

Subject to Legal Review for Accuracy, Clarity and Consistency

[date of signature of the TPP Agreement]

The Honourable Michael B. Froman
United States Trade Representative
Washington, D.C., United States of America

Dear Ambassador Froman:

I have the honour to confirm the following understanding reached between representatives of the Government of the Federation of Malaysia (Malaysia) and the Government of the United States of America (United States) during the negotiations on Chapter 18 of the Trans-Pacific Partnership Agreement (TPP Agreement):

Malaysia and the United States confirm their understanding that from the date of signature of the TPP Agreement until its entry into force for each Party or until they have made their intention clear not to become a Party to the TPP Agreement, each government will refrain from acts which would defeat the object and purpose of the TPP Agreement, including Article 18.36 (International Agreements).

I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an agreement between our two Governments, which shall enter into force on the date of your letter in reply.

Sincerely,

Mustapa Mohamed

Subject to Legal Review for Accuracy, Clarity and Consistency

[date of signature of the TPP Agreement]

The Honorable Mustapa Mohamed
Minister of Trade and Industry
Kuala Lumpur, Malaysia

Dear Minister Mohamed:

I am pleased to acknowledge your letter of this date, which reads as follows:

I have the honour to confirm the following understanding reached between representatives of the Government of the Federation of Malaysia (Malaysia) and the Government of the United States of America (United States) during the negotiations on Chapter 18 of the Trans-Pacific Partnership Agreement (TPP Agreement):

Malaysia and the United States confirm their understanding that from the date of signature of the TPP Agreement until its entry into force for each Party or until they have made their intention clear not to become a Party to the TPP Agreement, each government will refrain from acts which would defeat the object and purpose of the TPP Agreement, including Article 18.36 (International Agreements).

I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an agreement between our two Governments, which shall enter into force on the date of your letter in reply.

I have the honor to confirm that my Government shares this understanding, and that your letter and this letter in reply shall constitute an agreement between our two Governments, which shall enter into force on this date.

Sincerely,

Ambassador Michael B.G. Froman