

CHAPTER 21

INSTITUTIONAL PROVISIONS

ARTICLE 21.1: JOINT COMMITTEE

1. The Parties hereby establish the Joint Committee, comprising cabinet-level representatives of the Parties, as set out in Annex 21-A, or their designees.

2. The Joint Committee shall:

- (a) supervise the implementation of this Agreement;
- (b) supervise the work of all committees, working groups, and other bodies established under this Agreement, referred to in Annex 21-C;
- (c) consider ways to further enhance trade relations between the Parties;
- (d) seek to resolve disputes that may arise regarding the interpretation or application of this Agreement;
- (e) assess the outcomes of the application of this Agreement;
- (f) oversee the further elaboration of this Agreement;
- (g) establish the amount of remuneration and expenses that will be paid to panelists; and
- (h) consider any other matter that may affect the operation of this Agreement.

3. The Joint Committee may:

- (a) establish and delegate responsibilities to *ad hoc* and standing committees, working groups, or other bodies;
- (b) seek the advice of non-governmental persons or groups;
- (c) make a recommendation to the Parties to consider amendments to this Agreement;
- (d) issue interpretations of the provisions of this Agreement;
- (e) adopt its own rules of procedure; and
- (f) modify in fulfillment of the Agreement's objectives:

- (i) the Schedules to Annex 2-B (Elimination of Customs Duties) with the purposes of adding one or more goods excluded in the Schedule of a Party or accelerating the tariff reduction;
 - (ii) the specific rules of origin established in Annex 3-A (Product Specific Rules of Origin), any uniform regulations on origin procedures that the Parties may develop and the format of the Certificate of Origin set out in Annex 3-C (Certificate of Origin);
 - (iii) Annex 8-A (Coverage);
 - (iv) the subheadings of the goods classified as digital products fixed on a carrier medium set out in Annex 14-A (Digital Product Fixed on a Carrier Medium); and
 - (v) the model rules of procedure for panels and code of conduct of Chapter 22 (Dispute Settlement); and
- (g) take such other action in the exercise of its functions as the Parties may agree.
4. Unless the Parties otherwise agree, the Joint Committee shall convene:
- (a) in regular session every year, the Joint Committee meetings shall be chaired jointly by Korea and by one of the Republics of Central America. Unless otherwise decided by the Parties, sessions of the Joint Committee shall be held alternatively in the territory of Korea and one of the Republics of Central America; and
 - (b) in special session within 30 days of the request of a Party, who may request at any time, through a notice in writing to the other Parties with such sessions to be held in the territory of the other Party or at such location as the Parties may agree or by any technological means available.
5. Each Party shall treat any confidential information exchanged in relation to a meeting of the Joint Committee or any body established under this Agreement or by the Joint Committee on the same basis as the Party providing the information.
6. All decisions and recommendations of the Joint Committee and all committees, working groups, and other bodies established under this Agreement shall be taken by consensus of the Parties without prejudice to the provisions of paragraphs 9 and 10.
7. Each Party shall implement, in accordance with its applicable legal procedures, any modification referred to in paragraph 3(f) within such period as the Parties may agree.

8. When the Joint Committee adopts a decision in accordance with paragraph 3(f) in the case of bilateral affairs in accordance with paragraphs 9 and 10, the adoption, approval and implementation of this decision by the other Parties is not required.

9. Notwithstanding the provisions of paragraph 1, to discuss bilateral issues of interest to Korea and one or more Republics of Central America, the Joint Committee may meet and adopt decisions when the officials of these Parties meet, provided they give sufficient advanced notice to the other Republics of Central America to enable them to participate in the meeting.

10. A decision or recommendation adopted by the Joint Committee pursuant to paragraph 9 shall take effect for the Parties who adopted the decision or recommendation.

ARTICLE 21.2: AGREEMENT COORDINATORS

1. Each Party shall appoint an Agreement Coordinator, as set out in Annex 21-D, or the person designated by the Party.

2. The coordinators shall work jointly to develop agendas and make other preparations for Joint Committee meetings and shall follow up on Joint Committee decisions or recommendations, as appropriate.

ARTICLE 21.3: CONTACT POINTS

1. Each Party shall designate a contact point by the entry into force of this Agreement to facilitate communications between the Parties on any matter covered by this Agreement. The designation of contact points is without prejudice to the specific designation of competent authorities under specific provisions of this Agreement.

2. Upon request of the other Party, a Party's contact point shall identify the office or official responsible for the matter and assist, as necessary, in facilitating communications with the other Party.

ANNEX 21-A
JOINT COMMITTEE

The Joint Committee shall be composed as follows:

- (a) for Korea, the Minister of Trade, Industry, and Energy;
- (b) for Costa Rica, the Minister of Foreign Trade (*Ministro de Comercio Exterior*);
- (c) for El Salvador, the Minister of Economy (*Ministro de Economía*);
- (d) for Honduras, the Secretary of Economic Development (*Secretario de Desarrollo Económico*);
- (e) for Nicaragua, the Minister of Development, Industry and Trade (*Ministro de Fomento, Industria y Comercio*); and
- (f) for Panama, the Minister of Trade and Industries (*Ministro de Comercio e Industrias*),

or their successors.

ANNEX 21-B
IMPLEMENTATION OF MODIFICATIONS APPROVED BY THE JOINT
COMMITTEE

1. For Costa Rica, decisions of the Committee under Article 21.1.3(f) will be equivalent to the instrument referred to in Article 121.4, third paragraph (*protocolo de menor rango*) of the Political Constitution of the Republic of Costa Rica (*Constitución Política de la República de Costa Rica*).

2. For Honduras, decisions of the Committee under Article 21.1.3(f) will be equivalent to the instrument referred to in Article 21 of the Political Constitution of the Republic of Honduras (*Constitución Política de la República de Honduras*).

ANNEX 21-C
COMMITTEES AND WORKING GROUPS

1. Committees

- (a) Committee on Trade in Goods (Article 2.16);
- (b) Committee on Outward Processing Zone on the Korean Peninsula (Annex 3-B);
- (c) Committee on Rules of Origin and Origin Procedure, and Customs Procedure and Trade Facilitation (Article 4.13);
- (d) Committee on Sanitary and Phytosanitary Matters (Article 5.6);
- (e) Committee on Technical Barriers to Trade (Article 6.12);
- (f) Committee on Government Procurement (Article 8.20);
- (g) Financial Service Committee (Article 11.16);
- (h) Committee on Intellectual Property Rights (Article 15.73);
- (i) Labor Committee (Article 16.4);
- (j) Environmental Committee (Article 17.8); and
- (k) Cooperation Committee (Article 19.4).

2. Working Groups

- (a) Working Group on Temporary Entry for Business Persons (Article 12.7).

ANNEX 21-D
AGREEMENT COORDINATORS

The agreement coordinators shall consist of:

- (a) for Korea, the Director of FTA Implementation Division of Ministry of Trade, Industry and Energy;
- (b) for Costa Rica, the General Director of Foreign Trade (*Director General de Comercio Exterior*) of the Ministry of Foreign Trade (*Ministerio de Comercio Exterior*);
- (c) for El Salvador, the Director of the Trade Agreements Administration Bureau (*Director de la Dirección de Administración de Tratados Comerciales*) of the Ministry of Economy (*Ministerio de Economía*);
- (d) for Honduras, the General Director of Administration and Negotiations of Agreements (*Director General de Administración y Negociación de Tratados*) of the Secretariat of State for Economic Development (*Secretaría de Estado de Desarrollo Económico*);
- (e) for Nicaragua, the General Director of Foreign Trade (*Director General de Comercio Exterior*) of the Ministry of Development, Industry and Trade (*Ministerio de Fomento, Industria y Comercio*); and
- (f) for Panama, the National Director of the Directorate for International Trade Agreement Administration and Commercial Defense (*Director Nacional de Administración de Tratados Comerciales Internacionales y Defensa Comercial*) of the Ministry of Commerce and Industries (*Ministerio de Comercio e Industrias*),

or their successors.