



Civil Society Forum under the EU-Korea FTA

The Civil Society Forum under the EU-Korea Free Trade Agreement
4th meeting, Seoul, 10 September 2015

CONCLUSIONS

issued by the co-chairs,

Mr Hoi-Seong Jeong, Dr Kiu Sik Bae and Mr Thomas Jenkins

The Civil Society Forum (CSF) under the EU-Korea Free Trade Agreement held its fourth meeting in Seoul, on 10 September 2015. It was co-chaired by Mr Hoi-Seong Jeong (President of the Institute for the Environment and Civilization), Dr Kiu Sik Bae (Korea Labour Institute) and Mr Thomas Jenkins (European Trade Union Confederation).

The meeting provided the EU side with an opportunity to welcome the new Korea DAG Chair and to look forward to continuing their fruitful cooperation. For the EU DAG, it was the last EU-Korea CSF meeting under its current mandate and therefore an occasion to emphasise the progress achieved in a dialogue and cooperation with the Korea DAG since June 2012.

The Civil Society Forum was preceded by a workshop on labour-related aspects held on 9 September with a discussion on fixed-term contracts and minimum wages.

In line with the established practice, the Forum started with a briefing by the co-chairs of the Trade and Sustainable Development Committee (TSDC) who reported on the outcomes of their discussions the day before and shared with the CSF members suggestions concerning areas for future work and analysis by the CSF. On this occasion, it was also noted that the CSF co-chairs had the opportunity to participate in part of the TSDC meeting and to provide an update on activities undertaken by both DAGs and CSF since the last meeting in December 2014. It was also noted with approval that a representative of the International Labour Organisation (ILO) had addressed the TSDC.

Labour standards

Further to discussion in Brussels in December 2014 and the ensuing CSF conclusions, the Forum discussed with the ILO representative recent developments in the area of the core labour standards in Korea and ways to approach legislative and practical aspects related to the promotion of freedom of association and the right to collective bargaining, and to prohibition of forced labour, so as to open the way for Korea's move towards ratification and effective implementation of the ILO fundamental conventions in both areas.

The CSF members welcomed agreement at the TSDC meeting about launching a joint EU-Korea project on labour standards (with a particular emphasis on implementation of the ILO No. 111 Non-Discrimination Convention) and expressed hope that the project would start in 2016.

Based on discussions, the CSF:

- Calls on the Parties to continue the preparation of a joint project on labour standards with a view to launching it in 2016 and recommends development of similar projects dedicated to other ILO fundamental conventions, including on freedom of association and the right to collective bargaining. In this context, employers and workers members of the CSF wish to contribute to preparation and implementation of such projects.
- Recalls that at their last meeting in December 2014, the CSF welcomed the commitment of the Parties to prepare "texts setting out progress to date and further intended steps toward ratification of ILO fundamental and other up-to-date conventions" and asked that the two DAGs are involved in development of this text along with the time line. In this context, the CSF notes that the texts have been prepared and shared with the CSF, expresses however its disappointment with the lack of progress and concrete steps in particular regarding ratification and effective implementation of the ILO fundamental conventions and urges the Parties to renew their efforts in that direction. Korea's agreement expressed at the TSDC to prepare and share with the TSDC and the CSF before its next meeting, texts setting out intended concrete steps towards removing remaining obstacles for ratification of the core ILO Conventions is a welcome move.
- Asks the Korean Government to engage constructively in a dialogue with representatives of employers and workers to discuss and find ways to address remaining legislative and practical shortcomings, in particular the issues identified by the ILO supervisory mechanism, and to ratify the remaining ILO fundamental conventions, notably Nos 29 and 105 (prohibition of forced labour), as well as Nos 87 and 98 (freedom of association and the right to collective bargaining). The CSF also calls on EU Member States and Korea to effectively implement all fundamental ILO conventions.
- Reaffirms that the promotion and consolidation of social dialogue, in particular through the guarantee of free expression, association and assembly, will facilitate the ratification of the ILO fundamental conventions by Korea, as well as their effective implementation by Korea and the EU Member States.
- Stresses that the ILO, due to its mandate, tripartite structure and expertise, is best placed to provide assistance for its member states in improving their record in ratification and implementation of, in particular, the fundamental conventions; and calls on the Korean Government to seize this opportunity and to use technical assistance of the ILO experts.. The experience of the new EU Member States in effective implementation of the ILO conventions should be considered.
- Decides to continue its discussion and work in this area.

Corporate Social Responsibility (CSR)

The Forum discussed CSR based on delivered presentations. The EU DAG provided information about the EU and international initiatives in the area of CSR, as well as EU-led international initiatives for the Ready-Made-Garment sector in Bangladesh (developed further to the Rana Plaza building collapse in 2013) and encouraged the Korean companies sourcing in Bangladesh to consider joining the private sector-led initiatives, such as the Accord on Fire and Building Safety, with a view

to contributing to the improvement of labour rights, health and safety at work, as well as building safety standards in Bangladesh.

The Korea DAG delivered a presentation on international developments on CSR, the CSR policy and practice in Korea, as well as CSR practice of chosen Korean companies operating in Europe and European companies operating in Korea.

The Forum followed also the presentation delivered by the representative of the Korean National Contact Point (NCP) established under the OECD Guidelines for Multinational Enterprises about the NCP structure and operation, including processing of submitted complaints.

The CSF:

- Recalls that in the UN 2030 Agenda for Sustainable Development and accompanying documents (to be adopted at the UN Summit in New York in September 2015), responsible business conduct practices had been acknowledged as contributing to sustainable development in developed and developing countries alike and expresses the view that there is scope for further discussion and cooperation, and exchange of best practice on CSR between the EU and Korea DAG, with a view to contributing to sustainable development in the EU, Korea and third countries.
- Agrees to continue at its meeting in 2016 discussion about CSR policy and practice, including exchange of information and experience with regard to:
 - environmental aspects of CSR;
 - National Action Plans (NAP) to implement the UN Guiding Principles on Business and Human Rights;
 - structure and operation of the NCPs under the OECD Guidelines for Multinational Enterprises, as well as complaint processing procedure; the presentation of the Korean NCP highlighted the importance of constructive engagement of NCPs with the CSF.
- Invites the EU DAG to consider organizing a workshop on CSR, including environmental and human rights aspects, back-to-back to the CSF meeting in 2016.
- Encourages the European and Korean enterprises to increasingly include into their operation the CSR practices, such as those laid down in the OECD Guidelines for Multinational Enterprises and other national and international instruments. This includes reporting on environmental, social and governance aspects, traceability along the supply chains, respect for environmental and labour standards, human rights and others; encourages also small and medium-sized enterprises (SMEs) to follow, according to their capacities.
- Expresses its interest to be involved in a further discussion on a proposed joint EU-Korea project on CSR (as discussed by the Trade and Sustainable Development Committee).

Civil society contribution to climate change policy

Based on presentations of both DAGs, the Forum discussed civil society contribution to development and implementation of the climate change and energy policy and GHG emission reduction efforts at the respectively national level (in Korea), as well as at the EU and international level. The CSF members followed also a presentation delivered by the representatives of the Metropolitan City of Seoul outlining policy and measures taken in the area of climate change and energy policy.

In this regard, the CSF:

- Stresses that positions expressed and measures taken by civil society, as well as local authorities, including cities, from the EU and Korea will form their contributions to the international efforts in the reduction of greenhouse gas emissions, notably with a view to the upcoming meetings of the parties under the UN Framework Convention on Climate Change and work on a new legally binding instrument.
- Encourages exchange of information and good practice, as well as cooperation between the EU and Korea civil society on climate change under the EU-Korea FTA and in other forums.
- With regard to its next meeting, considers useful continuing discussion on aspects related to climate change and energy policy, as well as environment, e.g. chemicals or waste management, involving experts in these fields.

Programme for further work of the DAGs and the CSF

Based on the EU DAG's proposal and in line with Article 13.10 of the EU-Korea FTA, the CSF agreed to discuss at the next CSF meeting impacts of the EU-Korea FTA on chosen sectors. This could include one or more case studies to be prepared by each of the DAGs. In this context, the EU DAG will explore the possibility of using financial support from the EU Partnership Instrument for joint DAGs' activities, such as seminars, involvement of additional experts or preparation of analysis or studies.

Both DAGs will consider further discussion on non-discrimination in employment. Both DAGs are also interested in contributing to implementation of the EU-Korea joint project on Convention No. 111, which will be launched in the short-term as agreed at the TSDC meeting.

The next meeting of the Civil Society Forum will take place before the end of 2016 in Brussels. The CSF invites the TSDC co-Chairs to report back to the CSF on their implementation of these Conclusions on that occasion.