



Council of the
European Union

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within the Trade Committee established by the Free Trade Agreement between the European Union and New Zealand as regards amendments to that Agreement concerning fundamental principles and rights at work

COUNCIL DECISION (EU) .../...

of ...

**on the position to be taken on behalf of the European Union
within the Trade Committee established by the Free Trade Agreement
between the European Union and New Zealand
as regards amendments to that Agreement concerning fundamental principles
and rights at work**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Free Trade Agreement between the European Union and New Zealand ('the Agreement')¹ was concluded by the Union by means of Council Decision (EU) 2024/244² and entered into force on 1 May 2024.
- (2) Pursuant to Article 24.2(2), point (i), of the Agreement, the Trade Committee established by Article 24.1(1) of the Agreement is able to adopt decisions to amend the Agreement. Pursuant to Article 24.3, point (j), of the Agreement, the Trade Committee is able to adopt decisions to amend Article 19.3(3) and (4) of the Agreement, which concern multilateral labour standards and agreements.
- (3) Pursuant to Article 19.3(4) of the Agreement, the Trade Committee is able to adopt, no later than at its first meeting, a decision to amend Article 19.3(3) of the Agreement to reflect the inclusion of a safe and healthy working environment in the framework of fundamental principles and rights at work of the International Labour Organization (ILO).

¹ OJ L, 2024/866, 25.3.2024, ELI: http://data.europa.eu/eli/agree_international/2024/866/oj.

² Council Decision (EU) 2024/244 of 27 November 2023 on the conclusion, on behalf of the Union, of the Free Trade Agreement between the European Union and New Zealand (OJ L, 2024/244, 28.02.2024, ELI: <http://data.europa.eu/eli/dec/2024/244/oj>).

- (4) The Trade Committee, during its first meeting, is to adopt a decision to amend Article 19.3(3) of the Agreement in order to add a safe and healthy working environment to the list of fundamental principles and rights at work in that Article in line with Resolution I³ adopted on 10 June 2022 by the 110th International Labour Conference. The reference to the ILO Declaration on Fundamental Principles and Rights at Work in Article 19.3(3) of the Agreement should also be updated in order to align it with the most recent amendment to that Declaration.
- (5) Following the amendment to be made to Article 19.3(3) of the Agreement, the statement in the footnote to Article 19.3(5) that all Member States have ratified the fundamental conventions of the ILO will become obsolete. It is therefore appropriate to delete that footnote.
- (6) It is appropriate to establish the position to be taken on the Union's behalf within the Trade Committee, as the decision of the Trade Committee as regards amendments to the Agreement concerning fundamental principles and rights at work will be binding on the Union.
- (7) The position of the Union within the Trade Committee should therefore be to support the adoption of the attached draft decision of the Trade Committee,

HAS ADOPTED THIS DECISION:

³ Resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work (ILC.110/Resolution I) https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_norm/%40relconf/documents/meetingdocument/wcms_848632.pdf.

Article 1

The position to be taken on the Union's behalf at the first meeting of the Trade Committee established by Article 24.1(1) of the Free Trade Agreement between the European Union and New Zealand shall be based on the draft Decision of the Trade Committee attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at ..., ...

For the Council

The President
