

# **MEMORANDUM OF UNDERSTANDING**

## **ON LAUNCHING NEGOTIATIONS OF CHINA-COSTA RICA FREE TRADE AGREEMENT**

**BETWEEN**

**THE MINISTRY OF COMMERCE  
OF THE PEOPLE'S REPUBLIC OF CHINA**

**AND**

**THE MINISTRY OF FOREIGN TRADE  
OF THE REPUBLIC OF COSTA RICA**

The Ministry of Commerce of the People's Republic of China and the Ministry of Foreign Trade of the Republic of Costa Rica agree to launch negotiations of a Free Trade Agreement between the Government of the People's Republic of China and the Government of the Republic of Costa Rica as follows:

### Article 1

Both sides concluded a Joint Feasibility Study on a Free Trade Agreement between January 2008 and July 2008.

### Article 2

In accordance with the conclusions and recommendations of the Joint Feasibility Study, both sides agree to launch negotiations for a Free Trade Agreement. The first round of negotiations will take place in January 2009, Costa Rica.

### Article 3

The Government of the Republic of Costa Rica recognizes the People's Republic of China as a Full Market Economy and agrees not to apply the following provisions of the Protocol on the Accession of the People's Republic of China to the World Trade Organization (WTO) and the Report of the Working Party on the Accession of China to the WTO:

- a) "Price Comparability in Determining Subsidies and Dumping", Section 15, Protocol on the Accession of the People's Republic of China;
- b) "Transitional Product-Specific Safeguard Mechanism", Section 16, Protocol on the Accession of the People's Republic of China; and,
- c) "Product-specific safeguard of textiles", Paragraph 242, Report of the Working Party on the Accession of China.

Article 4

Both sides agree to incorporate in the framework of the Free Trade Agreement, mechanisms that recognize and attend the different characteristics of their economies.

Article 5

This Memorandum of Understanding shall enter into force on the date of the signature.

DONE at San Jose, on the Seventeenth day of November of 2008 in duplicate in Chinese, Spanish and English languages. The three texts are equally authentic. In the event of divergence, the English text shall prevail.

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Chen Deming  
Minister of Commerce  
Ministry of Commerce  
People's Republic of China

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Marco Vinicio Ruiz  
Minister of Foreign Trade  
Ministry of Foreign Trade  
Republic of Costa Rica