

Chapter 24: Trade and Small and Medium-Sized Enterprises – Text of the 2023 Canada – Ukraine Free Trade Agreement

Article 24.1: General Provisions

- 1. The Parties recognize the participation of SMEs in domestic markets, as well as in international trade and investment, and their contribution in achieving inclusive economic growth, sustainable development, and enhanced productivity, and acknowledge the importance of promoting an environment that facilitates and supports the development, growth, and competitiveness of SMEs.*
- 2. The Parties recognize the fundamental role of SMEs in creating and maintaining dynamism and enhancing competitiveness of the economies of the Parties. Accordingly, each Party shall endeavor to develop and promote cooperation on SMEs, with the purpose of contributing to the expansion, diversification, and deepening of economic and commercial ties between the Parties.*

3. The Parties recognize that improving the ability of SMEs to participate in trade and investment will enhance their competitiveness. Accordingly, each Party shall endeavor to the extent possible to identify and as appropriate remove barriers to international trade and investment for SMEs.

4. The Parties recognize the importance of innovation for SMEs' competitiveness. Accordingly, each Party shall endeavor to enhance SMEs' access to information, financing, and networking to facilitate the innovation of SMEs.

5. Each Party shall take into account that SMEs may require support when enhancing the growth, competitiveness, and access of SMEs to international trade and investment.

6. Each Party may encourage SMEs operating within its territory or subject to its jurisdiction to observe internationally recognized standards, guidelines, and principles of responsible business conduct (RBC), as appropriate.

7. The Parties recognize the importance of current initiatives on SMEs developed under relevant forums, and the importance of taking into account their findings and recommendations, as appropriate.

Article 24.2: Information Sharing

1. Each Party shall make available, and update to the extent possible and as appropriate, information regarding this Agreement through a digital medium, including:

- (a) the text of this Agreement, including annexes, tariff schedules, and product specific rules of origin;
- (b) a summary of this Agreement; and
- (c) information designed for SMEs that contains:
 - (i) a description of the provisions in this Agreement that the Party considers to be relevant to SMEs; and
 - (ii) any additional information that the Party considers useful for SMEs interested in benefiting from the opportunities provided by this Agreement.

2. Each Party shall include links to:

- (a) the equivalent webpage of the other Party; and
- (b) the websites or webpages of its own government agencies and other appropriate entities that provide information the Party considers useful to any person interested in trading, investing, or doing business in that Party's territory.

3. The information described in paragraph 2(b) may include:

- (a) customs regulations and procedures;
- (b) regulations and procedures concerning intellectual property rights;
- (c) information to enhance SMEs' cybersecurity;
- (d) technical regulations, standards, conformity assessment procedures, and sanitary and phytosanitary measures relating to importation and exportation;
- (e) foreign investment regulations;
- (f) business registration procedures;
- (g) trade promotion programs including start-up promotion programs;
- (h) SME financing programs;
- (i) employment regulations; and
- (j) taxation information.

4. Each Party shall ensure that the information referred to in this Article is accessible within the timeframe decided by the Parties.

5. Each Party, as appropriate, shall ensure the information referred to in this Article is available in its own official language(s).

Article 24.3: Cooperation activities on SMEs

1. The Parties recognize the importance of cooperation activities between the Parties to support the objectives of this Chapter.
2. The Parties shall endeavour to involve the private sector and SME-related support agencies in the development and implementation of these activities, as appropriate.
3. The Parties shall collaborate to identify and as appropriate remove barriers to international trade for SMEs, support productive sectors in which SMEs operate, and promote the growth and creation of higher paying, more productive jobs by SMEs.
4. Cooperation activities may include:
 - (a) facilitating the exchange of best practices concerning public policies and programs, including on: improving SMEs' access to capital and credit, including government financing instruments; SMEs' cyber security; and the collection and analysis of gender-disaggregated data;
 - (b) promoting cooperation between the Parties' small business support infrastructure to create an international network for sharing best practices, developing SMEs' capacity and culture, including SMEs' entrepreneurs, exchanging market research, and promoting SME participation in international trade, and

business growth in local markets and enhancing integration into global value chains;

- (c) encouraging SMEs' participation in platforms, such as web-based platforms, for business entrepreneurs and counsellors to share information and best practices to help SMEs link with international suppliers, buyers, and other potential business partners;*
- (d) supporting SMEs' digital-related skills development to enhance their participation in electronic commerce and digital trade in order to take advantage of the opportunities resulting from this Agreement and rapidly access new markets;*
- (e) promoting the organization of trade promotion networks and business forums, and the joint implementation of seminars, conferences, symposiums, business roundtables, or other related activities to explore business, industrial, and technical opportunities, and to inform SMEs of the benefits available to them under this Agreement;*
- (f) improving SMEs' access to, and participation, leadership, and entrepreneurship in, science, technology, and innovation related to business and trade, including education in science, technology, engineering, mathematics, and business; and*

- (g) exchanging information and best practices on SME-related cybersecurity programs, cybersecurity and privacy regulations, standards, controls, and conformity assessment measures to improve SMEs' cybersecurity posture.

5. The Parties may endeavor to collaborate within existing international forums to promote and advance the interests of SMEs and their participation in international trade and investment.

Article 24.4: Committee on SMEs

1. The Parties hereby establish a Committee on SMEs (hereafter the "Committee"), composed of representatives from each Party.

2. The Committee shall:

- (a) identify ways to assist SMEs of each Party to take advantage of the commercial opportunities under this Agreement;
- (b) exchange and discuss experiences and best practices in supporting and assisting SME exporters with respect to, among other things, training programs, trade education, trade finance, trade missions, trade facilitation, electronic commerce and digital trade, cooperative business practices, identifying commercial partners in the other Party, and establishing good business credentials;

- (c) review and coordinate the Committee's work program with the work of other committees, subcommittees, and contact points;
- (d) review the implementation and operation of this Chapter and SME-related provisions within this Agreement and report findings and make recommendations to the Joint Commission that can be included in future work and SME assistance programs as appropriate; and
- (e) consider any other matter pertaining to SMEs as the Committee may decide, including issues raised by SMEs regarding their ability to benefit from this Agreement.

3. The Committee shall meet as mutually decided by the Parties.

Committee meetings may be held in person, by videoconference, by telephone, or by other means.

4. The Committee may seek to collaborate with appropriate experts, international donor organizations, SMEs, including workers, and business advocacy representatives and associations, in developing and carrying out its programs and activities.

Article 24.5: Non-Application of Dispute Settlement

A Party shall not have recourse to dispute settlement under Chapter 28 (Dispute Settlement) for any matter arising under this Chapter.