

FRAMEWORK AGREEMENT
ON
TRADE AND INVESTMENT
BETWEEN
THE MINISTRY OF NATIONAL PLANNING AND ECONOMIC
DEVELOPMENT OF
THE REPUBLIC OF THE UNION OF MYANMAR
AND
THE MINISTRY OF TRADE OF THE REPUBLIC OF INDONESIA

The Ministry of National Planning and Economic Development of the Republic of the Union of Myanmar and the Ministry of Trade of the Republic of Indonesia (hereinafter referred to individually as the "Party" and collectively referred to as "the Parties")

DESIRING to enhance the bonds of friendship and spirit of cooperation between the two countries and to promote further both countries' international trade and economic interrelationship;

RECOGNIZING the importance of fostering an open and predictable environment for international trade and investment and that trade-distorting investment measures and protectionist trade barriers would deprive the Parties of such benefits as both countries agreed in ASEAN Comprehensive Investment Agreement (ACIA);

REFERRING to the Memorandum of Understanding Between the Government of the Republic of Indonesia and the Government of the Union of Myanmar on the Establishment of a Joint Commission for Bilateral Commission for Bilateral Cooperation signed on 1 March 2006 in Yangon, Myanmar, and the Agreed Minutes of the Joint Commission for Bilateral Cooperation between the Republic of Indonesia and the Republic of the Union of Myanmar, signed on 28 December 2011 in Yangon, Myanmar.

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RECOGNIZING the essential role of private investment, both domestic and foreign, in furthering growth, creating jobs, expanding trade, improving technology, and enhancing economic development and that foreign direct investment confers positive benefits on each Party;

DESIRING to encourage and facilitate the state business enterprises and private sector cooperations between the two countries;

TAKING INTO ACCOUNT the membership of the two countries in the World Trade Organization (WTO) and noting that this Agreement is without prejudice to each Party's rights and obligation, where applicable, under the Marrakesh Agreement Establishing the WTO and the agreements, understandings and other instruments relating thereto or concluded under the auspices of the WTO;

REAFFIRMING the commitment in the Doha Declaration that expansion of trade and investment and the promotion of sustainable development and protection of the environment can and must be mutually supportive;

CONSIDERING that it would be in their mutual interest to establish a bilateral mechanism between the Parties for encouraging the promotion of trade and investment between two Parties;

IN ACCORDANCE WITH the prevailing laws and regulations of the Parties.

HAVE agreed as follows;

ARTICLE I

Objectives

The Parties affirm their desire;

1. To expand trade and promote an attractive investment climate consistent with the terms of this Framework Agreement aiming at securing favorable conditions for long-term development and diversification of trade and investment, hence increasing the two-way trade volume between the two countries.
2. To encourage and facilitate trade and investment cooperation which will be focused on concrete programme and activities to that effect by the relevant authorities of the Parties.



3. To take appropriate measures to strengthen, promote and develop cooperation on the Promotion of Trade and Investment between the Parties based on the principles of equality, mutual benefit, complementarities, and diversity. Such measures shall be subject to the terms of this Framework Agreement, the national laws and regulations, national policies and international treaties which they are Parties, as well as, the principle and guidance provided by the World Trade Organization as stated under its agreements ("the WTO Agreement")

ARTICLE II

Scope of Cooperation

The scope of Cooperation of this Framework Agreement shall cover trade and investment cooperation, among others, trade on rice, coal, pharmaceutical, fertilizer and aircraft, as well as investment cooperation on rice milling, integrated coal and power plant development energy and mineral, exploration and mining, telecommunication, aircraft maintenance facility service, construction and infrastructure, banking, and others that could be later agreed by the Joint Committee.

ARTICLE III

Investment Promotion

The Parties affirm their desire to promote attractive investment climates in their respective territories and to expand and diversify their trade in products and services.

ARTICLE IV

Joint Committee on Trade and Investment (JCTI)

1. The Parties shall establish the Indonesia – Myanmar Joint Committee on Trade and investment ("the Joint Committee") which shall be composed of representatives of the Parties and jointly chaired by the Minister of Trade on behalf of the Government of the Republic of Indonesia and the Minister of National Planning and Economic of the Union of Myanmar. In chairing the cooperation, the Joint Committee shall be assisted by senior officials of the Parties. The Chairs may delegate their authority to their respective senior officials to conduct a meeting of the Joint Committee.

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2. The Joint Committee will meet at least once a year, alternately in Indonesia and Myanmar at such times as agreed by the Parties.
3. The Joint Committee shall establish the Working Groups or Sub-Committees on Trade and Investment in the specific fields as described in Article II, subject to the needs of the Parties in enhancing the implementation of this Framework Agreement. Each Working Group or Sub-Committees will develop and implement the work programme and report the implementation progress to the Joint Committee through Senior Officials meeting to be convened preceding the Joint Committee meeting.
4. The Joint Committee will monitor trade and investment relations, identify opportunities for expanding trade and investment, and identify issues relevant to trade or investment, that may be appropriate for negotiation in an appropriate forum.
5. The Parties may, by consensus, invite representatives of non-government entities (through Business Council of both countries) with the necessary expertise relevant to the issues to be discussed to participate in meetings of the Joint Committee.
6. Inputs from non-government entities of both countries may be taken into consideration during meetings of the Joint Committee.
7. Decisions made by the Joint Committee shall be reflected in the Agreed Minutes of the meeting, which will be signed by the Chairs of the Joint Committee. The Parties will Endeavour to take the necessary steps to implement such decisions.
8. The Joint Committee shall report and coordinate its activities to the meeting of the Joint Committee between the government of the Republic of Indonesia and the Government of the Republic of the Union of Myanmar.

ARTICLE V

Financial Arrangements

The financial arrangements to cover expenses for the cooperative activities undertaken within the framework of this Framework Agreement shall be mutually agreed upon by the Parties.

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ARTICLE X


Entry into Force, Duration and Termination

1. This Framework Agreement shall enter into force on the date of the last notification by which the Parties notify each other through diplomatic channels that their respective internal legal procedures for the entry into force of this Framework Agreement have been fulfilled.
2. This Framework Agreement shall remain in force unless either Party submits to the other a written notice of its intention to terminate this Framework Agreement 3(three) months before the proposed date of termination.
3. The termination of this Framework Agreement shall not affect the validity of any programs, projects and/or arrangement made under this Framework Agreement until the completion of such programs, projects and/or arrangements.

IN WITNESS WHEREOF, the undersigned, have signed this Framework Agreement.

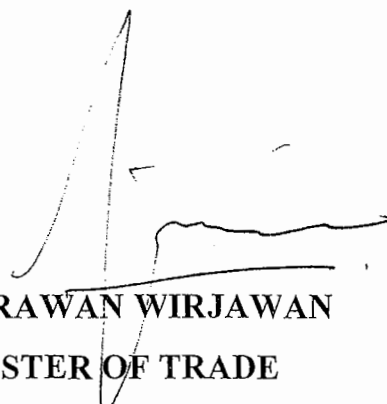
DONE in duplicate at Nay Pyi Taw, this 23 day of April in the year of two thousand and thirteen in English, Myanmar and Indonesia Languages, both texts being equally authentic. In case of any divergence, the English text shall prevail.

FOR THE MINISTRY OF
NATIONAL PLANNING AND
ECONOMIC DEVELOPMENT
OF THE REPUBLIC OF THE
UNION OF MYANMAR



KAN ZAW
MINISTER OF NATIONAL
PLANNING AND ECONOMIC
DEVELOPMENT

FOR THE MINISTRY OF
TRADE OF THE
REPUBLIC OF
INDONESIA



GITA IRAWAN WIRJAWAN
MINISTER OF TRADE

