

2004 FIRST PROTOCOL TO AMEND THE PROTOCOL ON SPECIAL ARRANGEMENTS ON SENSITIVE AND HIGHLY SENSITIVE PRODUCTS

Signed in Jakarta, Indonesia on 3rd September 2004

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, 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 Southeast Asian Nations (hereinafter referred to as "ASEAN");

NOTING the Protocol on the Special Arrangement for Sensitive and Highly Sensitive Products (hereinafter referred to as "the Protocol") signed in Singapore on 30 September 1999;

RECALLING the decision of the ASEAN Economic Ministers in Ha Noi, Viet Nam on 15 September 2001 to allow Indonesia and the Philippines to transfer sugar from the Temporary Exclusion List to the Highly Sensitive and Sensitive Lists, respectively, while taking into account the interest of Thailand as the largest supplier of sugar in ASEAN;

RECOGNISING the need to amend the Protocol to reflect the decision of the Ministers;

HAVE AGREED AS FOLLOWS:

ARTICLE I

1. The following products shall be inserted in the Sensitive List of the Philippines in Annex 2 of the Protocol:

Philippines		
No.	HS Code	Description
		- Raw sugar, not containing added flavouring or coloring matter
	1701.11	- Cane sugar
59	1701.11.100	- In-Quota
60	1701.11.200	- Out-Quota
	1701.12	- Beet sugar
61	1701.12.100	- In-Quota
62	1701.12.200	- Out-Quota

		- Other
	1701.99	- Other
63	1701.99.100	- In-Quota
64	1701.99.200	- Out-Quota

ARTICLE 2

1. This Protocol shall enter into force upon signature.
2. This Protocol shall be deposited with the Secretary-General of ASEAN, who shall promptly furnish a certified copy thereof to each Member State.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by their respective Governments, have signed the Protocol to Amend the Protocol on Special Arrangement for Sensitive and Highly Sensitive Products.

DONE at Jakarta on the 3rd day of September in the year Two Thousand and Four, 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 Republic of Indonesia: **RINI M.SUMARNO SOEWANDI**, Minister of Industry and Trade

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

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

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

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

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

For the Government of the Union of Myanmar: **U TIN WINN**, Minister for Economic Cooperation

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

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