

Article 30

COOPERATION WITH THIRD COUNTRIES OR GROUPS OF THIRD COUNTRIES

Member States shall develop cooperation and conclude agreements with third countries or groups of third countries and international organisations as provided for in Article 24 of the Treaty, to facilitate and accelerate the achievement of the objectives of this Protocol.

PART NINE

INSTITUTIONAL ARRANGEMENTS AND DISPUTE SETTLEMENT PROCEDURES

Article 31

INSTITUTIONAL ARRANGEMENTS

1. The institutional mechanisms for the implementation of this protocol shall comprise the CMT, Committee of Senior Officials responsible for trade matters, the TNF and the Sector Coordinating Unit.
2. The Committee of Ministers shall be responsible for trade matters including the following:
 - a) supervision of the implementation of this Protocol;
 - b) appointment of panels of trade experts to resolve disputes that may arise regarding the interpretation or application of this Protocol;
 - c) supervision of the work of any committee or sub-committee established under this Protocol;
3. The Committee of Senior Officials shall :
 - a) report to the CMT on matters relating to the implementation of the provisions contained in this Protocol;
 - b) supervise the work of the Sector Co-ordinating Unit;
 - c) clear the documents prepared by the Sector Co-ordinating Unit to be submitted to the CMT;
 - d) liaise closely with both the CMT and the Sector Co-ordinating Unit;
 - e) monitor the implementation of this Protocol;
 - f) supervise the work of the TNF.

4. The Trade Negotiation Forum shall be responsible for the conduct of trade negotiations and shall report to the Committee of Senior Officials. Its functions shall include:
 - (a) regular reviews in which offers shall be made and where the removal of non-tariff barriers shall be requested or offered;
 - (b) the creation of a research capacity of experts to monitor the impact of measures already implemented, and offer advice on the potential impact of offers under discussion;
 - (c) the establishment of a linkage between trade liberalisation and industrial policy coordination, as well as other areas of sectoral cooperation; and
 - (d) the establishment of a regional framework on the phased reduction and eventual elimination of tariff and NTBs to trade among Member States.
5. The Sector Coordinating Unit shall perform the following functions:
 - a) coordinate the day-to-day operations in the implementation of this Protocol;
 - b) provide technical and administrative assistance to the CMT, the Committee of Senior Officials and the TNF.
 - c) provide assistance to subsidiary committees, sub-committees and panels established to implement this Protocol;
 - d) work closely with the private sector;
 - e) identify research needs and priorities in the trade area.

Article 32

SETTLEMENT OF DISPUTES

1. Member States shall endeavour to agree on the interpretation and application of this Protocol, and shall make every effort, through cooperation and consultation, to arrive at a mutually satisfactory agreement.
2. The settlement of any dispute among Member States shall, whenever possible, imply removal of a measure not conforming with the provisions of this Protocol or causing mollification or impairment of such provision.

3. failing a settlement as provided in paragraph 2 of this Article, withdrawal of equivalent concession may be implemented by the Member State suffering the injury.
4. In case of disagreement, the Member States may take recourse to a panel of trade experts.
5. The appointment, composition, powers and functions of the panels of trade experts shall be determined by the CMT.
6. As a last resort, disputes regarding the interpretation and application of this Protocol shall be settled in accordance with Article 32 of the Treaty.

Article 33

GENERAL UNDERTAKING

1. Member States shall take all appropriate measures to ensure the carrying out of the obligations arising from this Protocol.
2. Member States shall cooperate in addressing any impediments to intra-SADC trade that may arise as a result of any action or lack of action by any Member State on issues having material bearing on such trade and which are not covered elsewhere in this Protocol.
3. In the event that Member States disagree on the existence of impediments to intra-SADC trade, the Member States may have recourse to the provisions of Article 32 of this Protocol.

Article 34

AMENDMENT

Amendments to this Protocol shall be in accordance with the procedures established by Article 36 of the Treaty.

Article 35

SIGNATURE

This Protocol shall be signed by the High Contracting Parties.

Article 36

RATIFICATION

This Protocol shall be ratified by the Member States in accordance with their constitutional procedures.

Article 37

ENTRY INTO FORCE

This Protocol shall enter into force 30 days after the deposit of the instruments of ratification by two thirds of the Member States.

Article 38

ACCESSION

This Protocol shall remain open for accession by any Member State.

Article 39

DEPOSITORY

1. This Protocol and all instruments of Ratification or Accession shall be deposited with the Executive Secretary, who shall transmit certified true copies thereof, to all Member States.
2. The Executive Secretary of SADC shall notify the Member States of the dates of deposit of Instruments of Ratification and Accession.
3. The Executive Secretary shall register this Protocol with the United Nations, the Organisation of African Unity and such other organisations as the Council may determine.