

TTIP

From Wavering to

Standing Tall

10 steps forward

Lessons learned
from the FEPS Transatlantic Seminar

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Executive summary:

1. The mandate of the European Commission for the TTIP negotiations must be reviewed!

Proposal: The Progressive family should use its position, especially within the European Council, to demand a mid-term review of the negotiations and put in place a new, improved and more detailed mandate for the round ahead.

2. The Progressive European family needs to clarify and consolidate its position!

Proposal: The Progressive European family should coordinate, clarify and consolidate its position – adopting a complex resolution that would enumerate priorities and constitute a binding mandate for actors on the EU and on the national levels.

3. TTIP can no longer be seen as a self-standing issue!

Proposal: The Progressives need to design a new, long term and distinctive strategy for Europe's sustainable growth, efficient investment and quality jobs in which their vision of TTIP will play an integral part.

4. The promise of quality jobs and growth must be based on a reliable, complete forecast!

Proposal: The Progressive family will agree on mandating FEPS with conducting a complex study and creating a credible model allowing forecasting on the possible impacts of TTIP on respective Member States, their industrial sectors and their welfare provisions.

5. The pledge of quality employment for all must become a set of enforceable standards upheld on both the sides of Atlantic!

Proposal: The Progressive family should put its own core competence – agenda of quality jobs for all as the main criteria against which the progress in TTIP negotiations and the final text are to be assessed, ensuring in the meantime that this becomes a common denominator for a larger Progressive alliance to emerge in its name on both sides of the Atlantic.

6. A tri-partite commission should be empowered to evaluate TTIP now and in the future!

Proposal: The Progressive family needs to advocate different mechanisms to be put in place for now and for the future in order to ensure that the negotiations are led further in accordance with the democratic rules of accountability and transparency, and that the adequate democratic supervisory mechanisms are also put in place for TTIP's execution in the future.



7. The respective roles of the EU and of the involved states must be clarified!

Proposal: Progressives must use the ongoing TTIP debate to set a clear vision for the role of the international institution organisations (such as the EU) and the national states – paving the way to a new understanding of what a balance of power is between democratically legitimised international and national institutions on one hand, and on the other, the global capital.

8. The economic growth ensured by TTIP must translate into the improvement of living conditions!

Proposal: The Progressive family should rearticulate in the context of TTIP its commitment to strive for socially just and economically equitable regulations of financial capitalism, while at the same time embedding the narrative regarding potential benefits in a broader, however tangible, progressive investment strategy for Europe.

9. TTIP must be a part of a new global deal, not just a bilateral agreement!

Proposal: The Progressives should promote the understanding that their vision for TTIP makes it a part of a new global deal, and while introducing the debate into their international organisations, they should also ensure that there is adequate research legitimising this shift.

10. The negotiations must be seen as a dynamic process in which Progressives must be forward looking!

Proposal: The Progressive family should change the course of the debate from the one “on TTIP” to “on TTIP and beyond”, pioneering the positions on the ‘new issues’ deriving from the context of evolving digital economy for example.



Background document (with reference to the points introduced during the debate):

1. The mandate for the TTIP negotiations of the European Commission must be reviewed!

Background: There is vast criticism regarding ‘secrecy of the negotiations’ which is a point raised equally by the political actors, representatives of trade unions and NGOs, as well as by the citizens on both sides of the Atlantic. The elected representatives within both the U.S. Congress and the European Parliament emphasise that it is unacceptable that even though they receive subsequent briefings, their actual power is limited to either accepting or rejecting the final version of the TTIP. The negotiators, and herewith also the European Commission, respond that they are acting on the basis of a democratically assigned mandate of the European Council and that they are ensuring also that the vital stakeholders are consulted at each stage of the process. The disputable issue remains what the scope of the negotiations’ agenda is and hence which issues should be definitely exempted from TTIP process.

The Progressives’ position: Since the negotiations began, the political map in Europe has changed vastly. The conservatives no longer principally dominate the European Council, but instead over one third of it is in the hands of the Progressive family. To that extent, they have also increased their participation in the governments and succeeded in narrowing the gap between the EPP and S&D Groups in the European Parliament. This means not only more possibilities to act, but also a necessity to assume more responsibility and approach TTIP from an angle other than the ‘oppositionist side’.

Proposal: **The Progressive family should use its position, especially within the European Council, to demand a mid-term review of the negotiations and put in place a new, improved and more detailed mandate for the round ahead.**

2. The European Progressive family needs to clarify and consolidate its position!

Background: Since the beginning, the TTIP has always been seen as a ‘hot topic’; however, especially in the midst of the last European elections, it has become the subject of both political and popular heated debates. In the course of those debates, many arguments against this treaty have been articulated – focusing rather on potential threats than on eventual opportunities that the deepened free trade area can bring along. It was emphasised that while the gains are uncertain, the losses of anticipated liberalisation of services will have a disastrous effect on already weakened welfare states (and herewith also on the European Social Model). Additionally, it has been feared that in terms of democratic liberties of the citizens, it



may become the second 'ACTA'. While trying to contradict those voices, three out of four main competitors for the position of the President of the European Commission (respectively EPP, PES and ALDE) tried to convince the electorate that to the contrary – the TTIP is itself an opportunity for a long awaited economic recovery and increase of number of jobs available in Europe.

The Progressives' position: The Progressives, and here especially the S&D Group in the European Parliament consider themselves as an important “swing” vote regarding TTIP. The others, more critically, could point out that they are in an uncomfortable position being squeezed in between those raising their opposition more eloquently (such as Greens) and those manifesting enthusiasm in favour (EPP, ALDE). The narrative based on “yes, if...” appears to be blurred and strategically weak (for which reason perhaps even “no, unless...” could have been considered as a stronger standpoint). Taking into account diversities within the family itself, the issue remains seriously un-debated, being described as “sensitive”.

Proposal: **The Progressive family should coordinate, clarify and consolidate its position – adopting a complex resolution that would enumerate the priorities and would constitute a binding mandate for actors on the EU and on the national levels.**

3. TTIP can no longer be seen as a self-standing issue!

Background: Within the United States, TTIP is not debated as a singular question. To the contrary – globally speaking, it is placed in the framework of deliberation on U.S. commitments to international organisations (such as the International Labour Organisation or the World Trade Organisation). And more specifically, it is also being examined in parallel with the analyses accompanying the simultaneous negotiations on the Trans-Pacific Partnership Agreement (TPP). Furthermore, its potential gains and losses are contrasted with the more general projections for the U.S. economy and the perspectives for its recovery. This is dissimilar to the European situation, where TTIP is seen, described and portrayed as a self-standing question. So far, it is neither embedded in a larger strategy nor is it considered in relation to the secondary, whatever major impacts it may have. To illustrate this with an example, even though the accomplishment of TTIP will have relevant consequences for the industry, it is seldom, if at all, being acknowledged in the parallel debates on the need for re-industrialisation and a new investment strategy for the EU.

The Progressives' position: The controversies around specific issues that TTIP may (or may have had) potentially include(d) (such as the infamous Investor-State Dispute Settlement (ISDS) or demand to exclude public services from the scope), have made the Progressive family focus predominantly on the questions that have already emerged as a part of the existing discourse. Therefore they have not, so far, gained specific credentials that would provide them with an absolute competence in at least one of the areas – even if TTIP touches on so many issues that used to be ‘core competence’ of social democracy. It was described by the critics as a ‘cherry-picking’

strategy, in the light of which it was very hard for any external viewers to assess what makes the Progressive vision of TTIP distinctive, and to that extent, which aspects are for them conditions sine qua non of supporting or opposing TTIP.

Proposal: Progressives need to design a new, long term and distinctive strategy for Europe's sustainable growth, efficient investment and quality jobs in which their vision of TTIP will play an integral part.

4. The promise of quality jobs and growth must be based on a reliable, complete forecast!

Background: In the course of the negotiations, the European Commission has ordered numerous impact assessments. The communications around them have been focused on the benefits that TTIP would bring, highlighting, for example, the number of jobs that could potentially be created thanks to this agreement. The same releases quoted the assumed net-gains of the 'average family', which was calculated to be slightly above 500€. What they lacked, however, has always been a symmetric attention to the losses and necessary adjustments that would both need to be foreseen: politically, socially and budget-wise. Therefore, in parallel to the European Commission, different political actors and academic centres engaged in the process of providing alternative studies, all taking diverse variables into consideration. It is questionable as to how far any of them manage to capture the complexity of the post-crisis situation. To illustrate, where a new, realistic prognosis would be most useful is in the area of quality jobs and jobs creation. There it still remains unclear what impact TTIP would have on specific sectors, how many people would be required to re-qualify and hence what sort of social security/safety net would be essential to cushion negative impacts. To that extent, and also eventually available safety nets that could help transition, such as Global Adjustment Fund (GAF) to which the European Commission frequently refers to, will certainly not be sufficient.

The Progressives' position: Similar to the other political actors, the Progressives have also been basing their position on the existing data. Even though they remain aware of the already mentioned deficiencies, still the lack of more complex research on specific questions has left them so far with no choice. This is a great weakness, especially in times when there is so much disbelief in politics, politicians and any promises that they make. The issue of credibility is further undermined due to the insecurities and anxieties amongst the population, the decline of the welfare state's provisions all over the EU and the discourse on public debts, which drastically limits any possible governmental manoeuvres. These have particularly been most heavily influencing the position of Progressive parties, who found themselves either already behind the defensive lines or unable to opt for anything other than austerity policies, when back in government.

Proposal: **The Progressive family will agree on mandating FEPS with conducting a complex study and creating a credible model allowing forecasting on the possible**

impacts of TTIP on respective Member States, their industrial sectors and their welfare provisions.

5. The pledge of quality employment for all must become a set of enforceable standards upheld on both the sides of Atlantic!

Background: While impact assessments and opinions can differ regarding the potential of TTIP in the area of jobs creation, it has nevertheless been seen as an eventual hope for putting in place standards of what quality employment means. There were two reasons for which this was particularly relevant. The first one is that after the crisis, the polarisation of the labour market progressed, the shortage of jobs grew and the precarisation of existing jobs followed. The second is that with the societal developments the absolute value of what labour is, what rights and opportunities it should bring along also started to be disputed. This put a lot of pressure on organised labour, which found it challenging to continue mobilising on one hand, and also saw its strength put into the test vis-à-vis consolidating global capital on the other. In this context, the fact that TTIP is foreseen to be a multi-layer and multi-pier agreement, it was hoped that it would block at least two continents behind a new agenda for quality jobs. Especially on the American side, it was hoped that it would induce a momentum in which the U.S. would need to revisit its positions on the core ILO conventions.

The Progressives' position: The commitment to the quality jobs agenda remains an absolute for the Progressive family. Nevertheless, while being pre-occupied with numerous questions that TTIP brought along, it appeared most challenging to focus the negotiations on the key question of job quality. The additional difficulty has been that because of diverse conditions existing in the respective Member States, and hence different sectorial split of the labour markets and dissimilar degree of their organisations – and also the projections regarding the potential impact of TTIP diversify. This made the position of the respective traditional allies of the Progressive family – the trade unions and the services providers – quite sundry, if not mutually opposing within the framework of their own pan-European umbrella organisations. This is the reason why a larger Progressive alliance behind a certain concrete agenda within the TTIP negotiations has been facing so many difficulties in emerging.

Proposal: **The Progressive family should put its own core competence – agenda of quality jobs for all as the main criteria against which the progress in TTIP negotiations and the final text are to be assessed, ensuring in the meantime that this becomes a common denominator for a larger Progressive alliance to emerge in its name on both the sides of the Atlantic.**



6. A tri-partite commission should be empowered to evaluate TTIP now and in the future!

Background: The European Commission (EC) has been emphasising in all its communications that extensive consultations are being held with the social partners – trade unions, social services providers and all other concerned non-governmental organisations. This has been the most frequently offered answer to the criticism that the negotiations are being led ‘behind closed doors’. While indeed the protocols of these consultation rounds are publically available on the official EC’s website, the actors involved raise a number of issues. First of all, the consultations take place under very strict conditions, which prevents the organisations involved from receiving the documents in advance or even being able to keep the files after the meetings. This means that there are hardly any materials which could be shared more broadly or which could in reality be discussed within their respective constituencies. What makes things worse is that it also remains obvious that the courtesy of the European Commission in terms of any access is only foreseen until the time the negotiations are ongoing. Although there were demands to also establish continuous supervisory mechanisms regarding implementation and execution of the TTIP, no plan has ever been put in place. To the contrary, the ideas suggested until now – such as empowering, for example, the European Court of Justice (ECJ) partially in that dimension – have all been rejected. While it is being argued that ruling in context of the trade agreements does not belong to prerogatives of the ECJ, it is unclear why (following even the modest tradition from within the consultations) a transatlantic tri-partite model could not be put in place as TTIP’s feature.

The Progressive’s position: The Progressive family echoed the criticism regarding the process, emphasising that the procedures put in place are not sufficient. They fall short in terms of dismissing the public and popular accusations, following which (and regardless of the European Council’s mandate) the negotiations are actually being conducted in a profoundly undemocratic manner. Being focused on the immediate dangers, they have not yet provided an answer on what not only the next steps should be. And while the Members of the S&D Group have posed a number of questions on the floor of the European Parliament, the broader action through which they would consolidate their ranks and would reach out to the concerned partners external to the institutions (also to be able to advocate internally on their behalf) has nevertheless still been missing. This brings the Progressive family into a precarious position, especially since while TTIP has been proclaimed to be one of the 10 top issues of the so-called “President Juncker’s Plan” – the actual execution of it, following the portfolios, belongs to another conservative member, Commissioner Cecilia Malmström. And Progressives as such remain partners of this, yet again, re-established grand coalition within the European Parliament, in the European Commission and within numerous Member States’ governments.

Proposal: **The Progressive family needs to advocate different mechanisms to be put in place for now and for the future in order to ensure that the negotiations are led further in accordance with the democratic rules of accountability and**

transparency, and that the adequate democratic supervisory mechanisms are also put in place for TTIP's execution in the future.

7. The respective roles of the EU and of the involved states must be clarified!

Background: The frequently repeated demand from the side of the non-governmental sector, and here especially the public services and social services providers, has been to exclude the public goods and services from the scope of TTIP. There are two main reasons underpinning such a position. First of all, it is being reiterated that while TTIP will not bring that much of a difference regarding the actual tariff barriers (which in the context of the transatlantic trade exchange are almost non-existing anymore), it would have a great impact on the areas where the so-called “non-tariff barriers” (NTBs) are upheld. These are the fields where enhanced competition can put the existing standards under pressure – and this is what is being feared, especially on the European side, particularly, that they have already been undermined – becoming a victim of the post-crisis austerity cuts implemented in Europe. Secondly, the still vivid memory of negotiations around General Agreement of Tariffs and Trades (GATTs) indicates that uplifting NTBs in the crucial areas of public goods and services will be met with forceful opposition from the public. For them, frequently rightfully so, the liberalisation of trade is associated rather with pressure on standards than with fair conditions of competition, which also means that the public is losing the initial hope that TTIP would equalise the standards upwards and would bring improvements in, for example, the area of healthcare and health aid in the US. The power of this can be as strong as to even endanger accomplishment of TTIP, even if that was to be positively voted by the US Congress and by the European Parliament.

The Progressives' position: The pledge to protect and safeguard public services and to exempt them from the scope of TTIP is finding fertile ground within the European Progressive family. To begin with, the citizens' rights to equal opportunities and to social security, manifested through free access to good quality public services and goods, has been underpinning their vision of a Social Europe – for which they have been advocating as early as the 1970s. Nevertheless, even in this context there are the issues that the Progressives need to resolve themselves to emerge with a clearer standpoint. First of all, there is a need to clarify the role and prerogatives of the EU and its Member States. As long as the economic dimension remains a ‘hard’ policy area, and the social dimension is seen as ‘soft’ (where Member States have more of a say), there is a risk that the duty to accomplish the standards set within the former will be done by the Member States at the cost of the latter. Hence simple exemption, without a broader strategy, may not be sufficient to safeguard services or goods. Secondly, while Progressives have always identified themselves as an “etatist movement”, they have still not succeeded in translating the challenge of ISDS into broader terms of state (EU) having a constituting say based on public

mandate ahead of the capitalist rules of the market. And this is the battle to lead in the context of TTIP.

Proposal: Progressives must use the ongoing TTIP debate to set the clear vision for the role of the international organisations (such as EU) and the national states – paving the way to a new understanding of what a balance of power is between democratically legitimised international and national institutions on one hand, and the global capital on the other..

8. The economic growth ensured by TTIP must translate into the improvement of living conditions!

Background: Within the European Commission’s communications it is being continuously argued that TTIP will translate into absolute economic benefits, which it will be possible to measure accordingly to existing criteria used to assess growth in Europe. However encouraging this may sound, it is still ambiguous what the quality of this growth will be, what it is to translate into and even in how far it will be a sustainable rise. To begin with, the volume of growth is not synonymous with accelerating prosperity and improving overall conditions. To the contrary: next to the new phenomena labelled as “jobless growth”, the disparity between the economic and financial sectors makes it possible for growth to be experienced purely in financial terms without any visible benefit in the ‘real economy’ dimension. This means that even if TTIP further facilitates access of the respective companies onto the EU and US markets, it does not mean that their developments and profit would by default be synonymous with new investments or improvements of their employees’ working conditions. Consequently, it is feared that the TTIP might predominantly become the tool to enable further flourishing of the financial capital, rather than being an agreement to the benefit of the ‘ordinary citizens’.

The Progressives’ position: The Progressive family had been ahead of the debate on a need to regulate financial capitalism. The Party of European Socialists (PES) had made the references a long time before the crisis, foreseeing that the system that enables so much speculation, grey zones and contributions-free-benefits cannot be sustainable. This understanding inspired the initial reports filed by the PES Group in the European Parliament regarding the hedge funds and regulations of financial markets, as also guided the post-2008 response and eventually the campaign in favour of the Financial Transaction Tax (FTT). This is therefore the area where the credentials of the Progressive family remain strong. On the other hand, despite the numerous appeals for a sustainable investment plan – at this very point the Progressives are seemingly missing this aspect of the debate on re-linking financial sector and real economy. This momentum is rather ‘carried away’ currently by the enunciations of the President’s Juncker “300 billion investment plan”.

Proposal: The Progressive family should rearticulate in the context of TTIP its commitment to strive for socially just and economically equitable regulations of financial capitalism, while at the same time embedding the narrative regarding

potential benefits in a broader, however tangible Progressive investment strategy for Europe.

9. TTIP must be a part of a new global deal, not just a bilateral agreement!

Background: Consequently to its name ‘Transatlantic Trade and Investment Partnership’, the TTIP is being perceived as a Treaty exclusively concerning the so-called “Western hemisphere”. Although in parallel, the United States is involved in similar negotiations of TPP, still it is rather seldom than frequent that the consequences of TTIP are being deliberated in the context of the impact it will have on the other existing bilateral or multilateral trade relations. Here though the blind eye is turned on the possible threats, but also eventual opportunities that TTIP could in the future bring for both for the specific EU strategies (such as EU-Africa one), as also in the light of larger multilateral agenda. It is regrettable in that sense that the process remains unrelated to the other political developments, among them the momentum (such as the upcoming revision of the Millennium Development Goals (MDGs) in 2015), as also long-term discussions (such as the one regarding the mandate of World Trade Organization (WTO) or the essential reform of the United Nations (UN)).

The Progressives’ position: The Progressive family has always upheld its strong commitment to the internationalist traditions of the movement. In this spirit, it has also been actively pursuing international actions and campaigns, such as the global mobilisation for “Decent work, decent life” agenda, the adherence to the Global Call Against Poverty (GCAP) or the recent action in favour of international mobilisation for Financial Transition Tax (FTT). Despite these noble attempts, still in the context of TTIP – especially the European Progressives also remained reluctant in terms of framing it as a global issue. Hence it has not been echoed in the work of the international Progressive organisations – such as Socialist International (SI) or Progressive Alliance (PA). It is also true that such a shift in framing does not yet have backing in terms of existing research, which would prove the mutual interdependence between TTIP and the situation in which the third countries (and even the entire continents) would find themselves in, should TTIP be accomplished.

Proposal: **The Progressives should promote the understanding that their vision for TTIP makes it a part of a new global deal and while introducing the debate into their international organisations, it should also ensure that there is an adequate research legitimising this shift.**

10. The negotiations must be seen as a dynamic process in which Progressives must be forward looking!

Background: Even though the scope of TTIP negotiations is frequently seen as very complex and hence also very ambitious, it still remains focused on the circumstances



at hand. The anchoring of the treaty in the post-crisis reality imposes preoccupation with framing it as a chance to identify new ways for recovery, as this has been articulated as the main explanation on why and what for this difficult process needs to be conducted at this very moment in time. This narrative has been chosen consciously, despite the fact that even in the purely economic sense TTIP may not be at all able to bring the boost that its enthusiasts hope for. The focus on ‘here and now’, typical for the confinement of the post-2008 policies, can however limit the eventual potential of TTIP - which it could acquire, should it be seen in more dynamic terms. The challenge lies in considering the agreement as a platform, on which a dialogue between the EU and US could intensify and always be broadened by the inclusion of new issues deriving from changing realities around.

The Progressives’ position: The Progressive family is fully aware that the potential for recovery for Europe does not depend on restoring once successful policies, but actually is more and more connected with the ability to anticipate the global developments that put the new industries in place. What exposes this consciousness is, for example, the conviction with which the Progressive family was arguing for a need to put a new agenda in place defining the rules for further evolution of the so-called digital economy. This remains an avenue alongside which many issues require further debate, of which echo the position of TTIP should embrace. Among them are the questions of freedom of expression in the context of IT revolution, data protection, and intellectual property rights.

Proposal: **The Progressive family should change the course of the debate from the one “on TTIP” to “on TTIP and beyond”, pioneering the positions on the ‘new issues’ deriving from the context of the evolving digital economy, for example.**



Background on the FEPS Transatlantic Seminar:

The Foundation for European Progressive Studies (FEPS) together with its partners in the project – SOLIDAR foundation, Policy Network, Foundation Jean Jaurès and Renner Institut – held on 14th October 2014 in Washington D.C. a seminar devoted to the question of Transatlantic Trade and Investment Partnership (TTIP) and the potential Progressive way forward.

This one-day seminar followed the meetings held by FEPS earlier in the year (initial exchanges in Washington D.C. and New York in February 2014, as also High Level Dinner organised in Brussels in presence of the main EU negotiator Ignacio Garcia Berceo) and its programme was designed in order to advance alongside 5 lines:

- *Just and equitable international policies for a New Global Deal?*
- *A new geostrategic EU-US partnership to regulate global financial capitalism?*
- *Common inclusive and sustainable growth based on stable and decent jobs creation?*
- *The costs, benefits and opportunities of further trade in goods and services?*
- *A new understanding of transatlantic progressivism; a new social contract?.*

The activity gathered over 60 participants from both sides of the Atlantic. Among the EU delegates, there were MEPs and officials from respectively the S&D Group in the EP and Global Progressive Forum (GPF); the representatives from the Party of European Socialists (PES) and its member parties; as also members of the organisations that are either represented or consulted by the European Commission within the negotiations' process (ETUC, EPHA etc.). As for the US side, the speakers from AFL-CIO attended the event alongside with renowned academics from the East Coast Ivy League Universities and representatives of Center for American Progress (CAP).

The debate was inaugurated by the speech of Massimo D'Alema (FEPS President and the former Prime Minister of Italy), Björn Lyrvall (Ambassador of Sweden in the US) and Ernst Stetter (Dr, FEPS Secretary General). Subsequently, the discussion framed within two building blocks, each looking respectively at the economic and socio-political dimensions. Each of the themes were introduced by keynote speakers Robert Kuttner, Co-Founder and Co-Editor, The American Prospect David Martin, Member of European Parliament, INTA Coordinator), whose interventions were followed by a lively round table (moderated respectively by: Agnes Jongerius, Member of the European Parliament; and Damon A. Silvers, Director of Policy and Special Counsel, AFL-CIO). The additional background material featured four articles provided by (in alphabetical order): Pierre Defraigne (Professor, Director of Madariaga College), Ania Skrzypek (Dr., FEPS Senior Research Fellow), Sergei Stanishev (President of PES, MEP and the former Prime Minister of Bulgaria), and Mario Telo (professor emeritus at Université Libre de Bruxelles). Last but not least,



the closing remarks were offered by Kevin Gallagher (Professor of International Relations, Boston University)¹.

The outcomes of the debate are the **“TTIP – from *Wavering* to *Standing 10 steps forward*”**. They are meant as thought-provoking suggestions, which eventually may be worth further consideration and action, particularly for the European Progressive family.

¹ The seminar was also followed by [comments offered by Dr. Giovanni Cozzi](#), FEPS Economic Advisor.