

# 2004 ASEAN SECTORAL INTEGRATION PROTOCOL FOR HEALTHCARE

*Signed in Vientiane, Lao PDR on 29 November 2004*

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic (hereinafter referred to as "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 (hereinafter collectively referred to as "ASEAN" or "Member States" or singularly as "Member State");

RECALLING the Declaration of ASEAN Concord II (Bali Concord II) issued in Bali, Indonesia on 7 October 2003, pursuant to which ASEAN is committed to deepen and broaden its internal economic integration and linkages with the world economy to realise an ASEAN Economic Community;

DESIRING that the ASEAN Economic Community will result in ASEAN becoming a single market and production base, turning the diversity that characterises the region into opportunities and business complementation to make ASEAN a more dynamic and stronger segment of the global supply chain;

NOTING that as a first step towards the realisation of the ASEAN Economic Community, the Leaders have signed the ASEAN Framework Agreement for the Integration of Priority Sectors on 30th November 2004 in Vientiane, Lao PDR (hereinafter referred to as the "Framework Agreement");

HAVING carried out an initial round of negotiations and concluded the roadmap for the full integration of the healthcare sector in ASEAN,

HAVE AGREED AS FOLLOWS:

## ARTICLE 1 OBJECTIVE

The objective of this Protocol is to spell out measures as in the Roadmap referred to in Article 2 to be taken by Member States on a priority basis so as to enable the progressive, expeditious and systematic integration of the healthcare sector.

## ARTICLE 2 MEASURES

1. The integration measures to be pursued are grouped into two broad categories, taking into account existing agreements or earlier relevant committed measures, namely:(a) Common measures which cut across all priority sectors; and(b) Specific measures that are of direct relevance to the healthcare sector.
2. All categories of measures shall be pursued in parallel.
3. SEOM may conduct additional negotiations, as and when necessary, to consider new integration measures for the sector.

### **ARTICLE 3**

## **EMERGENCY MEASURES**

1. Article 6 of the Common Effective Preferential Tariff (CEPT) Agreement on Safeguard Measures shall be applied to this Protocol.
2. Where emergency measures are taken pursuant to this Article, immediate notice of such action shall be given to the Ministers responsible for ASEAN economic integration referred to in Article 19 of the Framework Agreement, and such action may be the subject of consultations pursuant to Article 22 of the Framework Agreement.

### **ARTICLE 4**

## **APPENDICES**

1. The Roadmap for Integration of Healthcare Sector shall be Appendix I to this Protocol and shall form an integral part of it. The negative list in relation to the healthcare sector shall be Appendix II to this Protocol.
2. Additional measures other than those identified in the Appendix I may be introduced, as and when deemed necessary through an amendment pursuant to paragraph 2 of Article 5 of this Protocol.

### **ARTICLE 5**

## **FINAL PROVISIONS**

1. Member States shall undertake the appropriate measures to fulfill the agreed obligations arising from this Protocol.
2. The provisions of this Protocol may be modified through amendments mutually agreed upon in writing by all Member States.
3. This Protocol shall enter into force on 31 August 2005. Notwithstanding the specified date of entry into force, Member States undertake to carry out the obligations which arise prior to the date of entry into force of this Protocol in accordance with the timelines indicated in the Framework Agreement for the Integration of Priority Sectors and the Roadmap for Integration of Healthcare Sector attached to this Protocol.
4. This Protocol shall be deposited with the Secretary-General of ASEAN, who shall furnish a certified copy to each Member State.

**IN WITNESS WHEREOF**, the undersigned, being duly authorised thereto by their respective Governments, have signed the ASEAN Sectoral Integration Protocol for Healthcare.

**DONE** at Vientiane, Lao PDR on 29 November 2004, in a single copy in the English language.

For the Government of Brunei Darussalam: **ABDUL RAHMAN TAIB**, Minister of Industry and Primary Resources

For the Government of the Kingdom of Cambodia: **CHAM PRASIDH**, Senior Minister and Minister of Commerce

For the Government of the Republic of Indonesia: **MARI ELKA PANGESTU**, Minister of Trade

For the Government of the Lao People's Democratic Republic: **SOULIVONG DARAVONG**, Minister of Commerce

For the Government of Malaysia: **RAFIDAH AZIZ**, Minister of International Trade and Industry

For the Government of the Union of Myanmar: **SOE THA**, Minister of National Planning and Economic Development

For the Government of the Republic of the Philippines: **CESAR V. PURISIMA**, Secretary of Trade and Industry

For the Government of the Republic of Singapore: **LIM HNG KIANG**, Minister for Trade and Industry

For the Government of the Kingdom of Thailand: **WATANA MUANGSOOK**, Minister of Commerce

For the Government of the Socialist Republic of Vietnam: **TRUONG DINH TUYEN**, Minister of Trade