

## CHAPTER 26

### COMPETITIVENESS

#### Article 26.1: North American Competitiveness Committee

1. Recognizing their unique economic and commercial ties, close proximity, and extensive trade flows across their borders, the Parties affirm their shared interest in strengthening regional economic growth, prosperity, and competitiveness.
2. With a view to promoting further economic integration among the Parties and enhancing the competitiveness of North American exports, the Parties hereby establish a North American Competitiveness Committee (Competitiveness Committee), composed of government representatives of each Party.
3. Each Party shall designate a contact point for the Competitiveness Committee, notify the other Parties of the contact point, and promptly notify the other Parties of any subsequent changes. Recognizing the need for a comprehensive and coordinated approach to enhance North American competitiveness, each Party's contact point shall coordinate with its relevant government departments and agencies.
4. The Competitiveness Committee shall discuss and develop cooperative activities in support of a strong economic environment that incentivizes production in North America, facilitates regional trade and investment, enhances a predictable and transparent regulatory environment, encourages the swift movement of goods and the provision of services throughout the region, and responds to market developments and emerging technologies.
5. The Competitiveness Committee shall:
  - (a) discuss effective approaches and develop information-sharing activities to support a competitive environment in North America that facilitates trade and investment between the Parties, and promotes economic integration and development within the free trade area;
  - (b) explore ways to further assist traders of a Party to identify and take advantage of trade opportunities under this Agreement;
  - (c) provide advice and recommendations, as appropriate, to the Commission on ways to further enhance the competitiveness of the North American economy, including recommendations aimed at enhancing the participation of SMEs, and enterprises owned by under-represented groups including women, indigenous peoples, youth, and minorities;

- (d) identify priority projects and policies to develop a modern physical and digital trade- and investment-related infrastructure, and improve the movement of goods and provision of services within the free trade area;
- (e) discuss collective action to combat market-distorting practices by non-Parties that are affecting the North American region;
- (f) promote cooperative activities for trade and investment between the Parties with respect to innovation and technology, including best practices in their application; and
- (g) engage in other activities as the Parties may decide.

6. The Competitiveness Committee shall meet within one year of the date of entry into force of this Agreement, and annually thereafter, unless the Parties decide otherwise.

7. The Competitiveness Committee shall develop a work plan to carry out its functions under paragraphs 4 and 5. The Committee shall submit a report to the Commission with the results that have been achieved under the work plan together with any advice and recommendations, if appropriate, on ways to further enhance the competitiveness of the North American economy. Each Party shall publish the work plan and report of the Committee. The Parties shall undertake the above activities on an annual basis, unless the Parties decide otherwise.

8. In carrying out its functions, the Committee may work with other committees, working groups, and any other subsidiary body established under this Agreement. The Committee may also seek advice from, and consider the work of, appropriate experts. The Committee shall ensure that it does not duplicate the activities of these other bodies.

#### **Article 26.2: Engagement with Interested Persons**

Each Party shall establish or maintain an appropriate mechanism to provide regular and timely opportunities for interested persons to provide input on matters relevant to enhancing competitiveness.

#### **Article 26.3: Non-Application of Dispute Settlement**

No Party shall have recourse to dispute settlement under Chapter 31 (Dispute Settlement) for a matter arising under this Chapter.