



Handbook for members of **EU Domestic Advisory Groups**



European Economic
and Social Committee

1. Introduction

Building on experiences and best practices, this handbook aims to present the EU Domestic Advisory Groups (DAGs) in their mission, their composition, the organisation of their work and their relations with stakeholders. It provides the necessary information for any new DAG member and for third countries' partners who request information on DAGs. It also compiles a list of horizontal issues to facilitate coordination across DAGs.

1.1 What are the DAGs?

Domestic Advisory Groups (DAGs) are **independent** civil society bodies set-up by each party under EU 'new generation' EU free trade agreements (FTAs), whether as stand-alone free trade agreements or as free trade chapters within association agreements. DAGs are not joint bodies; there is always one EU DAG and, depending on the individual structure, the other contracting party sets up its own DAG or even two DAGs (ie: one responsible for environmental issues, one for labour issues), while respecting the institutional provisions of the agreement. Once a year, DAGs created under the same trade agreement jointly participate in a Civil Society Forum (CSF)¹, organised by the Parties. In addition, at their own initiative, DAG members can meet in a DAG-to-DAG format². In practice, the situation varies from one agreement to another (see point 1.3.3). Each DAG thus has its specific legal basis, scope, structures and focus.

EU DAGs are independent from the Commission and from the EESC

1.2 Who sits in DAGs?

In line with the provisions of the agreements, the DAGs should comprise a balanced representation of civil society interests spread across three sub-groups: business, labour and various interests, including environmental and consumer organisations, as well as other relevant stakeholders. The agreements define main criteria for the composition of the DAGs. Members of the EU DAGs are representatives from the main European civil society organisations, including social partners, as well as of environmental organisations, consumers, farmers and other interest groups. The European Economic and Social Committee (EESC) which is the EU advisory body representing organised civil society, has a minimum of three members in each of the EU DAGs, with other members

selected against set criteria among the wide network of EU Civil Society Organisations by the European Commission's Directorate-General for Trade (DG Trade), after a public call for expression of interest. This means DAGs are not EESC bodies. The maximum size of EU DAGs, including EESC members, is currently capped at 30 full members, with the EU DAG created under EU-UK Trade and cooperation agreement (TCA) being the largest due to its wide mandate.

¹ In some agreements called Joint Dialogue or Joint Forum with civil society.

² Under the EU-Korea FTA, the CSF is the DAG-to-DAG meeting.

EU DAGs compositions in numbers³

EU DAG	Total members	EESC	Permanent observers
Canada	23	6	3
Cariforum	13	3	
Central America	16	3	
Colombia Peru Ecuador	20	3	

Georgia	9	3	
Japan	14	3	
Moldova	9	3	
Singapore	14	3	
South Korea	19	3	
UK	30	6	30
Ukraine	14	3	
Vietnam	21	3	

1.3 What do DAGs do?

1.3.1 Advising on the implementation of the Trade and Sustainable Development chapters

The DAGs monitor and advise on issues related to the implementation of the chapter on Trade and Sustainable Development (TSD). The DAGs have an advisory, consultative, responsible and independent role in monitoring and evaluating trade and sustainable development provisions of EU agreements. They focus on the Parties' ratification and respect for the Core Labour Standards and fundamental conventions of the ILO as well as for Multilateral Environmental Agreements. Some DAGs have widened their monitoring activities to cover the impact of all parts of trade agreements on TSD: human, labour and environmental rights, and, in practice, to extend the scope to consumer interests as well as social and economic impact.

DAGs' scope is clearly defined: Trade & Sustainable Development (but this is changing)

The EU DAG under the EU-UK Trade and Cooperation Agreement (TCA) is the first DAG to have its scope extended beyond the TSD chapter to include the full FTA. The new EU Commission Communication on the TSD Review ("The power of trade partnerships: together for green and just economic growth") states that the Commission will seek to extend the remit of the DAGs beyond TSD in order to cover the entirety of trade agreements.

1.3.2 DG Trade expectations

As indicated by the DG Trade Chief Trade Enforcement Officer (CTEO), Denis Redonnet, speaking at the 2021 All DAG meeting, DAGs' impact will always be strongest when they **contribute tangible evidence**. They play an important role in helping DG Trade identify the issues to discuss with respective partners under the TSD chapters (or the TCA in the case of the UK). The Commission expects DAGs to alert them to specific cases of non-compliance and to contribute to the monitoring of follow-up to disputes. The Operating Guidelines for the Single Entry Point will be revised to increase transparency and predictability for stakeholders, while clarifying who can bring complaints, how they will be handled and the applicable timeframes. The Guidelines will also make clear that DAGs can file collective complaints on violations of TSD commitments and represent the interests of a party located in a partner country.

³ Most of the EU DAGs have 12 seats, but the number of members is higher as some organisations share seats (see point 2.2).

1.3.3 What is in the TSD chapters

TSD chapters are sections of EU trade agreements which deal with issues of sustainable development, including environmental, labour and social standards. They were first introduced in the 2008 EU-Cariforum Economic Partnership Agreement (EPA) and the 2011 EU-Korea Free Trade Agreement, and are now an essential part of all 'new generation' EU trade agreements. At the moment, the EU holds eleven trade agreements with TSD provisions or chapters with the countries and regions (see table below), with further agreements currently pending ratification (the new EU-Mexico Trade Agreement and EU-Mercosur Association Agreement), just negotiated (EU-New Zealand FTA) or under negotiation (EU-Australia FTA, EU-Philippines FTA, EU-Indonesia FTA, a modernized EU-Chile AA, and EU-Eastern and Southern Africa EPA).

Broadly speaking, TSD chapters focus on environmental, labour and social issues. They include commitments to multilateral environmental agreements (MEA) (such as the UNFCCC, Kyoto Protocol, Paris Agreement, Convention on Biological Diversity, etc.) and international labour instruments (such as the ILO Fundamental Conventions and ILO 1998 Declaration on Fundamental Principles and Rights at Work). They also include references to other social commitments, primarily concerning women's rights and Corporate Social Responsibility (CSR)/Responsible Business Conduct (RBC). TSD provisions are generally put forward in a dedicated TSD chapter. This is however not the case in the EU-Canada CETA, where there are three different chapters (TSD, labour, and environment chapters), and in the EU-UK TCA, which has a unique structure.

All EU FTAs call for international organisations, such as the ILO and MEA bodies, to assist in the implementation of the TSD chapters, including in the case of dispute settlement. All EU FTAs also include provisions for civil society participation in monitoring the implementation of the TSD chapter and/or environmental, labour and social provisions in the agreement, which is where the DAGs come in. The scope and specific issues addressed by the TSD chapters, as well as the mechanisms for their implementation and enforcement vary with each specific trade agreement. For an overview of the key TSD provisions in each of the EU trade agreements with a TSD component, refer to the table below.

In 2018, following a public debate on how to better implement and enforce the TSD provisions, the European Commission released a revised TSD 15-Point Action Plan⁴. The Action Plan rested on four pillars: 1) working together, 2) enabling civil society to monitor implementation, 3) delivering results under the TSD chapters, 4) more transparency and better communication. An open public consultation for the next TSD review was completed in November 2021.

⁴ [Feedback and way forward on improving the implementation and enforcement of Trade and Sustainable Development chapters in EU Free Trade Agreements](#) (Non paper).

List of EU trade agreements with TSD chapters/provisions⁵

Trade agreement	Date of signature	Entry into force	Location of TSD chapters and relevant labour, environmental, and cooperation provisions
EU-South Korea Free Trade Agreement (FTA)	6 October 2010	<ul style="list-style-type: none"> • 1 July 2011 (provisionally) • 13 December 2015 (full) 	<ul style="list-style-type: none"> • Chapter 13 on TSD (Articles 13.1 – 13.15). It includes provisions on labour and environmental aspects. • Annex 13 deals with Cooperation on TSD.
EU-Colombia/Peru/Ecuador Trade Agreement	26 June 2012	<ul style="list-style-type: none"> • 1 March 2013 (provisionally – with Peru) • 1 August 2013 (provisionally – with Colombia) • 1 January 2017 (provisionally – with Ecuador) 	Title IX governs TSD (Articles 267 – 286). It includes provisions on labour and environmental aspects.
EU-Central America Association Agreement	29 June 2012	<ul style="list-style-type: none"> • 1 August 2013 (provisionally – Honduras, Nicaragua; Panama) • 1 October 2013 (provisionally – Costa Rica, El Salvador) • 1 December 2013 (provisionally – Guatemala) 	<p>Under Part IV on Trade:</p> <ul style="list-style-type: none"> • Title VIII on TSD (Articles 284 – 302). It includes provisions on labour and environmental aspects. <p>Under Part III on Cooperation:</p> <ul style="list-style-type: none"> • Title III on Social Development and Social Cohesion (Articles 41 - 48). It includes provisions on employment and social protection, indigenous peoples and other ethnic groups, vulnerable groups, gender. • Title V on Environment, Natural Disasters and Climate Change (Articles 50 – 51). • Title VI on Economic and Trade Development includes Article 63 on Cooperation and Technical Assistance on TSD.
EU-Ukraine Association Agreement	21 March 2014	<ul style="list-style-type: none"> • 1 November 2014 (provisionally) • 1 September 2017 (full) 	<p>Under Title IV on trade and trade-related matters:</p> <ul style="list-style-type: none"> • Chapter 13 on TSD (Articles 289 – 302). <p>Under Title V on Economic and Sector Co-operation:</p> <ul style="list-style-type: none"> • Chapter 6 on Environment (Articles 360 – 366; Annexes XXX & XXXI). • Chapter 21 on Cooperation on employment, social policy and equal opportunities (Articles 419 – 425; Annex XL).
EU-Georgia Association Agreement	27 June 2014	<ul style="list-style-type: none"> • 1 September 2014 (provisionally) • 1 July 2016 (full) 	<p>Under Title IV on Trade and Trade-Related Matters:</p> <ul style="list-style-type: none"> • Chapter 13 on TSD (Articles 227 – 243). It includes provisions on labour and environmental aspects. <p>Under Title VI on Other Cooperation Policies:</p> <ul style="list-style-type: none"> • Chapter 3 on Environment (Articles 301 – 306). • Chapter 4 on Climate action (Articles 307 – 312). • Chapter 14 on Employment, social policy and equal opportunities (Articles 348 – 354).
EU-Moldova Association Agreement	27 June 2014	<ul style="list-style-type: none"> • 1 September 2014 (provisionally) • 1 July 2016 (full) 	<p>Under Title V on Trade and Trade-Related Matters:</p> <ul style="list-style-type: none"> • Chapter 13 on TSD (Articles 363 - 379). <p>Under Title IV on Economic and other sectoral cooperation:</p> <ul style="list-style-type: none"> • Chapter 4 on Employment, social policy and equal opportunities (Articles 31 – 37; Annex III). • Chapter 16 on Environment (Articles 86 – 91; Annex XI).

⁵ This table was taken from [Comparative Analysis of TSD Provisions for Identification of Best Practices to Support the TSD Review \(Inception Report\)](#) by LSE Consulting, September 2021.

			<ul style="list-style-type: none"> • Chapter 17 on Climate action (Articles 92 – 97; Annex XII).
EU-Canada Comprehensive Economic and Trade Agreement (CETA)	30 October 2016	21 September 2017 (provisionally)	<p>TSD provisions are found in several chapters. The main ones are:</p> <ul style="list-style-type: none"> • Chapter 22 on TSD (Articles 22.1 – 22.5). • Chapter 23 on Trade and Labour (Articles 23.1-23.11). • Chapter 24 on Trade and Environment (Articles 24.1-24.16).
EU-Japan Economic Partnership Agreement (EPA)	17 July 2018	1 February 2019 (full)	Chapter 16 governs TSD (Articles 16.1 – 16.19). It includes provisions on labour and environmental aspects.
EU-Singapore Free Trade Agreement (FTA)	19 October 2018	21 November 2019 (full)	<p>Chapter 12 governs TSD (Articles 12.1 – 12.17). It includes specific sections on:</p> <ul style="list-style-type: none"> • labour aspects (Section B, Articles 12.3 – 12.5). • environmental aspects (Section C, Articles 12.6 – 12.10).
EU-Vietnam Free Trade Agreement (FTA)	30 June 2019	1 August 2020 (full)	<ul style="list-style-type: none"> • Chapter 13 governs TSD (Articles 13.1 – 13.17). It includes provisions on labour and environmental aspects. • Chapter 16 on Cooperation and capacity building includes provisions on cooperation in TSD (Article 16.2(e)).
EU-United Kingdom Trade and Cooperation Agreement (TCA)	30 December 2020	1 May 2021 (full)	<p>Under Part 2, Title XI is dedicated to Level playing field for open and fair competition and sustainable development. In particular, it has the following chapters:</p> <ul style="list-style-type: none"> • Chapter 6 governs Labour and social standards (Articles 386 – 389). • Chapter 7 governs Environment and climate (Articles 390 - 396). • Chapter 8 governs Other instruments for TSD (Articles 397 – 407). • Chapter 9 includes Horizontal and institutional provisions (Articles 408 – 411).

2. How EU DAGs work in practice

2.1 First meeting and rules of procedure

The Secretariat calls for the first meeting of the DAG and proposes the rules of procedure (RoPs). Each EU DAG should adopt RoPs to guide their work and establish clear decision-making and consultation processes. There is currently ongoing work to consolidate RoPs where possible, maintaining some level of flexibility to account for the differences in each trade agreement.

2.2 Establishing a list of voting members

The DAGs are set up in a way that ensures a balanced participation of civil society through the three sub-groups in which they are organised: 1) business organisations, 2) trade unions, 3) various interests as stated in the agreements (this includes environmental and consumer organisations, as well as other relevant stakeholders).

If there are more organisations than voting seats per sub-group before the first meeting of a newly-established EU DAG takes place, the organisations within that sub-group need to decide among themselves who will share seats and who will vote at the first meeting and then inform the DAG Secretariat of their decision.

Indeed, RoPs set the number of voting seats in each EU DAG to ensure an equal balance of all three sub-groups, in the rare case of decisions that require voting. Should the number of organisations interested in participating in a DAG surpass that number, organisations have the possibility to share a seat or rotate within their own group. This is increasingly the case, notably among Group 1 (business organisations). The EESC members, however, are exempt from this seat-sharing exercise as RoPs grant them a set number of voting seats.

Non-voting members are permanent observers. They may attend the meeting and take part in debates, but cannot vote. In all other aspects they participate in the EU DAGs in the same way as full members.

2.3 Establishing the Chairs and Vice-Chairs of the DAG

The DAG Secretariat will invite members to send their application for the role of EU DAG Chair and will communicate the final list of applicants to EU DAG members before the first meeting.

The EU DAG Chair will be elected according to the RoPs. The elected Presidency of the EU DAG comprises one Chair and two Vice-Chairs from each of the three groups.

2.4 Meetings of the EU DAGs

2.4.1 Work agenda

The Presidency sets the date of the meetings and agendas following the work programme agreed at the beginning of each term and updated in line with current challenges and concerns. The Commission informs the EU DAG in a timely manner on any issue that pertains to the work of the DAG. The Presidency invites relevant speakers from the Commission and sometimes even from the Partner Government to provide updates and exchange views. The Commission (usually DG Trade but possibly also DG Environment, DG Employment and DG CLIMA) is systematically invited to EU DAG meetings on the implementation of the TSD chapter, and participates in dedicated discussions or delivers presentations on specific subjects, however they are never involved in internal discussions and decision-making processes as DAGs are independent bodies. Depending on the agenda, representatives of other EU and international institutions may be invited. The EU DAGs can also seek to update the European Parliament and the Council's relevant committees regularly, in their own right, on their work programme.

EU DAGs meet in full formation at least twice a year. The EU DAGs also organise activities such as workshops or seminars, sometimes involving the partner DAGs or other institutions and organisations, as relevant.

2.4.2 Format

The EU DAGs should aim to meet at least twice a year in person. The Commission encourages EU DAGs to also make use of video-conference meetings for additional meetings to give more frequent interaction between EU DAG members.

EU DAGs issue recommendations, communications, opinions, reports and other documents like letters, statements or conclusions. They produce joint statements with partner DAGs on areas of joint interest to submit to the Parties. It is customary for DAGs to present their joint statements at the yearly Civil Society Forum (CSF).

2.5 Joint DAG work

2.5.1 DAG-to-DAG meetings

The DAG-to-DAG meeting is an established practice whereby DAGs under the same agreement meet together. DAG partners take turns hosting.

The DAG-to-DAG meeting allows the partner country and EU DAGs to exchange views on topics of mutual interest and cooperate towards more efficient monitoring and implementation of agreements on both sides. The DAGs jointly decide on the date of their annual DAG-to-DAG meeting. They usually align with the dates of the Parties' CSF and the meeting of the specific Committee in charge (the Committee on Trade and Sustainable Development (CTSD)), where DG TRADE directors or heads of unit meet with their counterparts in the partner countries).

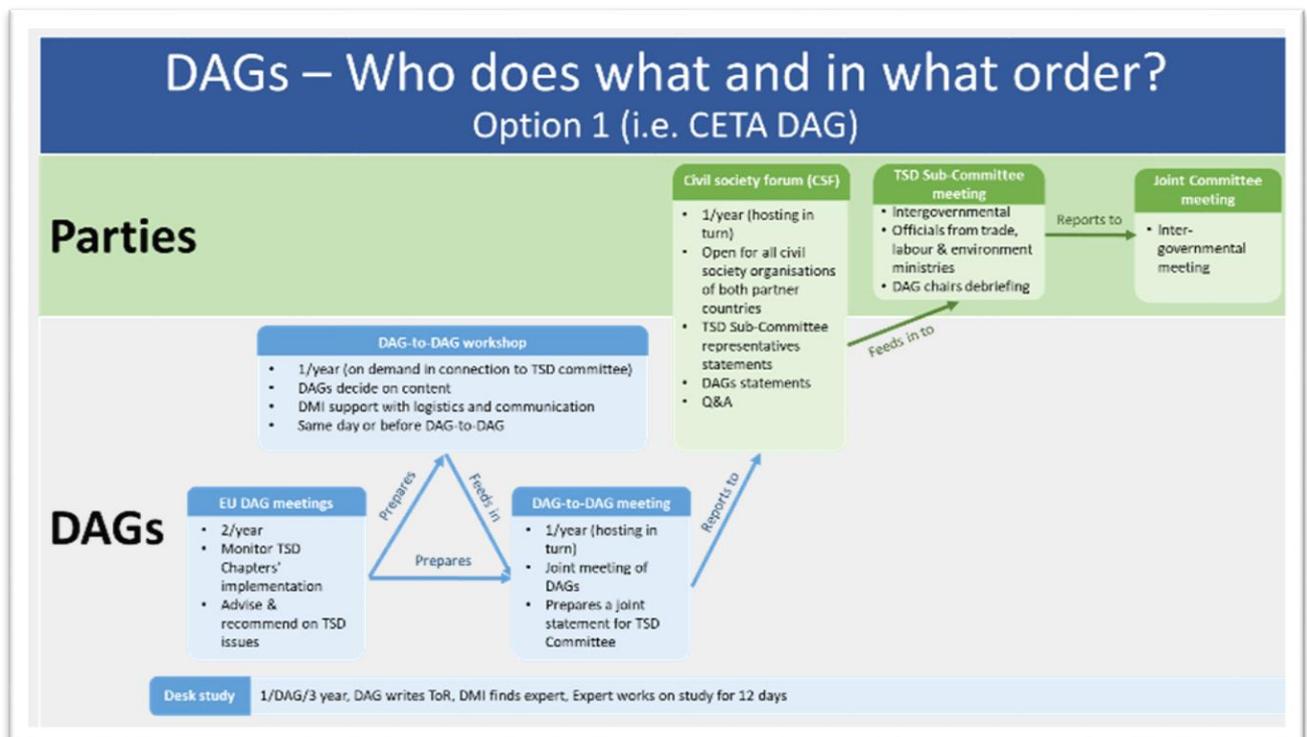
DAG-to-DAG meetings play an essential role in identifying issues and opportunities for CSOs in both partners.

2.5.2 Sequencing of DAG-to-DAG, CSF and CTSD

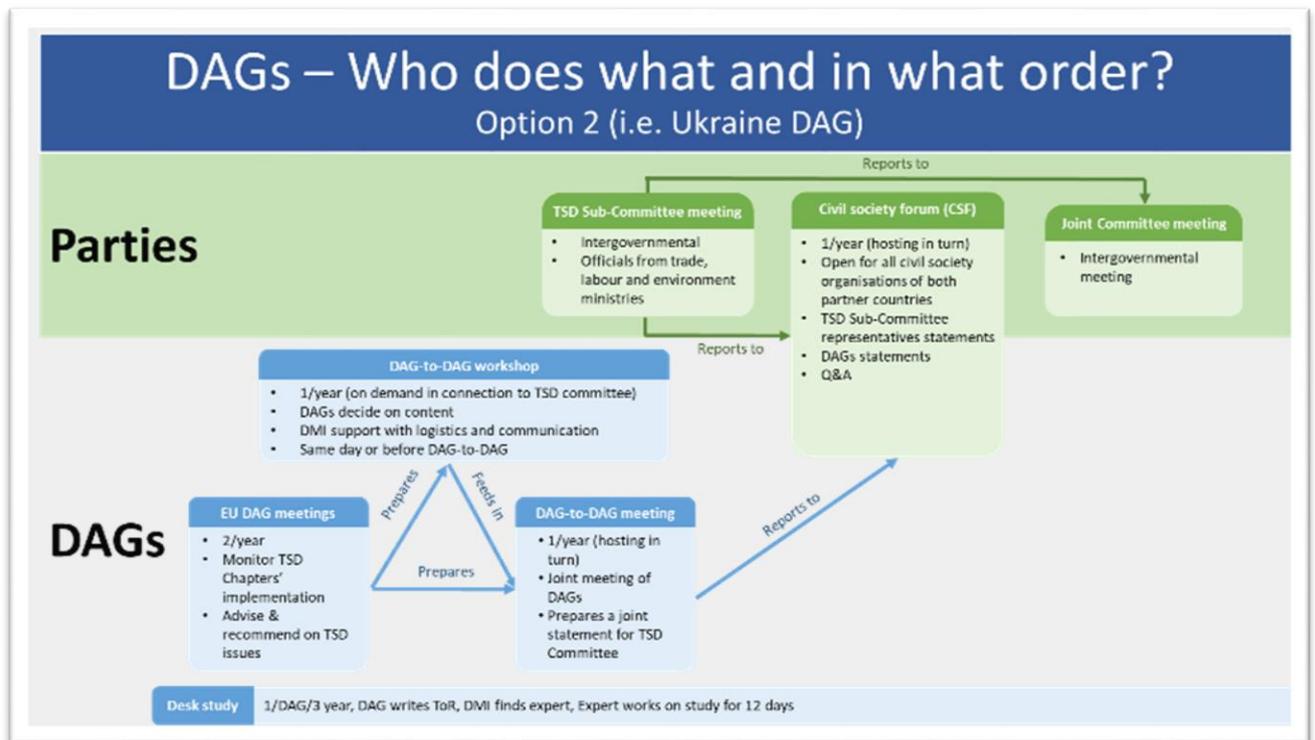
There are two different practices in the sequence of meetings.

2.5.2.1 DAG-to-DAG > CSF > SC-TSD meeting

In this case, the Parties' Sub-Committee meeting includes an agenda item dedicated to the exchange of views with DAGs' Chairs and Vice-Chairs. This is the opportunity for the Parties to debrief DAG Chairs on their deliberations and decisions, as well as for DAGs to update the Parties on their activities, most important concerns, and possible statements. Having the CSF ahead of the Committee meeting allows the Parties to make decisions on the basis of the information gathered from both the DAGs and the CSF.



2.5.2.2 DAG-to-DAG > Committee meeting > CSF



2.5.3 Civil Society Forums (CSF)

DAGs are invited to attend a CSF organised by the Parties once a year with the venue alternating between Brussels and the partner country. It is good practice for Parties to consult their respective DAGs on setting the agenda for the CSF.

2.5.4 DAG-to-DAG Workshops

On the occasion of DAG-to-DAG meetings, DAGs have the possibility to organise a **workshop**, with the help of a contractor financed by DG Trade. The objectives of these workshops are to:

- allow DAG members to discuss shared priorities;
- exchange views and experiences on best practices related to sustainable development provisions;
- give DAG members a better understanding of a specific issue, and
- enable them to make well-informed recommendations to help the Parties uphold their commitments on sustainable development.

2.6 EU DAG coordination

2.6.1 The Secretariat

Since the setting-up of the first EU DAG on Korea, in agreement with the European Commission (DG Trade), **the EESC External Relations Section provides secretariat services to the EU DAGs** to ensure their smooth operation. It liaises with the partner countries' DAGs in matters related to the annual joint meetings and cooperation between sessions.

The Secretariat also provides **policy advice** for members in their work, assists DAG presidencies in drawing up meeting agendas and takes notes of the meetings; advises on potential speakers, experts and civil society organisations which could be invited; prepares meeting files and briefings, facilitates the provision of a constant flow of information on topics of interest to DAG members, and uses its network to facilitate exchanges between the DAGs and other institutions.

To help EU DAG Chairs understand their role better and to bring further coordination among the various DAGs, the Secretariat will compile a summary of the end of mandate reports and disseminate among DAG Chairs (and possibly wider DAG Members) at the beginning of each mandate.

In its work for the EU DAGs, the EESC Secretariat is under the leadership of the respective EU DAG Presidencies.

2.6.2 DG Trade's Partnership Instrument and consultant support

As of 2018, the Commission has set aside a specific budget to support the DAGs. An **external contractor** is in charge of some of the logistics of joint DAG meetings (notably for non-EESC members) and of communication aspects. The external contractor sets up the workshops and assists with the external communication of DAG activities whenever they meet jointly and of the DG Trade Civil Society Forums and the workshops. Experts can also be provided for the different meetings.

2.6.3 Coordination on DAGs

In order to ensure coordination of DAGs activities and general overview of the DAGs work, the EESC Secretariat organises regularly meetings of EU DAGs chairs and vice Chairs and started organising as of 2021 an all-DAGs meeting in which the EU DAGs discuss issues of common interest.

3. Future challenges and opportunities

3.1 Increasing number of EU DAGs

There are currently eleven EU DAGs in place under agreements with Korea, Colombia/Peru/Ecuador, Central America, Moldova, Georgia, Ukraine, Canada, Japan, Singapore, Vietnam and the UK. Cariforum as well, but under a different type of agreement. Next in line would be DAGs for Mexico, Mercosur, Australia and New Zealand. This growing number of DAGs presents several challenges.

3.1.1 Operating with fixed support resources

The DAG Secretariat operates with the same budget and staff, stretching these resources thinner with every new EU DAG created.

In January 2019, DG Trade launched a project aimed at empowering the DAGs and chose a contractor (DMI – public policy consulting firm) who works closely with DG Trade and with the EESC's REX Unit on organising DAGs' meetings from a logistical and communication perspective.

In September 2020, DG Trade presented some solutions to the DAG Secretariat and EESC, including ideas for a regional approach: grouping EU DAG meetings per region (i.e. Latin America, Asia, Eastern Neighbourhood). While the spirit of the initiative was worth considering, the process was paused to allow DAGs to consider options.

3.1.2 Difficulties in finding new EU DAG members

On the one hand, it is getting harder for some smaller organisations to be members of all EU DAGs, as participation can be resource intensive. On the other hand, it seems to be increasingly difficult for DG Trade to attract new NGOs, notably outside business and trade unions stakeholders.

The responsibility of securing a balanced composition of EU DAGs remains with DG Trade, but the EESC assists by communicating opportunities to its networks and connections with a wide range of civil society organisations.

3.2 Improving communication, visibility & transparency

EU DAGs should agree on a clear communication strategy at the start of their mandate, including the design/update of related webpages (to be updated regularly with meeting documents).

DAG members are encouraged to be active on social media and promote DAG activities, in addition to social media activity provided from the DAG Secretariat and DG Trade. It is particularly important to use social media to communicate DAG messages and findings.

DMI, the external company contracted by DG Trade, supports the DAGs with their communication strategy. They handle social media, mostly Twitter (drafting tweets, preparing roadmaps, taking photos and recording and editing videos during meetings and posting them online – notably for the joint meeting and CSF).

To increase their visibility and the transparency of their work, EU DAG members requested that the EU institutions' website (Commission, EP and EESC notably) be clearer about where to find information on the EU DAGs, as well as on their advising role. This is work in progress.

3.3 DAG added-value

At the 2021 All DAG meeting, EU DAGs agreed on the necessity of showing their added value to the institutions and to broader civil society. Some of the suggestions included:

- DAG members should have access to the relevant texts from the sub-committees (apart from what is already public on the website).
- The strict scope of the DAG activity is defined in the specific chapter(s) related to trade and sustainable development. However, DAGs also often discuss any issues that are under the remit of the agreement and that can have impact on the three dimensions of sustainable development – economic, social and environmental.

One of the organisations participating in several DAGs has conducted a study⁶ on the work of DAGs in 2019 and 2020. The study aimed at understanding what the EU and non-EU DAGs have accomplished so far and how these accomplishments – and the civil society mechanisms in general – are perceived by their members. In addition, the study researched the main shortcomings and challenges that these mechanisms faced and made recommendations for improvement. The study is available online, as well as an accompanying article⁷. As a follow-up, they held an informal technical workshop open to all DAG members with the researchers to flesh out ideas for improvements. This resulted in a non-paper on Strengthening and improving the functioning of EU trade Domestic Advisory Groups⁸.

3.4 Increasing scope of future DAGs

The DAGs set up under the EU-UK Trade and Cooperation Agreement (TCA) cover the full agreement. This is the first EU DAG with such a wide scope and others could follow suit (i.e. Mercosur and Mexico DAGs). This has already led some DAG members to wonder about one DAG's capacity to monitor such a comprehensive agreement and the structures needed to support this increasingly complex task.

3.5 Building capacity

Discussions on how to make most of existing resources and how to strengthen the role of the DAGs are ongoing within the DAGs and the EESC.

DAG members are convinced about the need to improve their visibility and communication and to strengthen their field work, which includes starting to use the DG Trade Single Entry Point and complaints mechanism for the enforcement of EU Trade agreements.

⁶ [Domestic Advisory Groups in EU trade agreements: Stuck at the Bottom or Moving up the Ladder?](#), Deborah Martens, Diana Potjomkina, and Jan Orbie, November 2020.

⁷ [Forging their path in the Brussels bubble? Civil society resistance within the domestic advisory groups created under the EU trade agreements](#), VUB, 21 December 2020.

⁸ [230623 - Non-paper Strengthening and improving the functioning of EU trade Domestic Advisory Groups FINAL](#) (cnvinternationaal.nl)



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