TRADE AND INVESTMENT FRAMEWORK AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF FIJI

The Government of the United States of America and the Government of the Republic of Fiji ("Fiji") (individually a "Party" and collectively the "Parties"):

Desiring to enhance the bonds of friendship and spirit of cooperation, to expand trade, and to strengthen economic relations within the Pacific Island region and between the Parties for their mutual benefit;

Recognizing the importance of fostering a free and open Indo-Pacific and an open and predictable environment for international trade and investment;

Recognizing the benefits the Parties can derive from increased international trade and investment, and that trade-distorting investment measures and protectionist trade barriers can reduce these benefits;

Seeking to promote transparency and to eliminate bribery and corruption in international trade and investment;

Recognizing the essential role of private investment, both domestic and foreign, in furthering growth, creating jobs, expanding trade, improving technology, and enhancing sustainable economic development;

Recognizing the increased importance of trade in services between the economies of the Parties;

Taking into account the desirability of reducing non-tariff trade barriers and other trade restrictive measures in order to facilitate increased trade among the Parties;

Recognizing the importance of providing adequate and effective protection and enforcement of intellectual property rights and of membership in and adherence to intellectual property rights conventions;

Recognizing the importance of adopting and maintaining in each Party's respective laws and practices the fundamental labor rights as stated in the JLO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998), and of ensuring the effective enforcement by the Parties of their respective labor laws;

Recognizing the importance of protecting and preserving the environment, including the importance of preventing and reducing marine litter and combatting illegal logging and illegal, unreported, and unregulated fishing and associated trade, in accordance with each Party's environmental laws, and of ensuring the effective enforcement by the Parties of their respective environmental laws; and desiring to ensure that trade and environmental policies and practices are mutually supportive;

Recognizing the key role of small and medium-sized enterprises in creating new jobs, expanding trade and stimulating economic growth, and seeking to increase international trade and investment opportunities for small and medium-sized enterprises;

Recognizing that enhancing opportunities for women to participate in civic and economic life contributes to the economic empowerment of women and to prosperity;

Desiring to encourage and facilitate contacts between enterprises and other private sector groups in each otherâs territories;

Acknowledging the desirability of resolving trade and investment problems between the Parties as expeditiously as possible;

Desiring to reinforce international trade by entering into further reciprocal and mutually advantageous arrangements under the auspices of the World Trade Organization (âWTOâ);

Noting that the Parties are Members of the WTO and affirming that this Agreement is without prejudice to the rights and obligations of these Parties under the agreements, understandings, and other instruments related to or concluded under the auspices of the WTO;

Seeking to create a mechanism for further dialogue on initiatives for expanding trade between the Parties through enhanced cooperation and more comprehensive agreements;

HAVE AGREED as follows:

Article One.

The Parties affirm their commitment to promote an attractive investment climate and to expand and diversify trade in products and services between the Parties.

Article Two.

1. The Parties hereby establish a United States-Fiji Council on Trade and Investment ("Council"), comprising representatives of each Party. The Fijian side shall be chaired by the Ministry of Commerce, Trade, Tourism, and Transport ("MCTTT"); and the United States' side shall be chaired by the Office of the U.S. Trade Representative ("USTR")). Both Parties may be assisted by officials of their governments as circumstances require.

2. The Council shall meet at such times, in such places, and through such means as the Parties may agree. The Parties shall endeavor to meet no less than once a year.

3. In select circumstances and subject to the agreement of both Parties, the Council may invite like-minded governments of the Pacific Island region to participate as observers in Council meetings. Eligible participants include governments of Pacific Island countries that are designated as Small Island Developing States by the United Nations.

Article Three.

The Council shall:

1. monitor trade and investment relations between the Parties, identify opportunities for expanding trade and investment, and identify relevant issues, such as those related to strengthening the rule of law and promoting transparent and corruption-free public institutions, the protection and enforcement of intellectual property rights, worker rights, and the environment, that may be appropriate for negotiation in an appropriate forum;

2. consider specific trade and investment matters of interest to the Parties;

3. identify and work to remove impediments to trade and investment between the Parties; and

4. seek the advice of the private sector and civil society, where appropriate, on matters related to the Council's work.

Article Four.

A Party may refer a specific trade or investment matter to the Council by delivering a written request to the other Party that includes a description of the matter concerned. The Council shall take up the matter promptly after the request is delivered unless the requesting Party agrees to postpone discussion of the matter. Each Party shall endeavor to provide an opportunity for the Council to consider a matter before taking actions that could adversely affect trade or investment interests of the other Party.

Article Five.

This Agreement shall be without prejudice to the law of either Party or to the rights and obligations of either Party under any other agreement.

Article Six.

This Agreement shall enter into force upon the date of its signature by both Parties.

Article Seven.

Any Party may terminate this Agreement by providing written notice of termination to the other Party. The termination shall

take effect on a date the Parties agree in writing or, if the Parties cannot agree, 180 days after the date of the notice of termination.

Article Eight.

This Agreement may be amended at any time by mutual agreement, in writing, of the Parties.

Each Party shall give due consideration to, and not unreasonably delay a considered response to, any proposals for amendment made by the other Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized, have signed this Agreement.

DONE in the English language.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

(signature)

Place: Washington DC

Date: October 15. 2020

FOR THE GOVERNMENT OF THE REPUBLIC OF FIJI

(signature)

Place: SUVA.

Date: Tuesday 12th October, 2020