

## **CHAPTER 6**

### **ANIMAL WELFARE**

#### **Article 6.1 Objectives**

The objective of this Chapter is to enhance cooperation between the Parties on animal welfare of farmed animals.

#### **Article 6.2 General Provisions**

1. The Parties recognise that animals are sentient beings.<sup>1</sup> They also recognise the connection between improved welfare of animals and benefits to food production systems.
2. The Parties recognise that the protection and improvement of animal welfare may, in accordance with their WTO commitments, be an interest in the context of a Party's trade objectives.

#### **Article 6.3 Right to Regulate and Improvement of Farmed Animal Welfare**

1. The Parties affirm the right of each Party to set its policies and priorities for the protection of animal welfare and to adopt or modify its laws, regulations, and policies in a manner consistent with each Party's international commitments, including this Agreement.
2. The Parties recognise that it is inappropriate to encourage bilateral trade or investment by weakening or reducing the protection afforded to farmed animal welfare in their respective animal welfare laws and regulations. Each Party reaffirms its commitment to improving and advancing the protection afforded to the welfare of farmed animals in its animal welfare laws and regulations.
3. Each Party shall use its best endeavours not to weaken or reduce the protection afforded to the welfare of farmed animals in its animal welfare laws and regulations, in a manner materially affecting trade or investment between the Parties.

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<sup>1</sup> As defined in each Party's respective animal welfare laws and regulations.

4. Neither Party shall waive or derogate from its animal welfare laws and regulations in a manner materially affecting trade or investment between the Parties.
5. The Parties recognise that their farming practices are substantively different but that each Party affords a high priority to animal welfare in its farming practices and that in multiple areas their respective animal welfare laws, regulations, and policies provide comparable outcomes.

#### **Article 6.4 Cooperation**

1. The Parties shall exchange information, expertise, and experiences in the field of animal welfare with the aim of improving understanding of each other's regulatory systems, policies, and strategic approaches, and enhancing animal welfare standards.
2. The Parties shall cooperate in international fora to promote the development of scientifically based animal welfare standards. In particular, the Parties shall cooperate to reinforce and broaden the scope of the World Animal Health Organisation (OIE) animal welfare standards with a focus on farmed animals.
3. The Parties shall continue, strengthen, and build on their existing cooperation in the field of farmed animal welfare. To this end, the Parties shall:
  - (a) encourage cooperation on research in the field of animal welfare; and
  - (b) encourage non-governmental bodies of the Parties to exchange views, experiences, and information as part of wider collaboration in the field of animal welfare.

#### **Article 6.5 Animal Welfare Working Group**

1. The Animal Welfare Working Group established under Article 30.10 (Working Groups – Institutional Provisions) (“Working Group”) shall be composed of government representatives of each Party responsible for animal welfare matters. The Working Group shall act as a forum for cooperation under this Chapter and report to the Sanitary and Phytosanitary Measures Sub-Committee established under Article 30.9 (Sub-Committees – Institutional Provisions) (“SPS Sub-Committee”).
2. The Working Group shall have its first meeting within one year of the date of entry into force of this Agreement and thereafter shall meet at regular

intervals as agreed by the Parties. The Working Group may meet physically or virtually as agreed by the Parties.

3. Prior to the first meeting of the Working Group, the SPS Sub-Committee shall, unless the Parties agree otherwise, establish the Working Group's terms of reference and work programme.
4. The Working Group shall be co-chaired by government representatives of the Parties. Reports of the Working Group shall be mutually agreed by the representatives of the Parties.
5. The Working Group shall address matters agreed by the SPS Sub-Committee and make recommendations to the SPS Sub-Committee on these matters. In cases where the Working Group is unable to agree a recommendation, the Working Group shall report this fact to the SPS Sub-Committee.

#### **Article 6.6 Dispute Settlement**

Neither Party shall have recourse to dispute settlement under Chapter 31 (Dispute Settlement) for a matter arising under this Chapter.