

Annex XIII.5

Nullification and Impairment

1. A Party may have recourse to dispute settlement under this Chapter if such Party considers that any benefit it could reasonably have expected to accrue to it under any provision of Part Two (Trade in Goods) is being nullified or impaired as a result of the application of any measure that is not inconsistent with this Agreement.
2. In any such dispute, the Panel shall take into consideration the jurisprudence interpreting Article XXIII.1.b) of the GATT 1994.