

PART V : FINAL PROVISIONS

Article 197

Definition Of The Parties

For the purposes of this Agreement, "the Parties" shall mean the Community or its Member States or the Community and its Member States, within their respective areas of competence as derived from the Treaty establishing the European Community, on the one hand, and the Republic of Chile, on the other.

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Article 198

Entry Into Force

1. This Agreement shall enter into force the first day of the month following that in which the Parties have notified each other of the completion of the procedures necessary for this purpose.

2. Notifications shall be sent to the Secretary General of the Council of the European Union, who shall be the depository of this Agreement.

3. Notwithstanding paragraph 1, the Community and Chile agree to apply Articles 3 to 11, Article 18, Articles 24 to 27, Articles 48 to 54, Article 55 (a), (b), (f), (h), (i), Articles 56 to 93, Articles 136 to 162, and Articles 172 to 206, from the first day of the month following the date on which the Community and Chile have notified each other of the completion of the procedures necessary for this purpose.

4. Where a provision of this Agreement is applied by the Parties pending its entry into force, any reference in such provision to the date of entry into force of this Agreement shall be understood to be made to the date from which the Parties agree to apply that provision in accordance with paragraph 3.

5. From the date of its entry into force in accordance with paragraph 1, this Agreement shall replace the Framework Cooperation Agreement. By way of exception, the Protocol on Mutual Assistance in Customs Matters to the Framework Cooperation Agreement of 13 June 2001, shall remain in force and become an integral part of this Agreement.

Article 199

Duration

1. This Agreement shall be valid indefinitely.

2. Either Party may give written notice to the other of its intention to denounce this Agreement.

3. Denunciation shall take effect six months after notification to the other Party.

Article 200

Fulfilment Of The Obligations

1. The Parties shall adopt any general or specific measures required for them to fulfil their obligations under this Agreement and shall ensure that they comply with the objectives laid down in this Agreement.

2. If one of the Parties considers that the other Party has failed to fulfil an obligation under this Agreement it may take appropriate measures. Before doing so, it must supply the Association Council within 30 days with all the relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

In this selection of measures, priority must be given to those which least disturb the functioning of this Agreement. These measures shall be notified immediately to the Association Committee and shall be the subject of consultations in the Committee if the other Party so requests.

3. By way of derogation from paragraph 2, any Party may immediately take appropriate measures in accordance with international law in case of:

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(a) denunciation of this Agreement not sanctioned by the general rules of international law;

(b) violation by the other Party of the essential elements of this Agreement referred to in Article 1, paragraph 1.

The other Party may ask that an urgent meeting be called to bring the Parties together within 15 days for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

4. By way of derogation from paragraph 2, if one of the Parties considers that the other Party has failed to fulfil an obligation under Part IV, it shall exclusively have recourse to, and abide by, the dispute settlement procedures established under Title VIII of Part IV.

Article 201

Future Developments

1. The Parties may mutually agree to extend this Agreement with the aim of broadening and supplementing its scope in accordance with their respective legislation, by concluding agreements on specific sectors or activities in the light of the experience gained during its implementation.

2. As regards the implementation of this Agreement, either Party may make suggestions oriented towards expanding cooperation in all areas, taking into account the experience acquired during the implementation thereof.

Article 202

Data Protection

The Parties agree to accord a high level of protection to the processing of personal and other data, compatible with the highest international standards.

Article 203

National Security Clause

The provisions of Article 194 shall apply to the entire Agreement.

Article 204

Territorial Application

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty, and, on the other hand, to the territory of the Republic of Chile.

Article 205

Authentic Texts

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

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Article 206

Annexes, Appendices, Protocols And Notes

The Annexes, Appendices, Protocols and Notes to this Agreement shall form an integral part thereof.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Agreement.

DONE at Brussels on the eighteenth day of November in the year two thousand and two.
