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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1591/84

of 4 June 1984

concerning the conclusion of the Cooperation Agreement between the European Economic Community, of the one part, and the Cartagena Agreement and the member countries thereof – Bolivia, Colombia, Ecuador, Peru and Venezuela – of the other part

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113 and 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas the Community should approve, for the attainment of its ends in the sphere of external economic relations, the Cooperation Agreement with the Cartagena Agreement and the member countries thereof; whereas certain forms of economic cooperation provided for by the Agreement exceed the powers of action specified in the field of the common commercial policy,

HAS ADOPTED THIS REGULATION:

Article 1

The Cooperation Agreement between the European Economic Community and the Cartagena Agreement and

the member countries thereof is hereby approved on behalf of the Community.

The text of the Cooperation Agreement is attached to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 10 of the Agreement ⁽³⁾.

Article 3

The Community shall be represented, within the Joint Cooperation Committee set up by Article 5 of the Cooperation Agreement, by the Commission assisted by representatives from the Member States.

Article 4

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 4 June 1984.

For the Council

The President

J. DELORS

⁽¹⁾ OJ No C 325, 30. 11. 1983, p. 3.

⁽²⁾ OJ No C 127, 14. 5. 1984, p. 204.

⁽³⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

COOPERATION AGREEMENT

between the European Economic Community, of the one part, and the Cartagena Agreement and the member countries thereof – Bolivia, Colombia, Ecuador, Peru and Venezuela – of the other part

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

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

of the other part,

BEARING IN MIND the Joint Declaration made by the Foreign Ministers of the Cartagena Agreement member countries and of the European Communities on 5 May 1980;

AWARE of the fact that the traditional bonds of friendship between the member countries of the Cartagena Agreement and the Member States of the Community should be consolidated and strengthened;

REAFFIRMING their joint resolve to support the efforts made by the Cartagena Agreement and by the Community to encourage the setting up and strengthening of regional organizations intended to promote economic growth, social progress and cultural development, at the same time introducing a factor of equilibrium into international relations;

RECOGNIZING that the Cartagena Agreement is a subregional integration organization made up of developing countries and that it takes into account the existence of relatively less-developed and landlocked countries;

DESIROUS of contributing, as far as their respective human, intellectual and physical resources allow, to the establishment of a new phase in international cooperation based on equality, justice and progress;

RESOLVED to deepen, extend and diversify their economic and trade relations and also their relations in the development sphere;

AWARE that the pursuit of these objectives arises from the need for as extensive cooperation as possible which, in the two Parties' mutual interest, should cover all economic and trade activities and include development;

CONVINCED that this cooperation must be placed in a pragmatic framework which will enable it to evolve in step with each Party's policies;

CONSIDERING that it can contribute, at world and regional levels, to a more harmonious and balanced development of trade, and to a more equitable distribution and more appropriate use of development resources and potential;

AWARE that such cooperation will be achieved, in a non-preferential framework, between equal partners, account being taken of the differing degrees of development of the countries of the Cartagena Agreement and of the Member States of the Community;

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

FOR THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Yannis CHARALAMBOPOULOS

President-in-office of the Council of the European Communities,
Minister for Foreign Affairs of the Government of the Hellenic Republic;

Wilhelm HAFERKAMP

Vice-President of the Commission of the European Communities;

FOR THE COMMISSION OF THE CARTAGENA AGREEMENT:

Iván RIVERA

President of the Commission of the Cartagena Agreement,
Minister for Industry, Tourism and Integration of the Republic of Peru;

FOR THE GOVERNMENT OF THE REPUBLIC OF BOLIVIA:

José ORTIZ MERCADO

Minister for Foreign Affairs and Ecclesiastical Affairs;

FOR THE GOVERNMENT OF THE REPUBLIC OF COLOMBIA:

Rodrigo LLOREDA CAICEDO

Minister for Foreign Affairs;

FOR THE GOVERNMENT OF THE REPUBLIC OF ECUADOR:

Luis VALENCIA RODRIGUEZ

Minister for Foreign Affairs;

FOR THE GOVERNMENT OF THE REPUBLIC OF PERU:

Fernando SCHWALB LOPEZ ALDANA

President of the Council of Ministers,
Minister for Foreign Affairs;

FOR THE GOVERNMENT OF THE REPUBLIC OF VENEZUELA:

José Alberto ZAMBRANO VELASCO

Minister for Foreign Affairs;

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

HAVE AGREED AS FOLLOWS:

*Article 1***Economic cooperation**

1. In the light of their mutual interests and in accordance with their long-term economic objectives, the Contracting Parties undertake to foster, within the limits of their competence, the broadest possible economic cooperation from which no field shall be excluded in advance, taking into account their different levels of development.

The objectives of such cooperation shall be to contribute generally to the development of the Parties' respective economies and to raising their standards of living, and, in particular:

- (a) to promote the development of farming, industry, agro-industry and energy;
- (b) to encourage technological and scientific progress;
- (c) to create new employment opportunities;
- (d) to strengthen regional development;
- (e) to protect and improve the environment;

- (f) to encourage rural development;

- (g) to open up new sources of supply and new markets.

2. As means to such ends, the Contracting Parties, in accordance with their respective legislation, shall endeavour, in particular, to facilitate and promote by appropriate means:

- (a) the exchange of information relevant to economic cooperation and the development of contacts and promotion activities between undertakings and organizations in the two regions;
- (b) closer ties between their respective economic, industrial, farming and mining sectors;
- (c) cooperation in the fields of science and technology, industrial development, agro-industry and farming, mining, fisheries, infrastructure, transport and communications, environment, energy and tourism;
- (d) relations between their respective economic operators and undertakings *inter alia* in the form of joint ventures;

(e) appropriate conditions for the expansion of investment on terms favourable to each of the interested parties;

(f) cooperation with and in third countries.

3. To facilitate the achievement of the objectives of economic cooperation as set out in paragraph 1 of this Article, the Contracting Parties shall apply the necessary means, including financial means, according to the availability of resources and using the appropriate structures.

Article 2

Development cooperation

1. The Community recognizes that the Andean Group is a developing region and that the Cartagena Agreement embraces less-developed countries as well as landlocked countries.

2. The Community is ready to cooperate financially and technically as a means of increasing its support for the development of the Andean subregion under its programmes for developing countries, and taking into account the Andean subregion's development policies.

3. The Community shall strive to coordinate its own development cooperation activities and those of its Member States in the Andean subregion, especially in relation to the subregion's integration projects. The Contracting Parties shall also seek to facilitate and encourage, by appropriate means, cooperation between financial institutions in the two regions.

Article 3

Commercial cooperation

1. The Contracting Parties undertake to take appropriate measures in order to promote the harmonious development, diversification and qualitative improvement of their trade, with a view to maximizing such trade, taking into account their respective levels of development.

2. The Contracting Parties agree to study ways and means to facilitate trade and overcome trade barriers, in particular non-tariff and quasi-tariff barriers, taking into account *inter alia* the work of international organizations.

3. In the conduct of their policies the Contracting Parties undertake, each in accordance with its legislation:

(a) to seek forms of bilateral and multilateral cooperation conducive to resolving commercial problems of common interest, including those concerning trade in commodities, semi-manufactures and manufactures;

(b) to grant each other the most ample facilities for commercial transactions;

(c) to take full account of their respective interest and needs regarding access to markets in commodities, semi-manufactures and manufactures and the stabilization of the international markets in raw materials, in line with the objectives approved in the relevant multilateral fora;

(d) to study and recommend trade promotion measures likely to encourage the growth of imports and exports;

(e) to bring together economic operators in the two regions with the aim of diversifying and expanding trade.

4. In the context of such commercial cooperation, the Community shall strive to accord special attention, in accordance with its own rules, the provisions of this Agreement and its international commitments, to trade flows originating in countries which the Cartagena Agreement considers, from amongst its members, as having a lesser degree of development, with the aim of encouraging a fair distribution of the benefits of trade between those countries and the European Community.

Article 4

Most-favoured-nation treatment

1. The Contracting Parties shall, with regard to imported or exported goods, grant each other most-favoured-nation treatment in all matters relating to:

— customs duties and charges of all kinds, including the procedures for collecting such duties and charges,

— regulations concerning customs clearance, transit, warehousing or transshipment,

— direct or indirect taxes and other internal charges,

— regulations concerning payments, including the allocation of foreign currency and the transfer of such payments,

— regulations affecting the sale, purchase, transport, distribution and use of goods on the internal market.

2. Paragraph 1 shall not apply to:

- (a) advantages granted to neighbouring countries to facilitate frontier-zone traffic;
- (b) advantages granted with the object of establishing a customs union or a free trade area or as required by such a customs union or free trade area, including advantages accorded in the context of a regional economic integration area in Latin America;
- (c) advantages granted to particular countries in conformity with the General Agreement on Tariffs and Trade;
- (d) advantages which the member countries of the Cartagena Agreement grant to certain countries in accordance with the Protocol on trade negotiations among developing countries, in the context of the General Agreement on Tariffs and Trade.

3. This Article shall apply without prejudice to the rights and obligations which exist under the General Agreement on Tariffs and Trade.

Article 5

Joint Cooperation Committee

1. A Joint Cooperation Committee is hereby established, composed of representatives of the European Economic Community and of the Cartagena Agreement.

2. The Joint Committee shall keep under review and promote measures required in order to ensure the effectiveness of the cooperation activities covered by this Agreement and shall assess the results of such measures. It shall make appropriate recommendations. It shall also recommend solutions to differences which may arise between the Parties regarding the interpretation and execution of this Agreement.

3. The Joint Committee shall be set up at an appropriate level in order to facilitate the implementation of this Agreement and promote the fulfilment of its objectives.

4. If necessary, the Joint Committee may organize specialized subcommittees charged with carrying out tasks assigned to them by the Committee.

5. The Joint Committee shall adopt its own rules of procedure and work programme.

6. The Joint Committee shall as a rule meet once a year. Additional meetings may be called by mutual agreement between the Parties.

Article 6

Other agreements

1. Without prejudice to the provisions of the Treaties establishing the European Communities, this Agreement and any action taken thereunder shall in no way affect the power of the Member States of the Communities to undertake bilateral activities with the Cartagena Agreement member countries in the field of economic cooperation or to conclude, where appropriate, new economic cooperation agreements with those countries.

2. Without prejudice to the provisions of the Cartagena Agreement, this Agreement and any action taken thereunder shall in no way affect the power of the Cartagena Agreement member countries to undertake bilateral activities with the Member States of the Communities in the field of economic cooperation or to conclude, where appropriate, new economic cooperation agreements with those countries.

3. Subject to the provisions of the preceding paragraphs, the provisions of this Agreement shall replace the provisions of agreements concluded between Member States of the Communities and Bolivia, Colombia, Ecuador, Peru and Venezuela, where such provisions are either incompatible with or identical to the provisions of this Agreement.

Article 7

European Coal and Steel Community

A separate Protocol shall be concluded between the European Coal and Steel Community and its Member States, of the one part, and the Cartagena Agreement and its member countries, of the other part.

Article 8

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 hand, to the territories in which the Cartagena Agreement is applied.

Article 9

The Annexes to this Agreement shall form an integral part thereof.

*Article 10***Duration**

1. 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.

2. This Agreement shall be applicable for an initial period of five years and thereafter for periods of two years subject to the right of either Party to terminate it by written notice given six months before the date of expiry of any period.

3. This Agreement may be amended by mutual consent of the Parties in order to take into account any new situations that may arise.

*Article 11***Authentic languages**

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

Til bekræftelse heraf har undertegnede, som er behørigt befuldmægtigede hertil, underskrevet denne aftale.

Zu Urkund dessen haben die hierzu gehörig befugten Unterzeichneten dieses Abkommen unterschrieben.

Εις πίστωση των ανωτέρω, οι κάτωθι, δεόντως εξουσιοδοτημένοι προς τούτο, υπέγραψαν την παρούσα συμφωνία.

In witness whereof, the undersigned, being duly authorized thereto, have signed this Agreement.

En foi de quoi, les soussignés, dûment habilités à cette fin, ont signé le présent accord.

In fede di che, i sottoscritti, debitamente abilitati a tale fine, hanno firmato il presente accordo.

Ten blijke waarvan de ondergetekenden, naar behoren daartoe gemachtigd, deze Overeenkomst hebben ondertekend.

En fe de lo cual, los abajo firmantes, debidamente habilitados para este fin, han firmado el presente acuerdo.

Udfærdiget i Cartagena, den syttende december nitten hundrede og treogfirs.

Geschehen zu Cartagena am siebzehnten Dezember neunzehnhundertdreiundachtzig.

Έγινε στην Καρταχένα, στις δεκαεπτά Δεκεμβρίου χίλια εννιακόσια ογδόντα τρία.

Done at Carthage on the seventeenth day of December in the year one thousand nine hundred and eighty-three.

Fait à Carthagène, le dix-sept décembre mil neuf cent quatre-vingt-trois.

Fatto a Cartagena, addì diciassette dicembre millenovecentoottantatré.

Gedaan te Cartagena, de zeventiende december negentienhonderd drieëntachtig.

Hecho en Cartagena, el diecisiete de diciembre de mil novecientos ochenta y tres.

For Rådet for De europæiske Fællesskaber

Für den Rat der Europäischen Gemeinschaften

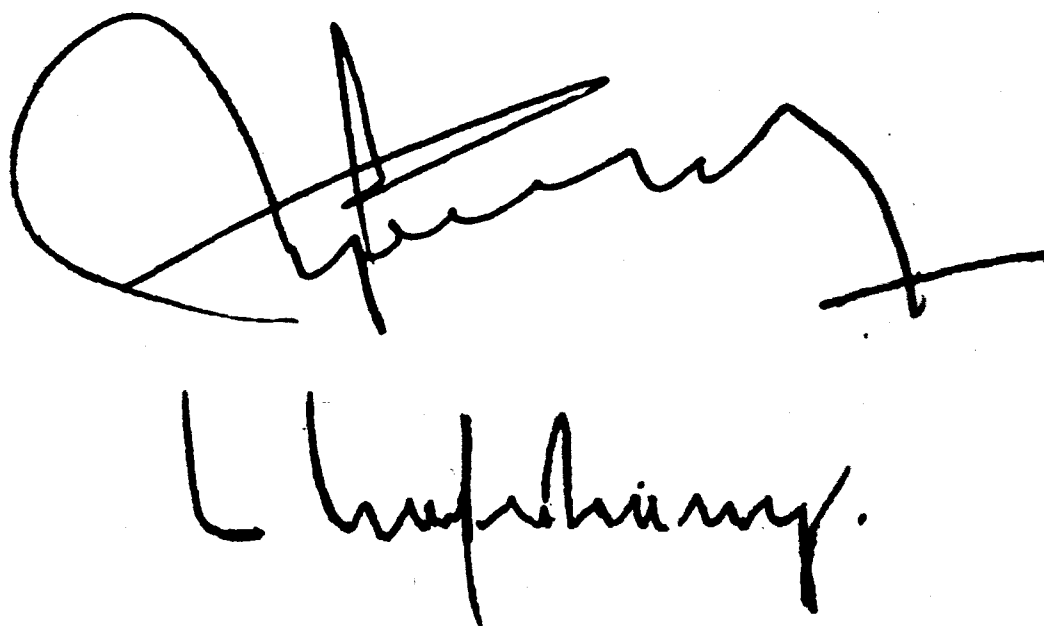
Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

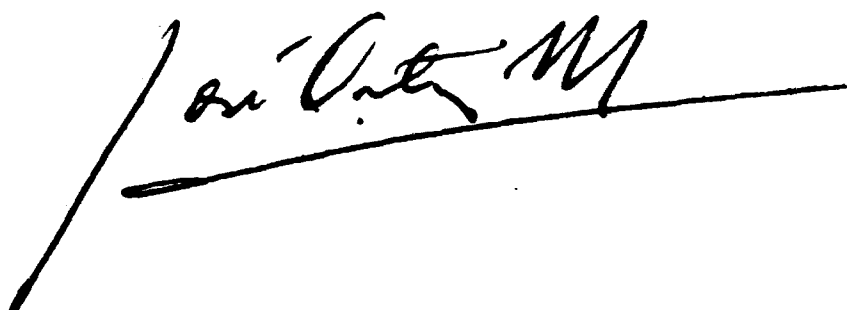
Voor de Raad van de Europese Gemeenschappen



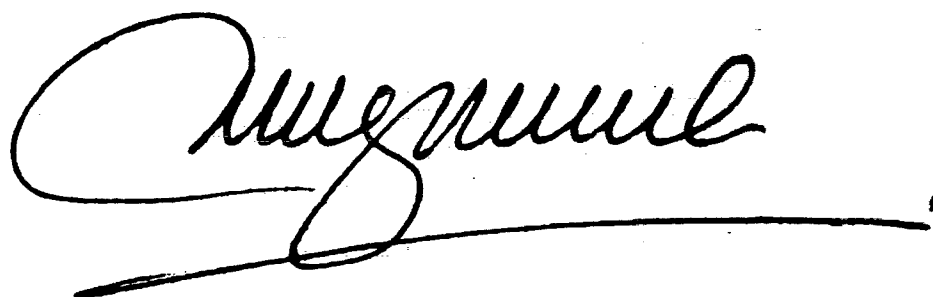
En nombre de la Comisión del Acuerdo de Cartagena



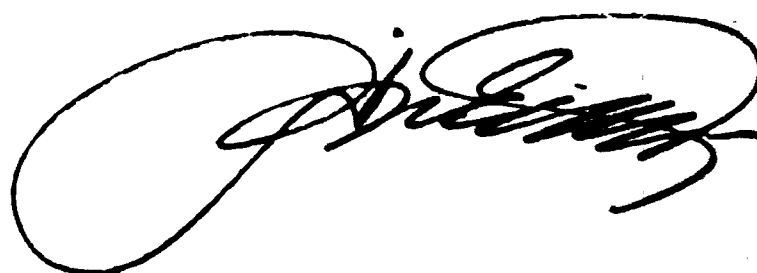
En nombre del Gobierno de la República de Bolivia



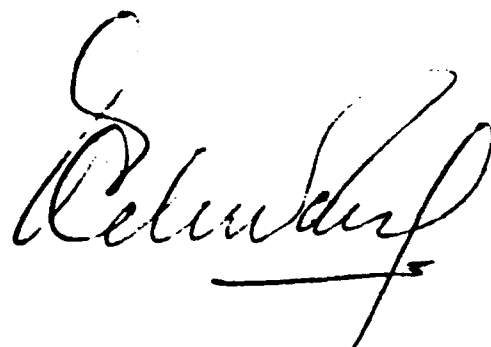
En nombre del Gobierno de la República de Colombia

A handwritten signature in black ink, featuring a large, stylized initial 'C' followed by several loops and a long horizontal stroke at the end.

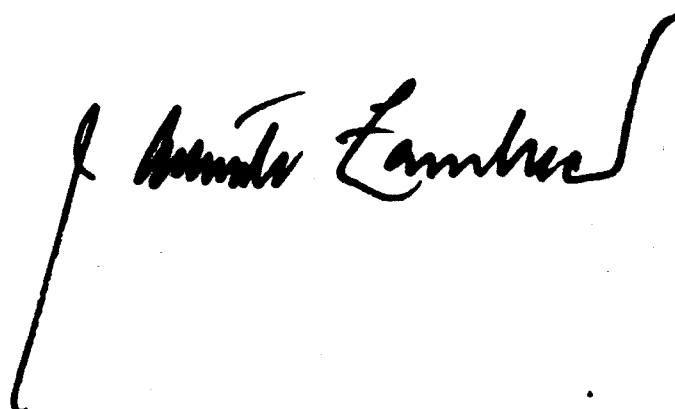
En nombre del Gobierno de la República del Ecuador

A handwritten signature in black ink, consisting of a large, flowing 'E' followed by a series of connected loops and a final flourish.

En nombre del Gobierno de la República del Perú

A handwritten signature in black ink, starting with a large 'P' and followed by several loops and a horizontal stroke at the bottom.

En nombre del Gobierno de la República de Venezuela

A handwritten signature in black ink, featuring a large, stylized 'V' followed by several loops and a long horizontal stroke at the end.

ANNEX I**DECLARATION BY THE EUROPEAN ECONOMIC COMMUNITY CONCERNING THE
GENERALIZED SYSTEM OF PREFERENCES**

The European Economic Community confirms the importance of the generalized system of preferences – set up by the Community under Resolution No 21(II) of the Second United Nations Conference on Trade and Development – with regard to developing the trade of the member countries of the Cartagena Agreement.

With a view to assisting the Cartagena Agreement member countries to take the fullest advantage of the generalized system of preferences of the European Economic Community, the Community declares itself willing to examine within the Joint Committee the possibility of improving the system in such a way as to take account of the interests and economic situation of the countries concerned.

The European Economic Community notes that the Cartagena Agreement and the member countries thereof will, when they deem appropriate, indicate the products of interest to them.

ANNEX II**DECLARATION ON COMMERCIAL COOPERATION**

Under the commercial cooperation provided for in this Agreement, the Parties declare that they are prepared to examine, within the Joint Committee and in the context of their respective economic policies, any specific problems which may arise in the sphere of trade.

ANNEX III

EXCHANGE OF LETTERS CONCERNING SEA TRANSPORT

Sir,

I have the honour to confirm the following:

With regard to the barriers to trade which might arise – for the European Economic Community and its Member States, and also for the Cartagena Agreement and its member countries – from sea transport conditions, it has been agreed that mutually satisfactory solutions will be sought, where necessary, in the context of cooperation in the matter of sea transport, to be established gradually – in accordance with the two Parties' areas of competence – with the aim of promoting the development of trade.

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

*For the Council of the European Communities
and the Member States of the Community*

Sir,

I have the honour to confirm the following:

With regard to the barriers to trade which might arise – for the European Economic Community and its Member States, and also for the Cartagena Agreement and its member countries – from sea transport conditions, it has been agreed that mutually satisfactory solutions will be sought, where necessary, in the context of cooperation in the matter of sea transport, to be established gradually – in accordance with the two Parties' areas of competence – with the aim of promoting the development of trade.

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

*For the Cartagena Agreement
and the member countries thereof*
