

CHAPTER 14

ENVIRONMENT

Article 14.1

Objectives

The objectives of this Chapter are to:

- (a) encourage sound environmental policies and practices and improve the capacities and capabilities of the Parties to address environmental matters;
- (b) promote, through a collaborative approach, the commitments made by the Parties in this Chapter; and
- (c) facilitate dialogue and interaction in a collaborative manner in order to strengthen the broader relationship between the Parties.

Article 14.2

Key Commitments

1. The Parties affirm through this Chapter their intention to continue to pursue a high level of environmental protection and to fulfil their respective multilateral environmental commitments and international plans of action in such a way as to contribute to the objective of sustainable development.
2. Each Party shall endeavour to have its environmental laws, regulations, policies and practices in harmony with its international environmental commitments.
3. Each Party shall respect the right of the other Party to set, administer and enforce its own environmental laws, regulations, policies and practices according to its priorities.
4. The Parties agree that it is inappropriate to set or use their environmental laws, regulations, policies and practices for trade protectionist purposes.
5. The Parties agree that it is inappropriate to relax, or not to enforce or administer, their environment laws and regulations so as to encourage trade and investment.

6. Each Party shall promote public awareness of its environmental laws, regulations, policies and practices domestically.

Article 14.3

Collaborative Framework

1. The Parties agree to establish a collaborative framework as a means to provide enhanced opportunities to advance the common commitments on environmental protection under the framework of this Chapter, by taking account of their respective priorities and available resources.

2. To implement this framework, the Parties should encourage the establishment and development of direct contacts, including stakeholders as appropriate, in the field of environmental protection.

3. Collaborative activities undertaken in this framework may be implemented through a variety of ways, such as the exchange of best practices and information, visits, workshops and dialogue. The funding of collaborative activities shall be decided by the Parties on a case-by-case basis.

4. The Parties will strive to strengthen their collaboration on trade and environment in appropriate international fora in which they participate.

Article 14.4

Institutional Arrangements

1. In order to facilitate communication between the Parties for the purposes of this Chapter, each Party will designate a contact point no later than 6 months after the date of entry into force of this Agreement. Each Party will notify the other Party promptly of any change of the contact point.

2. The Parties may exchange information by any means of communication, including internet and videoconference.

3. The contact points will report to the Commission about the implementation of this Chapter, if necessary

4. The Parties may agree to meet in order to discuss matters of mutual interest, including areas of potential collaborative activities, reviewing the implementation of this Chapter and addressing any issue that may arise between the Parties.

Article 14.5

Consultations

1. The Parties shall endeavor, at all times, to make every effort to settle in good faith any issue concerning the interpretation, implementation or application of this Chapter through dialogue, collaboration and consultation.
2. A Party may request consultations with the other Party through its contact point regarding any issue concerning the interpretation, implementation or application of Article 14.2. The contact point shall identify the office or official responsible for the issue and assist if necessary in facilitating communication between the Parties.
3. The Parties shall complete the consultations as soon as practicable, following the receipt by the requested Party of the request for consultations pursuant to paragraph 2.
4. If the consultations under paragraph 3 fail to resolve the issue within 6 months following the receipt by the requested Party of the request for consultations, either Party may refer the issue to the Commission for further consideration.