

under this Agreement having substantially equivalent trade effects or concessions substantially equivalent to the value of the additional duties expected to result from the emergency action. The Party taking compensatory action shall apply the action only for the minimum period necessary to achieve the substantially equivalent trade effects and in any event, only while the measure under paragraph 5 is being applied.

8. Upon the termination of the emergency action, the rate of customs duty shall be the rate that would have been in effect but for the action.

9. Unless extended by the Joint Committee as set out in paragraph 10, the transition period referred to in paragraphs 1 and 6 is the longer of:

- (a) the five-year period beginning on the date of entry into force of this Agreement; or, where applicable,
- (b) the staged tariff elimination set out for a product in a Party’s schedule in Annex E.

10. In the fifth year after the date of entry into force of this Agreement, the Parties shall consider, in the Joint Committee, whether there is a need to extend the transition period for certain products. The Joint Committee may extend the transition period for a certain product, in which case the transition period for that product shall be in accordance with the decision of the Joint Committee.

11. Each Party retains its rights and obligations under Article XIX of the GATT 1994 and the *WTO Agreement on Safeguards*.

VII INSTITUTIONAL PROVISIONS

ARTICLE 26

The Joint Committee

- The Parties hereby establish the Canada-EFTA Joint Committee which shall be composed of representatives of the Parties.
- The Joint Committee shall:
 - (a) supervise the implementation of this Agreement;
 - (b) keep under review the possibility of further removal of barriers to trade and other restrictive regulations of commerce between Canada and the EFTA States;
 - (c) oversee the further elaboration of this Agreement;

根据本协议采取具有实质等效贸易效果的行动，或提供与紧急行动预期导致的额外关税价值实质等效的减让。采取补偿行动的缔约方应仅在实现实质等效贸易效果所需的最短期限内实施该行动，且无论如何，仅在第5款所述措施实施期间适用。

8. 紧急行动终止时，关税税率应恢复至若无该行动本应适用的税率。

9. 除非联合委员会根据第10款决定延长，否则第1款和第6款所指过渡期以下列较长者为准：

- (a) 自本协议生效之日起五年期限；或（如适用）
- (b) 缔约方在附件E减让表中为某产品设定的分阶段关税取消期限。

10. 在本协议生效第五年，缔约方应在联合委员会中审议是否有必要延长特定产品的过渡期。联合委员会可延长某产品的过渡期，此时该产品过渡期应以联合委员会的决定为准。

11. 各缔约方保留其在《1994年关税及贸易总协定》第十九条和《WTO保障措施协议》下的权利和义务。

VII 机构条款

ARTICLE 26

联合委员会

- 缔约方特此设立加拿大-欧洲自由贸易联盟联合委员会，该委员会应由各缔约方代表组成。
- 联合委员会应：
 - (a) 监督本协议的实施；
 - (b) 持续审查进一步消除加拿大与欧洲自由贸易联盟国家之间贸易壁垒及其他限制性商业法规的可能性；
 - (c) 监督本协议的进一步细化；

- (d) supervise the work of all sub-committees and working groups established under this Agreement;
- (e) discuss, upon request by a Party, measures with respect to cultural industries maintained or adopted under Annex J;
- (f) discuss, upon request by a Party, the application of an emergency action taken under Article 25;
- (g) endeavour to resolve disputes that may arise regarding the interpretation or application of this Agreement; and
- (h) consider any other matter that may affect the operation of this Agreement.

3. The Joint Committee may decide to set up such sub-committees and working groups as it considers necessary to assist it in accomplishing its tasks. Except where specifically provided for in this Agreement, the sub-committees and working groups shall work under a mandate established by the Joint Committee.
4. The Joint Committee may take decisions as provided in this Agreement. On other matters the Joint Committee may make recommendations.
5. The Joint Committee shall take decisions and make recommendations by consensus.
6. The Joint Committee shall normally convene once a year in a regular meeting. The regular meetings of the Joint Committee shall be chaired jointly by Canada and one of the EFTA States. The Joint Committee shall establish its rules of procedure.
7. Each Party may request at any time, through a notice in writing to the other Parties, that a special meeting of the Joint Committee be held. Such a meeting shall take place within 30 days of receipt of the request.

VIII DISPUTE SETTLEMENT

ARTICLE 27

Choice of forum

1. Subject to paragraph 2 and except as otherwise provided elsewhere in this Agreement, any dispute regarding any matter arising under both this Agreement and the WTO Agreement may be settled in either forum at the discretion of the complaining Party.

(d) 监督根据本协议设立的所有小组委员会和工作组的工作；(e) 应一方请求，讨论与附件J下维持或采取的文化产业措施相关事宜；(f) 应一方请求，讨论根据第25条采取的紧急行动之适用性；(g) 努力解决可能出现的关于本协议解释或适用的争议；及 (h) 审议可能影响本协议运作的任何其他事项。

3. 联合委员会可决定设立其认为必要的小组委员会和工作组，以协助完成其任务。除非本协议另有具体规定，小组委员会和工作组应根据联合委员会制定的授权开展工作。
4. 联合委员会可根据本协议规定作出决定。对于其他事项，联合委员会可提出建议。
5. 联合委员会应以协商一致方式作出决定和提出建议。
6. 联合委员会通常每年召开一次例会。联合委员会的例会应由加拿大和一个欧洲自由贸易联盟国家共同主持。联合委员会应制定其议事规则。
7. 任何缔约方可随时通过向其他缔约方发出书面通知，要求召开联合委员会特别会议。此类会议应在收到请求后30天内举行。

VIII 争端解决

ARTICLE 27

选择争端解决场所

1. 在第2款的约束下，并除本协议其他条款另有规定外，对于同时涉及本协议和世界贸易组织协定的任何事项的争端，可由申诉方自行选择在任一争端解决场所解决。