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CHAPTER 18

TRADE AND SUSTAINABLE DEVELOPMENT

ARTICLE 18.1

Objective

1. The Parties acknowledge the Agenda 21 and the Rio Declaration on Environment and Development, adopted at Rio de Janeiro on 14 June 1992, the International Labour Organization (hereinafter referred to as "ILO") Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour Conference (hereinafter referred to as "ILC") on 18 June 1998 (hereinafter referred to as "ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up"), the ILO Declaration on Social Justice for a Fair Globalization, adopted by the ILC on 10 June 2008 (hereinafter referred to as "ILO Declaration on Social Justice for a Fair Globalization") and the outcome document entitled "Transforming our world: the 2030 Agenda for Sustainable Development and the 17 Sustainable Development Goals", adopted by the UN General Assembly on 25 September 2015 (hereinafter referred to as "2030 Agenda").
2. The Parties recognise that sustainable development encompasses economic growth, social inclusion and environmental protection, all three being interconnected and mutually reinforcing. The Parties affirm their commitment to promote a mutually supportive relationship between trade and investment, and sustainable development.
3. The Parties recognise the urgent need to address climate change, as agreed in the Paris Agreement, and outlined by the Intergovernmental Panel on Climate Change ("IPCC") in its

assessment reports and its Special Report entitled "Global Warming of 1.5°C", as a contribution to the economic, social and environmental objectives of sustainable development.

4. In light of the above, the objective of this Chapter is to enhance the contribution of the Parties' trade and investment relationship to sustainable development, notably its labour and environmental dimensions.

ARTICLE 18.2

Right to regulate and levels of protection

1. The Parties recognise the right of each Party to determine its sustainable development policies and priorities, to establish the levels of domestic environmental and labour¹ protection it deems appropriate and to adopt or modify its relevant law and policies in a manner consistent with its commitments under the international agreements and labour standards referred to in this Chapter.

2. Each Party shall strive to ensure that its relevant law and policies provide for, and encourage, high levels of environmental and labour protection, and shall strive to improve such levels of protection.

3. A Party shall not weaken or reduce the levels of protection afforded in its environmental or labour law in order to encourage trade or investment.² A Party shall not, in order to encourage trade or investment, waive or otherwise derogate from, or offer to waive or otherwise derogate from, its environmental or labour law in a manner that weakens or reduces the levels of protections afforded in such law.³

¹ When labour is referred to in this paragraph, it includes social protection in accordance with the ILO Declaration on Social Justice for a Fair Globalization.

² In so far as this is in accordance with Australia's constitutional structure, this obligation shall not apply at the sub-central level of government. The Commonwealth Government of Australia shall endeavour to ensure that governments at the sub-central level in Australia comply with this obligation.

³ For greater certainty, this paragraph does not prevent either Party from amending or otherwise modifying its environmental or labour law, provided such amendments or modifications are not inconsistent with this Chapter.

4. A Party shall not, through a sustained or recurring course of action or inaction, fail to effectively enforce its environmental or labour law in a manner affecting trade and investment between the Parties. Each Party retains the right to exercise reasonable discretion and to make *bona fide* decisions with regard to the allocation of enforcement resources in accordance with its priorities for the enforcement of its environmental or labour law, provided that the exercise of that discretion and those decisions are not inconsistent with its obligations under this Chapter.

5. The Parties recognise that environmental and labour standards should not be used for protectionist trade purposes and that it is inappropriate to apply their respective environmental or labour law or measures in a manner which would constitute a disguised restriction on trade or investment or an unjustifiable or arbitrary discrimination.

ARTICLE 18.3

Multilateral labour standards and agreements

1. The Parties affirm their commitment to promote the development of international trade in a way that is conducive to decent work for all, as expressed in the ILO Declaration on Social Justice for a Fair Globalization.

2. Recognising the ILO as the competent body to set internationally recognised labour standards, and in accordance with the ILO Constitution, adopted on 28 June 1919, and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, as amended in 2022, each Party shall respect, promote and realise the principles concerning the fundamental rights at work, as defined in the fundamental ILO Conventions⁴, which are:

⁴ For greater certainty, the fundamental ILO Conventions are: the Convention concerning Freedom of Association and Protection of the Right to Organise (C087), adopted at San Francisco on 9 July 1948; the Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively (C098), adopted at Geneva on 1 July 1949; the Convention concerning Forced or Compulsory Labour (C029), adopted at Geneva on 28 June 1930; the Convention concerning the Abolition of Forced Labour (C105), adopted at Geneva on 25 June 1957; the Convention concerning Minimum Age for Admission to Employment (C138), adopted at Geneva on 26 June 1973; the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (C182), adopted at

- (a) freedom of association and the effective recognition of the right to collective bargaining;
- (b) the elimination of all forms of forced or compulsory labour⁵;
- (c) the effective abolition of child labour;
- (d) the elimination of discrimination in respect of employment and occupation; and
- (e) a safe and healthy working environment.

3. Each Party shall make continued and sustained efforts to ratify the fundamental ILO Conventions to which it is not yet a party.

4. The Parties shall regularly exchange information on their respective situations with regard to the ratification of ILO Conventions and Protocols that are classified as up-to-date by the ILO.

5. Each Party shall effectively implement the ILO Conventions and Protocols ratified by Australia and the Member States respectively and classified as up-to-date by the ILO.

6. Recalling the ILO Declaration on Social Justice for a Fair Globalization, the Parties affirm that the violation of fundamental principles and rights at work cannot be invoked or otherwise used as a legitimate comparative advantage, and that labour standards should not be used for protectionist trade purposes.

7. Each Party shall seek to promote, including in its law and practice, the ILO Decent Work Agenda as set out in the Declaration on Social Justice for a Fair Globalization adopted by the ILC

Geneva on 17 June 1999; the Convention concerning Equal Remuneration (C100), adopted at Geneva on 29 June 1951; the Convention concerning Discrimination in Respect of Employment and Occupation (C111), adopted at Geneva on 25 June 1958; the Convention concerning Occupational Safety and Health and the Working Environment (C155), adopted at Geneva on 22 June 1981; and the Convention concerning the Promotional Framework for Occupational Safety and Health (C187), adopted at Geneva on 15 June 2006.

⁵ In this context, the Parties underline the importance of ratification of the Protocol of 2014 to the Forced Labour Convention, 1930, adopted by the ILC on 11 June 2014.

on 10 June 2008, as amended in 2022, in line with each Party's circumstances and priorities, in particular with regard to:

- (a) decent working conditions for all with regard to, *inter alia*, wages and earnings, working hours, other conditions of work and social protection; and
- (b) social dialogue on labour matters among workers and employers and their respective organisations, and with relevant government authorities.

8. Each Party shall, in line with ILO principles and its obligations under relevant ILO Conventions it has ratified:

- (a) adopt and implement measures and policies regarding occupational safety and health, including compensation in case of occupational injury or illness; and
- (b) maintain an effective labour inspection system.

9. The Parties recognise the importance of promoting decent working conditions of seafarers and fishers consistently with the relevant ILO Conventions that Australia and the Member States have respectively ratified, in particular the Maritime Labour Convention, adopted at Geneva on 23 February 2006, and the Work in Fishing Convention (No. 188), adopted at Geneva on 14 June 2007.

10. In implementing the provisions of this Article, the Parties recognise the importance of the ILO supervisory system and of promoting its effectiveness and furthering the ILO objectives.

11. The Parties shall work together to strengthen their cooperation on trade-related aspects of labour policies and measures, bilaterally, regionally and in international fora, as appropriate, including in the ILO. Such cooperation may cover, *inter alia*:

- (a) trade-related aspects of implementation of fundamental, priority and other up-to-date ILO Conventions;
- (b) trade-related aspects of the ILO Decent Work Agenda, including on the inter-linkages between trade and full and productive employment, labour market adjustment, core labour

standards, decent work in global supply chains, social protection and social inclusion, social dialogue and gender equality;

- (c) trade-related aspects of eliminating all forms of forced or compulsory labour, including forced or compulsory child labour; and
- (d) collection and use of labour statistics.

ARTICLE 18.4

Trade and gender equality

1. The Parties recognise that inclusive trade policies contribute to advancing women's economic empowerment and gender equality, in line with Sustainable Development Goal 5 of the 2030 Agenda and the Joint Declaration on Trade and Women's Economic Empowerment on the Occasion of the WTO Ministerial Conference, held in Buenos Aires in December 2017. The Parties acknowledge the important contribution by women to economic growth through their participation in economic activity, including international trade. The Parties underline their intention to implement this Agreement consistent with gender equality and women's economic empowerment.

2. Each Party shall effectively implement its obligations under international agreements addressing gender equality or women's rights to which it is a party, including the Convention on the Elimination of all Forms of Discrimination Against Women, adopted by the UN General Assembly on 18 December 1979, noting in particular those provisions related to eliminating discrimination against women in economic life and in the field of employment. In this respect, the Parties reiterate their respective commitments pursuant to Article 18.3 (Multilateral labour standards and agreements) regarding the effective implementation of the ILO Conventions related to gender equality and the elimination of discrimination in respect of employment and occupation.

3. The Parties reiterate their commitments pursuant to Article 18.2 (Right to regulate and levels of protection) in relation to their respective law aimed at ensuring gender equality.

4. The Parties shall work together to strengthen their cooperation on trade-related aspects of gender equality policies and measures, bilaterally or in other relevant fora, as appropriate, including

through activities to improve the capacity and conditions for women, including workers, businesswomen and entrepreneurs, to access and benefit from the opportunities created by this Agreement. Such cooperation may cover, *inter alia*, exchange of information and best practices related to collection of disaggregated data, gender analysis of, and gender statistics related to trade.

5. The Parties agree on the importance of the analysis of gender equality implications of trade policy and of monitoring and assessing, in accordance with their domestic procedures and resources, the impact of the implementation of this Agreement on gender equality and opportunities provided for women in relation to trade.

ARTICLE 18.5

Multilateral environmental agreements

1. The Parties recognise the importance of the UN Environment Assembly ("UNEA") of the UN Environment Programme ("UNEP") and multilateral environmental agreements (hereinafter referred to as "MEAs") to which they are party, as a response of the international community to global or regional environmental challenges, and underline the need to promote the mutual supportiveness between trade and environment policies.

2. In light of paragraph 1, each Party shall effectively implement the MEAs, and their protocols, to which it is a party.

3. The Parties shall regularly exchange information on their respective situations as regards the ratifications of MEAs, including their protocols and amendments, including through existing dialogues.

4. The Parties affirm the right of each Party to adopt or maintain measures to further the objectives of MEAs to which it is a party, consistently with this Agreement.⁶

5. The Parties recognise the importance of cooperation to protect the environment as they strengthen their trade and investment relations. The Parties shall work together to strengthen their

⁶ The Parties recall in particular point (c) of paragraph 3 of Article 23.1 (General exceptions).

cooperation on trade-related aspects of environmental policies and measures bilaterally, including through existing dialogues, regionally and in international fora, as appropriate. Such cooperation may cover, *inter alia*:

- (a) sharing information on policies, best practices and initiatives in order to promote a circular economy, sustainable production and consumption, and green growth, and in order to minimise the generation of waste and to abate pollution;
- (b) sharing information on policies, best practices and initiatives to reduce plastics waste, increase recycling rates and minimise plastic leakage into the environment;
- (c) sharing information on policies, practices and initiatives towards a sustainable ocean economy, underpinned by a healthy and resilient marine environment; and
- (d) other trade-related aspects of MEAs.

ARTICLE 18.6

Trade and climate change

1. The Parties recognise the importance of taking urgent action to combat climate change and its impacts, and the role of trade in pursuing this objective, consistent with the UN Framework Convention on Climate Change, done at New York on 9 May 1992 (hereinafter referred to as "UNFCCC"), with the purpose and goals of the Paris Agreement, and with other MEAs and multilateral instruments in the area of climate change to which they are a party or member.
2. In light of paragraph 1, each Party shall effectively implement the UNFCCC and the Paris Agreement, including commitments with regard to its Nationally Determined Contributions. The commitment to effectively implement the Paris Agreement includes the obligation to refrain from any act or omission which materially defeats the object and purpose of the Paris Agreement.
3. In light of paragraph 1, each Party shall:

- (a) promote the mutual supportiveness of trade and climate policies and measures that contribute to the transition to a net zero and low greenhouse gas emission, sustainable circular economy and climate-resilient development; and
- (b) facilitate and promote trade and investment in goods and services of particular relevance for climate change mitigation and adaptation, such as renewable energy and energy-efficient products and services, including through addressing related non-tariff barriers or through policy frameworks conducive to the deployment of the best available technologies.

4. The Parties shall work together to strengthen their cooperation on trade-related aspects of climate change policies and measures, bilaterally, regionally and in international fora, as appropriate, including under the UNFCCC, the Paris Agreement, the Montreal Protocol on Substances that Deplete the Ozone Layer, done at Montreal on 16 September 1987 (hereinafter referred to as "Montreal Protocol") as well as in the WTO, and in the International Maritime Organization (hereinafter referred to as "IMO"). Such cooperation, including sharing information, may cover, *inter alia*:

- (a) actions to address climate change and transition to a net zero emissions economy including the implementation of the Paris Agreement, such as low emissions technologies, clean and renewable energy, energy efficiency, emission abatement policies and measures, including mitigating the risk of carbon leakage, sustainable transport, sustainable and climate-resilient infrastructure development and adaptation, emissions monitoring, reporting and verification;
- (b) supporting the development and adoption of ambitious and effective greenhouse gas emissions reduction measures by the IMO to be implemented by ships engaged in international trade; and
- (c) supporting an ambitious phase-out of ozone-depleting substances and phase-down of hydrofluorocarbons in accordance with the terms of the Montreal Protocol through:
 - (i) measures to control their production, consumption and trade;
 - (ii) the introduction of environmentally friendly alternatives to them;
 - (iii) the updating of safety and other relevant standards; and

- (iv) combating the illegal trade of substances regulated by the Montreal Protocol.

ARTICLE 18.7

Trade and biological diversity

1. The Parties recognise the importance of conservation and the sustainable use of biological diversity in achieving sustainable development in a manner consistent with relevant MEAs and their protocols to which they are party, including the Convention on Biological Diversity, done at Rio de Janeiro on 5 June 1992 (hereinafter referred to as "CBD"), its Protocols and the decisions adopted thereunder. The Parties acknowledge the role that trade can play in pursuing conservation and sustainable use of biological diversity.
2. The Parties recognise the importance of respecting, preserving and maintaining knowledge and practices of indigenous and local communities embodying traditional lifestyles that contribute to the conservation and sustainable use of biological diversity, and the role of international trade in supporting these objectives.
3. In light of paragraph 1, each Party shall:
 - (a) promote and encourage the conservation and sustainable use of biological diversity;
 - (b) promote trade in products derived from a sustainable use of biological resources in order to contribute to the conservation of biodiversity; and
 - (c) take and maintain appropriate measures to conserve biological diversity when it is subject to pressures linked to trade and investment, in particular to prevent the spread of invasive alien species.
4. The Parties recognise the importance of cooperation to protect the environment and to promote sustainable development as they strengthen their trade and investment relations. Accordingly, the Parties shall cooperate, including by exchange of information and experiences, on

trade-related aspects of biodiversity policies and measures, bilaterally, regionally and in international fora, as appropriate, including in the CBD. Such cooperation may cover, *inter alia*:

- (a) initiatives and good practices concerning trade in natural resource-based products with the aim of conserving biological diversity;
- (b) trade and conservation and sustainable use of biological diversity;
- (c) the protection, restoration, maintenance and valuation of ecosystems and ecosystem services, and related economic instruments; and
- (d) access to genetic resources, and the fair and equitable sharing of benefits from their utilisation consistent with the objectives of the CBD.

ARTICLE 18.8

Trade and wildlife conservation

1. The Parties recognise the importance of ensuring that international trade of wild animals and plants does not threaten their survival, as set out in the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington on 3 March 1973 (hereinafter referred to as "CITES").
2. Accordingly, in light of paragraph 1, each Party shall:
 - (a) implement effective measures to combat illegal wildlife trade, including with respect to trade originating from other CITES parties and by working cooperatively with other stakeholders, as appropriate; and
 - (b) promote the long-term conservation and sustainable use of the animal and plant species listed in the Appendices to the CITES and the CITES as an instrument to meet these objectives, including through the inclusion of animal and plant species in the Appendices to the CITES where their conservation status is considered at risk because of international trade.

3. The Parties shall work together to strengthen their cooperation on matters related to trade and wildlife conservation, bilaterally, regionally and in international fora, as appropriate. Such cooperation may cover, *inter alia*, tackling illegal wildlife trade, including through initiatives to reduce demand for illegal wildlife products and initiatives to enhance information sharing.

ARTICLE 18.9

Trade and sustainable forest management

1. The Parties recognise the importance of sustainable forest management and the role of trade in pursuing this objective. The Parties acknowledge their role as major consumers, producers and traders of forest products and the importance of the forest sector to the development and livelihood of communities and indigenous peoples, and the need to address drivers of deforestation from outside the forest sector.

2. The Parties acknowledge the importance of:

- (a) the sustainable management of forests for addressing climate change and biodiversity loss and providing environmental, economic and social benefits for present and future generations; and
- (b) trade in forest products harvested from sustainably managed forests in accordance with the laws of the country of harvest, and in products from deforestation-free supply chains.

3. In light of paragraphs 1 and 2, each Party shall:

- (a) implement measures which contribute to combatting illegal logging and related trade and promote trade in legally harvested forest products;
- (b) encourage trade in forest products that are sourced from sustainably managed forests and harvested in accordance with the relevant laws of the country of harvest;
- (c) cooperate bilaterally and in international fora and exchange information, as appropriate, on the implementation of measures to combat illegal logging and related trade, including with

respect to third countries, and on the trade-related aspects of sustainable forest management, forest governance, and conservation of forest cover; and

- (d) cooperate and exchange information, as appropriate, on minimising all forms of deforestation and forest degradation, including on drivers from outside the forest sector and ways to encourage the consumption and trade in products from deforestation-free supply chains, including both voluntary and regulatory approaches, minimising the risk that products associated with deforestation or forest degradation are placed on their markets.

ARTICLE 18.10

Trade and sustainable management of fisheries and aquaculture

1. The Parties acknowledge their role, both domestically and internationally, as consumers, producers and traders of fisheries products and recognise the importance of conserving and sustainably managing marine biological resources and marine ecosystems as well as of promoting responsible and sustainable aquaculture, and the role of trade in pursuing these objectives, with particular emphasis on supporting developing and coastal state development and livelihoods.
2. The Parties acknowledge that inadequate management and control of fisheries activities, certain fisheries subsidies that contribute to overcapacity and overfishing, and illegal, unreported and unregulated (hereinafter referred to as "IUU"⁷) fishing threatens fishery stocks, the livelihoods of persons engaged in responsible fishing practices and the sustainability of trade in fishery products and confirm the need for individual and collective action to address the problems of overfishing and unsustainable utilisation of fisheries resources, and to combat IUU fishing.
3. In light of paragraphs 1 and 2, each Party shall:
 - (a) seek to operate a fisheries management system that shall be based on the best scientific evidence available and on internationally recognised best practices for fisheries management

⁷ The term "illegal, unreported and unregulated fishing" is to be understood to have the same meaning as paragraph 3 of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (2001 IUU Fishing Plan of Action) of the UN Food and Agricultural Organisation ("FAO"), adopted in Rome, 2001.

and conservation as reflected in the relevant provisions of international instruments aimed at ensuring the sustainable use and conservation of marine species⁸, and that is designed, *inter alia*, to:

- (i) prevent overfishing and over-capacity;
 - (ii) reduce by-catch of non-target species and juveniles; and
 - (iii) promote the recovery of overfished stocks for all marine fisheries in which vessels flying the flag of that Party conduct fishing activities;
- (b) participate actively in the work of Regional Fisheries Management Organisations (hereinafter referred to as "RFMOs") to which it is a member, observer, or cooperating non-contracting party, with the aim of achieving good fisheries governance and sustainable fisheries, such as through the promotion of scientific research and the adoption of conservation and management measures based on best available scientific information, the strengthening of compliance mechanisms, the undertaking of periodic performance reviews and the adoption of effective control, monitoring and enforcement of the RFMOs' conservation and management measures and, where applicable, the adoption and implementation of catch documentation or certification schemes and port state measures;
- (c) support international cooperation to combat IUU fishing and to deter trade in IUU products from entering supply chains by:
- (i) promoting best-practice monitoring, control and surveillance as well as compliance and enforcement systems;

⁸ Such international instruments include, *inter alia*, and as they may apply, the United Nations Convention on the Law of the Sea, done at Montego Bay on 10 December 1982; the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, done at New York on 4 August 1995; the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, done at Rome on 24 November 1993; the FAO Code of Conduct for Responsible Fisheries, and the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, done at Rome on 22 November 2009, noting relevant and complementary voluntary initiatives such as the FAO's Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels.

- (ii) implementing control measures on vessels flying its flag and on transshipment and landing operations; and
 - (iii) facilitating the exchange of information through the use of existing agreed channels; and
- (d) promote the development of sustainable and responsible aquaculture, including with regard to the implementation of the objectives and principles contained in the Food and Agriculture Organization of the United Nations (hereinafter referred to as "FAO") Code of Conduct for Responsible Fisheries.
4. The Parties shall work together to strengthen their cooperation on trade-related aspects of fishery and aquaculture policies and measures, bilaterally, regionally and in international fora, as appropriate, including in the WTO, RFMOs and under other multilateral instruments in this field, with the aim of promoting sustainable fishing practices and trade in fish products from sustainably managed fisheries.

ARTICLE 18.11

Trade and investment in environmental goods and services

1. The Parties recognise the importance of trade and investment in environmental goods and services as a means of improving environmental and economic performance and in contributing to addressing global environmental challenges.
2. To that end, the Parties recall that each Party has eliminated customs duties on environmental goods originating in the other Party pursuant to Article 2.5 (Elimination of customs duties). An illustrative list of such goods contributing to climate change mitigation is provided in Annex 18-B (Illustrative list of goods contributing to climate change mitigation).
3. The Parties further recall their commitments in relation to environmental services under Chapter 9 (Investment liberalisation and trade in services). An illustrative list of such environmental services is provided in Annex 18-A (Illustrative list of environmental services).

4. Furthermore, in light of paragraph 1, each Party shall facilitate and promote as appropriate trade and investment in environmental goods and services, including through addressing related non-tariff barriers, cooperating on rules, standards, technical regulations and conformity assessment procedures relevant to the green economy, or through policy frameworks conducive to the deployment of the best available technologies.

5. The Parties may cooperate on initiatives to promote environmental goods and services, bilaterally and in international fora as appropriate, including in the WTO, *inter alia*, through the exchange of information and best practices, including in relation to developing policies, standards, technical regulations and conformity assessment procedures, measures and approaches.

ARTICLE 18.12

Trade and responsible business conduct

1. The Parties recognise the importance of responsible management of supply chains through responsible business conduct or corporate social responsibility practices and the role of trade in pursuing this objective.

2. In light of paragraph 1, each Party shall:

- (a) promote corporate social responsibility or responsible business conduct and encourage the uptake of relevant practices and initiatives by business, including enhanced transparency measures in relation to responsible management of supply chains; and
- (b) support the dissemination of relevant international guidelines and principles, such as the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, the UN Global Compact, and the UN Guiding Principles on Business and Human Rights.

3. The Parties recognise the utility of international sector-specific guidelines, including the OECD Due Diligence Guidance documents, in the area of corporate social responsibility or responsible business conduct. The Parties shall endeavour to promote the uptake of the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-

Risk Areas and its supplements. In this context, the Parties also recall the FAO Principles for Responsible Investment in Agriculture and Food Systems, and the FAO Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

4. The Parties shall work together to strengthen their cooperation on trade-related aspects of issues covered by this Article, bilaterally, regionally and in international fora, as appropriate, *inter alia*, through the exchange of information, best practices and outreach initiatives.

ARTICLE 18.13

Scientific and technical information

1. Each Party shall take into account available scientific and technical information and, as appropriate, relevant international standards, guidelines or recommendations, in particular from the international organisations referred to in this Chapter, when establishing or implementing measures aimed at protecting the environment or labour conditions, such as occupational safety and health, that may affect bilateral trade or investment.

2. In accordance with a precautionary approach⁹, where there are risks of serious or irreversible damage to the environment or to occupational safety and health, the lack of full scientific certainty shall not be used as a reason preventing a Party from adopting appropriate measures to prevent such damage.

3. The measures referred to in paragraph 2 shall not be applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade.

4. The Parties affirm that this Article is not intended to prejudice the rights and obligations of either Party under this Agreement.

⁹ For greater certainty, in relation to the implementation of this Agreement in the territory of the Union, the term "precautionary approach" refers to the term "precautionary principle".

ARTICLE 18.14

Transparency

Each Party shall ensure that its measures aimed at protecting the environment and labour conditions that may affect trade or investment, or its trade or investment measures that may affect the protection of the environment or labour conditions, are developed, enacted and implemented in a transparent manner, in accordance with its rules and procedures and Chapter 21 (Transparency), and provide reasonable opportunities for interested persons and stakeholders to submit views on such measures.

ARTICLE 18.15

Committee on Trade and Sustainable Development and contact points

1. The Committee on Trade and Sustainable Development is established pursuant to Article 22.5(1) (Specialised committees).
2. In addition to the functions specified in Article 22.6 (Functions of the specialised committees), the Committee on Trade and Sustainable Development shall have the following functions:
 - (a) monitor and review the implementation of this Chapter;
 - (b) carry out the tasks referred to in point (b) in Article 24.14(3) (Compliance measures);
 - (c) communicate to the Trade Committee on issues regarding the implementation of this Chapter, including proposing topics to discuss with the domestic advisory groups referred to in Article 22.7 (Domestic advisory groups); and
 - (d) consider any other matter related to the implementation of this Chapter as the Parties may agree.

3. The Committee on Trade and Sustainable Development shall publish a report after each of its meetings.

4. Each Party shall, upon the entry into force of this Agreement, designate a contact point within its administration to facilitate communication and coordination between the Parties on any matter relating to the implementation of this Chapter. Each Party shall promptly notify the other Party of the contact details of its contact point. The Parties shall promptly notify each other of any change of those contact details.

5. Each Party shall give due consideration to communication from the public on matters relevant to this Chapter. Where appropriate, each Party may inform the domestic advisory group established pursuant to Article 22.7 (Domestic advisory groups), as well as the contact point of the other Party established pursuant to paragraph 4 of this Article, of that communication.