

PERATURAN PRESIDEN REPUBLIK INDONESIA
NOMOR 11 TAHUN 2007
TENTANG
PENGESAHAN FRAMEWORK AGREEMENT ON COMPREHENSIVE ECONOMIC
COOPERATION AMONG THE GOVERNMENTS OF THE MEMBER
COUNTRIES OF THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS
AND THE REPUBLIC OF KOREA
(PERSETUJUAN KERANGKA KERJA MENGENAI KERJASAMA EKONOMI
MENYELURUH ANTAR PEMERINTAH NEGARA-NEGARA ANGGOTA PERHIMPUNAN
BANGSA-BANGSA ASIA TENGGARA DAN REPUBLIK KOREA)

DENGAN RAHMAT TUHAN YANG MAHA ESA

PRESIDEN REPUBLIK INDONESIA,

Menimbang :

- a. bahwa di Kuala Lumpur, Malaysia, pada tanggal 13 Desember 2005 Pemerintah Republik Indonesia telah menandatangani Framework Agreement on Comprehensive Economic Cooperation among the Governments of the Member Countries of the Association of Southeast Asian Nations and the Republic of Korea (Persetujuan Kerangka Kerja mengenai Kerjasama Ekonomi Menyeluruh antar Pemerintah Negara-Negara Anggota Perhimpunan Bangsa-Bangsa Asia Tenggara dan Republik Korea), sebagai hasil perundingan antara para wakil Negara-Negara Anggota Perhimpunan Bangsa-Bangsa Asia Tenggara dan Pemerintah Republik Korea;
- b. bahwa sehubungan dengan itu, dipandang perlu untuk mengesahkan Persetujuan tersebut dengan Peraturan Presiden;

Mengingat :

1. Pasal 4 ayat (1) dan Pasal 11 Undang-Undang Dasar Negara Republik Indonesia Tahun 1945;
2. Undang-Undang Nomor 24 Tahun 2000 tentang Perjanjian Internasional (Lembaran Negara Republik Indonesia Tahun 2000 Nomor 185, Tambahan Lembaran Negara Republik Indonesia Nomor 4012);
3. Undang-Undang Nomor 10 Tahun 2004 tentang Pembentukan Peraturan Perundang-undangan (Lembaran Negara Republik Indonesia Tahun 2004 Nomor 53, Tambahan Lembaran Negara Republik Indonesia Nomor 4389);

MEMUTUSKAN:

Menetapkan :

PERATURAN PRESIDEN TENTANG PENGESAHAN FRAMEWORK AGREEMENT ON COMPREHENSIVE ECONOMIC COOPERATION AMONG THE GOVERNMENTS OF THE MEMBER COUNTRIES OF THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS AND THE REPUBLIC OF KOREA (PERSETUJUAN KERANGKA KERJA MENGENAI KERJASAMA EKONOMI MENYELURUH ANTAR PEMERINTAH NEGARA-NEGARA ANGGOTA PERHIMPUNAN BANGSA-BANGSA ASIA TENGGARA DAN REPUBLIK KOREA).

Pasal 1

Mengesahkan Framework Agreement on Comprehensive Economic Cooperation among the Governments of the Member Countries of the Association of Southeast Asian Nations and the Republic of Korea (persetujuan Kerangka Kerja mengenai Kerjasama Ekonomi Menyeluruh antar Pemerintah Negara-Negara Anggota Perhimpunan Bangsa-Bangsa Asia Tenggara dan Republik Korea) yang naskah aslinya dalam Bahasa Inggris dan terjemahannya dalam Bahasa Indonesia sebagaimana terlampir dan merupakan bagian yang tidak terpisahkan dari Peraturan Presiden ini.

Pasal 2

Apabila terjadi perbedaan penafsiran antara naskah terjemahan persetujuan dalam Bahasa Indonesia dengan naskah aslinya dalam Bahasa Inggris sebagaimana dimaksud dalam Pasal 1, maka yang berlaku adalah naskah aslinya dalam Bahasa Inggris.

Pasal 3

Peraturan Presiden ini mulai berlaku pada tanggal ditetapkan.

Agar setiap orang mengetahuinya, memerintahkan pengundangan Peraturan Presiden ini dengan penempatannya dalam Lembaran Negara Republik Indonesia.

Ditetapkan di Jakarta
pada tanggal 28 Maret 2007
PRESIDEN REPUBLIK INDONESIA,

ttd.

DR. H. SUSILO BAMBANG YUDHOYONO

Diundangkan di Jakarta
pada tanggal 28 Maret 2007
MENTERI HUKUM DAN HAK ASASI MANUSIA
REPUBLIK INDONESIA,

ttd.

DR. HAMID AWALUDIN

LEMBARAN NEGARA REPUBLIK INDONESIA TAHUN 2007 NOMOR 51

FRAMEWORK AGREEMENT ON COMPREHENSIVE ECONOMIC
COOPERATION AMONG THE GOVERNMENTS OF THE MEMBER
COUNTRIES OF THE ASSOCIATION OF SOUTHEAST ASIAN
NATIONS AND THE REPUBLIC OF KOREA

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 Vietnam, Member Countries of the Association of Southeast Asian Nations and the Republic of Korea,

RECALLING the decision made at the ASEAN-Korea Summit held on 30 November 2004 at Vientiane, the Lao People's Democratic Republic, by the Joint Declaration on Comprehensive Cooperation Partnership between ASEAN and Korea, to establish an ASEAN-Korea Free Trade Area at an earliest stage with special and differential treatment and additional flexibility for the new ASEAN Member Countries of the Kingdom of Cambodia, the Lao People's Democratic Republic, the Union of Myanmar and the Socialist Republic of Vietnam;

DESIRING to adopt a Framework Agreement on Comprehensive Economic Cooperation among them, that will further promote growth and development, increase the living standard of the people throughout the region and provide further dynamic benefits to the region in the long term;

BEING confident that the establishment of the ASEAN-Korea Free Trade Area will be a natural extension of their existing relations as well as a stepping stone to elevate their relationship to a higher and more comprehensive level;

REAFFIRMING the shared belief that the arrangement for the creation of the ASEAN-Korea Free Trade Area should be based on the agreed principles of comprehensiveness in the liberalisation process, meaningful and substantial liberalisation, enhancement of mutual benefits, and consistency with WTO rules and disciplines;

BUILDING on their respective rights and obligations under the Marrakesh Agreement Establishing the World Trade Organisation and the other agreements negotiated thereunder and other multilateral and bilateral instruments of cooperation to which they are parties;

RECOGNISING that the removal of obstacles to trade through the creation of the ASEAN-Korea Free Trade Area will contribute to the harmonious development and expansion of world trade and provide a catalyst to broader international cooperation, in particular within East Asia;

RECOGNISING the importance of capacity building through human resource development to face challenges of globalisation; and.

RECOGNISING the different stages of economic development among the ASEAN Member Countries and the need for flexibility to be given to the new ASEAN Member Countries, in particular the need to facilitate their increasing participation in the economic cooperation of the Parties and the expansion of their exports, including, inter alia, through the strengthening of their domestic capacity, efficiency and

competitiveness,

HAVE AGREED as follows:

CHAPTER I
GENERAL PROVISIONS
Article 1.1
Objectives

The objectives of this Framework Agreement are to:

- (a) strengthen and enhance economic, trade and investment cooperation among the Parties;
- (b) progressively liberalise and promote trade in goods and services as well as create a transparent, liberal and facilitative investment regime;
- (c) explore new areas and develop appropriate measures for closer economic cooperation and integration;
- (d) facilitate the more effective economic integration of the new ASEAN Member Countries and bridge the development gap among the Parties; and
- (e) establish a cooperative framework for further strengthening the economic relations among the Parties.

Article 1.2
Definitions

For the purposes of this Framework Agreement, unless the context otherwise requires:

AEM + Korea means the Economic Ministers of the ASEAN Member Countries and the Minister for Trade of Korea;

ASEAN means the Association of Southeast Asian Nations which comprises 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 Vietnam;

ASEAN-Korea FTA means the ASEAN-Korea Free Trade Area established by this Framework Agreement and other relevant agreements stipulated in paragraph I of Article 1.4;

ASEAN Member Countries means 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 Vietnam collectively;

ASEAN Member Country means 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 or the Socialist Republic of Vietnam individually;

Framework Agreement means this Framework Agreement on Comprehensive Economic Cooperation among the Governments of the ASEAN member Countries and the Republic of Korea;

GATS means the General Agreement on Trade in Services, which is a part of the WTO Agreement;

GATT 1994 means the General Agreement on Tariffs and Trade 1994, including its Notes and Supplementary Provisions, which is a part of the WTO Agreement;

Implementing Committee means the Implementing Committee established under Article 5.3;

Korea means the Republic of Korea;

new ASEAN Member Countries means the Kingdom of Cambodia, the Lao People's Democratic Republic, the Union of Myanmar and the Socialist Republic of Vietnam;

Normal Track means a list of tariff lines of which applied MFN tariff rates shall be gradually reduced and eliminated in accordance with the modality set out in Annex I of the Agreement on Trade in Goods under this Framework Agreement;

Parties means the ASEAN Member Countries and Korea collectively;

Party means an ASEAN Member Country or Korea;

WTO means the World Trade Organisation; and

WTO Agreement means the Marrakesh Agreement Establishing the World Trade Organisation, done on 15 April 1994 and the other agreements negotiated thereunder.

Article 1.3

Measures for Comprehensive Economic Partnership

The Parties shall establish, consistent with Article XXIV of GATT 1994 and Article V of GATS, an ASEAN-Korea FTA and strengthen and enhance economic cooperation through the following:

- (a) progressive elimination of tariffs and non-tariff barriers in substantially all trade in goods;
- (b) progressive liberalisation of trade in services with substantial sectoral coverage;
- (c) establishment of an open and competitive investment regime that facilitates and promotes investment among the Parties;
- (d) provision of special and differential treatment to the ASEAN Member Countries and additional flexibility to the new ASEAN Member Countries as agreed in the Joint Declaration on Comprehensive Cooperation Partnership between ASEAN and Korea and the core elements attached thereto;