

CENTRAL EUROPEAN FREE TRADE AGREEMENT

Concluded by:

The Czech Republic,

The Republic of Hungary

The Republic of Poland and

The Slovak Republic

PREAMBLE

The Czech Republic, the Republic of Hungary, the Republic of Poland and the Slovak Republic (hereinafter called the Parties),

Reaffirming their commitment to pluralistic democracy based on the rule of law, human rights and fundamental freedoms,

Having regard to the Visegrad Declaration of 15 February 1991 and the Cracow Declaration of 6 October 1991 adopted as the results of the meetings of the highest representatives of the Parties,

Recalling their intention to participate actively in the process of economic integration in Europe and expressing their preparedness to cooperate in seeking ways and means to strengthen this process,

Reaffirming their firm commitment to the principles of a market economy, which constitutes the basis for their relations,

Recalling their firm commitment to the Final Act of the Conference on Security and Co-Operation in Europe, the Paris Charter, and in particular the principles contained in the final document of the Bonn Conference on Economic Co-operation in Europe,

Resolved to this end to eliminate progressively the obstacles to substantially all their mutual trade, in accordance with the provisions of the General Agreement on Tariffs and Trade,

Firmly convinced that this Agreement will foster the intensification of mutually beneficial trade relations among them and contribute to the process of integration in Europe,

Considering that no provision of this Agreement may be interpreted as exempting the Parties from their obligations in other international agreements, especially the General Agreement on Tariffs and Trade,

Have decided as follows:

CENTRAL EUROPEAN FREE TRADE AGREEMENT

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序言

捷克共和国、匈牙利共和国、波兰共和国和斯洛伐克共和国（以下简称“缔约方”），

重申其对基于法治、人权和基本自由的多元民主的承诺，

回顾1991年2月15日的维谢格拉德宣言和1991年10月6日的克拉科夫宣言，这些宣言是缔约方最高代表会议的成果，

重申其积极参与欧洲经济一体化进程的意愿，并表示愿意合作寻求加强这一进程的方式和手段，

重申其对市场经济原则的坚定承诺，这些原则构成了其关系的基础，

回顾其对欧洲安全与合作会议最终文件、巴黎宪章，以及特别是欧洲经济合作波恩会议最终文件所含原则的坚定承诺，

为此决心根据关税及贸易总协定的规定，逐步消除其相互间绝大部分贸易的障碍，

坚信本协定将促进其之间互利贸易关系的发展，并有助于欧洲一体化进程，

考虑到本协定任何规定均不得解释为免除缔约方在其他国际协议，特别是关税及贸易总协定项下的义务，

已决定如下：

Article 1

Objectives

1. The parties shall gradually establish a free trade area in accordance with the provisions of the present Agreement and in conformity with Article XXIV of the General Agreement on Tariffs and Trade in a transitional period ending on 1 January 2001, at the latest.
2. The objectives of the present Agreement are:

a. to promote through the expansion of trade the harmonious development of the economic relations between the Parties and thus to foster in the Parties the advance of economic activity, the improvement of living and employment conditions, and increased productivity and financial stability.

b. to provide fair conditions of competition for trade between the Parties,

c. to contribute in this way, by the removal of barriers to trade, to the harmonious development and expansion of world trade.

Chapter I. - Industrial products

Article 2

Scope

The provisions of this Chapter shall apply to industrial products originating in the Parties. The term "industrial products" means for the purpose of this Agreement the products falling within Chapters 25 to 97 of the Harmonized Commodity Description and Coding System, with the exception of the products listed in Annex I.

Article 3

Customs duties on imports

1. No new customs duty on imports shall be introduced in trade between the Parties.
2. Customs duties on imports shall be abolished in accordance with the provisions of Protocol 1, 2 and 3.

Provisions for the abolition of customs duties on imports between:

* the Czech Republic and the Slovak Republic on the one side and the Republic of Hungary on the other side are laid down in Protocol 1;

* the Czech Republic and the Slovak Republic on the one side and the Republic of Poland on the other side are laid down in Protocol 2;

* the Republic of Hungary and the Republic of Poland are laid down in Protocol 3.

Article 4

Basic duties

第1条

目标

缔约方应根据本协定规定，并在关税及贸易总协定第二十四条规定过渡期结束于2001年1月1日或最迟以前，逐步建立自由贸易区。

2. 本协定的目标是：

通过扩大贸易促进缔约方之间经济关系的协调发展，从而在缔约方中促进经济活动的进步、生活和工作条件的改善，以及生产率和金融稳定性的提高。

- b. 为缔约方之间的贸易提供公平的竞争条件
- c. 通过消除贸易壁垒，以这种方式做出贡献，以实现协调世界贸易的发展和扩大。

第一章。- 工业产品

第2条

范围

本章的规定适用于来自各方的工业产品。“工业产品”一词在本协定中是指属于协调制度第25章至第97章的产品，但附件I中列出的产品除外。

第3条

进口关税

1. No n缔约方之间的贸易中不得引入新的进口关税。
2. 进口关税应根据第1号、第2号和第3号议定书的各项规定予以废除。

- 关于废除进口关税的规定如下：

* 一方面是捷克共和国和斯洛伐克共和国，另一方面是匈牙利共和国的规定载于第1号议定书；

* 一方面是捷克共和国和斯洛伐克共和国，另一方面是波兰共和国的规定载于第2号议定书；

* 匈牙利共和国和波兰共和国在 第3号议定书 中规定。

第四条

基本关税

1. For each product the basic duty to which the successive reductions set out in this Agreement are to be applied shall be the Most Favored Nation rate of duty applicable on 29 February 1992.

2. If, after entry into force of the Agreement, any tariff reduction is applied on an erga omnes basis, in particular reductions resulting from the tariff agreement concluded as a result of the Uruguay Round of Multilateral Trade negotiations, such reduced duties shall replace the basic duties referred to in paragraph 1 as from that date when such reductions are applied.

3. The reduced duties calculated in accordance with Article 2 shall be applied rounded to the first decimal place.

4. The Parties shall communicate to each other their respective customs duties.

Article 5

Charges equivalent to the duties

1. No new charge having an effect equivalent to a customs duty on imports shall be introduced in trade between the Parties.

2. All charges having an effect equivalent to customs duties on imports shall be abolished on the date of the entry into force of this Agreement, except as provided for in Annex II.

Article 6

Fiscal duties

The provisions of Article 3 shall also apply to customs duties of a fiscal nature.

Article 7

Customs duties on exports and charges having equivalent effect

1. No customs duty on exports or charge having equivalent effect shall be introduced in trade between the Parties.

2. The Parties shall progressively abolish among them at the latest by 1 January 1997 any customs duties on exports and charges having equivalent effect.

Article 8

Quantitative restrictions on imports and measures having equivalent effect

1. No new quantitative restrictions on imports or measures having equivalent effect shall be introduced in trade between the Parties.

1. 对于每种产品，本协定中规定的逐步减让应适用的基本关税应为1992年2月29日适用的最惠国税率。

2. 如果协定生效后，任何关税减让以普遍适用原则为基础适用，特别是在乌拉圭回合多边贸易谈判达成的关税协定中产生的减让，则此类减让关税应自减让适用的日期起取代第1段所述的基本关税。

3. 根据第2条计算出的减让关税应四舍五入至小数点后第一位。

4. 缔约方应相互通报其各自的关税。

第4条

与关税具有同等效力的费用

1. 不得在缔约方之间的贸易中引入任何对进口具有与关税同等效力的新费用。

2. 与进口关税具有同等效力的所有费用应在本协定生效之日废除，但附件II另有规定的除外。

文章 6

财政关税

文章 3 的规定也适用于财政性质的关税。

文章 7

出口关税与具有同等效力的费用

1. 缔约方之间不得引入出口关税或与关税具有同等效力的费用。

2. 缔约方应逐步至1997年1月1日止相互废除任何出口关税和与关税具有同等效力的费用。

文章 8

进口数量限制和具有同等效力的措施

1. 不得在缔约方之间的贸易中引入新的进口数量限制或具有同等效力的措施。

2. All quantitative restrictions and measures having equivalent effect on imports of products originating in the Parties shall be abolished on the date of entry into force of the Agreement, except as provided for in Annexes III/a, III/b and III/c.

Article 9

Quantitative restrictions on exports and measures having equivalent effect

1. No new quantitative restrictions on exports or measures having equivalent effect shall be introduced in trade between the Parties.

2. All quantitative restrictions on exports from the Parties and measures having equivalent effect shall be abolished on the date of entry into force of the Agreement, except as provided for in Annexes IV/a, IV/b and IV/c.

Article 10

Information procedure on draft technical regulations

1. The Parties shall notify each other at the earliest practicable stage and in accordance with the provisions laid down in Annex V of draft technical regulations and draft amendments thereto, which they intend to issue..

2. The Joint Committee shall decide on the date for implementing the provisions in paragraph 1.

Chapter II. - Agricultural products

Article 11

Scope

1. The provisions of this Chapter shall apply to agricultural products originating in the Parties to this Agreement.

2. The term "agricultural products" means for the purpose of this Agreement the products falling withing Chapter 1 to 24 of the Harmonized Commodity Description and Coding system and the products listed in Annex I.

Article 12

Exchange of concessions

1. The Parties to this Agreement grant each other the concessions, specified in Protocols 4, 5 and 6 in accordance with provisions of this chapter and laid down in these protocols.

2. 除附件III/a、III/b和III/c另有规定外，所有来自各方的产品的进口数量限制和具有同等效力的措施应在协定生效日期生效时废除。

第九条

出口数量限制和具有同等效力的措施

1. 在缔约方之间的贸易中，不得引入新的出口数量限制或具有同等效力的措施。

2. 所有缔约方的出口数量限制和具有同等效力的措施，应于协定生效日期废除，但附件IV/a、IV/b和IV/c另有规定的除外。

第十条

技术法规草案的信息程序

1. 缔约方应在拟出台技术法规草案及其修订草案的最早可行阶段，按照附件五的规定，相互通知其拟出台的草案。

2. 联合委员会应决定实施第1段规定的日期。

章节II.- 农产品

文章 1 1

范围

1. 本章的规定应适用于来自本协定各方的农产品。

2. 术语“农产品”是指根据本协定，协调制度第1章至第24章的产品以及附件I中列出的产品。

文章 1 2

让步的交换

1. 本协定缔约方根据本章的规定以及在第4、5和6号议定书中规定的方式，相互授予在第4、5和6号议定书中规定的让步。

Concessions exchanged between:

- * the Czech Republic and the Slovak Republic on the one side and the Republic of Hungary on the other side are specified in Protocol 4;
- * the Czech Republic and the Slovak Republic on the one side and the Republic of Poland on the other side are specified in Protocol 5;
- * the Republic of Hungary and the Republic of Poland are specified in Protocol 6.

2. Taking account of:

- * the role of agriculture in their economies,
- * the development of trade in agricultural products between the Parties,
- * the particular sensitivity of the agricultural products,
- * the rules of their agricultural policies,
- * the consequences of the multilateral trade negotiations under the General Agreement on Tariffs and Trade;

the Parties shall examine the possibilities of granting each other further concessions.

Article 13

Concessions and agricultural policies

1. Without prejudice to the concessions granted under Article 12, the provisions of this Chapter shall not restrict in any way the pursuance of the respective agricultural policies of the Parties or the taking of any measures under such policies, including the implementation of the results of the Uruguay Round agreements.
2. The Parties shall notify the Joint Committee of changes in their respective agricultural policies pursued or measures applied which may affect the conditions of agricultural trade among them as provided for in this Agreement. On the request of a Party prompt consultations shall be held to examine the situation.

Article 14

Specific safeguards

Notwithstanding other provisions of this Agreement and in particular Article 27, if, given the particular sensitivity of the agricultural markets, imports of products originating in a Party, which are the subject to concessions granted under this Agreement, cause serious disturbance to the markets of the other Party or Parties, the Parties concerned shall enter into consultations immediately to find an appropriate solution. Pending such solution, the Parties concerned may take measures they deem necessary.

Article 15

相互交换的让步:

- * 捷克共和国和斯洛伐克共和国一方以及匈牙利共和国另一方在 第4号议定书中被指定;
- * 捷克共和国和斯洛伐克共和国一方以及波兰共和国另一方在 第5号议定书中被指定;
- * 匈牙利共和国和波兰共和国在第6号议定书中被指定。

2. 考虑到:

- * 农业 在其经济中的作用, *
- 缔约方之间 农产品贸易 的发展, *
- 农产品的特殊敏感性, *
- 其农业政策的规则, *
- 关税及贸易总协定 下 多边贸易谈判 的后果;

缔约方 应研究相互授予进一步 让步 的可能性。

第1条第3款

让步和农业政策

- 1.在不损害第12条授予的让步的情况下, 本章的规定不得以任何方式限制缔约方各自农业政策的实施或根据此类政策采取任何措施, 包括实施乌拉圭回合协议的结果。
- 2.缔约方应根据本协定规定, 将其所追求的各自农业政策或所采取的措施的任何变化通知联合委员会, 这些变化可能影响它们之间农业贸易的条件。在一方的要求下, 应立即进行磋商以审查情况。

第1条第4款

特定保障措施

尽管本协定其他规定, 特别是第27条, 鉴于农产品市场的特殊性, 如果一方原产的产品进口, 这些产品属于本协定授予的让步, 导致对另一方或各方的市场造成严重干扰, 有关缔约方应立即进行磋商以寻求适当的解决方案。在找到该解决方案之前, 有关缔约方可采取其认为必要的措施。

文章 15

Sanitary and Phitosanitary measures

The Parties shall apply their regulations in veterinary, plant health and health matters in a non-discriminatory fashion and shall not introduce any new measures that have the effect of unduly obstructing trade.

Chapter III. - General provisions

Article 16

Rules of origin and co-operations in customs administration

1. Protocol 7 lays down the rules of origin and related methods of administrative co-operation..
2. The Parties shall take appropriate measures, including regular reviews by the Joint Committee and arrangements for administrative co-operation, to ensure that the provisions of Protocol 7 and Articles 3 to 9, 12, 17 and 28 of the Agreement are effectively and harmoniously applied, and to reduce, as far as possible the formalities imposed on trade, and to achieve mutually satisfactory solutions to any difficulties arising from the operation of those provisions.

Article 17

Internal taxation

1. The Parties shall refrain from any measure or practice of an internal fiscal nature establishing, whether directly or indirectly, discrimination between the products originating in the Parties
2. Products exported to the territory of one of the Parties may not benefit from repayment of internal taxation in excess of the amount of direct or indirect taxation imposed on them.

Article 18

General exceptions

This Agreement shall not preclude the prohibitions or restrictions on imports, exports, or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animal or plants; the protection of national treasures posessing artistic, historic or archaeological value; protection of intellectual property or rules relating to gold or silver or the conservation of exhaustible natural resources if such measures are made effective in conjunction with restrictions on domestic production or consumption. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Parties.

Article 19

Security exceptions

卫生与植物卫生措施

缔约方应以非歧视的方式适用其兽医、植物健康和卫生事项的法规，并且不得引入任何有不当阻碍贸易效果的新措施。

第三章。一般规定

文章 16

原产地规则和海关行政管理合作

1. 第7号议定书规定了原产地规则及相关行政合作方法。
2. 缔约方应采取适当措施，包括由联合委员会进行定期审查和安排行政合作，以确保第7号议定书以及协定第3条至第9条、第12条、第17条和第28条的规定得到有效和协调地适用，并尽可能减少贸易所受的正式手续，并就因适用这些规定而产生的任何困难达成互惠的解决方案。

文章 17

内部税收

1. 缔约方应避免采取任何具有内部财政性质的措施或做法，无论是直接还是间接地，在来自各方的产品之间建立歧视。
2. 出口到缔约方领土的产品不得享受超过对其征收的直接或间接税收的内部税收偿还。

文章 18

一般例外

本协定不应妨碍基于公共道德、公共政策或公共安全理由对进口、出口或转运货物所采取的禁止或限制措施；保护人类、动物或植物的健康和生命；保护具有艺术、历史或考古价值的国家宝藏；保护知识产权或与黄金或白银相关的规则，或保护不可再生自然资源，前提是这些措施与对国内生产或消费的限制措施同时实施。然而，这些禁止或限制措施不得构成任意歧视的手段或对缔约方之间贸易的伪装限制。

第1条9

安全例外

Nothing in this Agreement shall prevent a Party from taking any measure which it considers necessary:

- a. to prevent the disclosure of information contrary to its essential security interests;
- b. for the protection of its essential security interests or for the implementation of international obligations or national policies;
- i. relating to the traffic in arms, ammunition and implements of war, provided that such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes, and to such traffic in other goods, materials and services as is carried on directly or indirectly for the purpose of supplying a military establishment; or
- ii. relating to the non-proliferation of biological and chemical weapons, nuclear weapons or other nuclear explosive devices; or
- iii. taken in time of war or other serious international tension.

Article 20

State monopolies

1. The Parties shall adjust progressively any State monopoly of a commercial character so as to ensure that by the end of the fifth year after the entry into force of the Agreement, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Parties. The Joint Committee will be informed about the measures adopted to implement this objective.

2. The provisions of this Article shall apply to any body through which the competent authorities of the Parties, in law or in fact, either directly or indirectly supervise, determine or appreciably influence imports or exports between the Parties. These provisions shall likewise apply to monopolies delegated by the State to others.

Article 21

Payments

1. Payments in freely convertible currencies relating to trade in goods between the Parties and the transfer of such payments to the territory of the State, Party to this Agreement, where the creditor resides shall be free from any restrictions.

2. The parties shall refrain from any exchange or administrative restrictions on the grant, repayment or acceptance of short and medium term credits to trade in goods in which a resident participates.

本协议中的任何内容均不得阻止一方采取其认为必要的任何措施:

- a. 防止泄露与其基本安全利益相悖的信息;
- b. 为了保护其基本安全利益, 或为了实施国际义务或国家政策;
- i. 与武器、弹药和战争工具的交易有关, 前提是此类措施不会损害非特定军事用途的产品竞争条件, 以及直接或间接为军事设施供应而进行的其他商品、材料和服务的交易; 或
- ii. 与生物武器、化学武器、核武器或其他核爆炸装置的不扩散有关; 或
- iii. 在战争时期或其他严重国际紧张局势中采取;

文章 20

国家垄断

1. 缔约方应当逐步调整任何具有商业性质的 国家垄断, 以确保在本协定生效后第五年结束时, 各方法国民在商品采购和销售的条件方面不存在歧视。联合委员会将被告知为实施此目标而采取的措施。

2. 本条文的各项规定应适用于任何机构, 该机构通过法律上或事实上直接或间接地监督、确定或显著影响缔约方之间的进口或出口。这些规定同样适用于由国家委托给其他方的垄断。

文章 21

付款

1. 与缔约方之间货物贸易相关的自由兑换货币的付款, 以及将这些付款转移至债权人居住的本协议缔约方领土, 均不得有任何限制。

2. 缔约方不得对授予、偿还或接受短期和中期信贷进行任何交换或行政限制, 用于贸易货物, 其中居民参与。

3. Notwithstanding paragraph 1, until Article VIII of the Articles of Agreement of the IMF becomes applicable for the Parties, the Parties reserve the right to apply exchange restrictions on the grant or acceptance of short and medium term credits related to trade in goods to the extent permitted according to their status under the IMF, provided that these restrictions are applied in a non-discriminatory manner as regards the origin of the products and that they are not applied only to specific products or kind of products. The restrictions shall be of limited duration and shall be eliminated when conditions no longer justify their maintenance. The parties shall inform the Joint Committee promptly of the introduction of such measures and of any changes therein.

Article 22

Rules of competition concerning undertakings

1. The following are incompatible with the proper functioning of this Agreement in so far as they may affect trade between the Parties:
- a. all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition;
 - b. abuse by one or more undertakings of a dominant position in the territories of the Parties as a whole or in a substantial part thereof.

3. The provisions of paragraph 1 shall apply to the activities of all undertakings including public undertakings and undertakings to which the Parties grant special or exclusive rights.

Undertakings entrusted with the operation of services of general economic interest or having the character of a revenue-producing monopoly, shall be subject to provisions of paragraph 1 insofar as the application of these provisions does not obstruct the performance, in law or fact, of the particular public tasks assigned to them.

4. With regard to products referred to in Chapter II the provisions stipulated in paragraph 1 (a) shall not apply to such agreements, decisions and practices which form an integral part of a national market organization.

5. If a Party considers that a given practice is incompatible with paragraphs 1, 2 and 3 of this Article and if such practice causes or threatens to cause serious prejudice to the interest of that Party or material injury to its domestic industry, it may take appropriate measures under the conditions and in accordance with the procedure laid down in Article 31.

Article 23
State Aid

1. Any aid granted by a State being a Party to this Agreement or through State resources in any form whatsoever which distorts or threatens to distort competition by favoring certain

3. 尽管有第1段的规定，直到国际货币基金组织协定第八条对缔约方适用，缔约方保留根据其国际货币基金组织地位允许的程度，对与贸易货物相关的短期和中期信贷的授予或接受实施外汇管制的权利，前提是这些限制以非歧视性方式针对产品的原产地，并且它们不仅适用于特定的产品或产品种类。这些限制应具有有限期限，并且在不再需要维持其存在时应当消除。缔约方应迅速通知联合委员会此类措施的引入及其任何变化。

Article 22

关于企业竞争规则

1. 下列做法与本协定正常运作不相容，如果它们可能影响缔约方之间的贸易：

- a. 企业之间的所有协议、企业协会的决定以及企业之间旨在防止、限制或扭曲竞争的联合做法；
- b. 一个或多个企业在缔约方整体或其大部分领土上滥用支配地位。

3. 第1段的规定适用于所有企业的活动，包括公共企业和缔约方授予特殊或排他性权利的企业。

承担一般经济利益服务运营的企业或具有创收垄断性质的企业，应受第1段规定的约束，只要这些规定的适用不妨碍其被赋予的特定公共任务的履行，无论是在法律上还是在事实上。

4. 关于第II章所述产品，第1段（a）中规定的条款不适用于构成国家市场组织一部分的此类协议、决定和做法。

5. 如果一方认为某项做法与本条第1、2和3段的规定不一致，并且该做法造成或威胁造成对该方利益的严重损害或对其国内产业的重大损害，则该方可以在第31条规定的条件和程序下采取适当措施。

第23条 国
家援助

1. 任何由本协议缔约方国家或通过国家资源以任何形式提供的援助，如若通过偏袒某些货物而扭曲或威胁扭曲竞争，则应在本协议缔约方之间影响贸易的范围内，与本协议的正常运作不相容。

goods shall, in so far as it may affect trade between this Party and other Parties to this Agreement, be incompatible with the proper functioning of this Agreement.

2. The provisions of paragrpah 1 shall not apply to products referred to in Chapter II.
3. The Joint Committee shall, within three years from the entry into force of this Agreement, adopt the criteria on the basis of which the practices contrary to paragraph 1 shall be assessed, as well as the rules for their implementation.
4. The Parties shall ensure transparency in the area of state aid, inter alia by reporting annually to the Joint Committee on the total amount and the distribution of the aid given and by providing to the other Parties, upon request, information on aid schemes and on particular individual cases of state aid.
5. If a Party considers that a particular practice, including that in agriculture:
* is incompatible with the terms of paragraph 1, and is not adequately dealt with under the implementing rules referred to in paragraph 3, or
* in the absence of such rules, and if such practice causes or threatens to cause serious prejudice to the interest of that Party or material injury to its domestic industry,

it may take appropriate measures under the conditions of and in accordance with the provisions laid down in Article 31.

Such appropriate measures may only be taken in conformity with the procedures and under the conditions laid down by the GATT and any other relevant instrument negotiated under its auspices which are applicable between the Parties concerned.

Article 24

Government Procurement

1. The Parties consider the liberalization of their respective government procurement markets as an objective of this Agreement.
2. The Parties shall progressively develop their respective regulations for government procurement with a view to grant suppliers of the other Parties by the end of the transitional period referred to in Article 1 of this Agreement, at the latest, access to contract award procedures on their respective government procurement markets according to the provisions of the GATT Agreement on Government Procurement of 12 April 1979 as amended by a Protocol of Amendments of 2 February 1987.
3. The Joint Committee shall examine developments related to the achievement of the objectives of this Article and may recommend practical modalities of implementing the provisions of paragraph 2 of this Article so as to esnure free access, transparency and full balance of rights and obligations.

货物应，在它可能影响本协议缔约方之间贸易的范围内，与本协议的正常运作不相容。

2. The 第1段的规定不适用于第II章中提到的产品。
3. 联合委员会应在本协定生效之日起三年内，根据第1段的规定，制定评估违反第1段的实践的标准，以及其实施规则。
4. 各方应在国家援助领域确保透明度，包括：向联合委员会年度报告所提供的援助总额和分配情况，以及在要求时向其他各方提供有关援助方案和特定国家援助个别案例的信息。
5. 如果一方认为某项特定实践，包括农业方面的实践：* 与第1段的规定不一致，且未在第3段所述的实施规则中充分处理，或 * 在缺乏此类规则的情况下，如果该实践造成或威胁对该方利益造成严重损害或对其国内产业造成实质性损害，

在符合第31条规定的条件下，缔约方可以采取适当措施。

此类适当措施只能在与关贸总协定及其主持下谈判的任何其他相关协定中规定的程序和条件下进行，这些协定适用于有关缔约方之间。

第2条 3

政府采购

1. 缔约方将各自政府采购市场自由化视为本协定的目标。
2. 缔约方应逐步制定各自政府采购法规，以期在本协定第1条所述过渡期结束时，最迟根据1979年4月12日通过的《关贸总协定政府采购协定》及其1987年2月2日修正案的修正案的规定，使其他缔约方的供应商能够进入其各自政府采购市场的合同授予程序。
3. 联合委员会应当审查与本条第2款规定的目标实现相关的发展情况，并可以推荐实施本条第2款规定的规定的实用方式，以确保自由访问、透明度以及权利和义务的平衡。

4. During the examination referred to in paragraph 3 of this Article, the Joint Committee may consider, especially in the light of developments in this area in international relations, the possibility of extending the coverage and/or the degree of the market opening provided for in paragraph 2.

5. The Parties shall endeavor to accede to the relevant Agreements negotiated under the auspices of the GATT.

Article 25

Protection of Intellectual Property

1. The Parties shall grant and ensure protection of intellectual property rights on a non-discriminatory basis, including measures for the grant and enforcement of such rights. The protection shall be gradually improved and, before the end of the fifth year after the entry into force of this Agreement, of a level corresponding to the substantive standards of the multilateral agreements, which are specified in Annex VI.

2. For the purpose of this Agreement "intellectual property protection" includes in particular protection of copyright, comprising computer programs and databases, and neighboring rights, trademarks, geographical indications, industrial designs, patents, topographies of integrated circuits, as well as undisclosed information and know-how.

3. Protection of topographies of integrated circuits ensured by any Party shall be granted on reciprocal basis.

4. The parties shall co-operate in matters of intellectual property. They shall hold, upon request of any Party, expert consultations on these matters, in particular on activities relating to the existing or to future international conventions on harmonization, administration and enforcement of intellectual property and on activities in international organizations, such as the General Agreement on Tariffs and Trade, WIPO, as well as relations of Parties with third countries on matters concerning intellectual property.

Article 26

Dumping

If a Party finds that dumping within the meaning of Article VI of the GATT is taking place in trade relations governed by this Agreement, it may take appropriate measures against that practice in accordance with Article VI of the General Agreement on Tariffs and Trade and agreements related to that Article, under the conditions and in accordance with the procedure laid down in Article 31.

Article 27

General Safeguards

4. 在审查本条第3款所述的情况时，联合委员会可以考虑，特别是在国际关系该领域发展的情况下，扩展第2款规定的覆盖范围和/或市场开放程度的可能性。

5. 缔约方应努力加入在关贸总协定（GATT）主持下谈判的相关协议。

Article 25

知识产权保护

1 . 缔约方应非歧视地授予并确保知识产权的保护，包括授予和执行此类权利的措施。保护应逐步提高，并在本协定生效后第五年结束时达到与附件VI中规定的多边协议实质性标准相应的水平。

2. 就本协定而言，“知识产权保护”特别包括版权的保护，包括计算机程序和数据库，以及邻接权、商标、地理标志、工业设计、专利、集成电路布图设计，以及未披露信息和专有技术。

3. 任何缔约方确保的集成电路布图设计的保护应基于互惠原则。

4 . 缔约方应在知识产权方面进行合作。它们应根据任何方的请求，就这些事项举行专家磋商，特别是在与现有或未来的关于知识产权协调、管理和执法的国际公约相关的活动方面，以及在国际组织（如关税及贸易总协定、世界知识产权组织）中的活动，以及缔约方在知识产权相关事项上与第三国的关系。

第26条

倾销

如果一方发现根据关贸总协定第6条的定义在受本协定管辖的贸易关系中存在倾销行为，它可以根据关税及贸易总协定第6条及相关协定，在规定的条件和程序下，采取适当措施反对该行为。

第27条

一般保障措施

Where any 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 Party, or
- b. serious disturbances in any related sector of the economy or difficulties, which could bring about serious deterioration in the economic situation of a region,

the Party concerned may take appropriate measures under the conditions and in accordance with the procedure laid down in Article 31.

Article 28

Structural Adjustment

1. Exceptional measures of limited duration which derogate from the provisions of Article 3 may be taken by any of the Parties in the form of increased 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. Customs duties on imports applicable in the Party concerned to products originating in the other Party introduced by these measures maynot exceeed 25% ad valorem and shall maintain an element of preference for products originating in the Parties. The total value of imports of the products which are subject to these measures may not exceeed 15% of total imports of industrial products from the other Parties as defined in Chapter I., during the last year of which statistics are available.
4. Those measures shall be applied for a period not exceeding five years unless a longer duration is authorized by the Joint Committee. They shall cease to apply at the latest at the expiration of the transitional period.
5. No such measures can be introduced in respect of a product if more than three years elapsed since the elimination of all duties and quantitative restrictions or charges or measures having an equivalent effect concerning that product.
6. The Party concerned shall inform the Joint Committee of any exceptional measures it intends to take and, at the request of the other Parties, consultations shall be held in the Joint Committee on such measure and the sectors to which they apply before they are applied. 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. This schedule shall provide for a phasing out of these duties startintg at the latest two years after their introduction, at equal annual rates. The Joint Committee may decide on a different schedule.

Article 29

任何产品以如此增加的数量和条件进口， 以致造成或威胁造成：

- a. 对进口方领土内同类或直接竞争产品的国内生产者造成严重损害， 或
- b. 对任何相关经济部门造成严重干扰或困难， 可能导致地区经济状况严重恶化，

有关方可在第31条规定的条件和程序下采取适当措施。

第27

结构调整

1. 背离第3条规定的、有限期限的例外措施可由任何一方以提高关税的形式采取。
2. 这些措施只能涉及幼稚产业， 或正在重组的特定部门或面临严重困难的部门， 特别是这些困难导致重大社会问题的部门。
3. 适用于有关方对来自另一方并由这些措施引入的产品的进口关税不得超过25%从价， 并应保持对来自各方的产品的优惠要素。受这些措施约束的产品进口总价值不得超过根据第一章定义的来自其他方的工业产品总进口值的15%， 在最后一年有统计数据的期间。
4. 这些措施应适用不超过五年的期限， 除非联合委员会授权更长时间。它们应在过渡期结束时终止适用。
5. 如果自所有关税、数量限制或费用或具有同等效果的措施针对某产品的消除以来已超过三年， 则不得引入此类措施。
6. 有关方应当通知联合委员会其打算采取的任何例外措施， 并且在其他缔约方的请求下， 联合委员会应当在实施此类措施之前就此类措施及其适用的部门举行磋商。在采取此类措施时， 有关方应当向联合委员会提供根据本条引入的关税的消除计划。该计划应当规定这些关税的逐步取消， 最早在其引入两年后开始， 以相等的年度比率进行。联合委员会可以决定一个不同的计划。

第2条9

Re-export and serious shortages

Where compliance with the provisions of Articles 7 and 9 leads to:

- a. re-export towards a third country against which the exporting Party maintains for the product concerned 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 Party,

and where the situations referred to above give rise or are likely to give rise to major difficulties for the exporting Party, that Party may take appropriate measures under the conditions and in accordance with the procedures laid down in Article 31.

Article 30

Fulfillment of obligations

- 1. The Parties shall take any general or specific measures required to fulfil their obligations under the Agreement. They shall see to it that the objectives set out in the Agreement are attained.
- 2. If a Party considers that the other Party has failed to fulfil an obligation under this Agreement, the Party concerned may take appropriate measures under the conditions and in accordance with the procedure laid down in Article 31.

Article 31

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 Parties shall endeavor to solve any differences between them through direct consultations.
- 2. In the event of a Party subjecting imports of products liable to give rise to the situation referred to in Article 27 to an administrative procedure having as its purpose the rapid provision of information on the trend of trade flows, it shall inform the other party.
- 3. Without prejudice to paragraph 7 of the present Article, a Party which considers resorting to safeguard measures shall promptly notify the other Party and the Joint Committee thereof and supply all relevant information. Consultations between the Parties shall take place without delay in the Joint Committee with a view to finding a solution.
- 4.
 - a. As regards Articles 26, 27 and 29, 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 Party concerned. In the absence of such decision within thirty days of the matter being referred

再出口和严重短缺

哪里遵守第7条和第9条的规定会导致:

- 向维持对相关产品实施数量出口限制、出口税或具有同等效力的措施或费用的第三国进行再出口
- b. 应 严重的短缺, 或其威胁, 对出口方至关重要的产品 y,

并且, 如果上述情况导致或可能导致出口方面临重大困难, 该方可以按照第31条规定的条件和程序采取适当措施。

文章 30

履行义务

- 1. 缔约方应当采取必要的一般或具体措施以履行其根据协定所承担的义务。它们应当确保协定中规定的目标是能够实现的。
- 2. 如果一方认为另一方未能履行本协议项下的义务, 有关方可在第31条规定的条件和程序下采取适当措施。

第31条

保障措施的适用程序

- 1. 在启动本条以下各段规定的保障措施的适用程序之前, 缔约方应当通过直接磋商努力解决它们之间的任何分歧。
- 2. 当一方将可能引发第27条所述情况的产品进口置于以快速提供贸易流量趋势信息为目的的行政程序中时, 应当通知另一方。
- 3. 不损害本条第7段的规定, 认为需要采取保护措施的一方应当迅速通知另一方和联合委员会, 并提供所有相关信息。缔约方应在联合委员会中立即进行磋商, 以寻求解决方案。
- 4.
 - a. 关于第26条、第27条和第29条, 联合委员会应当审查案件或情况, 并可以作出任何必要的决定以结束有关方通知的困难。如果在将事项提交联合委员会后的三十天内没有作出此类决定

to the Joint Committee, the Party concerned may not adopt the measures necessary in order to remedy the situation.

b. As regards Article 30, the Party concerned may take appropriate measures after the consultations have been concluded or a period of three months has elapsed from the date of notification.

c. As regards Article 22 and 23, the Parties concerned shall give the Joint Committee all the assistance required in order to examine the case and, where appropriate, eliminate the practice objected to. If the Party in question 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 within thirty working days of the matter being referred to it, the Party concerned may adopt the appropriate measures to deal with the difficulties resulting from the practice in question.

4. The safeguard measures taken shall be notified immediately to the other Party and to the Joint Committee. They shall 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. The measures taken by a Party against an action or an omission of another Party may only affect the trade with that Party.

5. The safeguard measures taken shall be the object of periodic consultations within the Joint Committee with a view to their relaxation as soon as possible, or abolition when conditions no longer justify their maintenance.

6. Where exceptional circumstances requiring immediate action make prior examination impossible, the Party concerned may, in the cases of Articles 26, 27 and 29, apply forthwith the provisional measures strictly necessary to remedy the situation. The measures shall be notified without delay and consultations between the Parties shall take place as soon as possible within the Joint Committee.

Article 32

Balance of payments difficulties

1. The Parties shall endeavor to avoid the imposition of restrictive measures including measures relating to imports for balance of payments purposes.

2. Where one of the Parties is in serious balance of payments difficulties, or under imminent threat thereof, the Party concerned may, in accordance with the conditions established under the General Agreement on Tariffs and Trade, adopt restrictive measures, including measures related to imports, which shall be of limited duration and may not go beyond what is necessary to remedy the balance of payments situation. The measures shall be progressively relaxed as balance of payments conditions improve and they shall be eliminated when conditions no longer justify their maintenance. The Party shall inform the other Party forthwith of their introduction and, whenever practicable, of a time schedule for their removal.

Article 33

有关方不得采取补救情况所必需的措施。

b. 关于第30条，有关方在磋商结束后或通知之日起三个月期满后，可采取适当措施。

c. 关于第22条和第23条，有关方应向联合委员会提供为审查案件和（如适当）消除所反对的实践所必需的所有协助。如果有关方未能在联合委员会规定的期限内结束所反对的实践，或联合委员会在收到相关事项后三十个工作日内未能达成协议，有关方可以采取适当措施处理所提及的实践造成的困难。

4. 采取的保护措施应立即通知另一方和联合委员会。这些措施的范围和期限应限制在为纠正导致其适用的情形所严格必要的事项内，且不得超过该实践造成的损害或所提及的困难。应优先采取尽可能少地干扰协议运作的措施。一方针对另一方行为或疏忽采取的措施，只能影响与该方的贸易。

5. 采取的保护措施应作为联合委员会内部定期磋商的对象，以尽快放松或废除，当情况不再需要维持时。

6. 在需要立即采取行动的特殊情况下，若无法事先审查，有关方可在第26条、第27条和第29条的情况下立即采取严格必要的临时措施来补救情况。这些措施应立即通知，缔约方应在联合委员会内尽快进行磋商。

文章 32

国际收支困难

1. 缔约方应努力避免实施包括与国际收支目的相关的进口措施在内的限制性措施。

2. 当一方缔约方面临严重的国际收支困难，或面临其威胁时，有关方可以根据关税及贸易总协定规定的条件，采取限制性措施，包括与进口相关的措施，这些措施应为有限期限，并且不得超出弥补国际收支状况所必需的范围。这些措施应随着国际收支状况的改善而逐步放松，并在不再需要维持这些措施时被消除。缔约方应立即将措施的实施情况通知另一方，并在实际可行的情况下，通知其取消的时间表。

文章 33

Evolutionary clause

1. Where a Party considers that it would be useful in the interest of the economies of the Parties to develop and deepen the relations established by the Agreement by extending them to fields not covered thereby, it shall submit a reasoned request to the other Party. The Parties may instruct the Joint Committee to examine such a request and, where appropriate, to make recommendations, particularly with a view to opening negotiations.
2. Agreements resulting from the procedure referred to in paragraph 1 will be subject to ratification or approval by the Parties in according with their own procedures.

Article 34

The Joint Committee

1. The Parties agree to set up the Joint Committee composed of representatives of the Parties.
2. The implementation of this Agreement shall be supervised and administered by the Joint Committee.
3. For the purpose of the proper implementation of the Agreement, the Parties shall exchange information and, at the request of any Party, shall hold consultations within the Joint Committee. The Committee shall keep under review the possibility of further removal of the obstacles to trade between the Parties.
4. The Joint Committee may take decisions in the cases provided for in this Agreement. On other matters the Committee may make recommendations.

Article 35

Procedure of the Joint Committee

1. For the proper implementation of this Agreement the Joint Committee shall meet whenever necessary but at least once a year. Each Party may request that a meeting be held.
2. The Joint Committee shall act by common agreement.
3. If a representative in the Joint Committee of a Party to this Agreement has accepted a decision subject to the fulfillment of constitutional requiriments, the decision shall enter into force if no later date is contained therein, on the day the lifting of the reservation is notified.
4. For the purpose of this Agreement the Joint Committee shall adopt its rules of procedure which shall, inter alia, contain provisions for convening meetings and for the desigantion of the Chairman and his term of office.
5. The Joint Committee may decide to set up such subcommittees and working parties as it considers necessary to assist it in accomplishing its tasks.

进化条款

1. 当一方认为，为了缔约方经济的利益，有必要通过将关系扩展到协定未涵盖的领域来发展和深化协定建立的关系时，它应当向另一方提交理由充分的请求。缔约方可以指示联合委员会审查此类请求，并在适当的情况下提出建议，特别是为了开启谈判。
2. 根据第1段所述程序产生的协议将根据各方的程序予以批准或认可。

第3条第4条

联合委员会

1. 缔约方同意设立由缔约方代表组成的联合委员会。
2. 本协定的实施应由联合委员会监督和管理。
3. 为了正确实施协定，缔约方应当交换信息，并在任何一方的要求下，在联合委员会内进行磋商。委员会应当继续审议进一步消除缔约方之间贸易障碍的可能性。
4. 联合委员会可以在本协定规定的情况下作出决定。在其他事项上，委员会可以提出建议。

Article 3 5

联合委员会的程序

- 1 . 为了正确实施本协定，联合委员会应根据需要举行会议，但至少每年一次。每一方可以要求举行会议。
2. 联合委员会应通过共同协议行事。
- 3 . 如果本协议缔约方联合委员会的代表已接受一项需满足宪法要求的决定，则该决定在未包含更晚日期的情况下，自保留解除通知之日生效。
- 4 . 为本协议之目的，联合委员会应制定其议事规则，该规则除其他外，应包含关于召集会议、主席的任命及其任期的规定。
5. 联合委员会可以决定设立其认为必要的分委员会和工作小组，以协助其完成其任务。

Article 36

Trade relations governed by this and other Agreements

1. This Agreement shall apply to trade relations among the Czech Republic, the Republic of Poland, the Republic of Hungary and the Slovak Repulbic but not to the trade relations between the Czech Republic and the Slovak Republic.
2. This Agreement shall not prevent the maintenance or establishment of customs unions, free trade areas or arrangements for frontier trade to the extent that these do not negatively affect the trade regime and in particular the provisions concerning rules of origin provided for by this Agreement.

Article 37

Annexes and Protocols

The Annexes and Protocols to this Agreement are in integral part of it. The Joint Committee may decide to amend the Annexes and Protocols in accordance with the provisions of paragraph 3 of the Article 35.

Article 38

Territorial application

This Agreement shall apply to the territories of the States Parties to the Agreement.

Article 39

Amendments

Amendments to this Agreement other than those referred to in paragraph 4 of Article 34 which are approved by the Joint Committee shall be submitted to the Parties to this Agreement for acceptance and shall enter into force if accepted by all the Parties. The instruments of acceptance shall be deposited with the Depositary.

Article 40

Entry into force

1. This Agreement shall enter into force on 1 March 1993 provided that all Parties have deposited their instruments of ratification with the Depositary.
2. If this Agreement has not entered into force in accordance with the provision of paragraph 1, representatives of the Parties having deposited their instruments of ratification shall meet

第36条

由本协定及其他协定 governed by this and other Agreements 规范的贸易关系

1. 本协定应适用于捷克共和国、波兰共和国、匈牙利共和国和斯洛伐克共和国之间的贸易关系，但不适用于捷克共和国和斯洛伐克共和国之间的贸易关系。
2. 本协定不得阻止维持或建立关税同盟、自由贸易区或边境贸易安排，只要这些安排不会对贸易制度产生负面影响，并且在特别情况下不会违反本协定规定的原产地规则。

第3条第7款
Article 3 7

附件和议定书 Annexes and
Protocols

本协定的附件和议定书是其不可分割的一部分。联合委员会可根据第35条第3段的规定决定修改附件和议定书。

第3条 8

地域适用范围

本协定应适用于协定缔约方的领土。

第3条 9

修正案

除第34条第4段所述修正案外，本协定的其他修正案经联合委员会批准后，应提交本协定缔约方接受，如经所有缔约方接受，则应生效。接受书应交存保管机构。

Article 4 0

生效

1. 本协定应于1993年3月1日生效，前提是所有缔约方均已将其批准书交存于保管机构。
2. 如果本协定未根据第1段的规定生效，已提交批准书的缔约方代表应当会晤

before 30 April 1993 and may decide when the Agreement shall enter into force in relation to those Parties.

3. In relation to a Party depositing its instruments of ratification after the meeting referred to in paragraph 2, this Agreement shall enter into force on the first day of the second month following the deposit of its instrument but not before the date decided upon in accordance with paragraph 2.

4. Any Party may already at the time of signature declare that, during an initial phase it shall apply the Agreement provisionally if the Agreement cannot enter into force in relation to that Party by 1 March 1993.

Article 41

Validity and withdrawal

Each Party to this Agreement may withdraw therefrom, including from the provisional application by means of a written notification to the Depositary. The withdrawal shall take effect six months after the date on which the notification wa received by the Depositary. The Agreement remains in force for the other Parties.

Article 42

Depositary

The Government of Poland, acting as Depositary, shall notify all States that have signed this Agreement of the deposit of any instrument of ratification, the entry into force of this Agreement, any other act or notification relating to this Agreement or of its validity.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto, have signed the present Agreement.

Done at Kraków this 21st day of December 1992 in a single authentic copy in the English language which shall be deposited with the Government of Poland. The depositary shall transmit certified copies to all Parties.

For the Czech Republic Vladimir Dlouhy

For the Republic of Hungary Bela Kadar

For the Republic of Poland Andzej Arendarski

For the Slovak Republic Ludovit Cermak

RECORD OF UNDERSTANDINGS

在1993年4月30日之前， 并可以决定本协定何时对那些缔约方生效。

3. 关于一方在第四条第2款所述会议之后提交其批准书， 本协定应自其批准书提交之日起第二个月的第1天生效， 但不得早于第四条第2款决定的日期。

4. 任何一方在签署时即可声明， 如果本协定不能在1993年3月1日之前对该方生效， 则在该初始阶段临时适用本协定。

第四条 第1款

有效性和退出

本协议缔约方可以退出本协议， 包括通过向保管机构发出书面通知的方式退出临时适用。退出应自保管机构收到通知之日起六个月后生效。 本协定对其他缔约方仍然有效。

第四条 第2款

保管机构

波兰政府作为保管机构， 应通知已签署本协议的所有国家关于任何批准文件的存放、 本协议的生效、 与本协议有关的任何其他行为或通知， 或其有效性。

为证明本文件， 以下签署的全权代表已根据授权签署本协议。

1992年12月21日于克拉科夫签署， 一式一份， 以英文文本为准， 存放在波兰政府。 保管机构应将经认证的副本传送给所有缔约方。

捷克的代表 弗拉基米尔·德卢哈

为匈牙利共和国 贝拉·卡达尔

为波兰共和国 安德热伊·阿伦达斯基

为斯洛伐克共和国 鲁道夫·切尔马克

理解记录

1. The Parties declare their readiness to examine in the Joint Committee the possibility of extending to each other any concessions they grant or will grant to third countries with which they concluded a Free Trade Agreement or other similar agreement to which ARticle XXIV of the General Agreement on Tariffs and Trade applies.

2. As regards paragraph 2 of Article 4, the Parties agree that where a reduction of duties is effected by way of a suspension of duties made for a particular period of time, such reduced duties shall replace the basic duties only for the period of such suspension; and that whenever a partial suspension of duties is made, the preferential margin between the Parties will be preserved.

3. The Parties agree that Article 9 does not apply when measures covered by this Article might be required for the administration of international obligations.

4. When elaborating the criteria and rules indicated in paragraph 3 of Article 23, the Parties:
* shall aim at ensuring their greatest possible conformity with the relevant criteria and rules used under the Agreements establishing an Association between each of the Parties of this Agreement and the European Communities;
* shall define the conditions and/or situations when temporary derogations from the provisions of paragrpah 1 may be applicable.

5. Concerning the paragraph 4 of Article 23 the Joint Committee shall within one year following the entry into force of this Agreement adopt the necessary rules for the implementation of transparency measures.

6. Items in Annexes to Protocols 2 and 3 and in Annex III/c marked with an asterisk (*) will only be covered by the provisions contained therein, provided parallel treatment of these items in trade between the Parties is granted as compared to trade between Poland and the European Communities.

7. The Parties consider that an arbitration procedure could be envisaged for disputes which cannot be settled through consultations between the Parties concerned or in the Joint Committee. Such a possibility may be further examined in the Joint Committee.

1 . 缔约方声明它们准备在联合委员会中研究将它们授予或将来授予与它们签订自由贸易协定或适用关税及贸易总协定第二十四条的其他类似协定的第三国的任何让步扩展给彼此的可能性。

2 . 关于第四条第2款，缔约方同意，如果通过特定期限的关税暂缓来实施关税减让，则此类减让关税仅应在该暂缓期间取代基本关税；并且，每当实施部分关税暂缓时，缔约方之间的优惠幅度将得以保留。

3. 缔约方同意，当本协定涵盖的措施可能为履行国际义务的管理所需要时，第九条不适用。

4. 在制定第二十三条第3款中指明的标准和规则时，缔约方
* 应力求确保其与相关标准和规则的最大程度一致
在建立本协定每一缔约方与欧洲共同体之间的协定所使用的协定下；

* 应定义第1款规定可适用的条件和/或情况，以便临时例外。

5. 关于第二十三条第4段，联合委员会应在本协定生效后一年内，通过必要的规则来实施透明度措施。

6. 第二和第三议定书的附件以及附件III/c中带星号（*）的项目，仅受其包含的规定约束，前提是缔约方之间的这些项目与波兰和欧洲共同体之间的贸易相比，获得了平行处理。

7. 缔约方认为，对于无法通过有关缔约方之间的磋商或联合委员会解决的争端，可以设想仲裁程序。这种可能性可以在联合委员会中进一步研究。