

CONFIDENT that a comprehensive ASEAN Trade in Goods Agreement would minimise barriers and deepen economic linkages among Member States, lower business costs, increase trade, investment and economic efficiency, create a larger market with greater opportunities and larger economies of scale for the businesses of Member States and create and maintain a competitive investment area;

RECOGNISING the different stages of economic development between and among Member States and the need to address the development gaps and facilitate increasing participation of the Member States, especially Cambodia, Lao PDR, Myanmar and Viet Nam, in the AEC through the provision of flexibility and technical and development co-operation;

RECOGNISING FURTHER the provisions of the ministerial declarations of the World Trade Organization on measures in favour of least-developed countries;

ACKNOWLEDGING the important role and contribution of the business sector in enhancing trade and investment among Member States and the need to further promote and facilitate their participation through the various ASEAN business associations in the realisation of the ASEAN Economic Community; and

RECOGNISING the role of regional trade arrangements as a catalyst in accelerating regional and global trade liberalisation and trade facilitation and as building blocks in the framework of the multilateral trading system;

HAVE AGREED AS FOLLOWS:

**CHAPTER 1
GENERAL PROVISIONS**

**Article 1
Objective**

The objective of this Agreement is to achieve free flow of goods in ASEAN as one of the principal means to establish a single market and production base for the deeper economic integration of the region towards the realisation of the AEC by 2015.

**Article 2
General Definitions**

确信一项全面的东盟货物贸易协定将最大限度地减少成员国之间的壁垒并深化经济联系，降低商业成本，增加贸易、投资和经济效率，为成员国企业创造一个更大市场、更多机会和更大规模经济，并建立和维护一个竞争性投资区域；

认识到成员国之间经济发展阶段的不同，以及需要解决发展差距并通过提供灵活性和技术与发展合作，促进成员国特别是柬埔寨、老挝人民民主共和国、缅甸和越南在东盟经济共同体中日益深入的参与；

进一步认识到世界贸易组织关于有利于最不发达国家措施的部长级宣言条款；

承认商业部门在加强成员国之间贸易和投资方面的重要作用 and 贡献，以及需要通过各东盟商业协会进一步促进和便利其参与以实现东盟经济共同体；及

认识到区域贸易安排在加速区域和全球贸易自由化和贸易便利化方面的催化剂作用，以及作为多边贸易体系框架中的构建模块；

达成协议如下：

第一章 总则

**第一条
目标**

本协议定的目标是实现东南亚国家联盟内货物的自由流动，作为建立单一市场和生产基地的主要手段之一，以深化该地区的经济一体化，从而在2015年前实现东盟经济共同体。

第二条 一般定义

1. For the purposes of this Agreement, unless the context otherwise requires:

- (a) **ASEAN** means the Association of Southeast Asian Nations, which comprises Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, Lao PDR, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam;
- (b) **customs authorities** means the competent authorities that are responsible under the law of a Member State for the administration of customs laws;
- (c) **customs duties** means any customs or import duty and a charge of any kind imposed in connection with the importation of a good, but does not include any:
 - (i) charge equivalent to an internal tax imposed consistently with the provisions of paragraph 2 of Article III of GATT 1994, in respect of the like domestic goods or in respect of goods from which the imported goods have been manufactured or produced in whole or in part;
 - (ii) anti-dumping or countervailing duty applied consistent with the provisions of Article VI of GATT 1994, the Agreement on Implementation of Article VI of GATT 1994, and the Agreement on Subsidies and Countervailing Measures in Annex 1A to the WTO Agreement; or
 - (iii) fee or any charge commensurate with the cost of services rendered.
- (d) **customs laws** means such laws and regulations administered and enforced by the customs authorities of each Member State concerning the importation, exportation, transit, transshipment, and storage of goods as they relate to customs duties, charges, and other taxes, or to prohibitions, restrictions, and other similar controls with respect to the movement of controlled items across the boundary of the customs territory of each Member State;

1. 为本协定之目的，除非上下文另有要求：

- (a) 东南亚国家联盟（ASEAN）指东南亚国家协会国家，包括文莱达鲁萨兰国、柬埔寨王国、印度尼西亚共和国、老挝人民民主共和国、马来西亚、缅甸联邦、菲律宾共和国、新加坡共和国、泰国和越南社会主义共和国；
- (b) 海关当局指成员国法律规定的负责执行海关法的行政主管部门；
- (c) 关税指对货物进口征收的任何关税或进口税及其他任何性质的税费，但不包括以下任何一项：(i) 依据1994年关贸总协定第三条第二款条款，对同类国内商品或用于全部或部分生产进口货物的商品征收的相当于国内税的税费；(ii) 根据1994年关税及贸易总协定第六条、1994年关税及贸易总协定第六条执行协议以及世界贸易组织协议附件1A中的补贴与反补贴措施协议条款实施的反倾销税或反补贴税；或(iii) 与服务成本相称的费用或其他任何收费。
- (d) 海关法指各成员国海关当局实施并执行的、与货物进口、出口、过境、转运及存储相关的法律法规，这些法律法规涉及关税、税费及其他税收，或针对管制物品跨越各成员国关境流动的禁令、限制及其他类似管控措施；

- (e) **customs value of goods** means the value of goods for the purposes of levying ad valorem customs duties on imported goods;
- (f) **days** means calendar days, including weekends and holidays;
- (g) **foreign exchange restrictions** means measures taken by Member States in the form of restrictions and other administrative procedures in foreign exchange which have the effect of restricting trade;
- (h) **GATT 1994** means the General Agreement on Tariffs and Trade 1994, including its Notes and Supplementary Provisions, contained in Annex 1A to the WTO Agreement;
- (i) **Harmonized System** or **HS** means the Harmonized Commodity Description and Coding System set out in the Annex to the *International Convention on the Harmonized Commodity Description and Coding System*, including any amendments adopted and implemented by the Member States in their respective laws;
- (j) **MFN** means Most-Favoured-Nation treatment in the WTO;
- (k) **non-tariff barriers** means measures other than tariffs which effectively prohibit or restrict imports or exports of goods within Member States;
- (l) **originating goods** means goods that qualify as originating in a Member State in accordance with the provisions of Chapter 3;
- (m) **preferential tariff treatment** means tariff concessions granted to originating goods as reflected by the tariff rates applicable under this Agreement;
- (n) **quantitative restrictions** means measures intended to prohibit or restrict quantity of trade with other Member States, whether made effective through quotas, licences or other measures with equivalent effect, including administrative measures and requirements which restrict trade;

(e) 货物海关价值指为对进口货物征收从价关税而确定的货物价值；
(f) 日历日包括周末及节假日；
(g) 外汇限制指成员国采取的限制性措施及其他外汇行政程序，这些措施具有限制贸易的效果；
(h) 1994年关税及贸易总协定指《世界贸易组织协议》附件1A中所包含的《1994年关税与贸易总协定》，包括其注释及补充条款；
(i) 协调制度或HS指《商品名称及编码协调制度国际公约》附件中规定的商品名称及编码协调制度，包括成员国各自法律通过并实施的任何修正；
(j) 最惠国待遇指世界贸易组织中的最惠国待遇；
(k) 非关税壁垒指除关税外，在成员国境内有效禁止或限制货物进出口的措施；
(l) 原产货物指根据第三章条款符合成员国原产资格的商品；
(m) 优惠关税待遇指根据本协定适用关税税率所体现的、给予原产货物的关税减让；
(n) 数量限制指旨在禁止或限制与其他成员国贸易数量的措施，无论通过配额、许可证或其他具有同等效力的措施（包括限制贸易的行政措施和要求）实施；

- (o) **this Agreement** or **ATIGA** means the ASEAN Trade in Goods Agreement;
- (p) **WTO** means the World Trade Organization; and
- (q) **WTO Agreement** means the Marrakesh Agreement Establishing the World Trade Organization, done on 15 April 1994 and the other agreements negotiated thereunder.

2. In this Agreement, all words in the singular shall include the plural and all words in the plural shall include the singular, unless otherwise indicated in the context.

Article 3
Classification of Goods

For the purposes of this Agreement, the classification of goods in trade between and among Member States shall be in accordance with the ASEAN Harmonised Tariff Nomenclature (AHTN) as set out in the Protocol Governing the Implementation of the ASEAN Harmonised Tariff Nomenclature signed on 7 August 2003 and any amendments thereto.

Article 4
Product Coverage

This Agreement shall apply to all products under the ASEAN Harmonised Tariff Nomenclature (AHTN).

Article 5
Most Favoured Nation Treatment

With respect to import duties, after this Agreement enters into force, if a Member State enters into any agreement with a non-Member State where commitments are more favourable than that accorded under this Agreement, the other Member States have the right to request for negotiations with that Member State to request for the incorporation herein of treatment no less favourable than that provided under the aforesaid agreement. The decision to extend such tariff preference will be on a unilateral basis. The extension of such tariff preference shall be accorded to all Member States.

Article 6

- (o) 本协定或东盟货物贸易协定指《东盟货物贸易协定》；(p) 世界贸易组织指世界贸易组织；(q) 世界贸易组织协议指1994年4月15日签署的《建立世界贸易组织的马拉喀什协定》及其项下谈判达成的其他协议。

2. 在本协定中，除非上下文另有说明，所有单数形式的词语均包含复数含义，所有复数形式的词语亦包含单数含义。

第三条 货物分类

就本协定而言，成员国之间贸易货物的分类应遵循2003年8月7日签署的《东盟统一关税目录实施协议》中所列明的东盟统一关税目录（AHTN）及其任何修订版本。

第四条 产品范围

本协定适用于东盟统一关税目录（AHTN）项下的所有产品。

第5条 最惠国待遇

关于进口关税，在本协定生效后，若某一成员国与非成员国签订的任何协议中承诺的待遇优于本协定所给予的待遇，其他成员国有权要求与该成员国进行谈判，以请求将不低于前述协议中所提供的待遇纳入本协定。此类关税优惠的扩展决定将以单边方式作出。此类关税优惠的扩展应给予所有成员国。

第6条

National Treatment on Internal Taxation and Regulation

Each Member State shall accord national treatment to the goods of the other Member States in accordance with Article III of GATT 1994. To this end, Article III of GATT 1994 is incorporated into and shall form part of this Agreement, *mutatis mutandis*.

**Article 7
Fees and Charges Connected with Importation and Exportation**

- 1. Each Member State shall ensure, in accordance with Article VIII.1 of GATT 1994, that all fees and charges of whatever character (other than import or export duties, charges equivalent to an internal tax or other internal charge applied consistently with Article III.2 of GATT 1994, and anti-dumping and countervailing duties) imposed on or in connection with import or export are limited in amount to the approximate cost of services rendered and do not represent an indirect protection to domestic goods or a taxation on imports or exports for fiscal purposes.
- 2. Each Member State shall promptly publish details of the fees and charges that it imposes in connection with importation or exportation, and shall make such information available on the internet.

**Article 8
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 among Member States where the same conditions prevail, or a disguised restriction on international trade, nothing in this Agreement shall be construed to prevent the adoption or enforcement by a Member State of measures:

- (a) necessary to protect public morals;
- (b) necessary to protect human, animal or plant life or health;
- (c) relating to the importations or exportations of gold or silver;
- (d) necessary to secure compliance with laws or regulations which are not inconsistent with the provisions of this Agreement, including those relating to customs enforcement, the enforcement of monopolies operated under paragraph 4 of Article II and Article XVII of GATT

国内税收与监管的国民待遇

各成员国应根据1994年关贸总协定第三条，对其他成员国的货物给予国民待遇。为此，1994年关贸总协定第三条经必要修改后纳入本协定，并构成本协定的一部分。

第七条 与进出口相关的费用和收费

- 1. 各成员国应根据1994年关贸总协定第八条第一款的规定，确保对进口或出口征收的任何性质的费用和收费（进出口关税、与1994年关贸总协定第三条第二款一致适用的相当于国内税或其他国内费用的收费，以及反倾销和反补贴税除外），其金额不得超过所提供服务的近似成本，且不得构成对国内商品的间接保护或为财政目的对进口或出口征税。
- 2. 各成员国应及时公布其征收的与进口或出口相关的费用和收费的详细信息，并应在互联网上提供此类信息。

第八条 一般例外

在不构成对条件相同的成员国之间任意或不合理歧视的手段，或对国际贸易的变相限制的前提下，本协定的任何规定不得解释为阻止成员国采取或实施以下措施：

- (a) 为保护公共道德所必需；(b) 为保护人类、动物或植物的生命或健康所必需；(c) 与黄金或白银的进出口有关；(d) 为确保遵守与本协定条款不相抵触的法律或法规所必需，包括与海关执法、根据第二条第四款和关贸总协定第十七条实施的垄断执法相关的法律或法规

- 1994, the protection of patents, trademarks and copyrights, and the prevention of deceptive practices;
- (e) relating to the products of prison labour;
 - (f) imposed for the protection of national treasures of artistic, historic or archaeological value;
 - (g) relating to the conservation of exhaustible natural resources if such measures are made effective in conjunction with restrictions on domestic production or consumption;
 - (h) undertaken in pursuance of the obligations under any intergovernmental commodity agreement which conforms to criteria submitted to the WTO and not disapproved by it or which is itself so submitted and not so disapproved;
 - (i) involving restrictions on exports of domestic materials necessary to ensure essential quantities of such materials to a domestic processing industry during periods when the domestic price of such materials is held below the world price as part of a governmental stabilisation plan, provided that such restrictions shall not operate to increase the exports of or the protection afforded to such domestic industry, and shall not depart from the provisions of this Agreement relating to non-discrimination; and
 - (j) essential to the acquisition or distribution of products in general or local short supply, provided that any such measures shall be consistent with the principle that all Member States are entitled to an equitable share of the international supply of such products, and that any such measures, which are inconsistent with the other provisions of this Agreement shall be discontinued as soon as the conditions giving rise to them have ceased to exist.

Article 9 Security Exceptions

1994年，保护专利、商标和版权，以及防止欺诈行为；(e) 与监狱劳动产品有关；(f) 为保护具有艺术、历史或考古价值的国家宝藏而实施；(g) 与保护可耗尽的自然资源有关，只要此类措施与限制国内生产或消费一同实施；(h) 为履行符合提交世界贸易组织且未被其否决的标准的任何政府间商品协定项下的义务而实施，或该协定本身已提交且未被否决；(i) 涉及限制国内材料出口，以确保在国内价格作为政府稳定计划的一部分被压低至世界价格以下时，国内加工工业能获得此类材料的基本数量，但此类限制不得用于增加此类国内工业的出口或保护，且不得偏离本协定关于非歧视的条款；以及(j) 对获取或分配普遍或局部供应短缺的产品至关重要，但任何此类措施应符合所有成员国均有权获得此类产品国际供应的公平份额的原则，且任何与本协定其他条款不一致的此类措施应在导致其存在的条件不复存在时立即停止。

第9条 安全例外

Nothing in this Agreement shall be construed:

- (a) to require any Member State to furnish any information, the disclosure of which it considers contrary to its essential security interests; or
- (b) to prevent any Member State from taking any action which it considers necessary for the protection of its essential security interests:
 - (i) relating to fissionable materials or the materials from which they are derived;
 - (ii) relating to the traffic in arms, ammunition and implements of war and to such traffic in other goods and materials as is carried on directly or indirectly for the purpose of supplying a military establishment;
 - (iii) taken so as to protect critical public infrastructure, including communications, power and water infrastructures, from deliberate attempts intended to disable or degrade such infrastructure;
 - (iv) taken in time of domestic emergency, or war or other emergency in international relations; or
- (c) to prevent any Member State from taking any action in pursuance of its obligations under the United Nations Charter for the maintenance of international peace and security.

Article 10
Measures to Safeguard the Balance-of-Payments

Nothing in this Agreement shall be construed to prevent a Member State from taking any measure for balance-of-payments purposes. A Member State taking such measure shall do so in accordance with the conditions established under Article XII of GATT 1994 and *the Understanding on Balance-of-Payments Provisions of the General Agreement on Tariffs and Trade 1994* in Annex 1A to the WTO Agreement.

不得将本协定解释为:

- (a) 要求任何成员国提供其认为披露会违背其基本安全利益的任何信息; 或(b) 阻止任何成员国采取其认为保护其基本安全利益所必需的任何行动: (i) 涉及裂变材料或从中衍生出的材料; (ii) 涉及武器、弹药和战争工具的贸易, 以及为直接或间接供应军事机构而进行的其他货物和材料的此类贸易; (iii) 为保护关键公共基础设施(包括通信、电力和水利基础设施)免遭蓄意破坏或降级此类基础设施的企图而采取的行动; (iv) 在国内紧急状态、战争或国际关系中的其他紧急状态下采取的行动; 或
- (c) 阻止任何成员国为履行《联合国宪章》下维护国际和平与安全的义务而采取的任何行动。

第10条 保障国际收支平衡的措施

本协定任何条款不得解释为阻止成员国为国际收支目的采取任何措施。成员国采取此类措施时, 应遵循1994年关税与贸易总协定第12条及世界贸易组织协议附件1A中《1994年关税与贸易总协定关于国际收支条款的谅解》所规定的条件。

Article 11
Notification Procedures

1. Unless otherwise provided in this Agreement, Member States shall notify any action or measure that they intend to take:
- (a) which may nullify or impair any benefit to other Member States, directly or indirectly under this Agreement; or
 - (b) when the action or measure may impede the attainment of any objective of this Agreement.
2. Without affecting the generality of the obligations of Member States under paragraph 1 of this Article, the notification procedures shall apply, but need not be limited, to changes in the measures as listed in Annex 1 and amendments thereto.
3. A Member State shall make a notification to Senior Economic Officials Meeting (SEOM) and the ASEAN Secretariat before effecting such action or measure referred to in paragraph 1 of this Article. Unless otherwise provided in this Agreement, notification shall be made at least sixty (60) days before such an action or measure is to take effect. A Member State proposing to apply an action or measure shall provide adequate opportunity for prior discussion with those Member States having an interest in the action or measure concerned.
4. The notification of the intended action or measure submitted by a Member State shall include:
- (a) a description of the action or measure to be taken;
 - (b) the reasons for undertaking the action or measure; and
 - (c) the intended date of implementation and the duration of the action or measure.
5. The contents of the notification and all information relating to it shall be treated with confidentiality.
6. The ASEAN Secretariat shall act as the central registry of notifications, including written comments and results of discussions. The Member State concerned shall furnish the ASEAN Secretariat with a copy of the comments received. The ASEAN Secretariat shall draw the attention of individual Member States to notification requirements, such as those stipulated in paragraph 4 of this Article, which remain

第十一条 通知程序

1. 除非本协定另有规定，成员国应就其拟采取的任何行动或措施进行通知：
- (a) 可能直接或间接使其他成员国根据本协定获得的利益无效或减损；或 (b) 当该行动或措施可能阻碍本协定任何目标的实现时。
2. 在不影响成员国根据本条第一款所承担义务的普遍性的前提下，通知程序应适用于但不限于附件一所列措施的变更 及其修正案。
3. 成员国应在实施本条第一款所述行动或措施前向高级经济官员会议及东盟秘书处发出通知。除非本协定另有规定，通知应至少在该行动或措施生效前六十（60）个日历日作出。拟实施行动或措施的成员国应为与该行动或措施有利害关系的其他成员国提供充分的事先讨论机会。
4. 成员国提交的拟采取行动或措施的通知应包括：
- (a) 拟采取行动或措施的描述；(b) 采取该行动或措施的原因；以及 (c) 该行动或措施的实施日期和持续时间。
5. 通知的内容及与之相关的所有信息应予以保密性处理。
6. 东盟秘书处应作为通知的中央登记处，包括书面意见和讨论结果。相关成员国应向东盟秘书处提供收到的意见副本。东盟秘书处应提请各成员国注意通知要求，例如本条第四款规定的通知要求，这些要求仍未

incomplete. The ASEAN Secretariat shall make available information regarding individual notifications on request to any Member State.

7. The Member State concerned shall, without discrimination, allow adequate opportunities for other Member States to present their comments in writing and discuss these comments upon request. Discussions entered into by the Member State concerned with other Member States shall be for the purpose of seeking further clarification about the action or measure. The Member State may give due consideration to these written comments and the discussion in the implementation of the action or measure.
8. Other Member States shall present their comments within fifteen (15) days of the notification. Failure of a Member State to provide comments within the stipulated time shall not affect its right to seek recourse under Article 88.

Article 12
Publication and Administration of Trade Regulations

1. Article X of GATT 1994 shall be incorporated into and form an integral part of this Agreement, *mutatis mutandis*.
2. To the extent possible, each Member State shall make laws, regulations, decisions and rulings of the kind referred to in Article X of GATT 1994 available on the internet.

Article 13
ASEAN Trade Repository

1. An ASEAN Trade Repository containing trade and customs laws and procedures of all Member States shall be established and made accessible to the public through the internet.
2. The ASEAN Trade Repository shall contain trade related information such as (i) tariff nomenclature; (ii) MFN tariffs, preferential tariffs offered under this Agreement and other Agreements of ASEAN with its Dialogue Partners; (iii) Rules of Origin; (iv) non-tariff measures; (v) national trade and customs laws and rules; (vi) procedures and documentary requirements; (vii) administrative rulings; (viii) best practices in trade facilitation applied by each Member State; and (ix) list of authorised traders of Member States.
3. The ASEAN Secretariat shall maintain and update the ASEAN Trade Repository based on the notifications submitted by Member States as set out in Article 11.

完成。东盟秘书处应根据任何成员国的请求，提供有关个别通知的信息。

7. 相关成员国应无差别地为其他成员国提供充分机会提交书面意见，并根据请求讨论这些意见。相关成员国与其他成员国进行的讨论旨在就该行动或措施寻求进一步澄清。成员国在实施该行动或措施时可适当考虑这些书面意见及讨论内容。
8. 其他成员国应于通知发出后十五（15）个日历日内提交意见。成员国未在规定期限内提供意见不影响其根据第88条寻求救济的权利。

第12条 贸易法规的公布和管理

1. 1994年关贸总协定第X条经必要修改后纳入本协定，构成本协定不可分割的一部分。
2. 各成员国应尽可能将1994年关贸总协定第X条所述类型的法律、法规、决定和裁决发布于互联网。

第13条 东盟贸易资料库

1. 应建立一个包含所有成员国贸易和海关法律及程序的东盟贸易资料库，并通过互联网向公众开放。
2. 东盟贸易资料库应包含以下贸易相关信息：(i) 关税税则；(ii) 最惠国关税、根据本协定及东南亚国家联盟与其对话伙伴的其他协定提供的优惠关税；(iii) 原产地规则；(iv) 非关税措施；(v) 国家贸易和海关法律及规则；(vi) 程序和文件要求；(vii) 行政裁决；(viii) 各成员国应用的贸易便利化最佳实践；以及(ix) 成员国授权贸易商名单。
3. 东盟秘书处应根据成员国依照第十一条提交的通知，维护并更新东盟贸易资料库。

Article 14
Confidentiality

- 1. Nothing in this Agreement shall require a Member State to provide confidential information, the disclosure of which would impede law enforcement of the Member State, or otherwise be contrary to the public interest, or which would prejudice legitimate commercial interests of any particular enterprise, public or private.
- 2. Nothing in this Agreement shall be construed to require a Member State to provide information relating to the affairs and accounts of customers of financial institutions.
- 3. Each Member State shall, in accordance with its laws and regulations, maintain the confidentiality of information provided as confidential by another Member State pursuant to this Agreement.
- 4. Notwithstanding the above, paragraphs 1, 2 and 3 of this Article shall not apply to Chapter 6.

Article 15
Communications

All official communications and documentation exchanged among the Member States relating to the implementation of this Agreement shall be in writing and in the English language.

Article 16
Participation Enhancement of Member States

Enhancing participation of Member States shall be facilitated through a negotiated pre-agreed flexibility on provisions under this Agreement. Such pre-agreed flexibility shall be captured in the respective provisions hereunder.

Article 17
Capacity Building

Capacity building shall be provided through effective implementation of programmes to strengthen individual Member States’ domestic capacity, efficiency and competitiveness, such as the Work Programme under the Initiative for ASEAN Integration (IAI) and other capacity building initiatives.

第14条 保密

- 1. 本协定任何条款均不得要求成员国提供机密信息，若披露此类信息会妨碍成员国执法、或违背公共利益、或损害任何特定企业（无论公有或私有）的合法商业利益。
- 2. 本协定的任何规定不得解释为要求一成员国提供与金融机构客户事务及账户相关的信息。
- 3. 各成员国应根据其法律法规，对另一成员国依据本协定作为保密信息提供的资料予以保密。
- 4. 尽管有上述规定，本条第一款、第二款和第三款不适用于第6章。

第15条 通讯

成员国之间就本协定实施交换的所有官方通讯及文件均应以书面形式并使用英语。

第16条 成员国参与增强

应通过就本协定条款进行谈判达成的预先商定的灵活性，促进成员国参与的增强。此类预先商定的灵活性应体现在以下相应条款中。

第17条 能力建设

能力建设应通过有效实施各项计划来提供，以增强各成员国的国内能力、效率和竞争力，例如东盟一体化倡议（IAI）下的工作计划及其他能力建设倡议。

Article 18
Regional and Local Government and Non-Governmental Bodies

1. Each Member State shall take such reasonable measures as may be available to it to ensure observance of provisions of this Agreement by the regional and local government and authorities within its territories.
2. In fulfilling its obligations and commitments under this Agreement, each Member State shall endeavour to ensure their observance by non-governmental bodies in the exercise of powers delegated by central, regional or local governments or authorities within its territory.

CHAPTER 2
TARIFF LIBERALISATION

Article 19
Reduction or Elimination of Import Duties

1. Except as otherwise provided in this Agreement, Member States shall eliminate import duties on all products traded between the Member States by 2010 for ASEAN-6¹ and by 2015, with flexibility to 2018, for CLMV².
2. Each Member State shall reduce and/or eliminate import duties on originating goods of the other Member States in accordance with the following modalities:
- (a) Import duties on the products listed in Schedule A of each Member State's tariff liberalisation schedule shall be eliminated by 2010 for ASEAN-6 and 2015 for CLMV, in accordance with the schedule set out therein. Schedule A of each Member State shall ensure the following conditions are met:
- (i) For ASEAN-6, by 1 January 2009:
- Import duties of at least eighty percent (80%)

¹ "ASEAN-6" refers to Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand.

² "CLMV" refers to Cambodia, Lao PDR, Myanmar and Viet Nam.

第18条 区域和地方政府及非政府机构

1. 各成员国应采取其可用的合理措施，确保其领土内的区域和地方政府及当局遵守本协定的条款。
2. 在履行本协定项下的义务和承诺时，各成员国应尽力确保其领土内的中央、区域或地方政府或当局授权的非政府机构在行使权力时遵守这些义务和承诺。

第二章 关税自由化

第19条 进口关税的减让或取消

1. 除本协定另有规定外，成员国应在2010年前消除东南亚国家联盟-6¹ 之间贸易的所有产品的进口关税，并在2015年前（柬老缅越²可灵活延至2018年）消除成员国之间的进口关税。
2. 各成员国应按照以下方式减让和/或取消对其他成员国原产货物的进口关税：
- (a) 各成员国关税减让表中附表A所列产品的进口关税，应按照其中规定的时间表，于2010年前对东盟六国、2015年前对柬老缅越予以取消。各成员国的附表A应确保满足下列条件：
- (i) 对于东盟六国，截至2009年1月1日：
- 至少百分之八十（80%）的进口关税

¹ “东盟六国”指文莱达鲁萨兰国、印度尼西亚、马来西亚、菲律宾、新加坡和泰国。² “柬老缅越”指柬埔寨、老挝人民民主共和国、缅甸和越南。