AGREEMENT
ON TRADE PROMOTION AND FACILITATION FOR CAMBODIA – LAO PDR – VIET NAM DEVELOPMENT TRIANGLE AREA

PREAMBLE

The Government of the Kingdom of Cambodia, the Government of the Lao People's Democratic Republic and the Government of the Socialist Republic of Viet Nam (hereinafter collectively referred to as Parties or singularly as Party);

DESIRING to reinforce and further expand the social-economic and trade relations in the Cambodia-Lao PDR-Viet Nam Development Triangle Area (hereinafter referred as the CLV DTA);

NOTING that the economic and trade development in the CLV DTA is one of the important strategies to promote economic, trade relations and friendship on the basis of equality and mutual benefits between the three countries.

Have agreed as follows:

CHAPTER I
GENERAL PROVISIONS

Article 1
Objectives

The Objectives of this Agreement are to:

1. enhance trade promotion activities;

2. create friendly business environment;

3. facilitate the movement of people, vehicles and goods among the Parties; and

4. create favourable conditions for the stimulation of trade and investment flows.

Article 2

Scope of the Agreement

This Agreement shall apply to:

1. encourage trade promotion activities in the CLV DTA;

2. facilitate trade activities in the CLV DTA through border check-points that have been agreed by the Parties, as in ANNEX (List of Border Gate Pairs in Cambodia-Lao PDR-Viet Nam Development Triangle Area).

Article 3

Definition

In this Agreement, the abbreviation and terms are defined as follows:

1. CLV DTA refers to the Cambodia-Lao PDR-Viet Nam Development Triangle Area which includes 4 provinces of Cambodia namely Stung Treng, Rattanak Kiri, Mondul Kiri and Kratie, 4 provinces of Lao PDR namely Sekong, Attapeu, Saravan and Champasak, and 5 provinces of Viet Nam namely Kon Tum, Gia Lai, Dak Lak, Dak Nong and Binh Phuoc.

2. Trade promotion means activities in organizing trade fair, exhibition, trade mission, business matching, market survey and research.

3. Competent authority means the Government institution/body of each Party that takes the responsibility for the management of trade and investment promotion and facilitation activities in the CLV DTA.

CHAPTER II
TRADE PROMOTION

Article 4
Trade Promotion

1. The Parties shall provide support and resources to organize/co-organize trade promotion activities in the CLV DTA;

2. Competent authority of each Party will facilitate procedures for organizing trade promotion activities and for bringing in goods to participate in trade fairs and exhibitions.

3. The Parties encourage their businesses to involve in trade promotion activities in the CLV DTA.

Article 5
Trade Fair and Exhibition

1. The Parties agree to hold at least one international trade fair or exhibition each year in the CLV DTA, hereafter referred as the CLV DTA Trade Fair. CLV DTA Trade Fair will be held alternately in each Party's DTA.

2. The Parties coordinate to co-organize trade fairs or other trade promotion activities. The Parties also agree that the mobilization of fund to support trade promotion from donors should be taken into account.

3. The focal points for organizing annual international trade promotion activities in the CLV DTA are: the Ministry of Commerce of Cambodia, the Ministry of Industry and Commerce of Lao PDR and the Ministry of Industry and Trade of Viet Nam.

4. The Parties agree to support and create favourable conditions for the provinces in the CLV DTA to organize international trade fairs and exhibitions in the CLV DTA.

Article 6
Mission for Market Survey and Research, and Business Matching

The Parties encourage to conduct the missions for market survey and research, and to organize business matching in order to promote trade in the CLV DTA among the Parties.

CHAPTER III
TRADE FACILITATION

Article 7
Trade in Goods

1. The Parties agree to enhance the import-export activities in accordance with the respective laws and regulations of each country and international-practices.

2. The Parties agree to facilitate the issuance of import and export licenses/permits in accordance with the respective laws and regulations of each country for commodities which require import and export licenses/permits.

3. The Parties agree to strengthen the quality of management of cross-bordered goods among provinces in the CLV DTA; encourage barter trade methods; promote imports, exports and border trade in order to

promote the exchange of goods among provinces in the CLV DTA.

Article 8

Payment for Purchasing Goods and Services

1. All payment and transaction related to the sale and purchase of goods and services among the local residents/ business persons in the CLV DTA can be made in Cambodian Riel, Lao Kip and Viet Nam Dong or in freely convertible foreign currency or other means of payment to be mutually agreed upon by the business partners in accordance with the respective laws and regulations of each country.

2. Payment from the sales of goods and services among business partners in the CLV DTA shall be consistent with the respective laws and regulations of each country.

Article 9

Facilitation for vehicles, goods and people enter and exit at the border check-points of the CLV DTA

The Parties shall facilitate the movement of vehicles, goods, and people at the border check-points in accordance with each Party's laws and regulations, relevant bilateral and multilateral treaties/agreements of which the Parties are members, especially ensuring compliance with provisions of the MOU between and among the Governments of Cambodia, Lao PDR and Viet Nam on Road Transport signed on January 17th 2013 in Champasak Province, Lao PDR.

Article 10

Border Trade

1. The Parties are encouraged to provide good conditions to raise living standards of residents in border areas by encouraging the exchange of goods and proposing preferential policies for goods produced in the CLV DTA.

2. The Parties agreed to encourage the development of border markets to promote and facilitate trade among the Parties.

3. Local residents of the CLV DTA shall be allowed to carry goods which are free of duty and other taxes in accordance with the respective laws and regulations of each country.

Article 11

Investment

1. The Parties shall encourage investors to invest in CLV DTA and the investment shall be protected in accordance with the respective laws and regulations of each country as well as the bilateral and multilateral treaties to which Cambodia, Lao PDR and Viet Nam are the Parties.

2. The Parties should strengthen investment promotion activities and exchange of information on investment opportunities in the CLV DTA.

Article 12

Customs Procedures and Sanitary and Phyto-Sanitary (SPS) Measures

1. The import and export of goods among the Parties through border gates/border check-points as agreed in the ANNEX (List of Border Gate Pairs in Cambodia-Lao

PDR-Viet Nam Development Triangle Area) shall be conducted and governed in accordance with agreements and treaties of which the Parties are members. People engaging in trade activities in the CLV DTA shall comply with the respective laws and regulations of each country.

2. The Parties agree to ensure transparency and accountability in customs procedures and SPS measures to facilitate trade through accelerating the process of customs clearance for import and export activities in the CLV DTA in accordance with the respective laws and regulations of each country and international practices.

3. Customs, SPS, and related competent authorities of the Parties shall closely coordinate with each other and periodically review and simplify the customs procedures and SPS measures for further trade facilitation.

4. The Parties agree to encourage the application of information technology in implementing customs procedures and upgrading the technical facilities to check the goods crossing borders.

5. Taking into account the **Memorandum of Understanding towards the Formulation of Special Preferential Policies for the CLV Development Triangle Area,** signed on 26th November 2008 in Vientiane, Lao PDR and its amendment dated 16th November 2010 in Phnom Penh, Cambodia, the Parties agree to review the working hours for each border gate pair to apply the same working hours in order to facilitate the import, export and immigration activities.

Article 13

Administrative Procedures

1. The Parties encourage competent authorities to simplify the administrative procedures at the border check-points

in order to facilitate imports and exports of goods, transit goods, movement of people and vehicles.

2. With respect to other trade facilitation activities, the Parties shall comply with the Agreement on Trade Facilitation in the WTO (WTO ATF) and other agreements in which Cambodia, Lao PDR and Viet Nam are Parties.

CHAPTER IV
ECONOMIC AND TECHNICAL COOPERATION

Article 14
Cooperation between Competent Authorities

The competent authorities of each Party are responsible for cooperating and exchanging information with the other Parties in order to conduct trade promotion and facilitation activities, which are aforementioned in Chapter II and III of this Agreement.

Article 15
Economic Cooperation

The Parties agree to encourage joint production of commodities in the CLV DTA with the aim of taking advantage of Parties' markets as well as other foreign markets.

Article 16
Technical Cooperation

1. The Parties agree to encourage and promote cooperation in the fields of human resource development, science and technology, research and development,

environmental management, tourism and agriculture, forestry and fisheries in the CLV DTA.

2. The Parties agree that technical cooperation would be implemented through exchange programmes between educational institutions, trainings, workshops, research and providing experts to the other Parties.

Article 17

Support from Development Partners

The Parties agree to cooperate in seeking financial resources and technical assistance from Development Partners in order to strengthen the implementation of trade promotion and facilitation activities in CLV DTA.

CHAPTER V

INSTITUTIONAL ARRANGEMENT AND DISPUTE SETTLEMENT

Article 18

Focal Points

1. Each Party shall designate a focal point for coordinating the implementation and facilitating communications on any matter of the CLV DTA Trade Promotion and Facilitation Agreement and shall keep all Parties updated on its focal points details.

2. The Focal Points shall comprise relevant appointed departments from the Ministry of Commerce of Cambodia, Ministry of Industry and Commerce of Lao PDR, Ministry of Industry and Trade of Viet Nam.

Article 19
Dispute Settlement

1. Any difference or dispute between Parties as to the interpretation or application of, or compliance with, this Agreement, shall be settled amicably by consultation or negotiation.

2. Any request for consultations shall be made in writing and be conveyed to the focal points with a copy sent through diplomatic channel.

3. Upon request of another Party in accordance with paragraph 2, a Party shall give response within 30 days; and shall enter into consultations within a reasonable time but no more than 90 days after the date of the response to the request with the aim of reaching a mutually satisfactory solution for concerned Parties.

CHAPTER VI
FINAL PROVISIONS

Article 20
Transparency

The Parties shall notify each other of regulations, measures, which may involve with or affect the promotion and facilitation of trade in accordance with the provisions of this Agreement.

Article 21
General Exceptions

1. The provisions of this Agreement shall not restrict the rights of each Party to the implementation of measures

to protect national security, public health, flora and fauna and the environment.

2. The implementation of this Agreement shall not affect the rights and obligations of the Parties under the existing agreements or international conventions/treaties of which the Parties are members.

3. Each Party may temporarily suspend all or parts of the Agreement with immediate effect in the event of an emergency that affects national security. The Party, which has taken this measure shall promptly notify other Parties of the suspension. After the situation returns to normal, that Party shall promptly notify other Parties and resume to implement the provisions under this Agreement.

Article 22

Validity

1. This Agreement shall enter into force thirty (30) days after the date when the last Party notifies other Parties in writing through diplomatic channel that it has completed the internal procedures for the enforcement of the Agreement.

2. In case one Party decides to withdraw from this Agreement, she shall notify other Parties in writing 6 months in advance through diplomatic channel and the other two Parties may continue to implement this Agreement.

3. This Agreement shall remain in force unless terminated by written mutual consent of the Parties. The termination shall take effect 6 months after the date of the Parties' mutual consent. In respect of arrangements made prior to the date of termination of this agreement, the relevant provisions of this Agreement shall remain in force for such arrangement until their completion.

Article 23
Annex

The Annex to this Agreement shall form an integral part of this Agreement and can be amended by Parties upon mutual consent.

Article 24
Amendment

Any amendment to the provisions of this Agreement proposed by one or more Parties shall take effect upon a written consent of all Parties.

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

DONE in Siem Reap City, Kingdom of Cambodia, this Twenty-third Day of November in the year Two Thousand and Sixteen, in three (03) original copies in the English language.

FOR THE ROYAL GOVERNMENT OF CAMBODIA	FOR THE GOVERNMENT OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC	FOR THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIET NAM
PAN SORASAK	SALEUMXAY KOMMASITH	MAI TIEN DUNG
MINISTER OF COMMERCE	MINISTER OF FOREIGN AFFAIRS	MINISTER, CHAIRMAN OF THE OFFICE OF THE GOVERNMENT

ANNEX

List of Border Gate Pairs

in Cambodia-Lao PDR-Viet Nam

Development Triangle Area

International Border Gate Pairs

No.	Name of Border Gate	Connectivity Route	Name of Border Gate
1	O YADAV (Ratanakiri, Cambodia)	NR7+NR78 NR19	LE THANH (Gia Lai, Viet Nam)
2	TRAPEANG SRE (Kratie, Cambodia)	NR7+NR47 NR13	HOA LU (Binh Phuoc, Viet Nam)
3	TRAPEANG KRIEL (Stung Treng, Cambodia)	NR 7 – NR13 Nongnokkhien-Pakse-Sekong-Samakhixeay-Phoukeua (NR13S+NR16+NR18B)	NONG NOKKHIEN (Champasak, Lao PDR)
4	BO Y (Kon Tum, Viet Nam)	NR 40 - NR 18	PHUKUEA (Attapeu, Lao PDR)

Note: NR refers to National Road