

DEPARTMENT OF FOREIGN AFFAIRS AND TRADE
CANBERRA

**Agreement on Bilateral Cooperation between the Government of Australia and
the Government of the Kingdom of Thailand**

(Canberra, 5 July 2004)

Not yet in force
[2004] ATNIF 9

**AGREEMENT ON BILATERAL COOPERATION
BETWEEN
THE GOVERNMENT OF AUSTRALIA AND
THE GOVERNMENT OF THE KINGDOM OF THAILAND**

The Government of Australia and the Government of the Kingdom of Thailand (hereinafter referred to as the “Parties”)

Inspired by the traditional links of friendship, the warm and cooperative relations which exist between the two Parties, and their shared values, common regional interests and ties;

Wishing to give expressions to their mutual recognition as democratic, dynamic and outward-looking members of the region and the international community;

Noting the long-standing political, economic, social and security cooperation which has been reinforced between the Parties with respect to regional issues and their common interests in the stability, progress and prosperity of the Asia-Pacific region;

Desiring to cooperate with each other in accordance with principles embodied in international organisations, including the United Nations and the World Trade Organisation;

Recognising the Thailand-Australia Free Trade Agreement (TAFTA) between the Parties, and recognising further the broad range of Agreements and other arrangements which have been concluded and remain in force or effect between the Parties (as set out in Annex 1);

Reiterating the aspiration to establish a concrete framework for closer and broader cooperation in non-trade areas;

Recognising that broader and more diversified links between relevant agencies and organisations of the two countries would be of mutual benefit;

Resolving to undertake new and sustained efforts to strengthen, expand and diversify political, economic, social and security cooperation to the mutual benefit of the two Parties;

Recognising that deepening and expanding cooperation between the two countries transcends the scope and provisions of the existing Agreement on Economic Cooperation;

Have agreed to enter into the Agreement on Bilateral Cooperation between the Government of the Kingdom of Thailand and the Government of Australia (hereinafter referred to as “the Agreement”) as follows:

ARTICLE I

OBJECTIVES

The main objectives of the Agreement are:

- (a) to provide a framework for deepening and expanding bilateral cooperation and exchanges between the Parties, particularly in areas not covered by the Thailand-Australia Free Trade Agreement such as political, security, economic, social, educational, cultural and technical cooperation;
- (b) to intensify cooperation and consultation, in areas of mutual interest and concern;
- (c) to establish a bilateral consultative mechanism with a view to encouraging constant dialogue, exchanges and implementation of cooperative activities, as well as consolidating linkages pursuant to this Agreement.

ARTICLE II

COOPERATION

In the furtherance of the objectives set out in Article I of this Agreement, the Parties shall endeavour to:

- (a) exchange information in areas that have an impact on bilateral relations between the Parties;
- (b) intensify existing dialogues at all levels and constantly review the relevant areas of cooperation with respect to the existing bilateral arrangements and Agreements;
- (c) identify new initiatives and other potential areas of mutual interests such as capacity-building programmes, exchange of personnel and technology transfer;
- (d) promote linkages between national government agencies and encourage the implementation of specific projects for the joint cooperation between the Parties;
- (e) promote private sector participation in relevant areas of cooperation;

ARTICLE III

SECTORS OF BILATERAL COOPERATION

The principal areas of cooperation shall include:

- (a) political and security issues, including defence and law enforcement (see Article IV);
- (b) economic, investment, and technical areas that are not covered by the Thailand-Australia Free Trade Agreement;
- (c) environment and natural and cultural heritage;
- (d) science and technology and energy;
- (e) information technology and telecommunications;
- (f) civil aviation;
- (g) public administration and public sector reform;
- (h) immigration;
- (i) education, culture, social development and tourism;
- (j) natural resource management in agriculture;
- (k) other areas as mutually agreed upon by the Parties.

ARTICLE IV

SECURITY AND LAW ENFORCEMENT

1. The Parties, building on the established bilateral security dialogue and long-standing defence and law enforcement cooperation, agree to consult on a regular basis to cooperate further on matters affecting their common security, including:

- (a) issues which affect international peace and security;
- (b) cooperation to combat threats to international security such as terrorism;
- (c) the proliferation of weapons of mass destruction (WMD) and their delivery systems;
- (d) arms control and disarmament;
- (e) mutual assistance in the effective implementation of export controls;
- (f) cooperation in the fight against transnational and organised crime, including economic and cyber crime, and the illicit trade in narcotic drugs, precursor chemicals and psychotropic substances;
- (g) Illegal immigration, human trafficking, smuggling of migrants and transnational sexual exploitation;
- (h) mutual legal assistance in criminal matters and extradition;
- (i) emerging issues which may threaten the stability of the region.

2. This cooperation shall include, where appropriate, exchanges, combined projects, intelligence sharing, military and law enforcement training, logistic support and defence materiel cooperation and joint exercises as would be mutually determined from time to time.

ARTICLE V

CONSULAR RELATIONS

The Parties shall also cooperate in the following areas of consular relations:

- (a) the protection of the rights and interests of nationals of each Party in accordance with the Vienna Convention on Consular Relations;
- (b) the earliest possible notification of, and consular access to, detained and/or arrested nationals of each Party;
- (c) the maintenance of close cooperation under the prisoner transfer scheme.

ARTICLE VI

INSTITUTIONS

1. Effective implementation of this Agreement shall require close coordination and consultation between the two Parties. As a result, the Parties agree to establish a Joint

Commission on Bilateral Cooperation. The Joint Commission shall meet at the Ministerial level, including but not limited to, the Foreign Ministers of the two Parties at least every two years, or as otherwise agreed upon between the Parties, to review the overall cooperation and activities under this Agreement.

2. The Joint Commission shall establish committees or working groups as may be necessary to ensure proper implementation of the new Agreement.

3. The Joint Commission shall take into account the outcomes of the annual Thailand-Australia Senior Officials' Talks and other relevant meetings to review the progress made in the areas of cooperation as envisaged under this Agreement.

4. The Joint Commission shall also seek input, if necessary and where relevant to the objectives of this Agreement, from other existing bilateral discussions such as the Thailand-Australia Regional Security Dialogue, the Joint Working Group on Education and Training and other bilateral consultative mechanisms as appropriate.

5. The Joint Commission may also convene additional discussions or consultations at the Director-General or equivalent level to consider matters relating to the Agreement where it deems appropriate or when necessary.

6. The Joint Commission shall review progress in all areas of cooperation between the Parties and make recommendations concerning the enhancement of such cooperation and with regard to the activities of any committee or working group and the status of their cooperation.

ARTICLE VII

TERMINATION OF THE AGREEMENT ON ECONOMIC COOPERATION

The Agreement on Economic Cooperation between the Government of the Kingdom of Thailand and the Government of Australia, done at Bangkok on 6 August 1990, shall terminate on the date of entry into force of this Agreement.

ARTICLE VIII

FINAL PROVISIONS

1. This Agreement shall enter into force on the date on which the Parties have notified each other in writing that their respective internal procedures for entry into force have been fulfilled. It shall remain in force until one Party gives written notice of its intention to terminate it, in which case this Agreement shall terminate six months after receipt of the notice of termination.

2. The revision or termination of this Agreement shall not affect the validity of arrangements already concluded and of guarantees given under this Agreement.

IN WITNESS WHEREOF, the undersigned, being duly authorised for this purpose, have signed this Agreement.

DONE in duplicate at Canberra , this fifth day of July 2004,
in the English language.

FOR THE GOVERNMENT OF
AUSTRALIA

Mark Vaile
Minister for Trade

FOR THE GOVERNMENT OF
THE KINGDOM OF THAILAND

Dr Surakiart Sathirathai
Minister of Foreign Affairs

Annex 1

Instrument Date Name

Place

Treaty	26/09/2002	Agreement between the Government of Australia and the Government of the Kingdom of Thailand on the Transfer of Offenders and Cooperation in the Enforcement of Penal Sentences	Hanoi
Treaty	29/07/1998	Agreement on Judicial Assistance in Civil and Commercial Matters and Cooperation in Arbitration between Australia and the Kingdom of Thailand	Canberra
Treaty	06/08/1990	Agreement on Economic Cooperation between the Government of Australia and the Government of the Kingdom of Thailand	Bangkok
Treaty	27/12/1989	Agreement between Australia and the Kingdom of Thailand for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income	Canberra
Treaty	02/02/1989	Agreement on Development Cooperation between the Government of Australia and the Government of the Kingdom of Thailand	Canberra
Treaty	05/10/1979	Trade Agreement between the Government of Australia and the Government of the Kingdom of Thailand	Bangkok
Treaty	16/12/1974	Cultural Agreement between the Government of Australia and the Government of Thailand	Bangkok
Treaty	26/02/1960	Agreement between the Government of the Commonwealth of Australia and the Government of the Kingdom of Thailand relating to Air Services	Bangkok
MOU	26/02/2004	Memorandum of Understanding between the Family and Community Services Portfolio of the Government of Australia and the Ministry of Labour of the Government of the Kingdom of Thailand Relating to Cooperation in Social Security Policies and Programs	Bangkok
MOU	02/02/2004	Memorandum of Understanding between the Government of the Kingdom of Thailand and the Government of Australia concerning Logistic Support	
MOU	17/12/2003	Subsidiary Arrangement with the Royal Thai Government relating to Asia Regional Cooperation to Prevent People Trafficking Project	Bangkok
MOU	11/12/2003	Memorandum of Understanding between the Thai Customs Department and the Australian Customs Service concerning Cooperation and Mutual Assistance in Customs Matters	Bangkok
MOU	17/06/2003	Memorandum of Understanding between the Australian Federal Police and the Royal Thai Police on Combating Transnational Crime and Developing Police Cooperation	Bangkok

Instrument	Date	Name	Place
MOU	03/10/2002	Memorandum of Understanding between the Government of Australia and the Government of the Kingdom of Thailand on Cooperation to Combat International Terrorism	Bangkok
MOU	27/09/2002	Subsidiary Arrangement Between The Government Of Australia And The Royal Thai Government Relating To The Strengthening Of Macroeconomic Statistics (SOMES) Project Phase 2	Bangkok
MOU	03/07/2002	Arrangement between the Ministry of Defence of the Kingdom of Thailand and the Australian Department of Defence concerning Acquisition and Cross Servicing of Logistic Support	
MOU	14/05/2002	Subsidiary Arrangement Between The Government of Australia and The Royal Thai Government Relating to The Thailand Australia Government Sector Linkages Program	Bangkok
MOU	10/05/2002	The Guidelines for Australia Thailand Defence Material Cooperation	Pattaya
MOU	04/01/2002	Memorandum of Subsidiary Arrangement between the Government of Australia and the Royal Thai Government Relating to the Thailand-Australia Social Protection Facility	Bangkok
MOU	04/01/2002	Memorandum of Understanding between the Government of Australia and the Royal Thai Government Relating to Trilateral Development Cooperation	Bangkok
MOU	04/01/2002	Subsidiary Arrangement expressing the understandings of the Government of Australia and the Royal Thai Government, concerning the respective responsibilities and contributions of the Parties in regard to the Community Organisations Network Support Project	Bangkok
MOU	06/07/2001	Joint Ministerial Statement on Mutual Cooperation in Combating Illegal Immigration and Trafficking in Persons as well as Smuggling of Migrants	Sydney
MOU	23/11/2000	Memorandum of Understanding between the Government of Australia and the Royal Thai Government Relating to the Large Taxpayer Office Support Project	Bangkok
MOU	19/06/2000	Plan of action on Health Cooperation between the Governments of Australia and Thailand	Canberra-Bangkok
MOU	22/04/1999	Mutual Recognition Arrangement on Automotive Products between the Thai Industrial Standards Institute of the Kingdom of Thailand and the Federal Office of Road Safety of Australia	Sydney
MOU	24/04/1998	Memorandum of Understanding between the Government of Australia and the Government of the Kingdom of Thailand for the Enhancement of Agriculture and Agribusiness Cooperation	Bangkok
MOU	24/02/1998	Memorandum of Understanding relating to Air Services	Bangkok

Instrument	Date	Name	Place
MOU	27/02/1997	Memorandum of Understanding between the Government of Australia and the Government of the Kingdom of Thailand on Cooperation in Intellectual Property	Canberra
MOU	03/06/1994	Memorandum of Understanding on Educational Cooperation between the Department of Employment, Education and Training of Australia and the Ministry of Education of Thailand	Canberra
MOU	03/11/1993	Memorandum of Understanding on Health Cooperation between the Department of Health, Housing and Community Services of Australia and the Ministry of Public Health of Thailand	Bangkok
MOU	26/05/1993	Arrangement for Scientific and Technological Cooperation between the Thailand Institute of Scientific and Technological Research (TISTR) and the Commonwealth Scientific and Industrial Research Organisation (CSIRO), Australia	Bangkok
MOU	20/04/1993	Co-operative Agreement between the Australian Sports Commission and the Sports Authority of Thailand	Canberra
MOU	09/09/1991	Memorandum of Understanding on Educational and Research Cooperation between the Department of Employment, Education and Training of Australia and the Ministry of University Affairs of Thailand	Canberra
MOU	21/03/1989	Memorandum of Understanding between the Co-Chairmen of the Australia-Thailand Energy Consultations Group on Cooperation in Energy Development in Thailand	Bangkok
MOU	08/12/1988	Memorandum of Understanding between the Government of Australia and the Government of the Kingdom of Thailand concerning the Automation of the Drug Intelligence and Related Functions of the Thai Office of the Narcotics Control Board	Bangkok
MOU	03/08/1988	Memorandum of Understanding between the Federation of Automotive Products Manufacturers (FAPM) of Australia, the Thai Automotive Industry Association (TAIA) and the Thai Auto-Parts Manufacturers Association (TAPMA) for Closer Coordination	Bangkok
MOU	06/07/1987	Memorandum of Understanding between the Government of Australia and the Government of Thailand Concerning Scientific and Technological Cooperation	Brisbane
MOU	23/04/1986	Memorandum of Understanding between the Government of Australia and the Government of the Kingdom of Thailand concerning the Australian Defence Cooperation Programme	Bangkok
MOU	09/12/1985	Memorandum of Understanding between the Government of Australia and the Government of Thailand concerning the Automation of the Drug Intelligence and related Functions of the Thai Office of the Narcotics Control Board	Bangkok
MOU	27/07/1983	Amendments to the Understanding concerning the Automation of the Drug Intelligence and related Functions of the Thai Office of the Narcotics Control Board of 9 December 1982	Bangkok
MOU	25/02/1982	Memorandum of Understanding relating to the Purchase of 20 Nomad Aircraft, with related Services and Support	Bangkok

Instrument	Date	Name	Place
MOU	28/10/1978	Memorandum of Understanding between the Postal Administration of Australia and the Postal Administration of Thailand for the Exchange of Money Orders	Melbourne- Bangkok
Exchange of Notes	20/12/1956	Exchange of Notes between Australia and Thailand constituting an Agreement relating to the Exchange of Official Publications	Bangkok
Exchange of Notes	26/10/1953	Exchange of Notes constituting an Agreement between the Government of Australia and the Government of Thailand regarding Exercise of Traffic Rights at Bangkok by Qantas	Bangkok
Exchange of Notes	03/01/1951	Exchange of Notes constituting an Agreement between the Government of Australia and the Government of Thailand regarding the Settlement of Outstanding Commonwealth War Claims against Thailand	Bangkok