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Article 3

Exceptions

All exceptions under GATT 1994 shall apply, as appropriate, to the provisions of this Agreement.

1. In *Indonesia – Autos*, the Panel referred to Article 3 in discussing the relationship between the TRIMs Agreement and GATT 1994.¹ The Panel also noted that "a violation of Article 2.1 of the

Illustrative List annexed thereto.⁴ While recognizing that Article III:8(a) may not be an "exception" covered by Article 3 of the TRIMs Agreement, the Appellate Body nonetheless found support for its interpretation in Article 3 insofar as that provision suggests that the provisions of the TRIMs

TRIMs Agreement, Article 3 further suggests that the provisions of the TRIMs Agreement are not intended to constrain other rights that Members have under the GATT 1994."⁵