

Note on protection of sources

To protect the source who provided the documents, Greenpeace has transcribed the text. No content has been changed.

Greenpeace made some minor corrections where it was unclear whether they were genuine typing errors or errors purposefully introduced to identify the version of the document. Intentional errors and other markers are often used on secret documents to identify which version of the document is circulated in the event of a leak, and thereby identify the source. To protect the source, Greenpeace has corrected typing errors, removed superfluous end markers, unified the line breaks and removed all traces that could refer to the source. Some of the numbered lists in the document skip several numbers, these have been transcribed as they appear in the original document.

June 18, 2020

THE MERCOSUR-EU ASSOCIATION AGREEMENT

MERCOSUR-EU ASSOCIATION AGREEMENT

AGREEMENT

Establishing an association between the European Union and its Member States, of the one part, and the Common Market of the South and the Argentine Republic, the Federative Republic of Brazil, the Republic of Paraguay and the Oriental Republic of Uruguay of the other part

PREAMBLE

THE KINGDOM OF BELGIUM,
THE REPUBLIC OF BULGARIA,
THE CZECH REPUBLIC,
THE KINGDOM OF DENMARK,
THE FEDERAL REPUBLIC OF GERMANY,
THE REPUBLIC OF ESTONIA,
IRELAND,
THE HELLENIC REPUBLIC,
THE KINGDOM OF SPAIN,
THE FRENCH REPUBLIC,
THE REPUBLIC OF CROATIA,
THE ITALIAN REPUBLIC,
THE REPUBLIC OF CYPRUS,
THE REPUBLIC OF LATVIA,
THE REPUBLIC OF LITHUANIA,
THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,
THE REPUBLIC OF MALTA,
THE KINGDOM OF THE NETHERLANDS,
THE REPUBLIC OF AUSTRIA,
THE REPUBLIC OF POLAND,
THE PORTUGUESE REPUBLIC,
ROMANIA,
THE REPUBLIC OF SLOVENIA,
THE SLOVAK REPUBLIC,
THE REPUBLIC OF FINLAND,
THE KINGDOM OF SWEDEN,
~~THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,~~

Contracting Parties to the Treaty on European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as the 'Member States',

THE EUROPEAN UNION, hereinafter referred to as 'the Union' or 'the EU' on the one part,
and

THE ARGENTINE REPUBLIC
THE FEDERATIVE REPUBLIC OF BRAZIL,
THE REPUBLIC OF PARAGUAY
THE ORIENTAL REPUBLIC OF URUGUAY

State Parties to the Common Market of the South signatories of this Agreement
AND

The Common Market of the South, hereinafter referred to as MERCOSUR on the other part
For the purposes of this Agreement MERCOSUR refers to the Argentine Republic, the
Federative Republic of Brazil, the Republic of Paraguay and the Oriental Republic of
Uruguay

Hereafter jointly referred to as 'the Parties',

CONSIDERING the deep historical, cultural, political and economic ties that unite their peoples and inspired by their common values;

CONSIDERING that the MERCOSUR and the EU wish to reinforce those ties and intensify their relations on the basis of dialogue and cooperation, with a view to establishing a strategic partnership;

RECALLING the Parties' firm commitment to the principles of International Law, to the Charter of the United Nations, to Democracy, the Rule of Law and Human Rights and fundamental freedoms;

CONSIDERING that respect for democratic principles and human rights as laid down in the Universal Declaration on Human Rights and other relevant international human rights instruments, for international humanitarian law, as well as for the principles of the rule of law underpins the internal and international policies of the Parties and constitutes an essential element of this Agreement;

REAFFIRMING their support for democratic institutions and values, which are indispensable for the development of their respective integration processes and their mutual relationship;

MOTIVATED to contribute to the reinforcement of multilateralism, international peace and security, and to the promotion of a fair and democratic international order;

RECOGNIZING the important contribution to disarmament and no proliferation of the proclamation of Latin America and the Caribbean as a zone of peace, free of nuclear weapons, in accordance to the Treaty of Tlatelolco and its additional protocols and reaffirming their commitments to promote nuclear disarmament;

REAFFIRMING the values, purposes and principles of the UN Charter;

REAFFIRMING the shared aim of promoting economic and social development which underpins this Agreement, and considering that market liberalisation should be complemented by the promotion of social development and the reduction of inequalities, through adequate access to employment, education, health, and the elimination of extreme poverty;

REAFFIRMING their commitment to strengthen and develop the multilateral trade system through the application of transparent, equitable and non-discriminatory rules, with a view to the promotion of an increasingly dynamic and open international trade, which ensures a larger participation of developing countries in international trade, investment and technology flows;

CONSIDERING the rights and obligations assumed by the Parties in the World Trade Organisation;

CONSIDERING that the strengthening of the Multilateral Trade System can be achieved through multilateral trade negotiations, which aim at ambitious, comprehensive and balanced results, the promotion of economic development and the improvement of human welfare;

TAKING INTO ACCOUNT that the Parties consider regional integration and open regionalism as important instruments for economic and social development, which enhance international integration of their economies, promote closer ties between their peoples and contribute to international stability;

WELCOMING the adoption of the Agenda 2030 and the Paris Agreement adopted under the United Nations Framework Convention On Climate Change and calling for their swift implementation;

CONSCIOUS of the need to promote the growth and development of the Parties and to reduce existing disparities, giving special attention to the needs and difficulties faced by Paraguay as a landlocked country;

RECOGNIZING the long history of migration between EU and MERCOSUR countries, and its positive contribution to their relationship as well as to their social, cultural and economic development;

BEARING in mind the internationally agreed provisions on special and differential treatment for developing countries;

RECOGNISING that the provisions of this Agreement preserve the right of the Parties to regulate within their territories in conformity with their internal legislation and the Parties' flexibility to achieve legitimate policy objectives, such as public health, safety, environment, and the promotion and protection of cultural diversity, among others;

HAVING IN MIND the 1995 Inter-Regional Cooperation Framework Agreement between the European Community and MERCOSUR, as well as its annexed Joint Declaration on Political Dialogue and the purpose of establishing an inter-regional association based on reinforced political dialogue, trade liberalization, the promotion of investment and the deepening of cooperation;

CONSIDERING that cooperation between the EU and MERCOSUR is implemented through a variety of instruments;

RECALLING the decision of the meeting of Heads of State and Government from MERCOSUR and the EU in June 1999 in Rio de Janeiro to attach renewed priority to their relations in the political, economic, trade, cultural and cooperation fields, aiming at building a deeper and fuller partnership between both regions, which should be based on democracy, sustainable development and economic growth with social justice;

LOOKING FORWARD, in this context, to increasing their trade and investment relations through the establishment of a Free Trade Area in conformity with GATT and WTO rules;

WILLING to strengthen cooperation between the Parties, on the basis of an open and permanent dialogue in all areas of mutual interest, in particular in the political, economic, commercial, financial, legal and judicial, freedom and security, scientific and technological, social and cultural fields;

CONSCIOUS of the importance of involving civil society in the context of their interregional association;

CONSCIOUS as well, that in order to intensify their relationship in all areas of common interest, it is essential to bring the existing political dialogue between the Parties to a new stage;

CONSIDERING the specific regional integration experiences of the Parties from which they can mutually benefit according to their own needs;

REAFFIRMING the importance of their shared principles and values in the field of social development;

CONSIDERING the importance of cultural dialogue as a means to achieve better mutual understanding between the Parties, to promote cultural diversity and to foster cultural links between their citizens;

NOTING that in the event that the Parties decide, within the framework of this Agreement, to enter into specific agreements in the area of freedom, security and justice which may be concluded by the Union pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union ("TFEU"), the provisions of such future agreements would not bind the United Kingdom and/or Ireland unless the Union, simultaneously with the United Kingdom and/or Ireland as regards their respective previous bilateral relations, notifies MERCOSUR that the United Kingdom and/or Ireland has/have become bound by such agreements as part of the Union in accordance with Protocol No 21 on the position of the United Kingdom and

Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union (“TEU”) and to the TFEU. Likewise, any subsequent internal measures of the Union which may be adopted pursuant to the above-mentioned Title V to implement this Agreement would not bind the United Kingdom and/or Ireland, unless they have notified their wish to take part in such measures or accept them in accordance with Protocol No 21. Also noting that, such future agreements or subsequent internal measures of the Union would fall within Protocol No 22 on the position of Denmark annexed to the said Treaties. DECIDED to conclude the present Inter-Regional Association Agreement.

(Titles of sections/chapters, number of articles and final order to be addressed at later stage)

Initial Provisions

General definitions (if required)

General principles

1. Respect for democratic principles, human rights and fundamental freedoms as laid down in the Universal Declaration on Human Rights and other international human rights instruments to which they are party, as well as for the principles of the rule of law underpins the internal and international policies of the Parties and constitutes an essential element of this Agreement.
2. The Parties confirm their strong commitment to the shared principles and objectives as expressed in the Charter of the United Nations. Among others, the promotion of sustainable economic and social development, as well as the equitable distribution of the benefits of the Inter-Regional Association is guiding principles for the implementation of this Agreement.
3. The Parties reaffirm their attachment to the principles of good governance, including principles such as governmental, transparency and the fight against corruption; ethical and accountable government; independence of the judiciary and the protection of the rights of minorities.

Scope

This Agreement establishes an inter-regional association between the Parties based on shared values, including reciprocity and common interest. It shall strengthen the partnership between the EU Party and the MERCOSUR Party and lead to a strategic relationship in the political, cooperation and trade fields, as well as other areas to be agreed upon.

General objectives

This Agreement provides for:

- a) An institutional framework, which forms the basis of the Inter-Regional Association.
- b) The enhancement of political dialogue through new institutional mechanisms.
- c) Cooperation between the Parties aiming at contributing to the achievement of the general objectives of the Association Agreement, by taking advantage of existing or future innovative cooperation instruments, capable of providing added value to the relationship.
- d) The expansion and diversification of the parties' bi-regional trade relations and the specific objectives and provisions set out in Title XX of this Agreement, which should contribute to higher economic growth, the gradual improvement of the quality of life in both regions and to a better integration of both regions in the world economy.

Summit

The highest level of political and policy dialogue between the EU Party and the MERCOSUR Party shall be at Summit level. Summits shall be held as necessary as mutually agreed.

The Summit shall provide the opportunity to evaluate progress in the implementation of the Association Agreement, set out the objectives for its future evolution and discuss other topics of common interest.

Institutional framework

Association Council

1. An Association Council is hereby established, which shall oversee the fulfilment of the objectives of this Agreement and supervise its implementation. The Association Council shall address the matters covered by this Agreement and shall examine any major issue arising within the framework of this Agreement, as well as inter-regional, multilateral or international questions of common interest.
2. The Association Council shall meet at ministerial level at regular intervals, at least on a biennial basis or on an ad-hoc basis as mutually agreed.
3. The Association Council shall be composed of representatives of each of the Parties at ministerial level in accordance with the Parties' respective internal arrangements and taking into consideration the specific issues to be addressed. The Association Council shall meet in all necessary configurations, by mutual agreement.
4. The Association Council shall adopt its own rules of procedure and the rules of procedure of the Association Committee.
5. The Association Council shall be co-chaired by one representative of the EU Party and one representative of the MERCOSUR Party in accordance with the provisions laid down in its rules of procedure taking in to consideration the specific issues to be addressed at any given session.
6. The Association Council shall examine proposals and recommendations and have the power to take decisions including on the interpretation of provisions, and make appropriate recommendations as provided for in this Agreement. Decisions and recommendations shall be adopted by agreement of the Parties and in accordance with its rules of procedure. Decisions shall be binding on the Parties, which shall take all necessary measures, in accordance with their internal procedures, to implement them. Within the scope of parts X (Non-Trade), the Association Council shall also have the power to take decisions and make recommendations as mutually agreed by the Parties.
7. The Association Council may delegate to the Association Committee any of its functions, including the power to take binding decisions, in accordance with the Association Council's rules of procedure.

Association Committee

1. An Association Committee is hereby established.
2. The Association Committee shall assist the Association Council in the performance of its duties.
3. The Association Committee shall prepare the meetings of the Association Council and shall be responsible for the correct implementation of this Agreement.
4. The Association Committee shall be composed of representatives of each of the relevant Parties at senior official level or as otherwise designated by the Parties in accordance with their internal arrangements and taking into consideration the specific issues to be addressed at any given session.
5. When the Association Committee addresses any matter related to Part X (Trade and Trade-related Matters) of this Agreement it shall be composed of representatives of each of the Parties with responsibility for trade-related matters.
6. When the Association Committee addresses any matter related to Part X (Political Dialogue and Cooperation) it shall be composed of representatives of each of the Parties with responsibility for those matters, in accordance with the parties' respective internal arrangements.
7. The Association Committee shall have the power to take decisions as provided for in this Agreement or where such power has been delegated to it by the Association Council. When exercising delegated powers, the Association Committee shall take its decisions in accordance with the Rules of Procedure of the Association Council.
8. Without prejudice to the specific provisions in [Title X - Dispute Settlement], any Party may refer any issue concerning the application or interpretation of the Agreement to the Association Committee.
9. The Association Committee shall be co-chaired by one representative of the MERCOSUR Party and one representative of the EU Party taking into consideration the specific issues to be addressed in any given session.
10. The Association Committee shall generally meet once a year to review the implementation of this Agreement, on a date and with an agenda agreed in advance by the

Parties, alternately in Brussels and in a Signatory MERCOSUR State. Additional meetings may also be convened by mutual agreement, at the request of either the EU Party or MERCOSUR.

Sub-Committees

1. The Association Committee may decide to set up Sub-Committees or other bodies to assist in the exercise of its functions and to address specific tasks or subject matters. It may decide to change the tasks assigned to or to dissolve any Sub-Committees or other structure set up for these purposes.
2. The Association Committee shall adopt rules or procedures, which determine the composition, duties and functioning of the Sub-Committees and other bodies.
3. The creation or existence of any Sub-Committee shall not prevent the Parties from bringing any matter directly to the Association Committee.
4. Except as otherwise provided for in this Agreement, Sub-committees and such other bodies established under this Agreement or by the Association Committee shall report on their activities to the Association Committee regularly or when requested.
5. The Sub-Committees established for Trade and Trade-related Matters shall be governed by [article XX] of this Agreement and shall report to the Association Committee in its specific Trade composition.
6. The Sub-Committees established for Political Dialogue and International Cooperation shall be governed by article XX of this Agreement and shall report to the Association Committee.

Association Parliamentary Committee

1. An Association Parliamentary Committee is hereby established to foster closer relations and ensure regular dialogue between the European Parliament and the Parliament of MERCOSUR.
2. The Association Parliamentary Committee shall consist of members of the European Parliament, on the one hand, and of members of the Parliament of MERCOSUR on the other. It shall meet at intervals, which it shall itself determine.

3. The Association Parliamentary Committee shall establish its own rules of procedure.
4. The Association Parliamentary Committee shall be presided in turn by the European Parliament and the Parliament of MERCOSUR.
5. The Association Parliamentary Committee will be informed of the implementation of this agreement.
6. The Association Parliamentary Committee may make recommendations to the Association Council.

10. Relationship with Civil Society

1. In order to facilitate the implementation of this agreement the Parties shall promote consultations with civil society through the establishment of an appropriate mechanism of consultation and the promotion of interaction between the representatives of their civil society.
2. The Parties shall promote the dialogue between the Economic and Social Committee, from the European Union and the Consultative Social and Economic Forum, for MERCOSUR and encourage their contribution to the mechanisms set out below.

10.bis Domestic Advisory Groups

1. The EU Party and the MERCOSUR Party shall each designate a domestic advisory group, established in accordance with each Party's internal arrangements, to advise the Party concerned on issues covered by this Agreement. It should be comprised of a balanced representation of independent civil society organizations including non-governmental organizations, business and employers' organizations and trade unions active on economic, development, social, human rights, environmental and other matters.

2.

a) The Parties shall promote a regular dialogue with their domestic advisory group and shall consider views or recommendations submitted by their respective domestic advisory group on the implementation of this Agreement.

b) In order to promote public awareness of the domestic advisory groups, the EU Party and the MERCOSUR Party shall each made available to the public the list of organizations participating in consultations as well as the contact point for that group.

10.ter Civil Society Forum

1. The Parties shall facilitate the organization of a Civil Society Forum, to conduct a public dialogue on the implementation of this Agreement and shall agree at the first meeting of the Association Committee on operational guidelines for the conduct of the Forum.

2. The Parties may also facilitate participation in the Civil Society Forum by virtual means.

3. The Civil Society Forum shall be open for the participation of independent civil society organizations established in the territories of either the EU Party or the MERCOSUR Party, including members of the domestic advisory groups referred to in Article XX) [domestic advisory groups]. The Parties shall promote a balanced representation, including, non-governmental organizations, business and employers' organizations and trade unions active on economic, development, social, human rights, environmental and other matters.

4. The representatives of the Parties participating in the Association Council or the Association Committee, as appropriate, shall take part in a session of the meeting of the Civil Society Forum in order to present information on the implementation of the Agreement and to engage in a dialogue with the Forum.

General Provisions

Security clause

Nothing in this Agreement shall be construed:

(a) to require a Party to furnish or allow access to information the disclosure of which it considers to be contrary to its essential security interests; or

(b) to prevent a Party from taking an action that it considers necessary to protect its essential security interests:

(i) connected to the production of or traffic in arms, ammunition and implements of war and to such traffic and transactions in other goods and materials, services and technology undertaken, and to economic activities, carried out directly or indirectly for the purpose of supplying a military establishment;

(ii) taken in time of war or other emergency in international relations; or

(iii) relating to fissionable and fusion-able materials or the materials from which they are derived; or

(c) to prevent a Party from taking any action in pursuance of its international obligations under the United Nations Charter for the purpose of maintaining international peace and security.

Other Agreements

1. The Interregional Framework Cooperation Agreement between the European Community and its Member States, of the one part, and the Southern Common Market and its Party States, of the other part, signed in Madrid on 15 December 1995, is hereby repealed.

2. This Agreement replaces the aforementioned agreement. References to the aforementioned agreement in all other agreements between the Parties shall be construed as referring to this Agreement.

3. The Parties may complement this Agreement by concluding specific agreements in any area of cooperation falling within its scope. Such specific agreements may provide that they shall form an integral part of the overall inter-regional relations as governed by this Agreement and shall be subject to a common institutional framework.

Territorial application

1. This Agreement shall apply:

(i) to the territories in which the Treaty on European Union and the Treaty on the Functioning of the European Union are applicable, under the conditions laid down in those Treaties; and

(ii) to the territories of the Argentine Republic, the Federative Republic of Brazil, the Republic of Paraguay and the Oriental Republic of Uruguay, respectively.

2. References to "territory" in this Agreement shall include air space and territorial sea as provided in the United Nations Convention on the Law of the Sea of 10 December 1982.

3. References to territory in this Agreement shall be understood in this sense, save as otherwise expressly provided.

4. As regards those provisions concerning the tariff treatment of goods, including provisions on customs and trade facilitation, mutual administrative assistance in customs matters and rules of origin, as well as the temporary suspension of this treatment, this Agreement shall also apply to those areas of the customs territory of the Union, as defined by Article 4 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code, not covered by subparagraph 1(a).

Political Dialogue

10. quater Objectives of political dialogue and international cooperation

1. The Parties agree that the political dimension is an essential part of the strategic Association established by this Agreement and shall strengthen and deepen their regular political dialogue. The Parties agree to establish a political agenda, cooperate in areas of common interest and make efforts to coordinate their positions in order to undertake joint initiatives in the appropriate international fora.

2. The political dialogue between the Parties shall aim to:

- a) Strengthen their ties in order to contribute to peace, stability, security and prosperity and consolidate their strategic partnership;
- b) Promote international peace and security, preventive diplomacy, confidence-building measures, the peaceful resolution of disputes including through the development of joint actions to strengthen the UN system and multilateralism;
- c) Strengthen democracy, the rule of law and the promotion and protection of human rights and fundamental freedoms;
- d) Promote human and social development, reaffirming their commitment to sustainable development, as expressed through the adoption of the 2030 Agenda. The Parties shall cooperate to implement and achieve the Sustainable Development Goals, recognising that their broad and ambitious nature calls for urgent action and follow up and review;
- e) Promote gender equality, the respect of all women and girl's rights, emphasizing the gender perspective, and address discrimination and violence based on sexual orientation, in accordance to the internal legislation of each country;
- f) Contribute to disarmament and non-proliferation of weapons of mass destruction and their means of delivery, in full compliance with and ensuring national implementation of the Parties' respective international obligations;
- g) Enhance cooperation in the fight against racism, racial discrimination, xenophobia and related intolerances;
- h) Develop joint actions to enhance cooperation in the fight against human trafficking, smuggling of migrants, the illegal traffic in arms, drug-trafficking and related crimes, cybercrime and others forms of trans-national organised crime;
- i) Promote and develop joint actions to eradicate child sexual abuse, including the production and dissemination of child abuse material and fight against travelling sex offenders;
- j) Enhance cooperation in fighting against corruption and in preventing the use of their financial systems for laundering proceeds arising from criminal activities and for the financing of terrorism and in identifying, recovering and returning illicit assets;
- k) Act against impunity for the most serious crimes under international law concerning the international community;

- l) Enhance cooperation in the prevention and suppression of acts of terrorism, in accordance with international conventions to which Member States are party , the relevant UN resolutions and their respective legislation and regulations;
- m) Exchange views and improve dialogue on international tax matters, including global standards and transparency;
- n) Act in favour of their respective regional integration, considered as one of the means to achieve sustainable development, as well as an instrument for competitive integration in the world economy;
- o) Develop mutual understanding and promote consensus on interregional and international issues, in particular through cooperation in multilateral fora and the development of joint initiatives;
- p) Develop joint actions to strengthen the UN system and multilateralism in order to face effectively, efficiently and expeditiously the most important current and future challenges;
- q) Build a wide political coordination at international level to support and strengthen multilateral, transparent and democratic multi-stakeholder processes for Internet governance, with the involvement of governments, the private sector, civil society, international organizations, technical and academic communities, and all other relevant stakeholders, in accordance with their respective roles, responsibilities and capabilities;
- r) Discuss legal and judicial matters of mutual interest;
- s) Address other topics as agreed by the Parties.

3. Reaffirming the need to strengthen their strategic association, the Parties highlight the importance of international cooperation and agree that interregional cooperation and its modalities shall have as one of its main purposes to facilitate the implementation of the Agreement.

4. The Parties shall carry out cooperation projects and joint activities, through all existing and future instruments and methodologies available means including triangular cooperation. Such cooperation may include, inter alia:

- a) Promote investment and job creation through mobilising financial resources inter alia through the leveraging of grants and loans to achieve sustainable development outcomes;
- b) Support Capacity building through training courses, workshops and seminars, the exchange of experts, studies, joint research and good practices;
- c) Promote institutional know-how in both regions through cooperation activities;
- d) Promote financing for development through all instruments available to each Party and other forms of innovative financial mechanisms;
- e) Promote Promoting access innovative technologies, as well as the enhancement of national capacities;
- f) Develop specific actions to reduce poverty, to fight hunger and promote social inclusion and cohesion;
- g) Consolidate of existing regional cooperation networks and platforms;
- h) Promote cooperation between the public administrations and institutions of the parties.

4. The Parties agree to promote the mobilization of financial resources for the implementation of the agreement, in close partnership with the European Investment Bank, European Financial Institutions, Institutions from Mercosur Member States, as well as International and Regional financial institutions.

10. quinquies Resources

1. Within the aim of contributing to reaching the objectives of the cooperation established in this Association Agreement, the Parties commit themselves to providing, within the limits of their capacities and through their own channels, the appropriate resources, including financial resources, and encourage development related public and private financial institutions in both regions to cooperate actively for that purpose.

2. The Parties shall encourage the European Investment Bank and other financial institutions to continue its operations in MERCOSUR countries, in accordance with its procedures and

financing criteria, according to their respective laws and regulations and without prejudice to the powers of their competent authorities.

10.sixies Subcommittee on International Development and Cooperation

A Sub-Committee for Development and International Cooperation is hereby established to promote, coordinate the presentation and supervise the implementation of cooperation activities foreseen by Part II of this agreement as well as the follow-up, monitoring, and evaluation of the cooperation initiatives. It shall assist the Association Committee in the performance of its functions regarding these matters.

Cooperation on democratic principles, human rights, the rule of law and international peace and security

11. Cooperation on democratic principles, human rights and the rule of law

1. The Parties shall cooperate on the promotion and protection of human rights, including the ratification and implementation of international human rights instruments, and on the strengthening of democratic principles and the rule of law.

2. Such cooperation may include:

- a) The effective implementation of the international instruments of human rights to which they are parties, as well as the recommendations emanating from Treaty Bodies, Special Procedures and the Universal Periodic Review;
- b) Integration of human rights in national policies and development plans;
- c) Strengthening capacity to apply the democratic principles and practices;
- d) Exchange of good practices on national action plans on democracy and human rights;
- e) Awareness raising and education in human rights, democracy and culture of peace;

- f) The strengthening of democratic and human rights-related institutions, as well as the legal and institutional frameworks for the promotion and protection of human rights and the rule of law;
- g) The development of joint initiatives of mutual interest in the framework of relevant human rights-related institutions of the United Nations and multilateral fora;
- h) Promoting democracy, international law, including human rights, fundamental freedoms and the rule of law, including in multilateral fora;
- i) Collaborating and coordinating, including in third countries, where appropriate, in the practical advancement of democratic principles, human rights and the rule of law, notably political rights and fundamental freedoms including enhancing transparent, credible and inclusive electoral processes in line with international standards;
- j) Reinforcing good governance at national, regional and local levels; including the accountability and transparency of institutions; supporting the participation of citizens and involvement of civil society; fighting against corruption;
- k) Promoting the prevention of genocide, crimes against humanity, war crimes and any other crimes under the jurisdiction of the International Criminal Court.

11.bis Gender Equality and Women, Peace and Security

1. The Parties shall promote gender equality and the empowerment of all women and girls. They acknowledge the necessity of gender equality and the empowerment of women and girls as a precondition to fully achieve inclusive development, democracy and security. The Parties shall explore further schemes of cooperation and potential synergies between respective policies and initiatives, in line with international standards and commitments such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the 2030 Agenda for Sustainable Development and United Nations Security Council Resolution (UNSCR) 1325 on Women, Peace and Security.

2. Such cooperation may include:

- a) Fostering effective gender mainstreaming;

- b) Promoting women's political participation and leadership, women's access to quality education, women's economic empowerment and women's increased participation in the work force;
- c) Strengthening national and regional institutions to address and handle issues related to violence against women, including prevention and protection from sexual and gender-based violence, investigation and accountability mechanisms, support to victims and promotion of conditions of safety and security for women and girls;
- d) Actively reinforcing women's human rights including freedom from human rights violations and any type of violence against women and women's access to justice;
- e) Supporting the development and implementation of a national action plan on UNSCR 1325;
- f) Enhancing cooperation with relevant bodies of the United Nations and other international organisations.

12. Weapons of Mass Destruction

1. The Parties recognize the central role of the Nuclear Non-Proliferation Treaty and its three equally important and reinforcing pillars, disarmament, non-proliferation and peaceful use of nuclear energy.
2. The Parties consider that the proliferation of weapons of mass destruction and their means of delivery, both to state and non-state actors, represents one of the most serious threats to international stability and security. The Parties therefore agree to cooperate and to contribute to countering the proliferation of weapons of mass destruction and their means of delivery through full compliance with and national implementation of their existing obligations under international disarmament and non-proliferation treaties and agreements and other relevant international obligations. The Parties agree that this paragraph constitutes an essential element of this agreement.
3. The Parties furthermore agree to cooperate and to contribute to countering the proliferation of weapons of mass destruction and their means of delivery by:

- a) Taking steps to sign, ratify, or accede to, as appropriate, and fully implement all other relevant international instruments;
 - b) The establishment of an effective system of national export controls, controlling the export as well as transit of WMD related to goods, including a WMD end-use control on dual use technologies and containing effective sanctions for breaches of export controls.
4. The Parties shall establish a regular political dialogue that will accompany and consolidate these elements.

13. Serious crimes of international concern and the International Criminal Court

1. The Parties reaffirm that there must be no impunity for the most serious crimes of concern to the international community, such as the crimes falling within the jurisdiction of the International Criminal Court and that these crimes must be prosecuted by national and/or international means, as appropriate in accordance with the principle of complementarity.
2. The Parties consider that an effective International Criminal Court constitutes a significant development for international peace and justice. They agree to cooperate in promoting universal accession to the Rome Statute of the International Criminal Court and to this end:
 - a) continue to take steps to implement the Rome Statute and its amendments, and to ratify and implement the related instruments (such as the Agreement on the Privileges and Immunities of the International Criminal Court);
 - b) share, as appropriate, experience on the adoption of national legislation aiming at the effective implementation of the Rome Statute;
 - c) take measures to safeguard the integrity of the Rome Statute.

14. Small arms and light weapons and other conventional weapons

1. The Parties undertake to cooperate and to ensure coordination and complementarity and to explore possible synergies in their efforts to regulate or improve the regulation of

international trade in conventional arms and to prevent, combat and eradicate the illicit trade in arms, at global, regional and sub-regional levels.

2. At global level, the Parties highlight the unique framework given by the Arms Trade Treaty in order to achieve this cooperation and complementarity between national control systems for transfers of conventional arms, including its provisions in terms of cooperation and assistance. They also agree on the importance of promoting the universalization and full implementation of the treaty by all UN Member States.

3. The Parties recognise that the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world, have a wide range of humanitarian and socio-economic consequences and pose a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the individual, local, national, regional and international levels.

4. The Parties agree to fully implement their respective obligations to deal with the illicit trade in small arms and light weapons, including their ammunition, under existing international agreements to which they are Party and UN Security Council resolutions, as well as their commitments within the framework of other international instruments applicable in this area, such as the UN Programme of Action to prevent, combat and eradicate the illicit trade in small and light weapons in all its aspects.

5. The Parties recognise the importance of domestic control systems for the transfer of conventional arms in line with existing international standards. The Parties agree to apply such controls in a responsible manner, as a contribution to international and regional peace, security and stability, and to reduction of human suffering, as well as to the prevention of diversion of conventional weapons.

15. Cooperation in the field of countering terrorism

1. The Parties reaffirm their commitment in the fight against terrorism in all its forms and manifestations, in accordance with international law, human rights law and international humanitarian law the relevant UN resolutions and their respective legislations.

2. The Parties agree to cooperate and where there is joint interest prevent, fight and criminalize all acts of terrorism in accordance with UN instruments to which they are parties.

3. The Parties also agree not to provide assistance or refuge to the authors, instigators or any other participant in any type of terrorist activities in accordance with Resolutions 1373 and 1624 of the United Nations Security Council. They shall cooperate in particular:

- a) In the framework of the full implementation of Resolutions 1267, 1373, 1624, 1904, 2178, 2253, 2322 and 2331 of the United Nations Security Council and other relevant United Nations Resolutions, international and regional conventions and instruments;
- b) By promoting cooperation among UN Member States to effectively implement the UN Global Counter-Terrorism strategy;
- c) By exchange of experiences and good practices in the area of protection of human rights, humanitarian law and international law in the fight against terrorism;
- d) By exchange of views on means and methods used to counter terrorism, including cooperation in technical fields, and training, and by exchange of experiences and good practices in respect of preventing violent extremism that lead to terrorism, especially in the framework of implementation of the relevant sections (I and IV) of the United Nations Global Counter- Terrorism Strategy in respect of terrorism prevention;
- e) By addressing the structural causes that are at the root of the phenomenon of terrorism and violent extremism.

16. Cooperation on peace-building and peacekeeping

1. The Parties reaffirm their commitment to cooperate in promoting international peace and security under the aegis of the United Nations.

2. To this end, they shall establish a dialogue on peace and security issues, regarding United Nations peace building and peacekeeping, with a view to initiate cooperation in the field of capacity building and exchange of best practices, among others.

16.bis Humanitarian Assistance and Disaster Risk Management

1. The Parties reaffirm their commitment to the United Nations Framework in the field of disaster risk reduction and response and agree to recognize the reduction of vulnerability and risk and the promotion of resilience as their priorities.
2. To this end, they shall explore possibilities to coordinate humanitarian assistance and disaster response activities.

17. Cooperation in Multilateral, Regional and International fora and Organisations

1. The Parties reaffirm their commitment to the principles of the UN Charter. The Parties share a commitment to multilateralism and efforts to improve the effectiveness of regional and international fora and organisations, such as the United Nations and its specialised organisations and agencies, and other multilateral fora.
2. The Parties shall maintain effective consultation mechanisms on the margins of multilateral fora. At the UN the Parties shall establish appropriate consultation mechanisms at the General Assembly of the United Nations and UN Offices as appropriate and agreed by the Parties.

18. Cybersecurity and Information Communication Technologies

The Parties recognise the importance of the cooperation and the exchange of views in the field of cybersecurity, regarding the use of information communication technologies (ICTs), in the context of international peace and security, including on norms, rules and principles of responsible behaviour of States, the application of international law to the use of ICTs, the development of confidence building measures and capacity building.

19. Cybercrime

1. The Parties recognise that cybercrime is becoming a widespread global problem requiring multilateral, regional and national responses. The Parties shall strengthen cooperation to

prevent and combat cybercrime through the exchange of information and practical cooperation, in compliance with their respective legal frameworks and laws, and applicable international instruments on cybercrime. The Parties shall endeavour to work together where appropriate in the development of effective laws, policies and practices to prevent and combat cybercrime wherever it occurs.

2. The Parties shall, as appropriate within their respective legal frameworks, exchange information including in the areas of education and training of cybercrime investigators, the conduct of cybercrime investigations and digital forensics.

Cooperation on Justice, Freedom and Security

20. Migration and international protection of refugees

1. The Parties reaffirm the importance that they attach to dealing effectively with migration flows and agree to strengthen their cooperation on migration issues on the basis of the principle of national sovereignty, shared responsibility and related issues such as the potential economic, social and cultural contribution of migrants to countries of origin, transit and destination.

2. The Parties shall focus in particular on:

- a) The root causes of migration;
- b) Facilitation of movement of their nationals between their territories in accordance with applicable law and respective competences;
- c) Full respect of human rights of all migrants and their families, as well as measures against racism and xenophobia;
- d) The mainstreaming of a gender perspective on migration;
- e) Family reunification, in accordance with the applicable law, including international human rights law;
- f) The bi-regional cooperation for the prevention of and the fight against smuggling of migrants and trafficking in persons especially children and persons in vulnerable situation including women at risk, and for the protection of victims, in accordance

with the Convention against Transnational Organized Crime and its Additional Protocols on Trafficking in Persons and Smuggling of Migrants;

g) Regular exchange of information on legislative and administrative measures applicable to migrants and experiences on migration issues;

h) Matters arising from the implementation of the relevant international instruments on the protection of refugees and asylum seekers;

i) Exploring opportunities for cooperation at a regional level on voluntary resettlement and other forms of humanitarian admission of refugees, as part of reaching collective solutions to the growing global phenomenon of large movements of refugees;

j) The bi-regional cooperation for the prevention of irregular migration.

3.1 The parties shall cooperate to ensure a safe, orderly and regular migration, readmitting their own nationals irregularly staying in the territory of the other party and fighting against trafficking in human beings and migrants smuggling. They shall also cooperate on exchanging of information, along with the sharing of data and statistics on migration.

3.2 Each Member State of the EU and each MERCOSUR country shall readmit its own nationals irregularly staying in the territory of the other party at the latter's request.

Appropriate travel documents ensuring effective return shall be provided for this purpose. The Parties shall ensure safe and dignified treatment of irregularly staying migrants. The return of non-admitted persons shall be also ensured under human, dignified and fair conditions, in accordance with the applicable law, including remedies provided therein.

3.3 Upon request of one of the Parties, MERCOSUR countries individually and the EU or any of their Member States individually shall endeavour to negotiate and conclude specific agreements, in order to further facilitate the cooperation between competent authorities for the identification and documentation of nationals irregularly staying in the territory of the other party to be readmitted. These agreements would also address the readmission of persons who are not their nationals but who hold a valid residence authorisation issued by one of the Parties or who have entered the territory of one Party coming directly from the territory of the other Party.

4. The Parties shall promote the development and implementation of national legislation and practices as regards international protection of refugees, with a view to satisfying the provisions of the Geneva Convention of 1951 on the status of refugees, and of the Protocol of

1967, and other relevant regional and international instruments to ensure the respect of the principle of "non-refoulement". The Parties shall focus in particular on exploring opportunities for cooperation at a regional level on voluntary resettlement and other forms of humanitarian admission of refugees, as part of reaching collective solutions to the growing global phenomenon of large movements of refugees.

21. Legal and judicial cooperation

1. The Parties agree to develop judicial cooperation in civil matters, in particular as regards the negotiation, ratification and implementation of multilateral conventions on civil judicial cooperation and, in particular, the Conventions of The Hague Conference on Private International Law in the field of international legal cooperation and litigation as well as the protection of children.

2. The Parties agree to strengthen judicial cooperation in criminal matters based on the relevant standards of the United Nations, international and regional organisations such as the Council of Europe and the Organization of American States, in particular in the area of mutual legal assistance, extradition and transfer of prisoners.

22. Cooperation on countering the world drug problem

1. The Parties, based on the principle of common and shared responsibility, shall cooperate to ensure a balanced and integrated approach towards addressing all aspects of the world drug problem, including challenges such as new psychoactive substances. In this regard, drug policies and actions shall be aimed at reinforcing structures, reducing the supply of, trafficking in and the demand for illicit drugs, coping with the health and social consequences of drug abuse with a view to reducing harm as well as at a more effective prevention of diversion of chemical precursors used for the illicit manufacture of narcotic drugs and psychotropic substances.

2. The Parties shall agree on the necessary methods of cooperation to attain these objectives. Actions shall be based on commonly agreed principles along the lines of, in particular, the three UN Drug Control Conventions of 1961, 1971 and 1988 and the Outcome Document of the United Nations General Assembly Special Session on the World Drugs Problem, adopted on 19 April 2016.
3. The Parties agree to support and encourage the development of policies and measures to address the world drug problem.

23. Cooperation on combating corruption and transnational organised crime, and on anti-money laundering and on countering the financing of terrorism

1. In accordance with their internal legislation and applicable bilateral and international instruments, such as the UN Convention against Transnational Organized Crime and its protocols and the UN Convention against corruption, the Parties shall strengthen their cooperation, in the fight against transnational organized crime and corruption, including prevention and investigation activities, prosecution of offenders, and mutual legal assistance.
2. The Parties agree on the need to work towards preventing and combating in an effective way the use of their financial institutions and designated non-financial businesses and professions from being used to finance terrorism and to launder the proceeds of criminal activities, including drug trafficking, trafficking in persons, especially children, women at risk and other persons in vulnerable situations, arms trafficking and corruption, following the recommendations of the Financial Action Task Force (FATF) and taking into account the work of the Latin American Financial Action Group (GAFILAT).
3. The Parties agree to cooperate in view of combating and preventing money laundering and terrorist financing and ensuring effective and full implementation of the FATF recommendations and taking into account the work of the Latin American Financial Action Group (GAFILAT). This cooperation extends to the tracing, identification, seizure, confiscation, recovery and return of assets or funds derived from the proceeds of crime.
4. That cooperation shall allow exchanges of relevant information within the framework of their domestic legislations and in line with international standards to prevent and combat

money laundering and the financing of terrorism, in compliance with the recommendations of FATF and taking into account the work of the Latin American Financial Action Group (GAFILAT).

5. The Parties also agree, subject to and in accordance with internal legislation and applicable bilateral and international instruments, to undertake measures to support the identification tracing, freezing, seizure and confiscation of the proceeds of criminal activities.

24. Personal data protection

1. The Parties recognise the importance of promoting and protecting the fundamental rights to privacy and data protection, including security of personal data, as a central factor of consumer trust in the digital economy and an essential element for further developing commercial exchanges and law enforcement cooperation.

2. The Parties shall cooperate to ensure the effective protection of these rights, including in the context of the prevention and combat of terrorism and of other transnational crimes. Cooperation at the bilateral and multilateral level shall take into account existing international commitments and the respective national legislations when applicable. It may include capacity-building, technical assistance and the exchange of information and expertise.

25. Consular Protection

1. Each signatory MERCOSUR state agrees that the diplomatic and consular authorities of any represented EU Member State shall provide protection to any national of an EU Member State which does not have a permanent representation in its territory in a position to provide consular protection in a given case, on the same conditions as to nationals of that EU Member State.

2. Each EU Member State agrees that the diplomatic and consular authorities of any represented signatory MERCOSUR state shall provide protection to any national of a signatory MERCOSUR state which does not have a permanent representation in its territory in a position to provide consular protection in a given case.

Cooperation on sustainable development

26. Objectives and working methods

3. The Parties shall reaffirm their commitment to promoting sustainable and inclusive economic development, contributing to the principles set forth in the Rio Declaration on Environment and Development, supported by the Rio+20 Declaration "The future we want" and the 2030 Agenda for Sustainable Development. In that framework the Parties shall cooperate to implement and achieve the Sustainable Development Goals, recognising that their broad and ambitious nature calls for urgent action.

4. The Parties recognise the importance of dialogue and cooperation as essential for addressing the challenges linked to achieving the Sustainable Development Goals and further recognise the importance of multi-stakeholder engagement, including inter alia the private sector and civil society, in international cooperation.

5. The Parties will work towards consolidating economic growth that reduces inequalities and respect the principles of sustainable development.

6. The Parties should promote sustainable consumption and production patterns and raise awareness of the economic and social costs of environmental damage and its associated impact on human well-being.

7. The Parties shall promote sustainable development through dialogue, the sharing of good practices, good governance and sound financial management.

8. The Parties share a common goal of eradicating poverty and supporting inclusive economic development and shall work together whenever possible to achieve this aim.

11. The Parties shall work together to strengthen the implementation of the 2030 Agenda and the methodologies of follow-up, accountability to their citizens on the implementation of results related to the 2030 Agenda monitoring and evaluation of cooperation actions, including qualitative and quantitative data taking into account the impact on the ground.

12. Acknowledging gender equality and empowerment of women and girls as essential for sustainable development, the Parties will explore further schemes of cooperation.

13. The Parties shall promote structures for South – South (Triangular) Cooperation. This will involve establishing joint initiatives with Third Countries with the aim of working together to

support the design and implementation of multilevel strategies for the 2030 Agenda, as well as any other relevant future bi-regional and international agreements on sustainable development.

14. The Parties understand the comprehensive nature of the Sustainable Development Goals. In this context the parties should encourage innovative partnerships, which should embrace a multi-stakeholder approach to promote and implement international development initiatives. These partnerships may include inter alia the private sector, organized civil society, the philanthropic organizations and Local and Regional Authorities.

15. The Parties recognise the importance of a comprehensive approach to social development, which must go hand in hand with economic development and environmental sustainability. They shall give priority to promote full employment, social inclusion and cohesion, as well as the participation of civil society. In line with the objectives of Sustainable Development Goal 8, they shall promote decent work for all as provided by the 2008 ILO Declaration on Social Justice for a Fair Globalisation.

26. quater Implementation of EU-MERCOSUR and bilateral cooperation

1. The provisions of this Agreement shall not affect the implementation of programmes, projects and activities under the 1995 Interregional Framework Agreement between MERCOSUR and the European Community, and shall not affect on-going or future bilateral cooperation developed on the basis of bilateral programming instruments, such as Indicative Programmes or any other relevant instrument.

2. Cooperation shall be carried out in line with the relevant internationally agreed principles and policies to which both Parties have adhered to, and in line with the relevant legislative framework of the European Union, on the one hand, and of MERCOSUR and its signatory members, on the other hand.

26. quinquies Facilitation arrangements

The Parties shall ensure, as appropriate, the customs and tax exemptions and visa facilities necessary to implement the cooperation initiatives agreed under this Part.

XX Cooperation on public administration

The Parties will introduce cooperation and dialogue to identify actions aimed at developing capacities for the design, effective implementation and evaluation of public policies. In this respect the parties shall cooperate in matters relating to public administration and institutions with a view to strengthening institutional capacities, including by promoting transfer of know-how and training of government personnel, improving management processes of public administrations as well as facilitating the modernization of regulatory frameworks for an effective implementation of the agreement.

27. Environment

1. The aim of environmental cooperation should be to contribute to the protection, the conservation, the sustainable use of natural resources and the promotion of sustainable development through coordination, integration and mutually supportive consideration of its three dimensions: economic, social and environmental, consistent with the Principles set forth in the Rio Declaration on Environment and Development of 1992, supported by the Outcome Document of the UN Conference on Sustainable Development of 2012 entitled "The Future We Want" and the document "Transforming our World: the 2030 Agenda for Sustainable Development" adopted in 2015, and taking into account different national realities, capacities and levels of development and respecting national policies and priorities.

2. Environmental cooperation should focus particularly on:

- a) Exchange of information, technical expertise, environmental practices and experiences on programmes, projects and regulations promoting the protection, the conservation, the restoration, the sustainable use of natural resources and the

sustainable development, in particular with respect to applicable legislation, international commitments and goals.

b) Implementation of multilateral environment agreements, the outcomes of the UN Environment Assembly and promoting environmental goals.

c) Mainstreaming environmental consideration in all sectors of cooperation.

d) The conservation and sustainable use of biological diversity, and the fair and equitable sharing of the benefits arising from the utilization of genetic resources considering any format, by appropriate access to such resources, in accordance with national legislation, as well as cooperation on water, chemicals, waste and other mutually agreed priority areas.

e) Cooperation on and encouragement of the development, dissemination and diffusion and transfer of environmentally sound technologies to developing countries on favourable terms, including on concessional and preferential terms, as mutually agreed.

f) Increasing the availability, in developing countries, of the means of implementation towards the full achievement of national sustainable development strategies, recognizing the urgency that dealing with their broad and ambitious nature requires, facilitating participatory stakeholder involvement, as appropriate. Under this agreement, environmental cooperation should also promote the development of environmentally sound infrastructure.

28. Sustainable Urban Development

1. The Parties recognize the importance of policies to promote sustainable urban development and of the need to contribute to the effective implementation of the New Urban Agenda adopted by the UN Conference on Housing and Sustainable Urban Development (HABITAT III) and the aspects of the 2030 Agenda for Sustainable Development relevant to sustainable urban development.

2. The Parties shall promote cooperation and partnership involving all the key actors relevant to policy and practice in the field of sustainable urban development, in particular, on ways to address urban challenges in an integrated and comprehensive manner.

3. The Parties shall promote knowledge sharing and exchange of experiences inter alia on disaster risk reduction and management policies aimed at strengthening the resilience of cities and human settlements, including through the development of quality infrastructure and spatial planning and implementation in urban development plans, considering key topics such as the effective use of renewable energy sources, urban inclusion considering the different levels of urbanisation within the global south, financing mechanisms for urban development projects at the local, national and regional level amongst others.

4. To this end, the Parties shall commit to expanding, wherever possible, concrete opportunities for decentralized, city-to-city cooperation at the regional and the international levels, with a view to improving urban governance and capacity building through exchanges of experience and practice, and mutual learning, on sustainable solutions to urban challenges.

29. Climate change

1. The Parties recognise that the global threat of climate change calls for the widest possible cooperation of all countries, to reduce global greenhouse gas emissions and to adapt to the adverse effects of climate change, with developed countries continuing to take the lead, and reiterate their commitment to the implementation of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change, reflecting equity and the principle of common but differentiated responsibilities and respective capabilities, in light of different national circumstances.

2. Within the scope of their respective competences, and based on the United Nations framework convention on climate change (UNFCCC), and the Paris Agreement, the parties should enhance cooperation and policy dialogue to drive the transformation to a low Green House Gases (GHG) emissions development, in accordance with their responsibilities and capabilities, exchange information and experiences in particular, on:

- a) Combating climate change, guided by equity and scientific evidence, notably through the implementation of their respective nationally determined contributions (NDC) and further collaboration on mitigation and adaptation action for the effective implementation of the Paris Agreement;
- b) Enhancing public and private partnerships, which could effectively support action to combat climate change and adapt to its adverse effects;

- c) Promoting collaborative action on technology research, development, diffusion, deployment and transfer in order to improve resilience to climate change and to reduce greenhouse gas emissions including through business-oriented dialogues;
- d) Exchanging experience and expertise in monitoring, reporting and verifying greenhouse gas emissions and in developing and implementing mitigation and adaptation programmes;
- e) Delivering on the Paris Agreement implementation and putting in place enabling conditions fostering low greenhouse gases (GHG) development, increasing the ability to adapt to the adverse impacts of climate change and fostering climate resilience in a manner that does not threaten food production, in accordance with Article 2 of the Paris Agreement;
- f) Ensuring swift development of the Paris Agreement transparency framework for action and support provisions, including policy dialogue and cooperation in mutually agreed priority areas;
- g) Promoting domestic climate policies and programmes in the framework of the Paris Agreement to mitigation and adaptation, including, but not limited to, deforestation and forest degradation and restoration, as well as means to promote renewable energy, energy efficiency, sustainable transport, sustainable and climate-resilient infrastructure development;
- h) Enhancing other areas of bilateral dialogue on climate mitigation and adaptation policy or any other areas of mutual interest that may arise including other related multilateral fora including, but not limited to, the International Civil Aviation Organisation, the International Maritime Organisation and the Montreal Protocol and its Kigali amendment, when applicable.

3. To these ends, the Parties agree to improve cooperation and exchange information and experiences in this field, and the continuation of their existing obligations under the Convention and the Paris agreement. To this effect, developed countries will provide financial resources for mitigation and adaptation; mobilize climate finance from a wide variety of sources, instruments and channels, taking into account the needs and priorities of developing country parties, as well as other means of implementation for achievement of the objectives set forth in the Parties Agreement.

30. Oceans and seas

1. The Parties recognize the importance of the conservation and sustainable use of marine resources, including the sustainable and responsible management of fisheries, aquaculture and other maritime activities and their contribution to providing environmental, economic and social opportunities for present and future generations, in the context of the sustainable use and conservation of the oceans, seas and marine resources with the long-term objective of improving the state of the oceans including through, strengthening the framework of international institutions and fora, when appropriate.

2. To this end, in a manner consistent with their obligations under international law, in particular the United Nations Conventions on the Law of the Sea, the Parties undertake to:

- a) Cooperate to achieve Goal 14 - Conserve and sustainably use the oceans, seas and marine resources - of the United Nations Agenda 2030 for Sustainable Development;
- b) Promote better cooperation and consultation, as appropriate, within and between competent international organizations, instruments and bodies, when applicable;
- c) Adopt effective monitoring, control and surveillance measures, to ensure the effective implementation of fisheries conservation measures;
- d) Cooperate at the UN towards the development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction;
- e) Cooperate where appropriate in relevant sub-regional, regional and multilateral bodies in which the Parties are members, observers, or cooperating non-contracting parties, towards achieving SDG 14 and other related SDGs.

3. The Parties also agree to strengthen dialogue and cooperation in the following areas:

- a) Supporting sustainable fisheries production, fish farming sectors, and particularly the preservation of fishery resources. The interregional cooperation may include several areas, depending on the interest of the coastal state, such as scientific, technological, industrial, economic and commercial cooperation, as well as institutional building and training;

- b) Supporting the development of an environmentally responsible and economically competitive aquaculture industry;
- c) Supporting marine scientific research, the development of research and technological capacity, as well as promoting science-based decisions;
- d) Exchanging best practices on the sustainable development of maritime economic activities of interest to the Parties such as ocean energy, shipping, coastal and marine tourism or marine biotechnology;
- e) Cooperate to Combat IUU fishing, including, where appropriate, the exchange of information on IUU activities and the support to the building up of the technical and administrative capacity to deal with IUU fishing;
- f) Cooperate to develop area-based conservation measures and management tools, including marine protected areas, consistent with the national and international law and based on the best available scientific information to protect and restore coastal and marine areas and resources;
- g) Cooperate to reduce pressure on the oceans inter-alia through the fight against marine litter and pollution, and including from land-based sources and maritime human activities;
- h) Cooperate to promote marine spatial planning and integrated coastal zone management;
- i) Addressing climate related issues such as adaption and mitigation of greenhouse gasses (GHG) emissions, sea level rise, ocean and coastal acidification and air pollution.

31. Cooperation on energy

1. Cooperation shall aim to facilitate exchange of ideas experiences and best practices on how to improve access to secure, sustainable and affordable energy, including through the fostering of new investments and transfer of technology between public and private economic operators of the Parties, especially in the sectors of electricity, hydrocarbon, renewable energy, including sustainable production and use, biofuels and efficient use of energy.

2. Cooperation, based on the principle of the sovereign right of States to manage their own natural resources, with a view to ensuring access to affordable, reliable, sustainable and modern energy for all, will take the form in particular of:

- a) Cooperation between institutions dealing with policy, planning and modelling issues in the energy sector;
- b) Exchange of scientific, technical and other energy research results, experiences, publications, information and data, including the development of joint databanks shared by the Parties' operators, in accordance with national legislations;
- c) Promotion of joint conferences and technical training, including at post-graduate level;
- d) Technology transfers, especially those related to renewable energy sources;
- e) Promotion of feasibility studies and the implementation of joint projects in the energy sector between public and private economic operators and research institutions of the Parties;
- f) Participation of economic operators from the two regions in technology, development and infrastructure joint projects, including networks with other countries.
- g) Rationalizing and phasing-out inefficient fossil-fuel subsidies that encourage wasteful consumption taking fully into account the specific needs and conditions of developing countries and minimizing the possible adverse impacts on their development in a manner that protects the poor and the affected communities.

32. Cooperation on raw materials

The Parties shall cooperate in the area of raw materials with a view to, inter alia:

- a) Strive for efficient, flexible, competitive and transparent international markets;
- b) Foster exchange of market information in the area raw materials;
- d) Promote research, development and innovation in the area of raw materials;
- e) Foster exchange of information and best practices on domestic policy developments;

f) Promote standards of safety and environmental protection for offshore mining operations, by increasing transparency, sharing information, including on industry safety and environmental performance.

Social, economic and cultural partnership

33. Objectives

1. In the framework of their cooperation, the Parties recognise that all peoples have the right to pursue their economic, social and cultural development. The Parties, acknowledging that social development should progress in parallel with economic development, agree to cooperate in enhancing social inclusion and cohesion through the reduction of poverty, injustice, and inequality.
2. The main objectives of economic cooperation are to contribute to the expansion, diversification and deepening of economic and commercial ties between the Parties, strengthening the productive sector, with special attention to small and medium sized enterprises, the creation of new opportunities and the increase in international competitiveness and innovation, and reinforce the process of regional economic integration.
3. Economic cooperation should be strengthened as a way of contributing to the easing of the economic implications that might arise from structural changes resulting from this Agreement.
4. Any measure that could contribute to the further development of regional integration or the reinforcement of the interregional relations in social, economic and cultural areas between the Parties should be encouraged.

33.bis Corporate Social Responsibility

1. The Parties shall promote corporate social responsibility in accordance with international standards, such as the OECD Guidelines for Multinational Enterprises and Due Diligence Guidance.

2. The Parties support the dissemination and implementation, on a voluntary basis, of the UN Guiding Principles on Business and Human Rights, emphasizing the importance of a comprehensive discussion with all relevant stakeholders.

3. The Parties shall also promote the voluntary incorporation by companies in their internal policies of principles of corporate social responsibility or responsible business conduct, including by encouraging the uptake of relevant practices, consistent with the above-mentioned international instruments.

34. Industrial Cooperation, Business Opportunities and Micro, Small and Medium enterprise and Entrepreneurs (MSMEs)

1. The Parties recognize the importance of promoting MSMEs and strengthening industry to foster inclusive and sustainable economic growth across the regions, to promote higher levels of social cohesion, to close territorial gaps improving equity in lagging areas. The parties recognize that the promotion of MSMEs competitiveness contributes positively to a strengthened social fabric, through job creation and poverty reduction as well as to reduce other economic implications that might arise from structural changes resulting from this Agreement.

2. The parties will support women's economic empowerment through entrepreneurship and business creation.

3. The Parties shall promote industrial cooperation, and strengthen cooperation on MSMEs, to enhance productivity as well as improve competitiveness in order to boost trade and investment between the Parties while balancing the opportunities provided by this Agreement to both Parties.

4. The Parties shall promote an attractive and stable climate for greater mutually beneficial business opportunities, including for MSMEs and undertake to strengthen cooperation with the purpose of contributing to the expansion, diversification and deepening of economic and commercial ties between the Parties.

5. The parties agree to promote the development of MSMEs, embracing both rural and urban firms, and encourage their insertion to international markets.

6. Implementation of this Article may include, inter alia, the following actions covering all kinds of businesses, including MSMEs:

- a) Supporting regular contacts between the Parties' business sectors through businesses-to-businesses and cluster-to-cluster events or missions, trade fairs, seminars and roundtables with a view to promote identification and dissemination of information of business opportunities for investment, industrial and technological cooperation in areas of mutual interest as well as promoting information networks and cooperation between economic operators especially MSMEs and clusters;
- b) Exchanging best practices that support industrial development, innovation processes and industrial policies including strengthening of the regional industrial policies to enhance competitiveness in industrial sectors of mutual interest;
- c) Promoting industrial cooperation projects, including technology development and innovation, in sectors of mutual interest;
- d) Promoting reciprocal and joint investments and encouraging joint-ventures, clusters and the establishment of associative processes in strategic sectors;
- e) Developing mechanisms to support the private sector development, facilitating access to innovative finance in accordance with national legislations, and industrial cooperation to boost productivity, innovation and competitiveness, including providing up-to-date information about available financing instruments for MSMEs;
- f) Supporting enterprises to adapt to the current trend of automation and data exchange in manufacturing technologies.
- g) Promoting joint projects among technology, industrial and application oriented-research Centres from EU and MERCOSUR;
- h) Strengthening of bi-regional and global value and supply chains, including the development of suppliers for the industry.

7. In addition to the cooperation listed in paragraph 4 above, the Parties agree that cooperation in MSMEs may involve, inter alia:

- a) Facilitating the exchange of best practices on public policies and programmes, regulatory frameworks, experiences, relevant information and know-how to promote and support entrepreneurship and MSMEs' creation, development and innovation,

- b) Promoting MSMEs' participation in fairs, commercial missions and other mechanisms at local and international levels;
- c) Exchanging best practices that support MSMEs access to government procurement markets;
- d) Building on existing successful partnerships and developing new strategic partnerships and contacts between economic operators and business networks through existing or new EU or MERCOSUR horizontal programmes dedicated to MSMEs;
- f) Supporting internationalization of MSMEs including cooperation for the development of specialized web sites;
- g) Promoting MSMEs' participation in joint programmes and pilot projects, notably in sectors such as digital economy;
- h) Providing support and expertise on business development services including quality management systems and promoting e- commerce to strengthen MSMEs.

35. Tax matters

The Parties agree to cooperate bi-regionally in tax matters and commit themselves to implement the global standards on transparency and exchange of information, and the minimum standards against Base Erosion and Profit Shifting (BEPS).

36. Macroeconomic dialogue

The Parties shall promote the exchange of information on their respective macroeconomic trends and policies as well as the sharing of their experiences with coordination of macroeconomic policies. To this end, the Parties will aim at deepening the dialogue among their authorities on macro-economic matters. The modalities of implementation of cooperation could include inter alia organisation of seminars and conferences.

37. Cooperation on consumer rights

The Parties recognise the importance of ensuring a high level of consumer protection and, to that end, shall endeavour to cooperate in the field of consumer policy. The Parties agree that cooperation in this field may involve to the extent possible:

- a) Exchanging information on the respective consumer protection frameworks, including on consumer laws, consumer product safety, consumer redress and the enforcement of consumer legislation;
- b) Encouraging the development of independent consumer associations and contacts between consumer representatives.
- c) Exchanging information and promoting joint activities between both Parties' consumer bodies upon mutual agreement.

38. Cooperation in Statistics

The aim of this cooperation shall be to ensure comparability of statistical data among MERCOSUR State Parties and between MERCOSUR and the EU. The activities could be developed in the form of inter alia:

- a) Support for the strengthening of a statistical system, established on the basis of administrative structures and legal bases, which would be able to meet the necessary statistical information requirements;
- b) Support for the implementation of statistical good practices based on internationally recognized standards;
- c) Development of comparable statistical information mainly focused on the fields of trade in goods and services, foreign direct investment, as well as the development of comparable macro-economic indicators;
- d) Exchange of good practice and experiences through training, workshops, study visits, etc.

39. Research and innovation

1. The Parties shall cooperate in the areas of scientific research, technological development and innovation on the basis of common interest and mutual benefit and in accordance with their respective legislation. Such cooperation shall aim to promote sustainable development, tackle global challenges, achieve scientific excellence, improve regional competitiveness, and strengthen of relations between the Parties taking into account their research and innovation capacities and specific priorities. The Parties shall foster policy dialogue at regional level and use their different instruments, including agreements for scientific and technological cooperation, in complementary ways.

2. In order to improve the conditions for cooperation the Parties will also seek to:

- a) Increase mobility of researchers, scientists, experts, students and entrepreneurs and for movement of scientific equipment across borders;
- b) Facilitate reciprocal access to each other's STI programmes, research infrastructures and facilities, publications, scientific data;
- c) Increase cooperation in pre-normative research and standardisation;
- d) Promote Intellectual Property Rights in research and innovation projects.

3. The Parties will promote the following activities (non-exhaustive list) that will be undertaken by government organisations, public and private research centres, higher-education institutions, innovation agencies and networks, as well as other stakeholders, including small and medium enterprises:

- a) Joint initiatives to raise awareness on science, technology, innovation and capacity building programmes and opportunities for participating in each other's programmes;
- b) Joint meetings and workshops aiming at exchanging information, best practices and identifying areas for joint research;
- c) Joint research actions in areas of common interest;
- d) Mutually recognised assessment and evaluation of scientific cooperation and dissemination of the corresponding results.

40. Cooperation on digital economy

1. Cooperation activities in this area shall aim in particular to promote:

- a) Facilitate exchange of ideas experiences and practices on Information and Communication technologies (ICTs) policies with a view to build an inclusive information society, to bridge the digital divide by exchanging policy principles, information, experiences and good practices to strengthen our cooperation both in shaping digital policies and regulatory frameworks, opening up markets and discuss research cooperation.
- b) Use of Information and Communication Technologies as tools to promote social, cultural and economic development, social inclusion and cultural diversity, emphasising the entrepreneurial spirit and participatory collaborative work;
- c) Cooperation on regulatory aspects of telecommunications and audio-visual policies, including e-Commerce, exchanges of information on standards, conformity assessment and type approval; associating, when appropriate, civil society and private sector in the process;
- d) The development of electronic commerce as a mean to contribute to economic growth;
- e) The efficient management of Spectrum, in order to maximize its availability and optimize its allocation and use;
- f) Policies and joint actions for the dissemination, use and transfer of new information and communication technologies, including, where appropriate, with the participation of civil society and private sector in the process;
- g) Research and innovation collaboration in information and communication technologies within the applicable research and innovation framework;
- h) The development of digital skills at all ages in formal and informal learning settings and identification of training needs for digital economy, including ICT professionals;
- i) Joint formulation of actions to promote jobs and investment in MSMEs and for the self- employed, as well as to meet the particular needs of vulnerable social groups, using the opportunities offered by ICTs;

j) Cooperation in the area of e-Government and trust services such as electronic signature and eID, with a focus on exchanging policy principles, information and good practices on the use of ICT to modernise public administration, promote high quality public services, improve organisational efficiency and transparent management of public resources;

k) Building on the WSIS+10 outcome document, the parties agree to encourage wide political coordination at international level to ensure that the global Internet Governance continues to support the continuation and development of a highly robust, dynamic and geographically diverse Internet regime.

2. The parties consider that the global management of the Internet should be based on a multi-stakeholder model, transparent and democratic, with the full involvement of governments, the private sector, civil society, academia, the scientific and technological community and international organizations, among others according to their respective roles and responsibilities. It should ensure an equitable management of resources, the free flow of information, facilitate access for all and ensure a resilient, stable and secure functioning of Internet, taking into account multilingualism.

3. The Parties reaffirm their commitment to working together towards a people-centred, inclusive and development-oriented Information Society and their agreement to continue to coordinate positions for the World Summit on the Information Society (WSIS) follow-up mechanisms, as well as in the other fora or organizations related to Internet Governance. The renewal of the Internet Governance Forum until 2025 is a welcome step in this direction.

4. The parties also stress that every effort should be made in internet governance fora to mobilize and ensure the meaningful and effective participation of all countries, in particular developing countries, including all stakeholders, within their own roles, such as governments, the private sector, civil society, academia, the scientific and technological community and international organizations, among others.

41. Civil space activities

Considering the positive impact which space activities can have on economic and social development and industrial competitiveness, the Parties agree to promote cooperation on

matters of common interest in the area of civil space activities according to the observance of and fulfilment of the International Conventions and their respective legislations and in particular in the following areas:

- a) Earth Observation and Earth Science, including cooperation in multilateral fora and in particular GEO and CEOS; to address societal challenges and to facilitate business and innovation partnerships on EO in the framework of Copernicus by identifying areas of common interest;
- b) Satellite communications;
- c) Other peaceful uses of outer space, including space science, space exploration and space sustainability.

42. Transport

1. The Parties agree to cooperate in relevant areas of transport policy, including integrated transport policy, with a view to developing and supporting an efficient, sustainable, safe and secure and environmentally friendly transport system for both passengers and goods.

2. Cooperation between the Parties shall aim to promote, inter alia:

- a) Dialogue and exchange of information on their respective transport policies, standards and good practices and other subjects of mutual interest;
- b) Expert dialogue and cooperation within the international transport fora;
- c) Interconnection and interoperability of networks;
- d) A Multimodal transport system's approach;
- e) Environmentally friendly, safe and secure transport systems;
- f) Low carbon / carbon free transport solutions, Research & Innovation, smart and digital solutions;
- g) Sustainable transport solutions including in relation to urban mobility; and
- h) Facilitating and increasing the efficiency of cargo movements in all transport modes through digitalization, the simplification of reporting requirements and the optimisation of transport operations.

44. Cooperation on tourism

1. Cooperation between the Parties shall primarily aim to improve the exchange of information and establish best practices in order to ensure a balanced and sustainable development of tourism and to support the creation of jobs, economic development and improvement of quality of life.

2. In this context, the Parties shall focus inter alia on:

- a) Supporting the creation and consolidation of tourism products and services, as well as tourism promotion channels;
- b) Safeguarding and maximising the potential of natural and cultural heritage;
- c) Respecting the integrity and interests of local communities;
- d) Improving training and education in tourism services, including in the hotel industry;
- e) Promoting information exchange and cooperation for creative industries and innovation in the tourism sector.

45. Cooperation in social development

1. The Parties, acknowledging that social development shall go hand in hand with economic development, agree to give priority to enhancing social cohesion through poverty eradication, inequality reduction and the promoting of social inclusion, in particular in view to the fulfilment of the 2030 Agenda for Sustainable Development, and its Sustainable Development Goals.

2. The Parties agree to enhance cooperation in the field of social affairs with the aim of contributing to a sustainable and inclusive economic growth and development and to promote cooperation and exchanges of information in particular with regard to:

- a) The promotion of social rights;
- b) Generating innovative and sustainable projects involving vulnerable social groups, such as low-income families, people of African and Indigenous descent and other

minorities as well as persons with disabilities including through labour market integration;

c) The promotion of gender equality and the full empowerment of women in all spheres;

d) Promoting the protection of mothers and children as well as accessible and inclusive childcare facilities;

e) The promotion of specific programmes for youths, especially for those in vulnerable social sectors;

f) Improving working and living conditions in densely populated areas in less-favoured regions.

45.bis Cooperation on Labour and Employment

1. In line with the internationally agreed objective of promoting fair globalization and considering the aims of SDG 8, the Parties will promote full employment, and decent work for all, and the respect for the fundamental principles and rights at work identified by the International Labour Organization's Conventions (the elimination of discrimination, abolition of all forms of forced labour, sustained eradication of child labour, and freedom of association and collective bargaining) in accordance with the 2008 ILO Declaration on Social Justice for a Fair Globalisation, and other international commitments.

2. The Parties agree to enhance cooperation in the area of employment and to promote cooperation and exchanges of information, in particular with regard to:

a) The promotion of decent work for all, social welfare and employment security and the respect of the principles concerning the fundamental rights at work, as per the ILO declaration of 1998, as well as of internationally recognised labour standards and of other relevant ILO standards as well as sustained and continued efforts towards ratifying other ILO instruments not yet ratified;

b) The development and modernisation of labour relations, working conditions, health and safety at work, and the promotion of programmes in the field of labour inspection, professional education, training and employment promotion;

- c) The development and modernisation of working relations and processes, with emphasis on the promotion of social dialogue;
- d) The promotion of matching skills development and labour market needs;
- e) Giving priority to education and training programmes aimed at vulnerable social groups, in respect of employment and work retraining;
- f) The creation of employment in micro, small and medium-sized enterprises;
- g) The development and modernisation of social protection systems and programs;
- h) The promotion of non-discrimination between women and men and mainstreaming a gender perspective in the development of labour policy;
- i) The coordination, in the relevant international fora, to achieve international commitments.

46. Cooperation on Education, training, youth and sport

1. The Parties agree to cooperate on formal and non-formal education, including "Vocational Education and Training" (VET), in a lifelong learning perspective. Within these fields, special attention shall be paid to promote an inclusive and quality education and training for women and vulnerable social groups.
2. In order to build capacities and expertise, the Parties shall promote mobility and cooperation of their relevant stakeholders in higher education, research and foster links between universities, research and businesses.
3. They shall promote people to people contact and mutual understanding through cooperation in the field of education, youth and sport, including financial support for the mobility of students, PhD candidates, academic and administrative staff from higher education institutions and researchers, and capacity building actions.

47. Cultural, Audio-visual and Media Cooperation

1. The Parties shall undertake to promote cooperation in the field of culture, including cultural heritage, with due respect for their diversity. In conformity with their respective legislation, such cooperation shall enhance mutual understanding and intercultural dialogue and foster balanced cultural exchanges and contact with relevant actors.
2. The Parties agree to cooperate in relevant international fora, such as UNESCO, in order to pursue common objectives and to foster cultural diversity, in particular through the implementation of the UNESCO Convention on the Protection and Promotion of Diversity of Cultural Expressions.
3. The Parties shall encourage exchanges of information and experiences and shall support and facilitate cooperation and dialogue between their relevant institutions and operators in the areas of culture, audio-visual and media.

48. Regional integration

1. The parties agree to promote the exchange of experience between both regions, with a view to reinforcing their respective integration processes.
2. The main aim is to promote closer cooperation on integration issues between the institutions of the Parties, and sharing expertise through meetings between staff of the EU and MERCOSUR institutions, regular exchanges of information, studies, joint projects and training.
3. In order to encourage cooperation on regional and local development, priority shall be given to:
 - a) Exchange of information, sharing of knowledge and experiences inter alia on methodologies for the formulation of regional and local development policies, on multi-level governance and on participative governance;
 - b) Implementation of regional and local development policies, particularly concerning disadvantaged regions and areas, especially border areas;
 - c) Encouragement of the development of regional infrastructure and interconnectivity,

- d) The modalities of implementation of cooperation could include inter alia;
- e) Organisation of seminars and conferences;
- f) Training and technical assistance in the design and implementation of regional development projects;
- g) The preparation of studies on subjects of common interest related to integration;
- h) Joint action between institutes and centres for education and training in the field of integration.

49. Increasing participation of MERCOSUR member states in exports of services to European Union

1. Subject to the provisions [on Cooperation], the Parties agree to cooperate, including by providing support for technical assistance, training and capacity building in, inter alia, and the following areas:

- a) Improving the ability of service suppliers of MERCOSUR Member States to gather information on and to meet regulations and standards of the European Union Party at European Union, national and sub-national levels;
- b) Improving the export capacity of service suppliers of MERCOSUR Member States, with particular attention to the needs of small and medium-sized enterprises;
- c) Establishing mechanisms for promoting investment and joint ventures between service suppliers of the EU Party and MERCOSUR Member States.

Final Provisions

Entry into force

1. This Agreement shall enter into force between the EU Party and the MERCOSUR Party on the first day of the month following the date on which they have notified each other in writing of the completion of their respective internal procedures required for this purpose.

2. Notifications shall be sent to the Secretary General of the Council of the EU and the Government of the Republic of Paraguay, or its successors, who are the Depositories of this Agreement.

Application before entry into force

1. This Agreement may be provisionally applied. Such provisional application may take place between, on the one part, the European Union and, on the other, MERCOSUR and/or one or more of the Signatory MERCOSUR States in accordance with their respective internal procedures.

The provisional application of this Agreement or of parts thereof shall begin on the first day of the second month following the date on which:

- a) The European Union has notified the completion of its internal procedures, indicating the parts of the Agreement that shall be provisionally applied; and
- b) Following a notification by the European Union, MERCOSUR, and/or the relevant Signatory MERCOSUR State or States, as applicable, has notified the completion of its internal procedures or ratification of the Agreement and confirmed its agreement to provisionally apply the parts of the Agreement proposed by the European Union.

3. Notifications shall be sent to the Depositories of this Agreement.

4. The Association Council and other bodies established under this Agreement may exercise their functions during the period in which this Agreement or part thereof is being provisionally applied. Any decisions adopted during this period in the exercise of their functions, shall apply exclusively between the Parties applying the Agreement provisionally and shall cease to be effective between the Party or Parties that cease to apply the Agreement provisionally and the remaining Party or Parties.

5. Where, in accordance with this Article, this Agreement or certain provisions of this Agreement are provisionally applied, any reference to the date of entry into force shall be understood to refer to the date from which that application takes place.

6. Where, in accordance with this Article, this Agreement or certain provisions of this Agreement are provisionally applied by the European Union and one or more Signatory

MERCOSUR States, any reference to MERCOSUR shall be understood to refer to such Signatory MERCOSUR State or States that have agreed to apply the Agreement provisionally.

7. Amendments to this Agreement or parts thereof may also provisionally apply in accordance with this Article. When such amendments are adopted during the provisional application of the Agreement, they shall apply to MERCOSUR and/or any Signatory MERCOSUR State upon their agreement to provisionally apply the Agreement or parts thereof in accordance with paragraph 2 and shall remain valid after entry into force of the Agreement.

Duration of validity

This Agreement is valid indefinitely.

Denunciation

1. Either the EU Party or the MERCOSUR Party may give written notice to the other of its intention to denounce this Agreement.
2. Denunciation shall take effect nine months after notification to the other Party.

Fulfilment of the obligations

1. Based on the principles of mutual respect, equal partnership and respect for international law, each Party shall take any general or specific measures required to fulfil their obligations under this Agreement
2. If either Party considers that the other Party has failed to fulfil any of the obligations under Part X (Trade) of this Agreement, the specific mechanisms provided for in that Part of the Agreement shall apply.

3. If either Party considers based on the factual situation that the other Party has committed a violation of the obligations that are described as essential elements in Article XX and Article XX, it may take appropriate measures.

It shall immediately notify the other Party of this fact and of the measures taken. A Party may request to hold urgent consultations on the matter with a view to seeking a mutually agreed solution. The Parties concerned shall endeavour to hold consultations before the appropriate measures are taken. The notifying Party adopting the measures shall submit all relevant information required for a thorough examination of the situation.

For the purpose of this paragraph, ‘appropriate measures’ may include the suspension, in part or in full, of this Agreement. Suspension of the Agreement is a measure of last resort and can be imposed only in particularly serious and substantial violations of the essential elements in Article XX and Article XX. In such an event, the Parties shall be released from the obligation to perform the Agreement, in full or in part, in their mutual relations during the period of the suspension. Such suspension shall apply for the minimum period necessary to resolve the issue in a manner acceptable to the parties.

4. If either Party considers based on the factual situation that the other Party has failed to fulfil any obligation in this Agreement, save those falling within the scope of paragraphs 2 and 3 above, it shall notify the other Party. The Parties shall intensify their efforts to consult and cooperate in order to resolve the issues in a timely and amicable manner and shall hold consultations under the auspices of the Association Council with a view to reaching a mutually acceptable solution. The Association Council may ask the Association Committee to convene within 15 days to hold urgent consultations. Each Party shall provide the relevant information required for a thorough examination. Where the Association Council is unable to reach a mutually acceptable solution within 90 days of the date of notification, the notifying Party may take appropriate measures. For the purpose of this paragraph, ‘appropriate measures’ may include the suspension only of Parts [XYZ] of this Agreement (list all parts except the Trade Part). In such an event, the notifying and the notified Party shall be released from the obligation to perform the suspended parts of the Agreement in their mutual relations during the period of the suspension.

5. ‘Appropriate measures’ referred to in paragraphs 3 and 4 above shall be taken in full respect of international law and shall be proportionate to the failure to fulfil the obligations under this Agreement. Priority must be given to those which least disturb the functioning of this Agreement.

6. The suspension of the operation of any part of the Agreement in relation to a signatory MERCOSUR State shall not entail the suspension of the operation of the Agreement in relation to the other signatory MERCOSUR States, save where the full suspension of this Agreement pursuant to paragraph 3 is appropriate to redress a breach of an essential element. When determining whether to suspend this Agreement in full, the EU Party shall take in to account any measures taken by MERCOSUR against the Signatory MERCOSUR State that has committed the breach.

Amendments

1. The EU Party and the MERCOSUR Party may agree, in writing, to amend this Agreement. An amendment shall enter into force after the Parties exchange written notifications certifying that they have completed their respective applicable internal requirements and procedures necessary for the entry into force of the amendment, or on such other date as they may agree.
2. Notwithstanding paragraph 1, the Association Committee in its Trade composition may decide to modify the [protocols and annexes] of this Agreement if the Agreement so provides. The EU Party and the MERCOSUR Party may approve the Association Committee's decision in accordance with their respective internal requirements and procedures. The decision shall enter into force on a date agreed by the Parties.

Accession of new Members States of the European Union

1. The European Union shall notify the MERCOSUR Party of any request for accession of a third country to the European Union.
2. During the negotiations between the European Union and the candidate country seeking accession, the European Union shall:
 - a) Provide, upon request of the MERCOSUR Party, and to the extent possible, any information regarding any matter covered by this Agreement; and
 - b) Take into account any concerns expressed by the MERCOSUR Party.

3. The Association Committee shall examine any effects of accession of a third country to the European Union on this Agreement sufficiently in advance of the date of such accession.
4. To the extent necessary, the Parties shall, before the entry into force of the agreement on the accession of a third country to the European Union, put in place by decision of the Association Council the necessary adjustments or transitional arrangements regarding this Agreement.
5. Without prejudice to paragraphs 4 [Part X Trade] shall apply between the new Member State of the European Union and the MERCOSUR Party from the date of accession of that new Member State to the European Union.

Accession of State Parties of MERCOSUR

1. MERCOSUR shall notify the European Union Party of any request for accession of a third country to MERCOSUR.
2. During the negotiations between the MERCOSUR and the candidate country seeking accession, MERCOSUR shall:
 - (a) Provide, upon request of the European Union Party, and to the extent possible, any information regarding any matter covered by this Agreement; and
 - (b) Take into account any concerns expressed by the European Union.
3. Any State Party of MERCOSUR that is not a Party to this Agreement on the date of its signature ("applicant MERCOSUR State Party") may accede to this Agreement by means of a Protocol of Accession concluded by the EU Party and the applicant MERCOSUR State Party. The Protocol of Accession shall incorporate the results of the accession negotiations and, if necessary, any adjustments recommended by the Association Committee pursuant to paragraph 4. The present Agreement shall be amended, pursuant paragraph 1 of article X (amendments) to reflect the terms of accession as agreed in the Protocol of Accession between the EU Party and the applicant MERCOSUR State Party.
4. During the negotiations of the Accession Protocol referred to in paragraph 3, MERCOSUR may accompany the delegation of the applicant MERCOSUR State Party and, before the conclusion of the negotiations, either Party may request a meeting of the Association

Committee to examine any effects on this Agreement of the accession of the applicant MERCOSUR State Party and consider possible adjustments.

Annexes, Protocols and Appendices

The [annexes, protocols, appendices...] are an integral part of this Agreement.

Authentic Languages

This Agreement is drawn up in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each of these texts being equally authentic.

Private Rights

1. Nothing in this Agreement shall be construed as conferring rights or imposing obligations on persons, other than those created between the Parties under public international law.
2. Nothing in this Agreement shall be construed as permitting this Agreement to be directly invoked in the domestic legal systems of the Parties. A State Party to MERCOSUR signatory of this Agreement may provide otherwise under its domestic law.