Agreement ID : ASEAN-KOREA
Short Name : AKFTA

Member Countries

Brunei
Cambodia
Indonesia
Korea, Rep.of
Lao PDR
Malaysia
Myanmar
Philippines
Singapore
Viet Nam

Total: 10 countries

Framework Agreement on Comprehensive Economic Cooperation Among the Governments of the Republic of Korea and of the

Status : Signed in **2006**. In force since 2010
Scope : Country - Bloc
Type : FTA & EIA
WTO Notification : GATT Art XXIV, GATS Art V 2010
Agreement text :
http://akfta.asean.org/index.php?page=legal-text
Other links :
http://fta.customs.go.kr/html/kor/_down/Kor-asean-00-Eng-Total.pdf
WTO consideration process :
Under consideration

GOODS

Tariffs

Article 3: tariff reduction or elimination in accordance to Normal Track (Annex 1) and Sensitive Track (Annex 2)

Annex 1: Korea and ASEAN 6 (Tariff elimination by 2010), Vietnam (by 2016), Cambodia, Lao PDR, Myanmar (by 2018). Attachment I :

Annex 2: Negative list

Rules of Origin

Article 5; Annex 3; Rule 4: RVC 40% of the FOB value, or CTH

Article 5; Annex 3; Rule 5; Appendix 2: Product Specific Rules

Article 5; Annex 3; Rule 6: Treatment for Certain Goods (i.e. industrial zone)

Contingency Measures

Anti - Dumping : Article 7: Allowed as per WTO
Countervailing Duties : Article 7: Allowed as per WTO
Safeguards : Article 9: Allowed as per WTO/GATT, for the transition period (7 years). Article 10: Allowed as per GTAA in case of BOP diffi

Standards : Article 7,8: Allowed as per WTO, A working group on TBT and SPS under the Implementing Committee shall be established

Notes :
This Agreement is notified under GATT Article XXIV, the Enabling Clause and GATS V.

SERVICES

WTO Notification (GATS Art. V) : Notified
Date of notification : 15/06/2010
Consideration Process : Under Consideration

Liberalization Approach : Positive Lists

Modes Covered
Cross - Border Supply : **Yes**
Consumption Abroad : **Yes**
Commercial Presence Abroad : **Yes**
Movement of Natural Persons : **Yes**

Specific Chapters on
Financial services : **Yes**
Telecommunications : **Yes**
Movement of natural persons : **Yes**
Professional services : **Yes**

Specific Sectors Excluded
Air transport : **Yes**
Cabotage in maritime transport : **Yes**
Other : **Yes**
(b) measures affecting air traffic rights, however granted; or tomeasures affecting services directly related to the exercise ofair traffic rights, other than measures affecting:(i) aircraft repair and maintenance services;(ii) the selling and marketing of air transport services; and(iii) computer reservation system services;(d) measures affecting natural persons seeking access to theemployment market of a Party and measures regardingcitizenship, residence or employment on a permanent basis.

Public Sectors carve-out : GATS-like (Article I:3(b))

Most Favoured Nation : Not featured

National Treatment : Binding

Market Access : Binding

Domestic Regulation : Binding but subject to legitimate expectations (GATS-like)

Subsidies covered by services disciplines : Not covered

Denial of benefits for commercial presence : Article 30 Denial of Benefits.

Notes :
http://www.fta.go.kr/pds/fta_korea/asean/36-1.pdf

Link to schedules :
http://akfta.asean.org/uploads/docs/agreements/Services-Schedule-of-Specific-Commitments.zip

INVESTMENT

Scheduling Approach :

Definition of investment : Covers portfolio investment

Most Favoured Nation : Binding
Economic integration exception to MFN : **Yes**

National Treatment : Binding
NT provision applies to entry and establishment rights : **Yes**

Fair and Equitable Treatment : Binding
Clarifying text on FET : **Yes**

Expropriation : Binding

Additional BIT exists between the parties : No

BIT list I :

Status:

BIT list II :

Status:

Notes :

Link to schedules :
http://www.fta.go.kr/pds/fta_korea/asean/50-1.pdf

TRADE FACILITATION

Customs procedures : **Yes** ANNEX (ECONOMIC COOPERATION); Article 1
Customs valuation : **No**
Trade regulations publication and administration : **Yes** CHAPTER II; Article 4
Use of ICT : **Yes** ANNEX (ECONOMIC COOPERATION); Article 8: The Parties shall cooperate to promote the development of ICT and ICT-re
Mobility of business people : **No**
Freedom of transit : **No**
Transport and logistics : **Yes** ANNEX (ECONOMIC COOPERATION); Article 18: Shipbuilding and Maritime Transport
Trade finance : **No**

OTHER AREAS

Government Procurement : **No**
Investment : **Yes** Article 2.3: the Parties shall enter into negotiations on the liberalisation of investment regime
Competition Policy : **Yes** Article 8: Monopolies and Exclusive Service Suppliers. No seperate agreement. Artile 8 provides certain disciplines
Intellectual Property : **Yes** ANNEX (ECONOMIC COOPERATION); Article 10: The Parties shall enhance their cooperation in the field of IP.
Dispute Settlement : **Yes** Article 5.1
Labor Mobility : **No**
Labor and Environmental Standards : **Yes** ANNEX (ECONOMIC COOPERATION); Article 11: Environmental Industry
Technical cooperation : **Yes** Article 3.2: Capacity Building Programmes and Technical Assistance
Institutional mechanism : **Yes** Article 5.2: Korea-ASEAN Trade Negotiating Committee

Notes :
FRAMEWORK AGREEMENT ON COMPREHENSIVEECONOMIC COOPERATION:http://www.fta.go.kr/pds/fta_korea/asean/2.pdf

RULES OF ORIGIN

Cumulation
Article 5; Annex 3; Rule 7: Partial

Specific Process
Annex 3; Rule 5; Appendix 2: Product Specific Rules
Heading Change

De Minimis
Annex 3; Rule 10: 10% of the FOB value. (Chapters 50-63: 10% of the total weight)
Minimum Content

Drawback
Not mentioned
HTTP Link
http://www.fta.go.kr/pds/fta_korea/asean/22.pdf

Notes :