and other stakeholders previously raised concerns about the increase of palm oil production in Colombia because of the Agreement (TSIA, 2009) (TNI, 2016). During interviews, an international environmental organisation also raised concerns about the potential negative effects on forest degradation due to the lack of incentives for palm oil producers. Yet, according to the CGE results, the tariff reduction-induced output changes of *oil seeds* and *vegetable oils* is negative, which suggests[2] that the Agreement led to a decrease in palm oil production in Colombia thus far (or rather a slower growth than would have occurred in the absence of the Agreement) and therefore no additional LULUCF emissions. However, oil palm cultivation in Colombia has expanded 166% in the last 15 years (IDEAM, 2019), which may have resulted in structural changes within the sector and an increase in LULUCF emissions. The flows analysis by the Trase database[3] (a supply chain transparency initiative focused on traded agricultural commodities) shows that the EU has been the main importer of palm oil from Colombia between 2013 and 2018. In addition, according to Fedepalma, during the first quarter of 2019, the main export destination of palm oil was the EU (69%), and most of Colombian exports of oil palm products (91%) "benefit from preferential conditions of the different free trade agreements in force" (Fedepalma, 2019), which suggests a causal link between increased palm oil exports (and corresponding impacts, including LULUCF emissions) and trade agreements. The CGE model results confirm this, as total vegetable oil exports are estimated to have increased by 9.8%; but in line with the model simulations this export increase does not come from increased production but a shift from domestic use to exports. Palm oil production is expected to increase by more than 177,000 ha in the 2016-2030 period (IDEAM, 2019). An increasing trend towards good practices and sustainable production of palm oil in Colombia has also be highlighted during the interviews conducted for this study. For example, Solidaridad (2019) showed that the import of sustainable palm oil from Colombia to the EU increased from 23% to 31% between 2014- 2018, and that a growing trend of (ISCC) certified biofuels has been observed (from 7% in 2017 to 26% in 2018).

In **Peru**, the three main LULUCF emission sources are: change in land use from forest lands to agricultural lands, forest management in forest lands remaining forest land (wood/firewood production, and forest fires) and change of forest lands to grasslands (following Peru's NDC). According to the CGE results, the Agreement triggered output reduction in the meat and dairy, and wood and paper sectors. Taking this into account, the main impact pathway through which the Agreement may have changed LULUCF emissions in Peru is the change in land use from forest lands to agricultural lands.

As shown in the economic analysis, since 2013, EU imports of fruits from Peru have grown fast and fruits became the largest import commodity in 2019 (see main report). This growth included various products (e.g., avocados, berries, grapes, and miscellaneous tropical fruits). The estimated tariff reduction-induced output change in Peru in the *VFN* sector corresponds to roughly 14,000 ha (though the *net* impact on cropland area is negative as production decreases in other sectors outweighed this increase). Some of the crops within the *VFN* sector are historically associated with deforestation, such as banana (e.g., Horgan, 2005; Zambrano et al., 2021). However, the *VFN* sector also includes crops unrelated to deforestation and forest degradation (e.g., potatoes, which account for 25%

[2] The oil seeds sector is dominated by palm oil, representing 84% of the value of production. As such, a decrease in output in the oil seeds sector provides a strong indication of a decrease in palm oil production.
[3] See Trase- Transparency for Sustainable Economies https://trase.earth/

of total value of production in the sector). Concerns have been expressed regarding asparagus and avocado production in the Ica and Villacurí valley in Peru (see Impact screening- Peru). Based on data limitations, it cannot be concluded if and to what extent asparagus output changes have been caused by the Agreement's tariff preferences.[4] Furthermore, Vázquez-Rowe et al. (2016) reported that additional cropland in Peru for green asparagus did not lead to land use change, which suggests a limited impact on LULUCF emissions. Since asparagus is one common air-freighted good (Ritchie et. al, 2020), a higher impact on GHG emissions of asparagus is expected to come from transport than from land use change.

In addition, the economic modelling results show a slight increase in the output of *cereal grain*s other than wheat from Peru, which may as well have contributed to land use change. Prior research suggests that the boom of quinoa has led to the emergence of a 'new geography of quinoa' production in Peru. This has been accompanied by the transformation of farming practices and a trend towards increasing competition for land use (an increase of 264% in the area under quinoa cultivation in Peru has been reported between 1995-2014). This, at the same time, may have led to decreased agrobiodiversity due to land use competition, which is seen in the reduction in crop diversity (Bedoya-Perales et. al, 2018). According to SUNAT, in 2019 25% of the Peruvian quinoa was exported to France, Netherlands, Italy UK and Belgium.

A slight increase in the output of *oil seeds* and *vegetable oils* in Peru was observed from the economic modelling. According to our results, the production of palm oil may have led to a slight increase of deforestation in Peru (around 600 ha). This amount is considered too low to attribute to deforestation within reasonable boundaries of uncertainty; as it could have also been produced in existing oil-palm areas, or on former deforested areas. For the pre-Agreement period, some authors have reported that 72% of new palm oil plantations in the Amazon region had expanded into forested areas, representing 1.3% of the total deforestation for Peru for the years 2000–2010 (Gutiérrez-Vélez et al., 2011). Further, it is important to note that the main destination of the Peruvian palm oil has historically been the domestic market, and this is expected to remain the same (90% of total national production by 2025). However, unlike 2015, when a very low share of exports (<1%) were attributed to small and medium-sized producers, annual exports from this producer's segment are projected to jump from 82 tonnes to 20 000 tonnes by 2025 (Minagri, 2016). As corporate plantations have been linked to higher deforestation and forest degradation rates than plantations from small producers (who have traditionally expanded to (previously) degraded or deforested lands (DAR 2015), it is not unlikely that ahead of the expected expansion of smaller producers (after 2015), the export of palm oil was not linked to deforestation and forest degradation in Peru, and thus to the associated LULUCF emissions.

The main way by which the Agreement may be impacting the LULUCF emissions in **Ecuador** is the change of forest land to agricultural land, considering the CGE modelling results that showed an output increase for *cereal grains* and *VFN.* According to the economic analysis, particularly two sectors improved performance since the start of the Agreement: fish preparations and fruits. With regards to fish, in some regions (e.g. Chone) grazing land has been converted into pools to cultivate crustaceans (e.g. shrimps) over the past years (Acción Ecológica, 2020). With regards to fruits, it is estimated that the Agreement resulted in a *net* decrease in cropland areas (considering *all* crops produced).

Stakeholders have raised concerns about the impact of banana production in Ecuador. In a manifesto published in 2020, a group of banana producers in Ecuador denounces the

[4] The share of asparagus in the value of production of the VFN sector is only 3%, which suggests that the role of asparagus may be limited.

illegal increase of area for banana production in 30,000 hectares between 2018 and 2020 closely driven by Agreement (APROBANEC and others, 2020).

5.2 Impact on LULUCF emissions in the mining sector

As shown in the economic analysis, one of the fastest growing sectors in **Colombia** between 2012 and 2020 were precious minerals (35.2% increase on average per year), in particular gold (see the economic analysis in the main report). The CGE results do not show any tariff reduction-induced impact in the economic output of *minerals*, as these are not affected by the tariff preferences (as imports of minerals are generally duty-free in the EU). Although no conclusion about the causal relation between the Agreement and the mining sector can be drawn from these CGE results, it should be noted that new research has suggested effects on the LULUCF emissions driven by this sector in Colombia. For instance, a remote-sensing analysis showed that alluvial mining (especially gold mining) has severely affected the Pacifico Region in Colombia, causing deforestation and forest degradation (mainly shrubland, followed by wetlands and grasslands) between (60% of forest loss was associated to alluvial mining and illicit crops) (Anaya J. et al., 2020). The study notes that the deforestation connected to barren land from 2014 to 2017 is likely associated with alluvial gold mining (Ibid). In addition, a recent study showed that LULUCF emissions in the Amazon may be affected by impacts on carbon sink lost because of gold mining activities, as these significantly limit the regrowth of forests, and reduce their ability to accumulate carbon (Kalamandeen, M. et al., 2020). Although there is no evidence to prove the impact of the Agreement on LULUCF emissions caused by the mining sector in Colombia, the Agreement may be related to LULUCF emissions in the mining sector.

In **Peru**, mining belongs to the main drivers of high deforestation rates and thus of the significant LULUCF GHG emissions (CDP, 2019). Even though copper is the most exported product from Peru to the EU, there is no clear evidence that the Agreement caused additional pressures on LULUCF emissions by the mining sector in Peru. However, an accelerated land use change between 2000 and 2017 leading to forest degradation has been driven by the mining sector in areas such as Madre de Dios (one of the regions with highest levels of deforestation in Peru) (Tarazona et al., 2020). Trends like the one observed in Madre de Dios and the favourable environment for private investment created by the Government (only in 2014, 50,000 *legal* mining concessions were granted) (Cáceres, 2020) may suggest a potential increase of LULUCF emissions by the sector driven by the Agreement.

In **Ecuador**, mining is not reported as a contributor of LULUCF GHG emissions (MAE,2017b). Therefore, it is likely that the Agreement did not have any impact in the LULUCF emissions of mining.

5.3 Responses - mitigating measures and the role of the Agreement

Since the implementation of the Agreement, the Andean countries have worked on some concrete regulatory measures that may have generated (in)direct positive impacts on the reduction of LULUCF emissions. In relation to the Paris Agreement, both Peru and Colombia submitted their revised NDC commitments in 2020.

In **Colombia**, the National Plan for Development, *Pact for Colombia, Pact for Equity* creates the National Council for the Fight Against Deforestation was created, which seeks to combat illegality. This is complemented by the *Artemisa campaign*, which is a permanent strategy that seeks to confront the crime of deforestation that has been affecting the country.

In addition, *Pacto de Leticia por la Amazonia* was signed in 2019, by which Colombia aims to receive financial support of the governments of Norway, Germany, and the United Kingdom to promote low-carbon development for the Amazon region through the better use of land and other natural resources. One of the LULUCF related measures aims to

implement a program to strengthen technical capacities for monitoring forest surface and deforestation and forest and soil degradation, including the generation and analysis of satellite images for monitoring the Amazon region (Minambiente, 2019b).

During the stakeholder consultations conducted for this study, the role of the *Guide to export and import timber and non-timber products* in sustainable forest management was highlighted by the Ministry of Environment of Colombia. Though it does not focus on a specific market (i.e., the EU), it helps to trace products while meeting international market standards. On this issue, according to Minambiente, the EU through partnerships such as Budgetary Support or the FLEGT (Forest Environment Governance and Trade initiative) have contributed to the forest governance process and the strengthening of traceability processes.

Peru expanded the number of sectors (including agriculture) that fall under the Environmental Assessment and Enforcement Agency (OEFA) (TSD Sub-committee, 2018, 2019). Besides, according to the MINAM, Peru strengthened its environmental impact assessment system as a reaction to civil society organisations' complaints.[5] As a result, the National Service of Environmental Certification (SENACE)[6] allows civil society to have access to the environmental impact assessments of public and privates' projects. As of March 2021, 257 entries were registered in the agricultural sector (including e.g., environmental plans, impact assessments, etc). In the palm oil sector, for instance, four projects were published in 2013. However, during the interviews conducted for this study, environmental NGOs expressed their concerns on a trend towards more flexible environmental standards and rules that have undermined the environmental regulatory controls in Peru. One example is the Sustaining Technical Reports (ITS) that modify the established procedure of Environmental Impact Studies (EIAs).

Ecuador implemented several policies to combat deforestation and forest degradation, such as the National Development Plan 2017-2022 and the Action Plan National REDD+ that was issued in 2016. These responses have resulted in a reduction of the deforestation rate in Ecuador. Ecuador has been a beneficiary of "payment for results" by the governments of Norway and Germany, within the framework of the program REM (REDD+ for Early Movers), for an approximate amount of 52 million dollars. Likewise, the Green Climate Fund also granted an incentive within the framework of "payment for results" for 18 million dollars for the forest conservation. National Forest Monitoring System is a system that provides the necessary data to strengthen and measure actions in terms of reducing deforestation.

In addition, Ecuador reported that it is making progress on the implementation of the REDD+ Action Plan, a national policy that will contribute to the goal of zero net deforestation by 2030 (TSD Sub-Committee, 2019). The pact for forests (social pact for the production and consumption of legal and sustainable managed forest) includes the objectives strengthening forest certification. The fact that the progress on achieving the zero-deforestation goal has been a persistent subject of discussion in previous TSD Subcommittee meetings shows the interest of the EU in helping Ecuador to accomplish the goals set. During the interviews, the Ministry of Ecuador highlighted the importance that the cooperation with the EU had for enhancing the national commitments.

Based on literature review and stakeholder interaction, it is found that the role of the Agreement, or more specifically the TSD chapter, with regards to these developments seems to be very limited. Though the TSD chapter created a new platform for dialogue and cooperation, only one of the above-mentioned initiatives seems to be pushed by TSD related programmes or dialogues: the improved Peruvian environmental impact

[5] In 2017, civil society organisations issued a complaint to the EU, expressing their concerns about Peru's lack of compliance with its trade and sustainable development commitments.

[6] https://www.senace.gob.pe/nosotros/sobre-senace/

assessment framework. Notwithstanding the significance of environmental impact assessments on the long term, it seems unlikely that the Agreement has contributed to positive LULUCF related impacts through this measure so far.

6 CONCLUSION

Over the period of the Agreement, LULUCF emissions accounted for a considerable share of the total GHG emissions in the Andean countries. In this case study, complemented by inputs from other sections of this study, the causal link between developments in LULUCF emissions and the Agreement is explored, focussing on impacts related to tariff reduction-induced economic changes (building on the CGE results) and tariff reduction-induced regulatory changes. It is concluded that:

- For **Colombia**, it is estimated that the tariff reduction-induced economic changes in the agricultural sector contributed to an *increase* in LULUCF emissions in Colombia of about 0.4 Mton CO_2 in 2020, which corresponds to about 0.2% of total GHG emissions in Colombia. In particular, the palm oil industry may have influenced this result. The CGE modelling results show an increase in exports to the EU of palm oil due to shift from domestic use to exports. Furthermore, Fedepalma (2019) concludes that 91% of palm oil benefitted from preferential conditions of *different* trade agreements. Future analysis on the impact of the projected expansion of palm oil cultivation in Colombia will be required to establish a clear link between LULUCF emissions related to palm oil and the Agreement. Given the tariff reduction-induced increase in the *vegetables, fruits and nuts* sector, as well as the sharp increase in avocado exports to the EU, it may be the case that avocado cultivation has contributed to the increased LULUCF emissions, though causality cannot be proven given data limitations. Given the relatively low share of avocados in the total value of production of the *vegetables, fruits and nuts sector*, it is likely that most of the increase the LULUCF emissions is driven by other crops.

- In **Peru**, it is estimated that the tariff reduction-induced economic changes contributed to a net *decrease* in LULUCF emissions in Colombia of about 0.05 Mton CO_2 in 2020 (which corresponds to less than 0.1% of annual LULUCF emissions). This can be explained by the estimated net decrease in cropland and grazing land. Given the estimated tariff reduction-induced increases in cropland for *vegetables, fruits and nuts* and *oil seeds*, production growth of crops within this sector (such as bananas, avocados, and asparagus) may have resulted in gross additional LULUCF emissions. Yet, Vázquez-Rowe et al. (2016) reported that additional cropland in Peru for green asparagus did not lead to land use change, which suggests a limited impact on LULUCF emissions.

- In **Ecuador**, it is estimated that the tariff reduction-induced economic changes contributed to a *decrease* in LULUCF emissions in Colombia of about 0.04 Mton CO_2 in 2020 (which corresponds to less than 0.2% of annual LULUCF emissions). This can be explained by the net decrease in cropland and grazing land.

With respect to LULUCF emissions related to mining activities, the results suggest that there may be an increase of the LULUCF emissions of the mining sector driven by the Agreement in Colombia and Peru; however, the CGE modelling results do not allow to establish a casual link for this sector.

With respect to the Agreement's impact on LULUCF emissions through provisions of the TSD chapter, it is concluded that all Andean countries have started to implement measures to address the negative impacts on climate change caused by LULUCF emissions. Even though the Agreement is likely to open doors for improved cooperation between the EU and the Andean countries, the Agreement does not seem to have resulted in direct positive impacts in the LULUCF sector so far.

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