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ASEAN TOURISM AGREEMENT

WE, the Heads of Government/State of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam, Member States of the Association of Southeast Asian Nations (hereinafter referred to as ASEAN);

RECOGNISING the strategic importance of the tourism industry for sustainable socio-economic growth of the ASEAN Member States and the diversity in cultures, economy, and the complementary advantages across the region, which would benefit the tourism development of ASEAN in the pursuit of improved regional quality of life, peace, and prosperity;

RECALLING the Manila Declaration of 15 December 1987, which expressed ASEAN's determination to encourage intra-ASEAN travel and strengthen ASEAN's tourism industry;

NOTING the Hanoi Plan of Action adopted by us at our Sixth Summit held in Hanoi on 15-16 December 1998, and the Ministerial Understanding on ASEAN Cooperation in Tourism, signed on 10 January 1998 in Cebu, the Philippines, which provided among others the development and promotion of ASEAN as a single tourism destination with world-class standards, facilities and attractions;

MINDFUL of the objectives of the ASEAN Framework Agreement on Services, signed in Bangkok on 15 December 1995, which laid down the basic principles and scope for negotiations on trade in services among ASEAN Member States with a view to liberalising intra-ASEAN trade in services;

REAFFIRMING our commitment to the rules and principles of the General Agreement on Trade in Services and our policy of applying them to the tourism and travel industry;

REAFFIRMING ALSO our adherence to the Global Code of Ethics for Tourism, adopted by the Thirteenth Session of the General Assembly of the World Tourism Organisation on 1 October 1999;

MINDFUL ALSO of the different levels of economic development and diverse cultural backgrounds of the ASEAN Member States;

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AWARE, at the same time, of the valuable role of tourism in narrowing the development gap among ASEAN Member States as well as in fostering mutual understanding and regional stability;

EMPHASISING the need to strengthen, deepen and broaden cooperation in tourism among ASEAN Member States and among their private sectors in the light of the complementary nature of their tourism attractions;

STRESSING the need for ASEAN cooperation in making travel into and within ASEAN easier and more efficient;

DETERMINED to improve the efficiency and competitiveness of ASEAN's tourism services;

HAVING DECIDED at the Seventh ASEAN Summit on 4 November 2001 in Brunei Darussalam to conclude an ASEAN tourism agreement;

HAVE AGREED AS FOLLOWS:

ARTICLE 1

OBJECTIVES

The objectives of this Agreement are:

(1) To cooperate in facilitating travel into and within ASEAN;

(2) To enhance cooperation in the tourism industry among ASEAN Member States in order to improve its efficiency and competitiveness;

(3) To substantially reduce restrictions to trade in tourism and travel services among ASEAN Member States;

(4) To establish an integrated network of tourism and travel services in order to maximise the complementary nature of the region's tourist attractions;

(5) To enhance the development and promotion of ASEAN as a single tourism destination with world-class standards, facilities and attractions;

(6) To enhance mutual assistance in human resource development and strengthen cooperation to develop, upgrade and expand tourism and travel facilities and services in ASEAN; and

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(7) To create favourable conditions for the public and private sectors to engage more deeply in tourism development, intra-ASEAN travel and investment in tourism services and facilities.

ARTICLE 2

FACILITATION OF INTRA-ASEAN AND INTERNATIONAL TRAVEL

Member States shall facilitate travel within and into ASEAN by:

(1) Extending visa exemption arrangement for nationals of ASEAN Member States traveling within the region on the basis of bilateral visa exemption agreements concluded between Member States that are ready to do so;

(2) Harmonising the procedures for issuing visas to international travelers;

(3) Phasing out travel levies and travel taxes on nationals of ASEAN Member States traveling to other ASEAN Member States;

(4) Encouraging the use of smart cards for ASEAN business and frequent travelers and, where appropriate, for cross-border travel on the basis of bilateral agreements concluded between Member States that are ready to do so;

(5) Improving communications with international travelers through the use of universal symbols and multi-lingual signs and forms; and

(6) Easing the process of issuance of travel documents and progressively reducing all travel barriers.

ARTICLE 3

FACILITATION OF TRANSPORT SERVICES

Member States shall facilitate transport within and into ASEAN by:

(1) Cooperating in promoting accessibility by air to and amongst Member States through the progressive liberalisation of air services;

(2) Improving the efficiency of airport management and other related services;

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(3) Developing appropriate policies to encourage cruising, travel by ferries, and leisure boats by providing adequate infrastructure and facilitating seamless travel;

(4) Enhancing cooperation in developing measures in support of efficient and safe travel and tourism in terms of land transport and travel insurance; and

(5) Encouraging cooperation and commercial arrangements among ASEAN airlines.

ARTICLE 4

MARKET ACCESS

Member States shall conduct continuous negotiations on trade in tourism services as provided for by the ASEAN Framework Agreement on Services.

ARTICLE 5

QUALITY TOURISM

Member States shall ensure quality tourism by:

(1) Encouraging all levels of government and local communities to carry out programmes to ensure the preservation, conservation and promotion of the natural, cultural and historical heritage of Member States;

(2) Encouraging visitors to learn, respect and help preserve the natural, cultural and historical heritage of Member States;

(3) Encouraging where appropriate the adoption of environmental management standards and certification programmes for sustainable tourism and for assessing and monitoring the impact of tourism on local communities, culture and nature, especially in environmentally and culturally sensitive areas;

(4) Promoting the use of environmentally sound technologies to preserve and conserve the natural heritage, the ecosystems and biodiversity and to protect endangered flora and fauna as well as micro-organisms;

(5) Strengthening measures to prevent tourism-related threats on and exploitation of cultural heritage and natural resources; and

(6) Taking stern measures to prevent tourism-related abuse and exploitation of people, particularly women and children.

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ARTICLE 6

TOURISM SAFETY AND SECURITY

Member States shall ensure the safety and security of travelers by:

(1) Stepping up cooperation among law-enforcement agencies in charge of tourist safety and security;

(2) Intensifying the sharing of information on immigration matters among law-enforcement agencies; and

(3) Taking all necessary measures to ensure communications and assistance systems to deal with visitors' concerns.

ARTICLE 7

JOINT MARKETING AND PROMOTION

Member States shall intensify joint action to market and promote travel into and within ASEAN by:

(1) Supporting the Visit ASEAN Campaign, which calls for thematic tour packages and attractions to encourage visitors to focus on specific areas of interest;

(2) Promoting ASEAN's richly diverse nature, culture and arts;

(3) Fostering cooperation among ASEAN national tourism organisations and the tourism industry, particularly airlines, hotels and resorts, travel agencies and tour operators, in marketing and promoting transnational tour packages, including the sub-regional growth areas;

(4) Calling on airlines of Member States to expand their tourism promotional programmes;

(5) Holding ASEAN-wide promotional events within the region and overseas;

(6) Expanding and strengthening ASEAN cooperation in overseas markets and major international tourism and travel-trade fairs;

(7) Promoting ASEAN as a brand in the international market;

(8) Strengthening support for the ASEAN Tourism Forum;

(9) Promoting investment opportunities in the ASEAN tourism industry;

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(10) Cooperating in the use of information technology in the ASEAN tourism and travel-trade industry; and

(11) Fostering public-private partnerships in tourism marketing and promotion in cooperation with international and regional tourism organisations and other relevant bodies.

ARTICLE 8

HUMAN RESOURCE DEVELOPMENT

Member States shall cooperate in developing human resources in the tourism and travel industry by:

(1) Formulating non-restrictive arrangements to enable ASEAN Member States to make use of professional tourism experts and skilled workers available within the region on the basis of bilateral arrangements;

(2) Intensifying the sharing of resources and facilities for tourism education and training programmes;

(3) Upgrading tourism education curricula and skills and formulating competency standards and certification procedures, thus eventually leading to mutual recognition of skills and qualifications in the ASEAN region;

(4) Strengthening public-private partnerships in human resource development; and

(5) Cooperating with other countries, groups of countries and international institutions in developing human resources for tourism.

ARTICLE 9

IMPLEMENTATION

1. Member States shall draw up the necessary Protocols, Memoranda of Understanding or any other instruments to carry out the provisions of this Agreement. In the implementation of these instruments, two or more Member States may proceed first if other Member States are not ready to implement these arrangements.

2. The ASEAN Tourism Ministers shall supervise, coordinate and monitor the implementation of this Agreement.



ARTICLE 10

AMENDMENTS

Any amendments to this Agreement shall be made by consensus and shall become effective upon the deposit of instruments of ratification or acceptance by all Member States with the Secretary-General of ASEAN.

ARTICLE 11

SETTLEMENT OF DISPUTES

1. Any dispute between Member States as to the interpretation or application of, or compliance with, this Agreement or any Protocol thereto, shall be settled amicably by consultation.

2. If a settlement cannot be reached, the dispute shall be dealt with in accordance with the Protocol on Dispute Settlement Mechanism for ASEAN signed on 20 November 1996 in Manila, the Philippines.

ARTICLE 12

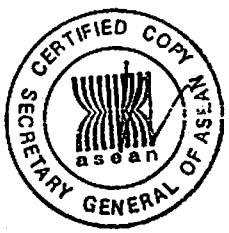
FINAL PROVISIONS

1. This Agreement shall enter into force upon the deposit of instruments of ratification or acceptance by all Member States with the Secretary-General of ASEAN.

2 This Agreement shall be deposited with the Secretary-General of ASEAN, who shall promptly furnish each Member State a certified copy thereof.

3 Nothing in this Agreement can be construed to prevent enforcement in good faith of any measures made by Member States to protect national security or public order, public morals, religion, human life and health, as well as social and cultural values.

DONE at Phnom Penh, Kingdom of Cambodia on the 4th day of November 2002, in a single copy in the English language.



For Brunei Darussalam

HAJI HASSANAL BOLKIAH
Sultan of Brunei Darussalam

For the Kingdom of Cambodia

HUN SEN
Prime Minister

For the Republic of Indonesia

MEGAWATI SOEKARNOPUTRI
President

For the Lao People's Democratic Republic

BOUNNHANG VORACHITH
Prime Minister

For Malaysia

MAHATHIR BIN MOHAMAD
Prime Minister

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For the Union of Myanmar

SENIOR GENERAL THAN SHWE
Chairman of the State Peace and Development Council
And Prime Minister

For the Republic of the Philippines

GLORIA M. MACAPAGAL-ARROYO
President

For the Republic of Singapore

GOH CHOK TONG
Prime Minister

For the Kingdom of Thailand

THAKSIN SHINAWATRA
Prime Minister

For the Socialist Republic of Viet Nam

PHAN VAN KHAI
Prime Minister

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