

CHAPTER 12

ENVIRONMENTAL ISSUES

ARTICLE 12.1

Context and Objectives

1. The Parties recall the Stockholm Declaration on the Human Environment of 1972, the Rio Declaration on Environment and Development of 1992, Agenda 21 on Environment and Development of 1992, the Johannesburg Plan of Implementation on Sustainable Development of 2002 and the Rio+20 Outcome Document “The Future We Want” of 2012.
2. The Parties recognise that economic development, social development and environmental protection are interdependent and mutually supportive components of sustainable development. They underline the benefit of cooperation on environmental issues as part of a global approach to sustainable development.
3. The Parties reaffirm their commitment to promote economic development in such a way as to contribute to the objective of sustainable development and to ensure that this objective is integrated and reflected in the Parties’ bilateral economic relationship.

ARTICLE 12.2

Multilateral Environmental Agreements and Environmental Principles

1. The Parties reaffirm their commitment to the effective implementation in their laws and practices of multilateral environmental agreements to which they are a party, as well as of the environmental principles and obligations reflected namely in the international instruments referred to in Article 12.1. They shall strive to further improve the level of environmental protection by all means, including by effective implementation of their environmental laws and regulations.
2. The Parties recognise that it is inappropriate to encourage trade or investment by weakening or reducing the protections afforded in domestic environmental laws, regulations, policies and practices. The Parties agree that environmental standards shall not be used for protectionist trade purposes.
3. The Parties recognise the importance, when preparing and implementing measures related to the environment, of taking account of scientific, technical and other information, and relevant international guidelines.

ARTICLE 12.3

Promotion of the Dissemination of Goods and Services Favouring the Environment

1. The Parties shall strive to facilitate and promote investment and dissemination of goods, services, and technologies beneficial to the environment.
2. For the purpose of paragraph 1, the Parties agree to exchange views and will consider

cooperation in this area.

3. The Parties shall encourage cooperation between enterprises in relation to goods, services and technologies that are beneficial to the environment.

ARTICLE 12.4

Cooperation in International Fora

The Parties shall strive to strengthen their cooperation on environmental issues of mutual interest in relevant bilateral, regional and multilateral fora in which they participate.

ARTICLE 12.5

Bilateral Cooperation

1. The Parties reaffirm the importance of cooperating on environmental policies as means to contribute to the implementation of this Chapter and further improve the levels of environmental protection in line with the national environmental policy objectives and according to the obligations set out in multilateral environmental agreements to which they are a party.
2. In pursuit of this objective, the Parties shall build on agreements or arrangements in the field of environment already in place between them and consider the development of further cooperative activities in areas of common interest.
3. Environmental cooperation between the Parties shall also focus on exchange of information and expertise, capacity building and training, seminars and workshops, internships and scholarships, as well as monitoring international developments in this area, etc. Such activities should also address the issue of technology cooperation and transfer, especially regarding environmentally friendly technologies.

ARTICLE 12.6

Resources and Financial Arrangements

Recalling as decided in the Rio+20 Outcome Document the need for significant mobilisation of resources from a variety of sources and the effective use of financing, in order to give strong support to developing countries in their efforts to promote sustainable development, the necessary resources for the implementation of environmental cooperation shall be made available by the competent institutions and organisations as well as by the private sector of both Parties, subject to mutual agreement of the Parties, according to terms and conditions agreed on a project-by-project basis and taking into account the different levels of social and economic development of the Parties.

ARTICLE 12.7

Implementation and Consultations

1. With a view to facilitating the implementation of this Chapter and related communications, the following contact points are designated:
 - (a) for China: the Ministry of Commerce (MOFCOM); and
 - (b) for Switzerland: the State Secretariat for Economic Affairs (SECO).
2. A Party may through the contact points referred to in paragraph 1 request consultations within the Joint Committee regarding any matter arising under this Chapter. The Parties shall make every attempt to arrive at a mutually satisfactory resolution of the matter.
3. Chapter 15 shall not apply to this Chapter. If a Party considers that a measure of the other Party does not comply with the provisions of this Chapter, it may have recourse exclusively to bilateral consultations and dialogue in the Joint Committee.

ARTICLE 12.8

Review

The Parties shall periodically review in the Joint Committee progress achieved in pursuing the objectives set out in this Chapter, considering relevant international developments.