

FRAMEWORK AGREEMENT ON COMPREHENSIVE ECONOMIC CO-OPERATION
BETWEEN THE ASSOCIATION OF SOUTH EAST ASIAN NATIONS AND THE PEOPLE'S
REPUBLIC OF CHINA

PREAMBLE

WE, the Heads of Government/State of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic ("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, Member States of the Association of South East Asian Nations (collectively, "ASEAN" or "ASEAN Member States", or individually, "ASEAN Member State"), and the People's Republic of China ("China"):

RECALLING our decision made at the ASEAN-China Summit held on 6 November 2001 in Bandar Seri Begawan, Brunei Darussalam, regarding a Framework on Economic Co-operation and to establish an ASEAN-China Free Trade Area ("ASEAN-China FTA") within ten years with special and differential treatment and flexibility for the newer ASEAN Member States of Cambodia, Lao PDR, Myanmar and Viet Nam ("the newer ASEAN Member States") and with provision for an early harvest in which the list of products and services will be determined by mutual consultation;

DESIRING to adopt a Framework Agreement on Comprehensive Economic Co-operation ("this Agreement") between ASEAN and China (collectively, "the Parties", or individually referring to an ASEAN Member State or to China as a "Party") that is forward-looking in order to forge closer economic relations in the 21st century;

DESIRING to minimise barriers and deepen economic linkages between the Parties; lower costs; increase intra-regional trade and investment; increase economic efficiency; create a larger market with greater opportunities and larger economies of scale for the businesses of the Parties; and enhance the attractiveness of the Parties to capital and talent;

BEING confident that the establishment of an ASEAN-China FTA will create a partnership between the Parties, and provide an important mechanism for strengthening co-operation and supporting economic stability in East Asia; RECOGNISING the important role and contribution of the business sector in enhancing trade and investment between the Parties and the need to further promote and facilitate their co-operation and utilisation of greater business opportunities provided by the ASEAN-China FTA;

RECOGNISING the different stages of economic development among ASEAN Member States and the need for flexibility, in particular the need to facilitate the increasing participation of the newer ASEAN Member States in the ASEAN-China economic co-operation and the expansion of their exports, including, inter alia, through the strengthening of their domestic capacity, efficiency and competitiveness;

REAFFIRMING the rights, obligations and undertakings of the respective parties under the World Trade Organisation (WTO), and other multilateral, regional and bilateral agreements and arrangements;

东南亚国家联盟与中华人民共和国关于全面经济合作的框架协议

序言

我们，文莱达鲁萨兰国、柬埔寨、印度尼西亚共和国、老挝人民民主共和国（“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、泰国王国和越南社会主义共和国的政府首脑/国家元首，东南亚国家联盟（东盟）成员国（以下统称“东盟”或“东盟成员国”，单独称“东盟成员国”），以及中华人民共和国（“中国”）：

回顾我们在文莱达鲁萨兰国斯里巴加湾市举行的东盟-中国峰会于2001年11月6日作出的决定，该决定涉及建立经济合作框架，并在十年内建立东盟-中国自由贸易区（“东盟-中国自由贸易协定”），对柬埔寨、老挝人民民主共和国、缅甸和越南社会主义共和国（“新东盟成员国”）给予特殊和差别待遇及灵活性，并规定早期收获条款，其中产品和服务清单由相互协商确定；

渴望缔结一项关于全面经济合作（“本协议”）的框架协议，以东南亚国家联盟和中国（统称“缔约方”，或单独指代一个东南亚国家联盟成员国或中国作为一个“缔约方”）为对象，旨在面向未来，以在21世纪建立更紧密的经济关系；

渴望尽量减少壁垒，深化缔约方之间的经济联系；降低成本；增加区域内部贸易和投资；提高经济效率；为缔约方的企业提供更大的市场、更多的机会和更大的规模经济；并增强缔约方对资本和人才的吸引力；

相信建立东盟-中国自由贸易协定将创建缔约方之间的伙伴关系，并为加强合作和支持东亚经济稳定提供重要机制；承认商业部门在增强缔约方之间贸易和投资方面的重要作用 and 贡献，以及进一步促进和便利其合作和利用东盟-中国自由贸易协定提供的更大商业机会的必要性；

认识到东盟成员国经济发展阶段不同，需要灵活性，特别是需要促进新东盟成员国参与东盟—中国经济合作以及扩大其出口，包括，例如，通过加强其国内能力、效率和竞争力；

重申世界贸易组织（WTO）和其他多边、区域及双边协议及安排项下各缔约方的权利、义务和承诺；

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的催化作用，以及作为多边贸易体系框架中的基石作用；已同意如下：

第一条 目
的

本协议的目的是：(a) 加强和促进缔约方之间的经济、贸易和投资合作；(b) 逐步自由化并促进货物和服务贸易，以及创建透明、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，以加强缔约方之间的经济合作；以及 (d) 促进新东盟成员国更有效的经济一体化，并缩小缔约方之间的发展差距。

第二条
全面经济合作措施

缔约方同意迅速谈判，以在10年内建立东盟-中国自由贸易协定，并通过以下方式加强和促进经济合作：

- (a) 逐步消除货物贸易中绝大部分的关税和非关税壁垒；(b) 逐步放宽具有重大部门覆盖的服务贸易自由化；(c) 建立开放和竞争的投资制度，以促进和推动东盟-中国自由贸易区内的投资；(d) 向新东盟成员国提供特殊和差别待遇及灵活性；(e) 为缔约方在东盟-中国自由贸易区谈判中提供灵活性，以解决货物、服务和投资部门中的敏感领域，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) 扩大在缔约方相互同意的领域中的经济合作，以补充缔约方之间贸易和投资联系的深化，并制定

- (h) action plans and programmes in order to implement the agreed sectors/areas of co-operation; and 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；和（h）建立适当的机制，以有效实施本协议。

第一部分

第3条 货物贸易

1. 除本协议第6条项下的早期收获计划外，并旨在加快货物贸易扩张，缔约方同意进行谈判，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，缔约方之间实质上所有货物贸易的关税和其他贸易限制措施应予以消除。
2. 就本条而言，除非上下文另有要求，下列定义应适用：
- (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. 缔约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消除，依据本条执行。
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条规定的早期收获计划所不覆盖的所有产品，此类产品应按如下方式分为2个轨道：
- (a) 常规轨道：缔约方自行列名的常规轨道产品应当：(i) 根据规定的进度和税率（由缔约方相互同意），逐步降低或取消其各自适用的最惠国关税税率（东盟6国和中国为2005年1月1日至2010年，新东盟成员国为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)对于根据上述第4(a)(i)款已降低但尚未取消的关税，

- they shall be progressively eliminated within timeframes to be mutually agreed between the Parties.
- (b) Sensitive Track: Products listed in the Sensitive Track by a Party on its own accord shall:
- (i) have their respective applied MFN tariff rates reduced in accordance with the mutually agreed end rates and end dates; and
 - (ii) where applicable, have their respective applied MFN tariff rates progressively eliminated within timeframes to be mutually agreed between the Parties
5. The number of products listed in the Sensitive Track shall be subject to a maximum ceiling to be mutually agreed among the Parties.
6. The commitments undertaken by the Parties under this Article and Article 6 of this Agreement shall fulfil the WTO requirements to eliminate tariffs on substantially all the trade between the Parties.
7. The specified tariff rates to be mutually agreed between the Parties pursuant to this Article shall set out only the limits of the applicable tariff rates or range for the specified year of implementation by the Parties and shall not prevent any Party from accelerating its tariff reduction or elimination if it so wishes to.
8. The negotiations between the Parties to establish the ASEAN-China FTA covering trade in goods shall also include, but not be limited to the following:
- (a) other detailed rules governing the tariff reduction or elimination programme for the Normal Track and the Sensitive Track as well as any other related matters, including principles governing reciprocal commitments, not provided for in the preceding paragraphs of this Article;
 - (b) Rules of Origin;
 - (c) treatment of out-of-quota rates;
 - (d) modification of a Party's commitments under the agreement on trade in goods based on Article XXVIII of the GATT;
 - (e) non-tariff measures imposed on any products covered under this Article or Article 6 of this Agreement, including, but not limited to quantitative restrictions or prohibition on the importation of any product or on the export or sale for export of any product, as well as scientifically unjustifiable sanitary and phytosanitary measures and technical barriers to trade;
 - (f) safeguards based on the GATT principles, including, but not limited to the following elements: transparency, coverage, objective criteria for action, including the concept of serious injury or threat thereof, and temporary nature;
 - (g) disciplines on subsidies and countervailing measures and anti-dumping measures based on the existing GATT disciplines; and
 - (h) facilitation and promotion of effective and adequate protection of trade-related aspects of intellectual property rights based on existing WTO, World Intellectual Property Organization (WIPO) and

它们应当在缔约方相互同意的时间框架内逐步取消。(b) 敏感轨道：缔约方自行列名的敏感轨道产品应当：(i)根据相互同意的最终税率和最终日期降低其各自适用的最惠国关税税率；以及(ii)在适用的情况下，应当在缔约方相互同意的时间框架内逐步取消其各自适用的最惠国关税税率

5. 敏感轨道中列出的产品数量应受缔约方相互同意的最高上限约束。6. 缔约方根据本条和本协议第6条所做出的承诺应满足世界贸易组织（WTO）关于取消缔约方之间实质上所有贸易关税的要求。7. 根据本条由缔约方相互同意的特定关税税率应仅列明适用关税税率或范围的上限，并不得阻止任何一方如希望加速其关税减让或消除。8. 缔约方为建立覆盖货物贸易的东盟-中国自由贸易协定（ASEAN-China FTA）进行的谈判还应包括但不限于以下内容：(a) 其他详细规则，管理常规轨道和敏感轨道的关税减让或取消计划以及任何其他相关事项，包括本协议第6条前几段未规定的互惠承诺原则；(b) 原产地规则；(c) 配额外税率的处理；(d) 根据关税及贸易总协定（GATT）第XXVIII条修改协议中关于货物贸易的缔约方承诺；(e) 对根据本条或本协议第6条涵盖的任何产品征收的非关税措施，包括但不限于数量限制或禁止进口任何产品，或禁止出口或出口销售任何产品，以及科学上站不住脚的卫生与植物卫生措施和技术性贸易壁垒；(f) 基于GATT原则的保障措施，包括但不限于以下要素：透明度、覆盖范围、行动的客观标准，包括严重损害或威胁的概念，以及临时性质；(g) 基于现有GATT纪律的补贴和反补贴措施以及反倾销措施的纪律；以及(h) 基于现有世界贸易组织（WTO）、世界知识产权组织（WIPO）和

other relevant disciplines.

ARTICLE 4
Trade In Services

With a view to expediting the expansion of trade in services, the Parties agree to enter into negotiations to progressively liberalise trade in services with substantial sectoral coverage. Such negotiations shall be directed to:

- (a) progressive elimination of substantially all discrimination between or among the Parties and/or prohibition of new or more discriminatory measures with respect to trade in services between the Parties, except for measures permitted under Article V(1)(b) of the WTO General Agreement on Trade in Services (GATS);
- (b) expansion in the depth and scope of liberalisation of trade in services beyond those undertaken by ASEAN Member States and China under the GATS; and
- (c) enhanced co-operation in services between the Parties in order to improve efficiency and competitiveness, as well as to diversify the supply and distribution of services of the respective service suppliers of the Parties.

ARTICLE 5
Investment

To promote investments and to create a liberal, facilitative, transparent and competitive investment regime, the Parties agree to:

- (a) enter into negotiations in order to progressively liberalise the investment regime;
- (b) strengthen co-operation in investment, facilitate investment and improve transparency of investment rules and regulations; and
- (c) provide for the protection of investments.

ARTICLE 6
Early Harvest

With a view to accelerating the implementation of this Agreement, the Parties agree to implement an Early Harvest Programme (which is an integral part of the ASEAN-China FTA) for products covered under paragraph 3(a) below and which will commence and end in accordance with the timeframes set out in this Article.

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:

其他相关学科。

第四条 服务贸易

为加快服务贸易扩张，缔约方同意进行谈判，逐步自由化服务贸易，实现重大部门覆盖。此类谈判应旨在：

- (a) 逐步消除缔约方之间或相互之间的实质性所有歧视，或禁止缔约方之间就服务贸易采取新的或更歧视性措施，但世界贸易组织服务贸易总协定（GATS）第五条(1)(b)款允许的措施除外；(b) 扩展服务贸易自由化的深度和广度，超出东盟成员国和中国在GATS项下的承诺；以及(c) 加强缔约方之间的服务合作，以提高效率和竞争力，以及多样化缔约方各自服务供应商的服务供应和分配。

第五条 投资

为促进投资并创建自由、便利、透明和有竞争力的投资制度，缔约方同意：

- (a) 进行谈判，以逐步自由化投资制度；(b) 加强投资合作，促进投资，并提高投资规则和法规的透明度；以及(c) 提供投资保护。

第6条 早期收获

为加速本协定实施，缔约方同意对第3(a)段涵盖的产品实施早期收获计划（该计划是东盟-中国自由贸易协定的组成部分），该计划将根据本协定规定的时间框架开始和结束。

就本条而言，除非上下文另有要求，下列定义应适用：

- (a) “东盟6国”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) 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 tariff rates as applied to China as of 1 July 2003.

3. The product coverage, tariff reduction and elimination, implementation timeframes, rules of origin, trade remedies and emergency measures applicable to the Early Harvest Programme shall be as follows:

(a) Product Coverage

- (i) All products in the following chapters at the 8/9 digit level (HS Code) shall be covered by the Early Harvest Programme, unless otherwise excluded by a Party in its Exclusion List as set out in Annex 1 of this Agreement, in which case these products shall be exempted for that Party:

Chapter	Description
01	Live Animals
02	Meat and Edible Meat Offal
03	Fish
04	Dairy Produce
05	Other Animals Products
06	Live Trees
07	Edible Vegetables
08	Edible Fruits and Nuts

- (ii) A Party which has placed products in the Exclusion List may, at any time, amend the Exclusion List to place one or more of these products under the Early Harvest Programme.
- (iii) The specific products set out in Annex 2 of this Agreement shall be covered by the Early Harvest Programme and the tariff concessions shall apply only to the parties indicated in Annex 2. These parties must have extended the tariff concessions on these products to each other.
- (iv) For those parties which are unable to complete the appropriate product lists in Annex 1 or Annex 2, the lists may still be drawn up no later than 1 March 2003 by mutual agreement.

(b) Tariff Reduction and Elimination

- (i) All products covered under the Early Harvest Programme shall be divided into 3 product categories for tariff reduction and elimination as defined and to be implemented in accordance with the timeframes set out in Annex 3 to this Agreement. This paragraph shall not prevent any Party from accelerating its tariff reduction or elimination if it so wishes.

- (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，应参考其截至2003年7月1日的各自适用税率；和 (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，应参考截至2003年7月1日适用于中国的关税税率。

3. The 产品覆盖范围、关税减让和消除、实施时间框架、原产地规则、贸易救济措施和适用于早期收获计划的紧急措施如下：

- (a) 产品覆盖范围 (i) 所有在以下章节中按8/9位HS编码（HS编码）列出的产品均应被早期收获计划覆盖，除非一方在其附件1中列出的排除清单中另有排除，在这种情况下，这些产品应对该方免税：

章节	描述
01	活动物
02	肉类和可食用肉杂碎
03	Fish
04	乳制品
05	其他动物产品
06	活树
07	可食用蔬菜
08	可食用水果和坚果

- (ii) 一个已将产品列入排除清单的缔约方，可以随时修改排除清单，将其中一种或多种产品列入早期收获计划。(iii) 本协议附件2中列出的具体产品应被早期收获计划覆盖，关税减免仅适用于附件2中指明的缔约方。这些缔约方必须已将这些产品的关税减免扩展至对方。

- (iv) 对于未能完成附件1或附件2中适当产品清单的缔约方，经相互协商，清单仍可最迟于2003年3月1日制定。

(b) 关税减让和取消

- (i) 根据附件3本协议中规定的时限，早期收获计划下所覆盖的所有产品应划分为3个产品类别以进行关税减让或消除，具体定义和实施方式如下。本款不应阻止任何缔约方加速其关税减让或消除，如其希望如此。

- (ii) All products where the applied MFN tariff rates are at 0%, shall remain at 0%.
 - (iii) Where the implemented tariff rates are reduced to 0%, they shall remain at 0%.
 - (iv) A Party shall enjoy the tariff concessions of all the other parties for a product covered under paragraph 3(a)(i) above so long as the same product of that Party remains in the Early Harvest Programme under paragraph 3(a)(i) above.
 - (c) Interim Rules of Origin
The Interim Rules of Origin applicable to the products covered under the Early Harvest Programme shall be negotiated and completed by July 2003. The Interim Rules of Origin shall be superseded and replaced by the Rules of Origin to be negotiated and implemented by the Parties under Article 3(8)(b) of this Agreement.
 - (d) Application of WTO provisions
The WTO provisions governing modification of commitments, safeguard actions, emergency measures and other trade remedies, including anti-dumping and subsidies and countervailing measures, shall, in the interim, be applicable to the products covered under the Early Harvest Programme and shall be superseded and replaced by the relevant disciplines negotiated and agreed to by the Parties under Article 3(8) of this Agreement once these disciplines are implemented.
4. In addition to the Early Harvest Programme for trade in goods as provided for in the preceding paragraphs of this Article, the Parties will explore the feasibility of an early harvest programme for trade in services in early 2003.
5. With a view to promoting economic co-operation between the Parties, the activities set out in Annex 4 of this Agreement shall be undertaken or implemented on an accelerated basis, as the case may be.

PART 2

ARTICLE 7
Other Areas Of Economic Co-operation

1. The Parties agree to strengthen their co-operation in 5 priority sectors as follows:
- (a) agriculture;
 - (b) information and communications technology;
 - (c) human resources development;
 - (d) investment; and
 - (e) Mekong River basin development.
2. Co-operation shall be extended to other areas, including, but not limited to, banking, finance, tourism, industrial co-operation, transport, telecommunications, intellectual property rights, small and medium

(ii) 对于适用最惠国关税税率为0%的所有产品，应保持为0%。(iii) 对于已实施的关税税率减让至0%的情况，应保持为0%。(iv) 缔约方应享受其他缔约方为早期收获计划下第3(a)(i)款所述所覆盖的产品提供的关税减免，只要该缔约方的同款产品仍处于第3(a)(i)款所述的早期收获计划中。

(c) 临时原产地规则 适用于早期收获计划项下产品的临时原产地规则应由缔约方于2003年7月前谈判并完成。临时原产地规则应被根据本协议第3(8)(b)条由缔约方谈判并实施的原产地规则所取代和替代。(d) WTO条款的适用 本协议第3(8)条由缔约方谈判并同意的相关纪律一旦实施，适用于早期收获计划项下产品的、包括反倾销和补贴及反补贴措施在内的、关于承诺的修改、保障措施、紧急措施和其他贸易救济措施的WTO条款，在过渡期内应适用，并应被相关纪律所取代和替代。

4. 除本协议前几段规定的货物贸易早期收获计划外，缔约方将在2003年初探讨服务贸易早期收获计划的可行性。

5. 为促进缔约方之间的经济合作，本协议附件4中列出的活动应根据情况加速开展或实施。

第二部分

第七条
其他经济合作领域

1 . 缔约方同意在以下5个优先领域加强合作: (a) 农业; (b) 信息和通信技术; (c) 人力资源开发; (d) 投资; 以及 (e) 湄公河流域发展。 2 . 合作将扩展到其他领域, 包括但不限于银行业、金融、旅游业、工业合作、交通、电信、知识产权、中小企业

- 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

企业（中小企业）、环境、生物技术、渔业、林业和林产品、采矿、能源和次区域发展。

3 . 加强合作的措施应包括, 但不限于:

(a) 促进和便利货物和服务贸易以及投资, 例如: (i) 标准和合格评定; (ii) 技术性贸易壁垒/非关税措施; 以及(iii) 海关合作; (b) 提高中小企业的竞争力; (c) 促进电子商务; (d) 能力建设; 以及(e) 技术转让。 4 . 各方同意实施能力建设项目和技术援助, 特别是针对新东盟成员国, 以调整其经济结构并扩大其与中国之间的贸易和投资。

第三部分

第八条 时间
框架

1. 对于货物贸易, 本协定第三条所述关税减让或消除协议及其他事项的谈判应于2003年初开始, 并在2004年6月30日之前完成, 以便在2010年为文莱、中国、印度尼西亚、马来西亚、菲律宾、新加坡和泰国建立东盟-中国自由贸易协定, 为其他新东盟成员国在2015年建立。

2 . 本协议第3条项下货物贸易的原产地规则谈判应不迟于2003年12月完成。

3 . 对于服务贸易和投资, 相应的协议谈判应于2003年启动, 并尽可能迅速地完成, 以便根据双方同意的时间框架实施: (a) 考虑各方的敏感领域; 以及(b) 对新东盟成员国给予特殊和差别待遇及灵活性。

4. 对于本协议第二部分规定的其他经济合作领域, 缔约方应继续基于本协议第七条规定的现有或约定的项目, 开发新的经济合作项目, 并就各种经济合作领域达成协议。缔约方应迅速采取行动, 以所有有关缔约方均可接受的方式和速度, 尽早实施。这些协议应包括其中承诺的实施时间框架。

第九条

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

最惠国待遇

中国应在本协议签署之日起，对所有非世界贸易组织东盟成员国给予与世界贸易组织规则和纪律一致的优惠待遇。

第1条 0 一般例外

在要求此类措施不得以任何或不合理的歧视方式在缔约方之间或缔约方之间构成差别待遇，且相同条件存在的情况下，或以东盟-中国自由贸易协定内部贸易的隐蔽限制为借口的情况下，本协议的任何规定均不得阻止任何缔约方采取和采纳保护其国家安全的措施，或保护具有艺术、历史和考古价值的物品的措施，或其认为为保护公共道德所必需的其他措施，或为保护人类、动物或植物的生命和健康所必需的措施。

- 第1条 1
争端解决机制
- 1 . 缔约方应在本协议生效之日起1年内建立适当的正式争端解决程序和机制，以实施本协议。2 . 在根据第1款建立正式争端解决程序和机制之前，关于本协议的解释、实施或适用的任何争端均应通过磋商和/或调解友好解决。

ARTICLE 1 2
谈判机构安排

1. 已建立的东盟-中国贸易谈判委员会（东盟-中国TNC）应继续执行本协议中规定的谈判计划。2. 缔约方可以设立其他必要的机构，以协调和实施根据本协议进行的任何经济合作活动。3. 东盟-中国TNC和上述任何机构应通过东盟高级经济官员（SEOM）和对外贸易和经济合作部（MOFTEC）的会议，定期向东盟经济部长（AEM）和中国对外贸易和经济合作部（MOFTEC）部长报告其谈判的进展和结果。4. 东盟秘书处和MOFTEC应随时在谈判举行时和举行地，共同为东盟-中国TNC提供必要的秘书处支持。

ARTICLE 1 3

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.

ARTICLE 14
Amendments

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

ARTICLE 15
Depositary

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 each ASEAN Member State.

ARTICLE 16
Entry Into Force

- 1. This Agreement shall enter into force on 1 July 2003.
- 2. The Parties undertake to complete their internal procedures for the entry into force of this Agreement prior to 1 July 2003.
- 3. Where a Party is unable to complete its internal procedures for the entry into force of this Agreement by 1 July 2003, the rights and obligations of that Party under this Agreement shall commence on the date of the completion of such internal procedures.
- 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 Co-operation between the Association of South East Asian Nations and the People's Republic of China.

DONE at Phnom Penh, this 4th day of November, 2002 in duplicate copies in the English Language.

杂项条款

- 1 . 本协议应包括附件及其内容， 以及根据本协议达成的所有未来法律文件。
- 2 . 除本协议另有规定外， 本协议或根据其采取的任何行动不得影响或使任何缔约方根据其是缔约方的现有协议所享有的权利和义务失效。
- 3 . 缔约方应努力避免增加会影响本协议适用性的限制或限制。

ARTICLE 1 4
修正案

本协议的条款可通过缔约方书面共同同意的修正案进行修改。

ARTICLE 1
5 保管机构

对于东盟成员国， 本协议应存放于东盟秘书长处， 该秘书长应迅速向每个东盟成员国提供其经认证的副本。

ARTICLE 1 4 生
效

- 1 . 本协议应于2003年7月1日生效。
- 2 . 各缔约方应在2003年7月1日之前完成其对本协议生效的内部程序。
- 3 . 如某缔约方未能于2003年7月1日之前完成其对本协议生效的内部程序， 则该缔约方在本协议项下的权利和义务应自其完成此类内部程序之日起开始。
- 4 . 缔约方应在其完成本协议生效的内部程序后， 书面通知所有其他缔约方。

为证明本协议之签署， 我们已签署东南亚国家联盟与中华人民共和国之间的全面经济合作框架协议。

在金边完成， 于2002年11月4日以英语文本， 一式两份。

For Brunei Darussalam

For the People's Republic of China

For 文莱达鲁萨兰国

中华人民共和国

H A J I H A S S A N A L
Sultan of Brunei Darussalam

BOLKIAH ZHU RONGJI
Premier

H A J I H A S S A N A L
文莱苏丹

BOLKIAH 朱镕基
总理

For the Kingdom of Cambodia

For 柬埔寨王国

H U N
Prime Minister

SEN

H U N
总理

SEN

For the Republic of Indonesia

MEGAWATI SOEKARNOPUTRI
President

For the Lao People's Democratic Republic

BOUNNHANG VORACHITH
Prime Minister

For Malaysia

MAHATHIR BIN MOHAMAD
Prime Minister

For the Union of Myanmar

SENIOR GENERAL THAN SHWE
Chairman of the State Peace and Development
Council And Prime Minister

对于印度尼西亚共和国

梅加瓦蒂·苏卡诺普特里 总统

对于老挝人民民主共和国

本南·沃拉查ith 总理

对于马来西亚

马哈蒂尔·宾·穆罕默德 总理

For the Union of Myanmar

Than 舍温上将 国家和平与发展委员会主席 和 总理

For the Republic of the Philippines

GLORIA MACAPAGAL-ARROYO
President

For the Republic of Singapore

GOH CHOK TONG
Prime Minister

For the Kingdom of Thailand

POL. LT. COL. THAKSIN SHINAWATRA
Prime Minister

For the Socialist Republic of Viet Nam

PHAN VAN KHAI
Prime Minister

For the Republic of the Philippines

格洛丽亚·马卡帕加尔-阿罗约 总统

For the Republic of Singapore

吴作栋 总理

For the Kingdom of Thailand

POL. LT. COL. 他信·辛哈瓦塔纳 总理

对于越南社会主义共和国

潘文凯 总理

Annex 1

Exclusion List Of A Party For Products Excluded From The Early Harvest Programme Under Article 6(3)(a)(i)

A. The following parties have completed their negotiations with respect to one another, and their Exclusion Lists are as follows:

1. ASEAN

(a) Brunei: No exclusion of any product.

(b) Cambodia:

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
1.	0103.92.00 - - Weighing 50 kg or more	China shall, as soon as is practically possible after the date of signature of this Agreement, provide the HS codes and product descriptions that will correspond to the HS codes and product descriptions of the product set out in the 2nd column of this table
2.	0207.11.00 - - Not cut in pieces, fresh or chilled	ditto
3.	0207.12.00 - - Not cut in pieces, frozen	ditto
4.	0207.13.00 - - Cuts and offal, fresh or chilled	ditto
5.	0207.14.10 - - - Wings	ditto

附件1

第6(3)(a)(i)条下早期收获计划排除的产品的一方排除清单

A. 以下缔约方已相互完成谈判，其排除清单如下：

1. 东南亚国家联盟 (a) 文莱：不排除任何产品。(b) 柬埔寨：

S/No	HS编码/产品描述 (柬埔寨)	HS编码/产品描述 (中国)
1.	0103.92.00 -- 重量50公斤或以上	中国应 ，尽快在之后实际上可行签署本协议的日期协议，提供HS代码和产品描述将对应HS编码和产品描述本协议框架下的第二列中列出的产品本表格
2.	0207.11.00 -- 未切块，新鲜或冷藏	同上
3.	0207.12.00 -- 未切块，冷冻	同上
4.	0207.13.00 -- 分割和内脏 ，新鲜或冷藏	同上
5.	0207.14.10 --- 翅膀	同上

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
6.	0207.14.20 - - - Thighs	ditto
7.	0207.14.30 - - - Livers	ditto
8.	0207.14.90 - - - Other	ditto
9.	0301.93.00 - - Carp	ditto
10.	0702.00.00 Tomatoes, fresh or chilled	ditto
11.	0703.10.10 - - Onions	ditto
12.	0703.20.00 - Garlic	ditto
13.	0704.10.10 - - Cauliflowers	ditto
14.	0704.10.20 - - Headed broccoli	ditto
15.	0704.90.10	ditto

S/No	HS编码/产品描述 (柬埔寨)	HS编码/产品描述 (中国)
6.	0207.14.20 --- 大腿	同上
7.	0207.14.30 --- 肝脏	同上
8.	0207.14.90 --- 其他	同上
9.	0301.93.00 -- 鲤鱼	同上
10.	0702.00.00 番茄，新鲜或冷藏	同上
11.	0703.10.10 -- 洋葱	同上
12.	0703.20.00 - 大蒜	同上
13.	0704.10.10 -- 花椰菜	同上
14.	0704.10.20 -- 带头的西兰花	同上
15.	0704.90.10	同上

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
	- - Cabbages	
16.	0704.90.90 - - Other	ditto
17.	0705.11.00 - -Cabbage lettuce (head lettuce)	ditto
18.	0705.19.00 - - Other	ditto
19.	0706.10.10 - - Carrots	ditto
20.	0706.10.20 - - Turnips	ditto
21.	0706.90.00 - Other	ditto
22.	0708.20.00 - Beans (vigna spp., Phaseolus spp.)	ditto
23.	0709.90.00 - Other	ditto
24.	0801.19.00 - - Other	ditto

S/No	HS编码/产品描述 (柬埔寨)	HS编码/产品描述 (中国)
	- - 卷心菜	
16.	0704.90.90 - - 其他	同上
17.	0705.11.00 - - 卷心菜（头状） 生菜	同上
18.	0705.19.00 - - 其他	同上
19.	0706.10.10 - - 胡萝卜	同上
20.	0706.10.20 - - 芜菁	同上
21.	0706.90.00 - 其他	同上
22.	0708.20.00 - 豆类（菜豆属，菜豆属） spp.)	同上
23.	0709.90.00 - 其他	同上
24.	0801.19.00 - - 其他	同上

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
25.	0804.30.00 - Pineapples	ditto
26.	0804.50.00 - Guavas, mangoes and mangosteens	ditto
27.	0805.10.00 - Oranges	ditto
28.	0807.11.00 - - Watermelons	ditto
29.	0807.19.00 - - Other	ditto
30.	0810.90.20 - - Longans	ditto

- (c) Indonesia: No exclusion of any product¹.
- (d) Myanmar: No exclusion of any product.
- (e) Singapore: No exclusion of any product.
- (f) Thailand: No exclusion of any product.
- (g) Vietnam:

S/No	HS Code/ Product Description (Vietnam)	HS Code/ Product Description (China)
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¹ Sweet Corn (HS 071010000) from Indonesia is subject to the multilateral negotiations in the WTO.

S/No	HS编码/产品描述 (柬埔寨)	HS编码/产品描述 (中国)
25.	0804.30.00 - 菠萝	同上
26.	0804.50.00 - 番石榴、芒果和 山竹	同上
27.	0805.10.00 - 橙子	同上
28.	0807.11.00 - - 西瓜	同上
29.	0807.19.00 - - 其他	同上
30.	0810.90.20 - - 龙眼	同上

- (c) 印度尼西亚：不得排除任何产品¹。
- (d) 缅甸：不得排除任何产品。
- (e) 新加坡：不得排除任何产品。
- (f) 泰国：不排除任何产品。
- (g) 越南：

S/No	HS编码/产品描述 (越南)	HS编码/ 产品描述 (中国)
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¹ 印度尼西亚的甜玉米（HS 071010000）受世界贸易组织多边谈判的约束。

S/No	HS Code/ Product Description (Vietnam)	HS Code/ Product Description (China)
	0105 Live poultry, that is to say, fowls or the species Gallus Domesticus, ducks. Geese, turkeys and guinea fowls	0105 Live poultry, that is to say, fowls or the species Gallus Domesticus, ducks. Geese, turkeys and guinea fowls
1.	010511900 -Weighing not more than 185 g: --Fowls of the species Gallus Domesticus: ---Other	01051190 -Weighing not more than 185 g: --Fowls of the species Gallus Domesticus: ---Other
2.	010592900 -Other: --Fowls of the species Gallus Domesticus, weighing not more than 2,000 g: ---Other	01059290 -Other: --Fowls of the species Gallus Domesticus, weighing not more than 2,000 g: ---Other
3.	010593000 -Other: --Fowls of the species Gallus Domesticus weighing more than 2,000 g:	01059310 -Other: --Fowls of the species Gallus Domesticus weighing more than 2,000 g: ---Pure-bred breeding 01059390 -Other: --Fowls of the species Gallus Domesticus weighing more than 2,000 g: ---Other
4.	010599900 -Other: --Other: ---Other	01059991 -Other: --Other: ---Other ----Ducks

S/No	HS编码/ 产品描述 (越南)	HS编码/ 产品描述 (中国)
	0105 活禽，即家禽 或原鸡种， 鸭。鹅、火鸡和珍珠鸡， 家禽，	0105 活禽，即家禽， 或原鸡种， 鸭。鹅、火鸡和珍珠鸡 家禽
1.	010511900 -重量不超过185克： --原鸡种的家禽 家鸡： ---其他	01051190 -重量不超过185克： --原鸡种家禽 家鸡： ---其他
2.	010592900 -其他： --原鸡种家禽 家鸡，重量不超过 2000克： ---其他	01059290 -其他： --原鸡种的家禽 家鸡，重量不超过 超过2000克 其他
3.	010593000 其他： --原鸡 家鸡体重超过 2000克	01059310 -其他： --原鸡种家禽 家鸡重于 2000克： ---纯种繁殖 01059390 -其他： --原鸡种家禽 体重超过 2,000克： ---其他
4.	010599900 -其他： --其他： ---其他	01059991 -其他： --其他： ---其他 ----鸭

S/No	HS Code/ Product Description (Vietnam)	HS Code/ Product Description (China)
		01059992 -Other: --Other: ---Other ----Geese 01059993 -Other: --Other: ---Other ----Guinea fowls 01059994 -Other: --Other: ---Other ----Turkeys
	0207 Meat and edible offal, of the poultry of heading No. 01.03, fresh, chilled or frozen	0207 Meat and edible offal, of the poultry of heading No. 01.05, fresh, chilled or frozen
5.	020711000 -Of fowls of the species Gallus domesticus: --Not cut in pieces, fresh or chilled	02071100 -Of fowls of the species Gallus domesticus: --Not cut in pieces, fresh or chilled
6.	020712000 -Of fowls of the species Gallus domesticus: --Not cut in pieces, frozen	02071200 -Of fowls of the species Gallus domesticus: --Not cut in pieces, frozen

S/No	HS编码/产品描述 (越南)	HS编码/产品描述 (中国)
		01059992 -其他: --其他: ---其他 ---鹅 01059993 -其他: --其他: ---其他 ---珍珠鸡 01059994 -其他: --其他: ---其他 ---火鸡
	0207 肉类和可食用内脏，的 第01.03项下的家禽， 新鲜，冷藏或冷冻	0207 肉类和可食用内脏， of the 第01.05项的家禽， 新鲜，冷藏或冷冻的
5.	020711000 -第01.05项的家禽中属于原鸡种类的家鸡: --未切块，新鲜或冷藏	02071100 -Of 家鸡种类的家禽: 家鸡: --未切块，新鲜或冷藏
6.	020712000 -Of 原鸡种家禽 家鸡: --未切块，冷冻	02071200 -Of 原鸡种家禽 家鸡: --未切块，冷冻

7.	020713000 -Of fowls of the species Gallus domesticus: --Cuts and offal, fresh or chilled	02071311 -Of fowls of the species Gallus domesticus: --Cuts and offal, fresh or chilled: ---Cuts: ----With bone 02071319 -Of fowls of the species Gallus domesticus: --Cuts and offal, fresh or chilled: ---Cuts ----Other 02071321 -Of fowls of the species Gallus domesticus: --Cuts and offal, fresh or chilled: ---Offal: ----Midjoint wing 02071329 -Of fowls of the species Gallus domesticus: --Cuts and offal, fresh or chilled: ---Offal: ----Other
8.	020714000 -Of fowls of the species Gallus domesticus: --Cuts and offal, frozen	02071411 -Of fowls of the species Gallus domesticus: --Cuts and offal, frozen: ---Cuts: ----With bone 02071419 -Of fowls of the species Gallus domesticus: --Cuts and offal, frozen: ---Cuts:

7.	020713000 -原鸡种家禽 家鸡: --分割和内脏 , 新鲜或冷藏	02071311 -原鸡种家禽 家鸡: --分割和内脏 , 新鲜或冷藏: ---分割: ----带骨 02071319 -Of fowls of the species Gallus 家鸡: --分割和内脏 , 新鲜或冷藏: ---肉块 ---其他 02071321 -Of 原鸡种家禽 家鸡: --分割和内脏 , 新鲜或冷藏: ---内脏: ----中关节翼 02071329 -Of fowls of the species Gallus domesticus 家鸡: --分割和内脏 , 新鲜或冷藏: ---内脏: ----其他
8.	020714000 -Of fowls of the species Gallus domesticus: --分割和内脏 , 冷冻	02071411 -Of 原鸡种家禽 家鸡: --分割和内脏 , 冷冻: ---肉块: ----带骨 02071419 -原鸡种家禽: 家鸡: --分割和内脏 , 冷冻: ---肉块:

		----Other 02071421 -Of fowls of the species Gallus domesticus: --Cuts and offal, frozen: ---Offal: ----Midjoint wing 02071429 -Of fowls of the species Gallus domesticus: --Cuts and offal, frozen: ---Offal: ----Other
9.	020726000 -Of turkeys: --Cuts and offal, fresh or chilled	02072600 -Of turkeys: --Cuts and offal, fresh or chilled
10.	020727000 -Of turkeys: --Cuts and offal, frozen	02072700 -Of turkeys: --Cuts and offal, frozen
	0407 Birds' eggs, in shell, fresh, preserved or cooked	0407 Birds' eggs, in shell, fresh, preserved or cooked
11.	040700100 -For hatching	04070010 ---For hatching
12.	040700900 -Other	04070021 ---Other, in shell, fresh: ----Of hens 04070022 ---Other, in shell, fresh: ----Of ducks

		---其他 02071421 -原鸡种家禽 家鸡: --分割和内脏 , 冷冻: ---内脏: ----中关节翼 02071429 -Of 原鸡种家禽 家鸡: --分割和内脏 , 冷冻: ---内脏: ----其他
9.	020726000 -Of 火鸡: --分割和内脏 , 新鲜或冷藏	02072600 -Of 火鸡: --分割和内脏 , 新鲜或冷藏
10.	020727000 -Of 火鸡: --分割和内脏 , 冷冻	02072700 -Of 火鸡: --分割和内脏 , 冷冻
	0407 禽蛋, 带壳, 新鲜, 保存或煮熟	0407 禽蛋, 带壳, 新鲜, 保存或煮熟
11.	040700100 -For 孵化	04070010 ---For 孵化
12.	040700900 -其他	04070021 ---其他 , 带壳 , 新鲜: ----鸡的 04070022 ---其他 , 带壳 , 新鲜: ----鸭

		04070023 ---Other, in shell, fresh: ----Of geese 04070029 ---Other, in shell, fresh: ----Other 04070091 ---Other ----Salted eggs 04070092 ---Other ----Lime-preserved eggs 04070099 ---Other ----Other
	0805 Citrus fruit, fresh or dried	0805 Citrus fruit, fresh or dried
13.	080530000 -Lemons (citrus liman, citrus limonum) and limes (citrus aurantifolia)	08055000 -Lemons (citrus liman, citrus limonum) and limes (citrus aurantifolia)
14.	080540000 -Grapefruit	08054000 -Grapefruit
15.	080590000 -Other	08059000 -Other

2. China

		04070023 ---其他 ， 带壳 ， 新鲜: ----鹅 04070029 ---其他 ， 带壳 ， 新鲜: ----其他 04070091 ---其他 ----腌蛋 04070092 ---其他 ----石灰腌制蛋 04070099 ---其他 ----其他
	0805 柑橘类水果， 新鲜或干燥	0805 柑橘类水果， 新鲜或干燥
13.	080530000 -柠檬（青柠， 柠檬） 和青柠（青柠） 和青柠	08055000 -柠檬（青柠， 柠檬） 青柠) 和 青柠 (citrus aurantifolia)
14.	080540000 -葡萄柚	08054000 -葡萄柚
15.	080590000 -其他	08059000 -其他

2. 中国

With respect to the following countries:

- (a) Brunei: No exclusion of any product.
- (b) Indonesia: No exclusion of any product.
- (c) Myanmar: No exclusion of any product.
- (d) Singapore: No exclusion of any product.
- (e) Thailand: No exclusion of any product.

B. The following parties have not completed their negotiations, and shall complete negotiations on their Exclusion Lists by 1 March 2003:

- 1. Lao PDR
- 2. Malaysia
- 3. Philippines
- 4. China, with respect to Lao PDR, Malaysia and the Philippines

关于以下国家：

- (a) 文莱：不排除任何产品。(b) 印度尼西亚：不排除任何产品。(c) 缅甸：不排除任何产品。(d) 新加坡：不排除任何产品。(e) 泰国：不排除任何产品。

B. 以下缔约方尚未完成谈判，应于2003年3月1日前完成其排除清单的谈判：

1. 老挝人民民主共和国 2. 马来西亚 3. 菲律宾 4. 中国，关于老挝人民民主共和国、马来西亚和菲律宾

Annex 2

Specific Products Covered By The Early Harvest Programme Under Article 6(3)(a)(iii)

A. Brunei and Singapore shall be parties to any arrangements that have been agreed on or will be agreed to between China and any other Party pursuant to Article 6(3)(a)(iii). Brunei and Singapore shall, as soon as is practically possible after the date of signature of this Agreement, provide the HS codes and product descriptions that will correspond to the HS codes and product descriptions of those specific products that have been agreed to or that will be agreed to between China and any other Party pursuant to Article 6(3)(a)(iii).

B. The following parties have completed their negotiations with China and their specific products are as follows:

1. Cambodia: Nil
2. Indonesia:

S/No	HS Code/ Product Description (China)	HS Code/ Product Description (Indonesia)
1.	09012200 -Coffee, roasted: --Decaffeinated	090122000 Roasted, decaffeinated coffee
2.	15131100 -Coconut oil and its fractions: --Crude oil	151311000 Crude coconut oil and fractions thereof
3.	15131900 -Coconut oil and its fractions: --Other	151319000 Coconut copra oil (excl. crude) and fractions thereof
4.	15132100 -Palm kernel or babassu oil and fractions thereof: --Crude oil	151321000 Crude palm kernel or babassu oil and fractions thereof
5.	15132900 -Palm kernel or babassu oil and fractions thereof:	151329000 Palm kernel or babassu oil (excl. crude) and fraction

附件2

第6(3)(a)(iii)条下的早期收获计划所覆盖的具体产品

A. 文莱和新加坡应成为中国与任何其他缔约方根据第6(3)(a)(iii)条达成或将要达成的任何安排的缔约方。文莱和新加坡应在本协议签署之日起尽快提供将对应于中国与任何其他缔约方根据第6(3)(a)(iii)条达成或将要达成的那些具体产品的HS编码和产品描述。

B. 以下缔约方已与中国完成谈判，其具体产品如下：1. 柬埔寨：无2. 印度尼西亚：

S/No	HS编码/产品描述 (中国)	HS编码/产品描述 (印度尼西亚)
1.	09012200 -咖啡 ， 烘焙的： --脱咖啡因的	090122000 烘焙的 ， 脱咖啡因咖啡
2.	15131100 - 椰子油及其馏分： -- 原油	151311000 粗椰子油及其馏分 其分数
3.	15131900 - 椰子油及其馏分： -- 其他	151319000 椰子仁油（不包括原油） 及其分数
4.	15132100 -棕榈仁或巴西棕榈油和 其分数： --原油	151321000 棕榈仁原油或巴西棕榈油 和其分数
5.	15132900 - 棕榈仁或巴西棕榈油和 其分数：	151329000 棕榈仁或巴西棕榈油（不包括原油）和馏分 馏分

S/No	HS Code/ Product Description (China)	HS Code/ Product Description (Indonesia)
	--other	
6.	15162000 -Vegetable fats and oils and fractions thereof	151620000 Vegetable fats and oils and their fractions, hydrogena
7.	15179000 Margarine;edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No. 15.16: -Other	151790000 Edible prep of fats or oils, nes
8.	18061000 -Cocoa powder, containing added sugar or other sweetening matter	180610000 Cocoa powder with added sugar or other sweetening
9.	34011990 -Soap and organic surface- active products and preparations, in the form of bars, cakes, moulded pieces or shapes, and paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent: --Other: ---Other	340119900 Soap and organic surface active product in bars, etc
10.	34012000 -Soap in other forms	340120000 Soap in other forms, nes
11.	40169200 Other articles of vulcanized rubber other than hard rubber:	401692000 Erasers of vulcanized rubber

S/No	HS编码/ 产品描述 (中国)	HS编码/ 产品描述 (印度尼西亚)
	--其他	
6.	15162000 -植物油脂和油和 其分数	151620000 植物油脂和油和 其分数，氢化
7.	15179000 人造黄油；食用混合物或 动物或植物油脂或油的制剂或 植物油脂或油或o f 不同脂肪或油的馏分 本章其他部分，除 食用脂肪或油或其 第15.16税号的脂肪馏分： -其他	151790000 食用脂肪或油的未列名制品
8.	18061000 -可可粉，含有 添加糖或其他 甜味物质	180610000 添加糖的可可粉 或其他甜味剂
9.	34011990 -肥皂和有机表面- 活性产品和 制剂，以 条状物、块状物、模压件或 形状，以及纸、填充物、毡 和无纺布，浸渍、 涂层或覆盖有肥皂或 洗涤剂： --其他： ---其他	340119900 肥皂和有机表面活性 产品以条状物等形式
10.	34012000 -其他形式的肥皂	340120000 肥皂的其他形式， nes
11.	40169200 其他未硬化的硫化橡胶制品， 除硬橡胶以外的硫化橡胶：	401692000 硫化橡胶制成的橡皮擦，

S/No	HS Code/ Product Description (China)	HS Code/ Product Description (Indonesia)
	-Other: --Erasers	
12.	70112010 -For cathode-ray tubes: ---Anti-dazzle glass	701120100 Antihalo glass, evelopes for cathode ray tubes
13.	94015000 -Seats of cane, osier, bamboo or similar materials	940150000 Seats of cane, osier, bamboo or similar materials 940150900 Seats of other rattan
14.	94038010 -Furniture of other materials, including cane, osier, bamboo or similar materials: ---Of cane, osier, bamboo or similar materials	940380100 Furniture of cane, osier, bamboo or similar materials

- 3Lao PDR:Nil
- 4.Myanmar:Nil
- 5.Thailand:

S/No	HS Code/ Product Description (China)	HS Code/ Product Description (Thailand)
1	27011100 Anthracite	2701110008 Anthracite, whether or nor pulverized, but not agglomerated
2	27040010 Coke and Semi-coke	2704000904 Coke and Semi-Coke of Coal, of Lignite or of Peat

S/No	HS编码/产品描述 (中国)	HS编码/产品描述 (印度尼西亚)
	-其他: --橡皮擦	
12.	70112010 -对于阴极射线管: ---防眩光玻璃	701120100 防眩光玻璃, 阴极射线管包装 阴极射线管
13.	94015000 -藤编座椅, 柳条, 竹子 或相似材料	940150000 藤编座椅, 柳条, 竹子或 相似材料 940150900 其他藤编座椅
14.	94038010 -其他材料的家具, 柳条, 竹子或 相似材料: ---藤, 柳条, 竹子或 相似材料	940380100 藤家具, 柳条, 竹子或相似材料

- 3老挝人民民主共和国: 无
4. 缅甸: 无 5. 泰国:

S/No	HS编码/产品描述 (中国)	HS编码/ 产品描述 (泰国)
1	27011100 无烟煤	2701110008 无烟煤, whether or nor 粉碎的, 但不 凝聚的
2	27040010 焦炭和半焦	2704000904 煤炭的焦炭和半焦, of 褐煤或泥炭

6. Vietnam: Nil

- C. The following parties have not completed their negotiations with China, and shall complete negotiations on their specific products by 1 March 2003:
- 1. Malaysia
 - 2. Philippines

Annex 3

A. Product Categories For Tariff Reduction And Elimination Under Article 6(3)(b)(i)

The 3 product categories are defined as follows:

- (i) Category 1

For China and ASEAN 6, this refers to all products with applied MFN tariff rates higher than 15%.

For the newer ASEAN Member States, this refers to all products with applied MFN tariff rates of 30% or higher.
- (ii) Category 2

For China and ASEAN 6, this refers to all products with applied MFN tariff rates between 5% (inclusive) and 15% (inclusive).

For the newer ASEAN Member States, this refers to all products with applied MFN tariff rates between 15% (inclusive) and 30% (exclusive).
- (iii) Category 3

For China and ASEAN 6, this refers to all products with applied MFN tariff rates lower than 5%.

For the newer ASEAN Member States, this refers to all products with applied MFN tariff rates lower than 15%.

6. 越南: 无

C. 以下缔约方尚未与中国完成谈判，且应于2003年3月1日前就其具体产品完成谈判：

- 1. 马来西亚
- 2. 菲律宾

附件3

A. 第6(3)(b)(i)条项下关税减让和取消的产品类别

3个产品类别定义如下：

- (i) 类别1 对于中国和东盟6国，这指的是所有适用最惠国关税税率高于15%的产品。对于新东盟成员国，这指的是所有适用最惠国关税税率为30%或更高的产品。
- (ii) 类别2 对于中国和东盟6国，这指的是所有适用最惠国关税税率在5%（含）至15%（含）之间的产品。

对于新东盟成员国，这指的是所有适用最惠国关税税率在15%（含）至30%（不含）之间的产品。
- (iii) 类别3

对于中国和东盟6国，这指的是所有适用最惠国关税税率低于5%的产品。

对于新东盟成员国，这指的是所有适用最惠国关税税率低于15%的产品。

B. Implementation Timeframes Under Article 6(3)(b)(i)

The Early Harvest Programme shall be implemented no later than 1 January 2004 as follows:

(i) China and ASEAN 6:

Product Category	Not later than 1 Jan 2004	Not later than 1 Jan 2005	Not later than 1 Jan 2006
1	10%	5%	0%
2	5%	0%	0%
3	0%	0%	0%

(ii) the newer ASEAN Member States:

Product Category 1

Country	Not later than 1 Jan 2004	Not later than 1 Jan 2005	Not later than 1 Jan 2006	Not later than 1 Jan 2007	Not later than 1 Jan 2008	Not later than 1 Jan 2009	Not later than 1 Jan 2010
Viet Nam	20%	15%	10%	5%	0%	0%	0%
Lao PDR and Myanmar	-	-	20%	14%	8%	0%	0%
Cambodia	-	-	20%	15%	10%	5%	0%

B. 第6(3)(b)(i)条下的实施时间框架

早期收获计划应不迟于2004年1月1日实施，具体如下：

(i) 中国和东盟6国：

产品类别	不迟于 2004年1月1日	不迟于 2005年1月1日	不迟于 2006年1月1日
1	10%	5%	0%
2	5%	0%	0%
3	0%	0%	0%

(ii) 新东盟成员国：

产品类别1

国家	不迟于 than 1月1日 2004	不迟于 than 1月1日 2005	Not later than 1月1日 2006	Not later than 1月1日 2007	不迟于 than 1月1日 2008	不迟于 than 1月1日 2009年	不迟于 than 1月1日 2010年
越南	20%	15%	10%	5%	0%	0%	0%
老挝人民民主共和国和 缅甸	-	-	20%	14%	8%	0%	0%
柬埔寨	-	-	20%	15%	10%	5%	0%

Product Category 2

Country	Not later than 1 Jan 2004	Not later than 1 Jan 2005	Not later than 1 Jan 2006	Not later than 1 Jan 2007	Not later than 1 Jan 2008	Not later than 1 Jan 2009	Not later than 1 Jan 2010
Viet Nam	10%	10%	5%	5%	0%	0%	0%
Lao PDR and Myanmar	-	-	10%	10%	5%	0%	0%
Cambodia	-	-	10%	10%	5%	5%	0%

Product Category 3

Country	Not later than 1 Jan 2004	Not later than 1 Jan 2005	Not later than 1 Jan 2006	Not later than 1 Jan 2007	Not later than 1 Jan 2008	Not later than 1 Jan 2009	Not later than 1Jan 2010
Viet Nam	5%	5%	0-5%	0-5%	0%	0%	0%
Lao PDR and Myanmar	-	-	5%	5%	0-5%	0%	0%
Cambodia	-	-	5%	5%	0-5%	0-5%	0%

产品类别2

国家	不迟于 than 1月1日 2004	不迟于 than 1月1日 2005	不迟于 than 1月1日 2006	不迟于 than 1月1日 2007	Not later than 1月1日 2008	Not later than 1月1日 2009年	不迟于 than 1月1日 2010年
越南	10%	10%	5%	5%	0%	0%	0%
老挝人民民主共和国和 缅甸	-	-	10%	10%	5%	0%	0%
柬埔寨	-	-	10%	10%	5%	5%	0%

产品类别3

国家	不迟于 than 1月1日 2004	Not later than 1月1日 2005	Not later than 1月1日 2006	不迟于 than 1月1日 2007	不迟于 than 1月1日 2008年	不迟于 than 1月1日 2009年	不迟于 than 1Jan 2010年
越南	5%	5%	0-5%	0-5%	0%	0%	0%
老挝人民民主共和国和 缅甸	-	-	5%	5%	0-5%	0%	0%
柬埔寨	-	-	5%	5%	0-5%	0-5%	0%

Activities Under Article 6(5)

- (a) Acceleration of the implementation of the Singapore-Kunming Rail Link and Bangkok-Kunming Highway projects under the framework of ASEAN Mekong Basin Development Cooperation (AMBDC) and the Greater Mekong Sub-region (GMS) Programme respectively.
- (b) Implementation of the mid-term and long-term plans for the all-round development of the Greater Mekong Sub region (GMS) mapped out by the 1st GMS Summit held in Cambodia.
- (c) Designation of the focal points in ASEAN Member States and China as the centres to facilitate and promote, through specific procedures and mechanisms to be developed, trade and investment between the Parties.
- (d) Exploration of the possibility to develop the mutual recognition arrangements in areas of mutual interests, for example, agricultural products, electronic and electrical equipment, and completed within agreed timeframes.
- (e) Establishment of co-operation mechanism between standards and conformity authorities of the Parties with a view to enhancing trade facilitation and co-operation in other areas.
- (f) Implementation of a Memorandum of Understanding on Agricultural Cooperation between the Parties signed in November 2002.
- (g) Conclusion of a Memorandum of Understanding on co-operation between the Parties in information and communications technology sector.
- (h) Development of specific programmes with a view to further strengthening co-operation in the area of human resources development, utilising, among other mechanisms, the ASEAN-China Cooperation Fund.
- (i) Establishment of specific technical programmes with a view to further assisting the newer ASEAN Member States to build their capacity for regional integration and facilitation of the WTO accession process of the non-WTO ASEAN Member States.
- (j) Establishment of co-operation mechanism between customs authorities of the Parties with a view to enhancing trade facilitation and co-operation in other areas.
- (k) Establishment of co-operation mechanism between the relevant authorities of the Parties in the field of Intellectual Property Rights protection.

第6条（5）项下的活动

(a) 分别在东盟湄公河流域开发合作（AMBDC）框架下加速实施新加坡-昆明铁路和曼谷-昆明公路项目。(b) 实施由柬埔寨举行的1st 大湄公河次区域（GMS）峰会制定的关于大湄公河次区域（GMS）全面发展的中期和长期计划。(c) 在东盟成员国和中国指定焦点，作为通过具体程序和机制促进和推动缔约方之间贸易和投资的中心。(d) 探索在相互感兴趣的领域，例如农产品、电子和电气设备，在商定的时间框架内开发相互承认安排的可能性。(e) 建立缔约方标准和合格评定机构之间的合作机制，以增强其他领域的贸易便利化和合作。(f) 实施2002年11月签署的缔约方之间关于农业合作的谅解备忘录。(g) 缔结缔约方在信息和通信技术部门之间合作的谅解备忘录。(h) 制定具体项目，以进一步加强人力资源开发领域的合作，利用东盟-中国合作基金等机制。(i) 建立具体技术项目，以进一步帮助新东盟成员国建立区域一体化能力，并促进非世界贸易组织东盟成员国的加入世界贸易组织进程的便利化。(j) 建立缔约方海关当局之间的合作机制，以增强其他领域的贸易便利化和合作。(k) 在知识产权保护领域建立缔约方相关当局之间的合作机制。