

Delegation	Japan	Korea	ASEAN
Type	Guidelines (non-binding, possible evolution to binding)	Understanding, Article XX, phased approach	Waiver
Unilateral Measures	No accommodation	Explicit no accommodation	Explicit agreement not to resort
Between Parties - Specific Measures	Likely to meet both procedural and substantive guidelines. While DSU not specified, accommodation similar to EU	Accommodation similar to EU but consensus required, explicit reference to "least inconsistency"	Waiver provided guidelines are met, 3/4 vote, resource to DSU (Article 26 "result of application")
Between Parties - Non-specific	No accommodation (measures have to be specific)	For "authorized" non-specific measures, full necessity test (least trade restrictiveness, proportionality, effectiveness), consensus required, "pursuant" measures considered unilateral	No accommodation (formal agreement not to resort)
Parties- Non-Parties - Specific measures	Although non-binding, accommodation similar to EU although guidelines are <u>much</u> more comprehensive	No accommodation, non-binding guidelines for MEA negotiators	Waiver provided guidelines are met, 3/4 vote, resource to DSU (Article 26 "result of application")
Parties- Non-Parties - Non-specific	No accommodation (measures have to be specific)	No accommodation (waiver)	No accommodation (formal agreement not to resort)
Cooperation	Proposed modalities for cooperation and ongoing role for CTE	General reference to need for cooperation and transparency	Silent