

2009 UNDERSTANDING ON ARTICLE 4 OF THE AGREEMENT ON TRADE IN GOODS UNDER THE FRAMEWORK AGREEMENT ON COMPREHENSIVE ECONOMIC COOPERATION BETWEEN THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS AND THE REPUBLIC OF INDIA

Adopted in Bangkok, Thailand on 13 August 2009 and in Ha Noi, Viet Nam on 24 October 2009

The Governments of Brunei Darussalam, the Kingdom of Cambodia (Cambodia), the Republic of Indonesia (Indonesia), the Lao People's Democratic Republic (Lao PDR), Malaysia, the Union of Myanmar (Myanmar), the Republic of the Philippines (the Philippines), the Republic of Singapore (Singapore), the Kingdom of Thailand (Thailand) and the Socialist Republic of Viet Nam (Viet Nam), Member States of the Association of Southeast Asian Nations (collectively, "ASEAN" or "ASEAN Member States", or individually, "ASEAN Member State") and the Government of the Republic of India (India) refer to the Agreement on Trade in Goods under the Framework Agreement on Comprehensive Economic Cooperation between the Association of Southeast Asian Nations and the Republic of India (as amended), and set out below their common understanding:

The Parties affirm their understanding that the commitments under Article 4 of the Agreement on Trade in Goods do not prevent a Party from taking measures in conformity with Article 12 of the Agreement on Trade in Goods. The Parties further note their understanding that such measures may include measures based on domestic laws and regulations taken in accordance with the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, adopted in Basel, Switzerland on 22 March 1989 or other agreements as provided for in Article 16 of the Agreement on Trade in Goods.

DONE at Bangkok, Thailand this thirteenth day of August 2009 and at Ha Noi, Viet Nam on the day of 2009, in two (2) originals in the English language.

For the Government of Brunei Darussalam
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MARI ELKA PANGESTU
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For the Government of the Socialist Republic
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VU HUY HOANG
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