

Binational Panel Dispute Settlement in Antidumping and Countervailing Duty Cases

In principle, the two Parties have agreed on the following provisions to address trade remedies and dispute settlement:

A. Domestic Antidumping and Countervailing Duty Laws

- The investigating authorities of each Party shall continue to enforce domestic antidumping and countervailing duty laws within their jurisdiction.
- The free trade agreement shall provide that each Party reserves fully its right to change its domestic antidumping and countervailing duty laws, provided that:
 - no future changes in such laws can be applied to the other Party unless it is so specified in the legislation;
 - it notified such proposed changes to the other Party and entered into prior consultation with the other Party upon request;
 - it makes only changes applicable to the other Party which are consistent with the GATT Antidumping Code and Subsidies Code, and with the object and purpose of the free trade agreement including the object and purpose of these dispute settlement provisions. The object and purpose is to establish fair and predictable conditions for the progressive liberalization of trade between the two countries while maintaining effective disciplines on unfair trade practices, such object and purpose to be ascertained from the provisions of the free trade agreement, its preamble and objectives and the practices of the Parties.