

TOWARDS THE MODERNISATION
OF THE EUROPEAN UNION-MEXICO
GLOBAL AGREEMENT:

Strengthening Political Dialogue

Lead autor:

 Mtro. Luis Antonio Huacuja Acevedo (Lecturer at Dr. José María Luis Mora Research Institute. Independent Consultant and Researcher).

Co-authors (listed in alphabetical order):

- Dr. Jacobo Ramírez (Associate Professor in Latin American Business Development Copenhagen Business School).
- Dr. Gabriela Sánchez Gutiérrez (Director of the Dr. José María Luis Mora Research Institute).
- Dr. Mario Torres Jarrín (Director of the Institute of European Studies and Human Rights of the Pontifical University of Salamanca).
- Dr. Mónica Velasco-Pufleau (Director of the European Union–Latin America and Caribbean Relations Chair of the European Institute of International Studies).

Language versions

Original: ES.

Editors:

Manuscript completed: January 31, 2022.

© KONRAD-ADENAUER-STIFTUNG E.V.

KONRAD-ADENAUER-STIFTUNG E.V.

Oficina de la Fundación México

Río Guadiana No. 3, Col. Cuauhtémoc

C.P. 06500 Ciudad de México, México

Tel. (+52) 55 5566 4599

https://www.kas.de/es/web/mexiko

kasmex@kas.de
Twitter: @kasmexiko

Facebook: https://www.facebook.com/kasmexiko/

Project Manager

Juan Pablo Campos González (juan.campos@kas.de)

Image and Communication Coordinator

Jatziry Herrera Jiménez (jatziry.herrera@kas.de)

© EUROPEAN INSTITUTE OF INTERNATIONAL STUDIES

EUROPEAN INSTITUTE OF INTERNATIONAL STUDIES

Primusgatan No. 53,

C.P. 11267 Estocolmo, Suecia

https://www.ieeiweb.eu/

info@ieeiweb.eu

Project Manager

Mónica Velasco Pufleau (monica.velasco-pufleau@ieeiweb.eu)

Edited in Mexico.

This study is available on the Internet:

https://www.kas.de/es/web/mexiko

www.ieeiweb.eu

If you are unable to download the information you want, please request a hard copy by email: kasmex@kas.de

Disclaimer

The views expressed in this document are solely the responsibility of the authors and do not necessarily reflect the official position of the publishers or institutions.

Reproduction and translation for non-commercial purposes are authorized, provided the source is acknowledged, the publisher is given prior notice and a copy of the publication is sent to the author.













Introduction:

The importance of the European Union-Mexico political dialogue

Relations between the European Union (EU) and its Member States and Mexico have been regulated since 2000 by the Economic Partnership, Political Coordination and Cooperation Agreement—better known as the "Global Agreement."1 The Global Agreement was, at the time, the most ambitious and comprehensive agreement ever negotiated by the EU with a third country.2 For Mexico, it is the deepest, and most far-reaching, international instrument concluded to date.3 Since 2013,4 the agreement has been modernised to adapt to changes in Mexico, the EU and the international sphere since its entry into force. This policy paper seeks to contribute to this process to reinforce political dialogue between the Parties, thereby contributing to the strengthening and promotion of shared values and principles from a bilateral, bi-regional and multilateral perspective.

As a fourth-generation agreement, the Global Agreement established a free trade area for goods and services and extended cooperation to areas such as democracy and human rights.⁵ Importantly, the agreement also institutionalised mechanisms for political dialogue that enabled the implementation of the agreement and, above all, mutual understanding between the EU and Mexico. These mechanisms are the Joint Council (at the ministerial level), which may decide on the creation of special committees to assist in the performance of its duties, and the Joint Committee (at the senior official level).6 In the Joint Declaration on the dialogue at parliamentary level, included in its Final Act, the Global Agreement also addressed the "advisability of institutionalising a political dialogue" between the European Parliament (EP) and the Mexican Congress.7 Since 2005, this parliamentary-level dialogue has been held through the EU-Mexico Joint Parliamentary Committee.8 Moreover, in order to support political dialogue, the EU and Mexico created, through political will, the Forum of Dialogue between Civil Society and Institutions of the Mexican Government and the EU, the first of which was held in 2002.9

¹ Official Journal of the EU (OJEU) L 276/45, 28/10/2000.

² Commissioner Lamy and Mexican Trade Minister Blanco conclude EU-Mexico FTA negotiations, at: http://www.sice.oas.org/tpd/mex_eu/Negotiations/Concludenegs_e.pdf [accessed: 12/12/2022]. For a critical review, see R. Torrent and R. Polanco 2016: Analysis of the upcoming modernisation of the trade pillar of the European Union-Mexico Global Agreement, doc. no. PE 534.012, Brussels: EU, p. 10.

³ Insofar as the Global Agreement is based on three pillars: political dialogue, trade, and cooperation, and includes a human rights clause which states as follows: "Respect for democratic principles and fundamental human rights, proclaimed by the Universal Declaration of Human Rights, underpins the domestic and external policies of both Parties and constitutes an essential element of this Agreement." (Article 1 of the Global Agreement).

⁴ Council of the EU 2013: Santiago Declaration, doc. no. 5747/13, presse 31, Santiago de Chile, item 22.

⁵ C. del Arenal 2007: "Democracia y Derechos Humanos en las Relaciones Unión Europea-América Latina", *Revista Electrónica Iberoamericana - ALCUE* 1, no. 1, pp. 15–26.

⁶ Articles 45 to 49 of the Global Agreement.

⁷ OJEU L 276/66, 28/10/2000.

⁸ On the creation and the activities of this inter-parliamentary dialogue forum, see M. Velasco Pufleau 2015: "Parliamentary dialogue and the role of the Joint Parliamentary Committee", in EU (ed.), *The modernization of the European Union-Mexico 'Global Agreement'*, doc. no. PE534.985, Brussels, chapter 4 and item 5.1 [Velasco Pufleau].

⁹ European Commission (EC) 2004: *Puentes de diálogo entre la sociedad civil de Europa y de México: un paso más en las relaciones UE-México*, Luxembourg: Office for Official Publications of the European Communities.

The Global Agreement states that political dialogue between the EU and Mexico is based on the principles referred to in the human rights clause (also known as the "democracy clause") in Article 1, which establishes the respect for democratic principles and fundamental human rights as an essential element of the agreement.¹⁰ In addition, Article 3 states that this dialogue shall be conducted in accordance with the Joint Declaration by the EU and Mexico on political dialogue included in the Final Act. 11 According to this declaration, the establishment of greater political dialogue is a fundamental aspect of the partnership, contributing to the promotion of shared principles based on the "Parties' shared attachment to democracy and respect for human rights as well as the desire to maintain peace and establish a just and stable international order, in accordance with the United Nations Charter."12 In particular, the joint declaration also refers to the establishment of a political dialogue at the presidential level; such dialogue has occurred within the framework of seven bilateral summits held between 2002 and 2015.13

In 2008, the political dimension of EU–Mexico relations were strengthened by the establishment of a Strategic Partnership. Two years later, in 2010, the EU and Mexico adopted a Joint Executive Plan that set out the priorities of the Partnership at a multilateral, bi-regional, and bilateral level. Notably, the plan's implementation has resulted in a

series of sectoral dialogues on subjects as diverse as human rights, the digital economy, environmental issues, public security, and law enforcement.¹⁵ These sectoral dialogues allow an exchange of views and best practices that could be turned into joint cooperation actions.¹⁶

Indeed, the political content of the Global Agreement and its Final Act, together with the Strategic Partnership and accompanying Joint Executive Plan, constitutes the distinctive aspect of bilateral relations between the EU and Mexico. This political dimension has created an architecture that has been essential in addressing priority and current issues and in nurturing the partnership in an evolving way.

Challenges and opportunities for political dialogue between the EU and Mexico within the modernisation process of the Global Agreement

The complexity and vulnerability of current political dialogue mechanisms

The dynamic of EU-Mexico relations has been enhanced by the various mechanisms for dialogue at different levels and involving various government and non-government actors. However, the conti-

¹⁰ See note 3 above.

¹¹ OJEU L 276/65, 28/10/2000.

¹² *Ibid*. See also the 2000 Lisbon Declaration, in which it was proposed to reinforce political dialogue as one of the fundamental objectives of the new partnership. The latter, based on fundamental shared values and a long-term perspective to inspire policies in both Mexico and the EU. *Declaración de Lisboa sobre la nueva asociación entre la UE y México*, at http://www.sice.oas.org/tpd/mex_eu/mex_eu_s.asp [accessed: 12/12/2022].

¹³ Mexico's Ministry of Foreign Affairs (SRE, by its Spanish acronym) 2020: *Mexico and the European Union. Cumbres*, at: https://portales.sre.gob.mx/globalmx/es/asociacion-estrategica-mx-ue/cumbres [accessed: 12/12/2022].

¹⁴ Council of the EU 2010: Mexico-European Union Strategic Partnership Joint Executive Plan, doc.no. 9820/10, presse 126, Comillas.

¹⁵ See SRE s/a: Memoria documental 2012-2018. Proceso de modernización del marco jurídico bilateral entre México y la Unión Europea, p. 15, at: https://www.gob.mx/cms/uploads/attachment/file/426877/MD_Modernizaci_n_marco_jur_dico_M_xico-UE_2012-2018. pdf [accessed: 12/12/2022] [SRE].

¹⁶ Ibid.

nuity of these mechanisms has been disrupted for several reasons. These are linked to the development of the partnership itself (notably, the modernisation of the Global Agreement, and differences of opinion on integrating the various actors) and to external factors (among them, the distancing in bi-regional relations between the EU and Latin America and the Caribbean, and the COVID-19 pandemic).

As a result, several of the dialogue mechanisms established by the relationship framework have become paralysed. For instance, the EU-Mexico Joint Council last met in 2012,¹⁷ and the last EU-Mexico Summit was held in 2015.¹⁸ Another outstanding example is the Forum of Dialogue between Civil Society and Institutions of the Mexican Government and the EU; this was last held in 2012 for the last time.¹⁹ This forum allowed civil societies of

both sides of the Atlantic to periodically meet and nurture relations with perspectives beyond those at the governmental level.²⁰

Regarding the sectoral dialogues, each has developed differently. That is, the format, participants, and meeting frequency vary depending on the dialogue in question. For instance, the High-Level Dialogue on Human Rights between the EU and Mexico,²¹ to some extent, involves human rights organisations in addition to governmental authorities.²² This, among other factors, has become an incentive for the dialogue to be held almost annually since 2010.²³ Meanwhile, the High-Level Dialogue on Public Security and Law Enforcement has, since the first meeting in 2011, been held every five years; the second was in 2016, and the third in 2021.²⁴ As for the High-Level Dialogue on Multilateral Affairs, this met

¹⁷ EU and Mexico 2012: VII Consejo Conjunto México/Unión Europea - Ciudad de México 9 de febrero de 2012. Comunicado Conjunto, at: https://www.gob.mx/cms/uploads/attachment/file/2378/SE_vii_consejo_conjunto_mx_ue_090212.pdf [accessed: 12/12/2022].

¹⁸ Council of the EU 2015: *EU-Mexico summit, Brussels, 12 June 2015*, at: https://www.consilium.europa.eu/en/meetings/international-summit/2015/06/12/ [accessed: 12/12/2022]. Usually, these summits take place in the framework of the bi-regional summits between the EU and Latin America and the Caribbean. Since 2015, this bi-regional dialogue forum has also been suspended. See E. E. Duarte Gamboa 2019: "La CELAC en el nuevo escenario regional", *Foreign Affairs Latinoamérica*, at: https://revistafal.com/la-celac-en-el-nuevo-escenario-regional/ [accessed: 12/12/2022] [Duarte Gamboa].

¹⁹ V. Foro de Diálogo entre la Sociedad Civil y las Instituciones del Gobierno de México y la Unión Europea – Bruselas, 25 y 26 de octubre de 2012, at: https://eulatnetwork.org/wp-content/uploads/2013/01/Relator%C3%ADa-y-recomendaciones-V-Foro-de-di%C3%A1lo-go-UE-M%C3%A9xico.pdf [accessed: 12/12/2022].

²⁰ On the limitations of this forum and some of the problems faced to ensure its continuity, see R. Villanueva Ulfgard and A. Alejo Jaime 2013: "El diálogo entre México y la UE: un análisis desde el nuevo multilateralismo", *Revista CIDOB d'Afers Internacionals* 101, pp. 107–128.

This dialogue will be addressed in further detail at a third policy paper on human rights to be published by Konrad-Adenauer-Stiffung (KAS) Mexico and the European Institute of International Studies (EIIS) in 2023, as part of their efforts to contribute to the modernisation of the Global Agreement; jointly with the Dr José María Luis Mora Research Institute, the Institute of European Studies and Human Rights of the Pontifical University of Salamanca (UPSA) and the Copenhagen Business School (CBS). As of this date, a first policy paper on trade and sustainable development has already been published. See Ramírez et al. 2022: *Towards the modernisation of the European Union-Mexico Global Agreement: Together for a more sustainable trade and development*, Mexico City: KAS and EIIS.

These organisations meet within the framework of a civil society seminar, which has shadowed the High-Level Dialogue on Human Rights between the EU and Mexico since 2012. Among others, see SRE 2022: *X Dialogo de Alto Nivel UE-México sobre Derechos Humanos*, at: https://www.gob.mx/sre/prensa/x-dialogo-de-alto-nivel-ue-mexico-sobre-derechos-humanos [accessed: 12/12/2022].

²³ Except for the years 2013, 2019 and 2021, when it did not take place. Regarding the last meeting of this dialogue, see *lbid*.

²⁴ See, for instance, SRE 2021: *México y la Unión Europea profundizan su colaboración en materia de seguridad y justicia*, at: https://www.gob.mx/sre/prensa/mexico-y-la-union-europea-profundizan-su-colaboracion-en-materia-de-seguridad-y-justicia [accessed: 12/12/2022].

for the first time only until 2020, mainly motivated by Mexico's membership in several bodies of the United Nations System, including the Security Council, the Human Rights Council, and the Economic and Social Council between 2021 and 2023.²⁵

The above demonstrates the vulnerability of the mechanisms for political dialogue established by the European Union and Mexico, regardless of whether they have been institutionalised by the Global Agreement or not. Beyond these circumstances, the political will of the Parties plays an important role in the effective operation of these mechanisms.

The Global Agreement modernisation process and its impact on the mechanisms for political dialogue

Following the 2013 proposal that the Global Agreement be modernised, Mexico and the EU began a joint reflection process to draft recommendations for updating the legal framework of the bilateral relationship's three pillars (political dialogue, trade, and cooperation). The first step was the formation of a working group comprised of three subgroups²⁶ to prepare a Joint Vision Report identifying areas of common interest that required modification. One of these areas was the institutional framework of the Global Agreement,

which was recommended to be reviewed to promote in-depth political dialogue and improve the working methods of existing mechanisms. Specifically, it was proposed that the presidential summits, the Joint Parliamentary Committee, and the civil society dialogue be included within the institutional framework of the new EU–Mexico Agreement. The new agreement should also include elements from the Joint Executive Plan so that the various mechanisms for political dialogue and cooperation are included within a single institutional structure.²⁷

Regarding the form of the agreement, according to Mexico's Ministry of Foreign Affairs, the Parties originally proposed retaining a single legal instrument to cover political dialogue, cooperation, trade, and investments.²⁸

Finally, in May 2016, the Council of the EU authorised the opening of negotiations to update the Global Agreement with Mexico. In November 2017, the Parties agreed on the political and cooperation issues, and in April 2018, they reached an "Agreement in Principle" on trade and investment matters. Two years later, in April 2020, all negotiations regarding the modernised Global Agreement were concluded.²⁹ However, the signature of the new agreement is still pending at the time of writing.

²⁵ SRE 2020: *México y la UE celebran Primer Diálogo de Alto Nivel sobre Asuntos Multilaterales*, at: https://www.gob.mx/sre/prensa/mexico-y-la-ue-celebran-primer-dialogo-de-alto-nivel-sobre-asuntos-multilaterales?state=published [accessed: 12/12/2022]. The second meeting was held in December 2022. EU Delegation in Mexico 2022: *México y la UE celebran Primer Diálogo de Alto Nivel sobre Asuntos Multilaterales*, at: https://www.eeas.europa.eu/delegations/m%C3%A9xico/m%C3%A9xico-y-la-uni%C3%B3n-europea-celebran-el-segundo-di%C3%A1logo-de-alto-nivel-sobre_es?s=248 [accessed: 12/12/2022].

²⁶ Corresponding to the three pillars of the Global Agreement: political dialogue, trade, and cooperation.

²⁷ SRE, supra note 15.

²⁸ *Ibid.*, pp. 22-23. In this case, the agreement will be a "mixed" agreement, involving both exclusive competences of the EU and shared competences with its Member States.

²⁹ EU External Action Service 2017: *Mexico and the European Union agreed on the political and cooperation issues on the new modernized agreement*, at: https://www.eeas.europa.eu/node/37029_en [consulta: 12/12/2022]; F. del Río y R. Saavedra Cinta 2018: "Modernización de los capítulos de diálogo político y cooperación del Acuerdo Global México-Unión Europea", *Revista Mexicana de Política Exterior* 112; G. Grieger 2020: *Modernisation of the trade pillar of the EU-Mexico Global Agreement*, doc. no. PE 608.680, Brussels: EP Research Service.

While the modernisation of the Global Agreement will offer a robust institutional framework for political dialogue between the EU and Mexico, the negotiations for renewal contributed to certain dialogue mechanisms being either put on hold or discontinued entirely. As previously mentioned, uncertainty has gradually overcome several of these mechanisms, affecting their continuity over the last decade, regardless of their degree of institutionalisation. This paralysis has been further exacerbated by the current situation at the international and EU levels, which has unnecessarily postponed the conclusion of the process to modernise the Global Agreement.

The conclusion of the modernisation of the Global Agreement in light of the current circumstances

In recent years, several international factors have contributed to the slowing of the Global Agreement's modernisation. Among these are the COVID-19 pandemic and Russia's illegal war against Ukraine.³⁰

The EU has also faced internal challenges that have prevented it from concluding international agreements similar in scope to that intended to result from the process to modernise the Global Agreement with Mexico. A clear example is the Comprehensive Economic and Trade Agreement (CETA) between Canada and the EU and its Member States; this has not yet been ratified by all the Member States of the EU despite having been signed over six years ago.³²

In this context, the European Commission (EC) proposed in 2021 a different route to the one originally planned for the modernisation of the Global Agreement.33 This new proposal consisted of splitting the modernised agreement into three different international instruments: (i) a free trade agreement, (ii) an investment protection agreement, and (iii) a political and cooperation agreement, to make the ratification process more efficient.34 This proposal was met with the approval of some institutions in the EU but not in Mexico. Mexico's Ministry of Foreign Affairs has stood firm in its position to sign the modernised agreement with the EU as a single instrument, exactly as it was negotiated.35 Certain Member States, like France, have also voiced their support for the Mexican position.36 The differences in opinion on the legal form of the modernised agreement have caused the process to reach a new impasse.

Mexico's Chamber of Deputies 2022: En vivo / Conferencia Internacional: Hacia la Modernización del Acuerdo Global, at: https://www.youtube.com/watch?v=s1eSSYYR-qw&t=3740s [accessed: 12/12/2022] [Chamber of Deputies].

³¹ OJEU L 11/23, 14/01/2017.

³² On the signature and the challenges faced during the negotiations of the CETA, see A. Sánchez, "La UE firma el acuerdo comercial con Canadá tras una enconada negociación", *El País*, 31 October.

That is, concluding the new Agreement as a mixed agreement. On the initiative to split the modernised Agreement, see B. Moens 2021: "Brussels looks to grab back trade powers in Mexico deal", *Político*, 2 July; Chamber of Deputies, *supra* note 30.

³⁴ For further details, see L. Huacuja Acevedo and M. Velasco Pufleau 2022: "Foreword", in KAS and EllS (eds.), *Towards the modernisation of the European Union-Mexico Global Agreement: Together for a more sustainable trade and development*, Mexico City.

³⁵ Chamber of Deputies, supra note 30.

³⁶ Ministry for Europe and Foreign Affairs 2021: México – *Declaración Conjunta de Jean-Yves Le Drian, ministro de Europa y Asuntos Exteriores, y de Marcelo Luis Ebrard Casaubón, ministro de Relaciones Exteriores de México (20 de diciembre de 2021),* at: https://www.diplomatie.gouv.fr/es/fichas-de-paises/mexico/noticias/article/mexico-declaracion-conjunta-de-jean-yves-le-drian-ministro-de-europa-y-de [accessed: 12/12/2022].

In particular, among other European authorities in favour of concluding the new agreement as soon as possible given the impact of the war in Ukraine,³⁷ the High Representative of the Union for Foreign Affairs and Security Policy has sought to move forward with the signature and ratification of the modernised Global Agreement as part of his strategy to invigorate relations with Latin America and the Caribbean in 2023.38 With this priority in mind, he attended the third Foreign Ministers' Meeting between the EU and the Community of Latin American and Caribbean States (CELAC, by its Spanish acronym), held in Buenos Aires in October 2022.39 This meeting was the first of its kind to take place since 2018,40 contributing to the resumption of dialogue based on a political and cooperation agenda.41 Concretely, it was agreed that, after several years of standstill, 42 a third bi-regional summit would be held between the Heads of State of the EU and the CELAC in

the second half of 2023.⁴³ The EU felt it had the duty to restore trust in its new approach to the region, and the best way to do so was to provide certainty on the resumption of technical exchanges to conclude pending agreements, including that with Mexico.⁴⁴

The EC has, therefore, recently explored new ways to finalise the signature of the modernised Global Agreement and reconcile the Parties' positions on the instrument being maintained as one or several instruments. It seems that a remedy similar to that followed in 1997 has been chosen; in that case, the Interim Agreement on trade and trade-related matters between the European Community and Mexico was signed in addition to the Global Agreement.⁴⁵ This agreement, needing only ratification by the Mexican Senate and the EP to come into force,⁴⁶ enabled free trade while ratification of the Global Agreement took place.⁴⁷

- ³⁷ See, among others, U. von der Leyen 2022: 2022 State of the Union Address by President von der Leyen, at: https://ec.europa.eu/commission/presscorner/detail/en/speech_22_5493 [accessed: 12/12/2022].
- ³⁸ J. Borrell 2022: Foreign Affairs Council: Press remarks by High Representative Josep Borrell after the meeting, at: https://www.eeas.europa.eu/eeas/foreign-affairs-council-press-remarks-high-representative-josep-borrell-after-meeting-0_en [accessed: 12/12/2022]; M. Centenera and J. P. Criales, "La guerra de Ucrania renueva el interés de Europa por América Latina", El País, 28 October.
- 39 EFE 2022: "Ministros Exteriores de la UE y la CELAC se reunirán en octubre en Argentina", Swissinfo, 18 July.
- ⁴⁰ When the ministers met in Brussels for the second time, after their first meeting in Santo Domingo in 2016. EU External Action Service 2018: *EU-CELAC relations*, at: https://www.eeas.europa.eu/node/13042_en [accessed: 12/12/2022].
- ⁴¹ Ministry of External Relations, International Trade and Worship 2022: *III Reunión de Ministros de Relaciones Exteriores CEL-AC-UE: Comunicado de Prensa*, at: https://www.cancilleria.gob.ar/es/actualidad/noticias/iii-reunion-de-ministros-de-relaciones-exteriores-celac-ue-comunicado-de-prensa [accessed: 12/12/2022].
- ⁴² Initially, this third summit was scheduled to take place in 2017. See Duarte Gamboa, *supra* note 18.
- ⁴³ CELAC-EU 2022: *Hoja de ruta birregional 2022-2023*, at: https://www.cancilleria.gob.ar/userfiles/prensa/hoja_de_ruta_cel-ac-ue_2022-2023.pdf [accessed: 12/12/2022].
- ⁴⁴ M. Banchón 2022: "Unión Europea y CELAC en Buenos Aires: cancilleres allanan el camino a una cumbre", DW, 26 October. Together with the Global Agreement, the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part (DOUE L 352/2, 30/12/2002) is in the process of being modernised. See EC 2022: *La UE y Chile refuerzan una asociación política y comercial global*, at: https://ec.europa.eu/commission/presscorner/detail/es/ip_22_7569 [accessed: 12/12/2022].
- ⁴⁵ OJEU L 226/25, 13/08/1998.
- ⁴⁶ Insofar as only exclusive EU competences were involved.
- ⁴⁷ J. Zabludovsky K. and S. Gómez Lora 2004: *The European window: Challenges in the Negotiation of Mexico's Free Trade Agreement with the EU*, Buenos Aires: Inter-American Development Bank and Institute for the Integration of Latin America and the Caribbean.

With the acceptance of this new proposal by the Parties, a comprehensive agreement between Mexico and the EU and its Member States could be concluded that would include matters of political dialogue.48 Such an agreement could be supplemented by an interim agreement enabling the swift implementation of the trade pillar of the modernised Global Agreement regarding matters within the exclusive competence of the EU, as was the case in 1997.49 The signature of both instruments would then likely take place during the eighth bilateral summit in the second half of 2023, given that there will be general elections in Mexico and in the EP in 2024. This can take place once the legal revisions have been concluded and the content has been translated into the 24 official languages of the EU and approved by the Council of the EU. Expediting the process becomes essential to meet the above-mentioned deadline.

Recommendations to the EU and Mexico

1. Conclude the process for signature of the modernised Global Agreement by 2023 at the latest, in the context of the revitalisation of bi-regional relations between the EU and Latin America and the Caribbean. Political dialogue between the EU and Mexico requires the parties' strategic understanding at different levels and dimensions and is becoming urgent due to the current international scenario and ongoing and diverse global threats.

- 2. Effectively incorporate the presidential summit, the Joint Parliamentary Committee, and the dialogue with civil society into the new EU–Mexico Agreement, providing them with a clear and specific legal basis in order to ensure these mechanisms are institutionalised as part of the institutional framework.⁵⁰
- 3. Ensure the continuity of all mechanisms for political and civil society dialogue established by the Global Agreement and the Strategic Partnership to date and show the necessary political will for this purpose, irrespective of the degree of institutionalisation of any particular mechanism.
- 4. Promote the follow-up of the agreements reached through the different mechanisms in force for political and civil society dialogue between the EU and Mexico to ensure these agreements are taken into account in the implementation of relations, monitor the outcome of the mechanisms, and provide certainty to their operation.
- 5. Ensure that the mechanisms for political and civil society dialogue maintain an inclusive, receptive, and comprehensive perspective that considers the different government and non-government participants and their views and concerns regarding EU–Mexico relations.
- 6. Strengthen all channels for political dialogue between the EU and Mexico, acknowledging their horizontality and their importance for the strengthening of relations, as well as for the promotion of shared values and principles at bilateral, bi-regional and multilateral levels.

⁴⁸ This, a priori, in addition to other matters pertaining to cooperation and foreign investment involving shared competence between the EU and its Member States. For more on this, see Court of Justice of the EU 2017: *Opinion 2/15 of the Court (Full Court)*, at: https://curia.europa.eu/juris/document/document.jsf?text=&docid=190727&doclang=EN [accessed12/12/2022].

⁴⁹ This same formula was proposed on the political dialogue panel of the international conference "Hacia la modernización del Acuerdo Global México-UE" organised by KAS Mexico, jointly with the EIIS, the Dr José María Luis Mora Research Institute, the UPSA, and the CBS, at the Mexican Chamber of Deputies on 26 May 2022. See Chamber of Deputies, *supra* note 30.

For further details on the need to incorporate the Joint Parliamentary Committee into the legal framework of the modernised Global Agreement, see Velasco Pufleau, *supra* note 8.

- 7. Translate the political dialogue between the various EU and Mexican authorities into joint cooperation actions that benefit the citizens of both. This includes on issues related to the promotion and protection of human rights and the strengthening of the rule of law, to name but two examples.
- 8. Increase public diplomacy to disseminate, strengthen, and communicate the contents, benefits, and opportunities the modernised Global Agreement will offer to the citizens of the EU and Mexico, taking into account their perspectives in the renewal of the different dimensions of relations (trade, investment, political dialogue, and cooperation).
- 9. From a broader perspective, establish a renewed agenda between the EU and the countries of Latin America and the Caribbean ahead of the next bi-regional summit in 2023. On the one hand, this agenda should consider the values with which the Latin American and Caribbean region identifies, such as democracy, human rights, the rule of law and sustainable development. On the other hand, it should acknowledge the different Latin American perspectives and concerns, which range from marked inequality to the recognition of indigenous peoples and multiculturalism and the need of guaranteeing the welfare of the most vulnerable.

- ★ Konrad-Adenauer-Stiftung México
- Fundación Konrad Adenaur Oficina México
- @kasmexiko

#KASMéxico



EIIS european institute of international studies