

1994, adopt restrictive import measures. In adopting such measures, the Party shall immediately consult with the other Parties.

Article 11
General Exceptions

Subject to the requirement that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination among the Parties where the same conditions prevail, or a disguised restriction on international trade, nothing in this Agreement shall be construed to prevent the adoption or enforcement by a Party of measures:

- (a) necessary to protect public morals;
- (b) necessary to protect human, animal or plant life or health;
- (c) relating to the importations or exportations of gold or silver;
- (d) necessary to secure compliance with laws or regulations which are not inconsistent with the provisions of this Agreement, including those relating to customs enforcement, the enforcement of monopolies operated under paragraph 4 of Article II and Article XVII of GATT 1994, the protection of patents, trademarks and copyrights, and the prevention of deceptive practices;
- (e) relating to the products of prison labour;
- (f) imposed for the protection of national treasures of artistic, historic or archaeological value;
- (g) relating to the conservation of exhaustible natural resources if such measures are made effective in conjunction with restrictions on domestic production or consumption;
- (h) undertaken in pursuance of the obligations under any intergovernmental commodity agreement which conforms to criteria submitted to the WTO and not disapproved by it or which is itself so submitted and not so disapproved;
- (i) involving restrictions on exports of domestic materials necessary to ensure essential quantities of such materials to a domestic processing industry during periods when the domestic price of such materials is held below the world price as part of a governmental stabilisation plan, provided that such restrictions shall not operate to increase the exports of or the

1994, 采取限制性进口措施。在采取此类措施时, 缔约方应立即与其他缔约方协商。

第11条 一般例外

缔约方不得以任意或不公平的歧视方式, 或以隐蔽性的国际贸易限制方式, 在相同条件下对其他缔约方实施措施, 本协定中的任何规定均不得解释为阻止缔约方采取或执行措施:

- (a) 必要的以保护公共道德; (b) 必要的以保护人类、动物或植物的生命或健康; (c) 与黄金或白银的进口或出口有关; (d) 必要的以确保遵守与本协定规定不一致的法律或法规, 包括与海关执法、执行第II条第4款和1994年关税及贸易总协定第XVII条项下的垄断、专利、商标和版权的保护以及防止欺骗性做法有关的规定; (e) 与囚犯劳动产品有关; (f) 为保护具有艺术、历史或考古价值的国家宝藏而征收; (g) 与不可再生自然资源的保护有关, 如果此类措施与国内生产或消费的限制相结合生效; (h) 为执行符合提交给世界贸易组织并经其批准的标准或本身提交并经其批准的任何政府间商品协定项下的义务而采取; (i) 涉及对国内材料的出口限制, 这些材料对于确保国内加工工业在材料国内价格保持在世界价格以下时期获得必要数量是必要的, 作为政府稳定计划的一部分, 但此类限制不得增加或

protection afforded to such domestic industry, and shall not depart from the provisions of this Agreement relating to non-discrimination; and

- (j) essential to the acquisition or distribution of products in general or local short supply, provided that any such measures shall be consistent with the principle that all Parties are entitled to an equitable share of the international supply of such products, and that any such measures, which are inconsistent with the other provisions of this Agreement shall be discontinued as soon as the conditions giving rise to them have ceased to exist.

Article 12
Security Exceptions

Nothing in this Agreement shall be construed:

- (a) to require any Party to furnish any information the disclosure of which it considers contrary to its essential security interests;
- (b) to prevent any Party from taking any action which it considers necessary for the protection of its essential security interests, including but not limited to:
 - (i) action relating to fissionable materials or the materials from which they are derived;
 - (ii) action relating to the traffic in arms, ammunition and implements of war and to such traffic in other goods and materials as is carried on directly or indirectly for the purpose of supplying a military establishment;
 - (iii) action taken so as to protect critical communications infrastructure from deliberate attempts intended to disable or degrade such infrastructure;
 - (iv) action taken in time of war or other emergency in domestic or international relations; or
- (c) to prevent any Party from taking any action in pursuance of its obligations under the United Nations Charter for the maintenance of international peace and security.

此类国内产业所享有的保护，并且不得偏离与本协定关于非歧视的规定；和

- (j) 对于获取或分配通常或当地短缺的产品而言是必要的，前提是任何此类措施应与以下原则一致，即所有缔约方均有权获得此类产品的国际供应的公平份额，并且任何与本协定其他规定不一致的此类措施，应在导致其产生的情况停止存在后立即停止。

第12条 安全例外

本协定任何条款均不得解释为：

- (a) 要求任何缔约方提供其认为与其基本安全利益相悖的任何信息；
- (b) 阻止任何缔约方采取其认为对其基本安全利益保护所必需的任何行动，包括但不限于：(i) 与裂变材料或其来源材料相关的行动；(ii) 与武器、弹药和战争器械的交易相关的行动，以及为向军事设施直接或间接供应而进行的其他商品和材料交易；(iii) 采取保护关键通信基础设施免受旨在使其瘫痪或退化的故意企图的行为；(iv) 在战争时期或其他国内或国际关系紧急情况下采取的行动；或
- (c) 防止任何缔约方采取任何行动，以履行其根据联合国宪章维护国际和平与安全的义务。