

## CHAPTER 21

### COOPERATION AND CAPACITY BUILDING

#### Article 21.1: General Provisions

1. The Parties acknowledge the importance of cooperation and capacity building activities and shall undertake and strengthen these activities to assist in implementing this Agreement and enhancing its benefits, which are intended to accelerate economic growth and development.
2. The Parties recognise that cooperation and capacity building activities may be undertaken between two or more Parties, on a mutually agreed basis, and shall seek to complement and build on existing agreements or arrangements between them.
3. The Parties also recognise that the involvement of the private sector is important in these activities, and that SMEs may require assistance in participating in global markets.

#### Article 21.2: Areas of Cooperation and Capacity Building

1. The Parties may undertake and strengthen cooperation and capacity building activities to assist in:
  - (a) implementing the provisions of this Agreement;
  - (b) enhancing each Party's ability to take advantage of the economic opportunities created by this Agreement; and
  - (c) promoting and facilitating trade and investment of the Parties.
2. Cooperation and capacity building activities may include, but are not necessarily limited to, the following areas:
  - (a) agricultural, industrial and services sectors;
  - (b) promotion of education, culture and gender equality; and
  - (c) disaster risk management.
3. The Parties recognise that technology and innovation provides added value to cooperation and capacity building activities, and may be incorporated into cooperation and capacity building activities under this Article.

## 第 21 章

### 合作与能力建设

#### 第 21.1 条 总则

1. 缔约方承认合作与能力建设活动的重要性，并应开展和加强这些活动，以帮助实施本协定并强化其利益，以加快经济增长和经济发展。
2. 缔约方认识到，合作与能力建设活动可在双方同意的基础上，在两个或多个缔约方之间开展，并应寻求补充和加强缔约方之间的现行协定或安排。
3. 缔约方还认识到私营部门的参与对这些活动的重要性，且中小企业在参与全球市场过程中可能需要帮助。

#### 第 21.2 条 合作与能力建设的领域

1. 缔约方可开展和增强合作与能力建设活动，以帮助：
  - (a) 实施本协定条款；
  - (b) 增强每一缔约方利用本协定所创造的经济机会的能力；以及
  - (c) 促进和便利缔约方的贸易和投资。
2. 合作与能力建设活动可包括但不限于下列领域：
  - (a) 农业、工业和服务部门；
  - (b) 教育、文化和性别平等的促进；以及
  - (c) 灾害风险管理。
3. 缔约方认识到，技术和创新可为合作与能力建设活动提供增加值，可纳入本条下的合作与能力建设活动。

4. The Parties may undertake cooperation and capacity building activities through modes such as: dialogue, workshops, seminars, conferences, collaborative programmes and projects; technical assistance to promote and facilitate capacity building and training; the sharing of best practices on policies and procedures; and the exchange of experts, information and technology.

### **Article 21.3: Contact Points for Cooperation and Capacity Building**

1. Each Party shall designate and notify a contact point on matters relating to the coordination of cooperation and capacity building activities in accordance with Article 27.5 (Contact Points).

2. A Party may make a request for cooperation and capacity building activities related to this Agreement to another Party or Parties through the contact points.

### **Article 21.4: Committee on Cooperation and Capacity Building**

1. The Parties hereby establish a Committee on Cooperation and Capacity Building (Committee), composed of government representatives of each Party.

2. The Committee shall:

- (a) facilitate the exchange of information between the Parties in areas including, but not limited to, experiences and lessons learned through cooperation and capacity building activities undertaken between the Parties;
- (b) discuss and consider issues or proposals for future cooperation and capacity building activities;
- (c) initiate and undertake collaboration, as appropriate, to enhance donor coordination and facilitate public-private partnerships in cooperation and capacity building activities;
- (d) invite, as appropriate, international donor institutions, private sector entities, non-governmental organisations or other relevant institutions, to assist in the development and implementation of cooperation and capacity building activities;
- (e) establish *ad hoc* working groups, as appropriate, which may include government representatives, non-government representatives or both;
- (f) coordinate with other committees, working groups and any other subsidiary body established under this Agreement as appropriate,

4. 缔约方可通过多种模式开展合作与能力建设活动，例如：对话、讲习班、研讨会、会议、合作计划和项目；为促进和便利能力建设和培训的技术援助；政策和程序最佳实践分享；以及专家交流、信息交流和技术交流。

### 第 21.3 条 合作与能力建设的联络点

1. 每一缔约方应依照第 27.5 条(联络点)就与合作与能力建设活动协调相关的事项指定并通知一联络点。
2. 一缔约方可通过联络点向另一个或多个缔约方提出开展与本协定相关的合作与能力建设活动的请求。

### 第 21.4 条 合作与能力建设委员会

1. 缔约方特此设立合作与能力建设委员会(简称委员会)，由每一缔约方的政府代表组成。
2. 委员会应：
  - (a) 便利缔约方之间的信息交流，领域包括但不仅限于交流在缔约方之间合作与能力建设活动中所获经验和教训；
  - (b) 讨论和审议关于未来合作和能力建设活动的问题或提案；
  - (c) 酌情发起和开展合作，以加强捐助方的协调，便利合作与能力建设活动中公私合作关系的建立；
  - (d) 酌情邀请国际捐助机构、私营部门实体、非政府组织或其他相关机构在举办和实施合作与能力建设活动中提供帮助；
  - (e) 酌情设立临时工作组，工作组可包括政府代表或非政府代表，或两者均包括；
  - (f) 酌情与本协定项下设立的其他委员会、工作组和任

in support of the development and implementation of cooperation and capacity building activities;

- (g) review the implementation or operation of this Chapter; and
- (h) engage in other activities as the Parties may decide.

3. The Committee shall meet within one year of the date of entry into force of this Agreement, and thereafter as necessary.

4. The Committee shall produce an agreed record of its meetings, including decisions and next steps and, as appropriate, report to the Commission.

#### **Article 21.5: Resources**

Recognising the different levels of development of the Parties, the Parties shall work to provide the appropriate financial or in-kind resources for cooperation and capacity building activities conducted under this Chapter, subject to the availability of resources and the comparative capabilities that different Parties possess to achieve the goals of this Chapter.

#### **Article 21.6: Non-Application of Dispute Settlement**

No Party shall have recourse to dispute settlement under Chapter 28 (Dispute Settlement) for any matter arising under this Chapter.

何其他下属机构进行协调，以支持合作与能力建设活动的举办和实施；

(g) 审议本章的实施或运用情况；以及

(h) 参与缔约方可能决定的其他活动。

3. 委员会应自本协定生效之日起 1 年内召开会议，并在此后必要时召开会议。

4. 委员会应编写一份议定的会议记录，包括决定和下一步工作，并酌情向自贸协定委员会进行报告。

### 第 21.5 条 资源

认识到缔约方不同的发展水平，缔约方应努力为开展本章下的合作与能力建设活动提供适当财政或实物资源，同时考虑不同缔约方为实现本章目标所拥有的资源可获性和比较能力。

### 第 21.6 条 争端解决的不适用

任何缔约方不得就本章下产生的任何事项援用第 28 章(争端解决)下的争端解决。