

## ANNEX 2

## PUBLIC COMMUNICATIONS

1. Public communication procedures of each Party regarding the right of a national, organization or enterprise to submit a public communication to the Point of Contact shall indicate, inter alia,

- (a) the criteria regarding the acceptance of communications, including:
  - (i) that normally relief before domestic tribunals shall have been attempted or pursued and that any public communication related to such pending proceedings will not be accepted, provided that the proceedings conform to Article 5;
  - (ii) that matters pending before an international body will normally not be accepted;
  - (iii) that communications that are trivial, frivolous or vexatious will not be accepted;
- (b) that there will be early consultation with the other Party;
- (c) that the final report will consider relevant information, including that provided by the submitter, the other Party and other interested persons, as well as indicate how to obtain access to that information; and,
- (d) that the public notification of the acceptance for review and of the release of the final report will indicate how to obtain access to any response of the other Party.