AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE PEOPLE'S REPUBLIC OF BANGLADESH ON RECIPROCAL TRADE

Preamble

The United States of America ("United States") and the People's Republic of Bangladesh ("Bangladesh") (individually "a Party" and collectively "the Parties"):

EMPHASIZING their shared values, including their shared commitment to sovereignty, economic prosperity, and resilient supply chains;

RECOGNIZING the bonds of friendship and cooperation between them, in particular in their trade and investment relations, as reflected in the Trade and Investment Framework Agreement between the Government of the United States and the Government of Bangladesh;

INTENDING to enhance reciprocity in their bilateral trade relationship by addressing tariff and non-tariff barriers; and

SEEKING to strengthen their commercial relationship through increased alignment on national and regional economic security matters,

HAVE AGREED as follows:

Section 1. Tariffs and Quotas

Article 1.1. Tariffs and Quotas

1. Bangladesh shall apply a rate of customs duty (1) on originating goods of the United States as set out in Schedule 1 to Annex I.

(1) Customs duty includes any customs duty (CD), supplementary duty (SD), or regulatory duty (RD).

2. Bangladesh shall not impose quotas on imports of originating goods of the United States unless otherwise agreed by the Parties.

3. The United States shall apply a reciprocal tariff rate on originating goods of Bangladesh as set out in Schedule 2 to Annex I.

Section 2. Non-Tariff Barriers and Related Matters

Article 2.1. Import Licensing

Bangladesh shall not apply import licensing (2) to U.S. goods in a manner that restricts the importation of such goods. Bangladesh shall ensure that any non-automatic import licensing that it applies, is applied only to administer an underlying measure, and in a manner that is transparent, nondiscriminatory, and not unduly burdensome, and that does not reduce the competitiveness of U.S. exports.

(2) For greater certainty, "import licensing", "automatic import licensing", and "non-automatic import licensing" have the same meanings as provided in the World Trade Organization (WTO) Agreement on Import Licensing Procedures.

Article 2.2. Technical Regulations, Standards, and Conformity Assessment

1. Bangladesh shall allow U.S. originating goods that comply with applicable U.S. or international standards, U.S. technical regulations, or U.S. or international conformity assessment procedures to enter its territory without additional conformity assessment requirements where certification is provided by governmental or internationally accredited laboratories. In doing so:

(a) Bangladesh shall accord to the conformity assessment bodies of the United States treatment no less favorable than that it accords to its own bodies; and

(b) Bangladesh shall facilitate the acceptance of U.S. compliance procedures for goods which are not subject to third-party conformity assessment in the U.S. regulatory framework.

2. Bangladesh shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade, if any, and shall remove existing technical barriers to trade in areas that undermine reciprocity, including requirements for duplicative or unnecessary testing or conformity assessment.

Article 2.3. Agriculture

1. Bangladesh shall provide non-discriminatory or preferential market access for U.S. agricultural goods as set forth in Schedule 1 to Annex I.

2. Bangladesh shall ensure that its sanitary and phytosanitary (SPS) measures are science- and risk-based and do not operate as disguised restrictions on bilateral trade, and shall remove unjustified SPS barriers in areas that undermine reciprocity.

3. Bangladesh shall not enter into agreements or understandings with third countries that include non-scientific, discriminatory, or preferential technical standards; include third-country SPS measures that are incompatible with U.S. or international standards; or otherwise disadvantage U.S. exports to such third countries.

Article 2.4. Geographical Indications

Bangladesh shall ensure transparency and fairness with respect to the protection or recognition of geographical indications, including pursuant to an international agreement. In cases where Bangladesh protects or recognizes a term that identifies a good as a geographical indication but where there is no given quality, reputation, or other characteristic of the good that is essentially attributable to its geographical origin, Bangladesh shall permit use of the term in connection with U.S. goods.

Article 2.5. Cheese and Meat Terms

Bangladesh shall not restrict U.S. market access due to the mere use of the individual cheese and meat terms listed in Annex II.

Article 2.6. Intellectual Property

Bangladesh shall provide a robust standard of protection for intellectual property. (3) Bangladesh shall provide effective systems for civil, criminal, and border enforcement of intellectual property rights and shall ensure that such systems combat and deter the infringement or misappropriation of intellectual property, including in the online environment. Bangladesh shall prioritize and shall take effective criminal and border enforcement actions against copyright and trademark infringements.

(3) For purposes of this Agreement, "intellectual property" refers to all categories of intellectual property that are the subject of Sections 1 through 7 of Part II of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights. Further, for purposes of this Agreement, the protection of intellectual property includes matters related to technological protection measures and rights management information.

Article 2.7. Services

Bangladesh shall not adopt or maintain measures that discriminate against U.S. services or service suppliers as compared to domestic services or services suppliers or those of any third country, jurisdiction, or economy. This Article does not apply to the extent that, in all of Bangladesh?s trade agreements, a measure is covered by a relevant non-conforming measure or limitation or Bangladesh is not bound with respect to the measure.

Article 2.8. Good Regulatory Practices

Bangladesh shall adopt and implement good regulatory practices as set out in Article 1.17 of Annex III that ensure greater transparency, predictability, and participation throughout the regulatory lifecycle.

Article 2.9. Labor

1. Bangladesh shall adopt and implement a prohibition on the importation of goods mined, produced, or manufactured wholly or in part by convict labor or forced or compulsory labor, including indentured labor and indentured child labor. (4)

(4) In this regard, Bangladesh may recognize U.S. government determinations on entities under Section 307 of the Tariff Act.

2. Bangladesh shall protect internationally recognized labor rights. (5) This includes by adopting or maintaining such rights in its law and practice, and effectively enforcing its labor laws, including by creating or maintaining necessary institutions to protect labor rights. Bangladesh shall establish and effectively apply appropriate legal sanctions for violations of those laws. Bangladesh shall not weaken or reduce the protections in its labor laws and shall address any such weakening or reduction that has been made to encourage trade or investment to date. (6) In addition, Bangladesh shall address issues related to labor rights that contribute to non-reciprocal trade.

(5) For purposes of this paragraph, internationally recognized labor rights include those in the International Labor Organization (ILO) Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998), as amended in 2022; a prohibition on the worst forms of child labor; and acceptable conditions of work with respect to minimum wages and hours of work.

(6) For greater certainty, scope of this paragraph includes special economic zones, including export processing zones, or sector-specific laws or regulations that have lesser labor protections than the overall economy.

Article 2.10. Environment

Bangladesh shall adopt and maintain environmental protections, effectively enforce its environmental laws, uphold or institute as necessary strong environmental governance structures, and address environment-related issues that contribute to non-reciprocal trade.

Article 2.11. Border Measures and Taxes

1. If the United States adopts a border measure to combat regulatory arbitrage that would disadvantage U.S. workers and businesses, Bangladesh shall coordinate and endeavor to align its border measures to address the issue.

2. Recognizing that differences in tax regimes can contribute to nonreciprocal trade, Bangladesh shall not contest, including through countervailing measures or at the WTO, any measure adopted by the United States to rebate or to refrain from imposing direct taxes in relation to exports from the United States.

3. Bangladesh shall not impose value-added taxes that discriminate against U.S. companies in law or in fact.

4. Bangladesh, by 2030, shall implement and maintain technology solutions that allow for full pre-arrival processing, paperless trade, and digitalized procedures for the movement of goods of the United States across its borders.

Section 3. Digital Trade and Technology

Article 3.1. Digital Services Tax

Bangladesh shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies in law or in fact.

Article 3.2. Facilitation of Digital Trade

1. Bangladesh shall facilitate digital trade with the United States, including by:

(a) refraining from measures that discriminate against U.S. digital products;

(b) ensuring the free transfer of data across trusted borders for the conduct of business; and

(c) collaborating with the United States to address cybersecurity challenges.

2. If Bangladesh enters into a new digital trade agreement with a country that jeopardizes essential U.S. interests, the United States may, if consultations with Bangladesh fail to resolve its concerns, terminate this Agreement and reimpose the applicable reciprocal tariff rate set forth in Executive Order 14257 of April 2, 2025.

Article 3.3. Customs Duties on Electronic Transmissions

Bangladesh shall not impose customs duties on electronic transmissions, including content transmitted electronically, and shall support multilateral adoption of a permanent moratorium on customs duties on electronic transmissions at the WTO.

Article 3.4. Market Entry Conditions

1. Bangladesh shall not impose any condition or enforce any undertaking requiring U.S. persons engaged in commercial activities to involuntarily transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory.

2. Nothing in this Article shall:

(a) apply to government procurement;

(b) preclude the inclusion or implementation of terms and conditions related to the provision of source code in commercially negotiated contracts; or

(c) preclude a regulatory body or judicial authority of a Party from requiring a person of another Party to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure.

Section 4. Economic and National Security

Article 4.1. Complementary Measures

1. If the United States adopts a border measure or other trade action and considers that such measure is relevant to protecting the economic or national security of the United States, the United States intends to notify Bangladesh of such measure. Upon receiving such a notification, and following consultations between the Parties, Bangladesh shall adopt or maintain a complementary restrictive measure, in accordance with its laws and regulations, in support of the U.S. measure.

2. Bangladesh shall adopt and implement measures to address practices of companies owned or controlled by third countries operating in Bangladesh?s jurisdiction that result in: (1) the export of below-market price goods to the United States; (2) increased exports of below market priced goods to the United States; (3) a reduction in U.S. exports to Bangladesh; or (4) a reduction in U.S. exports to third-country markets. The United States will share information with Bangladesh of such below-market price goods.

Article 4.2. Export Controls, Sanctions, Investment Security, and Related Matters

1. Bangladesh shall cooperate with the United States to regulate the trade in national security-sensitive technologies and goods through existing multilateral export control regimes; harmonize Bangladesh's export control regime with U.S. export controls on such technologies and goods; and ensure that its companies do not backfill or undermine these controls.

2. Bangladesh shall cooperate in a manner consistent with, and permitted by, applicable requirements of domestic law, with the United States with a view to restricting transactions that would be violations of U.S. sanctions or export controls if they occurred in the United States or by a U.S. person. (7)

(7) These transactions include those involving individuals and entities included on the Department of Commerce, Bureau of Industry and Security's Entity List (Supplement No.4 of Part 744 of the Export Administration Regulations), as well as the Department of the Treasury, Office

3. Bangladesh shall cooperate in providing information about inbound investment with a view toward increasing transparency and experience sharing with the United States on economic and national security matters.

4. If the United States determines that Bangladesh is cooperating to address shared national and economic security issues, the United States may take such cooperation into account in administering its laws and regulations pertaining to export controls, investment reviews, and other measures.

Article 4.3. Other Measures

1. The United States shall work with Bangladesh to streamline and enhance defense trade.

2. Bangladesh shall adopt measures to encourage shipbuilding and shipping by market economy countries. The Parties shall consult on such measures.

3. Bangladesh and the United States shall enter into a duty evasion cooperation agreement.

4. If Bangladesh enters into a new bilateral free trade agreement or preferential economic agreement with a non-market country that undermines this Agreement, the United States may, if consultations with Bangladesh fail to resolve its concerns, terminate this Agreement and reimpose the applicable reciprocal tariff rate set forth in Executive Order 14257 of April 2, 2025.

5. Bangladesh shall not purchase any nuclear reactors, fuel rods, or enriched uranium from a country that jeopardizes essential U.S. interests except for the procurement of proprietary materials for which there are no alternative suppliers or technologies or materials contracted prior to entry into force of this agreement required for existing reactors.

Section 5. Commercial Considerations and Opportunities

Article 5.1. Investment

1. Bangladesh shall allow and facilitate U.S. direct investment in its territory to explore, mine, extract, refine, process, transport, distribute and export critical minerals and energy resources and to provide power generation, telecommunication, transportation, and infrastructure services on terms no less favorable than it accords to its own private investors in like circumstances and shall regulate those investments in keeping with minimum standards of international law.

2. The United States shall work through its U.S. institutions such as the Export-Import Bank of the United States (EXIM Bank) and the U.S. International Development Finance Corporation (DFC), if eligible, to consider supporting investment financing in critical sectors in Bangladesh in collaboration with U.S. private sector partners, consistent with applicable law.

3. Bangladesh shall facilitate, to the extent possible, job-creating, greenfield investment in the United States.

Article 5.2. Commercial Considerations

1. Bangladesh shall ensure that its state-owned or controlled enterprises (SOEs), and SOEs of third countries operating in its market, when engaging in commercial activities (a) act in accordance with commercial considerations in their purchase of goods or services; (b) refrain from discriminating against U.S. goods or services; and (c) refrain from subsidizing domestic goods producers, other than those providing non-commercial public goods. Bangladesh shall refrain from providing non-commercial assistance or otherwise subsidizing its goods-producing SOEs.

2. Upon the written request of the United States, Bangladesh shall provide information regarding all forms of non-commercial assistance or subsidies that it provides to a manufacturing enterprise in its te1Tito1y, other than those providing non-commercial public goods, and shall take action to address the distortive impacts of those subsidies and support mechanisms on trade and investment with the United States.

Article 5.3. Textiles

The United States commits to establish a mechanism that will allow for certain textile and apparel goods from Bangladesh to receive a zero reciprocal tariff rate. This mechanism will provide that a to-be-specified volume of apparel and textile imports from Bangladesh can enter the United States at this reduced tariff rate, but this volume shall be determined in

relation to the quantity of exports of textiles, e.g, U.S. produced cotton and man-made fiber textile inputs, from the United States.

Article 5.4. Purchases

As set out in Section 6 of Annex III, Bangladesh shall purchase originating goods of the United States.

Section 6. Implementation, Enforcement, and Final Provisions

Article 6.1. Annexes, Appendices, and Footnotes

The annexes, appendices, and footnotes to this Agreement constitute an integral part of this Agreement.

Article 6.2. Modifications and Amendments

Each Party may request reasonable modifications to this Agreement, which the other Party shall consider in good faith. The Parties may agree, in writing, to amend this Agreement if such amendment does not undermine the benefits of this Agreement or other agreements between the Parties.

Article 6,3. Rules of Origin

The Parties intend for the benefits of this Agreement to accrue substantially to them and their nationals. If benefits of this Agreement are accruing substantially to third countries or third-country nationals, a Party may, after consultation with the other Party when practicable, establish rules of origin necessary to achieve the Parties? intention for this Agreement.

Article 6.4. Enforcement

1. Nothing in this Agreement shall constrain, or otherwise prevent, a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect its economic or national security, or for other similar reasons consistent with its law.

2. If the United States considers that Bangladesh has not complied with a provision of this Agreement, the United States shall, when practicable, seek consultations with Bangladesh. If these consultations do not result in a satisfactory outcome, the United States may reimpose the applicable reciprocal tariff rate set forth in Executive Order 14257 of April 2, 2025 on certain or all imports from Bangladesh to address the noncompliance.

Article 6,5. Termination

Either Party may terminate this Agreement by providing written notice of termination to the other Party. The termination shall take effect 60 days after a Party provides written notice to the other Party or on such other date as the Parties decide.

Article 6.6. Entry Into Force

This Agreement shall enter into force 60 days after the date on which the Parties have exchanged written notifications certifying completion of their applicable legal procedures or on such other date as the Parties may decide.

ANNEX III. Specific Commitments

Section 1. Non-Tariff Barriers and Related Matters

Industrial Goods

Article 1.1. Medical Devices and Pharmaceuticals

1. Bangladesh shall accept a prior marketing authorization approval or clearance that is issued by the U.S. Food and Drug Administration (FDA) as sufficient evidence that a medical device manufactured in the United States meets Bangladesh's

requirements for marketing authorization, and shall not require marketing authorization for low-risk medical devices where approval or clearance is not required by the FDA.

2. Bangladesh shall accept U.S. FDA electronic certificates to foreign governments (eCFGs) as sufficient evidence that a medical device meets its approval requirements, and shall not require a hardcopy, original copy, authenticated copy, wet signature, or apostille of the FDA certificates.

3. Bangladesh shall apply to become an affiliate member of the International Medical Device Regulators Forum (IMDRF), and, when developing or implementing regulations for marketing authorization of medical devices, Bangladesh shall adopt relevant scientific or technical guidance documents developed through IMDRF.

4. Bangladesh shall recognize audits and certificates of device manufacturers' quality management systems that are in accordance with the requirements established by the Medical Device Single Audit Program (MDSAP) and conducted by auditing organizations authorized by the regulatory authorities participating in MDSAP to audit under the MDSAP requirements. Bangladesh shall not impose additional regulatory requirements beyond those required for MDSAP.

5. Bangladesh shall accept a prior marketing authorization that is issued by the U.S. FDA as sufficient evidence that a pharmaceutical product manufactured in the United States meets its requirements for marketing authorization in its country.

6. Bangladesh shall accept U.S. FDA's electronic certificates of pharmaceutical products (eCPPs) as sufficient evidence that a pharmaceutical product meets its approval requirements and shall not require a hardcopy, original copy, authenticated copy, wet signature, or apostille of the FDA certificates.

7. Bangladesh shall not require periodic re-authorization for a pharmaceutical product that has previously received marketing authorization from the United States, unless Bangladesh identifies a significant safety, effectiveness, or quality concern.

7. Bangladesh shall not require periodic re-authorization for a pharmaceutical product that has previously received marketing authorization from the United States, unless Bangladesh identifies a significant safety, effectiveness, or quality concern.

8. Bangladesh shall accept the results of a good manufacturing practice surveillance inspection conducted by the U.S. FDA of a manufacturing facility for pharmaceutical products without further need for an inspection or reinspection performed by Bangladesh?s relevant regulatory authorities when the following conditions apply:

(a) the manufacturing facility is within the territory of the United States; and

(b) the most recent U.S. FDA inspection report as provided by the facility is classified as no action indicated, demonstrating no objectionable conditions or practices.

Article 1.2. Motor Vehicles and Parts

1. Bangladesh shall accept vehicles and vehicle parts that comply with U.S. Federal Motor Vehicle Safety Standards (FMVSS) and U.S. emissions standards and sold in the United States, and accept U.S. compliance procedures for automotive products without requirements for U.S. vehicles to undergo additional processes to enter Bangladesh's market. (8)

(8) The Parties agree that the U.S. standards provide at least the same level of environmental protection as Bangladesh standards.

2. Bangladesh shall address any other standards or requirements that discriminate against U.S. vehicles and vehicle parts.

Article 1.3. Remanufactured Goods

Bangladesh shall remove import restrictions and any licensing requirements on U.S. remanufactured goods or their parts. (9)

(9) A remanufactured good shall meet all applicable technical requirements that apply to an equivalent good in new condition.

Agriculture

Article 1.4. Recognition of the U.S. Food and Agricultural Control System and

Acceptance of Certificates Issued by U.S. Regulatory Authorities

1. Bangladesh shall recognize that the U.S. sanitary and phytosanitary (SPS) measures and other measures for food and agricultural products, including technical regulations and standards, adopted or maintained by the U.S. government,(10) satisfy the requirements of Bangladesh's measures applied to food and agricultural products imported into Bangladesh.

(10) For greater certainty, these U.S. measures include: measures related to food safety; the regulatory oversight of processed food production; labeling of perishable and processed foods; measures to protect agricultural production in the United States from the introduction of plant and animal pests and diseases; and regionalization protocols for animal disease and plant pest outbreaks.

2. Further to paragraph 1, Bangladesh shall accept official U.S. government certification of compliance with U.S. requirements for imports of food and agricultural products into Bangladesh. Bangladesh shall ensure that any future changes made to any bilateral export certification documents or electronic data elements are made with the concurrence of the United States.

3. Bangladesh shall limit attestations and information required in certificates required for imports of U.S. food and agricultural products to what is necessary to comply with applicable U.S. requirements.

4. Bangladesh affirms its commitments under Annex B of the World Trade Organization (WTO) Agreement on Sanitary and Phytosanitary Measures and Article 2 and Article 5 of the Agreement on Technical Barriers to Trade (TBT) to notify proposed measures to the WTO SPS or TBT Committees, as appropriate, and to take into account comments received from WTO Members before the measure is final.

Article 1.5. Facility Registration / Establishment Listing

Dairy Products

1. Bangladesh shall:

(a) recognize the U.S. dairy-safety system as providing at least the same level of protection as Bangladesh's dairy-safety system; (b) allow imports of U.S. dairy products of bovine, ovine, and caprine origins when accompanied by a U.S. Department of Agriculture (USDA) Agricultural Marketing Service (AMS) dairy sanitary certificate; and

(c) not adopt or maintain a facility registration requirement for imports of U.S. dairy products into Bangladesh.

Meat and Poultry (Including Offal), Meat and Poultry Products, Processed Meat and Poultry, Siluriformes, and Egg Products

2. Bangladesh shall recognize USDA Food Safety and Inspection Service (FSIS) oversight of U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg product facilities, including cold storage warehouse facilities, for purposes of allowing imports of U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products.

3. Bangladesh shall accept the FSIS Meat, Poultry, and Egg Product Inspection Directory, which lists all Federally inspected establishments producing meat, poultry, Siluriformes, and egg products regulated by FSIS, as the official list of U.S. establishments eligible to export meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products to Bangladesh.

4. Bangladesh shall accept U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products inspected by FSIS and accompanied by a FSIS Export Certificate of Wholesomeness (FSIS 9060-5 series certificate) or electronic data elements, or any successor thereto.

5. Bangladesh shall impose no additional product registration or facility registration requirements on U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products.

Article 1.6. Agricultural Biotechnology

1. Noting the ability of agricultural biotechnology to improve lives by helping to feed growing populations and by promoting improved agricultural productivity while optimizing inputs, Bangladesh shall maintain, for products of agricultural biotechnology, science- and risk-based regulatory frameworks and efficient authorization processes, in order to facilitate increased trade in such products.

2. Recognizing the efficacy of the U.S. regulatory system to assess the safety of products of agricultural biotechnology, within 24 months of entry into force of this Agreement, Bangladesh shall develop and implement a policy whereby a product of agricultural biotechnology (11) that can be legally sold in the United States and has completed all relevant U.S. premarket processes, whether voluntary or mandatory, shall be allowed to be imported and marketed in Bangladesh for the same purposes without requiring a pre-market review, deregulation, additional labeling requirements, or approval by Bangladesh.

(11) For greater certainty, products of agricultural biotechnology do not include products for industrial use.

3. Bangladesh shall, within 24 months of entry into force of this Agreement, develop and implement a policy to ensure that Bangladesh addresses any low-level presence (LLP) occurrence affecting a U.S. agricultural export:

(a) without unnecessary delay; and

(b) does so by taking into account any relevant risk or safety assessment provided, and authorization granted, by the United States or any third country.

Article 1.7. Non-Living Modified Organisms

Bangladesh recognizes that processed food and agricultural products derived from products of agricultural biotechnology, do not contain living modified organisms and therefore are not subject to approval by Bangladesh's authorities. For the purposes of this Article, the definition of "processed" includes heat treatment, grinding, or other processing that removes the ability of the product of agricultural biotechnology to germinate.

Article 1.8. Highly Pathogenic Avian Influenza (HPAI) - Live Poultry and Poultry Product Commodities

1. Bangladesh shall not adopt or maintain any measure related to importation of live poultry, poultry genetics, poultry products, and eggs and egg products, that is inconsistent with the World Organization for Animal Health (WOAH) Terrestrial Animal Health Code Chapter (TAHC) 10.4 (Infection with High Pathogenicity Avian Influenza Viruses) or any successor thereto. Specifically, Bangladesh shall align the import regulation definition for poultry with the WOAH TAHC definition for poultry.

2. Within 180 days of the date of entry into force of this Agreement, Bangladesh shall decrease the scope of HPAI regionalization of the United States from State level to a 10km zone for live poultry, poultry genetics, poultry products, and eggs and egg products. Bangladesh shall ensure that any import restrictions imposed on U.S. live poultry, poultry genetics, poultry products and eggs and egg products in response to outbreaks of HPAI are limited to the 10km zone in which the outbreak was confirmed.

3. Bangladesh shall recognize the USDA Animal and Plant Health Inspection Service (APHIS) as the competent animal health authority to determine if a 10km zone is considered free of HPAI, as defined by the WOAH TAHC Chapter 10.4, or any successor thereto, and therefore is eligible to export live poultry and poultry product commodities to Bangladesh and shall not impose import restrictions on live poultry, poultry genetics, poultry products, and eggs and egg products beyond what is implemented within the United States for domestic purposes.

Article 1.9. Halal Certification

If Bangladesh requires a Halal certification, Bangladesh shall allow any U.S. Halal certifier that meets Bangladesh's Halal requirements to certify products as Halal for importation into Bangladesh without additional requirements. (12)

(12) This shall apply only to products where Halal certification is required.

Article 1.10. Maximum Residue Levels (MRLs) (13)

1. Recognizing the importance of establishing science- and risk-based MRLs, in cases where Bangladesh has not established an MRL, Bangladesh shall recognize and accept the corresponding U.S. tolerances. If the United States does not maintain a corresponding tolerance, Bangladesh shall recognize and accept the corresponding Codex Alimentarius (Codex) MRL.

2. In the event of an instance of non-compliance with the relevant MRL, Bangladesh shall apply enhanced, risk-based

surveillance, if warranted, only to the entity responsible for the non-compliance. Bangladesh shall also provide the entity responsible for the non-compliance an opportunity to dispute or resolve the alleged violation.

3. Bangladesh shall limit suspension of U.S. entities based on MRL non-compliance to the responsible entity and only after multiple instances of non-compliance.

4. Bangladesh shall ensure that testing methodologies and marker residues used to determine compliance with MRLs are consistent with the underlying risk assessment used to establish the corresponding Bangladesh MRL, U.S. tolerance, or Codex MRL being applied and ensure that testing methodologies and marker residues are communicated in a transparent manner.

(13) For greater certainty, "maximum residue level" has the same meaning as "maximum residue limit," including the term as used by Codex.

Article 1.11. Plant and Plant Products Market Access

1. For U.S. market access requests submitted to Bangladesh after entry into force of this Agreement, Bangladesh shall complete the market access process and reach agreement with the United States on a protocol to allow imports within 24 months of submission.

2. Recognizing the International Standard for Phytosanitary Measures 14 (ISPM 14) as the relevant international standard regarding the use of integrated measures in a systems approach for pest risk management, Bangladesh shall accept the use of systems approach protocols for the importation of U.S. plant products into Bangladesh. For U.S. plant product requests for systems approaches submitted to Bangladesh's Ministry of Agriculture after entry into force of this Agreement, the Ministry of Agriculture shall agree to a systems approach protocol within 24 months of submission.

Import Licensing

Article 1.12. Import Licensing

1. Bangladesh shall immediately submit its annual questionnaire on import licensing procedures to the WTO, per Article 7.3 of the Agreement on Import Licensing Procedures.

2. Bangladesh shall not require an import permit or letter of credit prior to shipment of food products or agricultural goods from the United States.

Intellectual Property

Article 1.13. Geographical Indications

With respect to the protection or recognition of a geographical indication, including pursuant to an international agreement, Bangladesh shall:

(a) ensure transparent and fair procedures for examination, opposition, and cancellation, including with respect to a translation or transliteration;

(b) ensure that the grounds for refusal, opposition, and cancellation include the likelihood of confusion with a prior trademark and whether the term is the term customary in common language as the common name for the relevant good in its territory;

(c) publicly identify which component or components it is protecting and which it is not protecting;

(d) not protect an individual component of a multi-component term that is protected or is recognized as a geographical indication if that individual component is the term customary in common language as the common name for the relevant good in its territory;

(e) not prevent third parties from commercial use of a term, sign, or image based on the evocation of a geographical indication protected or recognized in its territory; and

(f) in determining whether a term is the term customary in common language as the common name for the relevant good in its territory, have the authority to take into account how consumers understand the term in its territory and recognize that factors relevant to that consumer understanding may include:

(i) whether the term is used to refer to the type of good in question, as indicated by competent sources such as dictionaries, newspapers, and relevant websites;

(i) whether the term is used to refer to the type of good in question, as indicated by competent sources such as dictionaries, newspapers, and relevant websites;

(ii) how the good referenced by the term is marketed and used in trade in its territory;

(iii) whether the term is used in relevant international standards to refer to a type or class of good in its territory, such as pursuant to a standard promulgated by Codex;

(iv) whether persons other than the person who claims rights in the term use the term as the name for the type of product in question;

(v) whether the good in question is imported into its territory, in significant quantities, from a place other than the territory identified in the application or petition, and whether those imported goods are named by the term; and

(vi) whether the product associated with the term is manufactured or traded in significant quantities from a place other than the territory identified in the application or petition.

Article 1.14. International Agreements

Bangladesh shall ratify or accede to each of the following agreements, if it is not already a party to that agreement, and shall fully implement each agreement as per the timeframe below:

(a) Berne Convention for the Protection of Literary and Artistic Works, done at Berne on September 9, 1886, as revised at Paris on July 24, 1971;

(b) Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, done at Budapest on April 28, 1977, as amended on September 26, 1980, within 5 years;

(c) Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs, done at Geneva on July 2, 1999 within 5 years;

(d) Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, done at Madrid on June 27, 1989, within 3 years;

(e) Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, done at Marrakesh on June 27, 2013;

(f) Paris Convention for the Protection of Industrial Property, done at Paris on March 20, 1883, as revised at Stockholm on July 14, 1967;

(g) Patent Cooperation Treaty, done at Washington on June 19, 1970, as amended on September 28, 1979, and modified on February 3, 1984, within 5 years;

(h) Patent Law Treaty, done at Geneva on June 1, 2000, within 5 years;

(i) Singapore Treaty on the Law of Trademarks, done at Singapore on March 27, 2006, within 5 years;

(j) International Convention for the Protection of New Varieties of Plants, done at Paris on December 2, 1961, as revised at Geneva on March 19, 1991, within 5 years;

(k) World Intellectual Property Organization (WIPO) Copyright Treaty, done at Geneva on December 20, 1996, within 5 years; and

(l) WIPO Performances and Phonograms Treaty, done at Geneva on December 20, 1996, within 5 years.

Services and Investment

Article 1.15. Services

1. Within three years of entry into force of this Agreement, Bangladesh shall join and take effective actions to implement the Joint Initiative on Services Domestic Regulation, including submitting its revised Specific Commitments for certification by the WTO.

2. Bangladesh shall remove mandatory reinsurance cession requirements, including obligations for U.S. insurers to reinsure at least 50% of their business with Sadharan Bima Corporation (SBC).

Article 1.16. Investment

1. Bangladesh shall liberalize its foreign equity caps for U.S. investment in oil and gas, insurance, and telecommunications.

2. Bangladesh shall facilitate U.S. investors receiving No Objection Certificates where they are required.

3. Bangladesh shall enhance the transparency and efficiency of approval processes for U.S. investors to transfer investment-related capital into and out of its territory in freely usable currency at the prevailing market rate of exchange, including by establishing and effectively implementing clear regulatory guidelines regarding the timelines for approvals.

4. Bangladesh shall address outstanding arrears to U.S. firms without delay and in line with its International Monetary Fund financing program commitments.

Good Regulatory Practices and Transparency

Article 1.17. Good Regulatory Practices

With respect to the adoption and implementation of good regulatory practices at the central level of government, Bangladesh shall:

(a) ensure that laws, regulations, procedures, and administrative rulings are promptly published and made easily accessible online;

(b) publish and make easily accessible online the text of proposed regulatory actions, as well as any regulatory impact analysis, an explanation of the regulation, and its objective;

(c) conduct public consultations for proposed regulatory actions in a transparent manner; allow adequate time for interested persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received;

(d) give reasonable notice of planned regulatory actions and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term;

(e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation;

(f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade;

(g) conduct reviews of regulation in effect to determine whether new information or other changes justify modification or repeal of regulation; and

(h) use tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations, which could also include alternative approaches to regulation, where appropriate.

Article 1.18. Anticorruption

To combat corruption, Bangladesh commits to strengthening, implementing, and enforcing comprehensive anti-corruption laws and regulations; to establishing clear penalties and consequences for individuals and entities engaged in corrupt practices; and to adopting and maintaining standards of conduct for the proper performance of public functions and the avoidance of conflicts of interest by public officials. In this regard, Bangladesh intends to implement and enforce transparent procurement processes, strengthen independent anti-corruption institutions, and uphold accountability through regular public reporting.

Labor

Article 1.19. Labor Laws and other Measures

1. Bangladesh shall amend the Bangladesh Labour Act (BLA), and issue implementing rules to protect freedom of association and collective bargaining, including by:

(a) lowering the 20 percent registration threshold for union registration to a level that does not hinder union formation;

(b) requiring that the Director General of the Department of Labour (DOL) seek the approval of the Labor Court in order to cancel the registration of a union;

(c) limiting registration requirements for personal information on union members to a factory identification card with a number, a national identity card, or a birth registration certificate;

(d) requiring that in order for a union to be registered, it need hold only one general meeting to adopt a constitution, where a majority of members are present and submit meeting minutes;

(e) increasing fines for anti-union discrimination and unfair labor practices (ULPs) to a level sufficient to help deter employers from committing such acts;

(f) clarifying that the blacklisting of workers is prohibited as a ULP and that workers and unions can directly file ULP cases with Bangladesh labor courts; and

(g) removing unreasonable restrictions on the right to strike, including prohibitions on exercising the right to strike for any period after the opening of an establishment, and severe penalties, including imprisonment, for illegal strikes.

2. Bangladesh shall ensure workers in the export processing zones (EPZs) may fully exercise their rights to freedom of association and collective bargaining, including by:

(a) within two years of entry into force of this Agreement, making the EPZs subject to the BLA to allow for workers to form and join trade unions or extensively reforming the EPZ Labor Act to allow for the formation of independent unions; and

(b) making necessary amendments in the EPZ Labour Act, in alignment with BLA and international standards, so that there are no unreasonable restrictions on the right to strike, including prohibitions on exercising the right to strike for any period after the opening of an establishment, and severe penalties, including imprisonment, for illegal strikes.

3. Bangladesh shall resolve or withdraw, as appropriate, pending criminal cases filed against garment workers and labor leaders for engaging in legitimate union and protest activities, including pending criminal cases stemming from the 2023 minimum wage labor unrest.

4. Bangladesh shall adopt a transparent and regularized minimum wage review mechanism and shall conduct reviews through such mechanism within three years after entry into force of this Agreement and annually thereafter. In addition, Bangladesh shall provide interested parties the opportunity to provide their views during the development of the mechanism and in the conduct of its review.

5. To ensure that workers can effectively exercise their rights to freedom of association, Bangladesh shall:

(a) process union applications that meet administrative requirements within the legal requirement of 55 days;

(b) publish the status of all pending applications on the DOL?s existing online registration portal; and

(c) revise the standard operating procedures for registration to provide DOL officials with clear guidelines and ensure that the standard operating procedures are consistent with an amended BLA.

6. To facilitate the effective enforcement of its labor laws, Bangladesh shall:

(a) allot greater funding in its annual budget to increase the number of labor inspectors, approve an additional number of labor inspector posts, recruit and hire labor inspectors, and ensure there are promotion pathways for labor inspectors;

(b) ensure labor inspectors have the authority and resources to conduct unannounced inspections and can issue legal sanctions on all workplaces in Bangladesh, including in the EPZs, to address labor law violations, including those related to forced labor and child labor violations;

(c) increase fines and other sanctions to sufficient levels to help deter violations for failure to comply with domestic labor, fire, or building standards and codes; and

(d) expeditiously investigate and resolve violations of the BLA, including anti-union discrimination, retaliation, and other ULPs.

Environment

Article 1.20. Environmental Laws and Policies

Bangladesh shall ensure that its environmental laws and policies provide for, and encourage, high levels of environmental protection.

Article 1.21. Illegal Logging and Associated Trade

1. Bangladesh shall take measures to combat, and cooperate with the United States to prevent, trade in illegally harvested forest products. Such measures include those necessary to ensure full implementation of existing laws and regulations for forest sector governance and to strengthen, implement, and enforce comprehensive anti-corruption laws and regulations applicable to officials responsible for the administration and control of forest resources.

2. Bangladesh shall take actions to improve transparency in the forest sector by requiring a participatory process and public disclosure of forest management plans and logging permits through an accessible online platform.

Article 1.22. Resource Efficient Economy

Bangladesh shall take measures to promote a more resource efficient economy. Such measures may include addressing trade barriers that inhibit more resource efficient economies; encouraging innovation that promotes circularity, for example through improving resource efficiency in product design; and promoting trade facilitative approaches to enable reverse supply chains.

Article 1.23. Fisheries Subsidies

1. Bangladesh shall accept, as soon as possible, the WTO Agreement on Fisheries Subsidies (AFS) and the provisions contained therein, including the disciplines on certain forms of harmful fisheries subsidies, such as its provisions to prohibit subsidies to Illegal, Unreported, and Unregulated (IUU) fishing and to overfished stocks, and to enhance transparency and subsidy notifications.

2. After accepting the AFS, Bangladesh shall fully implement the obligations of the AFS, notwithstanding Article 12 of the AFS.
3. In addition, Bangladesh shall ensure its fisheries subsidies do not contribute to overcapacity and overfishing, including through the use of robust fisheries management regimes and reform of such subsidies.

Article 1.24. Sustainable Fisheries Management and IUU Fishing

1. Bangladesh shall operate a sustainable fisheries management system that regulates marine wild capture fishing and promotes the long-term conservation of marine species, including sharks, sea turtles, seabirds, and marine mammals.

2. Bangladesh shall strengthen enforcement of fisheries-related laws, regulations, and other measures to effectively combat IUU fishing and deter trade in products from IUU fishing, including through:

(a) implementing port state measures, including through actions consistent with the Port State Measures Agreement;

(b) adopting or strengthening measures to deter vessels flying its flag and its nationals from engaging in IUU fishing; and

(c) preventing the transshipment at sea of fish caught through IUU fishing or fish products derived from IUU fishing.

Article 1.25. Combating Illegal Wildlife Trade

Bangladesh shall take measures to combat, and cooperate to prevent, the trade of wild fauna and flora that were taken or traded in violation of that country?s law or another applicable law, including through the following actions:

(a) take measures to enhance the effectiveness of inspections of shipments containing wild fauna and flora, including parts and products thereof, at ports of entry;

(b) take measures to combat the trade of wild fauna and flora transshipped through its territory that, based on credible evidence, were illegally taken or traded; and

(c) treating intentional transnational trafficking of wild fauna and flora as a serious crime as defined in the United Nations Convention on Transnational Organized Crime.

Article 1.26. Convention on International Trade In Endangered Species of Wild Fauna and Flora (CITES)

Bangladesh shall strengthen implementation of CITES to ensure legal and sustainable trade of CITES-listed species, including through finalization and submission to the CITES Secretariat, of draft national legislation to implement CITES.

Customs and Trade Facilitation

Article 1.27. Customs and Trade Facilitation

1. Bangladesh shall not deny the legal effect of a bill of lading issued by a private party to another private party for the carriage of goods solely on the basis that the bill of lading is in electronic format.

2. Bangladesh shall protect proprietary data submitted to Bangladesh Customs (National Board of Revenue) by U.S. traders from unauthorized disclosure.

3. For express shipments from the United States, Bangladesh shall implement the World Customs Organization Immediate Release Guidelines such that low-risk packages are released immediately upon arrival without transfer to a customs warehouse.

4. Bangladesh shall facilitate U.S. carriers or their agents in requesting amendments to their own Import General Manifest (IGM) data after the IGM is registered and facilitate evaluation of those requests by Bangladesh Customs.

5. Bangladesh shall fully implement Article 1.4 of the WTO Agreement on Trade Facilitation (TFA) on publication and availability of information.

6. Bangladesh shall submit its national customs valuation legislation and responses to the check-list of issues to the WTO consistent with Agreement on the Implementation of Article VII of the General Agreement on Tariffs and Trade 1994.

7. Bangladesh shall establish or maintain a system that receives system-to-system electronic certification (eCert) data from USDA FSIS for exports of meat, poultry, Siluriformes, and egg products of the United States within a timeframe agreed by both parties.

Section 2. Digital Trade and Technology

1. Bangladesh shall recognize the Global Cross-Border Privacy Rules (CBPR) System and Global Privacy Recognition for Processors (PRP) System certifications as valid mechanisms under its legal framework to transfer data across borders while protecting personal information and reducing compliance costs.

2. Bangladesh shall increase stakeholder consultations and shall ensure that feedback from both the U.S. government and U.S. private sector actors is duly considered during the formulation and revision of the Personal Data Protection Ordinance (PDPO).

3. Bangladesh shall incorporate adequate safeguards for the protection of freedom of expression under the Cyber Safety Ordinance 2025, and shall amend relevant legislation to impose stricter penalties for cybercrimes.

4. Bangladesh will amend or repeal the 2021 Regulation for Digital, Social Media, and Over the Top (OTT) Platforms to remove requirements for traceability within end-to-end encrypted services and for service suppliers to disclose encryption keys to government authorities and incorporate freedom of expression protections.

5. Bangladesh shall:

(a) open the upper 600 - 700-megahertz (MHz) of the 6 gigahertz (GHz) spectrum band (6.425 ? 7.125 GHz) to license-exempt wireless/radio local area network (WLAN/RLAN) technologies for low power indoor (LPI) and very low power (VLP) device classes, consistent with International Telecommunication Union (ITU) Regulations; and

(b) within 30 days of official notification, consistent with International Telecommunication Union (ITU) Regulations, of the upper 6 GHz band being opened to low power WLAN/RLAN devices, open homologation process for certifying WLAN/RLAN devices operating in the 1100 - 1200 MHz of the 6 GHz spectrum band (5.925 - 7.125 GHz).

Section 3. Economic and National Security

1. Bangladesh shall ensure that its ports, port terminals, and logistics tracking networks, and its commercial fleet, use digital logistics platforms that provide appropriate cybersecurity protection, protection against the unauthorized disclosure of data,

protection against national security risks, and protection against data-access by other foreign governments.

2. Bangladesh shall establish measures to restrict the unauthorized export, reexport, and in-country transfer of U.S.-origin or U.S.-controlled items subject to the Export Administration Regulations (EAR) unless the exporter presents U.S. Department of Commerce's Bureau of Industry and Security (BIS) reexport authorization or demonstrates no BIS authorization is required. The parties shall cooperate and share information regarding items subject to the EAR.

3. Bangladesh shall screen and share its customs and transaction data related to U.S.-origin or U.S.-controlled items to identify transactions of concern to U.S. authorities, including BIS or its surrogate, and shall adopt and implement measures to prevent and address violations of U.S. export controls.

4. Bangladesh shall develop domestic export control systems and enforcement mechanisms, including by establishing and implementing civil and criminal penalties, and strengthening its auditing and investigative capabilities, and shall partner with the United States on such enforcement actions where appropriate, including by sharing information when violations may have occurred and cooperating on end-use checks and investigations.

5. Bangladesh shall seek to limit the involvement in the design, development, and supply of software in the supply chains for sensitive technologies of countries of national security concern, as identified by the Parties, and should implement efforts to increase transparency in these supply chains where possible.

Section 6. Commercial Considerations

1. Bangladesh shall endeavor to facilitate the increase of purchases by its national flag carrier (Biman Bangladesh Airline) of U.S. civilian aircraft, parts, and services. Biman Bangladesh Airline intends to purchase 14 Boeing aircraft, plus a purchase option of additional aircraft.

2. Bangladesh shall endeavor to purchase, or to facilitate the purchase by Bangladeshi companies, of U.S. energy, including long-term offtake agreements for U.S. liquefied natural gas, with an estimated value of $15 billion over 15 years.

3. Bangladesh shall endeavor to purchase, or to facilitate the purchase by Bangladeshi companies, of U.S. agricultural products for ensuring its food security, including wheat (at least 700,000 metric tons per year for five years), soy and soy products (at least $1.25 billion or 2.6 million metric tons, whichever is lesser, over one year), and cotton, with an estimated total value of $3.5 billion.

4. Bangladesh shall endeavor to increase purchases of U.S. military equipment and limit military equipment purchases from certain countries.

5. Bangladesh shall submit a full and complete notification to the WTO of all subsidies that it provides, as required under Article 25.1 of the WTO Agreement on Subsidies and Countervailing Measures within six months of entry into force of this Agreement.