

CHAPTER 14

AGRICULTURE, FORESTRY AND FISHERIES CO-OPERATION

Article 14.1 : Objectives

The objectives of this Chapter are to facilitate the establishment of closer co-operation aimed, *inter alia*, at:

- (a) enhancing the partnership aspects of this Agreement and advancing closer collaboration in areas of mutual interest;
- (b) promoting understanding and strengthening of the trade and economic relationship in the agriculture, forestry and fisheries sectors; and
- (c) building upon the existing agriculture and forestry co-operative arrangements between the Parties aimed at;
 - (i) increasing co-operation in areas of mutual interest;
 - (ii) facilitating trade and investment, including by exploring new opportunities in the agriculture, forestry and fisheries sectors;
 - (iii) facilitating the role of research, science, technology and education in the agriculture, forestry and fisheries sectors;
 - (iv) encouraging the important role of the private sector in promoting and building strategic alliances to encourage mutual economic growth and development; and
 - (v) promoting adherence to international rules and obligations.

Article 14.2 : Scope

1. The Parties affirm the importance of all forms of co-operation in contributing towards implementation of the objectives and principles of this Agreement.

2. Co-operation between the Parties under this Chapter will supplement any co-operation activities related to agriculture, forestry and fisheries between the Parties pursuant to other Chapters of this Agreement and existing co-operative arrangements¹ between the Parties.

¹ *Arrangement between the Korean Ministry of Agriculture and Forestry and the New Zealand Ministry of Agriculture and Forestry on Agricultural Cooperation*, done on 26 April 2007 and the *Arrangement between the Forestry Administration of the Republic of Korea and the Ministry of Forestry of New Zealand regarding Cooperation in the Field of Forestry* done on 29 April 1997.

Article 14.3 : Co-operative Activities

1. In pursuit of the objectives in Article 14.1, the Parties will encourage and facilitate, as appropriate, relevant activities, which may include, but are not limited to:

- (a) policy dialogue on agricultural, forestry and fisheries policy issues and exchanges of information on ways to promote and expand trade and investment in agriculture, forestry and fisheries sectors, including in the areas of:
 - (i) research, science, technology and education to support government objectives for the agriculture, forestry and fisheries sectors;
 - (ii) sustainable production systems, including for example climate change impacts, mitigation and adaptation, and the role of the agriculture, forestry and fisheries sectors in contributing to low-carbon green growth; or
 - (iii) economic and trade issues as they relate to the agriculture, forestry and fisheries sectors;
- (b) private sector engagement in the agriculture, forestry and fisheries sectors in areas of mutual economic interest; and
- (c) other co-operative activities such as:
 - (i) technical co-operation;
 - (ii) joint research programs and projects;
 - (iii) exchange of experts, researchers, students and relevant professionals;
 - (iv) conferences, seminars and workshops; or
 - (v) collaborative training exercises, in particular for students and graduates from educational institutions in the fields of agriculture, forestry and fisheries.

2. Co-operative activities shall be identified and agreed by the Parties, taking into account initiatives and activities taking place in international fora. To this end, the Parties shall conclude an Implementing Arrangement setting out the details of specific co-operative activities under this Chapter, and their implementation.

Article 14.4 : Agriculture

The Parties, recognising the importance of promoting co-operative relationships between Korean and New Zealand farmers and agribusinesses, shall undertake co-operative activities on any agricultural matter the Parties agree to be appropriate, which may include, but are not limited to:

- (a) agricultural industries, including livestock production and processing industries, cropping, horticulture, irrigated agriculture and natural fibre production;
- (b) agricultural reforms and policies;
- (c) agricultural economics;
- (d) generational change and farm succession planning;
- (e) rural development;
- (f) environmental and natural resource economics and management;
- (g) nutrition, including the agronomic and genetic enhancement of plant, animal and human nutrition;
- (h) sustainable and conservation farming techniques; and
- (i) any other agricultural matter as may be identified and agreed by the Parties.

Article 14.5 : Forestry

The Parties, recognising that mutually beneficial co-operation and a strong trade relationship will enhance stability of supply, shall endeavour to co-operate in the field of forestry. Areas of co-operation may include:

- (a) promotion of trade in timber products;
- (b) investment in the forestry sector;
- (c) development, utilisation and sustainable management of forest resources;
- (d) the impact of climate change on forestry resources;
- (e) forest fire management and control;
- (f) forest thinning;
- (g) forestry pest control;
- (h) farm forestry;
- (i) combating illegal logging and the associated trade; and
- (j) any other areas of co-operation as may be identified and agreed by the Parties.

Article 14.6 : Fisheries and Aquaculture

1. The Parties, recognising the economic and environmental importance of the sustainable management of fisheries resources, shall endeavour to support and encourage investment and participation in each other's fisheries sectors, consistent with the necessary regulatory requirements.
2. The Parties shall endeavour to co-operate, as appropriate, in the field of fisheries and aquaculture. Areas of co-operation may include the exchange of information regarding sustainable management of fisheries resources, for example in relation to:
 - (a) marine pests;
 - (b) recreational fishing;
 - (c) the impact of climate change on marine ecosystems;
 - (d) fisheries economics and resource management;
 - (e) policy and regulatory requirements, including with respect to the Parties' Exclusive Economic Zones;
 - (f) illegal, unreported and unregulated fishing; and
 - (g) any other fisheries and aquaculture matter as may be identified and agreed by the Parties.
3. The Parties will consider a possible fisheries co-operation arrangement.

Article 14.7 : Security of Food Supply

1. The Parties recognise the importance of maintaining a stable and reliable food supply and the fulfilment of food security objectives.
2. The Parties shall explore, as appropriate, opportunities to co-operate in the area of global food security, including through relevant regional and international fora.
3. Recognising the important role that trade and investment plays in achieving long-term food security, the Parties shall, as appropriate, encourage productive and mutually beneficial trade and investment in agriculture and food.
4. In the event of a severe and sustained disruption to supply of staple foods and feed grain relevant to the Parties, the Parties shall enter into consultations, on the request of a Party, through appropriate co-operative mechanisms, which may include the Committee on Agriculture, Forestry and Fisheries Co-operation, to exchange information on, and to

examine the factors relevant to, the situation. The Parties shall endeavour to take any appropriate actions available to them that would contribute to the resolution of the situation through such consultations.

5. Where a Party seeks to introduce a prohibition or restriction on the exportation, or sale for export, of any foodstuff that it exports to the other Party, it shall, on the request of the other Party, enter into consultations with a view to giving due consideration at the Committee on Agriculture, Forestry and Fisheries Co-operation as to the effects of such prohibition or restriction, and possible alternatives. When an export prohibition or restriction is introduced, the Parties shall enter into consultations, on the request of a Party with a view to early resolution of any differences.

Article 14.8 : Committee on Agriculture, Forestry and Fisheries Co-operation

1. The Parties hereby establish a Committee on Agriculture, Forestry and Fisheries Co-operation (hereinafter referred to as “the Committee”) to oversee implementation of this Chapter. The Committee shall consider any matter relating to the objectives and implementation of this Chapter including:

- (a) supporting and strengthening contact between the Parties, including their respective government agencies, industry, institutions, and other organisations;
- (b) designating contact points to facilitate communication between the Parties, who shall, as appropriate, work with government agencies, private sector representatives and educational and research institutions on the operation of this Chapter;
- (c) resolving any differences or disputes in respect of the interpretation or application of this Chapter or any Implementation Arrangements concluded under it;
- (d) exploring additional areas of co-operation; and
- (e) any other functions as may be agreed by the Parties.

2. The Committee shall meet every year in principle, or as otherwise agreed by the Parties. The date, location, and agenda of each meeting shall be jointly decided through consultations between the contact points.

Article 14.9 : Resources

1. With the aim of contributing to the fulfilment of the objectives of this Chapter, and recognising that co-operative activities as envisaged in the Chapter will be able to be implemented effectively only when financed with adequate resources, the Parties shall provide, within the limits of their own capacities and through their own channels, adequate resources to support such co-operative activities.

2. The Committee shall consider the provision of resources for the specific co-operative activities that it identifies.

Article 14.10 : Resolution of Differences and Disputes

1. The Parties shall, to the extent possible, seek to resolve any differences or disputes arising in respect of the interpretation or application of this Chapter or any Implementation Arrangements concluded under it through consultations, with a view to resolution in a timely manner.
2. If consultations fail to resolve the matter, the Parties shall refer it to the Committee, which shall have the exclusive authority for resolving any differences or disputes in respect of the interpretation or application of this Chapter or any Implementation Arrangements concluded under it.
3. For greater certainty, notwithstanding paragraph 2, the Committee may, as appropriate, seek the guidance of the Joint Commission.