



Guidelines for international trade policy

DIHK Strategy Paper 2024

DIHK

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DIHK Berlin

Postal address: D-10178 Berlin | House address: Breite Straße 29 | Berlin-Mitte
Phone: 030 20308-0 | Telefax: 030 20308-1000

[Homepage](#) | [Facebook](#) | [X \(Twitter\)](#) | [LinkedIn](#) | [Instagram](#) | [Youtube](#)

Editors

Klemens Kober, Melanie Vogelbach, DIHK

Graphic Design

Friedemann Encke, DIHK

Picture credits

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Who we are

Under the umbrella of the German Chamber of Industry and Commerce (DIHK), the 79 chambers of industry and commerce (IHKs) have joined forces. Our common goal is to optimize the conditions for successful business operations.

At the federal and European levels, the DIHK advocates for the interests of the entire commercial economy in relation to politics, administration, and the public.

Several million businesses in trade, industry, and services are

statutory members of the IHKs, ranging from kiosk owners to DAX-listed corporations. As a result, the DIHK and the IHKs serve as a platform for the diverse concerns of businesses. We consolidate these concerns through a regulated process based on legal foundations to form common positions of the business community, thereby contributing to the economic policy opinion-forming process.

Furthermore, the DIHK coordinates the network of foreign chambers of commerce with more than 150 locations in 93 countries.

Guidelines for international trade policy DIHK Strategy Paper 2024

The Russian war of aggression against Ukraine is a turning point for Germany and Europe. But globalization has been changing well before 24 February 2022: Geopolitical and technological changes, sustainability requirements, energy crises, increasing protectionism and the erosion of multilateral regulations are fundamentally changing the international division of labour. The internationally highly interconnected German economy is directly affected by this: One in four German jobs depends on foreign trade, and in industry it is even one in two.

Protectionism does not create jobs. Free trade and openness for investment remain crucial means of maintaining and increasing prosperity. That is why the commitment to open markets and good trade rules must continue to shape the political agenda – both inside and outside the EU. At the same

time, Europe must prepare itself for an increasingly decoupled global economy and become more sovereign. With a view to the European elections in 2024, the EU trade strategy has to be updated for the new global situation and placed on top of the agenda of the new EU Commission. Only with an EU that is determined and united in this area will our companies have an audible voice when competing internationally.

Open markets and rules-based international trade are a key driver for prosperity and employment in Germany, Europe and the world. EU trade policy should support companies in expanding their global competitiveness, counter protectionism, secure supply chains through multilateral rules wherever possible and represent EU economic interests in a more sovereign manner.

Trade policy guidelines from a business perspective

1. Competitiveness and openness instead of isolation
2. Economic security without managed trade
3. Multilateralism first – Reform the WTO
4. Supply chain diversification through trade agreements
5. Opening up new markets and removing trade barriers
6. SME-Focus: Think Small First
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8. Modern customs: Digital and unbureaucratic
9. Shaping sustainability effectively
10. Focus on Transatlantic Partnership, Indo-Pacific and EU neighbourhood

1. Competitiveness and openness instead of isolation

The US Inflation Reduction Act is a wake-up call for an overdue EU competitiveness agenda.¹ Instead of mirroring isolationist measures, Europe should strengthen its economic attractiveness primarily by improving the general conditions for doing business – for example by reducing bureaucracy and investing in innovation, research and education.² Instead of entering a global subsidies race through new EU debt, investment incentives are needed across the board – in particular through competitive taxation with modern depreciation rules. As far as competition law is concerned, German industry believes that it should protect competition – not individual competitors. Just like the completion of the internal market through the removal of internal market barriers, a targeted European industrial strategy is of great importance for the German economy. All of these policy areas are also relevant to trade policy.³

The internationally highly interconnected German economy relies on global export markets, investments and skilled workers, as well as know-how and imports, particularly in the energy, ICT and raw materials sectors, for trade in goods and services. The global division of labour leads to increased ef-

iciency, which also increases prosperity in Germany and is an important pillar of economic resilience. Protectionism in the form of tariffs and non-tariff trade barriers is an increasing burden on the German economy – both globally and within the EU. Even more protectionism, for example through localization obligations for EU subsidies and the sealing off of the EU procurement market based on the US model, is damaging companies – especially in light of the current geopolitical situation, which makes it necessary to diversify and secure global supply chains. According to a study by the Peterson Institute, the US Buy America requirements are equivalent to a 26% import tariff, which costs US taxpayers over USD 100 billion per year and therefore damages US competitiveness.⁴ The EU should not follow this example. The highly internationalized German economy is dependent on an economically sovereign Europe that advocates open markets and practicable rules for trade and investment internationally and keeps its own market open. The next trade strategy of the new EU Commission after the European elections in 2024 should strongly defend the openness aspect against protectionist demands in the further development of the guiding principle of “Open Strategic Autonomy”.

2. Economic security without managed trade

The coronavirus pandemic and the Russian war of aggression against Ukraine have highlighted the vulnerability of supply chains to external shocks. Both events underline the need to analyse and reduce strategic dependencies more closely. According to the EU Commission, this includes six percent of EU imports (137 products), many of which relate to China.⁵ The business community is also more aware than ever of the geopolitical risks posed by strategic dependencies on China.⁶ It is therefore good that the EU is addressing this issue through its new economic security strategy and pushing for a stronger European strategic orientation. The focus should be on the two pillars of “promoting EU competitiveness” and “Partnering on economic security” with key partners. The business community should be closely involved in the common EU framework for economic security risk assessment. At the same time, economic decoupling from China should not be encouraged. Instead, German-Chinese supply chains should gradually become more diversified, thereby reducing existing risks: Diversification and de-risking instead of decoupling. According to the Kiel Institute, decoupling measures could reduce German real income by up to 6.9% (€236.7 billion).⁷

Companies are dependent on an EU that speaks with one voice and is internationally sovereign in order to represent European economic interests. The Brexit negotiations, for example, have shown how powerful a united EU can be. The aim of an EU strategy for economic security must be to support companies in making their supply chains resilient and sustainable. Supply chains are established structures and cannot be changed overnight. It should be noted that German foreign trade is already globally diversified in terms of trading partners and production locations.

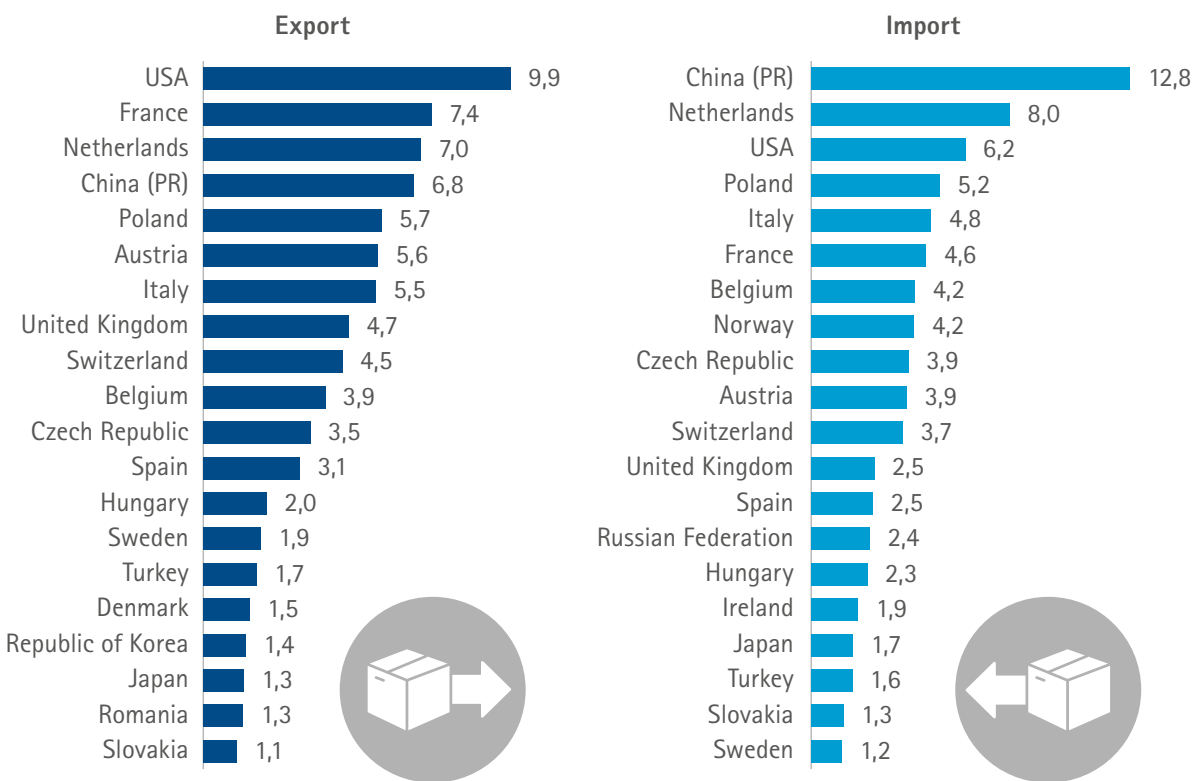
During the coronavirus pandemic, many companies have responded to supply chain disruptions by diversifying and, in some cases, increasing their stock levels in order to reduce their risks. Such changes to supply chains should generally remain business decisions. Measures that move in the direction of “managed trade” – i.e. state-controlled trade – should be viewed very critically from the perspective of the German economy. This applies in particular to diversification obligations and production targets as part of the EU Green Deal Industrial Plan. Instead, the state should support companies

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Share of German exports and imports by country

(in percent, data for the year 2022)



The TOP 20 trading partners together account for around 80 percent of total trade (exports: 79.7% / imports 78.9%), source: Federal Statistical Office, own presentation

in identifying risks and diversifying their supply chains. With regard to the EU's strategic dependencies, the suspension of economically damaging customs barriers and the review of trade defence measures are necessary.

Global investment flows are crucial for the highly internationalized German economy.⁸ State intervention in the free movement of capital and the basic right to property therefore takes place in an area of economic policy tension. In matters of national security, the primacy of politics applies. However, over-regulation and too strict an emphasis on economic security threaten capital inflows and thus economic growth and jobs. The introduction of screenings for German foreign investments in the form of direct investments (so-called outbound investment screening) would be a further encroachment on entrepreneurial freedom and a

step towards state-led foreign trade. From the point of view of the German economy, this should therefore be avoided as far as possible. In sanctions policy, it is also important to closely consider economic policy consequences in the decision-making process. The regulations should be balanced, precisely formulated and practicable. A regular review of their effectiveness, proportionality and implementation is essential. At the international level, the EU should strive for close coordination not only in the area of sanctions but also in the area of export controls, and should also take a stronger stance against extraterritorial regulations, also in order to avoid competitive disadvantages for the German economy. There is currently a discussion about the continued existence of international export control regulations. The EU should adhere to the further development of the important Wassenaar Arrangement for dual-use goods and promote

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any additional requirements in the broadest possible international community.

In view of the ongoing erosion of the WTO, the EU needs functioning trade policy instruments to be able to take effective countermeasures to protect companies in the event of unfair competition, for example through WTO-inconsistent subsidies. The interests of industries that rely on imported primary products should be weighed against the legitimate interest in protecting against anti-competitive practices of international trading partners that harm EU manufacturers. In principle, trade defence measures should only be applied as a last resort.

It is important for all measures to involve industry in the decision-making and evaluation processes at an early stage and in a manner appropriate to the situation. The new EU instrument for deterring and preventing coercive economic measures by third countries should be used in a WTO-compliant manner and not encourage new trade conflicts. The EU International Procurement Instrument (IPI), which came into force in 2022, should be used in such a way that it enables German and EU companies to gain access to public contracts in important third countries. A global level playing field requires asking for more reciprocity in trade, for example with regard to restrictive trading partners such as China.

3. Multilateralism first – Reform the WTO

Nearly half of non-European exports by German companies are based solely on WTO rules – which have nevertheless not kept pace with the major economic changes since 1995. The EU should therefore counter the erosion of the WTO and push for its reform as well as more international cooperation regarding sustainability rules. For the export-oriented German economy, a global level playing field and legal certainty in international trade are of paramount importance. Overcoming the fragmentation of the world trade system and developing modern global rules is therefore in the great interest of the German economy.⁹ To this end, rapidly getting the WTO Appellate Body back to work remains the best solution compared to other alternatives: Without this, the WTO rules risk coming to nothing, and the rule of the law will fall victim to might makes right – to the detriment of the affected parts of the economy. Until agreement is reached on the reform of

WTO dispute settlement, the EU should work to ensure that as many countries as possible sign up to the Multi-Party Interim Appeal Arbitration Arrangement (MPIA). Closing loopholes in the WTO rules on industrial subsidies and a global agreement to reduce subsidies for fossil fuels are key. A WTO agreement to remove barriers to trade in healthcare goods should also be agreed quickly to address international health crises as globally as possible.¹⁰ A WTO agenda for micro, small and medium-sized enterprises and agreements on e-commerce, investment facilitation and environmental and environmental goods as well as the expansion of agreements on public procurement and information technology can also facilitate foreign trade for German companies. The 2024 WTO Ministerial Conference should make progress in all of these areas and, in particular, extend the ban on customs duties on electronic transmissions.

4. Supply chain diversification through trade agreements

A sovereign EU needs close economic partners. Comprehensive and ambitious EU agreements to remove trade and investment barriers with Mercosur¹¹, Mexico, and Chile as well as with trading partners in the Asia-Pacific region are necessary to diversify and secure the supply chains of the German economy. In the view of most companies, negotiations with the Gulf states should also be resumed and the outstanding ratifications of EU agreements in Africa should take place quickly in order to create a solid basis for a future agreement with the African Union. With a view to future negotiations, the focus should be on tailor-made formats such as digital partnerships or raw materials agreements that enable negotiations to be concluded more quickly. The reform of the EU's Generalized

System of Preferences should facilitate trade with developing countries instead of making it more difficult. This is because these countries should be much more integrated into the global economy – for example through a global initiative for simplified rules of origin (Global Value Chains for Least Developed Countries). In 2021, 44% of the EU's foreign trade was covered by trade agreements.¹² In view of the ongoing erosion of the WTO, the EU should set itself the goal of significantly increasing this share to create planning security for the economy.

It is particularly important for the EU to encourage third countries to open up their markets comprehensively as regards tariffs, services, public procurement, intellectual proper-

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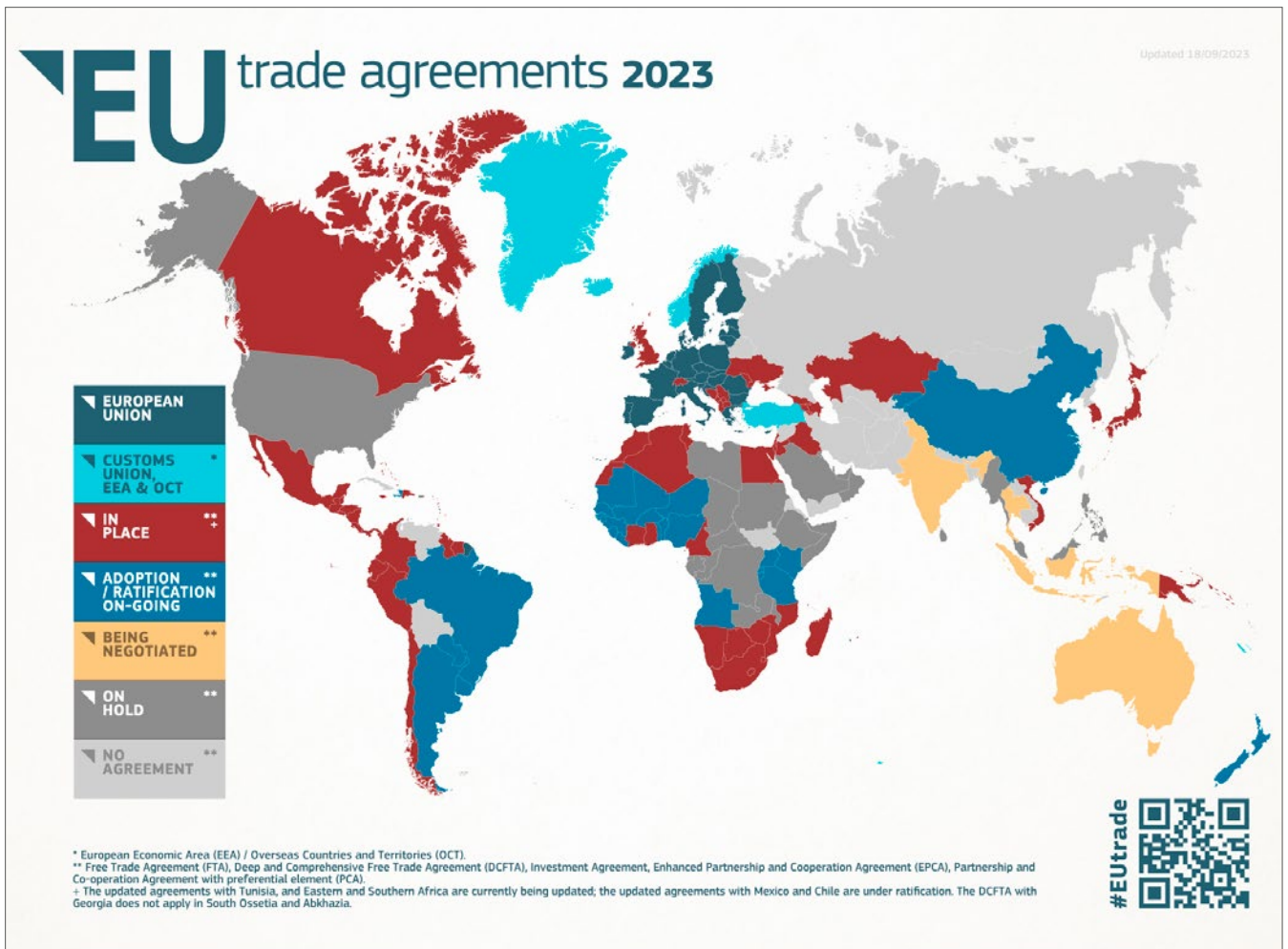


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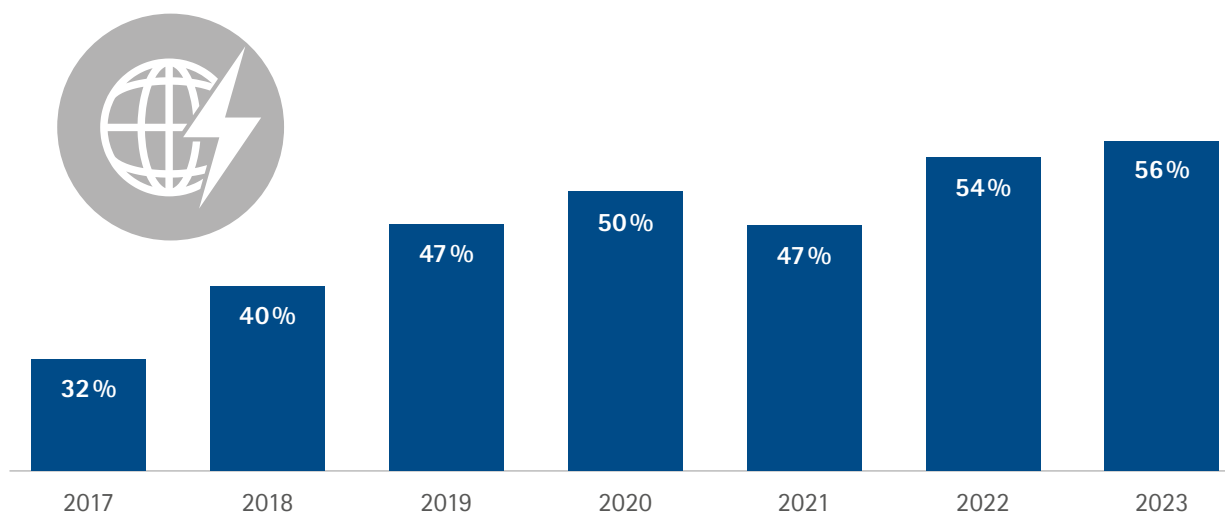
Overview of EU trade agreements: <https://www.consilium.europa.eu/en/infographics/eu-trade-map>

ty, and investment. This means, for example, the abolition of joint venture constraints and an end to discriminatory industrial policies. Effective investment protection also contributes significantly to the success of trade agreements. Raw material agreements with major supplier countries should also counter export restrictions imposed by third countries.

The main priority of the new EU Commission must be the successful implementation of the agreements. The network of chambers of commerce abroad with more than 150 locations in 93 countries and the 79 German chambers of industry and commerce with regional roots create international connections and are competent points of contact for local businesses. This network must also be strengthened within the framework of EU economic diplomacy, which is committed to the principle of subsidiarity, as it can make an important contribution to the concrete implementation of trade agreements. The EU's Global Gateway connectivity strategy should also be more closely aligned with the needs of small and medium-sized enterprises in the EU and partner countries and dovetailed with trade policy. Similarly, diversification and connectivity strategies such as Global Gateway should be aimed at facilitating trade flows instead of restricting and politicizing them through "friendshoring" requirements.

Number of companies affected by increasing trade barriers

in percent



DIHK – Going International 2023:

<https://www.dihk.de/resource/blob/92236/7ce62b483ee5af6c41993df86bc5effb/going-international-2023-data.pdf>

5. Opening up new markets and removing trade barriers

German companies are increasingly suffering from trade barriers and discrimination abroad. In addition to customs duties and export restrictions, these also include non-tariff barriers to trade such as local content requirements, discrimination in government procurement or bureaucratic approval procedures. At the end of 2021, the EU Commission counted 455 official trade barriers from 65 third countries, most of them in China, Russia, and the USA.¹³ Norms and standards can also represent a significant barrier to market entry outside the EU, if European test certificates are rejected. The EU should therefore do more to promote the global recognition of European and international standards worldwide. At the same time, EU regulations should also be reviewed with regard to their possible effect as a barrier to trade with third countries on an ongoing basis. The EU market access strategy, i.e., the dismantling of trade barriers to trade with trading partners, should generally be given much greater prioritized in EU economic policy. It is of great economic, but also systemic importance for the internationally oriented German economy.

Preventing new trade barriers and trade conflicts should be a key priority of trade policy – whether through the work of committees in the WTO or in bilateral trade agreements and arrangements such as the Transatlantic Trade and Technology Council (TTC). These forums should also be used more to reduce existing barriers, especially when it comes to fundamental and economically significant disputes. German industry supports comprehensive and ambitious negotiations to remove trade and investment barriers within the World Trade Organization and between the European Union and its trading partners in bilateral agreements. As a matter of principle, trading partners should be required to ensure that European companies abroad can enjoy the same market access as foreign companies in this country. In particular, the EU should continue to advocate greater reciprocity in trade relations with Germany's most important trading partner, China, to achieve the necessary progress in market access and economic reforms for the economy. Finally, plans for European export credits that help companies to open up global markets can make sense with European added value, but should not duplicate proven German instruments.

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6. SME-Focus: Think Small First

Supporting SMEs should also be an EU priority in international trade. In view of the current global increase in the subsidy race, a committed competition policy for a global level playing field, including for private companies vis-à-vis state-owned enterprises, is increasingly important – especially for small and medium-sized enterprises (SMEs). Efforts by the EU, USA and Japan to close loopholes in the WTO subsidy rules against market distortions by state-owned companies should therefore be advanced quickly. SME-friendly implementation of trade agreements and effective EU trade defence instruments are of

great importance. Every EU trade agreement should include an SME chapter. In addition, a WTO-wide agenda for SMEs is urgently needed to facilitate the integration of SMEs into global value chains. The motto must be: “Think Small First”.¹⁴ This principle, which is already enshrined in EU law, must be applied more strongly in future when implementing new EU regulations in trade. In terms of raw material and supply chain diversification, access for SMEs, particularly from developing countries, for the value chains of European companies should also be promoted.

7. Strengthening digital trade

Future-proof trade rules must take account of the increasing digitalization of global trade. European digital partnerships and the WTO negotiations on an e-commerce agreement can contribute to this. The cross-border flow of data flows must be guaranteed; companies' data and intellectual property must be protected, and standards and norms must be harmonized for digital trade wherever possible. Modern trade rules are needed for the share of services (“Mode 5”) that flows into the production of physical goods. The EU's digital sovereignty should also be strengthened. The promotion of open standards and interoperability that enable international compatibility, as well as resilient digital infrastructures, can reduce vulnerability in the technology sector. European legal standards, such as on data protection, must be safeguarded. Analog and digital:

Discrimination must be prevented by effective notification mechanisms and comprehensive transparency obligations for the states. In particular, state decisions that are made with the help of new technological developments such as algorithms and artificial intelligence must always be made comprehensible and contestable for companies. The EU Commission should focus more on international identification and removal of these digital barriers, but also to the enforcement of fundamental global trade rules in virtual platforms and metaverses with global market power. With a view to future geo-economic challenges in the high-tech sector, the digital sovereignty of the EU and its space capacities, which are central to future areas of the economy, such as autonomous driving, should be strengthened.

8. Modern customs: Digital and unbureaucratic

For trade agreements to be successful, they must be implemented successfully in the respective countries and the EU. Trade agreements must be designed in a practical way, for example through simple rules of origin that are the same in all agreements, higher exemption limits for informal declarations of origin and non-manipulation requirements that reflect modern logistics concepts.¹⁵ The political goal should be a free trade agreement utilization rate of at least 85 percent of foreign trade. The EU origin calculator (ROSA) should be further expanded, especially to support small and medium-sized enterprises in calculating preferential origin. In the event of inconsistent handling of agreements in the individual EU member states, companies should be able to contact a clearing house at the EU Commission. The EU should take on a global pioneering role for digital customs clearance. The most important objectives of the Union Customs Code (UCC), to simplify customs procedures and ensure a uniform and competitive legal framework across the EU, have not yet been sufficiently achieved.¹⁶ The requirements of the Trade Facilitation Agreement to reduce customs bureaucracy have also not been sufficiently implemented. Against this backdrop, the EU Commission's plans to further develop and modernize the EU customs union should be supported in principle. However, any reform will need to ensure that new structures do not

create additional bureaucracy that counteracts the promised administrative simplifications. The design of the UCC should primarily be geared towards the needs of companies. EU customs regulations must therefore be regularly reviewed for opportunities to digitize and reduce bureaucracy. The “single window” for the centralized electronic entry of customs data and documents must also be advanced quickly. Finally, the simplification of the overly complex and fragmented EU customs tariff and a reduction in the numerous different customs rates must be tackled as a matter of urgency to reduce the burden on companies and customs alike. Procedural simplifications should also be available to small and medium-sized companies that will not acquire AEO status or “Trust & Check” trader status. Simplifications that are already possible under the current UCC should be implemented quickly and not postponed to the future with a view to the major reform, the first effects of which are not expected before 2028. Finally, a European clearing system for import VAT is necessary.

9. Shaping sustainability effectively

Also abroad, German companies contribute to higher social and environmental standards, better education and thus to growth and prosperity abroad in the tradition of the model of the honourable merchants.¹⁷ A sustainable transformation of society can only succeed if rules are practicable and strengthen the business location in the long term. It is therefore more important than ever for the German economy that European sustainability ambitions do not become an international competitive disadvantage. In this respect, EU trade policy should increase its clout and ability to conclude bilateral agreements and avoid overburdening itself with non-trade issues. The focus should be on anchoring internationally agreed standards in trade agreements. Unilateral measures are less effective and carry the risk of economically damaging trade conflicts and more protectionism. The EU should therefore increasingly promote regulations in the areas of sustainability, climate and environmental protection or human rights internationally (WTO, OECD, G20, G7, etc.), which would allow these to be applied globally. New trade disputes and competitive disadvantages could thus be avoided. In particular, standardization or at least compatibility of sustainability requirements should be ensured. EU regulations on due diligence obligations in supply chains and the ban on products from forced labour should be designed in

such a way that they offer companies stronger incentives for more sustainable supply chains – even in difficult locations – instead of making trade with more challenging partner countries or regions more difficult across the board.¹⁸ Germany and the EU should work together constructively and in a spirit of trust with developing and emerging countries to support companies there in meeting the requirements of European supply chain regulations. The important issue of effective climate change mitigation requires global solutions and coordinated action by all relevant CO₂-emitting countries. At the same time, companies are dependent on effective and efficient protection against carbon leakage. The international climate club, a trade agreement on minimum standards as regards climate targets, should therefore be implemented quickly with important trading partners in a binding form to avoid trade conflicts and competitive disadvantages.¹⁹ When implementing CBAM, in addition to WTO compatibility, the export side in particular must be clearly protected from competitive disadvantages and the bureaucratic burden must be reduced, for example through an EU CBAM self-assessment tool, feasible reporting obligations, de minimis regulations and the timely provision of a functional reporting tool and import data. SME-friendly guidelines are also necessary.²⁰

10. Focus on Transatlantic Partnership, Indo-Pacific and EU neighbourhood

The transatlantic partnership is of the utmost importance for the German economy. It needs to be strengthened across the board, particularly with regard to market access. The EU should press for European companies to be placed on an equal footing with the US economy when it comes to subsidies under the IRA package. As long as a comprehensive EU-US trade agreement has no prospect of success, an EU-US critical minerals agreement can bring important relief. A transatlantic agreement on mutual recognition for "clean technologies" would also relieve companies of bureaucracy and facilitate trade. A WTO-compliant agreement for duty-free and quota-free trade in steel and aluminium is also relevant. The TTC is of strategic importance and should be used even more by the EU to set the future standards for the digital and green transformation together with the US, instead of becoming a rule-taker itself.

In view of the economic potential, more connectivity with the booming Indo-Pacific region is also a priority. Most companies are in favour of the rapid conclusion of negotiations on trade agreements with Indonesia, Thailand, and Australia. High trade barriers, which exist with India in particular, should be removed through an EU-India agreement. From the perspective of the majority of companies, negotiations on trade agreements with the Philippines and Malaysia should also be restarted and the agreement with New Zealand should be ratified. Building on the bilateral agreements, the EU should aim for an overarching regional agreement with ASEAN to achieve uniform trade rules and open markets for the entire region. Instead of joining agreements such as the Trans-Pacific Partnership (CPTPP) or the Regional Comprehensive Economic Partnership (RCEP) and thus subordinating itself to the rules and standards of competing economic areas, the EU should deepen relations with the participating states through its own agreements and strengthen the importance of European standards on the ground.

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In an increasingly decoupled global economy, the direct neighbourhood is becoming all the more important for the EU. Closest possible institutional tie between the United Kingdom (UK) and Switzerland with the Single Market are of great importance, to prevent new trade conflicts and to limit regulatory divergence. To this end, the EU must assert European economic interests with determination and unity. In particular, cooperation with the UK in the area of foreign policy (sanctions, investment and export controls) should be

expanded and the UK should rejoin the Regional Convention on pan-Euro-Mediterranean preferential Rules of Origin. Modernising the EU-Turkey customs union should also be advanced swiftly. As regards the whole EU neighbourhood, as many countries as possible should be brought closer to the Single Market. In order to strengthen economic ties with EU-accession candidates in Eastern Europe and the Balkans, that are not yet in a position to join, the European Economic Area should be given a greater focus.

Further information

(corresponds to the QR codes in the document)

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- 1.) DIHK-Stellungnahme: Wie sollte die EU auf den „Inflation Reduction Act“ reagieren? (in German only)
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- 2.) DIHK-Stellungnahme: Die Wettbewerbsfähigkeit Europas sichern (in German only)
-
- 3.) DIHK: Europapolitische Positionen 2023 (in German only)
-
- 4.) Peterson Institute for International Economics: For Inflation Relief, the United States Should Look to Trade Liberalization
-
- 5.) EU-Kommission: Staff working document on strategic dependencies
-
- 6.) DIHK survey: AHK World Business Outlook Spring 2023
-
- 7.) Institute for the World Economy: Decoupling Europe
-
- 8.) DIHK survey: Foreign Investment of German Industry 2023 – Special Report of the DIHK Economic Survey February 2023
-
- 9.) DIHK-Stellungnahme: 12. WTO-Ministerkonferenz – Eine Checkliste der Wirtschaft (in German only)
-
- 10.) DIHK statement: Idea Paper Extension WTO Pharmaceutical Agreement
-
- 11.) DIHK-Stellungnahme: EU-Mercosur Abkommen (in German only)
-
- 12.) European Commission: Annual report 2023 on trade agreements
-
- 13.) European Commission: Annual report 2023 on trade agreements
-
- 14.) DIHK Statement: 12th WTO Ministerial Conference – Time for MSMEs
-
- 15.) DIHK Statement: Modern trade agreements – proposals to increase the utilization rates of preferential tariffs
-
- 16.) DIHK Statement: Simplifications in EU customs law – relief for business and customs administration
-
- 17.) DIHK-Stellungnahme: Die UN-Nachhaltigkeitsziele erreichen – Perspektive der Wirtschaft (in German only)
-
- 18.) DIHK-Stellungnahme: Vorschlag für eine „Richtlinie über die Sorgfaltspflichten von Unternehmen im Hinblick auf Nachhaltigkeit und zur Änderung der Richtlinie (EU) 2019/1937“ (in German only)
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- 19.) DIHK-Stellungnahme: G7-Präsidentschaft nutzen, um einen Klimaclub voranzubringen (in German only)
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- 20.) DIHK-Stellungnahme: Umsetzung des 'EU CO₂-Grenzausgleichsmechanismus' (in German only)



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