(c)   entitles the parties to the proceeding to support or defend their respective positions and to present information or evidence; and

(d)   is not unnecessarily complicated and does not entail an unreasonable fee or time limit or an unwarranted delay.

2.   Each Party shall provide that a final decision on the merits of the case in the proceeding is:

(a)   in writing and, if appropriate, states the reasons on which the decision is based;

(b)   made available without undue delay to the parties in the proceeding and, in accordance with its law, to the public; and

(c)   based on information or evidence presented by the parties to the proceeding.

3.   Each Party shall further provide, as appropriate, that parties to the proceeding have the right, in accordance with its law, to seek review and, if warranted, correction or redetermination, of a final decision in the proceeding.

4.   Each Party shall ensure that a tribunal that conducts or reviews the proceeding is impartial and independent, and does not have any substantial interest in the outcome of the matter.

Article 12.10: Corporate Social Responsibility

Recognizing the substantial benefits brought by international trade and investment, each Party shall encourage voluntary best practices of corporate social responsibility by enterprises established in its territory or subject to its jurisdiction, to strengthen coherence between economic and environmental objectives.

Article 12.11: Measures to Enhance Environmental Performance

1.   The Parties recognize that flexible, voluntary and incentive-based measures can contribute to the achievement and maintenance of a high level of environmental protection, complementing regulatory measures under environmental laws. In accordance with its law and policy, each Party shall promote the development and use of such measures.

2.   In accordance with its law and policy, each Party shall promote the development, establishment, maintenance or improvement of performance goals and standards used in measuring environmental performance.