



**Asia-Pacific
Economic Cooperation**

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Research and Analysis - Legal Issues

Submitted by: New Zealand



**Capacity Building Workshop on Preparing
for FTA Negotiations
Qingdao, China
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APEC Capacity Building Workshop on Preparing for FTA Negotiations

Session 2: Research and Analysis - Legal Issues



What are L&I Issues?

'Legal and Institutional' chapters include:

- Preamble
- Initial provisions
- Dispute settlement
- General exceptions
- Institutional provisions
- Transparency
- General provisions
- Final provisions



Preamble and Initial Provisions

Preamble

Initial Provisions

- Establish the Free Trade Area
- Objectives
- General definitions



Dispute Settlement

- scope
- relationship with WTO dispute settlement
- timelines
- transparency
- legal effect
- remedies



General Exceptions

- GATT/GATS general exceptions
- Security
- Measures to safeguard the balance of payments
- Taxation
- other



Institutional Provisions

- establish a body (e.g. 'Joint Commission') to oversee the implementation of the FTA
- provide for the Joint Commission to consider amendments to FTA
- provide for regular reviews of the FTA



Transparency

- consultation on draft measures
- publication of measures
- contact points



General and Final Provisions

- confidentiality
- relation to other agreements
- amendments
- accession by other countries
- entry into force
- language/authentic texts



Thank You

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