

- (c) the Brunei Darussalam–Indonesia–Malaysia–Philippines East ASEAN Growth Area (BIMP–EAGA);
- (d) the growth triangles such as the Indonesia–Malaysia–Thailand (IMT–GT) and the Indonesia–Malaysia–Singapore (IMS–GT);
- (e) the Greater Mekong Sub–Region (GMS) programme;
- (f) the Second East–West Economic Corridor;
- (g) the ASEAN Mekong Basin Development Corporation (AMBDC);
- (h) the Singapore–Kunming Rail Link (SKRL) project; and
- (i) sharing experiences with the Mekong River Commission (MRC) in formulating and implementing priority programmes in the Mekong River Basin.

CHAPTER 4

OTHER AREAS

Article 4.1

Expansion of Economic Partnership into New Areas

With the aim of achieving the comprehensive Korea–ASEAN FTA, the Parties shall explore ways and means to expand their economic partnership into new areas where the Parties have mutual interests, as may be agreed by the Parties.

CHAPTER 5

FINAL PROVISIONS

Article 5.1

Dispute Settlement

1. Any dispute concerning the interpretation, implementation or application of this Framework Agreement shall be resolved through the procedures and mechanism as set out in the Agreement on Dispute Settlement Mechanism under this Framework Agreement.

2. Notwithstanding paragraph 1, any disputes arising from paragraph 3 of Article 2.2 (Trade in Services), paragraph 3 of Article 2.3 (Investment), Chapters 3 (Economic Cooperation) and 4 (Other Areas), and the Annex on Economic Cooperation shall not be subject to the Agreement on Dispute Settlement Mechanism under this Framework Agreement.

Article 5.2

Institutional Arrangements for the Negotiations

1. There shall be established a Korea-ASEAN Trade Negotiating Committee to carry out negotiations set out in this Framework Agreement.

2. The Korea-ASEAN Trade Negotiating Committee may establish any working group as may be necessary to assist it in undertaking negotiations on specific areas in the Korea-ASEAN FTA.

3. Commencing immediately at the beginning of the negotiations

envisaged in this Framework Agreement and continuing until the formal completion of such negotiations by 31 December 2006, the Parties shall endeavour not to take any trade restrictive or distorting measures in such a manner as to affect negatively the negotiating position of any other Party.

Article 5.3

Implementation of the Framework Agreement

1. The Korea + AEM shall have the ultimate authority concerning all matters relating to the implementation of this Framework Agreement and any other agreements concluded or to be concluded in accordance with this Framework Agreement. An Implementing Committee, which is hereby established to be composed of the senior economic officials of the Parties or their designees, shall convene as appropriate to discharge such functions as provided for in paragraph 2 under the supervision and guidance of the Korea + AEM.

2. The Parties, through the Implementing Committee, shall:

- (a) coordinate, supervise and oversee the implementation and appropriate application of the provisions of this Framework Agreement and any other agreements concluded or to be concluded in accordance with this Framework Agreement;
- (b) review the implementation of this Framework Agreement and any other agreements concluded or to be concluded in accordance with this Framework Agreement;

- (c) supervise the work of the committees and working groups established under this Framework Agreement and any other agreements concluded or to be concluded in accordance with this Framework Agreement; and
- (d) consider any other matter that may affect the operation of this Framework Agreement and any other agreements concluded or to be concluded in accordance with this Framework Agreement, or that is entrusted to the Implementing Committee by the Parties.

3. In the fulfilment of its functions, the Implementing Committee may:

- (a) establish and delegate responsibilities to ad hoc or standing committees, working groups or expert groups and assign them with tasks on specific matters; and
- (b) take such other action in the exercise of its functions, as the Parties may agree.

4. The Implementing Committee shall keep the Korea + AEM informed of its activities on a regular basis.

5. The Implementing Committee shall establish its rules and procedures, which shall be approved by the Korea + AEM.

6. The Implementing Committee shall convene within one year of the date of entry into force of this Framework Agreement and then annually or otherwise as appropriate.

Article 5.4

Secretariat and Contact Points

1. The Ministry of Foreign Affairs and Trade of Korea for Korea and the ASEAN Secretariat for the ASEAN Member Countries shall jointly provide the necessary secretariat support for the purposes of this Framework Agreement and any other agreements concluded or to be concluded in accordance with this Framework Agreement. The Ministry of Foreign Affairs and Trade of Korea and the ASEAN Secretariat shall monitor and report to the Implementing Committee on the implementation of this Framework Agreement and any other agreements concluded or to be concluded in accordance with this Framework Agreement.

2. All official communications or notifications among the Parties for the purposes of the implementation of this Framework Agreement and any other agreements concluded or to be concluded in accordance with this Framework Agreement shall be made in the English language and through the Ministry of Foreign Affairs and Trade of Korea and the ASEAN Secretariat as appropriate.

3. The Parties shall designate their respective contact point to facilitate all other communications with one another on any matter covered by this Framework Agreement and any other agreements concluded or to be concluded in accordance with this Framework Agreement. At the request of a Party, the contact point of the requested Party shall identify the office or official responsible for

the matter and assist in facilitating communications with the requesting Party.

Article 5.5

Annexes and Future Legal Instruments

1. The Annex on Economic Cooperation shall form an integral part of this Framework Agreement.
2. The Parties may adopt legal instruments in the future pursuant to the provisions of this Framework Agreement. Upon their respective entry into force, such instruments shall form part of this Framework Agreement.

Article 5.6

Amendments

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

Article 5.7

Depositary

For the ASEAN Member Countries, this Framework Agreement shall be deposited with the Secretary-General of ASEAN, who shall promptly furnish a certified copy thereof to each ASEAN Member

Country.

Article 5.8

Entry into Force

1. This Framework Agreement shall enter into force on 1 July 2006, provided that Korea and at least one ASEAN Member Country are among the Signatory Countries that have by then notified all the other Parties in writing of the completion of their internal procedures. In the event this Framework Agreement does not enter into force on 1 July 2006, it shall enter into force on the first day of the second month following the latter date on which Korea and at least one ASEAN Member Country have notified all the other Parties in writing of the completion of their internal procedures.

2. A Party shall, upon the completion of its internal procedures for the entry into force of this Framework Agreement, notify all the other Parties in writing.

3. Where a Party is unable to complete its internal procedures for the entry into force of this Framework Agreement by the date as set out in paragraph 1, this Framework Agreement shall come into force for that Party upon the date of notification of the completion of its internal procedures.

IN WITNESS WHEREOF, the undersigned, being duly authorised

thereto, have signed this Framework Agreement on Comprehensive Economic Cooperation among the Governments of the Republic of Korea and the Member Countries of the Association of Southeast Asian Nations.

DONE at Kuala Lumpur, Malaysia this thirteenth day of December 2005, in duplicate copies in the English language.

For the Government of the Republic of Korea:

ROH MOO-HYUN

President

For the Government of Brunei Darussalam:

HAJI HASSANAL BOLKIAH

Sultan of Brunei Darussalam

For the Royal Government of Cambodia:

SAMDECH HUN SEN

Prime Minister

For the Government of the Republic of Indonesia:

SUSILO BAMBANG YUDHOYONO

President

For the Government of the Lao People's Democratic Republic:

BOUNNHANG VORACHITH

Prime Minister

For the Government of Malaysia:

ABDULLAH AHMAD BADAWI

Prime Minister

For the Government of the Union of Myanmar:

SOE WIN

Prime Minister

For the Government of the Republic of the Philippines:

GLORIA MACAPAGAL-ARROYO

President

For the Government of the Republic of Singapore:

LEE HSIEN LOONG

Prime Minister

For the Government of Thailand:

THAKSIN SHINAWATRA

Prime Minister

For the Government of the Socialist Republic of Vietnam:

PHAN VAN KHAI

Prime Minister