

**IMPLEMENTING AGREEMENT  
BETWEEN  
THE GOVERNMENT OF THE KINGDOM OF THAILAND  
AND THE GOVERNMENT OF JAPAN  
PURSUANT TO ARTICLE 12 OF THE AGREEMENT  
BETWEEN THE KINGDOM OF THAILAND AND JAPAN  
FOR AN ECONOMIC PARTNERSHIP**

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## **Preamble**

The Government of the Kingdom of Thailand and the Government of Japan (hereinafter referred to in this Agreement as “the Parties”),

In accordance with Article 12 of the Agreement between the Kingdom of Thailand and Japan for an Economic Partnership (hereinafter referred to in this Agreement as “the Basic Agreement”),

HAVE AGREED as follows:

## **Chapter 1 Customs Procedures**

### **Article 1 Mutual Assistance in Customs Matters**

1. The Parties shall assist each other through their customs authorities to ensure proper application of customs laws and to prevent, investigate and repress any violation or attempted violation of customs laws.
2. The Parties shall cooperate through their customs authorities, when necessary and appropriate, in the area of research, development, and testing of new customs procedures and new enforcement aids and techniques, training activities of customs officers and exchange of personnel between them.

### **Article 2 Information and Communications Technology**

1. The customs authorities of the Parties shall make cooperative efforts to promote the use of information and communications technology in their customs procedures.
2. The customs authorities of the Parties shall exchange information, including best practices, on the use of information and communications technology for the purpose of improving customs procedures, with a view to contributing to realising paperless trading.

### **Article 3 Risk Management**

1. In order to facilitate customs clearance of goods traded between Japan and the Kingdom of Thailand (hereinafter referred to in this Agreement as “the Countries”), the customs authorities of the Parties shall continue to use risk management.
2. The Parties shall endeavour to promote, through seminars and courses, the use of risk management and the improvement of risk management techniques in the Countries and third countries or customs territories.
3. The customs authorities of the Parties shall exchange and update information, including best practices, on risk management techniques and other enforcement techniques.

### **Article 4 Enforcement against Illicit Trafficking**

1. The customs authorities of the Parties shall cooperate and exchange information in their enforcement against the trafficking of illicit drugs and other prohibited goods at their customs checkpoints.
2. The Parties shall endeavour to promote regional cooperation under the Customs Co-

operation Council in fighting trafficking of illicit drugs and other prohibited goods at their customs checkpoints.

### **Article 5** **Intellectual Property Rights**

The customs authorities of the Parties shall cooperate and exchange information in their enforcement against importation and exportation of goods suspected of infringing intellectual property rights.

### **Article 6** **Exchange of Information**

1. Each Party shall maintain the confidentiality of any information communicated to it in confidence by the other Party pursuant to Article 55 of the Basic Agreement and this Chapter, unless the latter Party consents to the disclosure of such information.
2. Each Party may limit the information it communicates to the other Party when the latter Party is unable to give the assurance requested by the former Party with respect to confidentiality or with respect to the limitations of purposes for which the information will be used.
3. Where a requesting Party would be unable to comply if a similar request were made to it by a requested Party, it shall draw attention to that fact in its request. Compliance with such a request shall be at the discretion of the latter Party.
4. Information provided from the customs authority of a Party to the customs authority of the other Party pursuant to Article 55 of the Basic Agreement and this Chapter shall be used only for the discharge of functions of the latter customs authority under its Country's customs laws.
5. Information provided pursuant to Article 55 of the Basic Agreement and this Chapter shall not be used by the receiving Party in criminal proceedings carried out by a court or a judge.
6. In the event that information communicated by a Party to the other Party pursuant to Article 55 of the Basic Agreement and this Chapter is needed for presentation to a court or a judge in criminal proceedings, that other Party shall submit a request for such information to the Party that communicated the information (hereinafter referred to in this Article as "the requested Party") through the diplomatic channel or other channel established in accordance with the laws of the Country of the requested Party. The requested Party will make its best efforts to respond promptly and favourably to meet any reasonable deadlines indicated by the requesting Party.
7. Notwithstanding any other provision of this Chapter, a Party shall not be required to communicate information to the other Party if such communication is prohibited by the laws or regulations of the Country of the former Party or if the former Party considers that such communication would infringe upon its sovereignty, security or other substantial interest, or would interfere with an ongoing investigation, including investigation by the relevant law enforcement agencies.

**Article 7**  
**Sub-Committee on Customs Procedures**

1. Pursuant to Article 56 of the Basic Agreement, the Sub-Committee on Customs Procedures (hereinafter referred to in this Article as “Sub-Committee”) shall comprise the following:
  - (a) an official from the Ministry of Finance of Japan and an official from the Customs Department of the Kingdom of Thailand, as co-chairs;
  - (b) for Japan, officials from the Ministry of Finance and the Ministry of Foreign Affairs, and other government officials with necessary expertise relevant to the issues to be discussed who may be included on an ad hoc basis; and
  - (c) for the Kingdom of Thailand (hereinafter referred to in this Agreement as “Thailand”), officials from the Customs Department and the Ministry of Foreign Affairs, and other government officials with necessary expertise relevant to the issues to be discussed who may be included on an ad hoc basis.
2. The Sub-Committee may, by mutual consent of the Parties, invite representatives of relevant entities other than the Parties with necessary expertise relevant to the issues to be discussed.
3. The Sub-Committee shall hold its inaugural meeting within 1 year after the date of entry into force of this Agreement. Subsequent meetings of the Sub-Committee shall be held at such venues and times as may be agreed upon.

## **Chapter 2**

### **Paperless Trading**

#### **Article 8**

##### **Sub-Committee on Paperless Trading**

1. Pursuant to Article 61 of the Basic Agreement, the Sub-Committee on Paperless Trading (hereinafter referred to in this Article as “Sub-Committee”) shall comprise the following:
  - (a) an official from the Ministry of Economy, Trade and Industry of Japan and an official from the Ministry of Finance of Thailand, as co-chairs;
  - (b) for Japan, officials from the Ministry of Economy, Trade and Industry, the Ministry of Foreign Affairs and the Ministry of Finance, and other government officials with necessary expertise relevant to the issues to be discussed; and
  - (c) for Thailand, officials from the Ministry of Finance, the Ministry of Commerce, the Ministry of Information and Communication Technology and the Ministry of Foreign Affairs, and other government officials with necessary expertise relevant to the issues to be discussed.
2. The Sub-Committee may, by mutual consent of the Parties, invite representatives of relevant entities other than the Parties, including those from the private sector, with necessary expertise relevant to the issues to be discussed.
3. The agenda of discussion of the Sub-Committee may include issues relating to:
  - (a) setting directions for the cooperative work to be undertaken to realise and promote paperless trading between the Countries; and
  - (b) reviewing, pursuant to Article 60 of the Basic Agreement, the progress made in realising and promoting paperless trading and the readiness of the trade regulatory bodies of the respective Parties to accept, as supporting documents, electronic trade-related information and electronic versions of relevant documents exchanged between enterprises of the Countries through the facilities specified in Article 59 of the Basic Agreement.



## **Chapter 3 Government Procurement**

### **Article 9 Sub-Committee on Government Procurement**

Pursuant to Article 146 of the Basic Agreement, the Sub-Committee on Government Procurement shall comprise the following:

- (a) for Japan, a senior official from the Ministry of Foreign Affairs as co-chair;
- (b) for Thailand, a senior official from the Ministry of Finance and a senior official from the Ministry of Foreign Affairs as co-chairs; and
- (c) other government officials of the Parties with necessary expertise relevant to the issues to be discussed.

## **Chapter 4 Competition**

### **Article 10 Objective**

The objective of this Chapter is to implement the cooperation set forth in Article 148 of the Basic Agreement.

### **Article 11 Definitions**

For the purposes of this Chapter:

- (a) the term “anti-competitive activities” means any conduct or transaction that may be subject to penalties or relief under the competition law of either Country;
- (b) the term “competition authority” means:
  - (i) for Japan, the Fair Trade Commission; and
  - (ii) for Thailand, the Competition Commission;
- (c) the term “competition law” means:
  - (i) for Japan, the Law Concerning Prohibition of Private Monopoly and Maintenance of Fair Trade (Law No. 54 of 1947) (hereinafter referred to in this Chapter as “the Antimonopoly Law” ) and its implementing regulations as well as any amendments thereto; and
  - (ii) for Thailand, the Competition Act B.E. 2542 and its implementing regulations as well as any amendments thereto; and
- (d) the term “enforcement activities” means any investigation or proceeding conducted by a Party in relation to the competition law of its Country. However, (i) the review of business conduct or routine filings and (ii) research, studies or surveys with the objective of examining the general economic situation or general conditions in specific industries are not included.

### **Article 12 Notification**

The competition authority of each Party, to the extent consistent with the laws and regulations of its Country, shall notify the competition authority of the other Party of the enforcement activities of the notifying Party that the notifying competition authority considers may affect the important interests of the other Party.

### **Article 13**

#### **Exchange of Information and Coordination**

1. The competition authority of each Party shall, as appropriate, provide the competition authority of the other Party with information that is relevant to the enforcement activities of that competition authority of the other Party to the extent consistent with the laws and regulations of the Country of, and the important interests of the Party of, the competition authority providing such information, and within its reasonably available resources.
2. The competition authorities of the Parties shall, as appropriate, consider coordination of their enforcement activities with regard to matters that are related to each other.

### **Article 14**

#### **Transparency**

The competition authority of each Party shall:

- (a) promptly inform the competition authority of the other Party of any amendment of competition law and any adoption of new laws and regulations of its Country that proscribe anti-competitive activities;
- (b) provide, as appropriate, the competition authority of the other Party with copies of its publicly-released guidelines or policy statements issued in relation to the competition law of its Country; and
- (c) provide, as appropriate, the competition authority of the other Party with copies of its annual reports or any other publication that are made generally available to the public.

### **Article 15**

#### **Technical Cooperation**

1. The Parties agree that it is in their common interest for their competition authorities to work together in technical cooperation activities related to the implementation of competition law and policy.
2. The cooperation activities may include, within the reasonably available resources of the competition authority of each Party, the following:
  - (a) exchange of personnel of the competition authorities for training purposes;
  - (b) participation of personnel of the competition authorities as lecturers or consultants at training courses on the implementation of competition law and policy organised or sponsored by either or both competition authorities; and
  - (c) any other form of technical cooperation as the competition authorities of the Parties may agree.

### **Article 16**

#### **Consultation**

The competition authorities of the Parties shall consult with each other, upon request by either competition authority, on any matter which may arise in connection with this Chapter.

### **Article 17**

#### **Review**

1. The Parties shall, as mutually agreed between the Parties, review and enhance the cooperation pursuant to this Chapter.
2. Upon such review, the Parties may consider enhancing the cooperation pursuant to this Chapter with regard to any of the following activities:
  - (a) notification;
  - (b) cooperation in enforcement activities;
  - (c) coordination of enforcement activities; and
  - (d) positive comity and negative comity.
3. Any such enhancement of the cooperation shall be subject to the applicable laws and regulations of each Country and the availability of resources of each Party.

### **Article 18**

#### **Treatment of Confidential Information**

1. Information, other than publicly available information, provided by a Party or a competition authority pursuant to this Chapter:
  - (a) shall only be used by the receiving Party or the receiving competition authority for the purpose of effective enforcement of the competition law of its Country, unless the Party or the competition authority providing the information has approved otherwise;
  - (b) shall not be communicated by the receiving competition authority to a third party or other authorities, unless the competition authority providing the information has approved otherwise; and
  - (c) shall not be communicated by the receiving Party to a third party, unless the Party providing the information has approved otherwise.
2. Notwithstanding subparagraph 1(b) above, unless otherwise notified by the competition authority providing the information, the competition authority receiving the information pursuant to this Chapter may communicate the information to a relevant law enforcement authority of the Party of the competition authority receiving such information, for the purpose of competition law enforcement, which may use such information under the conditions stipulated in Article 19.
3. Each Party shall, consistently with the laws and regulations of its Country, maintain the

confidentiality of any information provided to it in confidence by the other Party pursuant to this Chapter.

4. Each Party may limit the information it provides to the other Party when the other Party is unable to give the assurance requested by the former Party with respect to confidentiality or with respect to the limitations of purposes for which the information will be used.

5. Notwithstanding any other provision of this Chapter, neither Party shall be required to provide information to the other Party if such provision is prohibited by the laws or regulations of the Country possessing the information or such provision would be incompatible with its important interests. In particular:

- (a) the Government of Japan shall not be required to provide “trade secrets of entrepreneurs” covered by the provisions of Article 39 of the Antimonopoly Law to the Government of Thailand; and
- (b) the Government of Thailand shall not be required to provide “confidential information” under the Competition Act B.E. 2542 to the Government of Japan.

#### **Article 19**

##### **Use of Information in Criminal Proceedings**

1. Information provided by a Party to the other Party pursuant to this Chapter, except publicly available information, shall not be presented to a court or a judge in criminal proceedings of the Country of the latter Party.

2. In the event that information provided by a Party to the other Party pursuant to this Chapter, except publicly available information, is needed for presentation to a court or a judge in criminal proceedings of the Country of the latter Party, that latter Party shall submit a request for such information to the former Party through the diplomatic channel or any other channel established in accordance with the law of the Country of the former Party.

#### **Article 20**

##### **Communications**

Unless otherwise provided in this Chapter, communications under this Chapter may be directly carried out between the competition authorities of the Parties. Notifications under Article 12, however, shall be confirmed in writing through the diplomatic channel. The confirmation shall be made as promptly as practically possible after the communication concerned between the competition authorities of the Parties.

## **Chapter 5**

### **Cooperation in the Field of Agriculture, Forestry and Fisheries**

#### **Article 21**

##### **General Principles**

1. Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognising the importance of improving quality of life and income of those who engage in agriculture, forestry and fisheries, and supporting development of sustainable agriculture, forestry and fisheries in the Countries, shall cooperate in the field of agriculture, forestry and fisheries, particularly on food safety and development of cooperation at local levels including cooperation between relevant cooperatives of the Countries (hereinafter referred to in this Chapter as “Local-to-Local Linkage”).
2. The Parties shall develop and enhance partnership and cooperation in the field of agriculture, forestry and fisheries on the basis of mutual benefit.

#### **Article 22**

##### **Areas and Forms of Cooperation**

1. Pursuant to Article 154 of the Basic Agreement, the Parties shall cooperate and, where necessary and appropriate, encourage and facilitate cooperation between parties, one or both of whom are entities in the Countries other than the Parties, under mutually agreed conditions, in the areas and forms as specified in this Article.
2. The areas of cooperation on food safety under this Chapter include:
  - (a) sound development of food industries covering all stages, from farm to market, including food distribution system such as cold chain system and packaging system;
  - (b) human resource development;
  - (c) development and promotion of new technologies;
  - (d) quality control, inspection and certification system;
  - (e) application of risk analysis; and
  - (f) other areas of cooperation as may be agreed upon.
3. The areas of Local-to-Local Linkage under this Chapter include:
  - (a) development of rural areas including:
    - (i) enhancement of linkages between farmers of the Countries and between relevant cooperatives of the Countries;
    - (ii) improvement of quality and safety of agricultural products; and
    - (iii) promotion of marketing and purchasing between relevant cooperatives in the Countries, including the development of One Village One Product movement;

- (b) human resource development;
  - (c) development of technical know-how and promotion of the transfer thereof;
  - (d) promotion of joint investment which leads to the mutual benefit of relevant cooperatives in the Countries; and
  - (e) other areas of cooperation as may be agreed upon.
4. The forms of cooperation on food safety under this Chapter include:
- (a) exchange of views and information on the technical aspects of food safety;
  - (b) exchange of specialists;
  - (c) seminars, workshops and trainings;
  - (d) science-based consultation to identify and address specific issues that may arise from the application of sanitary and phytosanitary (hereinafter referred to in this Chapter as “SPS”) measures with the objective of obtaining mutually acceptable solutions;
  - (e) consultation to make cooperative efforts between the Parties in international fora in relation to SPS measures;
  - (f) promotion of the private investment on food testing laboratories;
  - (g) strengthening of quality control, inspection and certification system;
  - (h) development of networks between laboratories in the Countries;
  - (i) strengthening of the application of risk analysis; and
  - (j) other forms of cooperation as may be agreed upon.
5. The forms of Local-to-Local Linkage under this Chapter include;
- (a) exchange of views and information on issues of mutual interest;
  - (b) exchange of specialists;
  - (c) seminars, workshops and trainings on development of relevant cooperatives;
  - (d) networking of information centres between the Countries in order to collect and exchange data pertaining to relevant cooperatives such as the list of relevant cooperatives, business mechanism and technical matters;
  - (e) promotion of products of relevant cooperatives and those from One Village One Product movement in display centres for mutual benefit;
  - (f) promotion of joint marketing research on the products of relevant cooperatives;
  - (g) promotion of business between relevant cooperatives in the Countries; and
  - (h) other forms of cooperation as may be agreed upon.

### **Article 23**

#### **Contact Points**

1. Each Party shall designate contact points to facilitate communications between the Parties on any matter under this Chapter as follows:

(a) contact points on food safety:

- (i) for Japan, the Embassy of Japan in Thailand; and
- (ii) for Thailand, the National Bureau of Agricultural Commodity and Food Standards of the Ministry of Agriculture and Cooperatives.

(b) contact points on Local-to-Local Linkage:

- (i) for Japan, the Embassy of Japan in Thailand; and
- (ii) for Thailand, the Cooperative Promotion Department of the Ministry of Agriculture and Cooperatives.

2. The contact points of a Party shall answer all reasonable enquiries from the other Party regarding cooperation under this Chapter and, if appropriate, provide the other Party with relevant information.

### **Article 24**

#### **Reaffirmation of Rights and Obligations**

The Parties reaffirm the rights and obligations of the Countries relating to SPS measures under the Agreement on the Application of Sanitary and Phytosanitary Measures in Annex 1A to the Marrakesh Agreement Establishing the World Trade Organization, done at Marrakesh, 15 April 1994, as may be amended.

### **Article 25**

#### **Sub-Committee on Agriculture, Forestry and Fisheries**

1. Pursuant to Article 157 of the Basic Agreement, a Sub-Committee on Agriculture, Forestry and Fisheries (hereinafter referred to in this Chapter as “Sub-Committee”) shall be established.

2. The functions of the Sub-Committee shall be:

- (a) reviewing and discussing issues concerning the effective implementation and operation of this Chapter;
- (b) identifying and prioritising areas and forms of cooperation other than food safety and Local-to-Local Linkage;
- (c) reporting findings and making recommendations to the Joint Committee established under Article 13 of the Basic Agreement (hereinafter referred to in this Agreement as “the Joint Committee”) regarding issues related to the implementation and operation



- of this Chapter;
- (d) discussing other issues relating to agriculture, forestry and fisheries; and
  - (e) addressing promptly any issues arising from the implementation and operation of this Chapter.
3. The Sub-Committee shall comprise the following:
- (a) for Japan, an official from the Ministry of Agriculture, Forestry and Fisheries, and an official from the Ministry of Health, Labor and Welfare, as co-chairs;
  - (b) for Thailand, an official from the Ministry of Agriculture and Cooperatives, and officials from other relevant government agencies, as co-chairs; and
  - (c) officials from the Ministry of Foreign Affairs and other officials of the Parties with necessary expertise relevant to the issues to be discussed.
4. Notwithstanding paragraph 3 above, representatives of relevant entities other than the Parties, including those from the private sector, with necessary expertise relevant to the issues to be discussed, may become members of the Sub-Committee at the invitation of the Sub-Committee.
5. The Sub-Committee shall meet at least annually at such venues and times as may be agreed upon.

## **Article 26**

### **Special Sub-Committee on Food Safety**

1. For the purpose of the effective implementation of cooperation on food safety, the Sub-Committee shall establish a Special Sub-Committee on Food Safety (hereinafter referred to in this Article as “Special Sub-Committee”) as its subsidiary body pursuant to Article 157 of the Basic Agreement.
2. The functions of the Special Sub-Committee shall be:
- (a) reviewing and discussing issues concerning the effective implementation of cooperation on food safety;
  - (b) exchanging information on such matters as occurrences of SPS incidents in the Countries and third countries, and change or introduction of SPS-related regulations and standards of the Parties, which may, directly and indirectly, affect trade in goods between the Countries;
  - (c) collaborating with relevant entities on their effective implementation of projects of cooperation between the Parties in the areas and forms as specified in Article 22;
  - (d) holding science-based consultation to identify and address specific issues that may arise from the application of SPS measures with the objective of obtaining mutually acceptable solutions;
  - (e) identifying and prioritising areas and forms of cooperation on food safety, including those on products of interest;

- (f) reviewing and assessing each Party's application of risk analysis;
  - (g) making cooperative efforts to solve any cases of non-compliance with SPS measures such as:
    - (i) prompt notification of the details of consignments by the importing Country to the exporting Country; and
    - (ii) investigation of problems by the exporting Country and consultation of appropriate remedial actions to be taken by the exporting Country;
  - (h) promoting joint research on food safety; and
  - (i) reporting findings of the Special Sub-Committee to the Sub-Committee.
3. The Special Sub-Committee shall comprise the following:
- (a) for Japan, an official from the Ministry of Agriculture, Forestry and Fisheries, and an official from the Ministry of Health, Labor and Welfare, as co-chairs;
  - (b) for Thailand, an official from the Ministry of Agriculture and Cooperatives, and an official from the Ministry of Public Health, as co-chairs; and
  - (c) officials from the Ministry of Foreign Affairs and other officials of the Parties with necessary expertise relevant to the issues to be discussed.
4. The Special Sub-Committee shall meet at least annually at such venues and times as may be agreed upon.

**Article 27**  
**Special Sub-Committee**  
**on Local-to-Local Linkage**

1. For the purpose of the effective implementation of Local-to-Local Linkage, the Sub-Committee shall establish a Special Sub-Committee on Local-to-Local Linkage (hereinafter referred to in this Article as "Special Sub-Committee") as its subsidiary body pursuant to Article 157 of the Basic Agreement.
2. The functions of the Special Sub-Committee shall be:
- (a) reviewing and discussing issues concerning the effective implementation of Local-to-Local Linkage;
  - (b) identifying and prioritising areas and forms of Local-to-Local Linkage and implementing those activities accordingly; and
  - (c) exchanging views and information on promotion of Local-to-Local Linkage;
  - (d) collaborating with relevant entities on their effective implementation of projects of cooperation between the Parties in the areas and forms as specified in Article 22; and
  - (e) reporting findings of the Special Sub-Committee to the Sub-Committee.
3. The Special Sub-Committee shall comprise the following:

- (a) for Japan, an official from the Ministry of Agriculture, Forestry and Fisheries, as co-chair;
  - (b) for Thailand, an official from the Ministry of Agriculture and Cooperatives, as co-chair; and
  - (c) officials from the Ministry of Foreign Affairs and other officials of the Parties with necessary expertise relevant to the issues to be discussed.
4. Notwithstanding paragraph 3 above, representatives of relevant entities other than the Parties, including those from the private sector, such as, for Japan, the Central Union of Agricultural Cooperatives (JA Zenchu) and, for Thailand, the Cooperative League of Thailand, with necessary expertise relevant to the issues to be discussed, may become members of the Special Sub-Committee at the invitation of the Special Sub-Committee.
5. The Special Sub-Committee shall meet at least annually at such venues and times as may be agreed upon.

## **Chapter 6**

### **Cooperation in the Field of Education and Human Resource Development**

#### **Article 28**

##### **General Principles**

1. Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognising that sustainable economic growth and prosperity largely depend on people's knowledge and skills, and acknowledging that capacity building is essential in all fields of cooperation under Chapter 13 of the Basic Agreement, shall cooperate in promoting education and human resource development through sharing related expertise, skills and experiences between the Parties and between parties, one or both of whom are entities in the Countries other than the Parties.
2. The Parties shall develop and enhance partnership and cooperation in the field of education and human resource development to share expertise, skills and experiences in development, and strengthen human capacity building for balanced and sustainable growth of the Countries.

#### **Article 29**

##### **Areas and Forms of Cooperation**

1. Pursuant to Article 154 of the Basic Agreement, the Parties shall cooperate and, where necessary and appropriate, encourage and facilitate cooperation between parties, one or both of whom are entities in the Countries other than the Parties, under mutually agreed conditions, in the areas and forms as specified in this Article.
2. The areas of cooperation under this Chapter include:
  - (a) enhancement of mutual understanding of policies of the respective Parties;
  - (b) promotion of technical and vocational training including that on mould and die technologies;
  - (c) collaboration on academic and research institutions networking in areas of mutual interest;
  - (d) improvement of educational standards including those for management and development of educational institution;
  - (e) information and communication technology for education;
  - (f) promotion of technology transfer of educational tools and methods at all levels of education;
  - (g) Japanese and Thai languages and studies;
  - (h) joint third country training in areas of mutual interest based on the need of recipient countries;
  - (i) close cooperation between the educational and research institutions of the Countries;

- (j) promotion and facilitation of access to academic programmes in the Countries; and
  - (k) other areas of cooperation as may be agreed upon.
3. The forms of cooperation under this Chapter include:
- (a) exchange of information and related data;
  - (b) exchange of views between authorities of the Parties;
  - (c) exchanges and visits of scholars, teachers, students, members of educational, technical and vocational institutions, government officials and other persons engaging in scientific, educational, technical and vocational training activities;
  - (d) exchanges of youth and collaboration among youth organisations with a view to promoting friendship and mutual understanding;
  - (e) promotion of educational programmes in technical and specialised areas including the upgrade of capabilities and skills;
  - (f) provision and promotion of opportunities for internship and training programmes;
  - (g) facilitation of the establishment of academic and educational entities in the other Country;
  - (h) joint research and development in areas of mutual interest;
  - (i) joint seminars, workshops, meetings and trainings in areas of mutual interest; and
  - (j) other forms of cooperation as may be agreed upon.

**Article 30**  
**Sub-Committee on Education and**  
**Human Resource Development**

1. Pursuant to Article 157 of the Basic Agreement, a Sub-Committee on Education and Human Resource Development (hereinafter referred to in this Chapter as “Sub-Committee”) shall be established.
2. The functions of the Sub-Committee shall be:
- (a) reviewing and discussing issues concerning the effective implementation and operation of this Chapter;
  - (b) exchanging views and information on promotion and development of education and human resource development;
  - (c) identifying and recommending ways for further cooperation between the Parties;
  - (d) reporting findings and making recommendations to the Joint Committee regarding issues related to the implementation and operation of this Chapter;
  - (e) discussing other issues relating to education and human resource development; and
  - (f) carrying out other functions which may be delegated by the Joint Committee.

3. The Sub-Committee shall comprise the following:
  - (a) for Japan, an official from the Ministry of Foreign Affairs, as co-chair;
  - (b) for Thailand, an official from the Ministry of Education, as co-chair; and
  - (c) other officials of the Parties with necessary expertise relevant to the issues to be discussed.
4. Notwithstanding paragraph 3 above, representatives of relevant entities other than the Parties, including those from the private sector, with necessary expertise relevant to the issues to be discussed, may become members of the Sub-Committee at the invitation of the Sub-Committee.
5. The Sub-Committee shall meet at such venues and times as may be agreed upon.

## **Chapter 7**

### **Cooperation in the Field of Enhancement of Business Environment**

#### **Article 31**

##### **General Principles**

1. The Parties shall, in accordance with the respective laws and regulations of the Countries, promote cooperation to further enhance business environment in the Countries.
2. For this purpose, a Party shall, in accordance with the laws and regulations of its Country, create favourable environment for the enterprises and business persons of the other Country conducting their business activities in the former Country. The Parties shall, in accordance with the respective laws and regulations of the Countries, take necessary measures including establishing such bodies as provided for in Articles 32 and 33.
3. The Parties, recognising that facilitating and expediting the application and issuance procedure of the visa, certificate of eligibility and work permit for business purposes plays an important role in enhancing business environment and bearing in mind reciprocity, shall facilitate, expedite and improve, in accordance with the respective laws and regulations of the Countries, the application and issuance procedure of the visa, certificate of eligibility and work permit for business purpose, as well as improve transparency thereof.

#### **Article 32**

##### **Sub-Committees on Enhancement of Business Environment**

1. Pursuant to Article 157 of the Basic Agreement, Sub-Committees on Enhancement of Business Environment (hereinafter referred to in this Chapter as “Sub-Committees”) shall be established in Japan and Thailand respectively. The Sub-Committee in each Country shall deal with issues related to the business environment in that Country.
2. The functions of the Sub-Committee in a Country include:
  - (a) reviewing findings reported by a liaison office on enhancement of business environment (hereinafter referred to in this Chapter as “the Liaison Office”) to be established in that Country under Article 33;
  - (b) addressing and seeking ways to resolve issues related to the business environment in that Country on its own initiative or when it considers appropriate, based on the findings reported by the Liaison Office in that Country;
  - (c) reporting findings and making recommendations, including measures to be taken by that Party, to that Party;
  - (d) making recommendations, jointly with the Sub-Committee in the other Country, to either Party;
  - (e) reviewing, where appropriate, the measures taken by that Party in relation to such recommendations referred to in subparagraphs (c) and (d) above;

- (f) making available to the public, in an appropriate manner, the recommendations referred to in subparagraphs (c) and (d) above and the results of the review thereof;
  - (g) reporting promptly the recommendations referred to in subparagraphs (c) and (d) above and other findings in relation to the implementation and operation of this Chapter to the Joint Committee;
  - (h) establishing its own rules and procedures; and
  - (i) cooperating, in an appropriate manner, with other Sub-Committee(s) established under this Agreement, with a view to avoiding unnecessary duplication of works. The forms of such cooperation may include:
    - (i) informing the result of consideration to such Sub-Committee(s);
    - (ii) seeking opinions from such Sub-Committee(s);
    - (iii) inviting the member of such Sub-Committee(s); and
    - (iv) where appropriate, transferring the relevant issues to such Sub-Committee(s).
3. The issues related to the business environment referred to in subparagraph 2(b) above include:
- (a) length of time for and facilitation of the application and issuance procedure of the visa, certificate of eligibility and work permit for business purposes in accordance with the respective laws and regulations of the Countries;
  - (b) enhancement of understanding of business-related systems, rules, regulations and procedures;
  - (c) facilitation of administrative procedures;
  - (d) issues affecting trade and investment between both Countries;
  - (e) reduction of unnecessary barriers to trade and investment between both Countries; and
  - (f) prevention of the creation of barriers on enhancement of business environment by evaluating the obstacles and recommending measures that should be taken into account by that Party.
4. The Sub-Committees shall comprise the following:
- (a) for the Sub-Committee in Japan, a representative of the Ministry of Foreign Affairs, as chair, and representatives of relevant authorities of the Government of Japan, representatives of the Royal Thai Embassy in Japan, representatives of relevant agencies of the Royal Thai Government in Japan, and, if necessary, appropriate officials dispatched from the Royal Thai Government as well as, at the invitation of the Sub-Committee in Japan, representatives of relevant entities other than the Parties including those from the private sector; and
  - (b) for the Sub-Committee in Thailand, a representative of the Office of the Board of Investment of the Ministry of Industry, as chair, and representatives of relevant



authorities of the Royal Thai Government, representatives of the Embassy of Japan in Thailand, and, if necessary, appropriate officials dispatched from the Government of Japan as well as, at the invitation of the Sub-Committee in Thailand, representatives of relevant entities other than the Parties including those from the private sector, the Japan External Trade Organization (JETRO) in Thailand and the Japanese Chamber of Commerce in Thailand.

5. The Sub-Committee in Japan and the Sub-Committee in Thailand shall independently meet as needed or at the request of the representatives of either Party in the Sub-Committee when the issues related to the business environment referred to in paragraph 3 above arise.
6. The Sub-Committees in both Countries shall hold a joint meeting, co-chaired by the representatives of both Parties, to review the reports, recommendations and, where appropriate, measures taken by the Parties at such venues and times as may be agreed upon.
7. Each Party shall take into consideration the recommendations made pursuant to subparagraphs 2(c) and (d) above.

### **Article 33** **Liaison Office**

1. Pursuant to Article 32, each Party shall designate and maintain a Liaison Office in its Country.
2. The functions of the Liaison Office in a Country shall include:
  - (a) receiving inquiries from the enterprises of the other Country with regard to the respective laws and regulations of the former Country and other administrative measures of any form of the former Party, which may adversely affect the business activities of the enterprises of the other Country;
  - (b) transferring inquiries referred to in subparagraph (a) above to relevant authorities of that Party;
  - (c) transferring responses received from the relevant authorities of that Party to the enterprises that made inquiries referred to in subparagraph (a) above;
  - (d) providing, in collaboration with relevant authorities of that Party, necessary information and advice to the enterprises that made inquiries referred to in subparagraph (a) above; and
  - (e) reporting findings, with regard to the exercise of its functions referred to in subparagraphs (a) through (d) above, to the Sub-Committee in that Country.
3. Each Party shall encourage the Liaison Office to respond to the enterprises referred to in subparagraph 2(c) above within a reasonable period of time.
4. The Liaison Offices shall be:
  - (a) in Japan, the Ministry of Foreign Affairs; and
  - (b) in Thailand, the Office of the Board of Investment of the Ministry of Industry.

5. Upon request by the other Party, a Party shall consider assisting or supporting the Liaison Office in the other Country in order to help create better understanding of the business environment of the other Country among enterprises of its Country in the other Country.

## **Chapter 8**

### **Cooperation in the Field of Financial Services**

#### **Article 34**

##### **General Principles**

Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognising the significance of cooperation undertaken between the Parties as well as in the Asian region with a view to enhancing regional financial stability and strengthening development of regional financial markets, which, for the purposes of this Chapter, include capital markets, shall cooperate in the field of financial services.

#### **Article 35**

##### **Main Objectives of Cooperation**

The Parties shall, in accordance with the respective laws and regulations of the Countries, cooperate in the field of financial services with a view to:

- (a) promoting regulatory cooperation in the field of financial services, recognising the importance of enhancing knowledge and skills, and exchanging experiences;
- (b) facilitating development of financial markets in the Countries and in the countries in the Asian region; and
- (c) improving financial market infrastructure of the Countries and that of the Asian region.

#### **Article 36**

##### **Regulatory Cooperation**

The Parties shall promote regulatory cooperation in the field of financial services, with a view to:

- (a) implementing sound prudential policies, and enhancing effective supervision of financial institutions of either Country operating in the other Country;
- (b) responding properly to issues relating to globalisation in financial services, including those provided by electronic means;
- (c) maintaining an environment that does not stifle legitimate financial market innovations; and
- (d) exercising supervision over global financial institutions to minimize systemic risks and to limit contagion effects in the event of crises.

**Article 37**  
**Capital Market Development**

The Parties, recognising a growing need to enhance the competitiveness of the capital markets in the Countries and to preserve and strengthen their stability in rapidly evolving global financial transactions, shall cooperate in facilitating development of the capital markets in the Countries with a view to fostering sound and progressive capital markets and improving the depth and liquidity of the capital markets in the Countries.

**Article 38**  
**Improvement of Financial Market Infrastructure**

The Parties, recognising that efficient and reliable financial market infrastructure will facilitate trade and investment, shall cooperate in strengthening the financial market infrastructure of the Countries and that of the Asian region.

**Article 39**  
**Development of Regional Financial Markets**

1. The Parties, recognising the importance of stable and well-functioning financial markets, shall cooperate with a view to contributing to further development of cross-border financial activities in the Asian region and to regional financial stability.
2. The Parties shall endeavour to foster domestic and regional bond markets in collaboration with other countries in the Asian region.

**Article 40**  
**Follow-up**

For the purposes of promoting cooperation in the field of financial services, the Parties may exchange views, if necessary, through an informal dialogue, on the issues of mutual interest relating to, for example:

- (a) overall policy requirements to respond to the recent trends of uncertainties due to rapid expansion of cross-border financial transactions driven by technological advances in the financial sector;
- (b) their regulatory policies over the respective financial institutions of the Countries;
- (c) supervision and inspection of financial institutions of a Country which are operating in the other Country;
- (d) regulation and surveillance of financial services transactions over the internet;
- (e) development of financial markets and financial infrastructure of the Countries, including the creation of a conducive environment for private sector collaboration across the financial sectors of both Countries; and
- (f) cooperation with a view to promoting development of stable and well-functioning financial markets in the Asian region.

## **Chapter 9**

### **Cooperation in the Field of Information and Communication Technology**

#### **Article 41**

##### **General Principles**

1. Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognising rapid development, led by both the public and private sectors, of information and communication technology (hereinafter referred to in this Chapter as “ICT”) and of business practices concerning ICT-related services both in domestic and international contexts, shall cooperate in promoting development of ICT and ICT-related services to bridge the digital divide and create a knowledge-based society with a view to obtaining maximum benefit of the use of ICT for the Countries.
2. The Parties shall develop and enhance partnership and cooperation in the field of ICT to promote sustainable development of ICT with emphasis on ICT network among countries in the Asian region.

#### **Article 42**

##### **Areas and Forms of Cooperation**

1. Pursuant to Article 154 of the Basic Agreement, the areas of cooperation under this Chapter include:
  - (a) advanced telecommunications networks, including a next generation Internet and broadband network between Southeast Asia and Northeast Asia through the Asia Broadband Program;
  - (b) promotion of the use by consumers and by the public and private sectors of ICT-related services, including newly emerging services such as interactive broadband multimedia services;
  - (c) promotion of electronic commerce and development of relating legislation and guidelines, including cooperation for facilitation of procedures of accreditation or recognition of certification authorities;
  - (d) promotion of circulation of digital content over broadband platform;
  - (e) human resource development relating to ICT, including skill standards; and
  - (f) other areas of cooperation which the Parties deem important, including:
    - (i) collaboration on ICT research and development;
    - (ii) ubiquitous access to information network;
    - (iii) protection of personal data;
    - (iv) regulatory strategies to promote competition in ICT sector;
    - (v) e-government;

- (vi) promotion of capacity building on infrastructure for ICT development;
  - (vii) multi-lingual information access;
  - (viii) open-source software;
  - (ix) e-learning;
  - (x) ICT policy and regulations;
  - (xi) assistive technologies to bridge the digital divide for vulnerable and disadvantaged groups;
  - (xii) broadband network in rural areas; and
  - (xiii) other areas of cooperation as may be agreed upon.
2. Pursuant to Article 154 of the Basic Agreement, the forms of cooperation under this Chapter may include:
- (a) promotion of dialogues on policy issues;
  - (b) promotion of cooperation between the public and private sectors of the Countries; and
  - (c) enhancement of cooperation in international fora relating to ICT.

### **Article 43** **Sub-Committee on ICT**

1. Pursuant to Article 157 of the Basic Agreement, a Sub-Committee on ICT (hereinafter referred to in this Chapter as “Sub-Committee”) shall be established.
2. The functions of the Sub-Committee shall be:
- (a) reviewing and discussing issues concerning the effective implementation and operation of this Chapter;
  - (b) exchanging views and information on promotion and development of cooperation in the field of ICT;
  - (c) identifying and recommending ways for further cooperation between the Parties;
  - (d) reporting findings and making recommendations to the Joint Committee regarding issues related to the implementation and operation of this Chapter;
  - (e) discussing other issues relating to ICT; and
  - (f) carrying out other functions which may be delegated by the Joint Committee.
3. The Sub-Committee shall comprise the following:
- (a) for Japan, an official from the Ministry of Internal Affairs and Communications, and an official from the Ministry of Economy, Trade and Industry, as co-chairs;

- (b) for Thailand, an official from the Ministry of Information and Communication Technology, as co-chair; and
  - (c) other officials of the Parties with necessary expertise relevant to the issues to be discussed, such as, for Thailand, officials from the Ministry of Science and Technology.
4. Notwithstanding paragraph 3 above, representatives of relevant entities other than the Parties, including those from the private sector, with necessary expertise relevant to the issues to be discussed, may become members of the Sub-Committee at the invitation of the Sub-Committee.
5. The Sub-Committee shall meet at such venues and times as may be agreed upon.

## **Chapter 10**

### **Cooperation in the Field of Science, Technology, Energy and Environment**

#### **Article 44**

##### **General Principles**

1. Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognising that science, technology, energy and environment particularly in advanced areas, will contribute to the continued expansion of the economies of the respective Countries in the medium and long term, shall develop and promote cooperation between the Parties for peaceful purposes, sustainable development and efficient utilisation of resources in the field of science, technology, energy and environment on the basis of partnership for mutual benefit.
2. The Parties shall develop and enhance partnership and cooperation in the field of science, technology, energy and environment to promote sustainable development and capacity building for better quality of life of the peoples in the Countries.
3. The cooperation under this Chapter, including the implementing arrangements under Article 47, may be considered, on a case-by-case basis, as a project under the Clean Development Mechanism stipulated in Article 12 of the Kyoto Protocol to the United Nations Framework Convention on Climate Change (hereinafter referred to in this Article as “the Kyoto Protocol”). For this purpose, the Parties recognise the rights of the respective Countries under the Kyoto Protocol to decide whether or not to approve each such project.

#### **Article 45**

##### **Areas and Forms of Cooperation**

1. Pursuant to Article 154 of the Basic Agreement, the Parties shall cooperate and, where necessary and appropriate encourage and facilitate cooperation between parties, one or both of whom are entities in the Countries other than the Parties, under mutually agreed conditions, in the areas and forms as specified in this Article.
2. The areas of cooperation under this Chapter include:
  - (a) science and technology suitable to provide a basis for industrial development;
  - (b) life sciences including biotechnology;
  - (c) advanced technology, including material technology and engineering, nanotechnology, and biomass;
  - (d) standardisation and certification;
  - (e) energy including solar energy;
  - (f) natural resources management and environmental conservation and protection;
  - (g) natural disaster risk reduction including early warning system; and



- (h) other areas of cooperation as may be agreed upon.
3. The forms of cooperation under this Chapter include:
- (a) exchange of information and data on activities, policies, practices, and laws and regulations especially those concerning research and development in relevant fields;
  - (b) joint studies, seminars, workshops, meetings and trainings on scientific, technological, energy and environmental aspects of general or specific subjects;
  - (c) identifying research and development projects and programmes that may be usefully undertaken on a cooperative basis;
  - (d) human resource development and capacity building in relevant fields;
  - (e) exchanges and visits of scientists, technical personnel or other experts;
  - (f) implementation of agreed cooperative projects and programmes, including research and development programmes;
  - (g) implementation of joint projects which involve other countries of the Greater Mekong Subregion;
  - (h) encouragement of linkages through science and software parks;
  - (i) cooperation among institutes of advanced science and technology; and
  - (j) other forms of cooperation as mutually agreed upon.

**Article 46**  
**Sub-Committee on Science, Technology, Energy**  
**and Environment**

1. Pursuant to Article 157 of the Basic Agreement, a Sub-Committee on Science, Technology, Energy and Environment (hereinafter referred to in this Chapter as “Sub-Committee”) shall be established.
2. The functions of the Sub-Committee shall be:
- (a) reviewing and discussing issues concerning the effective implementation and operation of this Chapter;
  - (b) exchanging views and information on promotion and development of science, technology, energy and environment;
  - (c) identifying and recommending ways for further cooperation between the Parties;
  - (d) reporting findings and making recommendations to the Joint Committee regarding issues related to the implementation and operation of this Chapter;
  - (e) discussing other issues relating to science, technology, energy and environment; and
  - (f) carrying out other functions which may be delegated by the Joint Committee.
3. The Sub-Committee shall comprise the following:

- (a) for Japan, an official from the Ministry of Education, Culture, Sports, Science and Technology, as co-chair;
  - (b) for Thailand, an official from the Ministry of Science and Technology, as co-chair; and
  - (c) other officials of the Parties with necessary expertise relevant to the issues to be discussed.
4. Notwithstanding paragraph 3 above, representatives of relevant entities other than the Parties, including those from the private sector, with necessary expertise relevant to the issues to be discussed, may become members of the Sub-Committee at the invitation of the Sub-Committee.
5. The Sub-Committee shall meet at such venues and times as may be agreed upon.

#### **Article 47** **Implementing Arrangements**

Implementing arrangements setting forth the details and procedures of cooperation under this Chapter may be made between the agencies of the Parties.

## **Chapter 11**

### **Cooperation in the Field of Small and Medium Enterprises**

#### **Article 48**

##### **General Principles**

1. Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognising the fundamental role of small and medium enterprises (hereinafter referred to in this Chapter as “SMEs”) in maintaining dynamism and enhancing competitiveness of the economies of the respective Countries, shall foster close cooperation between SMEs of the Countries and cooperate in promoting their sustainability and growth.
2. The Parties recognise the integral role of the private sector in SMEs cooperation to be implemented under this Chapter.

#### **Article 49**

##### **Areas and Forms of Cooperation**

Pursuant to Article 154 of the Basic Agreement, the areas and forms of cooperation under this Chapter include:

- (a) capacity building for SMEs;
- (b) promotion of business collaboration and marketing development;
- (c) strengthening of SMEs management, competitiveness and technological capability;
- (d) improvement of financial access for SMEs;
- (e) exchange of information on SMEs policies and best practices; and
- (f) other areas and forms of cooperation as may be agreed upon.

#### **Article 50**

##### **Encouragement and Facilitation of SMEs Trade and Investment Cooperation**

1. The Parties, recognising the geographical position of Thailand in Southeast Asia, shall cooperate in facilitating investments of Japanese SMEs in Thailand, with a view to enabling SMEs of the Countries to cooperate in their businesses, especially in Southeast Asia. The Parties shall likewise cooperate in encouraging and facilitating investments of Thai SMEs in Japan.
2. The Parties shall encourage business alliances in the areas of trade and investment between Japanese and Thai SMEs through business matching, facilitating networking and other appropriate means to enhance competitiveness, and to increase business opportunities of those SMEs in the market of each Country and in the world market.

**Article 51**  
**Sub-Committee on SMEs**

1. Pursuant to Article 157 of the Basic Agreement, a Sub-Committee on Small and Medium Enterprises (hereinafter referred to in this Chapter as “Sub-Committee”) shall be established.
2. The functions of the Sub-Committee shall be:
  - (a) reviewing and discussing issues concerning the effective implementation and operation of this Chapter;
  - (b) exchanging views and information on the promotion and development of cooperation in the field of SMEs;
  - (c) identifying and recommending ways for further cooperation between the Parties to develop and enhance partnership between Japanese and Thai SMEs;
  - (d) reporting findings and making recommendations to the Joint Committee regarding issues related to the implementation and operation of this Chapter;
  - (e) discussing other issues relating to SMEs; and
  - (f) carrying out other functions which may be delegated by the Joint Committee.
3. The Sub-Committee shall comprise the following:
  - (a) for Japan, an official from the Ministry of Economy, Trade and Industry, as co-chair;
  - (b) for Thailand, an official from the Office of Small and Medium Enterprise Promotion of the Ministry of Industry, as co-chair; and
  - (c) other officials of the Parties with necessary expertise relevant to the issues to be discussed.
4. Notwithstanding paragraph 3 above, representatives of relevant entities other than the Parties, including those from the private sector, such as, for Japan, the Japan External Trade Organization, and for Thailand, the Thai Chamber of Commerce and the Federation of Thai Industries, with necessary expertise relevant to the issues to be discussed, may become members of the Sub-Committee at the invitation of the Sub-Committee.
5. The Sub-Committee shall meet at such venues and times as may be agreed upon.

## **Chapter 12**

### **Cooperation in the Field of Tourism**

#### **Article 52**

##### **General Principles**

1. Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognising that tourism will contribute to the enhancement of mutual understanding between the peoples of the Countries and that tourism is an important industry for the economies of the respective Countries, shall cooperate to promote and develop tourism in the Countries.
2. The Parties shall develop and enhance partnership and cooperation in the field of tourism with emphasis on tourism exchange and enhancement of travel connections between Northeast and Southeast Asia, as well as those between South and Northeast Asia.

#### **Article 53**

##### **Areas and Forms of Cooperation**

1. Pursuant to Article 154 of the Basic Agreement, the Parties, recognising a steady increase in the number of tourists travelling between the Countries and in the Asian region, shall cooperate and, where necessary and appropriate, encourage and facilitate cooperation between parties, one or both of whom are entities in the Countries other than the Parties, under mutually agreed conditions, in the areas and forms as specified in this Article.
2. The areas of cooperation under this Chapter include:
  - (a) facilitation of tourism and enhancement of connection of travel;
  - (b) facilitation of application procedure for the visa for the purpose of tourism in the Countries;
  - (c) mutual cooperation in marketing and promotion;
  - (d) promoting tourism programmes including long stay, Thai spas and Japanese hot springs (onsen) as well as marine tourism and ecotourism;
  - (e) human resources development; and
  - (f) other areas of cooperation as may be agreed upon.
3. The forms of cooperation under this Chapter include:
  - (a) exchange of information, data and views;
  - (b) visits and exchanges of tourism experts and officials;
  - (c) joint seminars, workshops, meetings and trainings;
  - (d) promotion of tourism packages;
  - (e) promotion of tourism campaigns in the Countries; and

- (f) promotion of training of persons engaged in the tourism industry.

**Article 54**  
**Sub-Committee on Tourism**

1. Pursuant to Article 157 of the Basic Agreement, a Sub-Committee on Tourism (hereinafter referred to in this Chapter as “Sub-Committee”) shall be established.
2. The functions of the Sub-Committee shall be:
  - (a) reviewing and discussing issues concerning the effective implementation and operation of this Chapter;
  - (b) discussing ways to facilitate application procedure for the visa for the purpose of tourism in the Countries;
  - (c) exchanging views and information on promotion and development of tourism;
  - (d) identifying and recommending ways for further cooperation between the Parties;
  - (e) reporting findings and making recommendations to the Joint Committee regarding issues related to the implementation and operation of this Chapter;
  - (f) discussing other issues relating to tourism; and
  - (g) carrying out other functions which may be delegated by the Joint Committee.
3. The Sub-Committee shall comprise the following:
  - (a) for Japan, an official from the Ministry of Land, Infrastructure and Transport, as co-chair;
  - (b) for Thailand, an official from the Ministry of Tourism and Sports, as co-chair; and
  - (c) other officials of the Parties with necessary expertise relevant to the issues to be discussed, such as, for Japan, officials from the Ministry of Foreign Affairs.
4. Notwithstanding paragraph 3 above, representatives of relevant entities other than the Parties, including those from the private sector, with necessary expertise relevant to the issues to be discussed, may become members of the Sub-Committee at the invitation of the Sub-Committee.
5. The Sub-Committee shall meet at such venues and times as may be agreed upon.

## **Chapter 13**

### **Cooperation in the Field of Trade and Investment Promotion**

#### **Article 55**

##### **General Principles**

Pursuant to Chapter 13 of the Basic Agreement, the Parties, recognising that efforts of the Parties to facilitate exchanges and collaboration between parties, one or both of whom are entities in the Countries other than the Parties, will promote trade and investment in Japan and Thailand, shall cooperate in promoting trade and investment activities conducted by private enterprises of the Countries.

#### **Article 56**

##### **Areas and Forms of Cooperation**

1. Pursuant to Article 154 of the Basic Agreement, the Parties, recognising the importance of promotional cooperative activities of private sectors in the Countries and of the realisation of the following initiatives or projects, which are related to such activities, shall cooperate and facilitate cooperation among private sectors that contributes significantly to trade and investment expansion between the Countries:

- (a) Trade and Investment promotion for “Kitchen of the World” project;
- (b) Japan-Thailand “Steel Industry Cooperation Programme”;
- (c) “Automotive Human Resources Development Institute” project;
- (d) Energy conservation;
- (e) Value-creation economy;
- (f) Public-private partnership; and
- (g) Textile and Apparels Cooperation.

2. Pursuant to Article 154 of the Basic Agreement, the Parties, recognising Thailand’s pursuits on high growth sectors such as agro-industry, fashion industry, automotive and parts industry, electronics industry, value-added services and renewable energy, shall encourage and facilitate cooperation between, for Japan, the Japan External Trade Organization (hereinafter referred to in this Chapter as “JETRO”), and, for Thailand, the Department of Export Promotion of the Ministry of Commerce (hereinafter referred to in this Chapter as “DEP”) and the Office of the Board of Investment of the Ministry of Industry (hereinafter referred to in this Chapter as “BOI”) in accordance with arrangements made between them. Such cooperation to be implemented by JETRO, DEP, BOI and other agencies concerned as mutually agreed upon by the Parties, in close consultation with private sectors, includes the following;

- (a) joint organisation of sector-specific missions and seminars for further expansion of trade and investment, focusing on high growth sectors;
- (b) exchange of information on trade and investment, including such information on

- Japanese and Thai companies wishing to establish business ties through the Internet, to facilitate development of their business contacts and relations;
- (c) encouragement of potential investors of the Countries to utilise facilities and related contact points operated by JETRO, DEP and BOI, which include the following:
    - (i) in Thailand, JETRO Business Support Center in Thailand (BSCT), BOI Japan Desk and DEP One Stop Export Service Center; and
    - (ii) in Japan, Invest Japan Business Support Centers, DEP's Trade Offices and BOI Offices;
  - (d) exchange of experts and specialists and acceptance of trainees and researchers in order to strengthen trade and investment development;
  - (e) provision of information on business-related laws and regulations as well as business environment of the Countries; and
  - (f) other areas and forms of cooperation as may be agreed upon.
3. Each Party shall promote and support initiatives which bring together potential business partners with a view to encouraging business, including joint business ventures between Japanese and Thai investors in those sectors as may be agreed upon. Such initiatives may include the activities carried out pursuant to paragraph 2 above.



## **Chapter 14**

### **Dispute Settlement**

#### **Article 57**

##### **Dispute Settlement**

Chapter 14 of the Basic Agreement shall apply *mutatis mutandis* with respect to the settlement of disputes between the Parties concerning the interpretation or application of Chapters 1, 2, 3 and 15 of this Agreement.

## **Chapter 15 Final Provisions**

### **Article 58 Implementation**

This Agreement shall be implemented by the Parties in accordance with the Basic Agreement and the laws and regulations in force in their respective Countries and within the available resources of each Party.

### **Article 59 Headings**

The headings of the Chapters and Articles of this Agreement are inserted for convenience of reference only and shall not affect the interpretation of this Agreement.

### **Article 60 Entry into Force**

This Agreement shall enter into force at the same time as the Basic Agreement and shall remain in force as long as the Basic Agreement remains in force. The Parties shall, at the request of a Party, consult with each other as to whether to amend this Agreement.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

DONE at Tokyo on this 3rd day of April 2007 in duplicate in the English language.

For the Government of  
the Kingdom of Thailand:

For the Government of  
Japan: