

**FRAMEWORK AGREEMENT ON COOPERATION**

**between the European Economic Community and the Cartagena Agreement and its member countries, namely the Republic of Bolivia, the Republic of Colombia, the Republic of Ecuador, the Republic of Peru and the Republic of Venezuela**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE COMMISSION OF THE CARTAGENA AGREEMENT AND THE GOVERNMENTS OF THE REPUBLIC OF BOLIVIA, OF THE REPUBLIC OF COLOMBIA, OF THE REPUBLIC OF ECUADOR, OF THE REPUBLIC OF PERU AND OF THE REPUBLIC OF VENEZUELA,

of the other part,

CONSIDERING the traditional links of friendship between the countries of the European Community (hereinafter referred to as 'the Community') and the Cartagena Agreement and its Member States (hereinafter referred to as 'the Andean Pact');

REAFFIRMING their commitment to the principles of the United Nations Charter, to democratic values and to respect for human rights;

MINDFUL of their mutual interest in the establishment of cooperation in a number of sectors, and in particular those of economic cooperation, trade cooperation and development cooperation;

RECOGNISING the fundamental objective of the Agreement, which is to consolidate, deepen and diversify relations between the two Parties;

REAFFIRMING their mutual wish to encourage the development of regional organisations aimed at promoting economic growth and social progress;

RECOGNISING that the Cartagena Agreement is a subregional integration organisation and that the two Parties attach special importance to the promotion of the Andean integration process;

RECALLING the Joint Declaration issued by the Parties on 5 May 1980, the Cooperation Agreement signed in 1983, the Rome Declaration of 20 December 1990, the final communiqué adopted in Luxembourg on 27 April 1991 by the Community and its Member States and the countries of the Rio Group and the final communiqué adopted by the ministerial conference held in Santiago on 29 May 1992;

RECOGNISING the positive repercussions of the modernisation and economic reform process, and of the liberalisation of trade in the Andean countries;

RECOGNISING the importance attached by the Community to the development of trade and economic cooperation with developing countries, and mindful of its guidelines and resolutions concerning cooperation with Asian and Latin American developing countries;

RECOGNISING that the Andean Pact is made up of developing countries at different stages of development and that they include, in particular, one landlocked country and a number of particularly depressed regions;

CONVINCED of the importance of the principles of the GATT and of free international trade, and of respect for intellectual property rights and freedom of investment;

RECOGNISING the importance of international cooperation to assist countries affected by drug-related problems, and, in this context, the importance of the decision adopted by the Community on 29 October 1990 concerning the Special Cooperation Programme;

RECOGNISING the special importance attached by both Parties to increased protection for the environment;

RECOGNISING the need to promote social rights and in particular the rights of the most disadvantaged,

HAVE DECIDED to conclude this Agreement and to this end have designated as their plenipotentiaries:

FOR THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Niels Helveg PETERSEN,  
Minister for Foreign Affairs of Denmark,  
President-in-Office of the Council of the European Communities

Manuel MARÍN,  
Vice-President of the Commission of the European Communities

FOR THE COMMISSION OF THE CARTAGENA AGREEMENT:

Miguel RODRIGUEZ MENDOZA,  
President of the Commission of the Cartagena Agreement

FOR THE GOVERNMENT OF THE REPUBLIC OF BOLIVIA:

Ronald MacLEAN ABAROA,  
Minister for Foreign Affairs and Worship

FOR THE GOVERNMENT OF THE REPUBLIC OF COLOMBIA:

Noemi SANIN DE RUBIO,  
Minister for Foreign Affairs

FOR THE GOVERNMENT OF THE REPUBLIC OF ECUADOR:

Diego PAREDES PENA,  
Minister for Foreign Affairs

FOR THE GOVERNMENT OF THE REPUBLIC OF PERU:

Dr Oscar de la PUENTE RAYDADA,  
Prime Minister and Minister for Foreign Affairs

FOR THE GOVERNMENT OF THE REPUBLIC OF VENEZUELA:

Fernando OCHOA ANTICH,  
Minister for Foreign Affairs

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

#### *Article 1*

##### **Democratic basis for cooperation**

Cooperation ties between the Community and the Andean Pact, and this Agreement in its entirety, shall be based on respect for democratic principles and human rights which guide the domestic and international policies of both the Community and the Andean Pact and which constitute an essential component of this Agreement.

#### *Article 2*

##### **Intensification of cooperation**

1. The Contracting Parties hereby undertake to impart renewed vigour to relations between them. To achieve this essential objective, they have resolved to promote in particular the development of cooperation relating to trade, investment, finance and technology, taking account of the Andean countries' special status as developing countries, and to promote the intensification and consolidation of the process of integration in the Andean subregion.

2. To achieve the aims of this Agreement, the Parties acknowledge the value of consulting each other on international issues of mutual interest.

#### *Article 3*

##### **Economic cooperation**

1. The Contracting Parties, taking into account their mutual interest and medium- and long-term economic objectives, undertake to establish between themselves economic cooperation of the widest possible scope, from which no field of activity is excluded in principle. The aims of such cooperation shall be in particular to:

- (a) strengthen and diversify generally their economic links;
- (b) contribute to the sustainable development of both Parties' economies and standards of living;
- (c) encourage the expansion of trade with a view to promoting diversification and the opening-up of new markets;

- (d) encourage the flow of investment and the transfer of technology and reinforce investment protection;
- (e) establish conditions to raise the level of employment and improve human productivity in the work sector;
- (f) encourage measures promoting rural development and the improvement of urban living conditions;
- (g) stimulate scientific and technological progress, encourage transfers of technology and improve technological skills;
- (h) support the movement towards regional integration;
- (i) exchange information on statistics and methodology.

2. To this end and without excluding any area of activity from the outset, the Contracting Parties shall, in their mutual interest and with regard to their respective powers and capacities, determine by common agreement the spheres to be covered by economic cooperation. Cooperation shall centre particularly on the following:

- (a) industry;
- (b) agro-industry and the mining sector;
- (c) agriculture and fisheries;
- (d) energy planning and efficient use of energy;
- (e) protection of the environment and sustainable management of natural resources;
- (f) technology transfers;
- (g) science and technology;
- (h) intellectual property, including industrial property;
- (i) standards and quality criteria;
- (j) services, including financial services, tourism, transport, telecommunications and information technology;
- (k) information on monetary matters;
- (l) technical, health and plant health regulations;
- (m) consolidation of economic cooperation bodies;
- (n) regional development and frontier integration.

3. In the interests of attaining the objectives of economic cooperation, the Contracting Parties shall, each in accordance with its law, endeavour to promote activities including the following:

- (a) increasing contacts between the two Parties by organising conferences, seminars, trade and industry missions and business weeks (meetings of busi-

nessmen), general, specialised and subcontracting fairs, and exploratory missions designed to boost trade and investment flows;

- (b) joint participation of Community companies in fairs and exhibitions held in Andean Pact countries, and *vice versa*;
- (c) provision of technical assistance, notably by seconding consultants and carrying out specific studies;
- (d) research projects and the exchange of scientists;
- (e) promoting joint ventures, licensing agreements, transfers of technical know-how, subcontracting, and other activities;
- (f) exchanging appropriate information, especially as regards access to existing or future databases;
- (g) setting up business networks, particularly in the industrial sector.

#### *Article 4*

##### **Most-favoured-nation treatment**

The Contracting Parties hereby grant each other most-favoured-nation treatment in trade, in accordance with the General Agreement on Tariffs and Trade (GATT).

Both Parties reaffirm their will to conduct trade with each other in accordance with that Agreement.

#### *Article 5*

##### **Trade cooperation development**

1. The Contracting Parties undertake to develop and diversify trade to the highest possible degree, taking into account their respective economic situations and facilitating trade transactions between them as far as possible.

2. To that end, the Contracting Parties shall endeavour to find ways and methods of reducing and eliminating the obstacles hindering the development of trade, especially non-tariff and para-tariff barriers, taking account of work accomplished in this respect by international organisations.

3. The Contracting Parties shall, where appropriate, assess the possibility of setting up mutual consultation procedures.

*Article 6***Means of achieving cooperation in trade**

In the interests of bringing about more active cooperation in trade, the Contracting Parties shall take measures aimed at:

- promoting meetings, exchanges and contacts between entrepreneurs of each of the Parties, with the aim of identifying goods suitable for sale on the market of the other Party,
- facilitating cooperation between their respective customs services, in particular as regards vocational training, the simplification of procedures and the detection of customs offences,
- encouraging and providing support for trade-promotion activities such as seminars, symposia, fairs and trade and industrial exhibitions, trade visits, reciprocal visits, business weeks and other activities,
- providing support for their own organisations and firms, to enable them to engage in activities which are of benefit to both sides,
- taking into consideration each other's interests with regard to market access for commodities, semi-finished and manufactured goods and with regard to the stabilisation of world commodity markets, in accordance with the aims agreed within the appropriate international organisations,
- examining ways and means of facilitating trade and eliminating barriers to trade, taking into consideration the work carried out by international organisations.

*Article 7***Temporary admission of goods**

The Contracting Parties undertake to grant each other tax and duty exemption for temporary import of goods, in accordance with their respective laws and taking account, wherever possible, of existing international agreements in this field.

*Article 8***Industrial cooperation**

1. The Contracting Parties shall promote the expansion and diversification of the Andean countries' production base in the industrial and service sectors, directing their

cooperation activities at small and medium-sized enterprises in particular and encouraging steps to facilitate access for those enterprises to sources of capital, markets and appropriate technology, and also fostering joint ventures.

2. To that end, within the limits of their responsibilities, the Parties shall encourage projects and operations promoting:

- the consolidation and extension of the networks established for the purposes of cooperation,
- increased use of the financial instrument 'EC Investment Partners' (ECIP) by, *inter alia*, greater use of Andean Pact financial institutions,
- cooperation between economic agents, such as joint ventures, subcontracting, transfers of technology, licensing, applied research and franchising,
- the setting-up of an EC-Andean Pact business council and other bodies conducive to the expansion of ties between them.

*Article 9***Investment**

1. The Contracting Parties agree:

- to promote, so far as their powers, rules and regulations and respective policies permit, an increase in mutually beneficial investment,
- to improve the climate for such investment by seeking, in particular, agreements on investment promotion and protection between the Community's Member States and the Andean Pact countries based on the principles of non-discrimination and reciprocity.

2. In pursuit of these objectives, the Contracting Parties shall endeavour to stimulate investment promotion, *inter alia*, by means of:

- seminars, exhibitions and visits by company directors,
- training businessmen with a view to setting up investment projects,
- technical assistance necessary for joint investment,
- measures under the ECIP programme.

3. Cooperation in this field may involve public, private, national or multilateral bodies, including regional financial institutions such as 'Corporación Andina de Fomento' (CAF) and 'Fondo Latinoamericano de Reservas' (FLAR).

*Article 10***Cooperation between financial institutions**

The Contracting Parties shall endeavour to foster, according to their needs and within the framework of their respective programmes and legislation, cooperation between financial institutions in the form of:

- exchanges of information and experience in fields of mutual interest. This cooperation may take the form of, *inter alia*, the organisation of seminars, conferences and workshops,
- exchanges of experts,
- the provision of technical assistance activities,
- exchanges of information in the fields of statistics and methodology.

*Article 11***Scientific and technological cooperation**

1. In accordance with their mutual interest and the aims of their policies on science, the Contracting Parties undertake to develop cooperation in science and technology aimed in particular at:

- encouraging exchanges of Community and Andean Pact scientists,
- establishing permanent links between their scientific and technological communities,
- promoting mutually beneficial transfers of technology,
- encouraging ties between research centres on both sides with a view to finding joint solutions to problems affecting both Parties,
- implementing measures with a view to achieving the goals of both Parties' research programmes,
- building up research capacities and stimulating technological innovation,
- creating opportunities for economic, industrial and trade cooperation,
- promoting relations between academic and research institutions and the manufacturing sectors of both Parties,
- facilitating exchanges of information and reciprocal access to information networks.

2. The extent of cooperation shall be determined by the desires of the Parties, which shall jointly select priority areas.

These shall include:

- advanced scientific and technological research,
- development and management of science and technology policies,
- protection and improvement of the environment,
- rational use of natural resources,
- integration and regional cooperation in science and technology,
- biotechnology,
- new materials.

3. In order to achieve their chosen objectives, the Contracting Parties shall encourage and foster measures including:

- the execution of joint research projects involving research centres and other qualified institutions on both sides,
- advanced training for scientists, in particular through research projects at the other Contracting Party's research centres,
- exchanges of scientific information, in particular through the joint organisation of seminars, workshops, working meetings and conferences attended by top-level scientists from both Contracting Parties,
- distribution of scientific and technological information and know-how.

*Article 12***Cooperation on standards**

Without prejudice to their international obligations, within the scope of their responsibilities, and in accordance with their laws, the Contracting Parties shall take steps to reduce differences in respect of weights and measures, standardisation and certification by promoting the use of compatible systems of standards and certification. To that end, they shall encourage the following in particular:

- establishing links between experts in order to facilitate exchanges of information and studies on weights and measures, standards, quality control and quality promotion and certification, and to promote the development of technical assistance in this field,
- fostering exchanges and contact between bodies and institutions specialising in these fields,
- carrying out measures aimed at achieving mutual recognition of systems and quality certification,
- holding consultations in the fields concerned.

*Article 13***Technological development and intellectual and industrial property**

1. For the purpose of achieving effective collaboration between Andean Pact countries' and Community enterprises in the fields of the transfer of technology, licensing, joint investment and venture capital financing, the Contracting Parties, with due respect for intellectual and industrial property rights, undertake:

- to identify the branches or sectors of industry on which cooperation will centre and the means to promote industrial cooperation having an advanced technological bias,
- to cooperate in encouraging the mobilisation of financial resources to support joint projects between Andean Pact and Community enterprises, the aim of which is to apply new findings in technology to industry,
- to support the training of qualified technological and research personnel,
- to promote innovation by means of an exchange of information on the programmes each side is conducting for that purpose, periodic exchanges of experience derived from the running of innovation programmes and by means of exchange schemes between Andean Pact and Community institutions for officials of both Parties responsible for promoting innovation.

2. The Contracting Parties undertake to ensure, so far as their laws, regulations and policies allow, that suitable and effective protection is provided for intellectual and industrial property rights, including geographical designations and appellations of origin, reinforcing this protection where desirable. They also undertake, wherever possible and so far as their laws, regulations and policies allow, to facilitate access to the databases and databanks in this field.

*Article 14***Cooperation in the mining sector**

The Contracting Parties agree to promote cooperation in mining, chiefly through the implementation of operations aimed at:

- encouraging the involvement of enterprises of both Parties in exploration, mining and marketing of their mineral resources,

- setting up activities to encourage small and medium-sized enterprises operating in the mining sector,
- exchanging experience and technology relating to mining prospecting, exploration and mineral exploitation, and performing joint research to increase the opportunities for technological development.

*Article 15***Cooperation in the energy sector**

The Contracting Parties recognise the importance of the energy sector to economic and social development and are prepared to step up their cooperation in this field, notably as regards planning, conservation and the efficient use of energy, and the development of new, commercially viable energy sources. This improved cooperation will also take environmental implications into consideration.

To these ends, the Contracting Parties agree to promote:

- the conduct of joint studies and research, particularly as regards energy forecasts and assessments,
- on-going contacts between energy planners,
- the implementation of joint programmes and projects in this field.

*Article 16***Cooperation on transport**

Recognising the importance of transport to economic development and the intensification of trade, the Contracting Parties shall adopt the necessary measures to implement cooperation in respect of all types of transport.

Cooperation shall centre on the following:

- exchanges of information on the parties' respective transport policies and on subjects of common interest,
- economic, legal and technical training programmes aimed at economic operators and those in charge of public-sector departments,
- technical assistance, particularly in connection with infrastructure modernisation programmes.

*Article 17***Cooperation in the field of information technology and telecommunications**

1. The Contracting Parties recognise that information technology and telecommunications are vital to economic and social development and declare themselves prepared to promote cooperation in the fields of common interest, particularly in respect of the following:

- standardisation, conformity testing and certification,
- earth and space-based telecommunications such as transmission networks, satellites, fibre optics, Integrated Digital Network (ISDN), data transmission, rural and mobile telephone systems,
- electronics and microelectronics,
- information and automation,
- high-definition television,
- research and development in new information technologies and telecommunications,
- promotion of investment and joint investment.

2. Such cooperation shall take place in particular through:

- collaboration between experts,
- expert assessments, studies and exchanges of information,
- training of scientists and technicians,
- formulation and implementation of specific projects of mutual benefit,
- promotion of joint projects relating to research and development, the establishment of information networks and databanks, facilitation of access to existing databanks and information networks.

#### *Article 18*

##### **Cooperation on tourism**

Within the bounds of their laws, the Contracting Parties shall contribute to cooperation on tourism in the Andean Pact countries, which is to be achieved through specific measures including:

- exchanges of information and forward studies,
- assistance in statistics and data processing,
- training,
- organisation of events,
- the promotion of investment and joint investment in order to expand tourist travel.

#### *Article 19*

##### **Cooperation on the environment**

In instituting cooperation on environmental matters, the Contracting Parties affirm their will to contribute to sustainable development; they will endeavour to reconcile the need for economic and social development with the

need for due protection of nature and will devote particular attention in their cooperation to the most disadvantaged sections of the population, to the urban environment and to the protection of ecosystems such as tropical forests.

To those ends, the Parties shall endeavour to work together on measures targeting in particular:

- the creation and improvement of public and private-sector environmental structures,
- public information and awareness,
- the implementation of studies and projects and the provision of technical assistance,
- the organization of meetings, seminars, etc.,
- exchanges of information and experience,
- research projects on disasters and their prevention,
- the development and alternative economic use of protected areas,
- industrial cooperation applied to the environment.

#### *Article 20*

##### **Cooperation in the biological diversity sector**

The Contracting Parties shall endeavour to establish cooperation, particularly in the field of biotechnology, aimed at preserving biological diversity. Cooperation should be based on three criteria, namely: socio-economic utility, ecological conservation and the interests of native peoples.

#### *Article 21*

##### **Development cooperation**

With a view to increasing the effectiveness of cooperation in the areas referred to below, the Parties shall seek to establish a multiannual programme. Furthermore, the Parties recognize that the desire to see development better managed involves, on the one hand, giving priority to the poorest sections of the population and the most deprived regions, and, on the other, entails ensuring that environmental issues are closely integrated into the development process.

#### *Article 22*

##### **Cooperation on agriculture, forestry and in rural areas**

The Contracting Parties shall establish cooperation in the areas of agriculture, forestry, agro-industry, agri-foodstuffs and tropical products.

To these ends, in a spirit of cooperation and goodwill and taking into account the laws of both Parties on such issues, the Contracting Parties shall examine:

- opportunities for developing trade in agricultural, forestry, agro-industrial and tropical products,
- measures governing human and plant health and the environment, and any obstacles there might be to trade in this field.

The Contracting Parties shall endeavour to promote cooperation on:

- the development of agriculture,
- the protection and sustainable development of forestry resources,
- the agricultural and rural environments,
- training of human resources in the field of rural development,
- contact between the Parties' agricultural producers, in the interests of facilitating trade operations and investment,
- agronomical research,
- agricultural statistics.

#### *Article 23*

#### **Cooperation on health**

The Contracting Parties agree to cooperate to improve public health, concentrating on the needs of the most disadvantaged sections of the population.

To these ends, they shall seek to develop joint research, technology transfers, exchanges of experience and technical assistance, in particular with regard to:

- the management and administration of the services concerned,
- the development of vocational training programmes,
- the improvement of sanitary conditions (with particular regard to combating cholera) and well-being in urban and rural areas,
- the prevention and treatment of acquired immunodeficiency syndrome (AIDS).

#### *Article 24*

#### **Cooperation on social development**

1. The Contracting Parties shall establish cooperation to further social development in the Andean Pact, with

the particular aim of improving the living conditions of the poorest sections of the Andean Pact countries' population.

2. Measures and programmes to attain these aims shall include support, essentially in the form of technical assistance, in the following fields:

- social services administration,
- vocational training and job-creation,
- the improvement of living conditions and hygiene in urban and rural areas,
- preventive healthcare,
- protection of children,
- education and assistance programmes for young people,
- the role of women.

#### *Article 25*

#### **Cooperation in combating drug abuse**

Within the scope of their powers, the Contracting Parties undertake to coordinate and step up their efforts to prevent and reduce the production, distribution and consumption of illegal drugs.

This cooperation, relying upon the bodies competent in this area, shall include the following:

- projects for the benefit of Andean Pact nationals, providing training, education, treatment and rehabilitation for addicts,
- research programmes,
- cooperation measures and projects designed to encourage alternative opportunities, including alternative crops,
- exchanges of all relevant information, including information concerning measures relating to money-laundering,
- monitoring trade in precursor and essential chemical products,
- drug-abuse prevention programmes.

The Contracting Parties may by mutual agreement extend their cooperation to other areas.

#### *Article 26*

#### **Regional integration and cooperation**

The Contracting Parties shall take steps to encourage the regional integration of the Andean countries.

Priority shall be given in particular to:

- providing technical assistance in connection with the technical and practical aspects of integration,
- the promotion of subregional, regional and international trade,
- the development of regional environmental cooperation,
- upgrading regional institutions and supporting the implementation of joint policies and activities,
- encouraging the development of regional communications.

#### *Article 27*

##### **Cooperation in the public administration area**

The Contracting Parties shall cooperate in administrative matters in institutional organization and in the administration of justice at national, regional and municipal levels.

To these ends, they shall take steps aimed at:

- encouraging exchanges of information and training courses for national, regional and municipal officials and employees;
- increasing government efficiency.

#### *Article 28*

##### **Cooperation in information, communication and culture**

The Contracting Parties agree to take action jointly in the fields of information and communication in order to:

- promote understanding of the nature and aims of the European Community and of the Andean Pact,
- encourage Community and Andean Pact Member States to strengthen their cultural ties.

In particular, these measures shall take the form of:

- appropriate exchanges of information on issues of common interest in the fields of culture and information,
- promoting cultural events and exchanges,
- preparatory studies and technical assistance for the preservation of the cultural heritage.

#### *Article 29*

##### **Cooperation on fisheries**

The Contracting Parties acknowledge the importance of achieving a convergence in their interest in the field of fisheries. They shall endeavour to intensify and develop cooperation in this regard by:

- drawing up and implementing special programmes,
- encouraging the private sector to participate in developing this sector.

#### *Article 30*

##### **Cooperation in training**

Wherever it is clear that improved training would strengthen cooperation, appropriate action may be taken in areas of mutual interest, taking account of new technologies in the field.

Such cooperation may take the form of:

- steps to improve the training of technicians and professionals,
- measures with a significant knock-on effect, training for instructors and technical executives who are already in positions of responsibility in public and private-sector enterprises, government, the public-service sector and economic administration,
- specific programmes for exchanges of consultants, know-how and technology between training institutions in the European and Andean countries, with particular emphasis on the technical, scientific and vocational sectors,
- literacy programmes linked to health and social development projects.

#### *Article 31*

##### **Resources for undertaking cooperation**

1. The Contracting Parties undertake to make available, within the limits of their abilities and through their own channels, the resources appropriate for the attainment of the objectives of the cooperation for by this Agreement, including financial resources. In this connection, multiannual programming will be carried out and priorities determined, whenever possible, taking account of needs and of the Andean Pact countries' level of development.

2. In order to facilitate the cooperation specified in this Agreement, the Andean Pact countries shall:

- grant Community experts the guarantees and facilities they require to carry out their tasks,

- exempt goods and services to be imported for the purposes of EC/Andean Pact cooperation projects from taxes, duties and other contributions.

These principles will be made explicit in subsequent arrangements, in line with national legislation.

#### *Article 32*

#### **Joint committee**

1. The Contracting Parties agree to retain the Joint Committee established pursuant to the 1983 Cooperation Agreement; likewise, they agree to retain the Subcommittee on Science and Technology, the Subcommittee on Industrial Cooperation and the Subcommittee on Trade Cooperation.

2. The Joint Committee shall:

- see to the proper functioning of this Agreement,
- coordinate activities, projects and specific operations in relation to the aims of this Agreement and propose the means necessary for their implementation,
- study the development of trade and cooperation between the Parties,
- make any recommendations required to promote the expansion of trade and intensify and diversify co-operation,
- seek appropriate methods of forestalling problems which might arise in areas covered by this Agreement.

3. The agenda for Joint Committee meetings shall be set by mutual agreement. The Committee shall itself establish provisions concerning the frequency and venue of its meetings, chairmanship, the possible establishment of subcommittees additional to those already in existence, and other issues.

#### *Article 33*

#### **Other agreements**

1. Without prejudice to the provisions of the Treaties establishing the European Communities, neither this Agreement nor any action taken under it shall in any way affect the powers of the Member of the Communities to undertake bilateral activities with the Andean Pact countries in the field of economic cooperation or, where appropriate, to conclude new economic cooperation agreements with the Andean Pact countries.

2. Without prejudice to the provisions of the previous paragraph concerning economic co-operation, the provisions of this Agreement shall replace the provisions of the agreements concluded between the Member States of the Communities and the Andean Pact countries where such

provisions are either incompatible with, or identical to, the provisions of this Agreement.

#### *Article 34*

#### **European Coal and Steel Community**

A separate protocol shall be concluded between the European Coal and Steel Community and its Member States, on the one hand, and the Cartagena Agreement and its Member States on the other hand.

#### *Article 35*

#### **Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other, to the territories covered by the Cartagena Agreement.

#### *Article 36*

#### **Annex**

The Annex shall form an integral part of this Agreement.

#### *Article 37*

#### **Entry into force and tacit renewal**

This Agreement shall enter into force on the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose. It shall be concluded for a period of five years. It shall be renewed tacitly on a yearly basis unless one of the Contracting Parties denounces it to the other Party in writing six months before the date of expiry.

#### *Article 38*

#### **Authentic texts**

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish languages, each text being equally authentic.

#### *Article 39*

#### **Future developments**

1. The Contracting Parties may by mutual consent develop and improve this Agreement with a view to enhancing the levels of cooperation and to supplementing it by means of agreements on specific sectors or activities.

2. With regard to the implementation of this Agreement, either of the Contracting Parties may put forward suggestions for widening the scope of cooperation, taking into account the experience gained in its application.

En fe de lo cual, los plenipotenciarios abajo firmantes suscriben el presente Protocolo.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne protokol.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Protokoll gesetzt.

Εἰς πίστωση τῶν ἀνωτέρω, οἱ υπογεγραμμένοι πληρεξούσιοι ἔθεσαν τῆς υπογραφῆς τοὺς στο παρὸν πρωτόκολλο.

In witness whereof the undersigned Plenipotentiaries have signed this Protocol.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente protocollo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit protocol hebben gesteld.

Em fé do que, os plenipotenciários abaixo-assinados apuseram as suas assinaturas no final do presente protocolo.

Hecho en Copenhague, el veintitrés de abril de mil novecientos noventa y tres.

Udfærdiget i København, den treogtyvende april nitten hundrede og treoghalvfems.

Geschehen zu Kopenhagen am dreiundzwanzigsten April neunzehnhundertdreiundneunzig.

Έγινε στην Κοπεγχάγη, στις είκοσι τρεις Απριλίου χίλια εννιακόσια ενενήντα τρία.

Done at Copenhagen on the twenty-third day of April in the year one thousand nine hundred and ninety-three.

Fait à Copenhague, le vingt-trois avril mil neuf cent quatre-vingt-treize.

Fatto a Copenaghen, addì ventitré aprile millenovecentonovantatré

Gedaan te Kopenhagen, de drieëntwintigste april negentienhonderd drieënnegentig.

Feito em Copenhaga, em vinte e três de Abril de mil novecentos e noventa e três.

Por el Consejo de las Comunidades Europeas

For Rådet for De Europæiske Fællesskaber

Für den Rat der Europäischen Gemeinschaften

Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων

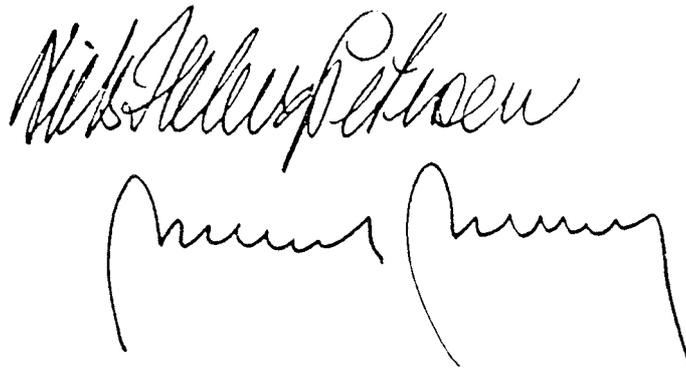
For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen

Pelo Conselho das Comunidades Europeias

A handwritten signature in black ink, appearing to read 'Niklas Selander', with a large, stylized flourish underneath.

Por la Comisión del Acuerdo de Cartagena

A handwritten signature in black ink, appearing to read 'Tosca...', with a horizontal line underneath.

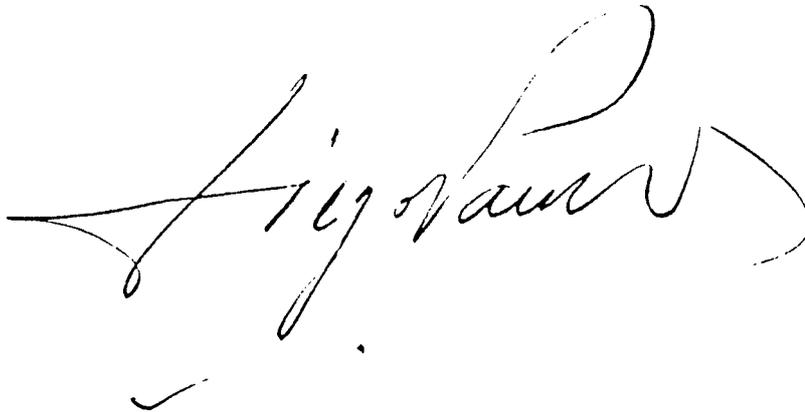
Por el Gobierno de la República de Bolivia

A handwritten signature in black ink, appearing to read 'Alvaro...', with a horizontal line underneath.

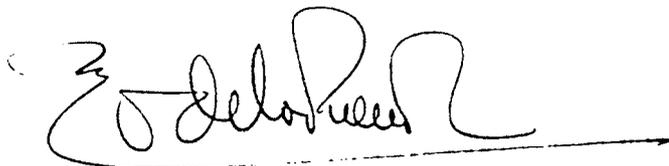
Por el Gobierno de la República de Colombia



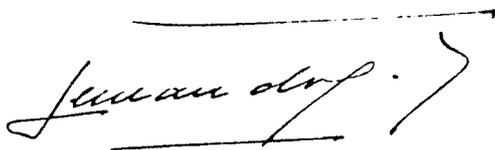
Por el Gobierno de la República del Ecuador



Por el Gobierno de la República del Perú



Por el Gobierno de la República de Venezuela



*ANNEX***EXCHANGE OF LETTERS  
ON SHIPPING***Letter No 1*

Brussels,

Sir,

We should be obliged if you would confirm the following:

When the Agreement on cooperation between the European Community and the Cartagena Agreement and its Member States was signed, the Parties undertook to address in the appropriate manner issues relating to the operation of shipping, particularly where the development of trade might be hindered. In this respect, mutually satisfactory solutions on shipping will be sought, subject to observance of the principle of free and fair competition on a commercial basis.

It has likewise been agreed that such issues should also be discussed by the Joint Committee.

Please, accept, Sir, the assurance of my highest consideration.

*On behalf of the Council  
of the European Communities*

*Letter No 2*

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date and confirm the following:

'When the Agreement on cooperation between the European Community and the Cartagena Agreement and its Member States was signed, the Parties undertook to address in the appropriate manner issues relating to the operation of shipping, particularly where the development of trade might be hindered. In this respect, mutually satisfactory solutions on shipping will be sought, subject to the observance of the principle of free and fair competition on a commercial basis.

It has likewise been agreed that such issues should also be discussed by the Joint Committee.'

Please accept, Sir, the assurance of my highest consideration.

*For the Cartagena Agreement  
and its Member States*

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