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Avant-projet de décret portant assentiment à l'Accord de partenariat stratégique entre l'Union européenne et le Canada, signé à Bruxelles le 30 octobre 2016

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CONSEIL D'ETAT
LEGISLATION

12 -03- 2018

RAAD VAN STATE
WETGEVING

Exposé des motifs

A. Contexte et objet de l'accord

Le présent projet de loi a pour objet de porter assentiment à l'Accord de partenariat stratégique entre l'Union européenne et ses États membres, d'une part, et le Canada, d'autre part (ci-après dénommé « l'Accord »).
La coopération entre l'UE et le Canada, formalisée pour la première fois dans l'accord-cadre de coopération commerciale et économique de 1976, a entretemps évolué et a été approfondie. Elle couvre actuellement un grand nombre de domaines politiques et de secteurs tels que la paix et la sécurité internationales, la non-prolifération, les droits de l'homme, l'environnement, la justice et la sécurité, la migration et l'intégration, la pêche, l'éducation, la culture et la politique ayant trait à la région arctique.

L'objectif de l'Accord est double :

femmes et des hommes seraue politique et de la coopération entre l'UE et le Canada sur les questions de politique étrangère et de sécurité par l'élévation des relations au niveau d'un partenariat stratégique et
- coopération sectorielle plus étroite dans un grand nombre de domaines politiques thématiques qui vont au-delà du commerce et de l'économie.
Cet Accord forme, avec l'Accord économique et commercial global, la base d'un partenariat exceptionnel avec un allié proche de l'Union européenne et ses États membres dans la communauté internationale.

Évolution et genèse de l'Accord et positions de la Belgique lors des négociations

Le 8 décembre 2010, le Conseil a adopté une décision habilitant la Commission européenne et le haut représentant de l'Union pour les Affaires étrangères et la politique de sécurité à négocier un accord-cadre entre l'Union européenne, d'une part, et le Canada, d'autre part.

Les négociations relatives à cet Accord ont été entamées en septembre 2011 et se sont clôturées au printemps 2014. Le 18 juin 2014, le Comité des représentants permanents du Conseil a approuvé le texte de l'Accord de partenariat stratégique, ce qui a ouvert la voie au paraphe du texte par les négociateurs principaux le 8 septembre 2014.

L'Accord a été signé, en même temps que l'Accord économique et commercial global, lors d'un sommet entre l'UE et le Canada à Bruxelles le 30 octobre 2016.

Les États membres ont régulièrement été consultés durant le processus de négociation lors des réunions du Groupe de travail « relations transatlantiques ».

Dans cette perspective, les parties prenantes belges aux niveaux fédéral, régional et communautaire (voir plus loin au point 4) ont été régulièrement consultées dans le cadre des concertations habituelles organisées au sein de la direction générale Coordination et

Affaires européennes du SPF Affaires étrangères, Commerce extérieur et Coopération au développement.

B. Le contenu de l'accord

1. Commentaire des articles de l'Accord

Préambule

Le Préambule souligne la longue tradition de coopération entre les parties, l'approfondissement progressif de celle-ci et la nouvelle architecture institutionnelle découlant du Traité de Lisbonne comme justification d'un nouveau traité.

Titre I : Fondement de la coopération

Article premier : Les parties s'efforcent d'accroître la cohérence sur les plans bilatéral, régional et multilatéral sur la base des valeurs et principes communs.

Titre II : Droits de l'homme, libertés fondamentales, démocratie et État de droit

Article 2 : Les parties ne devront pas seulement respecter ces principes fondamentaux mais aussi les promouvoir dans le cadre de conventions multilatérales, et plus particulièrement promouvoir la démocratie et l'État de droit.

Titre III : Paix et sécurité internationales et multilatéralisme efficace

L'article 3 concerne la menace que représentent les armes de destruction massive et leurs vecteurs. Les parties doivent adhérer aux accords internationaux en matière de désarmement et de non-prolifération des armes de destruction massive, ils collaboreront dans le domaine du contrôle des exportations et lutteront contre la dissémination de ces armes.
L'article 4 concerne la problématique de la fabrication et du commerce illicites d'armes à feu et organise la coopération, entre autres dans le cadre du plan d'action des Nations Unies à ce sujet.
L'article 5 porte sur le mandat de la Cour pénale internationale et la promotion de sa ratification universelle.
L'article 6 concerne la lutte contre le terrorisme et la coopération internationale en la matière. L'ONU, le Forum global de lutte contre le terrorisme et le Groupe d'action financière jouent un rôle important à cet égard.
L'article 7 concerne le renforcement de l'architecture de sécurité transatlantique et la coopération dans le cadre des opérations et missions de l'UE.

L'article 8 concerne la promotion d'un multilatéralisme efficace dans le cadre de l'ONU et des enceintes et agences spécialisées, de l'OTAN, de l'OCDE et de l'OSCE.

Titre IV : Développement économique et durable

Ce chapitre traite des défis de la mondialisation.
L'article 9 concerne l'engagement à contribuer au leadership mondial dans les questions économiques. L'article 10 concerne la promotion du libre-échange et des investissements, dans le cadre de l'Accord économique et commercial global, mais également dans le cadre de l'Organisation mondiale du commerce et au moyen de la coopération douanière.
L'article 11 concerne la bonne gouvernance fiscale sur la base de standards internationaux élaborés entre autres par l'OCDE.
L'article 12 concerne le développement durable, et notamment la limitation des dommages environnementaux, l'utilisation efficace des ressources et la lutte contre la pauvreté.
Des dialogues politiques seront organisés en matière de coopération au développement, d'environnement, de climat et d'énergie. L'Accord reconnait la nécessité de disposer de normes environnementales strictes et la menace du changement climatique.
Les parties coopéreront également en ce qui concerne l'emploi, les affaires sociales et le travail décent, sur la base des normes de l'Organisation internationale du travail.
L'article 13 est une liste non exhaustive d'autres domaines et formes de coopération possibles.
L'article 14 traite de la contribution au bien-être des citoyens, en ce compris la protection des consommateurs et la santé publique.
L'article 15 concerne la coopération dans les domaines de la science, de la technologie, de la recherche et de l'innovation, avec une attention particulière pour les technologies de l'information et des communications, la sécurité et la stabilité d'Internet et les systèmes spatiaux.
L'article 16 traite de la promotion de la diversité des expressions culturelles, de l'éducation et de la jeunesse, et des contacts interpersonnels. L'article 17 concerne la coopération en matière de préparation et d'assistance lors de catastrophes naturelles.

Titre V – Justice, liberté et sécurité

L'article 18 englobe l'entraide judiciaire et l'assistance en cas d'extradition, également en matière civile et commerciale, entre autres dans le cadre de la Conférence de la Haye de droit international privé.

L'article 19 traite de la lutte contre les drogues et le trafic de drogues illicites et du contrôle sur les précurseurs chimiques ainsi que de la limitation des conséquences sanitaires et sociales de l'abus de drogues illicites. Les parties souscrivent aux objectifs du plan d'action de 2009 des Nations Unies.

L'article 20 traite de la lutte contre la corruption et la criminalité organisée et permet la coopération du Canada avec les États membres de l'UE dans le cadre d'Europol, ainsi que dans le cadre de l'ONU.

L'article 21 concerne le blanchiment d'argent et le financement du terrorisme et se réfère aux recommandations du Groupe d'action financière.

L'article 22 concerne la coopération en matière de lutte contre la cybercriminalité.

L'article 23 concerne la migration, l'asile et la gestion des frontières. Les parties s'engagent à généraliser dès que possible le régime d'exemption de visa. Ce point revêtait une grande importance pour la Bulgarie et la Roumanie, dont les ressortissants ne bénéficient pas encore de l'exemption de visa pour leurs voyages au Canada. Il existe par ailleurs un engagement réciproque pour la réadmission des ressortissants.

L'article 24 détermine que la protection consulaire au Canada s'applique aux ressortissants de tous les États membres de l'UE, même si ceux-ci ne disposent pas de représentation consulaire ou diplomatique au Canada. Ils peuvent alors faire appel à la représentation de tout autre État membre. Inversement, les ressortissants canadiens peuvent faire appel à la représentation canadienne auprès d'un autre État membre que celui dans lequel ils se trouvent s'il n'y a pas de représentation dans ce pays.

En vertu de l'article 25, les données à caractère personnel seront protégées selon des normes internationales élevées, également dans le cadre de la lutte contre le terrorisme et la criminalité transnationale organisée.

Titre VI Dialogue politique et mécanismes de consultation

Les articles 26 et 27 décrivent le dialogue politique sous la forme de réunions au sommet, de réunions au niveau des ministres des affaires étrangères, de consultations auprès des hauts fonctionnaires et des fonctionnaires de niveau opérationnel. Les délégations du Parlement européen et du Parlement du Canada entretiennent également un dialogue politique.

L'article 28 concerne le comité interministériel qui remplace le dialogue transatlantique.
Un comité mixte de coopération et des sous-comités sont également créés. Ce comité mixte de coopération veille au bon fonctionnement de l'Accord et est le premier interlocuteur en cas de litiges concernant l'exécution des obligations. Les dispositions en matière de droits de l'homme et de non-prolifération constituent des éléments essentiels.
Tout problème urgent survenant sur le territoire de l'une des parties sera soumis au comité interministériel. Dans le cas où aucune solution ne peut être trouvée à ce niveau, une suspension – temporaire ou non – de l'Accord est possible.
En outre, toute violation particulièrement grave en matière de droits de l'homme ou de non-prolifération peut également donner lieu à la suspension de l'Accord économique et commercial global UE-Canada.

Titre VII : Dispositions finales

Celles-ci concernent la sécurité des documents (article 29), l'entrée en vigueur et la dénonciation (article 30), les amendements (article 31), la procédure d'amendement et les notifications y relatives (article 32), l'application territoriale (article 33) et la définition du terme « parties » (article 34).

1. Nature de l'Accord, répartition des compétences entre l'UE et les États membres d'une part, et entre le Gouvernement fédéral, les Régions et les Communautés d'autre part

Le 28 octobre 2016, le Conseil de l'Union européenne a approuvé la signature de l'Accord, ainsi que l'application provisoire découlant de l'article 30 de l'Accord. Pour l'Union européenne, l'article 37 du Traité sur l'Union européenne ainsi que l'article 212 du Traité sur le fonctionnement de l'Union européenne constituent la base juridique de cet accord. L'application provisoire concerne les matières relevant de la compétence de l'Union, y compris celles relevant de sa compétence pour déterminer et mettre en œuvre une politique extérieure et de sécurité commune, plus précisément :

-Au Titre I : article 1;
-Au Titre II : article 2;
-Au Titre III : article 4, paragraphe 1, article 5, article 6, paragraphe 1, article 6, paragraphe 2, et article 7,
sous b);
-Au Titre IV : article 9, article 10, paragraphe 2, article 10, paragraphe 3, article 12, paragraphes 4, 5 et 10, article 14, article 15, article 16 et article 17; en ce qui concerne l'article 12, paragraphes 6,7, 8 et 9, et l'article 13 exclusivement pour les matières pour lesquelles l'Union a déjà exercé ses compétences en interne;
-Au Titre V : article 23, paragraphe 2;
-Au Titre VI : article 26, article 27 et article 28;
-Au Titre VII : article 29, article 30, article 31, article 32, article 33 et article 34, pour autant que ces dispositions soient nécessaires à l'application provisoire de l'Accord.

Les autres parties de l'Accord ont été exclues de l'application provisoire par le Conseil, dans l'attente de l'obtention du consentement de toutes les parties en raison des compétences exercées par les États membres dans ces matières.
La plupart des volets d'une telle coopération politique sont toutefois liés à des compétences mixtes, notamment en raison du rôle de coordination de l'UE dans le domaine de la politique étrangère et de sécurité commune.

C. Nature de l'accord sur le plan interne

Le caractère mixte (Etat fédéral – Communautés – Régions – COCOF) de cet accord a été reconnu par le Groupe de travail Traités mixtes (G.T.T.M.) en date du 23 septembre 2014.

Entrent dans le champ des compétences de la Commission communautaire française, les articles suivants :

- Article 2 : Défense et promotion des principes démocratiques, des droits de l'homme et des libertés fondamentales
- Article 14 : Bien-être des citoyens
- Article 16 : Promotion de la diversité des expressions culturelles, éducation et jeunesse, et contacts interpersonnels

Avant-projet de décret portant assentiment à l'Accord de partenariat stratégique entre l'Union européenne et le Canada, signé à Bruxelles le 30 octobre 2016

Le Collège de la Commission communautaire française,

Sur la proposition de la membre du Collège chargée des Relations internationales,

Après délibération,

ARRETE :

La membre du Collège chargée des Relations internationales, est chargée de présenter à l'Assemblée de la Commission communautaire française le projet de décret dont la teneur suit :

Article 1er

Le présent décret règle, en vertu de l'article 138 de la Constitution, des matières visées aux articles 127 et 128 de celle-ci.

Article 2

L'Accord de partenariat stratégique entre l'Union européenne et le Canada, signé à Bruxelles le 30 octobre 2016, sortira son plein et entier effet.

Bruxelles, le 01 FEV. 2018

Par le Collège,

La Présidente du Collège,

Fadila LAANAN

La membre du Collège,
chargée des Relations internationales

Céline FREMAULT

Предходният текст е заверено копие на оригинала, депозиран в архивите на Генералния секретариат на Съвета в Брюксел.
El texto que precede es copia certificada conforme del original depositado en los archivos de la Secretaría General del Consejo en Bruselas.
Předchozí text je ověřeným opisem originálu uloženého v archivu generálního sekretariátu Rady v Bruselu.
Foranstående tekst er en bekræftet genpart af originaldokumentet deponeret i Rådets Generalsekretariats arkiver i Bruxelles.
Der vorstehende Text ist eine beglaubigte Abschrift des Originals, das im Archiv des Generalsekretariats des Rates in Brüssel hinterlegt ist.
Eelnev tekst on tõestatud koopia originaalist, mis on antud hoiule nõukogu peasekretariaadi arhiivi Brüsselis.
Το ανωτέρω κείμενο είναι ακριβές αντίγραφο του πρωτοτύπου που είναι κατατεθειμένο στο αρχείο της Γενικής Γραμματείας του Συμβουλίου στις Βρυξέλλες.
The preceding text is a certified true copy of the original deposited in the archives of the General Secretariat of the Council in Brussels.
Le texte qui précède est une copie certifiée conforme à l'original déposé dans les archives du secrétariat général du Conseil à Bruxelles.
Tekst koji prethodi potvrđena je kopija vjerna originalu položenom u arhivu Glavnog tajništva Vijeća u Bruxellesu.
Il testo che precede è una copia certificata conforme all'originale depositato presso gli archivi del segretariato generale del Consiglio a Bruxelles.
Šis teksts ir apliecināta kopija, kas atbilst oriģinālam, kurš deponēts Padomes Ģenerālsekretariāta arhīvos Briselē.
Pirmiau pateiktas tekstas yra Tarybos generalinio sekretoriato archyvuose Briuselyje deponuoto originalo patvirtinta kopija.
A fenti szöveg a Tanács Főtitkárságának brüsszeli irattárában letétbe helyezett eredeti példány hiteles másolata.
It-test preċedenti huwa kopja ċċertifikata vera tal-oriġinal iddepożitat fl-arkivji tas-Segretarjat Ġenerali tal-Kunsill fi Brussell.
De voorgaande tekst is het voor eensluidend gewaarmerkt afschrift van het origineel, nedergelegd in de archieven van het secretariaat-generaal van de Raad te Brussel.
Powyższy tekst jest kopią poświadczoną za zgodność z oryginałem złożonym w archiwum Sekretariatu Generalnego Rady w Brukseli.
O texto que precede é uma cópia autenticada do original depositado nos arquivos do Secretariado-Geral do Conselho em Bruxelas.
Textul anterior constituie o copie certificată pentru conformitate a originalului depus în arhivele Secretariatului General al Consiliului la Bruxelles.
Predchádzajúci text je overenou kópiou originálu, ktorý je uložený v archíve Generálneho sekretariátu Rady v Bruseli.
Zgornje besedilo je overjena verodostojna kopija izvirnika, ki je deponiran v arhivu generalnega sekretariata Sveta v Bruslju.
Edellä oleva teksti on oikeaksi todistettu jäljennös Brysselissä olevan neuvoston pääsihteeristön arkistoon talletetusta alkuperäisestä tekstistä.
Ovanstående text är en bestyrkt avskrift av det original som deponerats i rådets generalsekretariats arkiv i Bryssel.

Брюксел,
Bruselas,
Brusel,
Bruxelles, den
Brüssel, den
Brüssel,
Βρυξέλλες,
Brussels,
Bruxelles, le
Bruxelles,
Bruxelles, addì
Briselē,
Briuselis
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Brussell,
Brussel,
Bruksela, dnia
Bruxelas, em
Bruxelles,
Brusel
Bruselj,
Bryssel,
Bryssel den

18 -11- 2016

За генералния секретар на Съвета на Европейския съюз
Por el Secretario General del Consejo de la Unión Europea
Za generálního tajemníka Rady Evropské unie
For Generalsekretæren for Rådet for Den Europæiske Union
Für den Generalsekretär des Rates der Europäischen Union
Euroopa Liidu Nõukogu peasekretäri nimel
Για τον Γενικό Γραμματέα του Συμβουλίου της Ευρωπαϊκής Ένωσης
For the Secretary-General of the Council of the European Union
Pour le Secrétaire Général du Conseil de l'Union européenne
Za glavnog tajnika Vijeća Europske unije
Per il Segretario Generale del Consiglio dell'Unione europea
Eiropas Savienības Padomes Ģenerālsekretāra vārdā –
Europos Sąjungos Tarybos generalinio sekretoriaus vardu
Az Európai Unió Tanácsának főtitkára nevében
Għas-Segretarju Ġenerali tal-Kunsill tal-Unjoni Ewropea
Voor de Secretaris-Generaal van de Raad van de Europese Unie
W imieniu Sekretarza Generalnego Rady Unii Europejskiej
Pelo Secretário-Geral do Conselho da União Europeia
Pentru Secretarul General al Consiliului Uniunii Europene
Za generálneho tajomníka Rady Európskej únie
Za generalnega sekretarja Sveta Evropske unije
Euroopan unionin neuvoston pääsihteerin puolesta
För generalsekreterarens för Europeiska unionens råd

L. SCHIAVO
Directeur Général

Съставено в Брюксел на тридесети октомври през две хиляди и шестнадесета година.

Hecho en Bruselas, el treinta de octubre de dos mil dieciséis.

V Bruselu dne třicátého října dva tisíce šestnáct.

Udfærdiget i Bruxelles den tredivte oktober to tusind og seksten.

Geschehen zu Brüssel am dreißigsten Oktober zweitausendsechzehn.

Kahe tuhande kuueteistkümnenda aasta oktoobrikuu kolmekümnendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις τριάντα Οκτωβρίου δύο χιλιάδες δεκαέξι.

Done at Brussels on the thirtieth day of October in the year two thousand and sixteen.

Fait à Bruxelles, le trente octobre deux mille seize.

Sastavljeno u Bruxellesu tridesetog listopada godine dvije tisuće šesnaeste.

Fatto a Bruxelles, addì trenta ottobre duemilasedici.

Briselē, divi tūkstoši sešpadsmitā gada trīsdesmitajā oktobrī.

Priimta du tūkstančiai šešioliktų metų spalio trisdešimtą dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizenhatodik év október havának harmincadik napján.

Magħmul fi Brussell, fit-tletin jum ta' Ottubru fis-sena elfejn u sittax.

Gedaan te Brussel, dertig oktober tweeduizend zestien.

Sporządzono w Brukseli dnia trzydziestego października roku dwa tysiące szesnastego.

Feito em Bruxelas, em trinta de outubro de dois mil e dezasseis.

Întocmit la Bruxelles la treizeci octombrie două mii şaisprezece.

V Bruseli tridsiateho októbra dvetisícšestnásť.

V Bruslju, dne tridesetega oktobra leta dva tisoč šestnajst.

Tehty Brysselissä kolmantenakymmenentenä päivänä lokakuuta vuonna kaksituhattakuusitoista.

Som skedde i Bryssel den trettionde oktober år tjugohundrasexton.

Council of the
European Union

Brussels, 17 September 2014

DS 1393/14

RESTREINT UE/EU RESTRICTED

COTRA
CDN

MEETING DOCUMENT

from :	EEAS
to :	Transatlantic Relations Working Party (COTRA)
Subject :	EU-Canada Strategic Partnership Agreement as initialled

Delegations will find enclosed the text of the Strategic Partnership Agreement between the European Union and its Member States, on the one part, and Canada, on the other part, as initialled on 8 September 2014 in Ottawa. The text will be submitted to a legal-linguistic review which may entail slight changes.

Delegations are reminded that this is a restricted document and should be dealt with accordingly.

NB: This document contains information classified RESTREINT EU/EU RESTRICTED whose unauthorised disclosure could be disadvantageous to the interests of the European Union or of one or more of its Member States. All addressees are therefore requested to handle this document with the particular care required by the Council's Security Rules for documents classified RESTREINT UE/EU RESTRICTED.

EUROPEAN EXTERNAL ACTION SERVICE

AMERICAS DEPARTMENT
United States and Canada Division

Brussels,18 September 2014
Ares(2014) 3373144
RESTREINT UE

From:	EEAS
To:	COTRA Delegates
Subject:	EU-Canada Strategic Partnership Agreement as initialled

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Anna Carin Krokstäde
COTRA Chair

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Strategic Partnership Agreement between the European Union and its Member States, on the one part, and Canada, on the other part

Accord de partenariat stratégique entre l'Union européenne et ses États membres, d'une part, et le Canada, d'autre part

For Canada
Pour le Canada

John Baird, P.C., M.P.
Minister of Foreign Affairs
Ministre des Affaires étrangères

For the European Union
Pour l'Union européenne

Catherine Ashton
High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission
La Haute Représentante de l'Union pour les affaires étrangères et la politique de sécurité et la vice-présidente de la Commission européenne

PREAMBLE

THE EUROPEAN UNION, hereinafter referred to as "the Union",

and

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty on European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as "the Member States"

on the one part, and

Canada,

on the other part,

hereinafter jointly referred to as "the Parties",

Inspired by the long-standing friendship forged between the people of Canada and Europe through their extensive historical, cultural, political and economic linkages,

Noting the strides taken since the 1976 Framework Agreement for Commercial and Economic Cooperation Between the European Communities and Canada, the 1990 Declaration on Transatlantic Relations between the European Community and its Member States and Canada, the 1996 Joint Political Declaration on EU-Canada Relations and Joint EU-Canada Action Plan, the 2004 EU-Canada Partnership Agenda, and the 2005 Agreement between the European Union and Canada establishing a framework for the participation of Canada in the European Union crisis management operations,

Reaffirming their strong attachment to democratic principles and human rights as laid down in the Universal Declaration of Human Rights,

Sharing the view that the proliferation of weapons of mass destruction poses a major threat to international security,

Building on their long-standing tradition of cooperation in promoting international principles of peace and security and the rule of law,

Reaffirming their determination to combat terrorism and organized crime through bilateral and multilateral channels,

Sharing the commitment to reduce poverty, stimulate inclusive economic growth, and assist developing countries in their efforts towards political and economic reforms,

Recognizing their desire to promote sustainable development in its economic, social and environmental dimensions,

Expressing pride in their extensive range of people-to-people linkages and their commitment to the protection and promotion of the diversity of cultural expressions,

Acknowledging the important role which effective multilateral organizations can play in advancing cooperation and achieving positive outcomes on global issues and challenges,

Mindful of the dynamic trade and investment relationship between the Parties, that will be further enhanced through the effective implementation of a comprehensive economic and trade agreement,

Recalling that the provisions of this Agreement that fall within the scope of Part Three, Title V of the Treaty on the Functioning of the European Union bind the United Kingdom and Ireland as separate Contracting Parties, and not as part of the European Union, unless the European Union together with the UK and/or Ireland have jointly notified Canada that the United Kingdom or Ireland is bound as part of the European Union in accordance with the Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union. If the United Kingdom and/or Ireland ceases to be bound as part of the European Union in accordance with Article 4a of the Protocol No. 21, the European Union together with the UK and/or Ireland shall immediately inform Canada of any change in their position in which case they shall remain bound by the provisions of the agreement in their own right. The same applies to Denmark in accordance with the Protocol annexed to those Treaties on the position of Denmark,

Recognizing the institutional changes in the European Union since the entry into force of the Treaty of Lisbon,

Affirming their status as Strategic Partners, the Parties express their determination to further enhance and elevate their relationship and their international cooperation based on mutual respect and dialogue to advance their shared interests and values,

Persuaded that such cooperation should be realized in an evolutionary and pragmatic fashion as their policies develop, the Parties have decided to establish this Strategic Partnership Agreement and have agreed the following:

TITLE I – BASIS FOR COOPERATION

Article 1. General Principles

1. The Parties express their support for the shared principles set out in the Charter of the United Nations.

2. Mindful of their strategic relationship, the Parties shall endeavour to enhance coherence in developing their cooperation at the bilateral, regional and multilateral levels.

3. The Parties shall implement this Agreement based on shared values, the principles of dialogue, mutual respect, equal partnership, multilateralism, consensus and respect for international law.

TITLE II – HUMAN RIGHTS, FUNDAMENTAL FREEDOMS, DEMOCRACY AND THE RULE OF LAW

Article 2. Upholding and advancing democratic principles, human rights and fundamental freedoms

1. Respect for democratic principles and human rights and fundamental freedoms as laid down in the Universal Declaration of Human Rights and existing international human rights treaties and other legally binding instruments, to which Canada and the EU or the EU Member States are parties, underpins the national and international policies of the Parties and constitutes an essential element of this Agreement.

2. The Parties shall endeavour to cooperate and uphold these rights and principles in their own policies and shall encourage other States to adhere to these international human rights treaties and legally binding instruments and to implement their own human rights obligations.

3. The Parties are committed to advancing democracy, including free and fair electoral processes in line with international standards. Each Party shall inform the other of their respective Election Observation Missions and invite the other Party to participate as appropriate.

4. The Parties recognize the importance of the rule of law for the protection of human rights and for the effective functioning of governance institutions in a democratic state. This includes the existence of an independent justice system, equality before the law, the right to a fair trial and access by individuals to effective legal redress.

TITLE III – INTERNATIONAL PEACE AND SECURITY AND EFFECTIVE MULTILATERALISM

Article 3. Weapons of Mass Destruction

1. The Parties consider that the proliferation of weapons of mass destruction and their means of delivery, both to state and non-state actors, represents one of the most serious threats to international stability and security.

2. The Parties therefore agree to co-operate and to contribute to preventing the proliferation of weapons of mass destruction and their means of delivery through full compliance with and implementation of their obligations under international disarmament and non-proliferation agreements and UN Security Council Resolutions. In addition, the Parties shall continue to cooperate, as appropriate, in support of non-proliferation efforts through their participation in the export control regimes to which both are a party. The Parties agree that this provision constitutes an essential element of this Agreement.

3. The Parties furthermore agree to cooperate and to contribute to preventing the proliferation of weapons of mass destruction and their means of delivery by:

(a) as appropriate, taking steps to sign, ratify, or accede to, all relevant international disarmament and non-proliferation treaties and to fully implement all obligations under those treaties to which they are party and encourage other states to adhere to those treaties;

(b) maintaining an effective system of national export controls, controlling the export and preventing the illicit brokering as well as transit of WMD related goods, including a WMD end-use control on dual-use technologies and containing effective sanctions for breaches of export controls;

(c) combating the proliferation of chemical, biological and toxin weapons. The Parties agree to collaborate in relevant fora to advance the prospects for universal adherence to international conventions, including the Chemical Weapons Convention (Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction), and the Biological and Toxin Weapons Convention (Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction).

4. The Parties agree to establish a regular senior-level EU-Canada meeting to exchange views on ways of furthering cooperation on a range of non-proliferation and disarmament issues.

Article 4. Small Arms and Light Weapons

1. The Parties recognize that the illicit manufacture, transfer and circulation of Small Arms and Light Weapons (SALW), including their ammunition, and their excessive accumulation, poor management, inadequately secured stockpiles and uncontrolled spread continue to pose a serious threat to peace and international security.

2. The Parties agree to implement their respective commitments to deal with the illicit trade in SALWs, including their ammunitions, in the framework of the relevant international instruments including the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALWs in All Its Aspects (UN PoA) as well as obligations deriving from UN Security Council Resolutions.

3. The Parties shall endeavour to undertake measures to deal with the illicit trade in SALWs and to cooperate and to seek coordination, complementarity and synergy in their common efforts to assist other states to deal with the illicit trade in SALWs and ammunition at global, regional and national levels as appropriate.

Article 5. International Criminal Court

1. The Parties affirm that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must

be ensured by taking measures at the national level and by enhancing international cooperation, including with the International Criminal Court.

2. The Parties share a common commitment to promote the universal ratification or accession to the Rome Statute of the International Criminal Court, and to work towards effective domestic implementation of the Statute amongst States Parties to the ICC.

Article 6. Cooperation in Combating Terrorism

1. The Parties recognize that the fight against terrorism is a shared priority and emphasize that the fight against terrorism shall be conducted with respect for the rule of law, international law, in particular the Charter of the United Nations and relevant United Nations Security Council Resolutions, human rights, international refugee law, humanitarian law and fundamental freedoms.

2. The Parties shall maintain high-level counter-terrorism consultations and ad hoc contacts with a view to promoting effective joint counter-terrorism operational efforts and collaborative mechanisms where possible. This shall include regular exchanges on terrorist listings, countering violent extremism strategies, and approaches to emerging counter-terrorism issues.

3. The Parties share a common commitment to the promotion of an international comprehensive approach to combating terrorism under the leadership of the United Nations. The Parties shall endeavour, in particular, to cooperate to deepen the international consensus in this field to promote the full implementation of the UN Global Counter-Terrorism Strategy and the relevant UN Security Council resolutions as appropriate.

4. The Parties shall continue to cooperate closely in the framework of the Global Counter-Terrorism Forum and its working groups.

5. The Parties shall be guided by the international recommendations established by the Financial Action Task Force on Money Laundering to combat the financing of terrorism.

6. The Parties shall continue to work together as appropriate to enhance the counter-terrorism capacity of other states to prevent, detect and respond to terrorist activity.

Article 7. Cooperation in Promoting International Peace and Stability

To advance their common interests in promoting international peace and security and effective multilateral institutions and policies, the Parties shall:

(a) continue their efforts to further strengthen transatlantic security, taking into account the central role of the existing transatlantic security architecture between Europe and North America;

(b) strengthen their joint efforts in support of crisis management and capacity building, and further enhance their cooperation in this regard, including on EU operations and missions. The Parties shall endeavour to facilitate participation in these activities,

including through early consultations and the sharing of planning information where it is deemed appropriate by the Parties.

Article 8. Cooperation in Multilateral, Regional and International Fora and Organizations

1. The Parties share a commitment to multilateralism and efforts to improve the effectiveness of regional and international fora and organizations such as the United Nations and its specialized organizations and agencies, the Organisation for Economic Co-operation and Development (OECD), the North Atlantic Treaty Organization (NATO), the Organization for Security and Co-operation in Europe (OSCE), and other multilateral fora.

2. The Parties shall maintain effective consultative mechanisms on the margins of multilateral fora. At the UN, in addition to their existing dialogues in the areas of human rights and democracy, the Parties shall establish permanent consultative mechanisms at the Human Rights Council, the UN General Assembly and the UN Offices in Vienna and others as appropriate and agreed by the Parties.

3. The Parties shall also consult on elections to seek effective representation in multilateral organizations.

TITLE IV – ECONOMIC AND SUSTAINABLE DEVELOPMENT

Article 9. Dialogue and Global Leadership on Economic Issues

Recognizing that sustainable globalization and rising prosperity can only be achieved through an open world economy, based on market principles, effective regulations and strong global institutions, the Parties shall endeavour to:

(a) demonstrate their leadership in promoting sound economic policies and prudent financial management both domestically and through their regional and international engagement;

(b) hold a regular senior-level policy dialogue on macro-economic issues, including central bank representatives as appropriate, with the aim of cooperating on issues of mutual concern;

(c) encourage as appropriate timely and effective dialogue and cooperation on global economic issues of common interest in multilateral organizations and fora in which the Parties participate, such as the Organisation for Economic Co-operation and Development (OECD), the G-7, the G-20, the International Monetary Fund (IMF), the World Bank and the World Trade Organization (WTO).

Article 10. Promoting Free Trade and Enhancing Investment

1. The Parties will cooperate in the promotion of a sustainable increase and development of trade and investment between them to their mutual advantage as provided for in a comprehensive economic and trade agreement.

2. The Parties shall endeavour to cooperate to further strengthen and reinforce the WTO as the most effective framework for a strong, inclusive and rules-based global trading system.

3. The Parties shall continue to engage in customs cooperation.

Article 11. Cooperation on Taxation

With a view to strengthening and developing their economic cooperation, the Parties acknowledge that they adhere to, and apply the principles of good governance in the tax area, i.e., transparency, exchange of information and avoidance of harmful tax practices in the frameworks of the OECD Forum on harmful tax practices and the EU Code of Conduct on business taxation, as applicable, and they shall endeavour to work together to promote and improve the implementation of these principles internationally.

Article 12. Sustainable Development

1. The Parties reaffirm their commitment to meet the needs of today without compromising the needs of future generations. They recognize that to be viable over the longer term, economic growth should respect the principles of sustainable development.

2. The Parties shall continue to promote the responsible and efficient use of resources and raise awareness of the economic and social costs of environmental damage and its associated impact on human well-being.

3. The Parties shall continue to encourage efforts to promote sustainable development through dialogue, sharing of best practices, good governance and sound financial management.

4. The Parties share a common goal of reducing poverty and supporting inclusive economic development around the globe, and shall endeavour to work together wherever possible to achieve this aim.

5. For this purpose, the Parties shall establish a regular policy dialogue on development cooperation in order to improve policy coordination on common issues of interest and to improve the quality and effectiveness of their development cooperation, in line with internationally accepted principles on aid effectiveness. The Parties shall work together to strengthen accountability and transparency with a focus on improving development results, and shall recognize the importance of engaging a range of actors, including but not limited to the private sector and civil society, in development cooperation.

6. The Parties recognize the importance of the energy sector to economic prosperity and international peace and stability. They agree on the need to improve and diversify energy supplies, promote innovation, and increase energy efficiency in order to strengthen energy opportunity, security, and sustainable and affordable energy. The Parties shall maintain a high level dialogue on energy and continue to collaborate through bilateral and multilateral means in order to support open and competitive

markets, share best practices, promote science-based, transparent regulation, and discuss areas of cooperation on energy issues.

7. The Parties attach great importance to protection and conservation of the environment and recognize the need for high standards of environmental protection with the aim of conserving the environment for future generations.

8. The Parties recognize the global threat of climate change and the need to take immediate and further action to cut emissions in order to stabilize greenhouse gas (GHG) concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system. In particular, they share a common ambition to find innovative solutions to mitigate and adapt to the effects of climate change. The Parties recognize the global nature of the challenge and shall continue to support international efforts towards a fair, effective, comprehensive, and rules-based regime under the United Nations Framework Convention on Climate Change (UNFCCC) applicable to all Parties to the Convention, including working together on an ambitious new protocol, legal instrument or agreed outcome with legal force.

9. The Parties shall maintain high level dialogues on environment and on climate change with a view to sharing best practices and promoting effective and inclusive cooperation on climate change and other issues relating to environmental protection.

10. The Parties recognize the importance of dialogue and cooperation at bilateral or multilateral levels in the field of employment, social affairs and decent work, particularly in the context of globalisation and demographic changes. The Parties shall endeavour to promote cooperation and exchanges of information and experiences regarding employment and social matters. The Parties also confirm their attachment to respect, promote and realize internationally recognized labour standards to which they have committed, such as those referred to in the 1998 ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up.

Article 13. Dialogue on Other Areas of Mutual Interest

Recognizing their shared commitment to deepen and expand their longstanding engagement as well as acknowledging existing cooperation, the Parties shall endeavour, in appropriate bilateral and multilateral fora, to encourage expert dialogue and exchanges of best practices in policy areas of mutual interest. These include, but are not limited to, the areas of: agriculture, fisheries, and international ocean and maritime policy, rural development, international transportation, employment, and circumpolar issues including science and technology. Where appropriate, this could also include exchanges on legislative, regulatory, and administrative practices, as well as on decision-making processes.

Article 14. Citizens' Well-being

1. Recognizing the importance of expanding and deepening their dialogue and cooperation on a wide range of issues that affect the well-being of their citizens and the larger global community, the Parties shall encourage and facilitate dialogue, consultation and where possible cooperation on existing and emerging issues of mutual interest affecting citizens' well-being.

2. The Parties recognize the importance of consumer protection and shall encourage the exchange of information and best practices in this area.

3. The Parties encourage mutual cooperation and information exchange on global health issues and on preparedness and response to global public health emergencies.

Article 15. Cooperation on Knowledge, Research, Innovation, and Communication Technology

1. Considering the importance of new knowledge to address global challenges, the Parties shall continue to encourage cooperation in the field of science, technology, research and innovation.

2. Recognizing the importance of information and communication technologies as key elements of modern life and socio-economic development, the Parties shall endeavour to cooperate and exchange views on national, regional and international policies in this field as appropriate.

3. Recognizing that the security and stability of the Internet in full respect of fundamental rights and freedoms is a global challenge, the Parties shall endeavour to cooperate at bilateral and multilateral levels through dialogue and exchange of expertise.

4. The Parties recognize that the utilization of space systems is increasingly important to meet their socio-economic, environment and international policy objectives. The Parties shall continue to further their cooperation in the development and utilization of space assets to support citizens, businesses and government organizations.

5. The Parties shall endeavour to continue their cooperation in the field of statistics, with the particular focus to actively promote the sharing of best practices and policies.

Article 16. Promoting the Diversity of Cultural Expressions, Education & Youth and People-to-People Contacts

1. The Parties take pride in the long-standing cultural, linguistic and traditional ties that have built bridges of understanding between them. Linkages across the Atlantic exist at all levels of government and society and the impact of this relationship is significant across Canadian and European societies. The Parties shall endeavour to encourage these contacts and to seek new ways to foster relationships through people-to-people linkages. The Parties shall endeavour to use exchanges through non-governmental organizations and think tanks that bring together youth and other economic and social partners to expand and deepen these relations and enrich the flow of ideas for the solution of common challenges.

2. Recognizing the extensive academic, educational, sport, culture, tourism and youth mobility relationships that have developed between them over the years, the Parties welcome and encourage continued collaboration in expanding these linkages, as appropriate.

3. The Parties shall endeavour to foster the diversity of cultural expressions, including through the promotion, as appropriate, of the principles and objectives of the 2005

UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

4. The Parties shall endeavour to encourage and facilitate exchanges, cooperation and dialogue between their cultural institutions and professionals in this sector as appropriate.

Article 17. Disaster Resilience and Emergency Management

To minimize the impact of natural and man-made disasters and increase the resilience of society and infrastructure, the Parties affirm their common commitment to promote prevention, preparedness, response and recovery measures, including through cooperation as appropriate at the bilateral and multilateral level.

TITLE V – JUSTICE, FREEDOM AND SECURITY

Article 18. Judicial Cooperation

1. As regards judicial cooperation in criminal matters, the Parties shall seek to enhance existing cooperation on mutual legal assistance and extradition based on relevant international agreements. The Parties shall also, within their powers and competences, seek to strengthen existing mechanisms and, as appropriate, consider the development of new mechanisms to facilitate international cooperation in this area. This would include, as appropriate, accession to, and implementation of, the relevant international instruments and closer cooperation with EUROJUST.

2. The Parties shall develop, as appropriate, judicial cooperation in civil and commercial matters, to the extent of their respective competences, in particular, as regards the negotiation, ratification and implementation of multilateral conventions on civil judicial cooperation, including the Conventions of the Hague Conference on Private International Law in the field of international legal cooperation and litigation as well as the protection of children.

Article 19. Cooperation Against Illicit Drugs

1. Within their respective powers and competences, the Parties shall cooperate to ensure a balanced and integrated approach toward drug issues. The Parties shall focus their efforts on reinforcing structures for combating illicit drugs, reducing the supply of, trafficking in and the demand for illicit drugs, addressing the health and social consequences of illicit drug abuse and maximizing the effectiveness of structures aimed at reducing the diversion of chemical precursors used for the illicit production of narcotic drugs and psychotropic substances.

2. The Parties shall collaborate to attain these objectives, including, where possible, in coordinating their related technical assistance programs, and by encouraging countries that have not already done so to ratify and implement existing international drug control conventions to which Canada and the Union or EU Member States are parties. The Parties shall base their actions on commonly accepted principles along the lines of the relevant international drug control conventions and respect the overarching goals of the

2. The Parties shall, as appropriate within their respective legal frameworks and laws, exchange information including in the fields of education and training of cybercrime investigators, the conduct of cybercrime investigations and digital forensics.

Article 23. Migration, Asylum and Border Management

1. The Parties reaffirm their commitment to cooperate and exchange views within the framework of their respective laws and regulations in the areas of migration, including legal migration, irregular migration, trafficking in human beings, migration and development, asylum, integration, visas and border management.

2. The Parties share the objective of visa-free travel between Canada and the European Union for all of their citizens. The Parties shall work together and make every effort to achieve visa-free travel to the territory of the other Party for all citizens with a valid passport as soon as possible.

3. The Parties agree to co-operate in order to prevent and control irregular migration. To this end:

(a) Canada shall readmit any of its citizens illegally present on the territory of a Member State, upon request by the latter and without further formalities, unless otherwise provided by a specific agreement.

(b) Each Member State of the European Union shall readmit any of its citizens illegally present on the territory of Canada, upon request by the latter and, unless otherwise provided by a specific agreement, without further formalities.

(c) The Member States of the European Union and Canada shall provide their citizens with appropriate travel documents for this purpose.

(d) The Parties shall endeavour to engage in negotiations of a specific agreement in view of setting out obligations on readmission, including readmission of nationals of third countries and stateless persons.

Article 24. Diplomatic and Consular Protection

1. Canada shall allow EU citizens to enjoy in Canada, if the Member State of which they are a citizen does not have an accessible permanent representation in Canada, the protection of the diplomatic and consular authorities of any EU Member State.

2. The Member States shall allow Canadian citizens to enjoy in the territory of any EU Member State, if Canada does not have an accessible permanent representation in the territory of that Member State, the protection of the diplomatic and consular authorities of any other state designated by Canada.

3. Paragraph 1 and 2 are intended to dispense with any requirements for notification and consent which might otherwise apply for the purposes of allowing representation of EU citizens or Canadian citizens by any state other than that of which they are nationals.

2009 UN Political Declaration and Plan of Action on International Cooperation Towards an Integrated and Balanced Strategy to Counter the World Drug Problem.

Article 20. Law Enforcement Cooperation and the Fight Against Organized Crime and Corruption

1. The Parties share a commitment to cooperate in combating organized, economic and financial crime, corruption, counterfeiting, smuggling, and illegal transactions through compliance with their mutual international obligations in this area including on effective cooperation in the recovery of assets or funds derived from acts of corruption.

2. The Parties affirm their commitment to develop law enforcement cooperation, including through continuing cooperation with Europol.

3. In addition, the Parties shall endeavour to collaborate, in international fora, to promote as appropriate adherence to and the implementation of the UN Convention Against Transnational Organized Crime and its supplementing Protocols to which they are both parties.

4. The Parties shall also endeavour to promote as appropriate the implementation of the UN Convention against Corruption, including through the operation of a strong review mechanism for the latter, taking account of the principles of transparency and participation of civil society.

Article 21. Money Laundering and the Financing of Terrorism

1. The Parties recognize the need to cooperate on preventing the use of their financial systems to launder the proceeds of all criminal activities, including drug trafficking and corruption, and to combat the financing of terrorism. This cooperation extends to the forfeiture of assets or funds derived from criminal activity, within their respective legal frameworks and laws.

2. The Parties shall exchange relevant information as appropriate within their respective legal frameworks and laws and implement appropriate measures to combat money laundering and financing of terrorism, guided by recommendations of the Financial Action Task Force (FATF) and standards adopted by other relevant international bodies active in this area.

Article 22. Cybercrime

1. The Parties recognize that cybercrime is a global problem requiring global responses. To that end, the Parties shall strengthen cooperation to prevent and combat cybercrime through exchanging information and practical knowledge among themselves, in compliance with their respective legal frameworks and laws. The Parties shall endeavour to work together where appropriate to provide assistance and support to other States in the development of effective laws, policies and practices to prevent and combat cybercrime wherever it occurs.

4. The Parties shall review on an annual basis the administrative functioning of paragraphs (1) and (2) of this Article.

Article 25. Personal Data Protection

1. The Parties recognize the need to protect personal data and shall endeavour to work together to promote high international standards.

2. The Parties recognize the importance of protecting fundamental rights and freedoms including the right to privacy with respect to the protection of personal data. To this end, the Parties shall undertake, within the framework of their respective laws and regulations, to respect the commitments they have made in connection with these rights, including while preventing and combating terrorism and other serious crimes that are transnational in nature, including organized crime.

3. The Parties shall continue to cooperate within the framework of their respective laws and regulations at bilateral and multilateral levels through dialogue and exchange of expertise as appropriate with respect to personal data protection.

TITLE VI - POLITICAL DIALOGUE AND CONSULTATION MECHANISMS

Article 26. Political Dialogue

To support the evolving relationship, the Parties shall endeavour to strengthen their dialogue and consultation in an effective and pragmatic fashion to advance their relations and to promote their common interests and values through their multilateral engagement.

Article 27. Consultation Mechanisms

1. The Parties shall engage in dialogue through ongoing contacts, exchanges and consultations that include the following:

(a) summits at Leaders level on an annual basis or as mutually agreed, held alternately in the European Union and in Canada;

(b) meetings at Foreign Minister level;

(c) consultations at ministerial level on policy issues of mutual interest;

(d) consultations of officials at the senior and working level on issues of mutual interest or briefings and co-operation on major domestic or international developments;

(e) promoting exchanges of delegations of the European Parliament and the Parliament of Canada.

2. Joint Ministerial Committee

(a) A Joint Ministerial Committee (JMC) is hereby established.

(b) The JMC:

(i) replaces the Transatlantic Dialogue;
(ii) is co-chaired by the Minister of Foreign Affairs of Canada and the High Representative of the Union for Foreign Affairs and Security Policy;
(iii) meets on an annual basis, or as mutually agreed as circumstances require;
(iv) adopts its own agenda, rules and procedures;
(v) takes decisions with the approval of both Parties;
(vi) receives an annual report by the Joint Cooperation Committee (JCC) on the state of the relationship and makes related recommendations on the work of the JCC including new areas for future cooperation and, if the case may be, the resolution of any disputes arising from the implementation of this Agreement;
(vii) is composed of representatives of the Parties.

3. Joint Cooperation Committee

(a) The Parties shall establish a Joint Cooperation Committee (JCC).

(b) The Parties shall ensure that the JCC:

(i) recommends priorities in relation to cooperation between the Parties;
(ii) monitors the developments in the strategic relationship between the Parties;
(iii) exchanges views and makes suggestions on any issues of common interest;
(iv) makes recommendations for efficiencies, greater effectiveness and synergies between the Parties;
(v) ensures that this Agreement operates properly;
(vi) provides an annual report to the JMC on the state of the relationship that the Parties shall make public, as noted in Paragraph 2(b)(vi) of this Article;
(vii) deals appropriately with any matter referred to it by the Parties under this Agreement;
(viii) establishes sub-committees to assist it in the performance of its duties. These sub-committees should, however, not duplicate bodies established under other agreements between the Parties;
(ix) considers situations where either Party deems its interests have been or could be adversely affected by decision-making processes in areas of cooperation not governed by a specific agreement.

(c) The Parties shall ensure that the JCC meets once a year in the European Union and Canada alternately; that special meetings of the JCC are held at the request of either Party; that the JCC is co-chaired by one senior official from Canada and one senior official from the European Union; and that it agrees on its own terms of reference, including observer participation.

(d) The JCC shall be composed of the representatives of the Parties, with due attention to promoting efficiency and economy in establishing the levels of participation.

(e) The Parties agree that the JCC may request committees and similar bodies established under existing bilateral agreements between the Parties to provide regular updates to the JCC on their activities as part of an ongoing, comprehensive overview of the relationship between the Parties.

Article 28. Fulfilment of Obligations

1. In the spirit of mutual respect and cooperation embodied by this Agreement, the Parties shall take the general or specific measures required to fulfil their obligations under this Agreement.

2. Should any questions or differences arise in the implementation or interpretation of this Agreement, the Parties shall strengthen their efforts to consult and cooperate to resolve the issues in a timely and amicable manner. Questions or differences shall be referred at the request of either Party to the JCC for further discussion and study. The Parties may also jointly decide to refer these matters to special sub-committees reporting to the JCC. The Parties shall ensure that the JCC or the appointed sub-committee meets within a reasonable amount of time to seek to resolve any differences in the implementation or interpretation of this Agreement through early communication, a thorough examination of the facts including expert advice and scientific evidence as appropriate, and effective dialogue.

3. Reaffirming their strong shared commitment to human rights and non-proliferation, the Parties consider that a particularly serious and substantial violation of the obligations described in Articles 2(1) and 3(2) may be addressed as a case of special urgency. The Parties consider that, for a situation to constitute a "particularly serious and substantial violation" of Article 2(1), its gravity and nature would have to be of an exceptional sort such as a *coup d'Etat* or gravo crimes that threaten the peace, security and well-being of the international community.

4. In cases where a situation occurring in a third country could be considered equivalent in gravity and nature to a case of special urgency, the Parties shall endeavour to hold urgent consultations, at the request of either Party, to exchange views on the situation and consider possible responses.

5. In the unlikely and unexpected event that a case of special urgency occurs in the territory of one of the Parties, either Party may seize the JMC of the matter. The JMC may ask the JCC to hold urgent consultations within 15 days. The Parties shall provide the relevant information and evidence required for a thorough examination and a timely and effective resolution of the situation. Should the JCC be unable to resolve the situation, it may submit the matter to the JMC for urgent consideration.

6. (a) In a case of special urgency where the JMC is unable to resolve the situation, either Party may decide to suspend the provisions of this Agreement. In the EU, the decision to suspend would entail unanimity. In Canada, the decision to suspend would be taken by the Government of Canada in accordance with its laws and regulations. A Party shall immediately notify the other Party, in writing, of the decision and shall apply the decision for the minimum period of time necessary to resolve the issue in a manner acceptable to the Parties.

(b) The Parties shall keep under constant review the development of the situation which prompted this decision and which could serve as grounds for other appropriate measures taken outside the framework of this Agreement. The Party invoking the suspension or other measures shall withdraw them as soon as warranted.

7. In addition, the Parties recognize that a particularly serious and substantial violation of human rights or non-proliferation as defined in paragraph 3 could also serve as grounds for the termination of the Canada-EU Comprehensive Economic and Trade Agreement

(CETA) in accordance with Article X.08 of the Final Provisions chapter in that Agreement.

8. This Agreement shall not affect or prejudice the interpretation or application of other agreements between the Parties. In particular, the dispute settlement provisions of this Agreement shall not replace or affect in any way the dispute settlement provisions of other agreements between the Parties.

TITLE VII – FINAL PROVISIONS

Article 29. Security and Disclosure of Information

1. This Agreement shall not be construed to prejudice Canadian, EU or EU Member State laws and regulations regarding public access to official documents.

2. This Agreement shall not be construed to require a Party to provide any information if that Party considers that it is contrary to its essential security interests to disclose that information.

Article 30. Entry into Force and Termination

1. The Parties shall notify each other once they have completed the internal procedures required for this Agreement enter into force. This Agreement enters into force on the first day of the month following the date of the last notification.

2. Notwithstanding paragraph 1, parts of this Agreement shall be applied on a provisional basis, as set out in this paragraph, by the EU and Canada pending its entry into force and in accordance with their respective internal procedures and legislation as applicable.

Provisional application shall begin on the first day of the second month following the date on which the Union and Canada have notified each other of the following:

(a) the Union's notification on the completion of the internal procedures necessary for this purpose, indicating the parts of the Agreement that shall be provisionally applied; and

(b) Canada's notification on the completion of the internal procedures necessary for this purpose, confirming its agreement to the parts of the Agreement that shall be provisionally applied.

3. Either Party may notify in writing the other Party of its intention to denounce this Agreement. The denunciation shall take effect six months after the notification.

Article 31. Amendment

This Agreement may be amended by written agreement of the Parties. Any amendment comes into force on the first day of the month following the date of the last notification by which the Parties notify each other that all necessary internal procedures for entry into force of the amendment have been completed.

Article 32. Notifications

The Parties shall submit all notifications made in accordance with Articles 30 and 31 to the General Secretariat of the Council of the European Union and Canada's Department of Foreign Affairs, Trade and Development or their respective successors.

Article 33. Territorial Application

This Agreement applies, on the one hand, to the territories in which the Treaties on which the European Union is founded apply and under the conditions laid down in those Treaties, and, on the other hand, to Canada.

Article 34. Definition of the Parties

For the purposes of this Agreement, the term 'the Parties' means the European Union or its Member States, or the European Union and its Member States, in accordance with their respective competences, on the one hand, and Canada, on the other.

IN WITNESS WHEREOF, the undersigned, duly authorized thereto, have signed this Agreement.

DONE in duplicate at _____ this _____ day of _____ 20__, in the Bulgarian, Czech, Danish, Croatian, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

For Canada
Pour le Canada

John Baird, P.C., M.P.
Minister of Foreign Affairs
Ministre des Affaires étrangères

For the European Union
Pour l'Union européenne

Catherine Ashton
High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission
La Haute Représentante de l'Union pour les affaires étrangères et la politique de sécurité et la vice-présidente de la Commission européenne