

Joint declaration endorsed by the advisory groups of the EU, Colombia, Ecuador and Peru¹, established under the Trade and Sustainable Development Title (Title IX) of the Trade Agreement between the European Union, on one side, and Colombia, Peru and Ecuador, on the other

In accordance with Article 280 of the Trade Agreement with the European Union (the 'TA') on the *Institutional and Monitoring Mechanism*, the meeting of the Sub-Committee on Trade and Sustainable Development was held on 1-4 December 2025 and, under Article 282, a public session was convened with civil society organisations and the general public in order to conduct a dialogue on matters related to Title IX on Trade and Sustainable Development on 4 December of this year in Lima.

In this connection, the domestic advisory groups of the EU, Colombia, Ecuador and Peru that monitor labour, environmental and human rights issues state the following:

1. **we consider that the Trade Agreement (TA) with the European Union must deepen sustainable trade between the two parties. In this respect, there are both opportunities and challenges in terms of improving the environmental situation and workers' labour rights.**

The Domestic Advisory Groups of the EU, Colombia, Peru and Ecuador reaffirm their strong commitment to multilateralism, to a rules-based international order and to global cooperation so as to tackle common challenges as regards trade, decent work, human rights, the environment and climate. In this regard, the DAGs stress the importance of fully respecting the Charter of the United Nations, international law and the principles of sovereignty and territorial integrity;

2. The increase in exports resulting from the Trade Agreement has only materialised in the case of a few products, and new opportunities for diversification have not been created as per the governments' expectations when signing the agreement; furthermore, initiatives to strengthen and boost innovation and the transfer of technological skills have proved insufficient in bringing about a change in the model of production. On these aspects, we need more data for progress on trade and sustainable development. This should include improvements in decent work, including formal job creation by the TA, freedom of association, sustainability performance in key sectors, etc.;
3. **the Trade Agreement with the European Union requires compliance with human rights standards, but there is much scope for improvement in terms of meeting the 2030 Agenda objectives.** We stress the existing labour, environmental and human rights challenges identified by social organisations in their recent assessments. We recognise that the TA has also generated – albeit insufficient – benefits in terms of economic integration, trade formalisation, modernisation of production and sustainable investment, which must be taken into account in order to build a balanced and results-oriented vision.

Since the TA's entry into force in 2013, successive governments have continued to adopt regulatory reforms and public policy that reduce standards of protection of rights, while also continuing to fail to produce rules guaranteeing and extending the exercising of these rights.

Article 277 of the TA provides that no Party shall waive or derogate from its environmental and labour laws in a manner that reduces the protection afforded in those laws, to encourage trade or investment. In this regard, obligations to comply with standards and rules guaranteeing rights must not be used as a tool to deepen existing inequalities in the trade relationship between the Parties. We must ensure achieve traceability of the regulations that enter into force and their impact on rights protection standards.

Some of the measures proposed by the governments to lower standards of rights have been successfully halted by political advocacy efforts, mobilisation and/or protests, some of which even resulted in fatalities. In the end, these measures were not implemented;

¹ The organisations signing for the Peru DAG are the National Climate Change Commission, the National Labour Council and the self-formed DAG.

4. in the field of labour, the TA lays down that the parties must effectively implement the core labour standards provided for in the ILO conventions and recommendations for supervisory bodies, strengthening labour relations, ensuring trade union autonomy and promoting the effective participation of workers in monitoring the TA.

Considering the differences in countries' circumstances, the DAGs highlight the need to strengthen all mechanisms in order to amend and avoid regulations and practices which make workers' working conditions precarious and which limit fundamental rights protected by international treaties. These restrictions manifest as outsourcing, administrative barriers to organising or becoming a member of a trade union, along with actions that increase informal employment and limits on collective bargaining and any action that violates rights, which, in many cases, consists of persecution and/or criminalisation of trade unionists.

Preventive measures are to be promoted, as well as measures for strengthening institutions and labour inspectorates to ensure effective measures for protecting fundamental rights, while fostering a fair balance between employers and workers.

It is also important to note that the ILO conventions on safety and health at work, which are regarded as a fundamental right, have not yet been ratified by some countries;

5. **there is likely to be much scope for improvement as regards the countries' compliance with international environmental standards. During the period of the TA's application, there have been advances but also roll-backs with relaxation of legislation and weakening of environmental institutions.** This has also led to an increase in social conflict and failure to comply with mechanisms for prior, **free, informed and** pre-legislative consultation, **as included in ILO Convention 169**. This has taken the form of persecution, criminalisation, killings and attempts to use the judicial system against defenders of environmental, labour and indigenous rights, in violation of the Escazú Agreement ratified by Colombia and Ecuador.

According to the principle of common but differentiated responsibility, the same environmental standards cannot be applied to Europe and the Andean countries because of their historical, accumulated difference; the right to sustainable development must not be denied while human rights and the rights of nature must be safeguarded. In different areas with different needs, there must be shared responsibility with the European counterparts in order to achieve economic sustainability.

The parties must commit to developing effective protection measures for the Amazon while ensuring the sovereignty of the Amazonian countries over their natural resources.

On the other hand, there is room for improvement in the monitoring of environmental agreements by the parties involved in the TA. This agreement should contribute to reducing emissions. It is clear that environmental requirements can be a barrier that puts countries at a competitive disadvantage to other producing countries. This is also experienced in Europe across multiple industries.

The Agreement must be improved by adequately strengthening DAGs as genuine advisory bodies, equipped with sufficient tools and capacities to carry out documented monitoring of compliance with Title IX. Their role in effective spaces for dialogue and consultation in the face of legitimate concerns of trade union and business actors, indigenous peoples and civil society organisations must be enhanced;

We should point out that procedural developments (such as the creation of a one stop shop for receiving complaints from civil society) have been implemented. However, the complaint submitted under this agreement has not yet led to the implementation of specific activities or to effective improvements related to the complaint. The implementation of the list of activities with Peru should start as soon as possible, involving relevant stakeholders, including complainants. In addition, the EU and Colombia should finalise a roadmap for monitoring and reporting on results to the DAGs, with appropriate timeframes for addressing the issues raised and engaging with affected stakeholders.

6. the organisations filing complaints and groups directly affected in the process of analysing, monitoring and resolving complaints under Title IX of the TA specify the need to improve the entire process. The current handling of these complaints leaves room for improvement in transparency, response and traceability. Action to this end will increase its effectiveness and the credibility of the institutions signing it;
7. we express our concern about all attempts by governments to limit, reduce or penalise civil society initiatives to defend human, labour and environmental rights. These have taken the form of legislation or regulations governing their work in alliance with international cooperation, as has been happening in Peru since the amendment of Law 31878 (APCI Law) and in Ecuador with the social transparency law, taking into account the need for a framework of respect for the autonomy of organisations and the sovereignty of countries, without undermining national security.

In this regard, the signatory organisations call on:

1. all parties to push for amendments to the TA, particularly to Title IX thereof, with the aim of establishing binding rules that ensure compliance with the international standards and parameters of human, labour and environmental rights and trade relations, to which the States have committed themselves by signing this TA;
2. the European Union and the governments of Colombia, Ecuador and Peru to ensure that sufficient, permanent financial, technical and administrative resources are allocated. These should have autonomy mechanisms that enable the DAGs to operate properly at national and regional level, including the establishment of a technical secretariat to drive and ensure follow-up to the work of the DAG;
3. all parties to promote the extension of the mandate of the DAGs so that their work is not limited solely to monitoring Title IX on Trade and Sustainable Development, but covers all the content of the TA that has social, environmental, economic or human rights implications. This extension would allow for more comprehensive, coherent and effective monitoring of the impact of the TA as a whole, as per the recent communication of the European Commission;
4. the parties to deepen their knowledge of developing the social economy, exchanging experiences, legislation and good practices;
5. all parties to establish clear, transparent procedure for dealing with complaints submitted under Title IX, ensuring the active participation of complainant organisations and affected groups at all stages of the process, including their analysis, follow-up, response and closure;
6. all the parties to make a comprehensive diagnosis, with the involvement of the DAGs, to enable them to assess the scale of the environmental, social, labour, trade and other impact;
7. all parties to ascertain whether a participatory domestic advisory body already exists in each of the TA's signatory countries that effectively carries out monitoring of the implementation of the commitments made by the parties in the framework of the TA, and to review participation in existing participation mechanisms, as in the case of Peru, to take advantage of the scope for improving efficiency in order to achieve the objectives set out in the TA. The aim is not so much to create more bodies as to ensure that existing bodies fulfil the roles for which they were created;
8. all parties to urgently set up and fund technical secretariats to ensure the participation of DAG members, and to consider alternatives for that purpose; Their structure needs to be reviewed and they must be representative and have legitimacy and autonomy vis-à-vis governments. The DAGs should be tripartite, with a balance between employers, workers and civil society, and their advisory role with regard to the TSD Sub-Committee should be recognised. To ensure their success, annual work plans with measurable indicators should be established and institutional duplication should be avoided;
9. **all parties**, in order to ensure genuine dialogue between civil society and the parties, to ensure that joint meetings and agendas are communicated in good time, and also to ensure that the parties are present, creating preparatory meetings with the necessary conditions for genuine dialogue;

10. we call for the alignment of Global Gateway (GG) activities with those of the European Investment Bank (EIB) by explicitly linking the declaration with regard to European GG investments;
11. we propose that all parties ensure participation in drawing up national agendas for production development geared towards reinforcing economic diversification and integrating SMEs into sustainable value chains, technological innovation and the transition to environmentally and socially sustainable production models. The aim is to increase the degree of compliance with the commitments made and the effectiveness of the agreements implemented. There is an urgent need to introduce an agenda to inform and empower civil society, trade unions and businesses, including SMEs, on the TA and its participatory mechanisms;
12. all parties should deepen cooperation in the TA, including a migration management pillar to develop a mobility agreement. This agreement should address irregular migration by investing, jointly combating trafficking networks and expanding skills-based legal migration pathways, linked to labour market needs. This approach can be implemented in priority sectors such as care, construction, agri-food, hospitality and digital services, among others. It should be supported through skills alliances and recognition of skills and qualifications;
13. the parties must commit to developing effective protection and remediation measures for the Amazon, glaciers and indigenous people living in these areas, while ensuring the sovereignty of the Amazonian countries over their natural resources.

The DAGs signatories to this declaration reaffirm that compliance with the TA, and specifically Title IX thereof, depends on the balanced development of economic activity and social and environmental sustainability. It is the responsibility of the parties to ensure the proper functioning of democratic procedures and institutions as well as the rule of law, including effective social dialogue. We reiterate our willingness to collaborate actively in the development of Title IX through proven evidence, technical analysis and tangible, measurable projects.

ANNEX

To the joint declaration endorsed by the advisory groups of the EU, Colombia, Ecuador and Peru², established under the Trade and Sustainable Development Title (Title IX) of the Trade Agreement (TA) between the European Union, on one side, and Colombia, Peru and Ecuador, on the other (the DAGs)

Meeting in Lima on 3 December 2025 at the 11th joint DAG meeting, we call on the Peruvian government to recognise the Peruvian self-formed DAG as the official group responsible for monitoring and consulting on the implementation of the TA.

We ask the Sub-Committee on Trade and Sustainable Development to follow up on and respond to the requests made in this joint declaration in a timely manner.

² The organisations signing for the Peru DAG are the National Climate Change Commission, the National Labour Council and the self-formed DAG.