

## AGREEMENT ON CONFIDENTIALITY

In preparation for the beginning of negotiations on the modernization of the North American Free Trade Agreement, Canada, Mexico, and the United States (the "negotiating parties") have agreed on the following approach regarding the handling of documents to be exchanged during the negotiations.

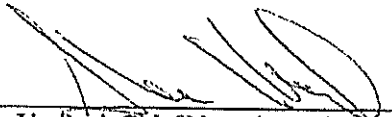
- First, the negotiating parties agree that negotiating texts, proposals of each Government, accompanying explanatory material, emails related to the substance of the negotiations, and other information exchanged in the context of the negotiations, are provided and will be held in confidence by the recipients, unless each negotiating party whose positions are referred to in a communication agrees to its release. This means that the documents may be provided only to (1) government officials or (2) persons outside government who participate in that government's domestic consultation process and who have a need to review or be advised of the information in these documents. Anyone given access to the documents will be informed that they cannot share the documents with people not authorized to see them. The negotiating parties have agreed to hold these documents in confidence for four years after entry into force of the results of this negotiation, or if no agreement enters into force, for four years after the last round of negotiations. However, these restrictions will not apply to negotiating parties regarding their own position. The negotiating parties will be free to disclose that information on condition that, absent consent of the applicable other negotiating party, any reference to positions of other parties or agreed text is not included in that disclosure.
- Second, while the negotiating documents are confidential, each negotiating party may mail, e-mail, fax, or discuss these documents over unsecured lines with the groups of people mentioned above (*i.e.*, government officials and persons who participate in the domestic consultation process). The negotiating parties also may store these documents in a locked file cabinet or within a secured building; that is, the documents do not need to

be stored in safes. The negotiating parties also can create and store these documents on unclassified computer systems.

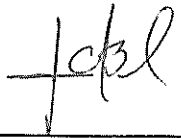
- Third, to the maximum extent possible, the negotiating parties will exchange documents through the MAX.gov website.
- Lastly, the negotiating parties will mark the documents they create in a manner that makes clear that the documents will be held in confidence. To that end, the negotiating parties will mark documents as "NAFTA Confidential Information – Modified Handling Authorized".

The policy underlying this approach is to maintain the confidentiality of documents, while at the same time allowing the negotiating parties to develop their negotiating positions, communicate internally and with each other, and engage with their public as they consider appropriate in developing and communicating their own positions.

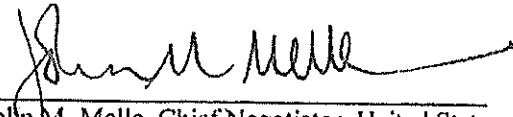
IN WITNESS WHEREOF, signing on behalf of the negotiating parties,

  
\_\_\_\_\_  
Steve Verheul, Chief Negotiator, Canada

JUL 26 2017  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Juan Carlos Baker, Chief Negotiator, Mexico

01 AGO 2017  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
John M. Melle, Chief Negotiator, United States

JUL 27 2017  
\_\_\_\_\_  
Date