

CHAPTER 23

DEVELOPMENT

Article 23.1: General Provisions

1. The Parties affirm their commitment to promote and strengthen an open trade and investment environment that seeks to improve welfare, reduce poverty, raise living standards and create new employment opportunities in support of development.
2. The Parties acknowledge the importance of development in promoting inclusive economic growth, as well as the instrumental role that trade and investment can play in contributing to economic development and prosperity. Inclusive economic growth includes a more broad-based distribution of the benefits of economic growth through the expansion of business and industry, the creation of jobs, and the alleviation of poverty.
3. The Parties acknowledge that economic growth and development contribute to achieving the objectives of this Agreement of promoting regional economic integration.
4. The Parties also acknowledge that effective domestic coordination of trade, investment and development policies can contribute to sustainable economic growth.
5. The Parties recognise the potential for joint development activities between the Parties to reinforce efforts to achieve sustainable development goals.
6. The Parties also recognise that activities carried out under Chapter 21 (Cooperation and Capacity Building) are an important component of joint development activities.

Article 23.2: Promotion of Development

1. The Parties acknowledge the importance of each Party's leadership in implementing development policies, including policies that are designed for its nationals to maximise the use of the opportunities created by this Agreement.
2. The Parties acknowledge that this Agreement has been designed in a manner that takes into account the different levels of economic development of the Parties, including through provisions that support and enable the achievement of national development goals.

第 23 章

发展

第 23.1 条 总则

1. 缔约方确认其促进和增强开放的贸易和投资环境的承诺，以寻求改善福利、减少贫困、提高生活水平并创造支持发展的新就业机会。
2. 缔约方承认发展在促进包容性经济增长方面的重要性，以及贸易和投资在促进经济发展和繁荣方面可以发挥的推动作用。包容性经济增长包括通过商业和产业的扩大、创造就业和缓解贫困，对经济增长利益进行基础更广泛的分配。
3. 缔约方承认，经济增长和发展有助于本协定关于促进区域经济一体化目标的实现。
4. 缔约方还承认，贸易、投资和发展政策的有效国内协调可有助于促进可持续经济增长。
5. 缔约方认识到缔约方之间为加强实现可持续发展目标的努力采取联合开展活动的潜力。
6. 缔约方还认识到根据第 21 章(合作与能力建设)开展的活动是联合发展活动的重要组成部分。

第 23.2 条 促进发展

1. 缔约方承认每一缔约方在执行发展政策方面发挥领导作用的重要性，包括旨在使其国民最大限度利用本协定所创机会而制定的政策。
2. 缔约方承认本协定设计方式已经考虑缔约方经济发展水平的差异，包括通过制定支持和帮助实现国家发展目标的条款。

3. The Parties further recognise that transparency, good governance and accountability contribute to the effectiveness of development policies.

Article 23.3: Broad-Based Economic Growth

1. The Parties acknowledge that broad-based economic growth reduces poverty, enables sustainable delivery of basic services, and expands opportunities for people to live healthy and productive lives.

2. The Parties recognise that broad-based economic growth promotes peace, stability, democratic institutions, attractive investment opportunities, and effectiveness in addressing regional and global challenges.

3. The Parties also recognise that generating and sustaining broad-based economic growth requires sustained high-level commitment by their governments to effectively and efficiently administer public institutions, invest in public infrastructure, welfare, health and education systems, and foster entrepreneurship and access to economic opportunity.

4. The Parties may enhance broad-based economic growth through policies that take advantage of trade and investment opportunities created by this Agreement in order to contribute to, among other things, sustainable development and the reduction of poverty. These policies may include those related to the promotion of market-based approaches aimed at improving trading conditions and access to finance for vulnerable areas or populations, and SMEs.

Article 23.4: Women and Economic Growth

1. The Parties recognise that enhancing opportunities in their territories for women, including workers and business owners, to participate in the domestic and global economy contributes to economic development. The Parties further recognise the benefit of sharing their diverse experiences in designing, implementing and strengthening programmes to encourage this participation.

2. Accordingly, the Parties shall consider undertaking cooperative activities aimed at enhancing the ability of women, including workers and business owners, to fully access and benefit from the opportunities created by this Agreement. These activities may include providing advice or training, such as through the exchange of officials, and exchanging information and experience on:

- (a) programmes aimed at helping women build their skills and capacity, and enhance their access to markets, technology and financing;

3. 缔约方进一步认识到，透明度、良政和问责有助于实现发展政策的有效性。

第 23.3 条 基础广泛的经济增长

1. 缔约方承认，基础广泛的经济增长可减少贫困，使基础服务得以持续提供，并扩大人民健康高效生活的机会。

2. 缔约方认识到，基础广泛的经济增长可以促进和平、稳定、民主体制、具有吸引力的投资机会以及应对区域和全球性挑战的有效性。

3. 缔约方还认识到，形成并保持基础广泛的经济增长需要缔约方政府持续的高水平承诺，以有效且高效管理公共机构，对公共基础设施、福利、健康和教育系统进行投资，培养企业家精神并提供经济机会。

4. 缔约方可通过利用本协定所创造的贸易和投资机会的政策，加强基础广泛的经济增长，从而促进除其他外特别是可持续发展和减少贫困。这些政策可包括与促进基于市场的方法相关的、旨在改善薄弱地区或弱势群体及中小企业的贸易条件和融资渠道的政策。

第 23.4 条 妇女和经济增长

1. 缔约方认识到增加其领土内包括工人和企业主在内的妇女参与本国和全球经济的机会有助于经济发展。缔约方进一步认识到通过分享各自在项目设计、执行和增强方面的不同经验对鼓励上述参与的益处。

2. 为此，缔约方应考虑开展合作活动，旨在提高包括工人和企业主在内的妇女全面获得本协定所创造机会并从中受益的能力。这些活动可包括通过官员交流等方式提供建议或培训，以及就下列内容交流信息和经验：

- (a) 旨在帮助妇女培养技能和能力，并增强其利用市场、技术和融资的机会；

- (b) developing women's leadership networks; and
- (c) identifying best practices related to workplace flexibility.

Article 23.5: Education, Science and Technology, Research and Innovation

1. The Parties recognise that the promotion and development of education, science and technology, research and innovation can play an important role in accelerating growth, enhancing competitiveness, creating jobs, and expanding trade and investment among the Parties.

2. The Parties further recognise that policies related to education, science and technology, research and innovation can help Parties maximise the benefits derived from this Agreement. Accordingly, Parties may encourage the design of policies in these areas that take into consideration trade and investment opportunities arising from this Agreement, in order to further increase those benefits. Those policies may include initiatives with the private sector, including those aimed at developing relevant expertise and managerial skills, and enhancing enterprises' ability to transform innovations into competitive products and start-up businesses.

Article 23.6: Joint Development Activities

1. The Parties recognise that joint activities between the Parties to promote maximisation of the development benefits derived from this Agreement can reinforce national development strategies, including, where appropriate, through work with bilateral partners, private companies, academic institutions and non-governmental organisations.

2. When mutually agreed, two or more Parties shall endeavour to facilitate joint activities between relevant government, private and multilateral institutions so that the benefits derived from this Agreement might more effectively advance each Party's development goals. These joint activities may include:

- (a) discussion between Parties to promote, where appropriate, alignment of Parties' development assistance and finance programmes with national development priorities;
- (b) consideration of ways to expand engagement in science, technology and research to foster the application of innovative uses of science and technology, promote development and build capacity;
- (c) facilitation of public and private sector partnerships that enable private enterprises, including SMEs, to bring their expertise and

- (b) 发展妇女领导人网络；以及
- (c) 确定与工作地点灵活性相关的最佳实践。

第 23.5 条 教育、科技、研究和创新

1. 缔约方认识到，促进和发展教育、科技、研究和创新在加快增长、增强竞争力、创造就业以及扩大缔约方之间的贸易和投资过程中可以发挥重要作用。
2. 缔约方进一步认识到，与教育、科技、研究和创新相关的政策可帮助缔约方实现自本协定所获利益的最大化。为此，缔约方可鼓励上述领域的政策设计考虑本协定所产生的贸易和投资机会，从而进一步增加这些利益。这些政策可包括与私营部门相关的倡议，包括旨在开发相关专业技术或和管理技能，增强企业将创新转化为竞争力产品和创业企业的能力。

第 23.6 条 联合发展活动

1. 缔约方认识到，缔约方之间为促进自本协定所获发展利益最大化而进行的联合活动可增强国家发展战略，包括在适当时，通过与双边伙伴、私营公司、学术机构和非政府组织共同工作。
2. 如双方同意，两个或多个缔约方应努力便利相关政府、私营和多边机构之间开展的联合活动，从而使自本协定获得的利益能更有效推进每一缔约方的发展目标。这些联合活动可包括：
 - (a) 缔约方之间开展讨论，如适当，以促进缔约方的发展援助和财政方案与国家发展优先领域之间的协调；
 - (b) 审议扩大参与科技和研究的途径，以培育科技创新用途的应用，促进发展和能力建设；
 - (c) 便利国营和私营部门伙伴关系的建立，使包括中小企业在内的私营企业将其专业知识和资源带入与政

resources to cooperative ventures with government agencies in support of development goals; and

- (d) involvement of the private sector, including philanthropic organisations and businesses, and non-governmental organisations in activities to support development.

Article 23.7: Committee on Development

1. The Parties hereby establish a Committee on Development (Committee), composed of government representatives of each Party.

2. The Committee shall:

- (a) facilitate the exchange of information on Parties' experiences regarding the formulation and implementation of national policies intended to derive the greatest possible benefits from this Agreement;
- (b) facilitate the exchange of information on Parties' experiences and lessons learned through joint development activities undertaken under Article 23.6 (Joint Development Activities);
- (c) discuss any proposals for future joint development activities in support of development policies related to trade and investment;
- (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 joint development activities;
- (e) carry out other functions as the Parties may decide in respect of maximising the development benefits derived from this Agreement; and
- (f) consider issues associated with the implementation and operation of this Chapter, with a view towards considering ways the Chapter may enhance the development benefits of this Agreement.

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

4. In carrying out its functions, the Committee may work with other committees, working groups and any other subsidiary body established under this Agreement.

- 府机构建立的合作企业以支持发展目标；以及
- (d) 包括慈善组织和企业在内的私营部门和非政府组织参与支持发展的活动。

第 23.7 条 发展委员会

1. 缔约方特此设立发展委员会(委员会)，由每一缔约方的政府代表组成。
2. 委员会应：
 - (a) 便利就缔约方制定和实施国家政策旨在自本协定获得最大可能利益方面的经验开展信息交流；
 - (b) 便利就缔约方在根据第 23.6 条(联合发展活动)开展的联合发展活动中所获经验和教训开展信息交流；
 - (c) 讨论关于未来支持与贸易和投资相关的发展政策而开展联合发展活动的建议；
 - (d) 酌情邀请国际援助机构、私营部门实体、非政府组织或其他相关机构协助制定和实施联合发展活动；
 - (e) 履行缔约方可能决定的与实现本协定发展利益最大化相关的其他职能；以及
 - (f) 审议与本章实施和运用有关的问题，以期审议本章增强本协定发展利益的途径。
3. 委员会应在本协定生效之日起 1 年内召开会议，并在此后必要时召开会议。
4. 在履行其职能时，委员会可与本协定项下设立的其他委员会、工作组和任何其他下属机构开展共同工作。

Article 23.8: Relation to Other Chapters

In the event of any inconsistency between this Chapter and another Chapter of this Agreement, the other Chapter shall prevail to the extent of the inconsistency.

Article 23.9: 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.

第 23.8 条 与其他章的关系

如本章与本协定另一章存在任何不一致之处，则在不一致的范围内应以该另一章为准。

第 23.9 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。