PROTOCOL 2
DESIGNATION OF FRONTIER POSTS

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Republic of 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 ("ASEAN") (hereinafter referred to singularly as "Contracting Party" and collectively as "Contracting Parties");

RECALLING the ASEAN Framework Agreement on the Facilitation of Goods in Transit signed on 16 December 1998 in Ha Noi, Viet Nam (hereinafter referred to as "the Agreement");

RECOGNISING that Articles 7 and 25 thereof provide for the conclusion of implementing Protocols which shall form integral parts of the Agreement;

DESIRING to encourage and facilitate inter-state and transit transport operations among the Contracting Parties; and

REITERATING that the conclusion of this Protocol shall provide for the efficient and effective arrangement for transit trade among the Contracting Parties,

HAVE AGREED as follows:

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ARTICLE 1
SCOPE OF APPLICATION

1. Pursuant to paragraph 1 of Article 7 of the Agreement, the Contracting Parties hereby agree to apply the provisions of this Protocol to the frontier posts as duly designated for the clearance and examination of the means of transport and goods in transit.

2. The Contracting Parties may, with the mutual consent of the immediate neighbouring Contracting Party or Parties, allow the clearance and examination of the means of transport and goods in transit at other frontier posts, in addition to those duly designated, in an exceptional situation and on a temporary basis, as long as the terms and conditions are consistent with the principles embodied in the Agreement and this Protocol.

ARTICLE 2
DESIGNATION OF FRONTIER POSTS

1. The Contracting Parties hereby agree to formalise the initial respective frontier posts, as the basis for the designation of frontier posts for the purpose of this Protocol, which are listed in the Annex to this Protocol.

2. The Contracting Parties shall affirm their designated frontier posts at the time of the deposit of their Instruments of Ratification or Acceptance with the Secretary-General of ASEAN. The affirmation shall be with the mutual agreement of the immediate neighbouring Contracting Party or Parties.

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3. The Contracting Parties may initiate proposals for the modification of the list of the designated frontier posts from time to time. Any proposed modification by one Contracting Party shall be with the mutual agreement of the immediate neighbouring Contracting Party or Parties. Subsequent amendments to the Annex as a result of such modification shall be deposited with the Secretary-General of ASEAN who shall promptly communicate the amended Annex to the Contracting Parties.

4. The designated frontier posts established in accordance with this Protocol shall be without prejudice to any on-going territorial claims between the Contracting Parties.

ARTICLE 3
INSTITUTIONAL ARRANGEMENTS

1. The ASEAN Directors-General of Customs Meeting shall be the body responsible for monitoring, reviewing, coordinating and supervising all aspects relating to the effective implementation of this Protocol.

2. The ASEAN Secretariat shall provide the necessary administrative support and assistance to the ASEAN Directors-General of Customs Meeting in carrying out its functions and discharging its responsibilities under this Protocol.

ARTICLE 4
FINAL PROVISIONS

1. This Protocol shall be deposited with the Secretary-General of ASEAN who shall promptly

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furnish a certified true copy thereof to each Contracting Party.

2. This Protocol shall form an integral part of the Agreement. In the event of any inconsistency or conflict, the Agreement shall prevail over this Protocol.

3. This Protocol shall be subject to ratification or acceptance by the Contracting Parties. The Instrument of Ratification or Acceptance, including the affirmation of their designated frontier posts, shall be deposited with the Secretary-General of ASEAN who shall promptly inform each Contracting Party of such deposit. The affirmation or designation, as the case may be, of the frontier post(s) and subsequent changes and modifications to such frontier post(s) shall be accompanied by supporting documents showing the mutual agreement of the immediate neighbouring Contracting Party or Parties.

4. This Protocol shall enter into force on the sixtieth day after the deposit of the sixth Instrument of Ratification or Acceptance, and shall become effective only among the Contracting Parties that have ratified or accepted it. For each Contracting Party ratifying or accepting the Protocol after the deposit of the sixth Instrument of Ratification or Acceptance, the Protocol shall enter into force on the sixtieth day after the deposit of such Contracting Party of its Instrument of Ratification or Acceptance.

5. No reservation may be made to this Protocol either at the time of signature or ratification or acceptance.



6. Any amendment to the provisions of this Protocol, except for the amendment of the Annex as provided under paragraph 3 of Article 2 of this Protocol, shall be effected by the consent of all Contracting Parties.

IN WITNESS WHEREOF, the undersigned, being duly authorised to sign by their respective Governments, have signed Protocol 2 on the Designation of Frontier Posts to implement the ASEAN Framework Agreement on the Facilitation of Goods in Transit.

DONE at Langkawi, Malaysia on the fourth day of May in the Year Two Thousand and Eighteen....., in a single copy in the English language.

For Brunei Darussalam:

PEHIN DATO ABD RAHMAN IBRAHIM
Minister at the Prime Minister's Office
and Minister of Finance II

For the Kingdom of Cambodia:

NGUON SOKHA
Secretary of State, Ministry of Economy and Finance

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For the Republic of Indonesia:

SRI MULYANI INDRAWATI
Minister for Finance

For the Lao People's Democratic Republic:

SILA VIENGKEO
Deputy Minister of Finance

For Malaysia:

DATUK SERI JOHARI ABDUL GHANI
Minister of Finance II

For the Republic of the Union of Myanmar:

Kyaw Win
Union Minister
Ministry of Planning & Finance

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For the Republic of the Philippines:

CARLOS G. DOMINGUEZ
Secretary of Finance

For the Republic of Singapore:

LAWRENCE WONG
Second Minister for Finance

For the Kingdom of Thailand:

APISAK TANTIVORAWONG
Minister of Finance

For the Socialist Republic of Viet Nam:

DINH TIEN DUNG
Minister of Finance

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ANNEX

List of Designated Frontier Posts

Brunei Darussalam
- Sungai Tujuh

Kingdom of Cambodia
- Poi Pet
- Bavet
- Trapeing Kreal
- Sihanoukville International Port

Republic of Indonesia
- Entikong, West Kalimantan

Lao People's Democratic Republic
- Nampaow Customs Checkpoint, Bolikhamsay Province
- Friendship Bridge 1 International Customs Checkpoint, Vientiane Capital
- Friendship Bridge 2 International Customs Checkpoint, Savannakhet Province
- Friendship Bridge 4 International Customs Checkpoint, Bokeo Province
- Nongnokkien International Customs Checkpoint, Champasack Province
- Daensavanh Customs Checkpoint, Savannakhet Province

Malaysia
- Bukit Kayu Hitam
- Tanjong Kupang
- Tebedu
- Sungai Tujuh
- Johor Bahru

Republic of the Union of Myanmar
- Tachileik
- Myawaddy

Republic of the Philippines
- Nil

Republic of Singapore
- Woodlands Checkpoint
- Tuas Checkpoint
- Keppel Free Trade Zone

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Pasir Panjang Free Trade Zone
Jurong Free Trade Zone
Sembawang Free Trade Zone
Changi Free Trade Zone

Kingdom of Thailand

Mae Sai Boundary Post
Mae Sot Boundary Post
Aranyaprathet Boundary Post
Nong Kai Boundary Post
Sa Dao Boundary Post
Mook Da Harn Boundary Post
Chiang Kong Boundary Post

Socialist Republic of Viet Nam

Cau Treo Customs Checkpoint
Lao Bao Customs Checkpoint
Moc Bai Customs Checkpoint



