## CHAPTER 19

## DISPUTE SETTLEMENT

### Article 19.1: Definitions

For the purposes of this Chapter:

(a) **Complaining Party** means any Party or Parties that requests consultations pursuant to paragraph 1 of Article 19.6 (Consultations);

(b) **Parties to the dispute** means the Complaining Party and the Responding Party;

(c) **Party to the dispute** means the Complaining Party or the Responding Party;

(d) **Responding Party** means any Party to which the request for consultations is made pursuant to paragraph 1 of Article 19.6 (Consultations);

(e) **Rules of Procedures** means the *Rules of Procedures for Panel Proceedings* adopted by the RCEP Joint Committee; and

(f) **Third Party** means any Party that makes a notification pursuant to paragraph 2 of Article 19.10 (Third Parties).

### Article 19.2: Objective

The objective of this Chapter is to provide effective, efficient, and transparent rules and procedures for settlement of disputes arising under this Agreement.

### Article 19.3: Scope[1]

1. Unless otherwise provided in this Agreement, this Chapter shall apply:

(a) to the settlement of disputes between Parties regarding the interpretation and application of this Agreement; and

(b) when a Party considers that a measure of another Party is not in conformity with the obligations under this Agreement or that another Party has otherwise failed to carry out its obligations under this Agreement.

2. Subject to Article 19.5 (Choice of Forum), this Chapter shall be without prejudice to the rights of a Party to have recourse to dispute settlement procedures available under other agreements to which it is party.

### Article 19.4: General Provisions

1. This Agreement shall be interpreted in accordance with the customary rules of interpretation of public international law.

2. With respect to any provision of the WTO Agreement that has been incorporated into this Agreement, the panel shall also consider relevant interpretations in reports of WTO panels and the WTO Appellate Body, adopted by the WTO Dispute Settlement Body. The findings and determinations of the panel cannot add to or diminish the rights and obligations under this Agreement.[2]

3. All notifications, requests, and replies made pursuant to this Chapter shall be in writing.

4. The Parties to the dispute are encouraged at every stage of a dispute to make every effort through cooperation and consultations to reach a mutually agreed solution to the dispute. Where a mutually agreed solution is reached, the terms and conditions of the agreement shall be jointly notified by the Parties to the dispute to the other Parties.

5. Any period of time provided in this Chapter may be modified by agreement of the Parties to the dispute provided that any modification shall be without prejudice to the rights of the Third Parties provided in Article 19.10 (Third Parties).

[1] Non-violation complaints shall not be permitted under this Agreement.

[2] The Parties confirm that the first sentence of this paragraph does not prevent a panel from considering relevant interpretations in reports of WTO panels and the WTO Appellate Body adopted by the WTO Dispute Settlement Body, with respect to a provision of the WTO Agreement which is not incorporated into this Agreement.