AGREEMENT BETWEEN THE AMERICAN INSTITUTE IN TAIWAN AND THE
COORDINATION COUNCIL FOR NORTH AMERICAN AFFAIRS
CONCERNING A FRAMEWORK OF PRINCIPLES AND PROCEDURES
FOR CONSULTATIONS REGARDING TRADE AND INVESTMENT

The American Institute in Taiwan (AIT) and the Coordination
Council For North American Affairs (CCNAA)(individually a "Party"
and collectively the "Parties"):

1) Desiring to enhance the friendship and spirit of cooperation
between the territories the Parties represent,

2) Desiring to develop further the international trade and
economic interrelationship between the territories the Parties
represent,

3) Taking into account the participation of the territories
represented by both Parties in trade agreements, and noting that
this Agreement is without prejudice to the rights and obligations
of the Parties under such agreements,

4) Taking into account their commitment to greater trade and
investment liberalization on a multilateral basis,

5) Recognizing the importance of fostering an open and
predictable environment for international trade and investment,

6) Recognizing the benefits to the territory represented by
each Party that may result from increased international trade and
investment, and agreeing that trade-distorting investment
measures and protectionism may deprive the territories
represented by the Parties of such benefits,

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

8) Recognizing that foreign direct investment confers positive
benefits on the territory represented by each Party,

9) Recognizing the increased importance of services in their
economies and in bilateral and international trade,

10) Taking into account the need to eliminate non-tariff
barriers in order to facilitate greater access to the markets of
the territories represented by the Parties,

11) Recognizing the importance of providing adequate and
effective protection and enforcement of intellectual property
rights, and taking account of their commitments undertaken and to
be undertaken with respect to intellectual property rights,
12) Noting the common objective of both Parties to improve worker’s welfare and provide for better terms and conditions of employment,

13) Recognizing the desirability of resolving trade and investment problems in a timely manner,

14) Considering that it would be in their mutual interest to establish a mechanism between the Parties for encouraging the liberalization of trade and investment between the territories represented by them as well as for consulting on bilateral trade and investment issues,

Have agreed as follows:

ARTICLE ONE

There shall be established between the Parties the AIT-CCNAA Council on Trade and Investment (the "Council").

ARTICLE TWO

The Council shall be composed of representatives of both Parties and their advisors. Each side will be chaired by a representative of AIT and CCNAA, respectively. The senior advisor to AIT from the Office of the U.S. Trade Representative will be AIT’s chief negotiator. The senior advisor to CCNAA from the Ministry of Economic Affairs (or another designee) will be CCNAA’s chief negotiator.

ARTICLE THREE

The Council will meet at such times as agreed by the two Parties.

ARTICLE FOUR

The Parties will seek the advice of the private sector in their respective territories on matters related to the work of the Council. Private sector representatives may be asked to participate in Council meetings whenever both Parties agree it is appropriate.

ARTICLE FIVE

The objectives of the Council are as follows:

1) To review trade and investment flows, to identify opportunities for expanding trade and investment.

2) To hold consultations on specific trade and investment matters of interest to the Parties and to negotiate agreements where appropriate.

3) To identify and work toward the removal of measures that
distort bilateral trade and investment flows.

ARTICLE SIX

1) Either Party may raise for consultation any trade or investment matter between the Parties. Requests for consultation shall be accompanied by a written explanation of the subject to be discussed and consultations shall be held within 30 days of the request, unless the requesting Party agrees to a later date, or unless both Parties subsequently agree that consultations on the matter are unnecessary.

2) Consultations will take place initially in the territory whose measure or practice is the subject of discussion or other places as both Parties mutually agree upon.

3) This Article shall be without prejudice to the rights of either Party under the law of the territory it represents or under instruments to which both are parties.

ARTICLE SEVEN

1) The Council will commence its work by addressing the "Immediate Action Agenda" of trade and investment issues set forth as an Annex to this Agreement.

2) The Council may establish joint, ad hoc working groups in order to facilitate the work of the Council.

ARTICLE EIGHT

This Agreement shall enter into force on the date of its signature by both Parties which shall occur after their respective necessary procedures have been completed.

ARTICLE NINE

1) This Agreement shall remain in force unless terminated by mutual consent of the Parties or by either Party upon six months written notice to the other Party.

2) In the event that the Parties decide by mutual consent to amend the Agreement, such amendments may be done by an exchange of letters.

3) The Parties agree to prepare a mutually acceptable record of any agreements reached between them concerning any specific trade or investment issues.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective authorities, have signed this Agreement.
DONE (at Washington, D.C.) this 19 day of September, one thousand nine hundred and ninety-four, in duplicate in the English and Chinese languages, each being equally authentic.

For the American Institute in Taiwan

For the Coordination Council for North American Affairs
ANNEX

IMMEDIATE ACTION AGENDA

In relation to the Agreement Between the American Institute in Taiwan and the Coordination Council for North American Affairs Concerning a Framework of Principles and Procedures For Consultations Regarding Trade and Investment, AIT and CCNAA confirm the following:

1) They are prepared to commence the work of the Council within 180 days with an "Immediate Action Agenda" composed of the following topics:
   o Trade-related environmental issues
   o Multilateral and regional trade issues of mutual interest
   o Trade dispute settlement mechanism
   o Intellectual Property Rights
   o GATT Accession
   o ATA Carnet
   o Anti-dumping issues

2) The inclusion of topics on this "Immediate Action Agenda" does not limit the ability of either Party to raise for consultations under Article 6 of the Agreement any other issue relating to trade or investment which might arise in the near term and requires immediate bilateral consultations, nor prejudice the raising of new issues in the future.

For the American Institute in Taiwan

For the Coordination Council for North American Affairs
第十二条，注意对双方改善劳工福祉，并提供较佳储蓄条件之共同目标。

第十三条，了解双方适时解决贸易及投资问题之需要。

第十四条，鼓励设立交流合作机制，以促进双方所代表领域之贸易及投资之自由化，促进双方商品贸易及投资。

第十五条，双方同意如下：

（一）双方应设立「美国在台协会与北美事务协调委员会贸易暨投资委员会」（简称「委员会」）。

（二）委员会由双方代表及各自所代表之国家或地区代表组成。委员会各由美国在台协会资深顾问担任主席，来自美国政府或相关组织代表担任副主席及秘书。

（三）其他指定人员之北美事务协调委员会之代表担任。

（四）与委员会工作有关事宜，双方将寻求各自领域内民间部门之意见。民间部门之代表在双方同意下，适当情况下得应邀出席委员会会议。

（五）委员会之目标如下：

（一）检视双方贸易投资进行，评估双方贸易投资情况。

（二）就双方共同之处，制定贸易投资事例，争取协商。

（三）发掘并努力去除扭曲双方贸易投资流通之措施。

（四）就委员会建议之实施，须由双方共商决定之。

（五）委员会之成员应于必要时，得邀请有关专家或学者参与会议。
說明，此項談判須在要求提出後三十天內舉行，除非要求之一方同意在其後之日期舉行。

第七條：

（一）

本協定經雙方正式簽署後生效。正式簽署應於雙方各自完成必要程序後為之。

第九條：

（一）

本協定以中文及英文兩種文字約本同一作準。

為此，雙方各自透過其主管當局充分授權之簽字人於本協定簽字，以昭信守。

本協定於紐約州於公元一九九三年九月十四日訂於美國華盛頓哥倫比亞特區。
附錄
立即行動議程

一、雙方準備在一百八十天內依下列主題之「立即行動議程」開始委員會之工作：

（一）貿易有效之環境問題

（二）有關聯切之多邊和地區性貿易問題

（三）貿易爭端解決制度

（四）智慧財產權

（五）關稅貿易總協定加入事宜

（六）反傾銷問題

（七）暫准通關證制度（AFTA Carnet）

二、包含在本「立即行動議程」內之主題，並不限制任何一方依本協定第六條之規定，就任何其他有關貿易或投資議題，提出諮商要求。亦不損害未來新議題之提出。

美國在台協會代表
白樂（Lacy）