

DECISION NO. 1 OF THE FREE TRADE COMMISSION OF THE CUSMA, T-MEC, USMCA (“AGREEMENT”)

The Agreement requires that certain actions be taken by the date of entry into force of the Agreement.

In light of the entry into force of the Agreement, the Free Trade Commission (“the Commission”) decides as follows:

Uniform Regulations

1. Article 5.16 (Uniform Regulations) of the Agreement requires the adoption of Uniform Regulations regarding the interpretation, application, and administration of Chapter 4 (Rules of Origin), Chapter 5 (Origin Procedures), Chapter 6 (Textile and Apparel Goods), and Chapter 7 (Customs Administration and Trade Facilitation) of the Agreement. The Uniform Regulations, in English, Spanish, and French, are attached to this Decision as Annex I. The Spanish and French versions of Annex I are subject to language verification by the Parties.

Rules of Procedure and Code of Conduct

2. Article 10.12.14 (Review of Final Antidumping and Countervailing Duty Determinations) of the Agreement requires the Parties to adopt or maintain rules of procedure for binational panel reviews. The Rules of Procedure are attached to this Decision as Annex II. The Parties shall complete the Spanish and French versions. The Parties shall establish or maintain the Rules of Procedure provided for in Annex 10-B.3.2 (Extraordinary Challenge Procedure) and Article 10.13.6 (Safeguarding the Panel Review System), in English, Spanish, and French as soon as practicable.

3. In accordance with Article 30.2.1(e) (Functions of the Commission) of the Agreement, the Commission adopts the Rules of Procedure and Code of Conduct applicable to dispute settlement proceedings under the Agreement attached to this Decision as Annex III. The Parties will complete Spanish and French versions of the Rules of Procedures and the Code of Conduct.

Secretariat

4. In accordance with Article 30.6.1 (The Secretariat) of the Agreement, the Commission hereby establishes a Secretariat composed of National Sections of each Party.

Rosters

5. Article 31.8 (Roster and Qualifications of Panelists) of the Agreement requires the Parties to establish a roster of individuals who are willing to serve as panelists for disputes under Chapter 31 (Dispute Settlement) of the Agreement. The roster of panelists is attached to this Decision as Annex IV.

6. Article 31-A.3 (Lists of Rapid Response Labor Panelists) and Article 31-B.3 (Lists of Rapid Response Labor Panelists) of the Agreement require the establishment of lists of Labor Panelists who are willing to commit to being generally available to serve as panelists for disputes under Annex 31-A (United States-Mexico Facility-Specific Rapid Response Labor Mechanism) and Annex 31-B (Canada-Mexico Facility-Specific Rapid Response Labor Mechanism) of the Agreement. The lists are attached to this Decision as Annexes V and VI.

7. Paragraph 1 of Annex 10-B.1 (Establishment of Binational Panels) of the Agreement requires the Parties to establish or maintain a roster of individuals to serve as panelists for disputes under Section D of Chapter 10 of the Agreement. For Canada and the United States, the roster shall be comprised of individuals selected by those Parties under Annex 1901.2 (Establishment of Binational Panels) of the North American Free Trade Agreement. For Mexico, the roster is comprised of individuals listed in Annex VII.

8. This Decision and its Annexes are effective as of the date of entry into force of the Agreement.

DONE, in English, French, and Spanish.

For Canada:

Mary Ng

2020/07/02

DATE

For the United Mexican States:

Prof.

2 de julio de 2020

DATE

For the United States of America:

Robert E. Lythgoe

7/2/20

DATE