

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

India shall continue to 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 India-ASEAN FTA, nothing in this Agreement shall prevent any Party from taking action 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, health and conservation of exhaustible natural resources.

#### ARTICLE 11

##### Dispute Settlement Mechanism

(1) The Parties shall, within one (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 mutual consultations.

#### ARTICLE 12

##### Institutional Arrangements for the Negotiations

(1) There shall be established an ASEAN-India Trade Negotiating Committee (TNC) to carry out the programme of negotiations set out in this Agreement.

(2) The ASEAN-India TNC may invite experts or establish any Working Group as may be necessary to assist in the negotiations of all sectors in the India-ASEAN RTIA.

(3) The ASEAN-India TNC shall regularly report to the Minister of Commerce and Industry of India and the ASEAN Economic Ministers (AEM-India Consultations), through the meetings of the ASEAN Senior Economic Officials and India (SEOM-India Consultations), on the progress and outcome of its negotiations.

(4) The Ministry of Commerce and Industry, Government of India, and the ASEAN Secretariat shall jointly provide the necessary secretariat support to the ASEAN-India Trade Negotiating Committee (TNC) whenever and wherever negotiations are held.

#### ARTICLE 13

##### Miscellaneous Provisions

(1) This Agreement shall include the Annexes and the contents therein, and all future legal instruments agreed pursuant to this Agreement.

(2) Except as otherwise provided in this Agreement, this Agreement or any action taken under it shall not affect or nullify the rights and obligations of a Party under existing agreements to which it is a party.

(3) The Parties shall endeavour to refrain from increasing restrictions or limitations that would affect the application of this Agreement.

(4) Any ASEAN Member State may defer its participation in the implementation of this Agreement provided that a notification is given to the other parties within twelve (12) months from the date of signing of this Agreement. Any extension of the negotiated concessions to such ASEAN Member State shall be voluntary on the part of the parties participating in such implementation. The ASEAN Member State concerned shall participate in the implementation of this Agreement at a later date on the same terms and conditions, including any further commitments that may have been undertaken by the other parties by the time of such participation.

#### ARTICLE 14

##### Amendments

The provisions of this Agreement may be modified through amendments mutually agreed upon in writing by the Parties.

#### ARTICLE 15

##### Depository

For the ASEAN Member States, this Agreement shall be deposited with the Secretary-General of ASEAN, who shall promptly furnish a certified copy thereof to India and each ASEAN Member State.

#### ARTICLE 16

##### Entry into Force

(1) This Agreement shall enter into force on 1 July 2004.

(2) The Parties undertake to complete their internal procedures for the entry into force of this Agreement prior to 1 July 2004.

(3) Where a Party is unable to complete its internal procedures for the entry into force of this Agreement by 1 July 2004, the Agreement shall come into force for that Party upon the date of notification of the completion of its internal procedures. The Party concerned, however, shall be bound by the same terms and conditions, including any further commitments that may have been undertaken by the other Parties under this Agreement by the time of such notification.

(4) A Party shall upon the completion of its internal procedures for the entry into force of this Agreement notify all the other parties in writing.

IN WITNESS WHEREOF, WE have signed this Framework Agreement on Comprehensive Economic Cooperation between the Republic of India and the Association of South East Asian Nations.

DONE at Bali, this 8th day of October, 2003 in duplicate copies in the English Language.  
For the Republic of India

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ATAL BIHARI VAJPAYEE  
Prime Minister