

**No. 51321**

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**Guyana  
and  
Brazil**

**Memorandum of Understanding for the promotion of trade and investment between the Government of the Republic of Guyana and the Government of the Federative Republic of Brazil. Bonfim, 14 September 2009**

**Entry into force:** *14 September 2009 by signature, in accordance with article 9*

**Authentic texts:** *English and Portuguese*

**Registration with the Secretariat of the United Nations:** *Guyana, 19 September 2013*

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**Guyana  
et  
Brésil**

**Mémorandum d'accord pour la promotion du commerce et de l'investissement entre le Gouvernement de la République du Guyana et le Gouvernement de la République fédérative du Brésil. Bonfim, 14 septembre 2009**

**Entrée en vigueur :** *14 septembre 2009 par signature, conformément à l'article 9*

**Textes authentiques :** *anglais et portugais*

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19 septembre 2013*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**MEMORANDUM OF UNDERSTANDING FOR THE PROMOTION OF TRADE AND  
INVESTMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF GUYANA  
AND THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL**

The Government of the Republic of Guyana

and

The Government of the Federative Republic of Brazil  
(hereinafter referred to as the "Parties"),

Inspired by the strong will to enhance and balance trade relations, as well as to foster new investments, with a view to reaffirming the commitment of both Parties to the strengthening of the relations among South American countries;

Determined to work towards the development of their countries and the well-being of their peoples, oriented by the promotion of trade and investment; and

Acknowledging the existing asymmetries in the trade relations between the two countries and reaffirming the importance of promoting a trade and investment-inducing environment, especially for Guyanese exports and Brazilian investments in Guyana,

Have come to the following understanding:

**Article 1**

**Goals**

The present Memorandum of Understanding aims at promoting the elaboration and implementation of plans and projects to be individually established, with a view to

- a) fostering the growth of bilateral trade flow, seeking balance in the value and diversification of the trade exchange between the Parties, having in mind the Brazilian interest in favoring the increase in the acquisition of Guyanese products, under the Program of Competitive Substitution of Imports (PSCI);
- b) promoting investments in the economies of the Parties, especially in the Guyanese territory, thereby facilitating the conditions to accomplish such investments;
- c) developing, jointly and swiftly, a plan to implement projects and specific actions that lead to the deepening of relations between the economic agents of the Parties, in accordance with their respective national laws and regulations.

## **Article 2**

### **Cooperation in the Promotion and Development of Trade Relations**

In order to carry out the plans and specific projects directed at fostering bilateral trade exchange, especially to stimulate the growth of Guyanese exports to the Brazilian market, the Parties will take, according to their respective laws and regulations, the following measures, among others:

- a) promotion and organization of meetings and other complementary activities that seek to widen trade and investment relations between their respective business sectors;
- b) technical and operational support to the organization of missions of importers between the Parties, according to trade intelligence studies, which will define sectors and products with possible immediate increment in trade flow;
- c) coordination with institutions from the public and private sectors, with international financing organizations and with private entities interested in foreign trade, aiming at fostering trade promotion and investment activities such as training and technical assistance, seminars, symposia, fairs and trade and industrial exhibits, trade missions, visits and market studies;
- d) exchange of information and technical assistance to Guyana in the following areas: trade policies; existing institutional framework for the implementation of trade and sector policies; transportation systems and national, regional, and international commercialization channels; existing legal framework for the treatment of foreign investment; bilateral, regional and global supply and demand of exporting products; and any other areas the Parties may consider relevant;
- e) stimuli to the private sectors of both countries towards the creation of investment projects, particularly in Guyana, aimed at fostering trade flows;
- f) promotion of projects aimed at complementing and integrating the industrial, commercial and technological sectors, with a view to optimizing the usage of available resources by the Parties, taking into account the interest in supporting the improvement of productivity and competitiveness of Guyana; and
- g) studies for the identification of possible actions aimed at overcoming difficulties relative to the maritime connection between Brazil and Guyana.

## **Article 3**

### **Promotion and Development of Exports**

The Parties will promote, according to their respective national laws and regulations, the implementation of plans and programs of cooperation with the objective of:

- a) stimulating the growth and diversification of exports of Guyanese products and services to the Brazilian market, within the scope of the Brazilian Program of Competitive Substitution of Imports (PSCI);
- b) promoting, among the economic agents of the Parties, the dissemination of information on advantages and tariff preferences mutually conceded under the Partial Scope Agreement 38 concluded between the Republic of Guyana and the Federative Republic of Brazil other instruments to be negotiated between the Parties;
- c) fostering the interest of Brazilian companies in investment programs in Guyana, aimed at taking advantage of preferential access to third markets;

- d) stimulating trade and investment flows along the border region of both Parties in order to favor the establishment of joint production areas, for supplying the respective internal markets and the markets of third parties;
- e) seeking financing sources within public and private sector institutions and international organizations, with the intent of providing technical support to micro, small and medium Guyanese companies in order to develop their capability to export to the Brazilian market; and
- f) transferring knowledge and practices to Guyana in the area of trade promotion in order to enhance productivity and competitiveness of Guyanese companies, particularly micro and small companies.

#### **Article 4**

##### **Investment Promotion**

In order to promote an increase in investments from Brazilian companies in Guyana:

- a) the Government of the Republic of Guyana will provide to the Brazilian Government information about concrete investment opportunities in Guyana and will cooperate in making such information available for Brazilian companies or for those of third countries;
- b) the Parties will examine the possibilities of partnerships between investors in specific economic sectors, considering projects presented by Guyana;
- c) the Parties will study and work to identify new instruments and sources of national and international available financing that can contribute to the growth of investments in the territory of each Party;
- d) the Parties will widely disseminate information with respect to the legislation and specific provisions that, directly and indirectly, can stimulate foreign investment, including currency exchange and tax regimes; and
- e) the Parties will examine new alternatives for investment, keeping in mind the behaviour and trends of foreign direct investments (FDI) in international markets and in the territory of each Party.

#### **Article 5**

With the intent to promoting the investments mentioned in Article 4 of this Memorandum, the Parties will facilitate contacts between interested companies, taking into account the possibility of taking advantage of preferential access to third markets offered by Guyana. In order to achieve this goal, among others, the Parties will take the following actions, in accordance with their respective national laws and regulations:

- a) stimulate of the organization of promotional events such as seminars, symposia, trade missions, business meetings, individual presentations for companies and other related activities;
- b) identify, define and disseminate investment opportunities with the purpose of promoting them to the business sectors of both countries;
- c) promote coordination among the institutions of investment promotion of both Parties;
- d) facilitate the participation of Brazilian investors in programs of export promotion to third markets which include Guyanese products with preferential access.

**Article 6**  
Financing

1. The Parties will take joint actions to obtain financial resources with the support of public and private sectors, national and international financial organizations and business entities interested in foreign trade and investment promotion, according to the respective national laws and regulations of each Party.
2. This Memorandum of Understanding does not imply any transfer of financial resources from one Party to the other or any other onerous burden to the national treasury of the Parties.

**Article 7**  
Trade Facilitation

With the purpose of enabling satisfactory implementation of cooperation projects for trade facilitation and of searching for balance in the bilateral commercial exchange, the Parties will create proper mechanisms to find quick and efficient solutions to facilitate trade flows, by means of specific measures taken with the respective bodies of customs control and other bodies directly involved in authorizing the circulation of people and goods across the borders of the Parties, in accordance with the respective national laws and regulations of each Party. The Executive Working Group established in Article 8 of this Memorandum may recommend the measures to be adopted by the Parties in each case.

**Article 8**  
Implementation

In order to accomplish the goals of the present Memorandum of Understanding, the Parties will establish an Executive Working Group (EWG), coordinated by the Ministry of External Relations of the Federative Republic of Brazil and the Ministry of Foreign Trade and International Cooperation of the Republic of Guyana. The EWG may invite representatives from national institutions, business associations or authorities directly related to specific themes of this Memorandum. The Group will meet once every semester, alternately in Brazil and Guyana, or extraordinarily when requested by one of the Parties.

**Article 9**  
Validity, Termination, Amendments and Dispute Settlement

1. The present Memorandum of Understanding will come into effect on the date of its signature and will remain valid indefinitely.
2. Either Party may, at any time, notify the other of its intention to terminate the present Memorandum of Understanding, in writing and through the diplomatic channels. Termination will be effective ninety (90) days after the date of the notification.
3. The present Memorandum of Understanding may be amended by mutual consent of the Parties, in writing and through diplomatic channels.
4. Any dispute related to the interpretation or implementation of this Memorandum of Understanding will be settled by direct negotiations between the Parties, through diplomatic channels.