

**ASEAN-CHINA (Goods)
Summary Fact Sheet
June 2008**

Table 1: Background Information

Parties	Members of ASEAN (Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam) and China	
Date of signature	29 November 2004	
Date of entry into force	1 January 2005	
Transition period for full implementation	10 years	
Date of full implementation	2015	
Website addresses or points of contact	ASEAN Official website: http://www.aseansec.org/	
List of related GATT/WTO documents	WT/COMTD/N/20 WT/COMTD/51 WT/COMTD/N/20/Add.1 WT/COMTD/51/Add.1 WT/COMTD/51/Add.2 WT/COMTD/51/Add.3 WT/COMTD/51/Add.4 WT/COMTD/51/Add.5 WT/COMTD/51/Add.6	Notification of Framework Agreement Text of Framework Agreement Notification of Agreement Text of Agreement Written Questions by the EC Written Questions by the US Written Questions by Japan Written Questions by the US Written Answers

Table 2: Internal trade liberalization provisions

Import duties and charges	Under Article 3, MFN tariffs on products placed under the normal track and the sensitive track are to be reduced and, where applicable, eliminated in accordance with the modalities in Annex 1 for normal track products and Annex 2 for sensitive track products.
Export duties and charges	None
Non-tariff measures	Under Article 8, the parties undertake not to maintain quantitative restrictions at any time unless permitted under WTO disciplines. The parties shall identify all non-tariff measures (other than quantitative restrictions) for elimination as soon as possible after entry into force of the Agreement; the time frame for elimination will be mutually agreed between the parties. Information on quantitative restrictions should be made available to other parties upon implementation of the Agreement.
Sector-specific rules	None
Product exclusions	There are no product exclusions under the ASEAN-China Trade in Goods Agreement. : All tariff lines will be eliminated by 2012 for ASEAN-6 and China and by 2018 by the remaining Parties There is a small number of products (not more than 100 6-digit lines for ASEAN 6 and China and 150 6-digit lines for the other parties), for which tariffs are progressively reduced (Article 3(iii) of Annex 2 of the Agreement).

Table 3: Common External Tariff

Provisions	Not applicable
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Table 4: General trade-related provisions

Provision	Relevant Article(s)	Additional Information
Rules of Origin	Article 5 and Annex 3	Products are deemed to qualify for preferential treatment if they are wholly obtained or produced in the parties; or if not less than 40% of their content originates from any of the parties or if the total value of the products obtained from outside the parties does not exceed 60% of the FOB value of

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		the products provided that the final process of manufacture occurs in the party. Full cumulation between the parties is applicable. Product specific rules (PSRs) are contained in Attachment B. There are 565 products traded between the parties that are subject to PSRs, mainly textiles.
Standards-related measures	Article 7	The parties agree that subject to review by the Agreement, they will abide by their commitments to the provisions of disciplines on standards in the WTO Agreements.
SPS measures	Article 7	The parties agree that subject to review by the Agreement, they will abide by their commitments to the provisions of disciplines on SPS measures in the WTO Agreements.
Safeguard mechanisms (intra-trade)	Article 9	Each party which is a WTO Member retains its rights and obligations under Article XIX of the GATT and the Agreement on Safeguards. The Parties have the right to impose safeguards during a transition period of five years. Such measures may be taken if as a result of implementation of tariff concessions under the Agreement or the Framework Agreement or as a result of unforeseen developments there is an increase in import of any product in such quantities, absolute or relative to domestic production, so as to cause or threaten to cause injury to domestic industry in the importing country that produces like or directly competitive products. Such safeguard measures may be taken in the form of an increase in the tariff applied to the product up to the MFN rate, for an initial period of up to three years and an additional period not exceeding one year. The safeguard cannot be applied to a product originating in a party if its share of imports in the importing party does not exceed 3% of total imports from the parties.
Anti-dumping and countervailing measures	Article 7	The parties agree that subject to review by the Agreement, they will abide by their commitments to the provisions of disciplines on anti-dumping and countervailing measures in the WTO Agreements.
Subsidies and state aid	Article 7	The Parties agree to abide by the WTO disciplines on subsidies and countervailing measures.
Customs-related procedures	None	
IPR	Article 7	The Parties agree that subject to review by the Agreement, they will abide by their commitments to the provisions of disciplines on intellectual property rights in the WTO Agreements.
Government procurement	None	
Competition	None	
Investment	None	
General exceptions	Article 12	The Parties may use measures: to protect public morals, human, animals and plant life and health; relating to imports and exports of gold and silver and to the products of prison labour; to secure compliance with laws and regulations not inconsistent with the provisions of the Agreement including for customs enforcement, enforcement of monopolies, protection of intellectual property and the prevention of deceptive practices; to protect national treasures; to conserve exhaustible natural resources; to pursue obligations under any international commodity convention; to restrict exports to ensure essential supplies of the product for domestic processing for periods when the domestic price is held below the world price as part of a government stabilization programme; and essential for the acquisition

Provision	Relevant Article(s)	Additional Information
		and supply of products in short supply.
Accession	None	
Dispute resolution	Article 21	The Agreement on Dispute Settlement between ASEAN and China shall apply to the Agreement.
Relation with other trade agreements	None	
Transparency	Article 4	The provisions of Article X of the GATT 1994 are incorporated into and form an integral part of the Agreement.
Institutional provisions	Article 16 and 17	Pending the establishment of a permanent body, the Agreement will be implemented by ASEAN Economic Ministers (AEM) and the Ministry of Commerce in China supported and assisted by the ASEAN Senior Economic Officials Meeting (SEOM)-MOFCOM to oversee, supervise, coordinate and review the implementation of the Agreement. The ASEAN Secretariat will monitor and report to the SEOM-MOFCOM on implementation. Each party shall designate a contact point to facilitate communication between the parties.

No data on trade in goods are available.