

GENERAL AGREEMENT ON  
TARIFFS AND TRADE

L/4768  
31 January 1979  
Limited Distribution

AGREEMENT ON ASEAN PREFERENTIAL  
TRADING ARRANGEMENTS

Decision of 29 January 1979<sup>1</sup>

The CONTRACTING PARTIES to the General Agreement on Tariffs and Trade,

Considering that the Governments of the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore and the Kingdom of Thailand (hereinafter referred to as the "participating States"), member States of the Association of South-East Asian Nations (hereinafter referred to as "ASEAN") have notified the CONTRACTING PARTIES that they have concluded an Agreement on ASEAN Preferential Trading Arrangements (hereinafter referred to as the "Agreement") dated 24 February 1977, and have initiated the exchange of tariff and trade concessions within the framework of that Agreement;

Noting that the Agreement and the preferential trading arrangements concluded thereunder are intended to promote economic development through a continuous process of trade expansion among countries members of ASEAN, without raising barriers to the trade of other contracting parties;

Bearing in mind that developing contracting parties have agreed under Article XXXVII:4 of the General Agreement to take appropriate action in implementation of the provisions of Part IV for the benefit of the trade of other developing contracting parties, in so far as such action is consistent with their individual present and future development, financial and trade needs, taking into account past trade developments as well as the trade interests of developing contracting parties as a whole;

Noting that the participating States are prepared, on the basis of progress in their co-operative efforts, to consider the possibility of participating in mutually beneficial trading arrangements with other developing countries;

Recognizing that the Agreement should not constitute an impediment to the reduction or elimination of tariffs and other trade barriers on a most-favoured-nation basis;

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<sup>1</sup>Adopted by the Council (C/M/132).

Decide that:

Notwithstanding the provisions of Article I of the General Agreement the participating contracting parties may implement the Agreement in accordance with the conditions and procedures set out hereunder

Provided that any preferential treatment under the Agreement shall be designed to facilitate trade between the participating States and not to raise barriers to the trade of other contracting parties;

- (a) any preferential concessions or arrangements or any similar measures introduced or modified pursuant to the Agreement shall be notified to the CONTRACTING PARTIES and all useful information relating to the actions taken shall be provided to them by the participating States;
- (b) each participating contracting party shall afford adequate opportunity for consultations at the request of any other contracting party which considers that any benefit accruing to it under the General Agreement may be or is being impaired unduly as a result of the Agreement. If such consultations have proved unsatisfactory, the contracting party concerned may bring the matter before the CONTRACTING PARTIES, who will examine it promptly and will formulate any recommendations that they consider appropriate;
- (c) on the basis of reports by the participating States on developments under the Agreement, the operation of this Decision shall be reviewed biennially by the CONTRACTING PARTIES in the light of the provisions of the General Agreement and of the objectives stated above. The CONTRACTING PARTIES may, in the course of the reviews, make such recommendations to the participating contracting parties as may be appropriate, including any arising out of any consultations held in regard to the effects of the Agreement on the trade of contracting parties. The CONTRACTING PARTIES may also in the course of the reviews, take such decisions regarding the operation of this Decision as may be appropriate in the light of developments at that time.