

Das Kapitel zu Arbeitsstandards im EU-Mercosur Abkommen

- Teil des nicht-sanktionierbaren Nachhaltigkeitskapitels
- Arbeitsstandards als potentielle „Handelsbarrieren“ betrachtet
- Unverbindliche Wortwahl „soll“, „unternimmt Anstrengungen“...



Artikel 4 - Multilateral Labour Standards and Agreements

Wichtige Paragraphen:

2. The Parties reaffirm their commitment to **promote the development of international trade in a way that is conducive to decent work for all**, including for women and young people.
3. ...each Party shall **respect, promote and effectively implement the internationally recognised core labour standards**, as defined in the fundamental ILO Conventions, which are:
 - a) Freedom of association and the effective recognition of the right to collective bargaining; (b) The elimination of all forms of forced or compulsory labour; (c) The effective abolition of child labour; and (d) The elimination of discrimination in respect of employment and occupation.
4. Each Party **shall make continued and sustained efforts towards ratifying the fundamental ILO Conventions**, Protocols and other relevant ILO Conventions to which it is not yet Party and that are classified as up-to-date by the ILO.
9. Recalling the ILO Declaration of Fundamental Principles and Rights at Work of 1998 and the ILO Declaration on Social Justice for a Fair Globalisation of 2008, the Parties note that **the violation of fundamental principles and rights at work cannot be invoked or otherwise used as a legitimate comparative advantage and that labour standards should not be used for protectionist trade purposes**.
10. Each Party shall **promote decent work as provided by the Declaration on Social Justice for a Fair Globalization of 2008** adopted by the International Labour Conference at its 97th Session. Particular attention shall be paid by each Party to:
 - a) developing and enhancing measures for occupational safety and health, including compensation in case of occupational injury or illness, as defined in the relevant ILO Conventions and other international commitments;
 - b) decent working conditions for all, with regard to, inter alia, wages and earnings, working hours and other conditions of work;
 - c) labour inspection, in particular through effective implementation of relevant ILO standards on labour inspections.
 - d) non-discrimination in respect of working conditions, including for migrant workers.
11. Each Party shall ensure that administrative and judicial proceedings are available and accessible in order to permit effective action to be taken against infringements of labour rights referred to in this Chapter.

→ Paragraph 10 wird in **Artikel 12 “Other Trade and Investment-related Initiatives Favouring Sustainable Development”** nochmals wiederholt

Article 13 Working together on trade and sustainable development

The Parties recognise the importance of working together in order to achieve the objectives of this Chapter. They may work together on inter alia:

(a) labour and environmental aspects of trade and sustainable development in international fora, including in particular the WTO, the **ILO**, UNEP, UNCTAD, High-level Political Forum for Sustainable Development and multilateral environmental agreements (MEAs)

(b) **the impact of labour and environmental law and standards on trade and investment;**

(c) **the impact of trade and investment law on labour and the environment;**

...

as well as trade-related aspects of:

(e) **the implementation of fundamental, priority and other up-to-date ILO Conventions;**

(f) **the ILO Decent Work Agenda**, including on the inter-linkages between trade and full and productive employment, labour market adjustment, core labour standards, decent work in global supply chains, social protection and social inclusion, social dialogue, skills development and gender equality;