

# Aotearoa New Zealand's Trade and Labour Framework





## Context

**Trade agreements are an important driver for sustainable growth in Aotearoa New Zealand and in partner countries. However, trade agreements are not ends in themselves. Aotearoa New Zealand's key aim is for trade agreements to improve standards of living for people while ensuring their environments are protected and climate outcomes achieved in partner countries, as well as across global supply chains.**

In so doing recognising the sovereign right of Aotearoa New Zealand to determine its own labour priorities and policies, and to regulate in pursuit of these in line with our international obligations. Also ensuring Trade for All outcomes, including through working with Māori and other Indigenous Peoples.

Trade and labour are fundamentally linked. Tradeable goods and services are a product of labour and Aotearoa New Zealand expects that labour rights and labour standards will be addressed in, and not be undermined by, our trade relationships. Labour provisions in free trade agreements help ensure that labour is not exploited for economic benefit.

Trade and labour outcomes can be mutually reinforcing. Aotearoa New Zealand therefore places a high value on ensuring that ambitious and effective trade and labour provisions in free trade agreements are pursued as part of our trade policy with the intent that this will help enhance the conditions in which people work now and into the future. Our framework-based approach to integrating labour issues in our free trade agreements dates from 2001 and reinforces our long-standing commitments and obligations as a member of the International Labour Organization (ILO).

This Framework refreshes and replaces the 2001 Framework for Integrating Labour Issues into Free Trade Agreements and provides a principles-based approach for negotiators in relation to Aotearoa New Zealand's trade and labour policy and positions. The principles within the Framework are consistent with and support the Sustainable Development Goals (SDGs) 2030.

## Aotearoa New Zealand's objectives for trade and labour policy

Each free trade negotiation that Aotearoa New Zealand engages in will pursue labour issues and labour rights, including through;

- Taking a coherent and coordinated approach to ensure that trade agreements are crafted and implemented in ways that reinforce, and do not undermine, full and productive employment based on respect for international labour rights and standards and the promotion of decent work for all people;
- Working with Māori as Treaty of Waitangi/ Te Tiriti o Waitangi partners to ensure that Treaty/Tiriti obligations, rights and aspirations are supported and that Māori interests are understood, advanced and protected;
- Recognising and reflecting Māori concepts of manaakitanga and kaitiakitanga in the negotiation and implementation of free trade agreements;
- Promoting effective engagement with Māori, the Government's social partners – New Zealand Council of Trade Unions and Business New Zealand – and civil society partners on labour issues throughout the negotiation and implementation of free trade agreements.

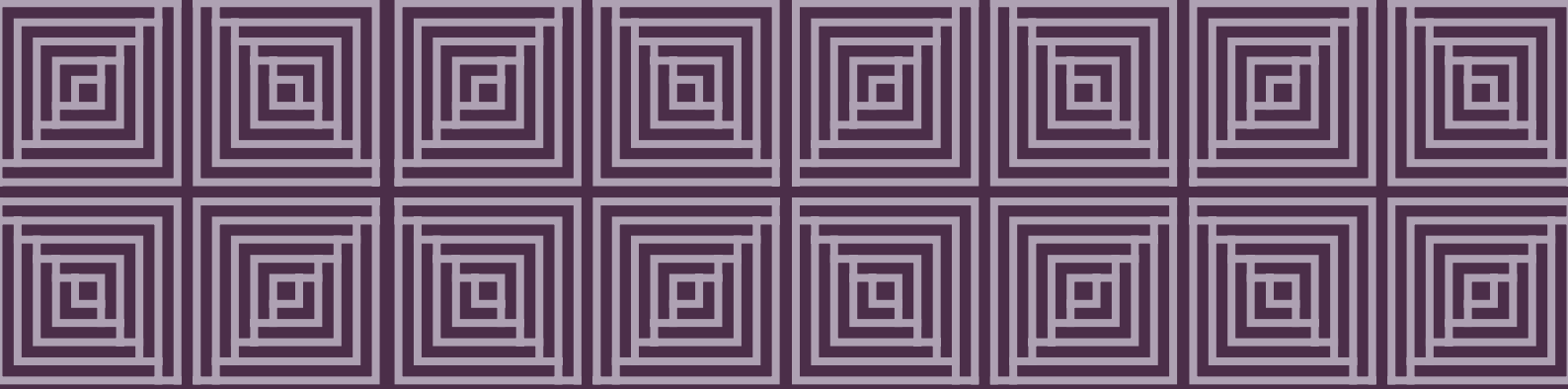
## Aotearoa New Zealand's approach to labour in trade agreements

Each free trade negotiation that Aotearoa New Zealand engages on will seek to reinforce International Labour Organization (ILO) member commitments, and address labour rights and labour issues, including through the;

- Protection of Aotearoa New Zealand's ability to fulfil its obligations to Māori under the Treaty of Waitangi/ Te Tiriti o Waitangi;
- Recognition and support of the principles and rights contained in the 1998 ILO Declaration of Fundamental Principles and Rights at Work, as amended in 2022<sup>1</sup>, to be respected, promoted and realised in the laws of each Party, namely;
  - freedom of association and the effective recognition of the right to collective bargaining.
  - the elimination of all forms of forced or compulsory labour.
  - the effective abolition of child labour.
  - the elimination of discrimination in respect of employment and occupation.
  - a safe and healthy working environment.
- Recognition that violations of labour rights cannot be claimed or used as a form of comparative advantage, but that labour standards should be non-discriminatory, and not used for protectionist trade purposes;
- Recognition that it is inappropriate to encourage trade or investment through weakening labour provisions, or waiving, derogating from, or failing to enforce labour laws;
- Promotion of the ILO Decent Work Agenda, through laws, policies and practices, as outlined in the 2008 ILO Declaration on Social Justice for a Fair Globalisation;

<sup>1</sup> Including any future amendments that may be made to the Declaration that establish new fundamental labour principles and rights.

- Promotion of trade and labour provisions relating to combatting discrimination and promoting gender equality and inclusion;
- Promotion of cooperation, sharing information and best practice, and identifying areas of alignment to prevent Forced Labour and Modern Slavery in supply chains;
- Promotion of trade and labour provisions that reflect current and emerging issues relevant to the world of work. Examples may include encouraging responsible business conduct, the protection of vulnerable workers such as migrant workers, combatting workplace harassment, amongst other emerging labour market issues;
- Effective mechanisms for the resolution of any issues raised by the Parties to trade agreements over the operation of labour provisions or a failure to meet labour obligations under the trade agreement, which may include recourse to the Dispute Settlement provisions of the Agreement;
- Provision for a periodic review of labour outcomes, including the engagement Māori, social partners and civil society partners;
- Provision for the engagement with Māori, social partners and civil society partners in the operation of labour provisions of the Agreement.



**Te Kāwanatanga o Aotearoa**  
New Zealand Government

# MFAT

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