

If one of the Parties to this Agreement finds that dumping is taking place in its trade, the State Party concerned may take appropriate measures against this practice under the conditions and in accordance with the procedure laid down in Article 25.

Article 21

General safeguard actions

Where a product is being imported in such increased quantities and under such conditions as to cause, or threaten to cause:

- (a) serious injury to domestic producers of like or directly competitive products in the territory of the importing state, or
 - (b) serious disturbance in any sector of the economy or difficulties which could bring about serious deterioration in the economic situation of a region,
- the concerned State Party may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 25.

Article 22

Structural adjustment

1. Exceptional measures of a limited duration which derogate from the provisions of Article 3, may be taken in the form of customs duties.
2. These measures may only concern infant industries, or certain sectors undergoing restructuring or facing serious difficulties, particularly where these difficulties produce important social problems.
3. The interested Party shall inform the Joint Committee of any exceptional measures it intends to take and, at the request of the other Party, consultations shall be held within the Joint Committee regarding such measures and the sectors to which they apply, even before they are put into force. When taking such measures, the Party concerned shall provide the Joint Committee with a schedule for the elimination of the customs duties introduced under this Article.

Article 23

Re-export and serious shortage

Where the compliance with the provisions of this Agreement leads to:

- (a) re-export towards a third country against which the exporting State Party to this Agreement maintains for that product quantitative export restrictions, export duties or measures or charges having equivalent effect; or
 - (b) a serious shortage, or threat thereof, of a product essential to the exporting State Party to this Agreement;
- and where the situation referred to above gives rise or is likely to give rise to major difficulties for the exporting State Party, that Party may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 25.

Article 24

Fulfilment of obligations

1. The States Parties to this Agreement shall take all necessary measures to ensure the fulfilment of their obligations under the Agreement.
2. If one State Party considers that the other Party has failed to fulfil an obligation under this Agreement, the State Party concerned may take the appropriate measures under the conditions and in accordance with the procedures laid down in Article 25.

Article 25

Procedure for the application of safeguard measures

1. Before initiating the procedure for the application of safeguard measures set out in the following paragraphs of the present Article, the States Parties to this Agreement shall endeavour to solve any differences between them through direct consultations.
2. Without prejudice to paragraph 6 of the present Article, a State Party to this Agreement, which considers resorting to safeguard measures, shall promptly notify the other State Party and supply all relevant information. Consultations between the State Parties shall take place without delay with a view to finding a mutually acceptable solution.
3. (a) As regards Article 17, the States Parties shall give the Joint Committee all the assistance required in order to examine the case. If the State Party fails to put an end to the practice objected to, within the period fixed by the Joint Committee, or if the Joint Committee fails to reach an agreement after consultations, or after 30 days following the referral for such consultations, the State Party concerned may adopt the appropriate measures to deal with the difficulties resulting from the practice in question.
(b) As regards Articles 20, 21 and 22, the Joint Committee shall examine the case or the situation and may take any decision needed to put an end to the difficulties notified by the State Party concerned. In the absence of such a decision within 30 days of the matter being referred to the Joint Committee, the State Party concerned may adopt the measures necessary in order to remedy the situation.
(c) As regards Article 24, the State Party concerned shall supply the Joint Committee with all relevant information required for a thorough examination of the situation with a view to seeking a mutually acceptable solution. If the Joint Committee fails to reach such a solution or if a period of 30 days has elapsed from the date of notification, the State Party concerned may take appropriate measures.
4. The safeguard measures taken shall be notified immediately to the other Party to this Agreement and to the Joint Committee. They will be restricted with regard to their extent and to their duration to what is strictly necessary in order to rectify the situation giving rise to their application and shall not be in excess of the injury caused by the practice or the difficulty in question. Priority shall be given to such measures as will least disturb the functioning of the Agreement.
5. The safeguard measures taken shall be the object of regular consultation within the Joint Committee with a view to their relaxation, substitution or abolition, as soon as possible.
6. Where exceptional circumstances requiring immediate action make prior examination impossible, the State Party concerned may, in the cases of Articles 20, 21 and 22 apply forthwith the precautionary and provisional measures strictly necessary to remedy the respective situation.