Article 3

Article XX of the GATT 1994 and its interpretative notes are incorporated into and made part of this Agreement, *mutatis mutandis*.

Article 4

Nothing in this Agreement shall be construed to:

(a) require a Party to furnish or allow access to any information the disclosure of which it determines to be contrary to its essential security interests; or

(b) preclude a Party from applying measures that it considers necessary for the fulfilment of its obligations with respect to the maintenance or restoration of international peace or security, or the protection of its own essential security interests.

Article 5

1. Further to the existing commitments by each Party under the WTO Agreement, unless otherwise provided for in this Agreement, each Party shall improve market access in accordance with Annex I or Annex II.

2. Nothing in this Agreement affects the existing rights and obligations of the Parties under Article XIX of the GATT 1994 and the *Agreement on Safeguards* in Annex 1A to the WTO Agreement.

3. Nothing in this Agreement shall be construed to prevent a Party from taking action, including maintaining or increasing a customs duty, that is authorized by the Dispute Settlement Body of the WTO.

Article 6

No later than 30 days after a request by either Party, the Parties shall enter into consultations regarding any matter that might affect the operation or interpretation of this Agreement, with a view to arriving at a mutually satisfactory resolution of the matter within 60 days.

Article 7

The Annexes to this Agreement shall constitute an integral part of this Agreement.

Article 8

The Parties may agree, in writing, to amend this Agreement. An amendment shall enter into force 30 days after the date on which the Parties have notified each other in writing of the approval of the amendment in accordance with their respective applicable legal procedures, or on such other date as the Parties may decide.

Article 9

This Agreement shall enter into force 30 days after the date on which the Parties have notified each other in writing of the completion of their respective applicable legal procedures, or on such other date as the Parties may decide.

Article 10

Either Party may terminate this Agreement by providing written notice of termination to the other Party. The termination shall take effect four months after the date on which a Party has provided that written notice to the other Party, or on such other date as the Parties may decide.

Article 11

The Japanese and English texts of this Agreement shall be equally authentic, except for Annex II, which shall be authentic only in English.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

DONE in duplicate at Washington, District of Columbia, this seventh day of October, 2019 in the Japanese and English languages.

For Japan:

杉山晋輔

For the United States of America:

Robert E. Lighthizer