

- enterprises (SMEs), environment, bio-technology, fishery, forestry and forestry products, mining, energy and sub-regional development.
3. Measures to strengthen co-operation shall include, but shall not be limited to:
 - (a) promotion and facilitation of trade in goods and services, and investment, such as:
 - (i) standards and conformity assessment;
 - (ii) technical barriers to trade/non-tariff measures; and
 - (iii) customs co-operation;
 - (b) increasing the competitiveness of SMEs;
 - (c) promotion of electronic commerce;
 - (d) capacity building; and
 - (e) technology transfer.
 4. The Parties agree to implement capacity building programmes and technical assistance, particularly for the newer ASEAN Member States, in order to adjust their economic structure and expand their trade and investment with China.

PART 3

ARTICLE 8

Timeframes

1. For trade in goods, the negotiations on the agreement for tariff reduction or elimination and other matters as set out in Article 3 of this Agreement shall commence in early 2003 and be concluded by 30 June 2004 in order to establish the ASEAN-China FTA covering trade in goods by 2010 for Brunei, China, Indonesia, Malaysia, the Philippines, Singapore and Thailand, and by 2015 for the newer ASEAN Member States.
2. The negotiations on the Rules of Origin for trade in goods under Article 3 of this Agreement shall be completed no later than December 2003.
3. For trade in services and investments, the negotiations on the respective agreements shall commence in 2003 and be concluded as expeditiously as possible for implementation in accordance with the timeframes to be mutually agreed: (a) taking into account the sensitive sectors of the Parties; and (b) with special and differential treatment and flexibility for the newer ASEAN Member States.
4. For other areas of economic co-operation under Part 2 of this Agreement, the Parties shall continue to build upon existing or agreed programmes set out in Article 7 of this Agreement, develop new economic co-operation programmes and conclude agreements on the various areas of economic co-operation. The Parties shall do so expeditiously for early implementation in a manner and at a pace acceptable to all the parties concerned. The agreements shall include timeframes for the implementation of the commitments therein.

ARTICLE 9

Most-Favoured Nation Treatment

China shall accord Most-Favoured Nation (MFN) Treatment consistent with WTO rules and disciplines to all the non-WTO ASEAN Member States upon the date of signature of this Agreement.

ARTICLE 10

General Exceptions

Subject to the requirement that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between or among the Parties where the same conditions prevail, or a disguised restriction on trade within the ASEAN-China FTA, nothing in this Agreement shall prevent any Party from taking and adopting measures for the protection of its national security or the protection of articles of artistic, historic and archaeological value, or such other measures which it deems necessary for the protection of public morals, or for the protection of human, animal or plant life and health.

ARTICLE 11

Dispute Settlement Mechanism

1. The Parties shall, within 1 year after the date of entry into force of this Agreement, establish appropriate formal dispute settlement procedures and mechanism for the purposes of this Agreement.
2. Pending the establishment of the formal dispute settlement procedures and mechanism under paragraph 1 above, any disputes concerning the interpretation, implementation or application of this Agreement shall be settled amicably by consultations and/or mediation.

ARTICLE 12

Institutional Arrangements For The Negotiations

1. The ASEAN-China Trade Negotiation Committee (ASEAN-China TNC) that has been established shall continue to carry out the programme of negotiations set out in this Agreement.
2. The Parties may establish other bodies as may be necessary to co-ordinate and implement any economic co-operation activities undertaken pursuant to this Agreement.
3. The ASEAN-China TNC and any aforesaid bodies shall report regularly to the ASEAN Economic Ministers (AEM) and the Minister of the Ministry of Foreign Trade and Economic Co-operation (MOFTEC) of China, through the meetings of the ASEAN Senior Economic Officials (SEOM) and MOFTEC, on the progress and outcome of its negotiations.
4. The ASEAN Secretariat and MOFTEC shall jointly provide the necessary secretariat support to the ASEAN-China TNC whenever and wherever negotiations are held.

ARTICLE 13