

RECOGNISING the catalytic role that regional trade arrangements can contribute towards accelerating regional and global liberalisation and as building blocks in the framework of the multilateral trading system;
HAVE AGREED AS FOLLOWS:

ARTICLE 1
Objectives

The objectives of this Agreement are to:

- (a) strengthen and enhance economic, trade and investment co-operation between the Parties;
- (b) progressively liberalise and promote trade in goods and services as well as create a transparent, liberal and facilitative investment regime;
- (c) explore new areas and develop appropriate measures for closer economic co-operation between the Parties; and
- (d) facilitate the more effective economic integration of the newer ASEAN Member States and bridge the development gap among the Parties.

ARTICLE 2
Measures For Comprehensive Economic Co-operation

The Parties agree to negotiate expeditiously in order to establish an ASEAN-China FTA within 10 years, and to strengthen and enhance economic co-operation through the following:

- (a) progressive elimination of tariffs and non-tariff barriers in substantially all trade in goods;
- (b) progressive liberalisation of trade in services with substantial sectoral coverage;
- (c) establishment of an open and competitive investment regime that facilitates and promotes investment within the ASEAN-China FTA;
- (d) provision of special and differential treatment and flexibility to the newer ASEAN Member States;
- (e) provision of flexibility to the Parties in the ASEAN-China FTA negotiations to address their sensitive areas in the goods, services and investment sectors with such flexibility to be negotiated and mutually agreed based on the principle of reciprocity and mutual benefits;
- (f) establishment of effective trade and investment facilitation measures, including, but not limited to, simplification of customs procedures and development of mutual recognition arrangements;
- (g) expansion of economic co-operation in areas as may be mutually agreed between the Parties that will complement the deepening of trade and investment links between the Parties and formulation of

认识到区域贸易安排在加速区域和全球自由化方面可以发挥催化作用，并且是多边贸易体系框架中的基石；各方同意如下：

ARTICLE 1
Objectives

本协议的目标是：(a) 加强和增进各方之间的经济、贸易和投资合作；(b) 逐步自由化并促进货物和服务贸易，并创建一个透明、自由和便利的投资制度；(c) 探索新的领域和发展适当的措施，以加强各方之间的经济合作；以及 (d) 促进新东盟成员国更有效的经济一体化，并缩小各方之间的差距。

ARTICLE 2
全面经济合作措施

各方同意迅速谈判，以在10年内建立东盟-中国自由贸易协定，并通过以下措施加强和增进经济合作：

- (a) 逐步消除货物贸易中绝大部分的关税和非关税壁垒；(b) 逐步放宽服务贸易，覆盖主要领域；(c) 建立开放和竞争的投资制度，促进东盟-中国自由贸易协定内的投资；(d) 向较新的东盟成员国提供特殊和差别待遇及灵活性；(e) 为各方在东盟-中国自由贸易协定谈判中提供灵活性，以解决货物、服务和投资领域的敏感问题，此类灵活性应根据互惠和互利原则进行谈判和相互同意；(f) 建立有效的贸易和投资便利化措施，包括但不限于简化海关程序和发展相互承认安排；(g) 扩大经济合作，合作领域由各方相互同意，以补充各方之间贸易和投资联系的深化，并制定

- action plans and programmes in order to implement the agreed sectors/areas of co-operation; and
- (h) establishment of appropriate mechanisms for the purposes of effective implementation of this Agreement.

PART 1

ARTICLE 3
Trade In Goods

1. In addition to the Early Harvest Programme under Article 6 of this Agreement, and with a view to expediting the expansion of trade in goods, the Parties agree to enter into negotiations in which duties and other restrictive regulations of commerce (except, where necessary, those permitted under Article XXIV (8)(b) of the WTO General Agreement on Tariffs and Trade (GATT)) shall be eliminated on substantially all trade in goods between the Parties.
2. For the purposes of this Article, the following definitions shall apply unless the context otherwise requires:
- (a) “ASEAN 6” refers to Brunei, Indonesia, Malaysia, Philippines, Singapore and Thailand;
- (b) “applied MFN tariff rates” shall include in-quota rates, and shall:
- (i) in the case of ASEAN Member States (which are WTO members as of 1 July 2003) and China, refer to their respective applied rates as of 1 July 2003; and
- (ii) in the case of ASEAN Member States (which are non-WTO members as of 1 July 2003), refer to the rates as applied to China as of 1 July 2003
- (c) “non-tariff measures” shall include non-tariff barriers.
3. The tariff reduction or elimination programme of the Parties shall require tariffs on listed products to be gradually reduced and where applicable, eliminated, in accordance with this Article.
4. The products which are subject to the tariff reduction or elimination programme under this Article shall include all products not covered by the Early Harvest Programme under Article 6 of this Agreement, and such products shall be categorised into 2 Tracks as follows:
- (a) Normal Track: Products listed in the Normal Track by a Party on its own accord shall:
- (i) have their respective applied MFN tariff rates gradually reduced or eliminated in accordance with specified schedules and rates (to be mutually agreed by the Parties) over a period from 1 January 2005 to 2010 for ASEAN 6 and China, and in the case of the newer ASEAN Member States, the period shall be from 1 January 2005 to 2015 with higher starting tariff rates and different staging; and
- (ii) in respect of those tariffs which have been reduced but have not been eliminated under paragraph 4(a)(i) above,

行动计划和项目，以实施约定的合作领域；以及（h）建立适当的机制，以有效实施本协议。

PART 1

ARTICLE 3 货物
贸易

1. 除本协议第6条下的早期收获计划外，为加快货物贸易扩张，各方同意进行谈判，在谈判中，除必要情况下允许根据世界贸易组织关税及贸易总协定（GATT）第24条（8）（b）款的规定外，各方可适用的最惠国关税税率和其他贸易限制措施应在实质上消除，以消除各方之间货物贸易的关税和其他贸易限制措施。
2. 就本条而言，除非上下文另有要求，否则应适用以下定义：
- (a) “东盟6国”是指文莱、印度尼西亚、马来西亚、菲律宾、新加坡和泰国；
- (b) “适用最惠国关税税率”应包括配额内税率，并应：(i) 在东盟成员国（截至2003年7月1日为世界贸易组织成员）和中国的情况下，指截至2003年7月1日的各自适用税率；以及(ii) 在东盟成员国（截至2003年7月1日非世界贸易组织成员）的情况下，指截至2003年7月2003年对中国适用的税率
- (c) “非关税措施”应包括非关税壁垒。
3. 各方的关税减让或取消计划应要求列名产品的关税逐步减让，并在适用的情况下予以取消，依据本条的规定。
4. 根据本条规定的关税减让或取消计划所适用的产品应包括本协议第6条项下的早期收获计划未涵盖的所有产品，此类产品应按如下分为2个轨道：
- (a) 常规轨道：一方自行列名的常规轨道产品应：(i) 根据（由各方协商确定的）规定的进度和税率，使其各自适用的最惠国关税税率逐步减让或取消，在东盟6国和中国的情况下，减让或取消的期限为2005年1月1日至2010年，对于较新的东盟成员国，期限为2005年1月1日至2015年，起始关税税率较高且分阶段不同；以及(ii) 对于上述第4(a)(i)款中已减让但尚未取消的关税，