

## CHAPTER TWENTY

### INSTITUTIONAL PROVISIONS AND ADMINISTRATION

#### Article 20.1: Joint Commission

1. The Parties hereby establish a Joint Commission, composed of representatives of the Parties. The Commission shall be co-chaired by representatives of the Parties at the Ministerial level, or their designees.
2. The Commission shall:
  - (a) supervise the implementation of this Agreement;
  - (b) review the general functioning of this Agreement;
  - (c) supervise the further elaboration of this Agreement;
  - (d) consider ways to further enhance trade relations between the Parties;
  - (e) supervise the work of all committees, subcommittees, working groups, and other bodies established under this Agreement, including those listed in Annex 20-A;
  - (f) without prejudice to the rights conferred in Chapter Twenty-One (Dispute Settlement), endeavour to resolve disputes that may arise regarding the interpretation or application of this Agreement; and
  - (g) consider any other matter that may affect the operation of this Agreement.
3. The Commission may:
  - (a) adopt interpretive decisions concerning this Agreement, which shall be binding on dispute settlement panels established under Article 21.6 (Establishment of a Panel) and on Tribunals established under Section B of Chapter Eight (Investor-State Dispute Settlement);
  - (b) seek the advice of non-governmental persons;
  - (c) take any other action in the exercise of its functions as the Parties may agree; and

- (d) consider amendments or modifications to the rights and obligations under this Agreement, and amendments to Annex 1-A (Multilateral Environmental Agreements);
  - (e) establish the amounts of remuneration and expenses that will be paid to the dispute settlement panellists; and
  - (f) adopt its own rules of procedure.
4. The revisions referred to in paragraph 3(d) are subject to the completion of the necessary domestic legal procedures of either Party.
5. The Commission may establish committees, subcommittees, working groups or other bodies. Except as otherwise provided in this Agreement, the committees, subcommittees, working groups, and other bodies shall work under a mandate approved by the Commission.
6. Decisions and recommendations of the Commission shall be taken by mutual agreement.
7. The Commission shall convene once a year, or upon the request, in writing, of either Party. Unless otherwise agreed by the Parties, sessions of the Commission shall be held alternately in the territory of each Party, or by any technological means available.
8. Each Party shall treat confidential information exchanged in relation to a meeting of the Commission or a body established under this Agreement on the same basis as the Party providing the information.

#### **Article 20.2: Agreement Coordinators**

1. Each Party shall appoint an Agreement Coordinator (hereinafter referred to as the “Coordinator”) and notify the other Party within 60 days following the entry into force of this Agreement.
2. The Coordinators shall:
- (a) coordinate the work of all committees, subcommittees, working groups and other bodies established under this Agreement;

- (b) recommend to the Commission the establishment of other committees, subcommittees, working groups and other bodies as they consider necessary to assist the Commission;
- (c) follow up on any decisions taken by the Commission, as appropriate;
- (d) receive notifications and information provided under this Agreement and, as necessary, facilitate communications between the Parties on a matter covered by this Agreement; and
- (e) consider other matters that may affect the operation of this Agreement as mandated by the Commission.

3. The Coordinators shall meet as often as required.

4. Either Party may at any time request in writing that a special meeting of the Coordinators be held. The meeting shall take place within 30 days of receipt of the request.

## **Annex 20-A**

### **Committees, Sub-Committees, Working Groups, and Other Bodies**

1. The Committees established are:
  - (a) Committee on Trade in Goods;
  - (b) Rules of Origin and Customs Committee;
  - (c) Committee on Sanitary and Phytosanitary Measures;
  - (d) Committee on Standards-Related Measures;
  - (e) Committee on Trade Remedies;
  - (f) Financial Services Committee;
  - (g) Committee on Government Procurement;
  - (h) Committee on Intellectual Property; and
  - (i) Committee on Outward Processing Zones on the Korean Peninsula;
2. The Sub-Committees established are:
  - (a) Sub-Committee on Trade in Forest Products; and
  - (b) Sub-Committee on Trade in Automotive Goods;
3. The Working Group, which may be established on request of a Party, is:

Working Group on Standards-Related Measures related to Building Products and Related Assemblies;
4. Other Bodies established are:
  - (a) Environmental Affairs Council; and
  - (b) Labour Ministerial Council.

## **Annex 20-B**

### **Committee on Outward Processing Zones on the Korean Peninsula**

1. Recognising Korea's constitutional mandate and security interests, and the corresponding interests of Canada, and both Parties' commitment to promoting peace and prosperity on the Korean Peninsula, and the importance of intra-Korean economic co-operation toward that goal, the Parties hereby establish a Committee on Outward Processing Zones on the Korean Peninsula. The Committee shall review whether the conditions on the Korean Peninsula are appropriate for further economic development through the establishment and development of outward processing zones.
2. The Committee shall be composed of officials of the Parties. The Committee shall meet on or before the first anniversary of the entry into force of this Agreement and at least once annually thereafter, or at a time as mutually agreed.
3. The Committee shall identify geographic areas that may be designated outward processing zones. The Committee shall determine whether any such outward processing zone has met the criteria established by the Committee. The Committee shall also establish a maximum threshold for the value of the total input of the originating final good that may be added within the geographic area of the outward processing zone.