

CHAPTER 9

ENVIRONMENT AND TRADE

ARTICLE 9.1: LEVELS OF PROTECTION

The Parties reaffirm each Party's sovereign right to establish its own levels of environmental protection and its own environmental development priorities, and to adopt or modify its environmental laws and policies.

ARTICLE 9.2: ENFORCEMENT OF ENVIRONMENTAL MEASURES INCLUDING LAWS AND REGULATIONS

1. The Parties recognize that it is inappropriate to encourage trade or investment by weakening or reducing the protections afforded in its environmental laws, regulations, policies and practices. Accordingly, neither Party shall waive or otherwise derogate from such laws, regulations, policies and practices in a manner that weakens or reduces the protections afforded in those laws, regulations, policies and practices.
2. Nothing in this Chapter shall be construed to empower a Party's authorities to undertake environmental law enforcement activities in the territory of the other Party.

ARTICLE 9.3: MULTILATERAL ENVIRONMENTAL AGREEMENTS

The Parties recognize that multilateral environmental agreements (hereinafter referred to as "MEAs") play an important role globally and domestically in protecting the environment, and reaffirm their commitments to the effective implementation in their laws and practices of the MEAs to which both Parties are party.

ARTICLE 9.4: REVIEW OF ENVIRONMENTAL IMPACT

The Parties endeavor to review the impact of the implementation of this Agreement on environment as appropriate, at any time after the entry into force of this Agreement, through their respective participative processes and institutions.

ARTICLE 9.5: COOPERATION

Recognizing the importance of cooperation in the field of environment in achieving the goals of sustainable development, the Parties commit to conducting cooperative activities in areas of common interest as appropriate.

ARTICLE 9.6: CONSULTATIONS

The Parties shall only conduct consultation on any matter arising under this Chapter in the framework of the FTA Joint Commission. The parties shall consult aiming to reach a mutually satisfactory solution.