

SECTION B - CONSULTATIONS

ARTICLE 24.4 - Consultations

1. The Parties shall endeavour to resolve any dispute referred to in Article 24.2 (Scope) by entering into consultations in good faith, with the aim of reaching a mutually agreed solution.
2. A Party shall seek consultations by means of a written request delivered to the other Party identifying the measure at issue and the covered provisions that it considers applicable.
3. The Party to which the request for consultations is made shall reply to the request for consultations promptly, but no later than 10 days after the date of its delivery. Unless the Parties agree otherwise, consultations shall be held within 30 days after the date of delivery of the request and take place in the territory of the Party complained against. The consultations shall be deemed concluded within 40 days after the date of delivery of the request, or within 90 days after that date if the dispute concerns Chapter 18 (Trade and sustainable development), unless the Parties agree to continue consultations.
4. Consultations on matters of urgency shall be held within 15 days after the date of delivery of the request for consultations. The consultations shall be deemed concluded within 15 days after the date of delivery of the request, unless the Parties agree to continue consultations.
5. During consultations, each Party shall provide sufficient factual information so as to allow a complete examination of the manner in which the measure at issue could be inconsistent with the application of this Agreement. Each Party shall endeavour to ensure the participation of personnel of its competent authorities or agencies who have expertise in the matter subject to the consultations.
6. If the dispute concerns Articles 18.3 (Multilateral labour standards and agreements), 18.4 (Trade and gender equality), 18.5 (Multilateral environmental agreements) or 18.6 (Trade and climate change), the Parties shall take into account any information from the International Labour Organization (hereinafter referred to as "ILO") or from other relevant organisations or bodies established under multilateral agreements or instruments referred to in those Articles, that is available to them and relevant to the consultations, with a view to promoting coherence between the work of the Parties and that of such organisations or bodies. If relevant, the Parties should seek advice from such organisations or bodies, or from any other expert or body they deem appropriate.
7. If the dispute concerns Chapter 18 (Trade and sustainable development), each Party may also seek, if appropriate, the views of its domestic advisory group referred to in Article 22.7 (Domestic advisory groups).
8. Consultations, and in particular all information designated as confidential and positions taken by the Parties during consultations, shall be confidential and without prejudice to the rights of either

Party in any further proceedings.¹

9. The Party that sought consultations may have recourse to Article 24.5 (Initiation of panel procedures) if:

- (a) the Party to which the request is made does not respond to the request for consultations within 10 days after the date of its delivery;
- (b) the consultations have not been held within the time periods laid down in paragraphs 3 or 4, as applicable;
- (c) the consultations have been concluded and no mutually agreed solution has been reached; or
- (d) the Parties agree not to have consultations.

¹ For greater certainty, this paragraph applies to any advice or views sought pursuant to paragraphs 6 or 7.