Agreement ID : JAPAN-CHILE
Short Name : Japan-Chile FTA&EIA

Member Countries

Chile
Japan

Total: 2 countries

Agreement between Japan and the Republic of Chile for a Strategic Economic Partnership

Status : Signed in **2007**. In force since 2007
Scope : Bilateral
Type : FTA & EIA
WTO Notification : GATT Art XXIV, GATS Art V 2007
Agreement text :
http://www.mofa.go.jp/region/latin/chile/joint0703/agreement.pdf
Other links :
http://www.mofa.go.jp/policy/economy/fta/chile.html
WTO consideration process :
http://docsonline.wto.org/imrd/gen_redirectsearchdirect.asp?RN=0&searchtype=browse&query=@meta_Symbol%22WT/REG234/1%22&language=1&ct=DDFEnglish

GOODS

Tariffs
Positive list, see Annex 1 (http://www.mofa.go.jp/region/latin/chile/joint0703/annex.pdf)

Rules of Origin
Ch 4, Sec 1

Contingency Measures
Anti - Dumping : n.a.
Countervailing Duties : n.a.
Safeguards : Article 19 and Sect 2: allowed in accordance with the conditions established under Article XII of the GATT 1994 and the Und

Standards : n.a.

Notes :
Note on implementation at http://www.mofa.go.jp/region/latin/chile/joint0703/implementing.pdf

SERVICES

WTO Notification (GATS Art. V) : Notified
Date of notification : 24/08/2009
Consideration Process : Factual Presentation issued

Liberalization Approach : Negative Lists

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

Specific Chapters on
Financial services : **Yes**

Specific Sectors Excluded

Air transport : **Yes**

Other : **Yes**

This Chapter does not apply to Cabotage in maritime transport services.

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

Most Favoured Nation : Binding

National Treatment : Binding

Market Access : Not featured

Domestic Regulation : Non-binding (NAFTA-like)

Subsidies covered by services disciplines : Not covered

Denial of benefits for commercial presence : n.a

Notes :

Link to schedules :

Annex 6: http://www.mofa.go.jp/region/latin/chile/joint0703/annex.pdf

INVESTMENT

Scheduling Approach : Negative Lists

Definition of investment : Covers portfolio investment

Most Favoured Nation : Binding

National Treatment : Binding

NT provision applies to entry and establishment rights : **Yes**

Fair and Equitable Treatment : Binding

Expropriation : Binding

Board of Directors and executive personnel : Binding

Invester - State arbitration : Yes

Denial of Benefits :

Article 86. Denial of Benefits 1.A Party may deny the benefits of this Chapter to an investor of the other Party that is an enterprise of the other Party and to its investments if the enterprise is owned or controlled by an investor of a non-Party and the denying Party:(a)does not maintain diplomatic relations with the non-Party; or(b)adopts or maintains measures with respect to the non-Party that prohibit transactions with the enterprise or that would be violated or circumvented if the benefits or this Chapter were accorded to the enterprise or to its investments.2.A Party may deny the benefits of this Chapter to an investor of the other Party that is an enterprise of the other Party and to its investments if the enterprise is owned or controlled by an investor of a non-Party and the denying Party and the enterprise has no substantial business activities in the Area of the other Party, subject to prior notification to and consultation with the other Party.

Additional BIT exists between the parties : No

BIT list I :

Status:

BIT list II :

Status:

Notes :

Link to schedules :

TRADE FACILITATION

Customs procedures : **Yes** Chapter 5
Customs valuation : **Yes** Article 14
Trade regulations publication and administration : **No**
Use of ICT : **No**
Mobility of business people : **No**
Freedom of transit : **No**
Transport and logistics : **No**
Trade finance : **No**

OTHER AREAS

Government Procurement : **Yes** Article 156
Investment : **Yes**
Competition Policy : **Yes**
Intellectual Property : **Yes** Ch 13
Dispute Settlement : **Yes** Ch 8, Sec 2 (Investor-State), Ch 16 (State-State)
Labor Mobility : **No** Ch 11
Labor and Environmental Standards : **Yes** Article 87, Environmental Standards
Technical cooperation : **No**
Institutional mechanism : **No**

Notes :
The Agreement encompasses the cross-border flows of goods, persons, investment, and services. It also covers the protection of intellectual property, the enhancement of opportunities for suppliers to participate in government procurement, the promotion of fair and free competition and the improvement of business environment.

RULES OF ORIGIN

Cumulation
Article 33: bilateral

Specific Process

Heading Change
Article 29.3
De Minimis
Article 32
Minimum Content
Article 30

Drawback

HTTP Link

Notes :
Chapter 4, Section 1