

ETUC – RENGU Joint Statement on EU-Japan Free Trade Agreement negotiation

1. The EU-Japan Free Trade Agreement negotiations were officially launched on 25 March 2013. The EU and Japan are major trading partners for each other. Together the EU and Japan account for about thirty percent of the world's GDP.
2. Regarding the EU-Japan Free Trade Agreement which is currently under negotiation, the European Trade Union Confederation (ETUC) and the Japanese Trade Union Confederation (RENGO) demand a commitment from the European Union and Japan to achieve a “gold standard” agreement that contributes to the creation of decent jobs and guarantees the right to regulate for both Parties.

Transparency

3. We believe that further steps are needed to enhance transparency in order to increase the legitimacy of the negotiations in the eyes of the public. We ask the negotiators to conduct their work as openly as possible. The establishment of consultation mechanisms involving social partners and more proactive disclosure of documents is needed.

Labour Rights

4. We call for the ratification and full implementation of ILO Conventions including but not exclusively the Core Labour Standards and the implementation of the ILO Decent Work Agenda, which is composed of 4 pillars:
 - i) promoting employment,
 - ii) social protection,
 - iii) promoting social dialogue, and
 - iv) fundamental principles and rights at work.
5. While all EU member states have ratified eight Fundamental Conventions, Japan should immediately ratify two unratified Conventions, namely (C105 - Abolition of Forced Labour Convention and C111 - Discrimination Convention) and fully implement ratified Conventions, for example by restoring fundamental rights for public employees. Labour protections should be mainstreamed throughout the agreement and not be circumscribed within the Sustainable Development Chapter.
6. We deem it necessary that the Agreement should incorporate effective labour enforcement provisions. A monitoring mechanism including the Social Partners and Civil Society representatives should be included. In this respect ILO supervisory bodies can play a role.

Investment

7. There is a need to include the responsibilities of investors in the Agreement in a way that is consistent with the OECD guidelines for Multinational Enterprises; the ILO tripartite declaration of the principles concerning multinational enterprises and social policy; and the UN guiding principles on business and human rights. We also ask that National Contact Points be adequately trained, staffed and funded to meet the highest standards and that they better coordinate their work.

8. Negotiators should not agree to include an Investor-to-State Dispute Settlement (ISDS) mechanism into the Agreement which would infringe the rights of governments and other public institutions of both the EU and Japan to legislate in relation to workers' rights, public services, welfare and the environment. . We believe that all investors should be treated equally.

Public Services

9. We demand a clear exclusion from the scope of the Agreement of public services.
10. Otherwise, negotiations on these areas could lead to unwanted and irreversible privatisation of public services and lowering of social, environmental and health standards. A positive list must be adopted to avoid opening liberalization to services not explicitly listed.

Public Procurement

11. Negotiators must ensure that governments have the opportunity to adopt socially and environmentally responsible procurement policies; procurement provisions should not prevent governments from addressing societal and environmental needs and the agreement must not restrict the ability to make social demands. In addition, ILO Convention 94 regarding labour clauses in public contracts must be incorporated into the Agreement.

Non-tariff Measures

12. The standards currently set out in non-tariff measures, including those on vehicle safety, food safety, processed foods, medical equipment and pharmaceuticals, should not be undermined and should remain under the control of democratically elected representatives. Easy review of those standards could shake the foundation of a safe and reliable society.

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