

1990 MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENTS OF THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS

Adopted in Washington, D.C., United States of America on 21 December 1990

The Government of the United States of America and the Governments of the Association of Southeast Asian Nations (ASEAN) (individually a "Party" and collectively the "Parties"):

1. Desiring to enhance the friendship and cooperation between both Parties;
2. Being aware of the growth in their trade and investment and recognizing the importance of related transfer of technology and human resource development;
3. Desiring to develop further all Parties' international trade and economic inter-relationships;
4. Recognizing the need to complement and strengthen the multilateral trading system under the General Agreement on Tariffs and Trade (GATT) and to support the successful conclusion and implementation of the ongoing Uruguay Round of Multilateral Trade Negotiations;
5. Reaffirming the rights and obligations under the GATT, relevant international agreements to which the US and ASEAN member countries are signatories, taking into account the different stages of economic and social development among ASEAN countries;
6. Recognizing the importance of promoting an open environment for international trade and investment and the need to support economic development goals of the Parties;
7. Recognizing the benefits to each Party resulting from increased international trade and investment; and
8. Recognizing the desirability of resolving trade and investment matters of mutual interest to the satisfaction of the parties.

Have agreed to establish a Trade and Investment Cooperation Committee (Committee) to monitor and review trade and investment relations, to identify opportunities for expanding trade and investment and related transfer of technology and human resource development and to hold consultations thereon.

PROCEDURES

The Parties have agreed as follows:

1. The Committee shall comprise senior officials of both Parties. The ASEAN side will be chaired by the Chairman of the SEOM and the United States side will be chaired by a Deputy United States Trade Representative;
2. The Committee would be convened at least once a year and when necessary at times agreed by the Parties;

3. The Committee may invite representatives of the private sector of each party to participate in the meeting if both Parties agree that it is appropriate;

MINISTERIAL MEETING

4. A meeting between the ASEAN Economic Ministers and the United States Trade Representative should be held annually to address important policy issues concerning ASEAN-US trade and investment cooperation;

INTERNATIONAL RIGHTS AND OBLIGATIONS

5. This Memorandum of Understanding shall be without prejudice to the rights of either Party under domestic law, or the rights and obligations of the Parties under the GATT, together with its agreements, understandings and other instruments. In the case of disputes settlement, both Parties reserve the right to invoke Articles XXII and XXIII under the GATT; and
6. This Memorandum of Understanding shall be without prejudice to any existing or future bilateral agreements between each individual ASEAN member country and the United States of America.

ENTRY INTO EFFECT

This Memorandum of Understanding shall enter into force on the date of its signature and shall be automatically extended on an annual basis unless a notice in writing is given by either Party requesting the termination of this agreement three months before the date of its expiry.

Done at Washington, D.C., this twenty-first day of December, 1990.

FOR THE GOVERNMENTS OF THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS

ZAINIDI HAJI SIDUP

Charge D'Affaires a.i. of Brunei Darussalam

ABDUL RACHMAN RAMLY

Ambassador of Indonesia

DATO ALBERT S. TALALLA

Ambassador of Malaysia

FRANKLIN M. EBDALIN

Charge D'Affaires a.i of the Philippines

S. R. NATHAN

Ambassador of Singapore

VITTHYA VEJAJIVA

Ambassador of Thailand

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

CARLA A. HILLS

United States Trade Representative