

## 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.

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,

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.