TRADE AND INVESTMENT FRAMEWORK AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE KINGDOM OF THAILAND

The Government of the United States and the Government of the Kingdom of Thailand (individually a "Party" and collectively the "Parties"):

1. Desiring to strengthen further the bonds of friendship and cooperation that has existed between the United States and the Kingdom of Thailand for over 150 years;

2. Noting the valuable contributions made to mutual economic growth and development by the 1966 Treaty of Amity and Economic Relations between the United States of America and the Kingdom of Thailand;

3. Reaffirming their membership in and strong support for the World Trade Organization (WTO);

4. Desiring that this Framework Agreement reinforce the multilateral trading system by strengthening efforts to complete successfully the Doha Development Agenda;

5. Stressing that the liberalization of trade and investment promotes economic growth and development;

6. Recognizing that the effective protection of intellectual property rights encourages technological innovation and investment;

7. Reaffirming our 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;

8. Recognizing the affirmation of internationally recognized core labor standards in the Doha Declaration;

9. Recognizing APEC?s contribution to trade and investment liberalization and to economic and technical cooperation;

To this end, the Parties agree as follows.

Article One.

The Parties agree to cooperate and coordinate, as appropriate, to liberalize trade and investment relations between the two countries at the bilateral, regional and multilateral levels; including, as appropriate, their efforts to advance the Doha Development Agenda. Such coordination should occur in the Joint Council created by this Framework Agreement, and in the various bodies of the WTO.

Article Two.

The parties will consider ways to liberalize trade and investment, and undertake a work program, set out in the Annex, as follows.

(1) The Parties agree to initiate consultations on the areas of cooper\ ation covered in Part 1 of the Annex and to proceed with the implementation of the work program.

(2) At the appropriate time, the United States Trade Representative and the Minister of Commerce of the Kingdom of Thailand may decide to proceed to Part 2 of the Annex.

Article Three.

In accordance with their prevailing laws and regulations, the Parties ag\ ree to establish a Joint Council on Trade and Investment.

Article Four.

The Joint Council:

(1) will be composed of representatives of both Parties. All meetings of the Joint Council will be jointly chaired by the United States Trade Representative (USTR) on\ behalf of the United States of America and by the Minister of Commerce on behalf of the Kingdom of Thailand. The chairs may delegate their authority to their respective senior officials to cond\ uct a meeting of the Joint Council. The USTR and the Ministry of Commerce may be assisted by officials from other government agencies as circumstances require.

(2) may establish ad hoc working groups that may meet concurrently or separately to facilitate its work.

Article Five.

The Joint Council shall meet regularly to:

(1) oversee the implementation of this agreement to liberalize trade and investment.

(2) review the bilateral trade and investment relationship and identify opportunities to expand trade and investment;

(3) undertake the work program outlined in the Annex and periodic reviews of progress; and

(4) organize consultations on specific trade or investment issues;

Article Six.

This Agreement is without prejudice to the rights and obligations of the Parties under their domestic law or any other international instruments to which either country is a Party.

Article Seven.

This Agreement may be added to or amended at any time by written mutual consent of the Parties.

Article Eigth.

This Agreement is effective from the date of signature by both Parties and shall remain in effect unless terminated by written mutual consent of the Parties or by either Party upon six months written notice to the other Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective \ governments, have signed this Agreement, authentic in the English language.

DONE at _____ this ____ day of _____ 2002.

For the Government of the United States of America

For the Government of the Kingdom of Thailand

Annex. WORK PROGRAM

Part 1

The Parties agree to initiate consultations on the following areas:

- Facilitation and liberalization of trade and investment;

- Protection of intellectual property;

- Regulatory issues affecting trade policy and investment;

- Information and Communications Technology and Biotechnology policies;

- Trade and technical capacity building;

- WTO/APEC Coordination; and

- Other areas of economic cooperation to be agreed upon.

Part 2

The Parties agree to examine the most effective means of reducing trade and investment barriers between them, including consultations on the elements of a possible free trade agreement.