

Explanatory Note Trade and Environment

1. CETA commitments in Chapters 22, 23 and 24 are enforceable through a dedicated dispute resolution mechanism.
2. Though the specific provisions on Dispute Resolution in Art 23.11 and in Art 24.16 have differences in wording, the overarching provisions included in the Trade and Sustainable Development Chapter (Art 22.3) commit the Parties to review, monitor and assess the impact of the implementation of CETA on sustainable development in EU and Canada, in order to take necessary corrective steps when needed.
3. We understand that Article 22.3 provides the same guarantees as Article 24.16.
4. The difference in language in the Trade and Environment Chapter was the result of the different approach of the previous Canadian government between labour and environment issues.
5. Canada and the European Union and its Member States are fully committed to effectively review and assess CETA throughout the life of the agreement. Furthermore, they are committed to initiating an early review of these provisions, including their dispute resolution mechanism, with a view to the effective enforceability of CETA provisions on trade and labour and trade and the environment.
6. Thus the Joint Interpretative Declaration removes any remaining doubt as regards the intentions of the EU and Canada and commits them to initiate immediately a review process with a specific focus on effective enforceability.
7. This is in fact a new, explicit, political commitment by the Parties.