

UNDERPINNING ELIMINATION OF TARIFFS AND NON-TARIFF BARRIERS WILL BE THE RULES ON TRADE REMEDY LAW AND DISPUTE SETTLEMENT. I WANT TO EMPHASIZE THAT FOR CANADIAN PRODUCERS THIS IS A KEY PART OF THE AGREEMENT. IT IS WHAT WE CALL SECURITY OF ACCESS SO MANUFACTURERS AND INVESTORS CAN PLAN ON THE BASIS THAT THE GOODS THEY PRODUCE FOR TRADE IN NORTH AMERICA WILL BE AS FREE AS POSSIBLE FROM CAPRICIOUS AND ARBITRARY CHANGES IN THE TERMS OF ACCESS.

TRADE REMEDY LAWS ARE A LAWYER'S PARADISE: HIGHLY FORMALIZED AND LITIGIOUS, EXPENSIVE FOR DOMESTIC PRODUCERS AS WELL AS FOR EXPORTERS, AND UNPREDICTABLE AS TO RESULT. WHAT PRODUCER WANTS TO MAKE THE INVESTMENTS REQUIRED TO PRODUCE FOR THE NEW MARKETS OPENED UP BY THIS AGREEMENT IF HIS ACCESS CAN BE SUDDENLY CUT OFF BY ANTI-DUMP, COUNTERVAIL OR ESCAPE CLAUSE ACTIONS?

IN THE AGREEMENT, THE TWO GOVERNMENTS HAVE AGREED TO A UNIQUE DISPUTE SETTLEMENT PROCEDURE WHICH GUARANTEES THE IMPARTIAL APPLICATION OF THEIR RESPECTIVE ANTI-DUMPING AND COUNTERVAILING DUTY LAWS.

ADDITIONALLY, THE TWO GOVERNMENTS HAVE AGREED THAT ANY CHANGES IN EXISTING ANTI-DUMPING AND