TRADE AND SUSTAINABLE DEVELOPMENT

Article [1]
Context and objectives

1. The Parties recognise the importance of promoting the development of international trade in a way that contributes to sustainable development, for the welfare of present and future generations, taking into consideration the Agenda 21 on Environment and Development of 1992, the International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work of 1998, the Johannesburg Plan of Implementation on Sustainable Development of 2002, the Ministerial declaration of the UN Economic and Social Council on Full Employment and Decent Work of 2006, the ILO Declaration on Social Justice for a Fair Globalisation of 2008, the Outcome Document of the UN Conference on Sustainable Development of 2012 entitled "The Future We Want" and the 2030 Agenda for Sustainable Development.

2. The Parties recognise the contribution of this Agreement to promoting sustainable development of which economic development, social development and environmental protection are mutually reinforcing components. The Parties further recognise that the purpose of this Chapter is to strengthen the trade relations and cooperation between the Parties in ways that promote sustainable development, and is not to harmonise the environment or labour standards of the Parties.

Article [2]
Right to regulate and levels of protection

1. Recognising the right of each Party to determine its sustainable development policies and priorities, to establish its own levels of domestic environmental and labour protection, and to adopt or modify accordingly its relevant laws and regulations, consistently with its commitment to the internationally recognised standards and agreements to which the Party is a party, each Party shall strive to ensure that its laws, regulations and related policies provide high levels of environmental and labour protection and shall strive to continue to improve those laws and regulations and their underlying levels of protection.

2. The Parties shall not encourage trade and investment by relaxing or lowering the level of protection provided by their respective domestic environmental or labour laws and regulations. To this effect, the Parties shall not waive or otherwise derogate from such laws and regulations or fail to effectively enforce them through a sustained or recurring course of action or inaction, in a manner affecting trade or investment between the Parties.

3. The Parties shall not use their respective environmental or labour laws and regulations in a manner which would constitute a means of arbitrary or unjustifiable discrimination against the other Party, or a disguised restriction on international trade.

Article [3]

International labour standards and conventions

1. The Parties recognise full and productive employment and decent work for all as key elements to respond to economic, labour and social challenges. The Parties also recognise the importance of promoting the development of international trade in a way that is conducive to full and productive employment and decent work for all. In this context, the Parties shall have exchanges of views and information on trade-related labour issues of mutual interest through the mechanism of Article 13 of this Chapter, and as appropriate in other for a.

2. The Parties reaffirm their obligations deriving from ILO membership as members of the ILO.] The Parties reaffirm their respective commitments with regard to the ILO Declaration on Fundamental Principles and Rights at Work adopted by the International Labour Conference at its 86th Session in 1998 and its Follow-up. Accordingly, the Parties shall respect, promote and realise in their laws and practices and in their whole [territories][Areas] the internationally recognised principles concerning fundamental rights at work, which are:

a) The freedom of association and the effective recognition of the right to collective bargaining;
b) The elimination of all forms of forced or compulsory labour;
c) The effective abolition of child labour; and
d) The elimination of discrimination in respect of employment and occupation.

3. Accordingly, each Party shall make continued and sustained efforts to pursue [0316 EU: towards] ratification [EU alt: , in accordance with domestic rules/procedures/ to the extent that it has not yet done so], of the fundamental ILO Conventions. The Parties will also consider the ratification of other conventions that are classified as up-to-date by the ILO.

[(30092016) (JP and EU to revert) Each Party shall make [EU: continued and sustained] efforts on its own initiative to pursue ratification of the fundamental ILO Conventions and other ILO Conventions which each Party considers appropriate to ratify.]

[JP alt: Each Party shall make [continued and sustained] efforts on its own initiative to pursue ratification of the ILO Conventions, including the fundamental ILO Conventions [, as appropriate] [Alt: , which each Party considers appropriate to ratify].

[30062016 JP: Each party shall make efforts on its own initiative to study the possibility of ratification of the fundamental ILO conventions as well as of other ILO conventions.]

[EU alt 2: Each Party shall make continued and sustained efforts on its own initiative to pursue/towards ratification of the fundamental ILO Conventions, as well as of other ILO Conventions [JP: ,] which each Party considers appropriate to ratify.]

[EU alt 3: Each Party shall make continued and sustained efforts on its own initiative to pursue/towards ratification of the fundamental ILO Conventions as well as of other ILO Conventions which each Party considers appropriate to ratify.]

4. The Parties shall exchange information on their respective situation as regards the ratification of ILO Conventions and Protocols, including the fundamental ILO Conventions.

5. Each Party reaffirms its commitment to effectively implement in its laws and practices in its whole [territory] [Area] ILO Conventions ratified by Japan and the Member States of the European Union respectively.

6. The Parties recognise that the violation of the fundamental principles and rights at work referred to in paragraph 2 of this Article cannot be invoked or otherwise used as a legitimate comparative advantage, and that labour standards should not be used for protectionist trade purposes.

Article [4]

Multilateral environmental agreements

1. The Parties stress the importance of multilateral environmental agreements, in particular those to which the Parties are parties, as a means of multilateral environmental governance for the international community to address global or regional environmental challenges. The Parties also stress the importance of achieving mutual supportiveness between trade and environment. In this context, the Parties shall exchange views and information on trade-related environmental matters of mutual interest through the mechanism of Article 13 (Sub-Committee) of this Chapter, and as appropriate in other fora.

2. Each Party reaffirms its commitment to effectively implement in its laws and related practices the multilateral environmental agreements to which the Party is a party.

3. Each Party shall exchange information with the other Party on its respective situation and advancements regarding ratification, acceptance or approval of, or accession to, multilateral environmental agreements, which each Party considers appropriate to be bound by, as well as regarding amendments to, and implementation of, such agreements.

4. The Parties reaffirm their commitment to achieving the ultimate objective of the United Nations Framework Convention on Climate Change (UNFCCC). The Parties commit to work together to take actions to address climate change towards achieving the purpose of the Paris Agreement adopted by the Conference of the Parties to the UNFCCC at its 21st session.

5. Nothing in this Agreement prevents a Party from adopting or maintaining measures to implement the multilateral environmental agreements to which it is a party provided that such measures are not applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination between the Parties or a disguised restriction on trade.

Article [5]

Trade and investment favouring sustainable development

The Parties recognize the importance of enhancing the contribution of trade and investment to the goal of sustainable development in its economic, social and environmental dimensions. Accordingly:

(a) [The parties recognise the importance of [EU: the] principles concerning fundamental rights at work, decent work for all [EU: ,] and fundamental values of freedom, human dignity, social justice, security and non-discrimination for sustainable economic and social development and efficiency, as well as the importance of seeking better integration thereof into trade and investment policies] (JP to revert)

(b) The Parties shall strive to facilitate and promote trade and investment in environmental goods and services, in a manner consistent with other provisions of this agreement.

(c) The Parties shall strive to facilitate trade and investment in goods and services of particular relevance for climate change mitigation, such as sustainable renewable energy and energy efficient goods and services, in a manner consistent with other provisions of this agreement.

(d) The Parties shall strive to promote trade and investment in goods that contribute to enhanced social conditions and environmentally sound practices, including goods that are the subject of public labelling schemes. The Parties recognise the contribution to sustainability of other voluntary initiatives, including private ones.

(e) The Parties shall encourage corporate social responsibility and exchange views and information thereon through the mechanism of Article 13 of this Chapter, and as appropriate in other fora. In this regard, the Parties recognise the importance of the relevant internationally recognised principles and guidelines, including the OECD Guidelines for Multinational Enterprises and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.

Article [6]

Biological diversity

1. Each Party recognises the importance of ensuring the conservation and sustainable use of biological diversity in accordance with relevant international agreements to which the Party is a party, notably the Convention on Biological Diversity (CBD) and its protocols and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

2. To this end, each Party shall:

(a) encourage the use of products which were obtained through a sustainable use of natural resources and which contribute to the conservation and sustainable use of biodiversity, including through labelling schemes, taking into account the importance of trade in such products.

(b) implement effective measures to combat illegal trade in endangered species of wild fauna and flora as covered by CITES, and as appropriate in other endangered species, such as monitoring and enforcement measures, and awareness-raising actions.
(c) implement, as appropriate, the decisions which were adopted under the international agreements referred to in paragraph 1, including through laws, strategies, plans and programmes.
(d) exchange information and consult with the other Party at bilateral and global level on the matters of this Article, including trade in wildlife and natural resource-based products, the valuation, mapping and assessment of ecosystems and their services, and the access to genetic resources and the fair and equitable sharing of benefits arising from their utilisation.

Article [7]

Sustainable management of forests and trade in timber and timber products

1. The Parties recognise the importance of ensuring the conservation and sustainable management of forests.

2. To this end, the Parties shall:
(a) encourage conservation and sustainable management of forests, and trade in timber and timber products harvested in accordance with the laws and regulations of the country of harvest.
(b) contribute to combating illegal logging and related trade, including as appropriate with respect to the trade with third countries.
(c) exchange information and share experiences at bilateral and global levels with a view to promoting the conservation and sustainable management of forests and trade in legally harvested timber and timber products, as well as to combating illegal logging.

Article [8]

Trade and sustainable use of fisheries resources and sustainable aquaculture

1. The Parties recognise the importance of ensuring the conservation and sustainable use and management of fisheries resources and of safeguarding marine ecosystems as well as the promotion of responsible and sustainable aquaculture.

2. To this end, the Parties shall:
(a) comply with the UN Convention on the Law of the Sea of 1982, the FAO Agreement to Promote Compliance with International Conservation and
(b) Management Measures by Fishing Vessels on the High Seas, and the UN Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, take measures to achieve the objectives and principles of the FAO Code of Conduct for Responsible Fisheries of 1995, encourage the implementation of port state measures both at global and regional levels, and, as appropriate, encourage third parties to ratify, accept, approve, or accede to, relevant international instruments to which the Parties are parties;

(c) promote conservation and sustainable use of fisheries resources through appropriate international organisations, agencies and bodies, including Regional Fisheries Management Organisations (RFMOs) in which both Parties are participating. This shall include, where applicable, effective monitoring, control and enforcement of the RFMOs' resolutions, recommendations or measures, and implementation of their Catch Documentation or Certification Schemes; (c) adopt and implement effective tools for combating illegal, unreported and unregulated (IUU) fishing, including through legal instruments, control, monitoring and enforcement, and capacity management measures, where appropriate. The Parties recognise that voluntary sharing of information on IUU fishing will enhance the effectiveness of these tools in the fight against IUU fishing. The Parties also underline the crucial role of members with major fisheries markets at RFMO level to leverage a sustainable use of fisheries resources.

(d) promote the development of sustainable and responsible aquaculture, taking into account its economic, social and environmental aspects.

Article [9]

Scientific information

When preparing and implementing measures aimed at protecting the environment or labour conditions that may affect trade or investment, the Parties shall take account of available scientific and technical information, and where appropriate, relevant international standards, guidelines or recommendations, and the precautionary approach.

Article [10]

Transparency

[Each Party, in accordance with its domestic laws and Chapter [X] [Transparency], shall ensure that any measures aimed at protecting the environment and labour conditions that may affect trade or investment are developed, introduced and implemented in a transparent manner, with due notice and public consultation [JP delete: , and with appropriate and timely communication to and consultation of non-state actors].]

[(20160929) Each Party shall ensure that any measure of general application pursuing the objectives of this chapter are [administered (check against Transparency Chapter)] in a transparent manner, in accordance with Chapter [X] [Transparency], including with due notice and public consultation, including of non-state actors.] (EU and JP to revert)

(Notes: Pending until the finalization of transparency chapter.)

Article [11]

Review of sustainability impacts

The Parties recognise the importance of reviewing, monitoring and assessing, jointly or individually, the impact of the implementation of this Agreement on sustainable development

through their respective processes and institutions, as well as those set up under this Agreement.

Article [12]
Cooperation

Recognising the importance of cooperation on trade and investment related aspects of environmental and labour policies in order to achieve the objectives of this Agreement, the Parties may, inter alia:

(a) cooperate at bilateral or multilateral level in the field of environmental protection and labour, including through appropriate international organisations, agencies or bodies in which the Parties participate [EU: , and strive to support each other's full participation in, or membership to MEAs]. [EU (20160929): , including/for instance by striving to support each other's full participation in, or membership to MEAs // The parties highlight the importance of striving to support the other Party's efforts to achieve full participation in, or membership to MEAs].
(b) cooperate on evaluating the mutual impact between trade and environment and labour as well as on ways to enhance, prevent or mitigate such impacts taking into account the monitoring and assessment carried out by the parties, for instance sustainability impact assessments as far as the EU is concerned.
(c) cooperate to facilitate and promote trade and investment in environmental goods and services, in a manner consistent with other provisions of this Agreement, including through the exchange of information.
(d) cooperate on labelling schemes, including through the exchange of information on eco-labels, as well as other measures and initiatives that contribute to sustainability, including as appropriate fair and ethical trade schemes.
(e) cooperate to promote corporate social responsibility, notably through the exchange of information and best practices, including on adherence, implementation, follow-up, and dissemination of internationally agreed guidelines and principles.
(f) cooperate on trade-related aspects of the International Labour Organisation's agenda of decent work for all.
(g) cooperate on trade-related aspects of multilateral environmental agreements, including through the exchange of views and information on the implementation of CITES and technical and customs cooperation.
(h) cooperate on trade-related aspects of the international climate change regime, including means to promote low-carbon technologies, other climate-friendly technologies and energy efficiency.
(i) cooperate to promote the conservation and sustainable use of biological diversity, including combatting illegal trade in endangered species of wild fauna and flora.
(j) cooperate to promote the conservation and sustainable management of forests and trade in legally harvested timber and timber products, as well as to combat illegal logging.
(k) cooperate, bilaterally or through appropriate international organisations, agencies or bodies in which both Parties are participating, to promote sustainable fishing and aquaculture practices and trade in legally obtained fisheries resources, as well as to combat IUU fishing.

Article [13]

Sub-Committee [Specialised Committee] on Trade and Sustainable Development

1. Each Party shall designate an office within its administration that shall serve as Contact Point with the other Party for purposes of implementing this chapter.
2. For the purposes of the effective implementation and operation of this Chapter, the Parties hereby establish a Sub[Specialised]-Committee on Trade and Sustainable Development (hereafter referred to in this Article as "the Sub[Specialised]-Committee").
3. The functions of the Sub[Specialised]-Committee shall be:
   (a) reviewing and monitoring the implementation and operation of this Chapter;
   (b) considering any other matter related to this Chapter as the Parties may agree;
   (c) interacting with civil society on the implementation of this chapter;
   (d) reporting the findings of the Sub[Specialised]Committee to the Joint Committee;
   (e) carrying out other tasks assigned by the Joint Committee;
   (f) seeking/finding solutions to resolve differences between the Parties as to the implementation of this Chapter

   [30062016 JP: footnote for paragraph 3(c): For the purpose of this Chapter, the Parties agree that "civil society" means [EU: independent] economic, social and environmental stakeholders, including employers' and workers' organisations].

4. The Sub[Specialised] Committee shall be co-chaired, at an appropriate level, by representatives of the Parties.
5. The Sub[JP: Specialised]-Committee shall [JP: hold meetings] at such time and venues, as may be agreed by the Parties [30062016 JP: , or whenever requested by a Party for consultations with the other Party pursuant to paragraph 1 of article 16.] ~~within the first year after the present Agreements enters into force, and thereafter as necessary. It shall establish its own rules of procedures~~]

[30062016 EU: The Sub[Specialised]-Committee shall meet within the first year after the present Agreement enters into force, and thereafter at such time and venues as may be agreed by the Parties, at the request of either Party, or whenever requested by a Party for consultations with the other Party pursuant to paragraph 1 of article 16. It shall establish its own rules of procedures. It shall establish its own rules of procedures].

[20160929 JP: The Sub[Specialised]-Committee shall be convened within one year of the date of entry into force of this Agreement. Thereafter, the Sub[Specialised]-Committee shall be convened at such venues and times as may be agreed by the Parties or at the request of either Party, including for consultations with the other Party pursuant to paragraph 1 of article 16].

[20160929 EU: The Sub[Specialised]-Committee shall be convened within one year of the date of entry into force of this Agreement. Thereafter, the Sub[Specialised]-Committee shall be convened at such venues and times as may be agreed by the Parties or at the request of either Party, including for consultations with the other Party pursuant to Article XX [Government Consultations], or as otherwise foreseen under in Article XX on Specialised Committees of Chapter XX on Institutional, General and Final Provisions. It shall establish its own rules of procedures].

(EU: check state of play on institutional provisions).

Article [14]

Domestic advisory group

1. Each Party shall convene meetings of its own new or existing domestic advisory group or groups on economic, social and environmental issues related to this Chapter and consult with the group or groups which work(s) in accordance with the Party's laws, regulations and practices.
2. Each Party is responsible for ensuring a balanced representation of independent economic, social and environmental stakeholders, including employers' and workers' organisations, in such advisory group or groups.
3. Such group or groups of each Party may meet on its/their own initiative and express its/their opinions on the implementation of this Chapter independently of the Party and submit such opinions to the Party.

Article [15]

Joint Dialogue with civil society

1. The Parties shall convene a Joint Dialogue with civil society organisations in their territories/areas, including members of their domestic advisory groups, as referred to in Article 14, to conduct a dialogue on this Chapter.

2. The Parties shall promote a balanced representation of relevant interests, including independent representative organisations of economic, environmental and social interests, as well as other relevant stakeholders as appropriate. The participants in the Joint Dialogue may express their opinion on the implementation of this Chapter independently of either Party.

3. The Joint Civil Society Dialogue Forum shall be convened once a year unless otherwise agreed by the Parties. The Parties shall agree on the operation of the Joint Civil Society Dialogue Forum no later than one year after the entry into force of the present Agreement.

[JP: 3. [EU delete: The Joint Dialogue shall be convened at such time and venues as may be agreed by the Parties.][EU: The Joint Civil Society Dialogue shall be convened once a year unless otherwise agreed by the Parties.] The Parties shall agree (on the operation of the joint dialogue) no later than one year after the entry into force of this Agreement.]

[30062016 JP: 3. The Joint Dialogue shall be convened within one year of the date of entry into force of this agreement. Thereafter, the Joint Dialogue shall be convened at such venues and times as may be agreed upon.]

[20160929 JP: 3. The Joint Dialogue shall be convened and the Parties shall agree on the operation of the Joint Dialogue within one year after the date of entry into force of this Agreement. Thereafter, the Joint Dialogue shall be convened at such venues and times as may be agreed by the Parties.] (JP to revert)

[20160929 EU: 3. The Parties shall convene the first Joint Dialogue and agree on its operation within one year after the date of entry into force of this Agreement. Thereafter, the Joint Dialogue shall be facilitated once a year unless otherwise agreed by the Parties.]

[20160929 EU alt: 3. The Parties shall convene the first Joint Dialogue and agree on its operation within one year after the date of entry into force of this Agreement. Thereafter, the Joint Dialogue meets once a year unless it decides otherwise.]

4. The Parties shall present an update on the implementation of this Chapter to the Joint Civil Society Dialogue Forum. The views and opinions of the Joint Civil Society Dialogue Forum shall be submitted to the SubCommittee on Trade and Sustainable Development and be publicly available.

[JP: 4. [EU: The Parties present an update on the implementation of this Chapter to the Joint Civil Society Dialogue.] [0316 EU alt: The Parties inform the Joint Civil Society Dialogue on the status of the implementation of this Chapter. (JP will revert)] The views and opinions of the Joint Dialogue may be [EU: shall be] submitted to the SubCommittee on Trade and Sustainable Development and be made publicly available. (EU will revert).]

[20160929 4. The Parties will provide the Joint Dialogue with information on the implementation of this Chapter. The views and opinions of the Joint Dialogue may be submitted to the Sub-Committee on Trade and Sustainable Development and be made publicly available.] (EU and JP will revert)

Article [16]
Government Consultations

[(30092016) JP:

1. A Party may request in writing [to hold the Specialised Committee (JP to revert)] for consultations with the other Party concerning any matter on interpretation and application of this Chapter. The Party requesting consultations shall set out the reasons for the request, including identification of the matter and an indication of its factual basis and its legal basis, specifying the relevant provisions of this Chapter.

2. When a Party requests consultation pursuant to paragraph 1, the other Party shall reply promptly and enter into consultations with a view to reaching a mutually satisfactory resolution of the matter.

3. If no solution is reached through the consultation referred to in paragraphs 1 and 2, the Specialised-Committee [EU: shall be convened promptly upon request of a Party to consider the matter and] may seek advice from experts [EU: including from relevant international organisations and bodies], as may be required by both Parties on an ad hoc basis. The [JP: Parties] [EU: Committee] shall discuss appropriate measures to be implemented taking into account the advice provided by the experts.

4. During consultations, each Party shall provide sufficient information to enable a full examination of the matter in question. The Parties shall take into account the activities of relevant international organisations [JP: in which both parties are participating for facilitating the consultations.] (EU to send additional proposal).

4. [30062016 EU Alt:
During consultations, each Party shall provide sufficient information to enable a full examination of the considered matter. The Parties shall take into account the activities of the ILO or relevant multilateral environmental organisations or bodies so as to promote greater cooperation and coherence between the work of the Parties and these organisations. Where relevant, the Parties may seek advice from these organisations or bodies.]

4. The Parties shall ensure that the solutions reached through the consultations under paragraphs 1, 2 and 3, will be [EU: jointly made] publicly available [JP: in an agreed manner], unless otherwise agreed by the Parties.]

(EU and JP to revert on the proposal for the whole article)

Article [17]
Panel of Experts

1. A Party may, 90 days after the delivery of a request for consultations under Article [16.2], request, by delivering a written request to the contact point of the other Party, that a Panel of Experts be convened to examine a matter that has not been satisfactorily addressed through government consultations.
2. The provisions set out in Sub-Section [1] [Arbitration Procedure] and [3] [Common Provisions], as well as in Article 24 [Time limits] of Section 3 [Dispute Settlement Procedures] of Chapter [Y] [Dispute Settlement], as well as the Rules of Procedure in Annex I and the Code of Conduct in Annex II to Chapter [Y] [Dispute Settlement], shall apply, except as otherwise provided in the present Article.
3. The Sub-Committee on Trade and Sustainable Development shall, at its first meeting after the entry into force of the present Agreement, establish a list of at least 15 individuals who are willing and able to serve as experts in Panel procedures. Each Party shall propose at least five individuals to serve as experts. The Parties shall also select at least five individuals who are not nationals of either Party and who shall act as chairperson to the Panel of experts. The SubCommittee on Trade and Sustainable Development will ensure that the list is always maintained at this level.
4. The list referred to in paragraph 3 shall comprise individuals with specialised knowledge of or expertise in labour or environmental law, issues addressed in this Chapter, or the resolution of disputes arising under international agreements. They shall be independent, serve in their individual capacities and not take instructions from any organisation or government with regard to issues related to the matter at stake, or be affiliated with the government of any Party, and shall comply with Annex II [Code of Conduct] to Chapter [Y] [Dispute Settlement].
5. For matters arising under this Chapter, should the Panel of Experts be composed according to the procedures set out in Art. [6.3] [Establishment of the arbitration panel] of Chapter [Y] [Dispute Settlement], the experts shall be selected from the list referred to in Article [17.3] [Panel of Experts] of the present Chapter, in accordance with the relevant provisions of Sub-Section [1] [Arbitration Procedure] of Section [3] [Dispute Settlement Procedures] of Chapter [Y] [Dispute Settlement].

6. Unless the Parties agree otherwise within five days from the date of establishment of the Panel of Experts, the terms of reference of the Panel of Experts shall be: "to examine, in the light of the relevant provisions of the Trade and Sustainable Development Chapter, the matter referred to in the request for the establishment of the Panel of Experts, and to issue a report, in accordance with Article [17.8] [Panel of Experts] of the present Chapter, making recommendations for the solution of the matter".
7. In matters related to the respect of multilateral agreements as set out in Articles 3 and 4 of the present Chapter, the Panel of Experts should seek information and advice from the ILO or MEA bodies.
8. The Panel of Experts shall issue its report to the Parties, in accordance with the timeline set out in Article 21 [Decisions and Rulings of the Arbitration Panel] of Chapter [Y] [Dispute Settlement]. This report shall set out the findings of facts, the applicability of the relevant provisions and the basic rationale behind any findings and recommendations that it makes. The Parties shall make this report publicly available within 15 days of its issuance.
9. The Parties shall discuss appropriate measures to be implemented taking into account the Panel's report and recommendations. The Party concerned shall inform its domestic advisory group(s) and the other Party of its decisions on any actions or measures to be implemented no later than three months after the report has been made publicly available. The follow-up to the report and the recommendations of the Panel of Experts shall be monitored by the Sub-Committee on Trade and Sustainable Development. The domestic advisory groups and the Joint Civil Society Dialogue Forum may submit observations to the Sub-Committee on Trade and Sustainable Development in this regard.