Evolution of Canada's Labour Provisions

Submitted by: Canada

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EVOLUTION OF CANADA'S LABOUR PROVISIONS

Labour Cooperation Agreements (LCAs)

Older Generation of LCAs:

– North American Agreement (1994)

– Canada-Chile (1997)

– Canada-Costa Rica (2002)

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Labour Cooperation Agreements

New Generation of LCAs:
- Peru (August 2009)
- Colombia (August 2011)
- Jordan (October 2012)
- Panama (April 2013)
- Completed negotiations: Honduras, Dominican Republic (DR is without FTA)
- Ongoing or upcoming negotiations: EU, Ukraine, Morocco, India, CARICOM, South Korea, TPP, Japan
- Exploratory discussions: Thailand, Turkey

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KEY ELEMENTS IN CANADA'S OLDER LCAS

- Emphasis on effective enforcement of labour laws with a commitment that labour laws will reflect fundamental principles

- Dispute settlement through transparent and independent third-party panels

- Ongoing cooperative relationship and technical cooperation to assist in capacity to meet obligations.

- **Conclusion**: emphasis on effective enforcement that can be challenged by a transparent dispute resolution mechanism.

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CANADA'S NEW GENERATION OF LCAS

- Both a chapter in the FTA and a parallel side-agreement
- Obligation to reflect internationally-recognized principles in labour laws (FRW/Minimum standards/OSH/Migrants)
- Non-derogation clause so that weak labour enforcement is not used to attract trade/investment
- Increased transparency (complaints & Ministerial Council)
- Monetary assessments deposited in a cooperation fund
- Substantial technical cooperation provided.

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THANK YOU

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