(b) full protection and security requires each Party to take such measures as may be reasonably necessary to ensure the protection and security of the covered investments; and

(c) the concepts of “fair and equitable treatment” and “full protection and security” do not require treatment in addition to or beyond that which is provided under the customary international law and do not create additional substantive rights.\(^9\)

3. A determination that there has been a breach of another provision of this Agreement, or of a separate international agreement, does not establish that there has been a breach of this Article.

**Article 6**  
**Performance Requirements**\(^{10}\)

The provisions of the WTO Agreement on Trade-related Investments Measures (TRIMs), which are not specifically mentioned in or modified by this Agreement, shall apply, *mutatis mutandis*, to this Agreement unless the context otherwise requires.

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\(^9\) In the case of the Republic of Indonesia, paragraph 2(c) does not apply.

\(^{10}\) The application of this Article is subject to Article 27 (Work Programme).