

No. 49476

**European Community
and
Pakistan**

Cooperation Agreement between the European Community and the Islamic Republic of Pakistan on partnership and development (with annexes and final act). Islamabad, 24 November 2001

Entry into force: *1 September 2004, in accordance with article 23*

Authentic texts: *Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Urdu*

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Only the authentic English and French texts of the Cooperation Agreement, as well as the annexes and the Final Act in their integrity, are published herein. The other authentic texts of the Agreement are not published herein, in accordance with article 12 (2) of the General Assembly regulations to give effect to Article 102 of the Charter of the United Nations, as amended, and the publication practice of the Secretariat.

**Communauté européenne
et
Pakistan**

Accord de coopération entre la Communauté européenne et la République islamique du Pakistan en matière de partenariat et de développement (avec annexes et acte final). Islamabad, 24 novembre 2001

Entrée en vigueur : *1^{er} septembre 2004, conformément à l'article 23*

Textes authentiques : *danois, néerlandais, anglais, finnois, français, allemand, grec, italien, portugais, espagnol, suédois et ourdou*

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Seuls les textes authentiques en anglais et en français de l'Accord de coopération, ainsi que les annexes et l'Acte final dans leur intégralité, sont publiés ici. Les autres textes authentiques de l'Accord ne sont pas publiés ici, conformément au paragraphe 2 de l'article 12 du règlement de l'Assemblée générale destiné à mettre en application l'Article 102 de la Charte des Nations Unies, tel qu'amendé, et à la pratique dans le domaine des publications du Secrétariat.

[ENGLISH TEXT – TEXTE ANGLAIS]

COOPERATION AGREEMENT

between the European Community and the Islamic Republic of Pakistan on partnership and development

THE EUROPEAN COMMUNITY,

of the one part,

THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF PAKISTAN,

of the other part,

CONSIDERING the excellent relations and links of friendship and cooperation between the European Community, hereinafter referred to as 'the Community', and the Islamic Republic of Pakistan, hereinafter referred to as 'Pakistan',

RECOGNISING the importance of further strengthening the links and enhancing the relations between the Community and Pakistan,

REAFFIRMING the importance which the Community and Pakistan attach to the principles of the United Nations Charter and to the Universal Declaration on Human Rights,

BEARING IN MIND the 1993 Declaration of Vienna and the Programme of Action of the World Conference on Human Rights, the 1995 Copenhagen Declaration on social development and Programme of Action, the 1995 Beijing Declaration and platform of action for the fourth World Conference on Women, the 1992 Rio Declaration on Environment and Development and the International Strategy for the Fourth Development Decade,

HAVING REGARD to the foundations for close cooperation between the Community and Pakistan laid by the Agreement between Pakistan and the Community signed on 16 November 1976,

NOTING with satisfaction the achievements resulting from that Agreement,

INSPIRED by their common will to consolidate, deepen and diversify their relations in areas of mutual interest on the basis of equality, non-discrimination and mutual benefit and reciprocity,

ACKNOWLEDGING the great importance of social development which should go hand in hand with economic development,

RECOGNISING the need to support Pakistan's efforts for development, especially improving the living conditions of the poor and disadvantaged sections of the population,

CONSIDERING the importance attached by the Community and Pakistan to the promotion of balanced demographic growth, to the eradication of poverty, to the protection of the environment and to the sustainable use of natural resources, and recognising the link between the environment and development,

DESIROUS of creating favourable conditions for a substantial development and diversification of trade between the Community and Pakistan and enhancing cooperation in commercial, economic, investment, science and technology and cultural fields,

TAKING INTO ACCOUNT their commitment to conduct trade in accordance with the Agreement establishing the WTO,

RECOGNISING the specific needs of developing countries under the WTO,

HAVING REGARD to the need to create favourable conditions for direct investment,

NOTING their common interest in fostering and strengthening regional cooperation and the north-south dialogue,

BELIEVING that relations between them have developed beyond the scope of the Agreement concluded in 1986,

HAVE DECIDED, as Contracting Parties, hereinafter referred to as 'the Parties', to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE EUROPEAN COMMUNITY:

Guy VERHOFSTADT

Prime Minister of the Kingdom of Belgium

Romano PRODI

President of the Commission of the European Communities

THE GOVERNMENT OF PAKISTAN:

General Pervez MUSHARRAF

Chief Executive of the Islamic Republic of Pakistan

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

HAVE AGREED AS FOLLOWS:

Article 1

Basis

Respect for human rights and democratic principles as laid down in the Universal Declaration on Human Rights underpins the domestic and international policies of the Community and the Islamic Republic of Pakistan and constitutes an essential element of this Agreement.

Article 2

Objectives

The principal objectives of this Agreement are to enhance and develop, through dialogue and partnership, the various aspects of cooperation between the Parties in the areas which fall within the bounds of their respective competences, with the following aims:

1. to secure the conditions for and to promote the increase and development of two-way trade between the Parties in accordance with the Agreement establishing the World Trade Organisation (WTO);
2. to support Pakistan's efforts for comprehensive and sustainable development, including economic and social development policies which take account of the poor and disadvantaged sections of its population, particularly women in these sections, as well as sustainable management of natural resources;

3. to promote investment and economic, technical and cultural links in their mutual interest;

4. to build Pakistan's economic capability to interact more effectively with the Community.

Article 3

Trade and commercial cooperation

1. Within the bounds of their respective competences the Parties are committed to conducting trade in accordance with the Agreement establishing the WTO.

2. Each Party agrees to inform the other Party of the initiation of anti-dumping procedures against products of the other Party.

In full respect of the WTO Agreements on anti-dumping and anti-subsidy measures, the Parties shall afford sympathetic consideration to, and adequate opportunity for consultation regarding, representations made by either Party with respect to anti-dumping procedures and anti-subsidy procedures.

3. The Parties also undertake to promote, within the framework of their current legislation, the expansion and diversification of trade between them. The objective of cooperation in this field is to develop and diversify two-way trade by seeking ways and means to improve market access.

4. The Parties shall seek:

- (a) to work towards the elimination of barriers to trade and to implement measures to improve transparency, in particular through the timely removal of non-tariff barriers in accordance with work done in this connection by WTO;
 - (b) within the limits of their respective competences, to improve cooperation in customs matters between the respective authorities, especially in professional training, the simplification and harmonisation of customs procedures and the prevention, investigation and penalisation of customs offences, including fraudulent practices, consistent with work done by the World Customs Organisation (WCO);
 - (c) to pursue the consideration of transit/re-export matters;
 - (d) to exchange information about mutually beneficial market opportunities, statistical cooperation and competition matters;
 - (e) to work towards suitable protection of personal data.
5. (a) Pakistan shall take all necessary measures to improve the conditions for adequate and effective protection and enforcement of intellectual, industrial and commercial property rights, in conformity with international standards.
- (b) By the end of the fifth year following the entry into force of this Agreement, and without prejudice to the commitments undertaken under the TRIPs Agreement, Pakistan shall accede to the following multilateral conventions on intellectual, industrial and commercial property rights to which Member States are parties or which are de facto applied by Member States, according to the relevant provisions contained in these conventions:
- (i) Paris Convention for the Protection of Industrial Property as last revised at Stockholm (Stockholm Act 1967);
 - (ii) Madrid Agreement concerning the International Registration of Marks as last revised at Stockholm (Stockholm Act 1967);
 - (iii) Protocol relating to the Madrid Agreement concerning the International Registration of Marks (1989);
 - (iv) Patent Cooperation Treaty (PTC Union) as modified in 1984.

- (c) In order to enable Pakistan to fulfil the abovementioned undertakings and obligations, technical assistance may be envisaged.

6. Within the limits of their respective competences, the Parties agree that they will work to improve exchange of information and access to their respective public procurement markets on the basis of reciprocity.

Article 4

Development cooperation

1. The Parties recognise that there is a potential for a Community contribution to the development efforts of Pakistan in order to achieve the sustainable economic development and social progress of its people.

Projects and programmes under development cooperation will place emphasis on the health, education, human resource development, specially for women, population welfare, environment and rural development sectors and will be specifically targeted towards the poorer and disadvantaged section of the population.

In light of the above and in accordance with Community policies, regulations and the limits of financial means available for cooperation, the Parties agree that cooperation will continue to be developed within the context of a clear cooperation strategy and dialogue aimed at defining mutually agreed priorities, and pursuing effectiveness and sustainability.

2. The Parties acknowledge the need for enhanced attention to and cooperation in the fields of drug control and AIDS, taking into account work done in this connection by international bodies. The Parties affirm their resolve to cooperate in the prevention, monitoring and reduction of drug abuse and AIDS, in particular through the strengthening of health services capabilities and support to key health education activities.

Article 5

Environmental cooperation

1. The Parties recognise the need to take account of environmental protection as an integral part of economic and development cooperation. Moreover, they underline the importance of environmental issues and their will to establish cooperation in protecting and improving the environment with particular emphasis on water, soil and air pollution, erosion, deforestation and sustainable management of natural resources, taking into account the work done in international forums.

Particular attention will be paid to:

- (a) the sustainable management of forest eco-systems;
- (b) protection and conservation of natural forests;
- (c) prevention of industrial pollution;
- (d) protection of the urban environment.

2. Cooperation in this area will centre on:

- (a) reinforcing and improving environmental protection institutions;
- (b) developing legislation and upgrading standards;
- (c) research, training and information;
- (d) executing studies and pilot programmes and providing technical assistance.

Article 6

Economic cooperation

1. In accordance with their respective policies and objectives and to the extent of their available resources, the Parties undertake to foster economic cooperation for mutual benefit. They will determine together, to their mutual advantage and within the limits of their respective competences, a cooperation strategy, defining the areas and priorities for economic cooperation programmes and activities.

2. The Parties agree to cooperate in the following broad fields:

- (a) developing a creative competitive economic environment in Pakistan by facilitating the use of know-how and technology from the Community, including, in the fields of design, packaging, standards, such as consumer and environmental standards, new materials and products;
- (b) facilitating contacts between economic operators and other measures designed to promote commercial exchanges, market development and investment;
- (c) facilitating exchanges of information on policies relating to enterprise and to small and medium-sized enterprises (SMEs), particularly with a view to improving the business environment and encouraging closer contacts between SMEs, in order to promote trade and increase industrial cooperation opportunities;

- (d) strengthening management training in Pakistan with a view to developing business operators who are able to interact effectively with the European business environment;

- (e) promoting dialogue between Pakistan and the Community in the fields of energy policy and transfer of technology;

- (f) developing and improving communication, information, technology, agriculture, fisheries, mining and tourism.

3. The Parties agree to pursue the following means to achieve their aims:

- (a) exchange of information and ideas;

- (b) preparation of studies;

- (c) provision of technical assistance;

- (d) training programmes;

- (e) establishment of links between research and training centres, specialised agencies and business organisations;

- (f) promotion of investment and joint ventures;

- (g) institutional development of public and private agencies and administrations;

- (h) access to each other's existing databases and creation of new ones;

- (i) workshops and seminars;

- (j) exchanges of experts.

4. Within the limits of their respective competences, the Parties undertake to encourage an increase in mutually beneficial investment by establishing a more favourable climate for private investments through better conditions for the transfer of capital and by supporting, where appropriate, the conclusion of conventions on the promotion and protection of investments between the Member States of the Community and Pakistan.

Article 7

Industry and Services

1. The Parties shall facilitate:

- (a) the identification of sectors of Industry on which cooperation will centre and the means to promote industrial cooperation;