

THE CARTAGENA AGREEMENT

卡塔赫纳协定

CODIFICATION OF THE ANDEAN SUBREGIONAL INTEGRATION AGREEMENT
(CARTAGENA AGREEMENT)

安第斯次区域一体化协定法典化（卡塔赫纳协定）

Presentation

前言

The Protocol of Trujillo was signed by the Andean Presidents during the Eighth Presidential Council that was held in the city of Trujillo, Peru, in March of 1996. It replaces Chapter II of the Cartagena Agreement and requests that the Commission adopt a codified text through a Decision.

It is in compliance with this Presidential Mandate that the Commission of the Andean Community, in its Eighty-seventh Special Term held in the city of Quito, Ecuador, on June 25, 1997, approved Decision 406: "Codification of the Andean Subregional Integration Agreement (Cartagena Agreement)".

This codified text includes the original Cartagena Agreement and its respective modifying instruments: the Additional Instrument for the accession of Venezuela (1973); the Protocol of Lima (1976); the Protocol of Arequipa (1978); the Protocol of Quito (1987), and the Protocol of Trujillo.

The Protocol of Trujillo, moreover, creates the Andean Community and establishes the Andean Integration System, with a series of bodies and institutions which have required that, in this text, the references "Commission of the Cartagena Agreement", "Board of the Cartagena Agreement", "Court of Justice of the Cartagena Agreement", and " Cartagena Agreement Law" be substituted for "Commission of the Andean Community", "General Secretariat of the Andean Community", "Court of Justice of the Andean Community", and "Andean Community Law", respectively.

In addition, the Protocol of Trujillo authorizes the necessary adjustments to the numbering of the articles, for which reason the numbering of the articles of the previous Codified Text (Decision 236) does not necessarily coincide with the present numbering (Decision 406).

This last point is particularly important to those who need to constantly refer to articles of the Agreement. For this reason, the final pages of this document include a Matching table * between the Official Codified Text of the Cartagena Agreement after the Protocol of Quito (Decision 236), and that resulting from the Protocol of Trujillo (Decision 406).

《特鲁希略议定书》由安第斯总统于1996年3月在秘鲁特鲁希略市举行的第八届总统理事会期间签署。该议定书取代了《卡塔赫纳协定》第二章，并要求委员会通过一项决定来采纳法典化文本。

为履行此项总统令，安第斯共同体委员会于1997年6月25日在厄瓜多尔基多市召开的第八十七届特别会议上批准了第406号决定：《安第斯次区域一体化协定法典化（卡塔赫纳协定）》。

本编纂文本包含原始《卡塔赫纳协定》及其各项修订文书：委内瑞拉加入的附加文书（1973年）；《利马议定书》（1976年）；《阿雷基帕议定书》（1978年）；《基多议定书》（1987年）以及《特鲁希略议定书》。

此外，《特鲁希略议定书》创立了安第斯共同体，并建立安第斯一体化体系，该体系包含一系列机构和组织。这些变化要求在本文本中将原表述"卡塔赫纳协定委员会"、"卡塔赫纳协定委员会"、"卡塔赫纳协定法院"及"卡塔赫纳协定法"分别替换为"安第斯共同体委员会"、"安第斯共同体总秘书处"、"安第斯共同体法院"和"安第斯共同体法律"。

另外，《特鲁希略议定书》授权对条款编号进行必要调整，因此先前编纂文本（第236号决定）的条款编号与现行编号（第406号决定）未必一致。

最后这一点对于那些需要经常查阅协议条款的人尤为重要。为此，本文件最后几页附有对照表*，内容为《基多议定书》（第236号决定）后《卡塔赫纳协定》官方编纂文本与《特鲁希略议定书》（第406号决定）修订后文本之间的条款对应关系。

THE GOVERNMENTS of Bolivia, Colombia, Ecuador, Peru, and Venezuela,

INSPIRED by the Declaration of Bogota and by the Declaration of the Presidents of America;

RESOLVED to strengthen the union of their people and to lay the foundations to advance towards the formation of an Andean subregional community;

AWARE that integration constitutes a historical, political, economic, social, and cultural mandate for their countries, in order to preserve their sovereignty and independence;

BASED on the principles of equality, justice, peace, solidarity, and democracy;

DETERMINED to attain such goals by creating an integration and cooperation system that tends towards a balanced, harmonious, and shared economic development of their countries;

AGREE, through their duly authorized plenipotentiary representatives, to enter into the following SUBREGIONAL INTEGRATION AGREEMENT:

CHAPTER I: OBJECTIVES AND MECHANISMS

Article 1

The objectives of this Agreement are to promote the balanced and harmonious development of the Member Countries under equitable conditions, through economic and social integration and cooperation; to accelerate their growth and the rate of creation of employment; to facilitate their participation in the process of regional integration, looking ahead toward the gradual formation of a Latin American Common Market.

Likewise, this Agreement seeks to reduce external vulnerability and to improve the position of the Member Countries within the international economic context; to strengthen subregional solidarity, and to reduce existing differences in the levels of development among the Member Countries.

The fulfillment of these objectives shall lead to an enduring improvement in the standard of living of the Subregion’s population.

Article 2

Balanced and harmonious development shall lead to a fair distribution, among the Member Countries, of the benefits derived from integration so as to reduce existing differences among them. The results of such process shall be evaluated periodically, bearing in mind, among other things, their effects on the growth of each country’s total exports, the behavior of its trade balance with the Subregion, the evolution of its gross national product, the creation of new jobs, and the formation of capital.

玻利维亚、哥伦比亚、厄瓜多尔、秘鲁和委内瑞拉政府，

受《波哥大宣言》及《美洲总统宣言》的启发；

决心加强各国人民的联盟，并为推进安第斯次区域共同体的形成奠定基础；

意识到一体化是各国维护主权与独立的历史、政治、经济、社会和文化使命；

基于平等、正义、和平、团结与民主的原则；

决心通过建立一体化和合作体系来实现这些目标，以促进各国平衡、和谐且共享的经济发展；

各成员国通过其正式授权的全权代表，同意缔结以下次区域一体化协议：

第一章：目标与机制

第一条

本协议定的目标是通过经济和社会一体化及合作，在公平条件下促进成员国的平衡和谐发展；加快其经济增长和就业创造速度；便利其参与区域一体化进程，逐步形成拉丁美洲共同市场。

此外，本协议旨在减少外部脆弱性，改善成员国在国际经济环境中的地位；加强次区域团结，并缩小成员国之间发展水平的现有差距。

这些目标的实现将持久提升次区域人口的生活水平。

第2条

平衡和谐发展应引导一体化所产生利益在成员国间实现公平分配，从而缩小各国间现有差距。该进程的成果将定期接受评估，尤其需考量以下方面的影响：各国出口总额增长、与次区域贸易平衡走势、国民生产总值演变、新就业机会创造以及资本形成状况。

Article 3

第3条

To fulfill the objectives of this Agreement, the following mechanisms and measures, among others, shall be employed:

为实现本协定目标，除其他外，应采取以下机制与措施：

- a. The gradual harmonization of economic and social policies and the approximation of national laws in regard to pertinent matters;
- b. Common industrial policies, the intensification of the subregional industrialization process, the implementation of industrial policies, and other forms of industrial integration;
- c. A more advanced schedule of trade liberalization than the commitments derived from the Treaty of Montevideo 1980;
- d. A Common External Tariff, preceded by the adoption of a Common Minimum External Tariff;
- e. Programs that accelerate the development of agricultural and agroindustrial sectors;
- f. Channeling of internal and external resources to the Subregion to finance those investments that are needed in the integration process;
- g. Physical integration; and
- h. Preferential treatment given to Bolivia and Ecuador.

- a. 逐步统一经济和社会政策，并在相关事项上协调国家法律；b. 共同工业政策，加强次区域工业化进程，实施工业政策及其他形式的工业一体化；c. 制定比1980年蒙得维的亚条约承诺更超前的贸易自由化时间表；d. 在采用共同最低对外关税后实施共同对外关税；e. 加快农业和农工业部门发展的计划；f. 引导内部和外部资源进入次区域，为一体化进程所需的投资提供资金；g. 物理一体化；h. 给予玻利维亚和厄瓜多尔优惠待遇。

In addition to the mechanisms set out above, the following economic and social cooperation policies shall be carried out jointly:

除上述机制外，还应共同实施以下经济和社会合作政策：

- a. External actions in the economic field, in subjects of common interest;
- b. Programs to promote scientific and technological development;
- c. Border integration policies;
- d. Programs in the area of tourism;
- e. Policies for the use and preservation of natural resources and of the environment;
- f. Programs in the services sector;
- g. Social development programs; and
- h. Policies in the social communications field.

- a. 经济领域的外部行动，涉及共同利益的主题；b. 促进科学技术发展的计划；c. 边境一体化政策；d. 旅游业领域的计划；e. 自然资源 and 环境的利用和保护政策；f. 服务部门的计划；g. 社会发展计划；以及h. 社会传播领域的政策。

Article 4

To carry out this Agreement in the best way possible, Member Countries shall make the necessary efforts to seek adequate solutions to the problems derived from Bolivia’s landlocked condition.

CHAPTER II: ON THE ANDEAN COMMUNITY AND THE ANDEAN INTEGRATION SYSTEM

Article 5

The "Andean Community" is hereby created, composed by the sovereign States of Bolivia, Colombia, Ecuador, Peru, and Venezuela, and by the bodies and institutions of the Andean Integration System, which is established by this Agreement.

Article 6

The Andean Integration System is made up of the following bodies and institutions:

- The Andean Presidential Council;
- The Andean Council of Ministers of Foreign Affairs;
- The Commission of the Andean Community;
- The General Secretariat of the Andean Community;
- The Court of Justice of the Andean Community;
- The Andean Parliament;
- The Business Advisory Council;
- The Labor Advisory Council;
- The Andean Development Corporation;
- The Latin American Reserve Fund;
- The Simón Rodríguez Agreement, the Social Agreements which join the Andean Integration System, and those that are created within its framework;
- The Simón Bolívar Andean University;
- The Advisory Councils established by the Commission; and,
- The rest of the bodies and institutions created within the framework of Andean subregional integration.

第4条

为尽可能以最佳方式执行本协定，成员国应作出必要努力，寻求解决玻利维亚内陆状态所衍生问题的适当方案。

第二章：关于安第斯共同体和安第斯一体化体系

第5条

兹此创立“安第斯共同体”，由玻利维亚、哥伦比亚、厄瓜多尔、秘鲁和委内瑞拉等主权国家以及本协定确立的安第斯一体化体系的机构和组织组成。

第6条

安第斯一体化体系由以下机构和组织组成：

- 安第斯总统理事会；
- 安第斯外交部长理事会；
- 安第斯共同体委员会；
- 安第斯共同体总秘书处；
- 安第斯共同体法院；
- 安第斯议会；
- 商业咨询委员会；
- 劳工咨询委员会；
- 安第斯开发公司；
- 拉丁美洲储备基金；
- 西蒙·罗德里格斯协议、加入安第斯一体化体系的社会协议，以及在其框架内创建的其他协议；
- 西蒙·玻利瓦尔安第斯大学；
- 委员会设立的咨询委员会；以及，
- 安第斯次区域一体化框架内创建的其余机构和组织。

Article 7

The purpose of the System is to allow an effective coordination between the bodies and institutions that compose it, in order to deepen Andean subregional integration, to promote its external presence and to consolidate and strengthen actions related to the integration process.

Article 8

The bodies and institutions of the Andean Integration System are governed by this Agreement, by their respective charters, and their modifying protocols.

Article 9

With the purpose of achieving the best coordination within the Andean Integration System, the Chairman of the Andean Council of Ministers of Foreign Affairs will call and chair the Meeting of Representatives of the institutions that make up the System.

The main purposes of the Meeting shall be:

- a. To exchange information about the actions taken by the respective institutions to carry out the Guidelines issued by the Andean Presidential Council;
- b. To study the possibility and convenience of agreeing, among all the institutions or among some of them, to carry out coordinated actions, with the purpose of contributing to the achievement of the objectives of the Andean Integration System; and,
- c. To present to the Andean Council of Ministers of Foreign Affairs in enlarged meetings, reports about the actions carried out in fulfillment of the received Guidelines;

Article 10

The Meetings of Representatives of the institutions which make up the Andean Integration System shall be held in regular sessions at least once a year and, in special sessions, every time that any of the institutions that comprise it requests so, and it shall be held at the place agreed upon before the meeting is called.

The General Secretariat of the Andean Community shall act as the Secretariat of the Meeting.

Section A

On The Andean Presidential Council

Article 11

The Andean Presidential Council is the highest-level body of the Andean Integration System and it is made up of the Heads of State of the Member Countries of the Cartagena Agreement. It issues Guidelines about the different areas of Andean subregional integration, which are carried out by the System’s bodies and institutions, that the Council determines, according to the responsibilities and mechanisms established in their respective Treaties or Charters.

第七条

该体系的目的是使其所属机构和组织之间实现有效协调，以深化安第斯次区域一体化，促进其对外存在，并巩固和加强与一体化进程相关的行动。

第八条

安第斯一体化体系的机构和组织受本协定、各自章程及其修改议定书的管辖。

第九条

为实现安第斯一体化体系内的最佳协调，安第斯外长理事会主席将召集并主持组成该体系的各组织代表会议。

会议的主要目的应为：

- a. 交流各机构为执行安第斯总统理事会发布的指导方针所采取行动的信息；
- b. 研究在所有机构或部分机构之间达成协议的可能性与适宜性，以开展协调行动，从而促进实现安第斯一体化体系的目标；以及，
- c. 向安第斯外交部长理事会扩大会议提交关于为落实收到的指导方针所采取行动的报告；

第十条

组成安第斯一体化体系的各机构代表会议应至少每年召开一次定期会议，并在任何组成机构提出请求时召开特别会议，会议地点应在召集前商定。

安第斯共同体总秘书处应担任会议秘书处。

A部分

关于安第斯总统理事会

第11条

安第斯总统理事会是安第斯一体化体系的最高级别机构，由《卡塔赫纳协定》成员国的国家元首组成。它发布关于安第斯次区域一体化不同领域的指导方针，这些方针由该体系下属的机构和组织执行，具体由理事会根据各自条约或宪章中规定的职责和机制确定。

The bodies and institutions of the System shall carry out the political orientations included in the Guidelines issued by the Andean Presidential Council.

Article 12

It is the Andean Presidential Council’s responsibility:

- a. To define Andean subregional integration policy;
- b. To orient and promote actions on matters of interest for the Subregion as a whole, as well as those related to the coordination among the bodies and institutions of the Andean Integration System;
- c. To evaluate the development and results of the process of Andean subregional integration;
- d. To consider and issue opinions about reports, initiatives, and recommendations submitted by the bodies and institutions of the Andean Integration System; and,
- e. To study all the subjects and matters concerning the development of the process of the Andean subregional integration and its external projection.

Article 13

The Andean Presidential Council shall meet regularly once a year, preferably in the country that chairs it. In this meeting it will review the actions executed by the bodies and institutions of the Andean Integration System, as well as of their projects, programs, and suggestions. The members of the Andean Council of Ministers of Foreign Affairs, the Commission, and representatives of the bodies and institutions of the System shall be able to attend the meetings of the Andean Presidential Council, as observers.

The Andean Presidential Council shall be able to call a special meeting, whenever it considers it advisable, at the place agreed upon before the meeting is called.

Article 14

The Andean Presidential Council shall have a Chairman who will be the Andean Community’s top political representative, and who shall hold office for a period of one calendar year. That position shall be filled, successively and in alphabetical order, by each one of the Member Countries.

The responsibilities of the Chairman of the Andean Presidential Council shall be:

- a. To call and chair the regular and special meetings of the Council;
- b. To represent the Council and the Andean Community;
- c. To supervise that the Guidelines issued by the Council are carried out by the other bodies and institutions of the Andean Integration System; and,
- d. To carry out the tasks requested by the Council.

该体系的机构和组织应执行安第斯总统理事会发布的指导方针中所包含的政治导向。

第十二条

安第斯总统理事会的职责包括：

- a. 制定安第斯次区域一体化政策；
- b. 指导和推动涉及整个次区域利益事项的行动，以及与安第斯一体化体系内各机构和组织间协调相关的行动；
- c. 评估安第斯次区域一体化进程的发展与成果；
- d. 审议并就安第斯一体化体系各机构和组织提交的报告、倡议及建议发表意见；
- e. 研究所有涉及安第斯次区域一体化进程发展及其对外影响的事项。

第十三条

安第斯总统理事会应每年定期召开一次会议， preferably 在轮值主席国举行。会议将审查安第斯一体化体系各机构和组织执行的项目、计划及建议。安第斯外交部长理事会成员、委员会成员以及体系内各机构和组织的代表可作为观察员列席安第斯总统理事会会议。

安第斯总统理事会可在其认为适当时，于会议召开前商定的地点召开特别会议。

第十四条

安第斯总统理事会应设一名主席，作为安第斯共同体的最高政治代表，任期为一个日历年。该职位将由各成员国按字母顺序轮流担任。

安第斯总统理事会主席的职责如下：

- a. 召集并主持理事会例行会议和特别会议；
- b. 代表理事会及安第斯共同体；
- c. 监督安第斯一体化体系其他机构和组织执行理事会发布的指导方针；以及，
- d. 执行理事会要求的任务。

Section B

The Andean Council of Ministers of Foreign Affairs

Article 15

The Andean Council of Ministers of Foreign Affairs is comprised by the Ministers of Foreign Affairs of the Member Countries of the Cartagena Agreement.

Article 16

The responsibilities of the Andean Council of Ministers of Foreign Affairs shall be:

- a. To formulate the Member Countries’ foreign policy in matters of subregional interest, as well as to orient and coordinate the external actions of the different bodies and institutions of the Andean Integration System;
- b. To formulate, carry out, and evaluate, in coordination with the Commission, the general policy of the process of Andean subregional integration;
- c. To carry out the Guidelines given to it by the Andean Presidential Council and to ensure that those given to the other bodies and institutions of the Andean Integration System are carried out;
- d. To sign Covenants and Agreements with third countries or groups of countries or with international organizations in regard to issues of global foreign policy and cooperation;
- e. To coordinate the joint position of the Member Countries in international fora and negotiations, within its areas of responsibility;
- f. To represent the Andean Community in matters and activities of common interest, within the framework of its responsibilities, in accordance with the rules and objectives of the Agreement;
- g. To recommend or adopt the measures that ensure the accomplishment of the purposes and objectives of the Cartagena Agreement, within its area of responsibility;
- h. To ensure harmonious compliance with the obligations set out in this Agreement and in the Treaty of Montevideo of 1980;
- i. To approve and modify its own regulations;
- j. To approve the Regulations of the General Secretariat and all amendments thereto upon the Commission’s proposal; and,
- k. To hear and resolve all the other matters of common interest, within its area of responsibility.

B部分

安第斯外交部长理事会

第十五条

安第斯外交部长理事会由各成员国的外交部长组成，这些成员国均隶属于卡塔赫纳协定。

第十六条 安第斯外交部长理事会的职责应为：a. 制定成员国在次区域利益事项上的外交政策，并指导和协调安第斯一体化体系各机构和组织的外部行动；b. 与委员会协调，制定、执行和评估安第斯次区域一体化进程的总体政策；c. 执行安第斯总统理事会给予的指导方针，并确保安第斯一体化体系其他机构和组织执行给予的指导方针；d. 在全球外交政策和合作问题上，与第三国或国家集团或国际组织签署公约和协定；e. 在其职责范围内，协调成员国在国际论坛与谈判中的共同立场；f. 根据本协议的规则和目标，在其职责框架内，代表安第斯共同体处理共同利益的事项和活动；g. 在其职责范围内，建议或采取措施确保卡塔赫纳协定的宗旨和目标得以实现；h. 确保和谐履行本协议和1980年蒙得维的亚条约规定的义务；i. 批准和修改其自身条例；j. 根据委员会的提议，批准秘书处条例及其所有修正案；以及，k. 在其职责范围内，听取并解决所有其他共同利益的事项。

Article 17

The Andean Council of Ministers of Foreign Affairs shall express itself through Declarations and Decisions, adopted by consensus. The latter shall be part of the Andean Community Law.

Article 18

The Andean Council of Ministers of Foreign Affairs shall meet in regular session twice a year, preferably in the country that holds its chair. Likewise, it shall be able to meet in special session, whenever deemed advisable, at the request of any of its members, in the place agreed upon before the meeting is called.

Article 19

The Andean Council of Ministers of Foreign Affairs shall be presided by the Minister of Foreign Affairs of the country that chairs the Andean Presidential Council, who shall hold office for one calendar year.

The task of coordination that corresponds to the Chairman of this Council shall be fulfilled by the Ministry of Foreign Affairs of the country whose Head of State chairs the Andean Presidential Council, acting as the Pro Tempore Secretariat of both bodies and having the technical support of the General Secretariat of the Andean Community.

Article 20

The Andean Council of Ministers of Foreign Affairs shall meet in enlarged sessions with the heads of the delegations to the Commission, at least once a year and, at the deputy level, every time it considers necessary, so as to discuss matters related to the Cartagena Agreement that are of interest to both bodies, such as:

- a. To prepare the meetings of the Andean Presidential Council;
- b. To choose and, when suitable, to remove the General Secretary of the Andean Community;
- c. To propose any modifications to this Agreement to the Andean Presidential Council;
- d. To evaluate the performance of the General Secretariat;
- e. To consider the initiatives and proposals submitted for its consideration by the Member Countries or the General Secretariat; and,
- f. All other subjects that both bodies by consent decide to address jointly.

第17条

安第斯外交部长理事会应通过协商一致通过的宣言和决定来表达意见。后者应成为安第斯共同体法律的一部分。

第18条

安第斯外交部长理事会每年应召开两次常会， preferably 在轮值主席国举行。同样，经任一成员国提议并事先商定会议地点后，可随时召开特别会议。

第19条

安第斯外交部长理事会应由担任安第斯总统理事会轮值主席国的外交部长主持，其任期为一年。

本理事会主席对应的协调任务应由其国家元首担任安第斯总统理事会主席的国家外交部履行，同时作为这两个机构的临时秘书处，并得到安第斯共同体总秘书处的技术支持。

第二十条

安第斯外交部长理事会应与委员会代表团团长举行扩大会议，每年至少一次，并在副职级别上根据需要随时召开，以讨论与卡塔赫纳协定相关且对两个机构均具共同利益的事项，例如：

- a. 筹备安第斯总统理事会会议；
- b. 选举并在适当时罢免安第斯共同体秘书长；
- c. 向安第斯总统理事会提出对本协定的任何修改建议；
- d. 评估总秘书处的工作表现；
- e. 审议成员国或总秘书处提交供其考虑的倡议和提案；以及，
- f. 两个机构经协商一致决定共同处理的所有其他事项。

Section C

The Commission of the Andean Community

Article 21

The Commission of the Andean Community shall be comprised by a plenipotentiary representative from each one of the governments of the Member Countries. Each Government shall accredit a head of delegation and a deputy.

The Commission shall express its will through Decisions.

Article 22

It is the Commission of the Andean Community’s responsibility:

- a. To prepare, carry out, and evaluate Andean subregional integration policy in the area of trade and investment and when required, in coordination with the Andean Council of Ministers of Foreign Affairs;
- b. To take the necessary measures to accomplish the objectives of the Cartagena Agreement, and to carry out the Guidelines of the Andean Presidential Council;
- c. To coordinate the joint position of the Member Countries in international fora and negotiations, in its area of responsibility;
- d. To ensure harmonious compliance with the obligations set out in this Agreement and in the Treaty of Montevideo of 1980;
- e. To approve and modify its own regulations;
- f. To approve, reject or amend the proposals submitted to it by the Member Countries, individually or collectively, or by the General Secretariat;
- g. To maintain ongoing relations with the bodies and institutions that make up the Andean Integration System, aimed at making possible the coordination of programs and policies directed to the achievement of their common objectives;
- h. To represent the Andean Community in matters and activities of common interest, within the framework of its responsibilities, in accordance with the rules and objectives of this Agreement;
- i. To approve the annual budget and evaluate the budgetary performance of the General Secretariat and that of the Court of Justice of the Andean Community, and to set the contributions of each one of the Member Countries; and,
- j. To submit for consideration to the Andean Council of Ministers of Foreign Affairs the proposed Regulations of the General Secretariat.

C部分

安第斯共同体委员会

第21条

安第斯共同体委员会应由各成员国政府的一名全权代表组成。各国政府应任命一名代表团团长和一名副代表。

委员会应通过决定表达其意愿。

第22条

这是安第斯共同体委员会的职责：

- a. 制定、实施并评估贸易与投资领域的安第斯次区域一体化政策，并在必要时与安第斯外交部长理事会协调；
- b. 采取必要措施以实现卡塔赫纳协定的目标，并执行安第斯总统理事会的指导方针；
- c. 在其职责范围内，协调成员国在国际论坛与谈判中的共同立场；
- d. 确保和谐遵守本协定和1980年蒙得维的亚条约规定的义务；
- e. 批准并修改其自身条例；
- f. 批准、拒绝或修改成员国单独或集体提交的提案，或由总秘书处提交的提案；
- g. 与组成安第斯一体化体系的机构和组织保持持续关系，旨在协调各项计划 and 政策，以实现其共同目标；
- h. 在共同利益的事务和活动中代表安第斯共同体，在其职责框架内，依照本协议；
- i. 批准总秘书处及安第斯共同体法院的年度预算并评估其预算执行情况，并确定各成员国的分摊额；以及，向安第斯外交部长理事会提交
- j. 提交安第斯外交部长理事会审议拟议的总秘书处条例。

In carrying out its responsibilities, the Commission shall give special consideration to the situation of Bolivia and Ecuador in terms of the objectives of this Agreement, the preferential treatments provided in their favor, and the landlocked situation of the former.

Article 23

The Commission shall have a Chairman who shall hold office for one calendar year. Said office shall be held by the representative of the country that chairs the Andean Presidential Council.

Article 24

The Commission shall meet on a regular basis three times a year and in special session whenever such a meeting is called by its Chairman at the request of any of the Member Countries or of the General Secretariat.

Its sessions shall be held at the headquarters of the General Secretariat, but they can also take place outside of it. The Commission shall meet with the presence of an absolute majority of the Member Countries.

Attendance to Commission meetings shall be compulsory and failure to attend shall be considered an abstention.

Article 25

At the request of one or more of the Member Countries or of the General Secretariat, the Commission’s Chairman shall call upon the Commission to meet as an Enlarged Commission, in order to address sectorial issues, to consider regulations for the coordination of development plans, and to harmonize the economic policies of the Member Countries, as well as to hear and resolve all other matters of common interest.

Such meetings shall be presided by the Commission’s Chairman and shall be jointly comprised by the heads of delegation before the Commission and by the Ministers or Secretaries of State of the respective area. Each country shall exercise one vote in regard to the approval of Decisions, that shall be part of the Andean Community Law.

Article 26

The Commission shall adopt its Decisions by affirmative vote of the absolute majority of the Member Countries. The exceptions to this general rule are:

- a.

The matters included in Annex 1 to this Agreement, in which the Commission shall adopt its Decisions by the affirmative vote of the Member Countries and with no negative votes being cast.

The Commission shall be able to add new matters to said Annex with the affirmative vote of the absolute majority of the Member Countries;
- b.

In the cases listed in Annex II, the proposals of the General Secretariat shall be approved with the affirmative vote of the absolute majority of the Member Countries provided that no negative vote is cast. Proposals receiving the affirmative vote of the absolute majority

委员会在履行其职责时，应特别考虑玻利维亚和厄瓜多尔在本协定目标下的状况、为其提供的优惠待遇，以及前者作为内陆国家的情况。

第23条

委员会应设一名主席，任期为一个日历年。该职位应由担任安第斯总统理事会主席的国家代表担任。

第24条

委员会每年应定期召开三次会议，并在主席应任一成员国或总秘书处要求召集时举行特别会议。

会议应在总秘书处总部举行，但也可在其他地点召开。委员会会议须有绝对多数成员国出席方可举行。

出席委员会会议应为强制性要求，未出席者将视为弃权。

第25条

应一个或多个成员国或总秘书处的请求，委员会主席应召集委员会作为扩大委员会召开会议，以处理部门问题、审议协调发展计划的条例、协调成员国的经济政策，并听取和解决所有其他共同利益事项。

此类会议由委员会主席主持，由委员会前的代表团团长及各相关领域的部长或国务秘书共同组成。每个国家在批准决定时享有一票表决权，这些决定将成为安第斯共同体法律的一部分。

第26条

委员会应以成员国绝对多数的赞成票通过其决定。本一般规则的例外情况如下：

- a.

本协定附件1所列事项，应由委员会根据成员国的赞成票且无反对票的情况下通过其决定。其决定需获得成员国的赞成票且无反对票投出。

委员会应能以成员国绝对多数的赞成票向该附件新增事项；
成员国绝对多数；
- b.

在附件II所列情况下，总秘书处的提案应获得批准
在获得成员国绝对多数的赞成票且无反对票的情况下。获得绝对多数赞成票的提案

of the Member Countries, but also a negative vote shall be returned to the General Secretariat for consideration of the grounds for said negative vote. Within a period of time not shorter than two months and not longer than six, the General Secretariat shall present the proposal again for consideration by the Commission with the modifications which it considers appropriate. And in that case, the proposal as modified shall be considered approved if it receives the affirmative vote of the absolute majority of the Member Countries, with no negative vote. The vote of the country that dissented in the previous opportunity shall not be computed as a negative vote;

- c. Matters related to the special regime for Bolivia and Ecuador, that are listed in Annex III. In this case, the Commission’s Decisions shall be adopted by the affirmative vote of the absolute majority provided that one of them is cast by Bolivia or Ecuador; and,
- d. Industrial Development Programs and Projects shall be approved with the affirmative vote of the absolute majority of the Member Countries provided that no negative vote is cast.

Article 27

The General Secretariat or the Member Countries shall present their proposals at least fifteen days prior to the corresponding meeting of the Andean Council of Ministers of Foreign Affairs or of the Commission. Only in exceptional cases that are duly justified, and in accordance with the Andean Community Law, shall the required deadlines be ignored, provided that both the proponent and the other Member Countries agree to do so.

Proposals receiving the affirmative vote of the absolute majority of the Member Countries, but also a negative vote, shall be returned to the proponent for consideration of the grounds that gave rise to the negative vote.

In a period of time not shorter than a month and not longer than three, the proponent shall present the proposal again for consideration by the corresponding body with the modifications which it should consider appropriate and, in that case, the modified proposal shall be considered approved if it has the affirmative vote of the absolute majority of the Member Countries.

Article 28

The Member Country that is behind more than four quarters in regard to the payment of its contributions to the General Secretariat or to the Court of Justice of the Andean Community, shall not be able to exercise the right to vote in the Commission until it solves its situation.

In such a case the quorum for attendance and voting shall be computed according to the number of contributing countries.

Section D

The General Secretariat of the Andean Community

Article 29

The General Secretariat is the executive body of the Andean Community and as such it acts solely in accordance with the interests of the Subregion. The General Secretariat shall give

成员国中若出现反对票，则该反对意见应退回总秘书处审议其理由。总秘书处应在不短于两个月且不超过六个月的期限内，将提案连同其认为适当的修改再次提交委员会审议。修改后的提案若获得成员国绝对多数的赞成票且无反对票，则视为通过。此前持异议国家的投票不计入反对票；

- c. 与附件III所列玻利维亚和厄瓜多尔特别制度相关的事项。在此情况下，委员会的决定须以绝对多数赞成票通过，且其中至少一票须由玻利维亚或厄瓜多尔投出；以及，
- d. 工业发展计划和项目须在成员国绝对多数赞成且无反对票的情况下获得批准。

第二十七条

总秘书处或成员国应至少在安第斯外交部长理事会或委员会相应会议召开前十五天提交提案。仅在符合安第斯共同体法律且理由充分的情况下，经提案方及其他成员国一致同意，方可忽略规定的截止日期。

获得成员国绝对多数赞成票但存在反对票的提案，应退回提案方以审议导致反对票的理由。

在不短于一个月且不超过三个月的期限内，提案国应再次向相关机构提交经其认为适当修改的提案以供审议。在此情况下，若该修改后的提案获得成员国绝对多数的赞成票，则应视为已获批准。

第二十八条

若某成员国拖欠安第斯共同体总秘书处或安第斯共同体法院会费超过四个季度，则在解决欠费问题前，该国不得在委员会行使表决权。

在此情况下，出席及表决的法定人数应按贡献国的数量计算。

D部分

安第斯共同体总秘书处

第29条

总秘书处是安第斯共同体的执行机构，因此它仅根据次区域的利益行事。总秘书处应提供

technical support, when suitable, to the other bodies and institutions of the Andean Integration System.

The General Secretariat shall be headed by the General Secretary. For the fulfillment of his duties, the General Secretary shall rely on the Directors General, according to the respective regulation. Furthermore, the General Secretary shall have the technical and administrative staff required for the accomplishment of his duties. The General Secretariat shall express itself through Resolutions.

Article 30

The Andean Community General Secretariat’s responsibilities are:

- a. To ensure application of this Agreement and compliance with the rules that make up the Andean Community Law;
- b. To carry out the tasks assigned to it by the Andean Council of Ministers of Foreign Affairs and the Commission;
- c. To present to the Andean Council of Ministers of Foreign Affairs and to the Commission, drafts of Decisions, according to their respective responsibilities, as well as initiatives and suggestions to the enlarged meeting of the Andean Council of Ministers of Foreign Affairs, aimed at facilitating or hastening the fulfillment of this Agreement, with the purpose of achieving its objectives in the shortest possible time frame;
- d. To carry out studies and propose the necessary measures for the application of the special treatments favoring Bolivia and Ecuador and, in general, those regarding the participation of the two countries in this Agreement;
- e. To study and report annually to the Andean Council of Ministers of Foreign Affairs and to the Commission, the results of the application of this Agreement and the achievement of its objectives, paying special attention to the fulfillment of the principle of fair distribution of the benefits of integration, and to propose pertinent corrective measures;
- f. To carry out technical studies and the coordination entrusted to it by the other bodies of the Andean Integration System and those studies that it considers necessary;
- g. To maintain permanent working relationships with the Member Countries, in coordination with the national integration body indicated by each country for such purpose;
- h. To prepare its annual work program, in which it shall give preference to the tasks entrusted to it by the other bodies of the System;
- i. To promote periodic meetings of the national organizations in charge of the formulation or the carrying out of economic policy and, specially, of those charged with economic planning;
- j. To maintain working relationships with the executive bodies of the other regional integration and cooperation organizations, in order to strengthen their relationship and their reciprocal cooperation;

技术支持（在适当情况下）给安第斯一体化体系的其他机构和组织。

总秘书处由秘书长领导。为履行职责，秘书长应根据相关条例依靠各总干事开展工作。此外，秘书长应配备完成其职责所需的技术和行政人员。总秘书处通过决议行使职能。

第三十条

安第斯共同体总秘书处的职责包括：

- a. 确保本协定的适用及遵守构成安第斯共同体法律的各项规则；
- b. 执行安第斯外交部长理事会和委员会赋予的任务；
- c. 根据各自职责，向安第斯外交部长理事会和委员会提交决定草案，并向安第斯外交部长理事会扩大会议提出旨在促进或加速实现本协定目标的倡议与建议，以期在最短时间内达成其目标；
- d. 开展研究并提出必要措施，以实施有利于玻利维亚和厄瓜多尔的特殊待遇，以及关于两国参与本协定的总体安排；
- e. 研究并向安第斯外交部长理事会和委员会年度报告本协定的实施成果及目标达成情况，重点关注一体化利益公平分配原则的落实情况，并提出相应的纠正措施；
- f. 开展安第斯一体化体系其他机构委托的技术研究与协调工作，以及其认为必要的研究；
- g. 与各成员国指定的国家一体化机构协调，保持与成员国的常态化工作联系；
- h. 制定年度工作计划，优先处理体系其他机构委托的任务；
- i. 推动负责制定或执行经济政策（特别是经济规划）的国家组织定期召开会议；
- j. 与其他区域一体化及合作组织的执行机构保持工作联系，以加强彼此关系及互惠合作；

- k. To maintain the records of the enlarged meetings of the Andean Council of Ministers of Foreign Affairs and those of the Commission, and to prepare a tentative agenda of their meetings, in coordination with the chairmen of said bodies;
 - l. To be depository of the records of the meetings and other documents of the Andean Integration System’s bodies and to certify their authenticity;
 - m. To edit the Official Gazette of the Cartagena Agreement;
 - n. To act as the Secretariat of the Meeting of Representatives of the institutions making up the Andean Integration System; and,
- To carry out the other responsibilities expressly given to it by the Andean Community Law.

Article 31

The General Secretariat shall operate on a permanent basis and its headquarters shall be in the city of Lima, Peru.

Article 32

The General Secretariat shall be headed by a General Secretary who will be chosen by consensus for a five-year period by the Andean Council of Ministers of Foreign Affairs, and he may be reelected once.

The General Secretary shall be a person with broad representation, acknowledged prestige, and must be a national of one of the Member Countries. He will only act in the interest of the Subregion as a whole.

During his term in office, the General Secretary shall not be able to carry out any other activity; nor will he seek or accept instructions from any government, national entity or international body.

In case of vacancy, the Andean Council of Ministers of Foreign Affairs in an enlarged meeting shall immediately proceed to name a new Secretary General by consensus. Until such time, the Director-General with the most seniority shall temporarily head the General Secretariat.

Article 33

The General Secretary can be removed, by consensus, at the request of a Member Country, only after committing a serious fault foreseen in the General Secretariat’s Regulations, while exercising his duties.

Article 34

The responsibilities of the Andean Community’s General Secretary are:

- a. To be the General Secretariat’s legal representative;

- k. 保存安第斯外交部长理事会扩大会议及委员会会议的记录，并与上述机构主席协调拟定会议暂定议程；l. 作为安第斯一体化体系各机构会议记录及其他文件的保管方，并认证其真实性；m. 编辑《卡塔赫纳协定》官方公报；n. 担任组成安第斯一体化体系的各机构代表会议的秘书处；以及，履行安第斯共同体法律明确赋予的其他职责。

第三十一条

总秘书处应常设运作，其总部设于秘鲁利马市。

第三十二条

总秘书处由一名秘书长领导，该秘书长由安第斯外交部长理事会以协商一致方式选出，任期五年，并可连任一次。

秘书长应具有广泛代表性、公认声望，且必须是成员国国民。其仅代表整个次区域的利益行事。

秘书长在任期内不得从事任何其他活动；亦不得寻求或接受任何政府、国家实体或国际机构的指示。

如遇职位空缺，安第斯外交部长理事会应立即召开扩大会议，以协商一致方式任命新任秘书长。在此之前，由资历最深的总干事临时领导总秘书处。

第三十三条

成员国可提出请求，在秘书长履行职责期间犯下总秘书处条例所规定的严重过失时，以协商一致方式将其免职。

第三十四条

安第斯共同体秘书长的职责包括：

- a. 担任总秘书处的法定代表；

- b. To propose to the Commission or to the Andean Council of Ministers of Foreign Affairs initiatives in relation to the General Secretariat’s Regulations;
- c. To hire and remove, according to the General Secretariat’s Regulations, technical and administrative staff;
- d. To participate with the right to be heard in the sessions of the Andean Council of Ministers of Foreign Affairs, the Commission, respective enlarged meetings, and, when invited, in the meetings of the other bodies of the System;
- e. To present the annual budget estimate to the Commission, for its approval; and,
- f. To present an annual report of the General Secretariat’s activities to the Andean Council of Ministers of Foreign Affairs in an enlarged meeting.

Article 35

The General Secretary shall appoint the Directors-General, with the advice of the Member Countries and according to the General Secretariat’s functional-organic structure. The Directors-General shall be top-level professionals, appointed strictly due to their academic background, ability, reputation, and experience, and they shall be responsible for a determined technical area.

The Directors-General shall be nationals of one of the Member Countries and in their appointment the General Secretary shall ensure a balanced subregional geographic distribution. The appointment and removal of the Directors-General shall proceed according to the General Secretariat’s Regulations.

Article 36

In carrying out proceedings involving the interests of two or more Member Countries, the General Secretary shall have technical support from special experts, whose appointment and method of participation shall be determined according to the General Secretariat’s Regulations.

Article 37

The General Secretary, when hiring technical and administrative staff, who may be of any nationality, shall strictly bear in mind the ability, competence, and reputation of the candidates and shall ensure that, provided that it is compatible with the prior criteria, there should be a balanced subregional geographic distribution.

The appointment and removal of the staff shall take place according to the criteria and grounds established in the Regulations of the General Secretariat, without prejudice for what is provided for such purpose by the Charter of the Court of Justice and its modifying protocols.

Article 38

The staff of the General Secretariat, shall refrain from any action which may be incompatible with the nature of its duties, and shall neither seek nor accept any instructions from a Government, national entity or international body.

- b. 向委员会或安第斯外交部长理事会提出关于《总秘书处条例》的倡议；c. 根据《总秘书处条例》聘用和解聘技术和行政人员；d. 以听证权参与安第斯外交部长理事会、委员会及相关扩大会议的会议，并在受邀时参加体系其他机构的会议；e. 向委员会提交年度预算估算以供批准；以及f. 在扩大会议上向安第斯外交部长理事会提交总秘书处活动的年度报告。

第35条

秘书长应在成员国建议下，根据总秘书处的职能-组织结构任命总干事。总干事应为顶尖专业人士，严格基于其学术背景、能力、声誉和经验进行任命，并负责特定技术领域。

总干事应来自某一成员国国民，秘书长在任命时应确保次区域地理分布的均衡性。总干事的任命与免职应依照总秘书处条例执行。

第36条

在处理涉及两个及以上成员国利益的程序时，秘书长应获得特别专家的技术支持，其任命与参与方式应依据总秘书处条例确定。

第37条

秘书长在聘用技术和行政人员时，应严格考虑候选人的能力、才干及声誉，且可不受国籍限制；在符合前述标准的前提下，还应确保次区域地理分布的均衡性。

人员的聘任与解聘应依照《总秘书处条例》确立的标准和依据执行，且不得违背《法院宪章》及其修改议定书对此事项的规定。

第38条

总秘书处工作人员应避免任何可能与其职责性质不符的行为，且不得寻求或接受任何政府、国家实体或国际机构的指示。

Article 39

In the case of proceedings that must culminate with the adoption of a Resolution or Opinion, the individuals, legal entities, public or private persons from the Member Countries, shall cooperate with the investigations performed by the General Secretariat in carrying out its duties and in this sense must supply the information they are requested for this purpose.

The General Secretariat shall keep the confidentiality of the documents and information furnished, according to the rules established about the matter.

Section E

On Court of Justice of the Andean Community

Article 40

The Court of Justice is the judicial body of the Andean Community.

Article 41

The Court of Justice of the Andean Community is governed by its Charter, its modifying protocols and this Agreement.

The Court has its headquarters in the city of Quito, Ecuador.

Section F

On The Andean Parliament

Article 42

The Andean Parliament is the deliberative body of the System. It has a community nature, it represents the peoples of the Andean Community and it shall be made up of representatives chosen by universal and direct suffrage, according to the procedure that shall be adopted through an Additional Protocol that shall include adequate criteria for national representation.

Until the Additional Protocol establishing direct elections is in force, the Andean Parliament shall be comprised of representatives of the National Congresses, according to their internal regulations and to the General Regulations of the Andean Parliament.

The headquarters of the Andean Parliament shall be in the city of Santafé de Bogotá, Colombia.

Article 43

The Andean Parliament’s responsibilities are:

- a. To participate in the promotion and direction of the Andean Subregional integration process, with the aim of consolidating Latin American integration;

第39条

对于必须以通过决议或意见为结果的程序，来自成员国的个人、法律实体、公共或私人个体，应与总秘书处履行职责时进行的调查合作，并为此目的按要求提供信息。

总秘书处应根据既定规则对所提供文件及信息的保密性予以维护。

E部分

关于安第斯共同体法院

第40条

法院是安第斯共同体的司法机构。

第41条

安第斯共同体法院由其宪章、修改议定书和本协定管辖。

法院总部位于厄瓜多尔基多市。

F部分

关于安第斯议会

第42条

安第斯议会是该体系的审议机构。它具有共同体性质，代表安第斯共同体各国人民，并由通过普选和直接选举选出的代表组成，具体程序将由附加议定书规定，该议定书将包含适当的国家代表标准。

在确立直接选举的附加议定书生效前，安第斯议会应由各国民议会的代表组成，具体依据其内部条例及安第斯议会总则。

安第斯议会总部设于哥伦比亚圣菲波哥大市。

第43条

安第斯议会的职责包括：

- a. 参与推动和指导安第斯次区域一体化进程，以巩固拉丁美洲一体化；

- b. To study the progress of the Andean subregional integration process and the fulfillment of its objectives, requesting for that purpose, periodic information from the bodies and institutions of the System;
- c. To formulate recommendations regarding the annual budget estimates of the bodies and institutions of the System, that are financed through direct contributions of the Member Countries;
- d. To suggest to the bodies and institutions of the System actions or decisions, having as a goal or effect, the adoption of modifications, adjustments, or new general guidelines in relation to the programmed objectives and the institutional structure of the System;
- e. To participate in the law-making process by suggesting to the bodies of the System draft rules and regulations on subjects of common interest, for incorporation to the Andean Community Law;
- f. To promote the harmonization of Member Countries’ legislation; and,
- g. To promote relationships for cooperation and coordination with the Parliaments of Member Countries, the bodies and institutions of the System, as well as with integration or cooperation parliamentary bodies from third countries.

Section G

On the Advisory Institutions

Article 44

The Business Advisory Council and the Labor Advisory Council are the advisory institutions of the Andean Integration System. They are comprised by high-level delegates, who shall be directly chosen by the representative bodies in the business and labor sectors of each one of the Member Countries, according to their respective regulations, and officially accredited by them.

The responsibilities of the Advisory Councils shall be to express opinions before the Andean Council of Ministers of Foreign Affairs, the Commission or the General Secretariat, at the request of these bodies or upon their own initiative, with regard to programs or activities of the Andean subregional integration process that may be of interest to their respective sectors.

They can also be called to meetings of working groups and of government experts, participate in the preparation of draft Decisions, and they shall be able to participate with a right to be heard in the meetings of the Commission.

- b. 研究安第斯次区域一体化进程的进展及其目标的实现情况，为此目的向该体系的机构和组织索取定期信息； c. 就由成员国直接资助的该体系机构和组织的年度预算估算提出建议； d. 向该体系的机构和组织提出行动或决定建议，旨在或效果上对体系的规划目标和制度结构进行修改、调整或制定新的指导方针； e. 通过向该体系的机构提出关于共同利益主题的规则和条例草案，参与立法进程，以便纳入安第斯共同体法律； f. 促进成员国’立法的统一；以及， g. 促进与成员国议会、该体系的机构和组织以及第三国的一体化或合作议会机构的合作与协调关系。

G部分

关于咨询机构

第44条

商业咨询委员会和劳工咨询委员会是安第斯一体化体系的咨询机构。它们由高级代表组成，这些代表应直接由各成员国的商业和劳工部门的代表机构根据各自的规定选出，并由这些机构正式认可。

咨询委员会的职责是在安第斯外交部长理事会、委员会或总秘书处的要求下或主动就安第斯次区域一体化进程中可能对其各自部门感兴趣的计划或活动发表意见。

他们还可被召集参加工作组和政府专家的会议，参与决定草案的准备工作，并应能够在委员会会议中行使听证权参与其中。

Section H

On the Financial Institutions

Article 45

The Andean Development Corporation and the Latin American Reserve Fund are the financial institutions of the System whose purpose is to promote the process of Andean subregional integration.

Article 46

The General Secretariat and the executive bodies of the Andean Development Corporation and the Latin American Reserve Fund, shall keep working relationships, with the purpose of establishing an adequate coordination of activities and to facilitate, thereby, the achievement of the objectives of this Agreement.

Section I

On Dispute Resolution

Article 47

The resolution of disputes that may arise due to the application of the Andean Community Law, shall be subject to the provisions of the Charter of the Court of Justice.

Section J

On the International Legal Capacity and the Privileges and Immunities

Article 48

The Andean Community is a subregional organization with international legal capacity or international legal status

Article 49

The General Secretariat, the Court of Justice, the Andean Parliament, the Andean Development Corporation, the Latin American Reserve Fund, and the Social Agreements which are part of the System, shall enjoy, within the territory of each one of the Member Countries, the privileges and immunities required for the fulfillment of their objectives.

Their representatives and international staff shall have, likewise, the privileges and immunities required to carry out their duties, in relation to this agreement, with independence. Their premises are inviolable and their goods and property are immune to all judicial proceedings, unless expressly waived. Nevertheless, such a waiver shall not apply to any judicial executory measure.

H节

关于金融机构

第45条

安第斯开发公司和拉丁美洲储备基金是该体系的金融机构，其宗旨是促进安第斯次区域一体化进程。

第46条

总秘书处与安第斯开发公司和拉丁美洲储备基金的执行机构应保持工作关系，旨在建立适当的活动协调机制，从而促进实现本协定的目标。

第一节

关于争端解决

第47条

因适用安第斯共同体法律而产生的争端解决，应遵循《法院宪章》的条款。

第十节

关于国际法律能力与特权与豁免

第48条

安第斯共同体是一个具有国际法律能力或国际法律地位的次区域组织

第49条

总秘书处、法院、安第斯议会、安第斯开发公司、拉丁美洲储备基金以及作为该体系组成部分的社会协议，应在各成员国领土内享有实现其目标所需的特权与豁免。

其代表及国际工作人员同样应享有履行本协定职责所需的特权与豁免，并保持独立。其办公场所不可侵犯，其物品与财产免受一切司法程序追究，除非明确放弃豁免。但此类放弃不适用于任何司法执行措施。

CHAPTER III: HARMONIZATION OF ECONOMIC POLICIES AND COORDINATION OF DEVELOPMENT PLANS

Article 50

Member Countries shall progressively adopt a strategy for the achievement of the subregional development objectives foreseen in this Agreement.

Article 51

Member Countries shall coordinate their development plans in specific sectors and will gradually harmonize their economic and social policies, with the objective of achieving an integrated development of the area, through planned actions.

This process shall be carried out in parallel to and in coordination with the creation of the subregional market, by means of the following mechanisms, among others:

- a. Industrial Development Programs;
- b. Agricultural and Agroindustrial Development Programs;
- c. Physical Infrastructure Development Programs;
- d. The harmonization of foreign exchange, monetary, financial, and fiscal policies, including the treatment of subregional or foreign capital;
- e. A common trade policy in relation to third countries; and
- f. The harmonization of planning methods and techniques.

Article 52

Before December 31, 1970, the Commission, shall at the General Secretariat’s proposal, approve and submit to the Member Countries for their consideration a common regime on the treatment of foreign capital and, among others, about trademarks, patents, licenses, and royalties.

The Member Countries shall take the necessary measures to put this regime into effect within six months following its approval by the Commission.

Article 53

Before December 31, 1971, the Commission shall, at the General Secretariat’s proposal, approve and propose to the Member Countries a uniform regime that Andean multinational corporations must abide by.

Article 54

The Commission shall, at the General Secretariat’s proposal, establish permanent procedures and mechanisms deemed necessary to achieve the coordination and harmonization referred to in Article 51.

第三章：经济政策的协调与发展计划的协调

第五十条

成员国应逐步采取一项战略，以实现本协定所预见的次区域发展目标。

第五十一条

成员国应在特定领域协调其发展计划，并逐步统一其经济和社会政策，目标是通过有计划的行动实现该地区的一体化发展。

这一进程应与次区域市场的创建并行推进并相互协调，尤其通过以下机制实现：

- a. 工业发展计划；
- b. 农业和农工业发展计划；
- c. 物质基础设施发展计划； d. 外汇、货币、金融和财政政策的统一，

包括对次区域或外国资本的处理；

e. 针对第三国的共同贸易政策；以及 f. 规划方法和技术的统一。

第五十二条

1970年12月31日前，委员会应根据总秘书处的提议，批准并向成员国提交一份关于外国资本待遇的共同制度，其中包括商标、专利、许可证和特许权使用费等内容，供其审议。

成员国应采取必要措施，在委员会批准后的六个月内使该制度生效。

第53条

1971年12月31日前，委员会应根据总秘书处的提议，批准并向成员国提出一份安第斯跨国公司必须遵守的统一制度。

第54条

委员会应根据总秘书处的提议，建立必要的永久程序和机制，以实现第五十一条所述的协调与统一。

Article 55

The Commission shall, at the General Secretariat’s proposal and taking into account the progress and needs of the subregional integration process, as well as the balanced compliance with the mechanisms of the Agreement, approve rules, and determine dates for the gradual harmonization of the economic legislations and the instruments and mechanisms for the regulation and promotion of Member Countries’ foreign trade that affect the mechanisms foreseen in this Agreement for the creation of the subregional market.

Article 56

The Member Countries shall include in their national development plans and in the formulation of their economic policies, the necessary measures to ensure compliance with the preceding Articles.

CHAPTER IV: INDUSTRIAL DEVELOPMENT PROGRAMS

Article 57

The Member Countries pledge themselves to promote a common process of industrial development to attain, among others, the following objectives:

- a. The expansion, specialization, diversification, and promotion of industrial activity;
- b. The development of economies of scale;
- c. An optimum utilization of resources available in the area, specially through the industrialization of natural resources;
- d. The improvement in productivity;
- e. A greater degree of relationship, linkage, and complementarity among the industrial enterprises of the Subregion;
- f. An equitable distribution of benefits; and
- g. An improved degree of participation of subregional industry in the international context.

Article 58

With respect to the previous Article, the following shall constitute modes of industrial integration:

- a. Industrial Integration Programs;
- b. Industrial Complementarity Agreements; and
- c. Industrial Integration Projects.

第55条

委员会应根据总秘书处的提议，并考虑次区域一体化进程的进展与需求，以及对本协定机制的平衡遵守，批准相关规则，确定逐步统一经济法规的日期，以及规范并促进成员国` 对外贸易的文书和机制，这些机制影响本协定为创建次区域市场所预见的各项安排。

第56条

成员国应在其国家发展计划和经济政策制定中纳入必要措施，以确保遵守前述条款。

第四章：工业发展计划

第57条

成员国承诺推动工业发展的共同进程，以实现以下目标：

- a. 工业活动的扩张、专业化、多样化及促进；
- b. 规模经济的发展；
- c. 通过自然资源的工业化，实现该地区资源的最优利用；
- d. 生产力的提高；
- e. 次区域工业企业之间更程度的关系、联系和互补性；
- f. 利益的公平分配；以及
- g. 次区域工业在国际背景中更程度的参与。

第58条

关于前一条，以下构成工业一体化模式：

- a. 工业一体化计划；
- b. 工业互补协议；以及
- c. 工业一体化项目。

Section A

On Industrial Integration Programs

Article 59

The Commission shall, at the General Secretariat’s proposal, adopt Industrial Integration Programs, preferably to promote new industrial production that is sectorial or intersectorial in scope, and that shall have the participation of at least four Member Countries.

The programs shall include clauses about:

- a. Specific goals;
- b. The determination of the products that are the subject matter of the Program;
- c. Location of production facilities in the countries of the Subregion whenever required by the characteristics of the sector or sectors subject to the program, in which case, they must include rules regarding the commitment not to encourage production in countries which are not favored by the assignment;
- d. A Tariff Reduction Program which may provide different rates of implementation by country and product;
- e. A Common External Tariff;
- f. Coordination of new investment on a subregional scale and measures to ensure its financing;
- g. Harmonization of policies on aspects directly affecting the Program;
- h. Complementary measures that may create greater industrial linkages and facilitate the fulfillment of the goals of the Program; and
- i. The periods of time during which the rights and obligations arising from the Program shall be maintained, in case the Agreement is denounced.

Article 60

In the Industrial Integration Programs, the nonparticipant country shall be subject to the following conditions:

- a. When the products that are the subject matter of these programs belong to the list of reserved products, it may keep them as in a reserved position, with the commitment of improving the Tariff Reduction Program or the Common Minimum External Tariff, as the case may be, within a period which does not exceed that established in the Programs for these purposes; and
- b. For the other products, by the general rules of this Agreement.

A部分

关于工业一体化计划

第59条

委员会应根据总秘书处的提议，通过工业一体化计划， 优先促进具有行业或跨行业范围的新工业生产， 且至少应有四个成员国参与。

计划应包括以下条款：

- a. 具体目标； b. 确定计划涉及的产品； c. 根据计划涉及的行业特点， 在次区域国家内确定生产设施的位置， 在此情况下， 必须包括关于不鼓励在未受分配优惠的国家进行生产的承诺规则； d. 关税减免计划， 可针对不同国家和产品提供不同的实施税率； e. 共同对外关税； f. 在次区域范围内协调新投资并确保其融资的措施； g. 统一直接影响计划的政策方面； h. 可增强工业联系并促进计划目标实现的补充措施； 以及 i. 在协议被废止的情况下， 计划产生的权利和义务的维持期限。

第六十条

在工业一体化计划中， 非参与国应遵守以下条件：

- a. 当这些计划所涉产品属于保留产品清单时， 该国可将其保留在原位， 但需承诺在不超过计划规定期限内改进关税减免计划或共同最低对外关税（视情况而定）； 且
- b. 对于其他产品， 适用本协定的一般规则。

Article 61

A country not participating in a Program of Industrial Integration may request its incorporation at any time in which case the Commission shall approve the conditions for said incorporation, through the voting system provided in paragraph b) of Article 26. In the respective proposals, the Commission shall take into account the negotiations carried out between participating and the nonparticipating countries.

Section B

On the Agreements of Industrial Complementarity

Article 62

The Agreements of Industrial Complementarity shall promote industrial specialization among the Member Countries and may be entered into and carried out by two or more of them. Such Agreements must be notified to the Commission.

With respect to the preceding paragraph, the Agreements may include measures such as distribution of production, joint production, subcontracting of productive capacity, market agreements, and joint foreign trade operations, as well as others which may facilitate a greater articulation of the productive processes and entrepreneurial activity.

The Agreements of Industrial Complementarity shall be transitory in nature, and in addition to the determination of products that are their subject matter and of the expiration date of the rights and obligations of the participant Member Countries, may include special measures regarding tariff treatment, trade regulations, and the establishment of preferential margins, that are not applicable to nonparticipant countries, provided that such measures represent an equal or better level of conditions than those existing for reciprocal exchange. In this case, the duties applicable to third countries shall be determined.

Article 63

In the case of Agreements of Industrial Complementarity, the following rules shall apply to the products subject to them:

- a. Whenever they belong to the list of reserved products, the participant and nonparticipant countries may maintain them in it; and
- b. Regarding the other products, the nonparticipant countries shall apply the general rules of this Agreement.

Article 64

Countries not participating in the Agreements of Complementarity may request their incorporation at any time, in which case the conditions for said incorporation shall be approved by the participant countries. These conditions shall be notified to the Commission.

第61条

未参与工业一体化计划的国家可随时申请纳入，委员会应依照第26条b款规定的投票制度批准该纳入条件。在相关提案中，委员会须考虑参与国与非参与国之间已进行的谈判。

B部分

关于工业互补协议

第62条

工业互补协议应促进成员国之间的工业专业化，并可由两个或更多成员国签署和执行。此类协议必须通知委员会。

关于前款规定，协议可包含诸如生产分配、联合生产、生产能力分包、市场协议及联合外贸操作等措施，以及其他有助于促进生产过程和企业活动更好衔接的措施。

工业互补协议应具有临时性性质，除确定其涉及的产品及参与成员国权利和义务的到期日外，还可包含关于关税待遇、贸易法规及设立优惠幅度的特殊措施，这些措施不适用于非参与国，前提是此类措施代表与互惠交换现有条件同等或更优的水平。在此情况下，应确定适用于第三国的关税。

第六十三条

对于工业互补协议，下列规则应适用于其涉及的产品：

- a. 若产品属于保留产品清单，参与国和非参与国可将其保留在清单中；及 b. 对于其他产品，非参与国应适用本协定的一般规则。

第64条

未参与互补性协议的国家可随时申请纳入，在此情况下，所述纳入条件须经参与国批准。这些条件应通知委员会。

Section C

On Industrial Integration Projects

Article 65

The Commission shall, at the General Secretariat’s proposal, approve Industrial Integration Projects, which shall be carried out with regard to specified products or product families, preferably new ones, through collective cooperation policies and with the participation of all of the Member Countries

In carrying out these Projects, the following tasks, among others, shall be performed:

- a. Feasibility and design studies;
- b. Supplying equipment, technical assistance, technology, and other goods and services, preferably of subregional origin;
- c. Support by the Andean Development Corporation through financing or through equity; and
- d. Joint negotiations with international entrepreneurs and government agencies to obtain foreign funds or the transfer of technology.

Industrial Integration Projects shall include clauses regarding the location of production facilities in the Member Countries whenever the characteristics of the corresponding sector or sectors so require and may include clauses that facilitate product access to the subregional market.

In the case of specific projects located in Bolivia or Ecuador, the Commission shall establish temporary and exclusive tariff treatment that improves the conditions of access of such products to the subregional market. Regarding products that are not produced in the Subregion, if these were to be included in this category, they shall include exceptions to the principle of irrevocability provided in the first paragraph of Article 75.

Other Provisions

Article 66

In the application of the modes of industrial integration, the Commission and General Secretariat shall consider the situation and requirements of small and medium-sized industry, particularly those referred to the following aspects:

- a. The installed capacity of the existing companies;
- b. The financial and technical needs for the installation, expansion, modernization, or conversion of production facilities;
- c. The perspectives for establishing joint marketing, technological and research systems, and other forms of cooperation among similar companies; and

C部分

关于工业一体化项目

第六十五条

委员会应根据总秘书处的提议，批准工业一体化项目。这些项目应针对特定产品或产品系列（优选新产品），通过集体合作政策并所有成员国参与实施。

在执行这些项目时，应完成以下任务（包括但不限于）：

- a. 可行性和设计研究；b. 提供设备、技术援助、技术及其他商品和服务（优选次区域来源）；
- c. 安第斯开发公司通过融资或股权提供支持；d. 与国际企业家和政府机构联合谈判以获得外国资金或技术转让。

工业一体化项目应根据相应行业特性要求，包含关于生产设施在成员国境内选址的条款，并可纳入促进产品进入次区域市场的条款。

对于位于玻利维亚或厄瓜多尔的具体项目，委员会应制定临时性、排他性的关税待遇，以改善此类产品进入次区域市场的条件。关于次区域内未生产的产品，若被纳入此类，应包含对第75条首段所述不可撤销原则的例外条款。

其他条款

第66条

在实施工业一体化模式时，委员会与总秘书处应考量中小型工业的现状与需求，尤其涉及以下方面的情况：

- a. 现有企业的装机容量；b. 生产设施的安装、扩张、现代化或转换所需的财务和技术需求；
- c. 同类企业间建立联合营销、技术和研究系统以及其他合作形式的前景；以及

- d. Employee training requirements.

Article 67

The modes of industrial integration may foresee industrial rationalization actions with the intention of achieving an optimum utilization of the factors of production and to reach higher levels of productivity and efficiency.

Article 68

The General Secretariat may carry out or promote cooperation actions, including those for industrial rationalization and modernization, in favor of any activity of the sector and, particularly, of Subregional small and medium-sized industry, with the purpose of contributing to the industrial development of the Member Countries. These actions shall be carried out with priority in Bolivia and Ecuador.

Article 69

When the General Secretariat deems it advisable and, in any case, in its periodic evaluations, it shall propose to the Commission the measures it considers essential for ensuring the equitable participation of the Member Countries in the modes of industrial integration that are covered under the present Chapter, in their execution, and in the attainment of their objectives.

Article 70

It shall be the Commission and the General Secretariat’s responsibility to maintain an adequate coordination with the Andean Development Corporation, and to arrange for the assistance of any other national or international institutions whose technical and financial contribution it considers desirable for:

- a. Facilitating the coordination of policies and the joint programming of investments;
- b. Channeling an increasing volume of funds to the solution of problems created for Member Countries by the process of industrial integration;
- c. Promoting the financing of the investment projects that arise from the execution of the different modes of industrial integration,
- d. Expanding, modernizing, or converting industrial plants that may be adversely affected by trade liberalization.

CHAPTER V: TARIFF REDUCTION PROGRAM

Article 71

The objective of the Tariff Reduction Program is to eliminate the levies and restrictions of all kinds that affect the importation of products originating in the territory of any Member Country.

- d. 员工培训要求。

第67条

工业一体化模式可预见产业合理化行动，旨在实现生产要素的最优利用，并达到更高的生产力和效率水平。

第68条

总秘书处可实施或推动合作行动，包括促进产业合理化和现代化的行动，以支持该行业的任何活动，特别是次区域中小型工业，旨在促进成员国的工业发展。这些行动应优先在玻利维亚和厄瓜多尔开展。

第69条

当总秘书处认为适当时，且无论如何在其定期评估中，应向委员会提出其认为对确保成员国公平参与本章所涵盖的工业一体化模式、其执行及目标实现至关重要的措施。

第七十条

委员会和总秘书处有责任与安第斯开发公司保持充分协调，并安排其他任何国家或国际机构的协助，这些机构的技术和财政贡献被认为有利于：

- a. 促进政策协调和投资联合规划；
- b. 引导更多资金用于解决成员国在工业一体化过程中面临的问题；
- c. 推动因执行不同工业一体化模式而产生的投资项目的融资；
- d. 扩建、现代化或改造可能因贸易自由化受到不利影响的工业设施。

第五章：关税减免计划

第71条

关税减免计划的目标是消除影响源自任何成员国领土的产品进口的各种征税和限制。

Article 72

"**Levies**" are understood to mean the customs duties and any other charge with equivalent effect, whether fiscal or monetary in nature or related to foreign exchange, that may affect imports. Not included in this concept are analogous assessments and surcharges that correspond to the approximate cost of the services rendered.

"**Restrictions of all kinds**" are understood to mean any administrative, financial, or foreign exchange measure, whereby a Member Country through an unilateral decision, obstructs or hinders imports. Not included in this concept are the adoption and enforcement of measures for:

- a. The protection of public morality;
- b. The application of laws and regulations related to security;
- c. The regulation of arms, ammunition, and other implements of war, and under exceptional circumstances, of all other military articles, as long as it does not interfere with what is provided in treaties in force between Member Countries relating to the freedom of transit;
- d. The protection of human, animal, or plant life and health;
- e. Import and export of metallic gold and silver;
- f. The protection of national treasures of artistic, historic, or archaeological value; and
- g. The exportation, use, or consumption of nuclear materials, radioactive products, or any other material that may be used in the development and use of nuclear energy.

Article 73

For the purpose of the previous articles, the General Secretariat, on its own initiative or at the request of a party, shall determine, when necessary, if a measure adopted unilaterally by a Member Country constitutes a "levy" or "restriction."

Article 74

As regards taxes, assessments, and other internal charges, products originating in a Member Country shall enjoy in the territory of the other Member Country treatment that is no less favorable than that accorded to similar domestic products.

Article 75

The Tariff Reduction Program shall be automatic and irrevocable and it shall cover the entire product universe, except for the provisions regarding exceptions that are established in this Agreement, so that a total reduction is achieved by the dates and in the modes referred to in this Agreement.

This Program shall apply, in its various forms to:

- a. Products that are the subject matter of Industrial Integration Programs;

第72条

"征税"应理解为关税和任何其他可能影响进口的等效费用，无论其性质是财政性、货币性还是与外汇相关。不包括与所提供服务的近似成本相对应的类似评估费和附加费。

"各种限制"被理解为任何行政、金融或外汇措施，通过这些措施，一个成员国通过单边决定阻碍或妨碍进口。不包括以下措施的采纳和执行：

- a. 保护公共道德； b. 执行与安全相关的法律和条例； c. 管制武器、弹药及其他战争工具，以及在特殊情况下管制所有其他军事物品，只要不妨碍成员国之间现行条约中关于过境自由的规定； d. 保护人类、动物或植物的生命和健康； e. 金属金银的进出口； f. 保护具有艺术、历史或考古价值的国家宝藏；以及 g. 核材料、放射性产品或任何其他可用于核能开发和使用的材料的出口、使用或消费。

第73条

为执行前述条款之目的，总秘书处可主动或应一方请求，在必要时判定某成员国单方面采取的措施是否构成"税费"或"限制"。

第74条

在税收、评估费及其他国内费用方面，成员国原产产品在其他成员国领土内享受的待遇，不得低于给予同类国内产品的待遇。

第75条

关税减免计划应是自动且不可撤销的，并应覆盖全部产品范围，但本协定所规定的例外条款除外，以确保按照本协定所述日期及方式实现全面减免。

本计划将以多种形式适用于：

- a. 作为工业一体化计划主题的产品；

- b. Products included in the Common List referred to in Article 4 of the Treaty of Montevideo of 1960;
- c. Products that are not produced in any of the Subregional countries, included in the corresponding list; and
- d. Products not included in the above sections.

Article 76

Every kind of restriction shall be eliminated by December 31, 1970, at the latest. Excepted from the previous rule are restrictions applied to products reserved for Sectorial Programs and modes of industrial integration, which shall be eliminated when the reduction in their tariffs is initiated according to their respective program or mode or as provided in Article 83.

Bolivia and Ecuador shall eliminate every kind of restriction at the moment in which they initiate the Tariff Reduction Program for each product, according to the procedures provided in Articles 130 and 138, but may replace them with levies that do not exceed the lowest level indicated in subsection a) of Article 82, in which case this shall apply to imports from the Subregion as well as from outside of it.

Article 77

The Commission shall, within the time period provided in the preceding Article and at the General Secretariat’s proposal, determine which products are to be reserved for Sectorial Programs of Industrial Development.

Before October 31, 1978, the Commission, at the General Secretariat’s proposal, shall approve a list of products to be excluded from the list of those reserved for programming and shall reserve from among those not produced two lists of goods to be produced in Bolivia and Ecuador, indicating the conditions and time periods.

On December 31, 1978, Colombia, Peru, and Venezuela, shall adopt for the products on this list the starting point provided in subsection a) of Article 82, and shall eliminate all of their restrictions applicable to the importation of said goods.

The remaining levies shall be removed in five annual and successive reductions of ten, fifteen, twenty, twenty-five, and thirty percent, the first of which shall take place on December 31, 1979.

On December 31, 1978, Colombia, Peru, and Venezuela shall eliminate the levies applicable to imports originating in Bolivia and Ecuador.

Bolivia and Ecuador shall eliminate duties on the importation of these products as foreseen in section b) of Article 130 of this Agreement.

Before December 31, 1995, the Commission shall approve Industrial Integration Programs and Projects with respect to products that had been reserved for that purpose.

- b. 列入1960年蒙得维的亚条约第4条所述共同清单的产品； c. 未在任何次区域国家生产、但列入相应清单的产品； 以及d. 未包含在上述条款中的产品。

第76条

最迟于1970年12月31日前，所有类型的限制均应被取消。前款规定不适用于为部门计划及工业一体化模式保留的产品所实施的限制，此类限制应在其关税减免根据各自计划或模式启动时，或依照第83条规定予以取消。

玻利维亚和厄瓜多尔应根据第130条及第138条规定的程序，在启动各产品关税减免计划时取消所有类型的限制，但可将其替换为不超过第82条a)小节规定最低水平的征税，且该征税应同时适用于次区域内外进口产品。

第77条

委员会应在前条规定期限内，根据总秘书处的提案，确定哪些产品应保留用于工业发展部门计划。

1978年10月31日前，委员会应根据总秘书处的提议，批准一份从规划保留产品清单中排除的产品清单，并从尚未生产的商品中为玻利维亚和厄瓜多尔保留两份待生产商品清单，并注明条件和时间期限。

1978年12月31日，哥伦比亚、秘鲁和委内瑞拉应对该清单上的产品采用第82条a)小节规定的起点，并取消所有适用于所述商品进口的限制。

剩余征税将通过五次年度连续减免（10%、15%、20%、25%和30%）逐步取消，首次减免将于1979年12月31日实施。

1978年12月31日，哥伦比亚、秘鲁和委内瑞拉应取消适用于源自玻利维亚和厄瓜多尔进口商品的征税。

玻利维亚和厄瓜多尔应按照本协定第130条b)小节的规定，取消这些产品进口的关税。

1995年12月31日前，委员会应批准针对已为此目的保留的产品的工业一体化计划和项目。

Article 78

The Commission and the Member Countries shall, whenever appropriate and at any time, adopt the modes of industrial integration referred to in Article 58 and shall determine the pertinent rules, taking into account that which is provided in Chapter IV and considering the importance of industrial programming as a fundamental mechanism of the Agreement.

Article 79

The products included in the first section of the Common List referred to in Article 4 of the Treaty of Montevideo of 1960, shall be totally freed from all restrictions and levies on April 14, 1970.

Article 80

Before December 31, 1970 the Commission, at the proposal of the General Secretariat, shall draw up a list of the goods not produced in any of the countries of the Subregion and which have not been reserved for Sectorial Programs of Industrial Development. It shall select those that should be reserved for production in Bolivia and Ecuador, establishing, for the latter , the terms and reserve periods.

Products appearing on that list shall be totally freed of levies on February 28, 1971. The elimination of duties on the goods reserved for production in Bolivia and Ecuador, shall benefit those countries exclusively.

Notwithstanding the foregoing, and within the period stipulated in the first paragraph of this Article, the General Secretariat may propose to the Commission that some of the products on that list be allocated to Colombia, Peru, and Venezuela. The country benefiting from the allocation shall remove the duties on the respective goods as provided for in Article 82.

If the General Secretariat is able to confirm that, four years after the date of the allocation, the favored country has not initiated the corresponding production or that the project is not underway, then as of that moment the effects of that allocation shall cease and the country benefited shall immediately proceed to eliminate the tariff on the product in question.

Article 81

At any time after the expiration of the period indicated in the second paragraph of the foregoing Article the Commission, at the General Secretariat’s proposal, may add new products to the list referred to in the first paragraph of that same Article. Those goods shall be free from all levies sixty days after the date of approval of their inclusion on the list in question.

Whenever the General Secretariat considers it to be technically and economically feasible, it shall propose to the Commission that some of the new products be reserved for production in Bolivia and Ecuador; in that case it shall stipulate the period and term of the reservation.

Article 82

Products not covered by Articles 77, 79, and 80 shall be freed of levies in the following manner:

第78条

委员会和成员国应在适当时候随时采用第58条所述的工业一体化模式，并根据第四章的规定确定相关规则，同时考虑到工业规划作为该协议基本机制的重要性。

第79条

根据1960年蒙得维的亚条约第4条所述共同清单第一部分所包含的产品，应于1970年4月14日完全免除所有限制和征税。

第80条

在1970年12月31日之前，委员会应根据总秘书处的提议，拟定一份未在次区域任何国家生产且未被保留用于工业发展部门计划的商品清单。委员会应选定那些应保留给玻利维亚和厄瓜多尔生产的商品，并为后者确定保留条件和期限。

列入该清单的**产品**应于1971年2月28日完全免除**征税**。为**玻利维亚**和**厄瓜多尔**保留生产的商品关税的取消，应仅使这些**国家**受益。

尽管如此，并在本条第一段规定的期限内，**总秘书处**可向**委员会**提议将该清单上的部分**产品**分配给**哥伦比亚**、**秘鲁**和**委内瑞拉**。受益于分配的国家应**按照第82条**的规定取消相应商品的关税。

如果**总秘书处**能够确认，在分配日期四年后，受惠国尚未启动相应生产或项目未在进行中，则从那时起，该分配的效力将终止，受益国应立即取消有关**产品**的关税。

第81条

在前条第二段所指期限**到期**后的任何时间，**委员会**可根据**总秘书处**的提议，将新**产品**添加到该条第一段所述的清单中。这些商品应在批准列入该清单之日起六十天后免除所有**征税**。

每当总秘书处认为在技术和经济上可行时，应向委员会提议将部分新产品保留给玻利维亚和厄瓜多尔生产；在此情况下，总秘书处应规定保留的期限和条件。

第82条

未被第77条、第79条和第80条涵盖的产品应按以下方式免除征税：

- a. The lowest levy for each product in any of the national schedules of customs duties of Colombia and Peru or in their respective National Lists on the date the Agreement is signed, shall be used as the starting point. Said starting point may not be higher than one hundred percent ad valorem of the CIF price of the merchandise;
- b. On December 31, 1970, all of the duties above the level cited in the preceding subsection shall be reduced to that level; and
- c. The remaining levies shall be eliminated in five annual and successive reductions of ten percent each, the first of which shall be made on December 31, 1971; seven annual and successive reductions of six percent each, the first of which shall be made on December 31, 1976, and a final reduction of eight percent, to be made on December 31, 1983.

Article 83

With respect to the products which, having been selected for Sectorial Programs and modes of Industrial Integration and which are maintained in reserve until the expiration of the period specified in the final subsection of Article 77, the Member Countries shall carry out the Tariff Reduction Program in the following way:

- a. The Commission, at the General Secretariat’s proposal, shall choose two lists of not produced goods, to be produced in Bolivia and Ecuador, and shall set the periods and terms of the reservation; and
- b. Before December 31, 1995, the Commission, at the General Secretariat’s proposal shall adopt a gradual tariff reduction program for the remaining products, which shall be completed by December 31, 1997. Colombia, Peru, and Venezuela shall eliminate the levies applicable to imports from Bolivia and Ecuador at the time said tariff reduction program is initiated.

Article 84

The Member Countries shall refrain from changing the levels of the levies and from introducing any new restrictions on the importation of products which originate in the Subregion, in any way that would create a less favorable situation than that in existence at the time the Agreement comes into effect.

Excluded from the above are the changes which Bolivia and Ecuador must make in their schedules of customs duties to obtain optimum use from their trade policy instruments in order to ensure that certain production activities are initiated or expanded within their territories. These exceptions are to be reviewed by the General Secretariat and authorized by the Commission.

Also excepted from this rule are changes in levies resulting from the replacement of restrictions by levies referred to in Article 46.

Article 85

Up until December 31, 1970, each of the Member Countries may submit to the General Secretariat a list of products currently being produced in the Subregion, in order to exempt them from the Tariff Reduction Program and from the establishment of the External Tariff. Colombia

- a. 以哥伦比亚和秘鲁任何一国的关税国家清单或其各自国家清单中，在协议签署之日对每项产品征收的最低税率作为起点。该起点不得超过商品到岸价格的百分之百从价税； b. 1970年12月31日，所有高于前小节所述水平的关税均应降至该水平； c. 剩余征税将通过五次年度连续递减各百分之十予以消除，首次递减于1971年12月31日实施；七次年度连续递减各百分之六，首次递减于1976年12月31日实施；以及最后一次递减百分之八，于1983年12月31日实施。

第83条

对于已入选部门计划及工业一体化模式、并根据第77条最后小节规定期限保留在储备清单中的产品，成员国应按以下方式执行关税减免计划：

- a. 委员会应根据总秘书处提案，选定两份玻利维亚和厄瓜多尔未生产产品的清单，并确定保留期限及条件；以及 b. 在1995年12月31日前，委员会应根据总秘书处提案对剩余产品制定渐进式关税减免计划，该计划应于1997年12月31日前完成。哥伦比亚、秘鲁和委内瑞拉应在启动该关税减免计划时，取消适用于从玻利维亚和厄瓜多尔进口产品的征税。

第84条

成员国不得以任何方式改变征税水平或对源自次区域的产品进口实施新的限制，从而导致比协议生效时更为不利的情况。

上述规定不适用于玻利维亚和厄瓜多尔为从其贸易政策工具中获得最佳利用而必须对其关税表进行的修改，以确保在其领土内启动或扩大某些生产活动。这些例外将由总秘书处审查并由委员会授权。

同样不受此规则约束的是因第46条所述的征税替代限制而产生的征税变化。

第85条

截至1970年12月31日，各成员国可向总秘书处提交一份当前在次区域生产的产品清单，以便将这些产品排除在关税减免计划和外部关税的制定之外。哥伦比亚

and Peru’s lists of exceptions cannot contain products that are included in more than two hundred and fifty items of the NABALALC.

Within one hundred and twenty days after its Instrument of Accession to the Agreement, Venezuela will present to the General Secretariat a list of exceptions which may not cover products that are already included in more than two hundred and fifty items of the NABALALC.

The products included in the lists of exceptions shall be completely free of levies and other restrictions and covered under the Minimum Common External Tariff or the Common External Tariff, whichever is appropriate, through a process that shall include three stages of 44, 44 and 87 items, the first of which shall be liberalized on December 31, 1993; the second on December 31, 1994, and the final one on December 31, 1995.

Colombia, Peru, and Venezuela may maintain, after December 31, 1995, a set of residual exceptions that shall contain products that are included in no more than 75 items of the NABALALC.

Article 86

A Member Country’s incorporation of a product in its list of exceptions shall prevent it from enjoying the benefits deriving from the Agreement for that product.

A Member Country may withdraw products from its list of exceptions at any time. In that case, the products shall comply with the Tariff Reduction Program and the External Tariff in effect for such products, in the ways and levels that are appropriate, and they shall simultaneously begin to enjoy the respective benefits.

In duly qualified cases, the General Secretariat may authorize a Member Country to incorporate in its list of exceptions products that, having been reserved for Industrial Integration Programs and Projects, were not programmed.

In no case shall the incorporation involve an increase in the number of corresponding items.

Article 87

The General Secretariat shall consider the possibility of incorporating the products Member Countries included in their lists of exceptions and in their lists of administered trade, to the Industrial Integration modes.

For purposes of the previous section, interested countries shall inform the General Secretariat of their intention to participate and once the respective mode of industrial integration is agreed upon, shall withdraw the product from its list of exceptions or from its list of administered trade.

Member Countries shall enter into negotiations in order to seek formulas that may allow for the liberalization of the products included in the lists of exceptions or the elimination of quotas on the products incorporated in the lists of administered trade, prior to the expiration of the corresponding deadlines.

和秘鲁的例外清单不得包含NABALALC中超过250项的产品。

委内瑞拉在加入《协议》的文书提交后一百二十天内，将向总秘书处提交一份例外清单，该清单不得包含已纳入NABALALC超过250项的产品。

列入例外清单的产品应完全免除征税及其他限制，并通过一个包含三个阶段（分别为44项、44项和87项）的程序，适用最低共同对外关税或共同对外关税（视情况而定）。其中第一阶段将于1993年12月31日实现自由化；第二阶段于1994年12月31日；最后阶段于1995年12月31日完成。

哥伦比亚、秘鲁和委内瑞拉可在1995年12月31日后保留一组剩余例外，其中包含的产品不得超过NABALALC的75项。

第86条

成员国将某产品纳入其例外清单的行为，将导致该产品无法享受《协议》带来的相关利益。

成员国可随时从其例外清单中撤回产品。在此情况下，相关产品应按照适当的方式和水平遵守关税减免计划及对该类产品生效的外部关税，并同时开始享受相应优惠待遇。

在充分合理的情况下，总秘书处可授权成员国将原定用于工业一体化计划和项目但未被规划的产品纳入其例外清单。

在任何情况下，此类纳入行为均不得导致对应税目数量的增加。

第87条

总秘书处应考虑将成员国列入其例外清单及管理贸易清单的产品纳入工业一体化模式的可能性。

为实现前款规定之目的，相关国家应将其参与意向告知总秘书处，并在商定相应工业一体化模式后，将该产品从其例外清单或管理贸易清单中撤回。

成员国应进行谈判，以寻求可能在相应截止日期到期前实现例外清单中所列产品自由化或管理贸易清单中所列产品取消配额的方案。

Article 88

The inclusion of products in the lists of exceptions shall not affect the exportation of goods originating in Bolivia or Ecuador which have been the subject of significant trade between the respective country and Bolivia or Ecuador over the last three years or which show a strong likelihood of significant trade in the immediate future.

The same shall be the case in the future for those products from Bolivia or Ecuador which appear in the lists of exceptions of any of the Member Countries and which show clear and immediate prospects of being exported from Bolivia or Ecuador to the country which has exempted them from the reduction of trade restrictions.

It shall be the responsibility of the General Secretariat to determine when significant trade exists or when there is a clear likelihood that it will exist.

Article 89

The Member Countries shall seek to jointly reach partial-scope trade agreements, agreements of economic complementation, agricultural agreements, and trade promotion agreements, with the other Latin American countries in those sectors where it is feasible, according to the provisions of Article 98 of this Agreement and of the Montevideo Treaty of 1980.

CHAPTER VI: COMMON EXTERNAL TARIFF

Article 90

Member Countries commit themselves to implementing a Common External Tariff within the time limits and in the manner established by the Commission.

Article 91

The Commission, at the General Secretariat’s proposal, shall approve a Common External Tariff that must provide adequate levels of protection in favor of subregional production, taking into account the Agreement’s objective of gradually harmonizing the different economic policies of the Member Countries.

On the date indicated by the Commission, Colombia, Peru, and Venezuela will begin the process of approximating their levies, that apply under their national tariff schedules to the importation of products not originating within the Subregion, to the Common External Tariff, in an annual, automatic, and linear manner.

Article 92

Before December 31, 1970, the Commission, at the proposal of the General Secretariat, shall approve a Minimum Common External Tariff, whose objectives shall be primarily the following:

- a. To establish adequate protection for subregional production;

第88条

将产品列入例外清单不应影响原产于玻利维亚或厄瓜多尔的货物出口，这些货物在过去三年中在相关国家与玻利维亚或厄瓜多尔之间有重大贸易往来，或在不久的将来显示出重大贸易的强烈可能性。

对于玻利维亚或厄瓜多尔产品出现在任何成员国的例外清单中，并显示出明确且立即从玻利维亚或厄瓜多尔出口至已豁免其贸易限制减少的国家的可能性，未来亦适用相同规定。

总秘书处应负责判定是否存在显著贸易或存在明显的贸易可能性。

第89条

成员国应寻求与其他拉丁美洲国家在可行领域共同达成部分范围贸易协定、经济互补协定、农业协定及贸易促进协定，具体依据本协定第98条及1980年蒙得维的亚条约的相关条款。

第六章：共同对外关税

第九十条

成员国承诺在委员会规定的时间限度和方式内实施共同对外关税。

第九十一条

委员会应根据总秘书处的提议，批准一项共同对外关税，该关税必须为次区域生产提供适当的保护水平，同时考虑到协议关于逐步协调成员国不同经济政策的目标。

在委员会指定的日期，哥伦比亚、秘鲁和委内瑞拉将开始按照其国家关税表对非次区域原产品的进口征税，逐步向共同对外关税靠拢，这一过程将以年度、自动和线性的方式进行。

第92条

1970年12月31日前，委员会应根据总秘书处的提案批准一项最低共同对外关税，其主要目标如下：

- a. 为次区域生产建立适当保护；

- b. To progressively create a subregional margin of preference;
- c. To facilitate the adoption of the Common External Tariff; and
- d. To further the efficiency of subregional production.

Article 93

On December 31, 1971, the Member Countries shall begin approximating their levies, that apply to imports from outside the Subregion, to the Minimum Common External Tariff, in those cases in which the former are lower than the latter, and they shall carry out this process in an annual, linear, and automatic manner, so that it is fully implemented by December 31, 1975.

Article 94

Notwithstanding the provisions of Articles 91 and 93 the following rules shall be applied:

- a. With respect to products that are subject matter of the Industrial Integration Programs, the rules established by said Programs regarding the Common External Tariff shall govern; and with respect to products that are the subject-matter of Industrial Integration Projects, the Commission, whenever appropriate, may determine, when approving the respective Decision, the levels of levies that apply to third countries and the corresponding conditions; and
- b. At any time, in fulfilling the Tariff Reduction Program, a product is freed of levies and other restrictions, it shall be subject to the full and simultaneous application of the levies established in the Minimum Common External Tariff or in the Common External Tariff, as the case may be.

For goods not produced in the Subregion, each country may defer the application of the common levies until the General Secretariat verifies that its production has begun in the Subregion. Nevertheless, if in the General Secretariat’s judgment the new production is insufficient to normally meet the needs of the Subregion, it shall propose to the Commission the necessary measures to reconcile the need to protect subregional production with that of ensuring a normal supply.

Article 95

The Commission, at the General Secretariat’s proposal, shall be able to approve subregional margins of preference with respect to the products that are still not required to comply with the Tariff Reduction Program and the Minimum Common External Tariff, providing in the corresponding Decision the conditions and terms for its application, until they are surpassed by the rules of the Tariff Reduction Program and the Minimum Common External Tariff or the Common External Tariff.

Article 96

The Commission, at the General Secretariat’s proposal, may modify the common tariff levels to the extent and at the time it deems advisable in order to:

- a. Adjust them to the Subregion’s needs; and

- b. 逐步创建次区域优惠幅度； c. 为采用共同对外关税提供便利；以及 d. 提升次区域生产的效率。

第93条

成员国应于1971年12月31日开始，在次区域外进口产品所适用的征税低于最低共同对外关税的情况下，以年度、线性且自动的方式逐步调整其征税，使之接近最低共同对外关税，并确保该进程于1975年12月31日前全面实施。

第94条

N尽管存在第91条和第93条的条款，下列规则仍应适用 d:

- a. 对于属于工业一体化计划范畴的产品，应遵循该计划关于共同对外关税的规定；对于属于工业一体化项目范畴的产品，委员会可在批准相关决定时，酌情确定适用于第三国的征税水平及相应条件；且
- b. 在任何时候，若某产品在履行关税减免计划过程中被免除征税及其他限制，则该产品应同时全额适用最低共同对外关税或共同对外关税中规定的征税，视具体情况而定。

对于次区域未生产的商品，各国可推迟适用共同征税，直至总秘书处核实该商品已在次区域开始生产。然而，若总秘书处认为新生产量不足以正常满足次区域需求，则应向委员会提出必要措施，以协调保护次区域生产与保障正常供应的需求。

第九十五条

委员会可根据总秘书处的提案，批准针对尚未要求遵守关税减免计划及最低共同对外关税的产品的次区域优惠幅度，并在相应决定中规定其适用的条件与期限，直至这些优惠被关税减免计划及最低共同对外关税或共同对外关税的规则所取代。

第96条

委员会可根据总秘书处的提议，在认为适当的程度和时间修改共同关税水平，以便：

- a. 使其适应次区域的需求；以及

- b. Provide for the special situation of Bolivia and Ecuador.

Article 97

The General Secretariat may propose to the Commission the measures which it considers essential to ensure normal conditions of supply in the Subregion.

Any Member Country undergoing temporary supply shortages may present the problem to the General Secretariat, which shall verify the situation within a period commensurate with the urgency of the case. Once the General Secretariat verifies the existence of the problem in question and so informs the country adversely affected, the latter may take steps, such as to reduce or temporarily suspend the External Tariff duties, within the necessary limits for correcting the disturbance.

In the cases referred to in the previous section, the General Secretariat shall call a special meeting of the Commission, if such is in order, or shall inform it of the action taken at its following regular meeting.

Article 98

The Member Countries commit themselves not to alter unilaterally the levies set in the various stages of the External Tariff. They also commit to hold the necessary consultations in the Commission before taking on obligations of a tariff nature with countries outside the Subregion. The Commission, at the General Secretariat’s proposal and through a Decision, shall state its opinion regarding said consultations, and shall set the terms with which commitments of a tariff nature must comply.

CHAPTER VII: AGRICULTURAL DEVELOPMENT PROGRAMS

Article 99

With the purpose of promoting common agricultural and agroindustrial development and attaining greater subregional food security, the Member Countries shall carry out an Agricultural and Agroindustrial Development Program, harmonize their policies, and coordinate their national plans in the sector, bearing in mind, among others, the following objectives:

- a. An improvement in the living standards of the rural population;
- b. Taking care of the food and nutritional requirements of the population on satisfactory terms, to achieve the lowest possible dependence on supplies coming from outside the Subregion;
- c. The appropriate and adequate supply of the subregional market and the protection against food shortage risks;
- d. An increase in the production of staple foods and in productivity levels;
- e. Subregional complementation and specialization of production with a view to improving the use of its inputs and to increase trade of agricultural and agroindustrial products; and

- b. 照顾玻利维亚和厄瓜多尔的特殊情况。

第97条

总秘书处可向委员会提出其认为对保障次区域正常供应条件至关重要的措施。

任何遭遇临时供应短缺的成员国均可向总秘书处提交该问题，总秘书处应在与事件紧急程度相符的期限内核实情况。一旦总秘书处确认所述问题存在并通知受影响国家，后者可在必要限度内采取措施（如降低或暂停外部关税）以纠正失衡。

针对前款所述情形，总秘书处应视情况召开委员会特别会议，或在其下次例会上通报已采取的行动。

第98条

成员国承诺不单方面改变外部关税各阶段设定的征税。他们还承诺在与次区域外国家承担关税性质义务前，在委员会内进行必要磋商。委员会将根据总秘书处的提议，通过一项决定，就上述磋商发表意见，并规定关税性质承诺必须遵守的条款。

第七章：农业发展计划

第99条

为促进共同农业和农工业发展并实现更高水平的次区域粮食安全，成员国应实施农业和农工业发展计划，协调各自政策，并统筹该领域的国家计划，尤其需考虑以下目标：

- a. 提高农村人口的生活水平； b. 以令人满意的条件满足人口的食品和营养需求，尽可能减少对次区域外部供应的依赖； c. 适当且充足地供应次区域市场，并防范食品短缺风险； d. 增加主食生产和提高生产力水平； e. 通过次区域互补和生产专业化，改善其投入品的使用并增加农业和农工业产品的贸易；

f . Subregional substitution of imports and the diversification and growth of exports.

Article 100

To fulfill the objectives stated in the previous article, the Commission, at the proposal of the General Secretariat, shall take the following steps, among others:

- a. To create an Andean System and National Systems of Food Security;
- b. Joint policies for agricultural and agroindustrial development by products or groups of products;
- c. Joint programs for agricultural and agroindustrial technological development, including policies for research, training, and the transfer of technology;
- d. Promotion of intra-subregional agricultural and agroindustrial trade and entering into agreements for supplying agricultural products;
- e. Joint programs and policies regarding agricultural and agroindustrial trade with third countries;
- f . Common rules and programs about vegetable and animal health;
- g. Creation of subregional funding mechanisms for the agricultural and agroindustrial sector;
- h. Joint policies for the use and preservation of the natural resources of the sector; and
- i. Joint cooperative policies in the fields of research and transfer of technology in areas of common interest for the Member Countries, such as genetics, floriculture, fishing, forestry, and those that the Commission determines in the future.

Article 101

The Commission and the General Secretariat shall adopt the necessary steps to hasten the agricultural and agroindustrial development of Bolivia and Ecuador as well as their participation in the enlarged market.

Article 102

Any Member Country may apply, in a non-discriminatory, manner, to the trade of products incorporated in the list referred to Article 104, the following measures destined to:

- a. Restrict imports to what is necessary in order to cover internal production deficits; and
- b. To level the prices of the imported product with those of the national product.

For the application of such measures, when appropriate, the Member Countries shall carry out actions through the existing national agencies, destined to the supply of agricultural and agroindustrial food products.

f. 次区域进口替代以及出口多样化和增长。

第100条

为实现前一条所述目标，委员会应根据总秘书处的提议，采取以下步骤（包括但不限于）：

- a. 建立安第斯体系和国家粮食安全体系；b. 针对农产品或产品群的农业和农工业发展制定联合政策；c. 实施农业和农工业技术发展的联合计划，包括研究、培训和技术转让政策；d. 促进次区域内农业和农工业贸易，并签订农产品供应协议；e. 制定与第三国的农业和农工业贸易相关的联合计划和政策；f. 关于植物和动物健康的共同规则和计划；g. 为农业和农工业部门创建次区域融资机制；h. 制定关于该部门自然资源利用与保护的联合政策；i. 在成员国共同利益领域（如遗传学、花卉栽培、渔业、林业等）以及委员会未来确定的其他领域，开展研究与技术转让方面的联合合作政策。

第101条

委员会和总秘书处应采取必要措施，加快玻利维亚和厄瓜多尔的农业和农工业发展，并促进其参与扩大市场。

第102条

任何成员国均可非歧视性地对第104条所述清单所列产品贸易采取以下措施，旨在：

- a. 将进口限制在弥补国内生产赤字所需的范围内；以及
- b. 平衡进口产品与国内产品的价格。

为实施此类措施，成员国应在适当时通过现有国家机构开展行动，旨在保障农业和农工业食品供应。

Article 103

The country imposing the measures referred to in the previous article shall immediately notify the General Secretariat, enclosing a report on the underlying reasons for its action.

These measures shall be applied to Bolivia and Ecuador only in duly qualified cases and after the General Secretariat has confirmed that the damage arises essentially from their imports. The General Secretariat is required to express its views within fifteen days after receiving the report, and it may authorize application of the measures.

Any Member Country that considers itself affected by said measures may present its comments to the General Secretariat.

The General Secretariat shall study the case and propose to the Commission the positive measures that it deems advisable in the light of the objectives provided in Article 99.

The Commission shall decide with respect to the restrictions that were applied and the measures proposed by the General Secretariat.

Article 104

Before December 31, 1970, the Commission, at the proposal of the General Secretariat, shall determine the list of agricultural products for purposes of applying Articles 102 and 103. Such list may be modified by the Commission, at the proposal of the General Secretariat.

CHAPTER VIII: COMPETITION

Article 105

Before December 31, 1971, the Commission, shall adopt, at the General Secretariat’s proposal, the rules which are needed to guard against or correct practices which may distort competition within the Subregion, such as dumping, improper price manipulations, manoeuvres made to upset the normal supply of raw materials and others with a like effect. In this respect, the Commission shall consider the problems that could derive from the imposition of levies and other restrictions on exports.

It shall be the General Secretariat’s responsibility to ensure the application of those rules in the particular cases that are reported.

Article 106

The Member Countries may not adopt corrective measures without the General Secretariat’s prior authorization. The Commission shall regulate the procedures for implementing the rules of this Chapter.

第103条

实施前条所述措施的国家应立即通知总秘书处，并附上说明其行动根本原因的报告。

此类措施仅应在充分符合条件的案例中对玻利维亚和厄瓜多尔实施，且需经总秘书处确认损害主要由其进口引发。总秘书处须在收到报告后十五天内提出意见，并可授权实施相关措施。

任何认为自身受到上述措施影响的成员国均可向总秘书处提交意见。

总秘书处应研究该案例，并根据第99条规定的目标向委员会提出其认为可行的积极措施建议。

委员会应对已实施的限制措施及总秘书处提出的建议作出决定。

第104条

1970年12月31日前，委员会应根据总秘书处的提议，确定适用第102条和第103条的农产品清单。该清单可由委员会根据总秘书处的提议进行修改。

第八章：竞争

第105条

1971年12月31日前，委员会应根据总秘书处的提议，通过必要的规则，以防止或纠正可能扭曲次区域内竞争的行为，如倾销、不正当价格操纵、扰乱原材料正常供应的手段及其他类似行为。在这方面，委员会应考虑因征收出口税和其他出口限制可能产生的问题。

总秘书处应负责确保这些规则在所报告的具体案例中得到应用。

第106条

成员国未经总秘书处事先授权不得采取纠正措施。委员会应规范实施本章节规则的程序。

CHAPTER IX: SAFEGUARD CLAUSES

Article 107

A Member Country, that has adopted measures to correct a disequilibrium in its overall balance of payments, may extend such measures, when previously authorized by the General Secretariat in a transitory and nondiscriminatory manner, to intrasubregional trade of products incorporated to the Tariff Reduction Program.

The Member Countries shall seek to ensure that the application of restrictions due to a balance of payments situation does not affect, within the Subregion, trade in products incorporated to the Tariff Reduction Program.

When the situation provided for in this Article requires an immediate response, the interested Member Country may apply, on an emergency basis, the foreseen measures, having in that regard to immediately notify them to the General Secretariat, which shall express its views within the following thirty days, either authorizing, modifying, or suspending them.

If the application of the measures provided for in this Article lasts more than one year, the General Secretariat, on its own initiative or upon the request of any of the Member Countries, shall propose to the Commission that negotiations be immediately initiated in order to seek the elimination of the adopted restrictions.

Article 108

If the execution of the Tariff Reduction Program of the Agreement causes or threatens to cause serious damage to the economy of a Member Country or to one of its significant economic sectors, that country may, with the prior permission of the General Secretariat, apply temporary corrective steps in a nondiscriminatory manner. When necessary, the General Secretariat may propose to the Commission collective cooperation measures for the purpose of surmounting the problems that arise.

The General Secretariat shall periodically study the evolution of the situation to keep the restrictive measures from lasting any longer than is strictly necessary or to consider new formulas for cooperation, if appropriate.

When the injuries dealt with in this Article are so serious that they require immediate steps, the Member Country adversely affected may apply corrective measures temporarily, on an emergency basis, subject to the subsequent pronouncement of the General Secretariat.

Those measures shall do the least damage possible to the Tariff Reduction Program, and so long as they are implemented unilaterally, they may not involve a decrease in the importation of the product or products in question in terms of the average for the twelve preceding months.

The Member Country which adopts those measures shall immediately inform the General Secretariat thereof and the latter shall issue its views on them within the thirty following days, either to authorize, modify, or suspend them.

第九章：保障条款

第107条

成员国若已采取纠正其国际收支总体失衡的措施，在事先获得总秘书处授权的情况下，可以临时性且非歧视性地将此类措施延伸至已纳入关税减免计划的次区域内产品贸易。

各成员国应确保因国际收支状况实施的限制措施，在次区域内不影响已纳入关税减免计划的产品贸易。

当本条所述情形需要立即采取应对措施时，相关成员国可在紧急情况下实施预定措施，但须立即通知总秘书处。总秘书处应在随后三十天内提出意见，或予以授权、修改或中止。

若本条所述措施实施超过一年，总秘书处可主动或应任一成员国请求，向委员会提议立即启动谈判，以寻求取消已采取的限制措施。

第108条

若《协议》的关税减免计划执行过程中对某一成员国或其重要经济部门造成或可能造成严重损害，该国可在获得总秘书处事先许可后，以非歧视性方式采取临时纠正措施。必要时，总秘书处可向委员会提议采取集体合作措施，以克服出现的问题。

总秘书处应定期研究形势发展，以确保限制性措施不会持续超过绝对必要的时间，或在适当时考虑新的合作方案。

当本条所述损害严重到需要立即采取行动时，受影响成员国可在紧急情况下临时实施纠正措施，但需事后获得总秘书处的核准。

此类措施应尽可能减少对关税减免计划的损害，且只要这些措施是单方面实施的，就不得导致相关产品进口量低于前十二个月的平均水平。

采取此类措施的成员国应立即通知总秘书处，后者应在随后的三十天内就其发表意见，或授权、修改或暂停这些措施。

Article 109

When a product originating in the Subregion is being imported in such quantities or conditions as to cause a disturbance in the domestic production of specific products of a Member Country, it may apply corrective measures, that are nondiscriminatory and of a temporary nature, subject to the subsequent pronouncement of the General Secretariat.

The Member Country that applies the corrective measures, within no more than sixty days, must notify the General Secretariat and present a report regarding the underlying grounds for their application. The General Secretariat, within sixty days after receiving the aforementioned report, shall verify the disturbance and the origin of the imports causing it, and shall issue its pronouncement, either to suspend, modify, or authorize said measures, which may only be applied to the products of the Member Country where the disturbance originated. The corrective measures that are applied shall guarantee access for a volume of trade not inferior to the average for the last three years.

Article 110

If a currency devaluation made by one of the Member Countries alters the normal conditions of competition, the country which considers itself to be adversely affected may bring the case before the General Secretariat, which should hand down its opinion briefly and summarily. Once the General Secretariat has verified, the existence of the disturbance, the adversely affected country may take temporary corrective measures so long as the condition exists, while abiding by the General Secretariat’s recommendations.

In any case, those measures may not involve a reduction in the levels of imports existing prior to the devaluation.

Without prejudice for the application of the temporary measures referred to, any of the Member Countries may request that the Commission give a final decision on the matter.

The Member Country which devalued its currency may request at any time that the General Secretariat review the situation, in order to ease or eliminate the cited corrective measures. The General Secretariat’s opinion may be amended by the Commission.

In the situation referred to in this Article, the country which considers itself to be adversely affected may, in presenting the case to the General Secretariat, propose protective measures that are commensurate with the magnitude of the alleged disturbance, accompanied by the technical grounds for its proposal. The General Secretariat may request any supplementary information it considers advisable.

The brief and summary pronouncement of the General Secretariat shall be given within a period of one month after the request is received. If the General Secretariat does not hand down its opinion within that period and the requesting country feels that said delay may be harmful to its interests, it may adopt the initial measures which it proposed; it shall immediately inform the General Secretariat thereof and the latter, in its subsequent opinion, shall decide whether the measures taken should be maintained, modified, or eliminated.

In its pronouncement, the General Secretariat shall bear in mind, among other criteria, the economic indicators on the conditions of competition in the Subregion which the Commission may have adopted generally, at the General Secretariat’s proposal, the individual characteristics

第109条

当源自次区域的产品进口数量或条件对成员国的特定产品国内生产造成干扰时，该国可采取非歧视性且具有临时性质的纠正措施，但需经总秘书处后续裁定。

采取纠正措施的成员国应在不超过六十天的期限内通知总秘书处，并提交关于实施该措施依据的报告。总秘书处在收到上述报告后的六十天内，应核实贸易扰乱及其进口来源，并作出暂停、修改或授权所述措施的裁决，此类措施仅可针对引发扰乱的成员国产品实施。所采取的纠正措施应确保贸易量不低于过去三年的平均值。

第110条

若某成员国实施的货币贬值行为改变了正常竞争条件，自认受到不利影响的国家可将案件提交总秘书处，总秘书处应简明扼要地出具意见。经总秘书处核实存在贸易扰乱后，受影响国可在该状况存续期间采取临时纠正措施，但须遵守总秘书处的建议。

在任何情况下，这些措施均不得导致贬值前现有进口水平的降低。

在不影响适用前述临时措施的前提下，任何成员国均可请求委员会就该事项作出最终决定。

实施货币贬值的成员国可随时请求总秘书处审查当前状况，以减轻或取消前述纠正措施。总秘书处的意见可由委员会进行修订。

在本条款所述情况下，自认受到不利影响的国家在向总秘书处提交案件时，可提出与所称扰乱程度相称的保护措施，并附技术依据说明。总秘书处可要求其认为必要的补充信息。

总秘书处应在收到请求后一个月内作出简要裁定。若总秘书处未在该期限内出具意见，且请求国认为延迟可能损害其利益，则可实施其最初提议的措施；该国应立即将此事通知总秘书处，后者将在后续意见中裁定已采取的措施应维持、修改还是取消。

总秘书处在发表声明时，除其他标准外，还应考虑到委员会可能根据总秘书处的提议普遍通过的关于次区域竞争条件的经济指标，以及个别特征

of the foreign exchange systems of the Member Countries and any studies which the Monetary and Foreign Exchange Council carries out on the matter.

Until the system of economic indicators has been adopted by the Commission, the General Secretariat shall proceed according to its own criteria.

Notwithstanding the foregoing, if, during the period between the presentation in question and the General Secretariat’s pronouncement, in the opinion of the applicant Member Country, there are background factors which give reasonable grounds to fear that, as a result of the devaluation, there shall be immediate harmful effects which may have serious implications for its economy and thus call for the adoption of protective measures on an emergency basis, it may bring the situation before the General Secretariat; the latter, if it finds the request to be well grounded may authorize the implementation of suitable measures, for which purpose it shall be given a period of seven continuous days. The General Secretariat’s final pronouncement on the alteration of the normal conditions of competition shall, in any case, determine whether the authorized emergency measures shall be maintained, modified, or suspended.

The measures that are adopted in keeping with this Article may not involve a decrease in the levels of trade which existed prior to the devaluation.

The second and third subsections of this Article shall be fully applicable to these measures.

Article 111

No safeguard clauses of any kind shall be applied to the importation of products originating in the Subregion and included in the Programs and Projects of Industrial Integration.

CHAPTER X: ORIGIN

Article 112

The Commission shall, at the General Secretariat’s proposal, adopt any special rules necessary for determining the origin of goods. Such rules shall constitute a dynamic instrument for the development of the Subregion and shall appropriately contribute to the attainment the Agreement’s objectives.

Article 113

It shall be the General Secretariat’s responsibility to establish the specific requirements of origin for the products requiring so. When an Industrial Integration Program calls for setting specific requirements, the General Secretariat shall decide on them as the corresponding program is being approved.

Within the year following the establishment of a specific requirement, the Member Countries may request its review by the General Secretariat, which must give its opinion summarily

成员国外汇体系的特殊性，以及货币和外汇委员会就此问题进行的任何研究。

在经济指标体系被委员会采纳之前，总秘书处应依据其自身标准行事。

尽管如此，若在提交申请至总秘书处作出裁决期间，申请成员国认为存在背景因素，有合理理由担心货币贬值将立即产生有害影响，可能对其经济造成严重冲击，因而需要紧急情况下采取保护措施，该国可将此情况提交总秘书处；若总秘书处认定请求依据充分，可授权实施适当措施，为此将给予连续七天的期限。总秘书处关于改变正常竞争条件的最终裁决，无论如何都将决定已授权的紧急措施是维持、修改还是终止。

根据本条采取的措施不得导致货币贬值前存在的贸易水平下降。

本条第二和第三小节应完全适用于这些措施。

第111条

不得对源自次区域且纳入工业一体化计划和项目的产品进口实施任何形式的保障条款。

第十章：货物原产地

第112条

委员会应根据总秘书处的提案，通过确定货物原产地所需的特殊规则。此类规则应成为促进次区域发展的动态工具，并应适当助力实现协议目标。

第113条

总秘书处应负责为需要原产地特定要求的产品制定这些要求。当工业一体化计划要求设定特定要求时，总秘书处应在批准相应计划时作出决定。

在特定要求确立后的一年内，成员国可请求总秘书处对其进行审查，总秘书处须简要提出意见

If a Member Country so requests it, the Commission shall examine those requirements and make a final decision within six to twelve months after having been set by the General Secretariat.

The General Secretariat may, at any time, either on its own initiative or at the request of a party, set or modify said requirements in order to adjust them to the economic and technological progress of the Subregion.

Article 114

In adopting and deciding on the special rules or specific requirements of origin, as the case may be, the Commission and the General Secretariat shall seek to ensure that they do not hinder Bolivia and Ecuador from taking advantage of the benefits of implementing the Agreement.

Article 115

The General Secretariat shall ensure compliance with the rules and requirements of origin in subregional trade. It shall, moreover, propose any measures necessary for resolving problems of origin that hinder the attainment of the Agreement’s objectives.

CHAPTER XI: PHYSICAL INTEGRATION

Article 116

The Member Countries shall develop joint actions in order to improve the use of physical spaces, to strengthen the infrastructure and services that are necessary to promote the process of economic integration of the Subregion. This action shall be taken primarily in the fields of energy, transportation, and communications and shall cover the necessary measures for facilitating border traffic among the Member Countries.

To this end, the Member Countries shall seek to establish multinational entities or businesses when possible and desirable for assisting in the execution and administration of those projects.

Article 117

The Commission shall, at the General Secretariat’s proposal, adopt programs in the fields referred to in the preceding Article in order to promote a continuous process aimed at expanding and modernizing the physical infrastructure and the transportation and communications services of the Subregion. These programs shall include insofar as possible, the following:

- a. The identification of specific projects for incorporation in the national development plans and an indication of the order of priority for their execution;
- b. The essential steps for financing the necessary preinvestment studies;
- c. The technical and financial assistance needs to ensure the execution of the projects; and

若某一成员国提出请求，委员会应在总秘书处设定后的六至十二个月内审查这些要求并作出最终决定

总秘书处可随时主动或应一方请求，设定或修改上述要求，以使其适应次区域的经济和技术进步。

第一百一十四条

在通过和决定特殊规则或原产地特定要求时，委员会和总秘书处应确保这些规则或要求不妨碍玻利维亚和厄瓜多尔从实施协议中获益。

第一百一十五条

总秘书处应确保次区域贸易中原产地规则和要求的遵守。此外，它还应提出解决阻碍实现协议目标的原产地问题的必要措施。

第十一章：物理一体化

第一百一十六条

成员国应开展联合行动，以优化物理空间的利用，加强推动次区域经济一体化进程所需的基础设施和服务。此类行动应主要集中在能源、运输和通信领域，并涵盖为便利成员国间边境交通所需的各项措施。

为此，成员国应尽可能寻求建立跨国实体或企业，以协助这些项目的执行和管理。

第一百一十七条

委员会应根据总秘书处的提案，通过前条所述领域的各项计划，以推动一个旨在扩展和现代化次区域物理基础设施及运输和通信服务的持续进程。这些计划应尽可能包含以下内容：

- a. 识别具体项目以纳入国家发展计划
s 以及其执行优先顺序的说明； b. 为必要投资前研究融资的基本步骤； c. 确保项目执行所需的技术和财政援助需求； 以及

- d. The methods of joint action before the Andean Development Corporation and the international lending institutions to ensure that the required financial resources shall be provided.

Article 118

The Programs referred to in the foregoing Article, as well as the Programs and Projects of Industrial Integration, shall include measures of collective cooperation to adequately cover the essential infrastructure required for their execution and shall give special consideration to the situation of Ecuador and the landlocked situation of Bolivia.

CHAPTER XII: FINANCIAL MATTERS

Article 119

The Member Countries shall carry out actions and coordinate their policies regarding financial and payments matters, to the extent necessary to facilitate the attainment of the Agreement’s objectives.

For that purpose, the Commission, at the General Secretariat’s proposal, shall adopt the following actions:

- a. Recommendations to channel the financial resources through the appropriate bodies, to meet the development requirements for the Subregion;
- b. Promotion of investments for the Andean integration programs;
- c. Financing of trade between the Member Countries and with countries outside the Subregion;
- d. Measures that facilitate the movement of capital within the Subregion and particularly the promotion of Andean multinational companies;
- e. Coordination of positions to strengthen the reciprocal payments and lending mechanisms within the framework of the ALADI;
- f. Establishment of an Andean lending and payments system that includes the Andean Reserve Fund, a common unit of accounting, lines of credit for trade, a subregional clearinghouse, and a system of reciprocal credits;
- g. Cooperation and coordination of positions with respect to external funding problems of the Member Countries; and
- h. Coordination with the Andean Development Corporation and the Andean Reserve Fund for the purposes described in the preceding subsections.

Article 120

If, as a result of the fulfillment of the Tariff Reduction Program of the Agreement, a Member Country experiences problems with its fiscal revenues, the General Secretariat may

- d. 在安第斯开发公司和国际贷款机构面前采取联合行动的方法，以确保提供所需的财政资源。

第一百一十八
条

前条所述计划以及工业一体化计划和项目，应包括集体合作措施，以充分覆盖其执行所需的基础设施， 并应特别考虑厄瓜多尔的状况和玻利维亚的内陆国家状况。

第十二章：金融事务

第一百一十九
条

成员国应在必要时采取行动并协调其金融和支付事务政策，以促进协议目标的实现。

为此目的，委员会应根据总秘书处的提议，采取以下行动：

- a. 提出建议，通过适当机构引导财政资源，以满足次区域的发展需求； b. 促进对安第斯一体化计划的投资； c. 为成员国之间以及与次区域外国家的贸易提供融资； d. 采取措施便利资本在次区域内的流动，特别是促进安第斯跨国公司的成立； e. 协调立场，以在拉丁美洲一体化协会框架内加强互惠支付和贷款机制； f. 建立一个安第斯贷款和支付体系，包括安第斯储备基金、共同记账单位、贸易信贷额度、次区域清算所和互惠信贷体系； g. 就成员国的外部融资问题进行合作和立场协调； 以及h. 与安第斯开发公司和安第斯储备基金协调，以实现前述各小节所述的目的。

第一百二十条

如果成员国因履行《协议》的关税减免计划而导致其财政收入出现问题，总秘书处可

propose to the Commission, at the request of the country affected, measures for resolving those difficulties. In its proposals, the General Secretariat shall take into account the degrees of relative economic development of Member Countries.

CHAPTER XIII: SPECIAL REGIME FOR BOLIVIA AND ECUADOR

Article 121

In order to gradually lessen the differences in development currently existing in the Subregion, Bolivia and Ecuador shall enjoy a special regime; this shall enable them to attain more rapid economic growth through effective and immediate participation in the benefits of the industrialization of the area and of the liberalization of trade.

To fulfill the aim of this Article, the bodies of the Agreement shall propose and take necessary measures, in accordance with its rules.

Section A

On the Harmonization of Economic Policies and the Coordination of Development Plans

Article 122

In harmonizing economic and social policies and coordinating the plans referred to in Chapter III, differential treatments and sufficient incentives shall be established to compensate for the structural weaknesses of Bolivia and Ecuador and to ensure that the essential resources for attaining the objectives envisaged for their benefit by the Agreement are mobilized and allocated.

Section B

On Industrial Policy

Article 123

When carrying out the Industrial Development Programs, Bolivia and Ecuador’s situation shall be given special consideration in assigning, on a priority basis, the productions in their favor and the corresponding locations of the production facilities in their territories, specially through participation in the modes of industrial integration provided in Article 58. It shall also consider the development of a program for the integral industrialization of the natural resources of Bolivia and Ecuador.

Article 124

The Programs and Projects of Industrial Integration shall provide for exclusive benefits and effective preferential treatments for Bolivia and Ecuador to help them effectively take advantage of the subregional market.

应受影响国家的请求，向委员会提出解决这些困难的措施提案。总秘书处制定提案时，应充分考虑成员国间相对经济发展程度的差异。

第十三章：玻利维亚和厄瓜多尔特别制度

第121条

为逐步缩小次区域当前存在的发展差异，玻利维亚和厄瓜多尔应享有特别制度；这将使它们通过有效且即时地参与该地区工业化和贸易自由化的利益，实现更快的经济增长。

为实现本条之目的，协议各机构应根据其规则提出并采取必要措施。

A部分

关于 经济政策的协调与发展计划的协调

第122条

在协调经济和社会政策以及协调第三章所述计划时，应确立差别待遇和充分激励措施，以弥补玻利维亚和厄瓜多尔的结构弱点，并确保为实现协议为其利益所设想的目标而调动和分配必要资源。

B部分

工业政策

第123条

在执行工业发展计划时，应特别考虑玻利维亚和厄瓜多尔的情况，优先分配有利于两国的生产项目及其领土上相应生产设施的布局，特别是通过参与第58条规定的工业一体化模式。同时还应考虑制定一项计划，以实现玻利维亚和厄瓜多尔自然资源的整体工业化。

第124条

工业一体化计划和项目应为玻利维亚和厄瓜多尔提供专属利益和有效的优惠待遇，以帮助它们有效利用次区域市场。

Article 125

The General Secretariat, in proposing to the Commission the complementary measures envisaged in Article 69, shall provide for exclusive advantages and preferential treatment for Bolivia and Ecuador, when necessary.

The Commission, at the General Secretariat’s proposal, shall adopt the measures that are necessary to ensure that the allocations granted to Bolivia and Ecuador, are effective and fully utilized, specially those aimed at strengthening commitments to respect the allocations made to those countries, to extend the time periods for the maintenance of the allocations, and to carry out the projects assigned in the Industrial Development Programs.

Section C

On Trade Policy

Article 126

To enable Bolivia and Ecuador to participate immediately in the benefits of the enlarged market, the Member Countries shall, in an irrevocable and exclusive manner, eliminate for them all levies and restrictions of all kinds on the importation of products originating in the territories of the two countries, in the terms provided in Articles 127 and 128.

Article 127

For the purposes indicated in the previous Article, products originating in Bolivia and Ecuador shall be governed by the following rules:

- a. By December 31, 1973 at the latest, the products included in subsection d) of Article 75 shall have free and definitive access to the subregional market. Accordingly, the levies shall be eliminated automatically in three annual and successive reductions of forty, thirty, and thirty percent, respectively, the first of which shall be made on December 31, 1971, using as a starting point the levels indicated in paragraph a) of Article 82;
- b. The Commission, at the General Secretariat’s proposal and prior to December 31, 1970, shall approve lists of products whose tariffs shall be eliminated for the benefit of Bolivia and Ecuador on January 1, 1971;
- c. The products on the list referred to in the third subsection of Article 77 shall be totally freed from levies for Bolivia and Ecuador on December 31, 1978 and the products referred to in Article 83, shall be freed at the time the corresponding Tariff Reduction Program is begun.
- d. Before March 31, 1971, the Commission, at the General Secretariat’s proposal, shall establish margins of preference in favor of the two lists of products of special interest to Bolivia and Ecuador and shall decide on the length of time that such margins, which are to enter into force on April 1, 1971, shall be in effect. The list referred to in this paragraph is comprised of products from subsection d) of Article 75; and
- e. The same procedure as that indicated in subsection d) shall be observed in connection with a list of products from those referred to in Article 83.

第一百二十五条

总秘书处在向委员会提出第69条设想的补充措施时，应在必要时为玻利维亚和厄瓜多尔提供专属优势和优惠待遇。

委员会应根据总秘书处的提议，采取必要措施确保授予玻利维亚和厄瓜多尔的分配额度切实有效并得到充分利用，特别是那些旨在强化对两国分配额度尊重的承诺、延长分配额度维持期限以及执行工业发展计划中所指派项目的措施。

C部分

贸易政策

第一百二十六条

为使玻利维亚和厄瓜多尔能立即参与扩大市场的利益，成员国应以不可撤销且排他的方式，按照第127条和第128条的规定，为两国领土原产产品的进口免除所有征税和各种限制。

第127条

为实现上条所述目的，玻利维亚和厄瓜多尔原产产品应遵循以下规则：

- a. 最迟于1973年12月31日，第75条d)小节所列产品应自由且永久地进入次区域市场。因此，征税将分三次年度连续减免自动取消，分别为40%、30%和30%，首次减免将于1971年12月31日实施，以第82条a款规定的水平为起点；b. 委员会应在总秘书处提议下，并于1970年12月31日前批准产品清单，这些产品的关税将于1971年1月1日起为玻利维亚和厄瓜多尔取消；c. 第77条第三小节所述清单上的产品将于1978年12月31日对玻利维亚和厄瓜多尔完全免除征税，而第83条所述产品将在相应关税减免计划启动时予以免除。d. 在1971年3月31日前，委员会应根据总秘书处的提议，为玻利维亚和厄瓜多尔特别利益的两份产品清单设立优惠幅度，并决定这些自1971年4月1日起生效的优惠幅度的有效期。本款所述清单包含第75条d小节的产品；e. 对于第83条所述产品清单，应遵循与d小节相同的程序。

Article 128

The elimination of levies on the products of the Common List for which the Member Countries have granted exclusive advantages to Bolivia and Ecuador, shall apply only for their benefit. Said exclusiveness is restricted to the country which granted that benefit.

Article 129

The corrective measures referred to in Articles 102 and 108 shall be extended to imports from Bolivia and Ecuador only in duly qualified cases and when the General Secretariat has been able to ascertain that the serious adverse effects substantially derive from those imports. In this case, the General Secretariat shall observe the procedures of Articles 103 and 108 and the rules adopted by the Commission at the General Secretariat’s proposal with respect to the corresponding safeguard regulations.

Article 130

Bolivia and Ecuador shall carry out the Tariff Reduction Programs in the following way:

- a. They shall liberalize the products incorporated in the Industrial Integration Programs in the manner provided for in each;
- b. They shall liberalize the products referred to in Article 83 in the manner and within the time period determined by the Commission, at the General Secretariat’s proposal. In making that decision, the Commission and the General Secretariat shall mainly take into account the benefits derived from the programming and site location referred to in Article 123. This time period may not exceed from December 31, 1999;
- c. They shall liberalize the products that are not yet produced in the Subregion and that are not part of the reserve provided in their favor in Article 80, sixty days after the Commission approves said reserve.

Nevertheless, those products that the General Secretariat, on its own initiative or upon Bolivia or Ecuador’s request, determines to be luxuries or dispensable, may be excepted from this treatment.

The subsequent tariff reduction for these products shall be subject to the procedure provided in paragraph d) of this Article; and

- d. They shall begin on November 21, 1988, to carry out the Tariff Reduction Program for those products not covered under the previous paragraphs, through the elimination of all restrictions. They shall be followed by three annual and successive reductions of five percent each, starting on December 31, 1988. Once these reductions have taken place, said Program shall cease until the Commission, within ninety days, at the General Secretariat’s proposal and after an evaluation of the compliance with the Tariff Reduction Program by all the Member Countries, adopts the appropriate adjustments and determines the time periods and methods for its continuation.

第128条

对共同清单上成员国已授予玻利维亚和厄瓜多尔独家优惠的产品取消征税，仅适用于这两国。该独家性仅限于授予优惠的国家。

第129条

第一百零二条和第一百零八条所述的纠正措施，仅在充分符合条件的案例中，且当秘书处能够确定严重不利影响主要源于来自玻利维亚和厄瓜多尔的进口时，方可适用于这些进口。在此情况下，秘书处应遵循第一百零三条和第一百零八条的程序，以及委员会根据秘书处提案通过的关于相应保障条例的规则。

第130条

玻利维亚和厄瓜多尔应按以下方式执行关税减免计划：

- a. 它们应按照各《工业一体化计划》规定的方式，对纳入该计划的产品实行自由化；b. 它们应按照委员会根据秘书处的提议确定的方式和期限，对第83条所述产品实行自由化。在作出该决定时，委员会和秘书处应主要考虑第123条所述规划与选址带来的效益。此期限不得超过1999年12月31日；c. 对于次区域内尚未生产且未包含在第80条为其保留的产品范围内的产品，应在委员会批准该保留六十天后实行自由化。但秘书处主动或应玻利维亚或厄瓜多尔请求认定为奢侈品或非必需品的那些产品，可不受此待遇约束。此类产品后续的关税减免应遵循本条d)项规定的程序；d. 它们应自1988年11月21日起开始实施针对

对于前几款未涵盖的那些产品，将通过取消所有限制来实现。随后将进行三次年度连续减免，每次减免5%，从1988年12月31日开始。一旦这些减免完成，该计划将暂停，直到委员会在九十天内，根据秘书处的提议，并在评估所有成员国对关税减免计划的遵守情况后，采取适当的调整措施，并确定其继续实施的时间段和方法。

With respect to the tariff reductions previously provided, the Commission, on August 23, 1988, shall establish the starting point for the tariff reduction, based on the respective national tariff schedules of Bolivia and Ecuador, bound and in effect on that date.

Article 131

The General Secretariat shall periodically assess the results obtained by Bolivia and Ecuador in their trade with the rest of the Member Countries and the degree to which they are effectively taking advantage of the benefits of the enlarged market. On the basis of those evaluations, the Commission may revise the time periods indicated in paragraphs b) and d) of the preceding Article.

Article 132

The Lists of Exceptions of Bolivia and Ecuador may include products comprised in no more than six hundred items of the NABALALC.

The products included by Bolivia and Ecuador in their lists of exceptions will be free from levies and other restrictions through a process that will include three segments of 105, 105, and 210 items, the first of which will be freed on December 31, 1997, the second on December 31, 1998, and the last one, on December 31, 1999. These time limits may be extended in duly qualified cases by the General Secretariat.

After December 31, 1999 or after the termination of their extension, Bolivia and Ecuador shall maintain a residual set of exceptions which shall not comprise products included in over 180 items of the NABALALC.

Article 133

Regarding the cooperation policies to which Article 68 refers to, the General Secretariat shall give special and priority attention to the industries of Bolivia and Ecuador whose products are excluded by such countries from their Tariff Reduction Programs, with the purpose of contributing to equip them to participate in the subregional market as rapidly as possible.

Section D

Common External Tariff

Article 134

Bolivia and Ecuador shall begin the process of adoption of the Common External Tariff on an annual, automatic, and linear basis on the date established by the Commission.

Bolivia and Ecuador shall be required to adopt the Minimum Common External Tariff with regard to products which are not produced in the Subregion, as referred to in Article 80.

In relation to such products they shall adopt the minimum tariff levels through a linear and automatic process which shall be concluded three years after the date in which they are first produced in the Subregion.

关于之前规定的关税减免，委员会将于1988年8月23日根据玻利维亚和厄瓜多尔在该日期生效并受约束的各自国家关税表，确定关税减免的起点。

第131条

总秘书处应定期评估玻利维亚和厄瓜多尔与其他成员国贸易所取得的成果，以及它们实际利用扩大市场优惠的程度。基于这些评估，委员会可修订前条第**b)**款和第**d)**款所述时限。

第132条

玻利维亚和厄瓜多尔的例外清单可包含不超过600项NABALALC税则号的产品。

玻利维亚和厄瓜多尔列入其例外清单的产品将通过分阶段方式免除征税及其他限制：第一阶段105项（1997年12月31日解除）、第二阶段105项（1998年12月31日解除）、第三阶段210项（1999年12月31日解除）。总秘书处在充分合理的情况下可延长上述时限。

1999年12月31日之后或其延长期限终止后，玻利维亚和厄瓜多尔应保留一组剩余例外，这些例外不得包含NABALALC中超过180项的产品。

第133条

关于第68条所指的合作政策，总秘书处应特别优先关注玻利维亚和厄瓜多尔那些产品被这些国家排除在关税减免计划之外的产业，目的是帮助它们尽快装备起来参与次区域市场。

D部分

共同对外关税

第134条

玻利维亚和厄瓜多尔应自委员会确定的日期起，以年度、自动且线性的方式开始采用共同对外关税。

玻利维亚和厄瓜多尔须针对次区域未生产的产品采用最低共同对外关税，如第80条所述。

对于此类产品，成员国应通过线性且自动的程序采用最低关税水平，该程序将在这些产品首次在次区域生产之日起三年内完成。

Without prejudice to the stipulations of the first subsection of this Article, the Commission, at the proposal of the General Secretariat, may determine that Bolivia and Ecuador should adopt the minimum tariff levels with regard to products of interest to the other Member Countries provided that the application of such levels does not cause disturbances to Bolivia or Ecuador.

The Commission, based on the evaluations referred to in Article 131, shall determine the procedure and time limit for the adoption of the Common Minimum Common External Tariff on the part of Bolivia and Ecuador. In any case, the Commission shall bear in mind the problems derived from the landlocked situation of Bolivia referred to in Article 4 of this Agreement.

At the General Secretariat’s proposal, the Commission may also determine the adoption of the minimum tariff levels on the part of Bolivia and Ecuador regarding products whose importation from outside of the Subregion may cause serious disturbances to the Subregion.

In drafting its proposals about the Common External Tariff, the General Secretariat shall bear in mind the provisions of Article 4 in favor of Bolivia.

Article 135

Bolivia and Ecuador may establish the exceptions authorized by the Commission, at the General Secretariat’s proposal, to the process of approximation of their national tariff schedules to the Common External Tariff so as to enable them to apply their existing industrial development laws, mainly with respect to the importation of capital goods, intermediate goods, and raw materials necessary for their development.

Such exceptions shall not be applied in any case more than two years before the Common External Tariff is fully implemented.

Section E

On Financial Cooperation and Technical Assistance

Article 136

The Member Countries commit themselves to act jointly before the Andean Development Corporation and any other subregional, national, or international organizations to secure technical assistance and financing for Bolivia and Ecuador’s development needs and specially for projects related to the process of integration.

The allocation of the resources for those projects should be made in accordance with the basic objective of reducing the existing differences in development among the countries while making an attempt to favor Bolivia and Ecuador markedly.

The Member Countries, moreover, shall act jointly before the Andean Development Corporation so that it allocates its regular and special resources in such a way that Bolivia and Ecuador receive a substantially larger share than would result if the distribution were to be made proportional to the countries’ contribution to the Corporation’s capital.

在不影响本条第一小节规定的前提下，委员会可根据总秘书处的提议，决定玻利维亚和厄瓜多尔应对其他成员国感兴趣的产品采用最低关税水平， 前提是该水平的适用不会对玻利维亚或厄瓜多尔造成干扰。

委员会应根据第131条所述评估，确定玻利维亚和厄瓜多尔采用共同最低共同对外关税的程序和时限。无论如何， 委员会都应考虑本协定第4条所述玻利维亚内陆国家状况所引发的问题。

根据总秘书处的提案，委员会还可确定玻利维亚和厄瓜多尔对可能对次区域造成严重干扰的次区域外进口产品采用最低关税水平。

在起草关于共同对外关税的提案时， 总秘书处应充分考虑第4条中有利于玻利维亚的条款。

第135条

玻利维亚和厄瓜多尔可设立委员会授权的例外（根据总秘书处提案）， 使其国家关税表逐步接近共同对外关税的过程，从而能够适用其现行工业发展法， 主要针对资本货物、中间货物及发展所需原材料的进口。

此类例外在任何情况下都不得在共同对外关税全面实施前超过两年适用。

E部分

关于金融合作与技术援助

第136条

成员国承诺在安第斯开发公司及其他任何次区域的、国家的或国际组织面前采取联合行动， 以确保为玻利维亚和厄瓜多尔的发展需求， 特别是与一体化进程相关的项目获取技术援助和融资。

这些项目的资源分配应符合减少国家间现有发展差异的基本目标， 同时显著倾向于玻利维亚和厄瓜多尔。

成员国还应在安第斯开发公司面前采取联合行动， 以便其分配常规和特殊资源时， 玻利维亚和厄瓜多尔获得的份额远高于按各国` 对公司资本的贡献比例分配所得。

Section F

General Provisions

Article 137

In its periodic evaluations and annual reports, the General Secretariat shall give separate and special consideration to Bolivia and Ecuador’s situation in the subregional integration effort and shall propose to the Commission the measures which it deems appropriate to substantially improve their possibilities for development and increasingly expedite their participation in the area’s industrialization.

Article 138

The Commission may establish in favor of any of the least developed countries more favorable condition’s and procedures than those considered in this Chapter, bearing in mind the degree of development achieved and the conditions for taking advantage of the benefits of integration.

CHAPTER XIV: ECONOMIC AND SOCIAL COOPERATION

Article 139

Member Countries may begin programs and policies in the area of economic and social cooperation, which must be agreed upon within the Commission and shall be limited to the responsibilities established by this Agreement.

Article 140

Member Countries shall begin policies with an external scope, in matters of common interest, with the purpose of improving their participation in the international economy.

Article 141

With respect to the provisions of the previous Article, the Commission shall adopt programs to direct the joint external actions of the Member Countries, particularly as regards to the negotiations with third countries and group of countries, as well as for the participation in fora and organizations specialized in matters related to the international economy.

Article 142

Member Countries shall promote a joint scientific and technological development process to attain the following objectives:

- a. The creation of the ability to respond subregionally to the challenges of the scientific-technological revolution in course;
- b. The contribution of science and technology to the conception and execution of Andean development strategies and programs; and

F部分

总则

第137条

总秘书处在定期评估和年度报告中，应对玻利维亚和厄瓜多尔在次区域一体化进程中的状况予以单独和特别考量，并向委员会提出其认为适当的措施，以实质性改善两国的发展可能性，并逐步加快其参与该地区工业化的进程。

第138条

委员会可基于所取得的发展程度及利用一体化利益的条件，为任一最不发达国家制定比本章节所规定更为有利的条件和程序。

第十四章：经济和社会合作

第139条

成员国可在经济和社会合作领域启动计划和政策，这些计划和政策须在委员会内达成一致，并应限于本协定规定的职责范围内。

第140条

成员国应启动具有外部范围的政策，涉及共同利益事项，旨在提升其在国际经济中的参与度。

第141条

关于前一条款的各项规定，委员会应通过相关计划，指导成员国的联合外部行动，特别是在与第三国和国家集团的谈判方面，以及参与与国际经济相关事务的专门论坛和组织。

第142条

成员国应推动联合科学技术发展进程，以实现以下目标：

- a. 建立次区域应对当前科学技术革命挑战的能力；
- b. 科学技术对安第斯发展战略和计划的构想与执行的贡献；以及

- c. Taking advantage of the mechanisms of economic integration in order to induce technological innovation and productive modernization.

Article 143

With respect to the previous Article, the Member Countries shall adopt in the fields where there is a common interest:

- a. Programs of cooperation and joint efforts in science and technology in which the subregional level is more effective to train human resources and to obtain the results of the investigation;
- b. Technological development programs that contribute to the attainment of solutions to the common problems of the productive sectors; and
- c. Programs for taking advantage of the enlarged market and of joint physical, human, and financial abilities, in order to induce technological development in sectors of common interest.

Article 144

Member Countries shall undertake policies that promote the integral development of border regions and their effective incorporation to the domestic and Andean subregional economies.

Article 145

In the area of tourism, the Member Countries shall develop joint programs seeking a better understanding of the Subregion and to stimulate economic activities related to this sector.

Article 146

Member Countries shall undertake joint policies that enable a better use of their renewable and nonrenewable natural resources and the preservation and improvement of the environment.

Article 147

Member countries shall undertake cooperation actions in the services sector. For that purpose the Commission shall adopt programs and projects in selected areas of the services sector, defining for each case the mechanisms and instruments to be applied.

Article 148

Member Countries shall undertake joint cooperation actions destined to contribute to the attainment of the following objectives of social development of the Andean population:

- a. The elimination of poverty among the excluded classes, in order to achieve social justice;
- b. To strengthen the cultural identity of the Andean area;

- c. 利用经济一体化机制以促进技术创新和生产现代化。

第一百四十三
条

关于前一条款，成员国应在具有共同利益的领域采取以下措施：

- a. 在科学技术领域开展合作计划和共同努力，在次区域层面更有效地培训人力资源并取得研究成果；b. 制定技术发展计划，助力解决生产部门的共同问题；以及c. 实施利用扩大市场及联合物质、人力和财力的计划，以促进共同利益领域的技术发展。

第一百四十四
条

成员国应推行促进边境地区全面发展并将其有效纳入国内和安第斯次区域经济的政策。

第一百四十五
条

在旅游业领域，成员国应制定联合计划，以增进对次区域的了解，并刺激与该行业相关的经济活动。

第一百四十六
条

成员国应实施联合政策，以更好地利用其可再生和不可再生自然资源，并保护和改善环境。

第一百四十七
条

成员国应在服务部门开展合作行动。为此，委员会应通过服务部门选定领域的计划和项目，并针对每种情况确定适用的机制和工具。

第148条

成员国应开展联合合作行动，旨在促进实现安第斯人口社会发展的下列目标：

- a. 在被排斥阶层中消除贫困，以实现社会正义；b. 加强安第斯地区的文化认同；

- c. Full participation of the inhabitants of the Subregion in the integration process; and
- d. To meet the needs of the depressed areas, that are predominantly rural.

For the attainment of such objectives, programs and projects shall be developed in the areas of health, social security, social interest housing, education, and culture.

The fulfillment of the actions to be developed within the framework of this Article shall be coordinated with the different organizations of the Andean system.

Article 149

Member Countries shall undertake policies in the area of social communication and policies oriented to promote a better understanding of the cultural, historical, and geographic heritage of the Subregion, its economic and social reality, and that of the Andean integration process.

Article 150

The projects, policies, and programs to which this Chapter refers to shall be developed, in parallel and in coordination, with the improvement of the other mechanisms of the subregional integration process.

CHAPTER XV: ACCESSION, EFFECTIVE DATE AND DENOUNCEMENT

Article 151

This Agreement may not be signed with reservations and shall remain open to the accession of the rest of the Latin American countries. Least developed countries which accede to the Agreement shall be entitled to a treatment similar to that agreed upon in Chapter XIII for Bolivia and Ecuador.

The terms of the accession shall be defined by the Commission, which shall bear in mind that the incorporation of new members shall comply with the objectives of the Agreement.

Article 152

This Agreement shall be submitted to the Permanent Executive Committee of the LAFTA for its considerations and once the Committee has declared its compatibility with the principals and objectives of the Treaty of Montevideo and with Resolution 203 (CM-II/VIE), each of the Member Countries shall approve it in keeping with its respective national legal procedures and shall inform the Executive Secretariat of LAFTA of the corresponding act of approval. The Agreement shall become effective when three countries have communicated their approval to the Executive Secretariat of LAFTA.

For the rest of the countries the date of the Agreement’s entry into force shall be that in which they communicate the respective instrument of approval in accordance with the procedure set forth in the first subsection of this Article. This Agreement shall remain in effect indefinitely.

- c. 次区域居民全面参与一体化进程；以及
- d. 满足以农村为主的萧条地区的需求。

为实现这些目标，应在健康、社会保障、社会利益住房、教育和文化领域制定计划和项目。

本条框架内拟开展的行动实施情况，应与安第斯体系各组织协调推进。

第一百四十九
条

成员国应制定社会传播领域的政策，以及旨在促进更好地理解次区域文化、历史和地理遗产、其经济和社会现实以及安第斯一体化进程的政策。

第一百五十条

本章所述项目、政策和计划应与次区域一体化进程其他机制的完善并行且协调地开展。

第十五章：加入、生效和退出

第一百五十一
条

本协定不得附保留签署，并继续对其他拉丁美洲国家开放加入。加入本协定的最不发达国家有权享有第十三章为玻利维亚和厄瓜多尔商定的类似待遇。

加入条件应由委员会确定，委员会应谨记新成员的纳入须符合本协定目标。

第152条

本协定应提交拉美自由贸易协会常设执行委员会审议，一旦委员会确认其与《蒙得维的亚条约》的原则及目标以及203号决议（CM-II/VIE）具有兼容性，各成员国应依照各自国家法律程序予以批准，并向拉美自由贸易协会执行秘书处通报相关批准文件。当三个国家向拉美自由贸易协会执行秘书处提交批准书后，本协定即行生效。

对于其余国家，本协定生效的日期应为它们按照本条第一小节规定的程序提交各自批准文书之日。本协定将无限期有效。

Article 153

Any Member Country wishing to denounce this Treaty shall so inform the Commission. From that moment on it shall cease to enjoy the rights and have the obligations deriving from its status as Member, with the exception of the benefits received and granted in accordance with the Subregional Tariff Reduction Program, which will remain effective for a period of five years after the date of the denouncement.

The time period stipulated in the paragraph above may be shortened in duly grounded cases by decision of the Commission and at the request of the interested Member Country.

As regards the Programs of Industrial Integration, the stipulation of paragraph i) of Article 59 shall be applied.

CHAPTER XVI: FINAL DISPOSITIONS

Article 154

The Commission, at the proposal of the General Secretariat, and based upon the latter’s periodic reports and evaluations, shall adopt the necessary mechanisms to ensure the attainment of the objectives of the Agreement once the process of liberalization of trade and the establishment of the Common External Tariff have concluded. Such mechanisms must include special treatment in favor of Bolivia and Ecuador so long as existing differences in the degree of development continue to exist.

Article 155

Any advantage, favor, exemption, immunity, or privilege applied by a Member Country regarding a product originating in or destined for any other country, shall be immediately and unconditionally extended to the similar product originating in or destined for the territory of the other Member Countries.

Advantages, favors, exemptions, immunities, and privileges already granted or to be granted by virtue of agreements among Member Countries or between Member Countries and third countries, with the purpose of facilitating border traffic shall be excepted from the treatment referred to in the previous subsection.

Likewise, the advantages, favors, exemptions, immunities, and privileges granted by Bolivia or Ecuador to third countries are excepted from the referred treatment until the Commission adopts the corresponding Decision based on the evaluation of the Tariff Reduction Program foreseen in paragraph d) of Article 130.

CHAPTER XVII: TRANSITORY PROVISIONS

I. The Commission, at the proposal of the General Secretariat, shall review the Sectorial Programs of Industrial Development that are approved and related to the products of the metallurgical, petrochemicals, and iron and steel industries, the products included in the lists of Decision 28 and the others related to it and those included in Annexes III and IV of Decision 137, in light of the provisions of Articles 59 and 60, and may redefine sectorial or inter-sectorially the

第153条

任何希望退出本条约的成员国应通知委员会。自通知之日起，该国将不再享有成员国身份所赋予的权利并承担相应义务， 但根据次区域关税减免计划已接受和授予的优惠除外，这些优惠将在退出之日起五年内继续有效。

在上述段落规定的时间期限内，如有充分理由， 经相关成员国请求， 委员会可作出决定予以缩短。

关于工业一体化计划， 应适用第59条i款的规定。

第十六章： 最终条款

第154条

委员会应根据总秘书处的提议， 并基于后者`的定期报告和评估， 采取必要机制以确保在贸易自由化进程和共同对外关税确立完成后达成协议目标。此类机制必须包含对玻利维亚和厄瓜多尔的特殊待遇， 只要发展程度差异持续存在。

第155条

成员国对原产于或 **destined for** 任何其他国家的产品实施的任何优惠、 优待、 豁免、 **immunity** 或特权， 应立即无条件地延伸至原产于或 **destined for** 其他成员国领土的同类产品。

成员国之间或成员国与第三国之间为便利边境交通而签订协议已授予或拟授予的优惠、 优待、 豁免、 **immunities** 及特权， 不适用前小节所述待遇。

同样， 玻利维亚或厄瓜多尔授予第三国的优惠、 优待、 豁免、 **immunities** 及特权也不适用上述待遇， 直至委员会根据第130条d款预见的关税减免计划评估结果作出相应决定。

第十七章： 过渡条款

一、 委员会应根据总秘书处的提议， 审查已批准的与冶金、 石化和钢铁工业产品相关的工业发展部门计划， 以及第28号决定清单中所列产品及其相关产品， 以及第137号决定附件三和附件四中所列产品， 并根据第59条和第60条的规定， 可重新定义部门或跨部门的

Tariff Reduction Program and the Common External Tariff originally agreed for the products which are the subject of said Programs, bearing in mind the need to preserve the investments and trade flows that have been generated.

The General Secretariat, in its Proposal, shall bear in mind the particular situation of Bolivia and Ecuador with the purpose of ensuring for them an equitable participation in the benefits derived from the Program or Programs that may be adopted by the Commission based on this Provision.

II. The Commission, at the proposal of the General Secretariat, shall approve the creation of a new list of reserve to apply the modes of industrial integration referred to in Article 77, beginning with the products that having been reserved for the Sectorial Programs of Industrial Development, were not programmed; the products which are not produced in any country of the Subregion, and those produced only in one of them. For such purpose it shall determine a redefinition of the Tariff Reduction Program and of the Minimum Common External Tariff or the Common External Tariff, as the case may be, corresponding to the products that shall make up the above mentioned list of reserve.

III.

1. With the purpose of regulating the conditions of access to the subregional market of specific products comprised in paragraph d) of Article 75 of this Agreement, affected by special situations, a transitory trade administration regime shall be established through the application of import quotas. For these purposes, the Member Countries may present the General Secretariat with a list of products which are the subject of administered trade.
2. Such lists of administered trade shall be subject to the following common rules:
 - a. Colombia, Peru, and Venezuela may present their respective lists on June 24, 1988 at the latest, and Bolivia and Ecuador on July 9, 1988 at the latest. If after such time a country does not present its list, it will be understood that it gives up the right foreseen in this Provision. Once the lists are presented, they may not be increased, nor may their products be substituted by others;
 - b. The lists of administered trade shall be in force until December 31, 1997.

Products included in such lists shall be totally freed from the quotas through a gradual process of enlargement of the same or by the withdrawal of items in the list. Global and individual product quotas shall be increased in three opportunities at least, the first and second of 30 percent each, and the third one of 40 percent of the average value of the imports of the 1980-1985 period, that shall take place in order, on December 31, 1992, 1995, and 1997, date in which they shall be eliminated; and
 - c. The Member Countries shall hold periodic negotiations with the purpose of establishing the import quotas, for which they may use as a basis the most appropriate reference period of their reciprocal trade, the enlargement of quotas, and the withdrawal of products from the lists.
4. The lists of administered trade of Colombia, Peru, and Venezuela shall be subject to the following special rules:

关税减免计划和最初为上述计划所涉产品商定的共同对外关税，同时考虑到有必要保护已产生的投资和贸易流动。

总秘书处在提案中应充分考虑玻利维亚和厄瓜多尔的特殊情况，以确保它们能公平参与由委员会根据本条款可能通过的一项或多项计划所产生的利益。

二、委员会应根据总秘书处的提案，批准创建新的储备清单以适用第77条所述的工业一体化模式，该清单应首先包含以下产品：原为工业发展部门计划保留但未被纳入计划的产品；次区域内任何国家均未生产的产品；以及仅在其中一国生产的产品。为此，委员会应重新确定关税减免计划及最低共同对外关税或共同对外关税（视情况而定），以对应构成上述储备清单的产品。

三、1. 为规范进入次区域市场的条件

对于本协定第75条d款所涵盖的、受特殊情况影响的特定产品，应通过实施进口配额建立临时贸易管理制度。为此目的，成员国可向总秘书处提交一份作为受管制贸易对象的产品清单。

2. 此类管理贸易清单须遵守以下共同规则：

a. 哥伦比亚、秘鲁和委内瑞拉最迟应于1988年6月24日提交各自清单，玻利维亚和厄瓜多尔最迟应于1988年7月9日提交。若逾期未提交清单，则视为该国放弃本条款规定的权利。清单一经提交，不得增补产品或替换清单内产品；b. 管理贸易清单有效期至1997年12月31日。清单所列产品应通过逐步扩大配额或移除清单项目的方式完全解除配额限制。全球及单项产品配额至少分三次递增：第一次和第二次各增加30%，第三次增加1980-1985年期间进口平均值的40%，分别于1992年12月31日、1995年和1997年实施，并于1997年彻底取消配额；c. 成员国应定期举行谈判以确定进口配额，谈判可基于最合适的双边贸易参考期、配额扩大幅度及清单产品移除情况。

4. 哥伦比亚、秘鲁和委内瑞拉的管理贸易清单应遵循以下特殊规则：

- a. They may comprise products included in no more than fifty items of the NABANDINA;
 - b. The annual, global, and specific product quotas, applied by each country may not be lower than thirty percent of the annual average value of the corresponding imports originating in the Member Countries and recorded in the 1980-1985 period;
 - c. The quantities of imports below the quotas referred to in the previous paragraph, shall be totally free of levies and no restriction different to that required to administer the quota may be applied to them.
 - d. After negotiation, the annual quotas of each one of the products may be applied by a Member Country in a directed way at the imports of another Member Country; and
 - e. As long as a product is included in an administered trade list, it may not enjoy the advantages derived for it from the Tariff Reduction Program. At any time, a Member Country may remove products from its list and immediately enjoy the respective advantages.
6. The administered trade lists of Bolivia and Ecuador, directed at Colombia, Peru, and Venezuela, shall be subject to the following special rules:
- a. Bolivia and Ecuador shall determine the annual quotas applicable to each one of the products of their respective lists, which must be balanced in relation to those established for their products of export; and
 - b. Imports carried out within the quotas referred to in the previous paragraph, shall be subject to the corresponding levies depending on their Tariff Reduction Program and no restriction different to that required to administer the quota may be applied to them.

III. The changes in levels that result from the conversion that Ecuador carries out in its National Custom Tariff as a consequence of the adoption of the Brussels Tariff Nomenclature, shall be excepted from what has been foreseen in Article 84.

IV. The Commission may place the products of Decision 120, once it is derogated, in any of the categories of the Tariff Reduction Program; likewise, it may include them in the new list of reserve which the Second Transitory Provision refers to.

- a. 清单包含的产品不得超过纳班迪纳五十个税号；
- b. 各国实施的年度、全球和特定产品配额不得低于**1980-1985**年期间来自成员国相应进口产品年均值的百分之三十；
- c. 低于前款所述配额的进口量应完全免征征税，且除配额管理所需外不得施加任何其他限制；
- d. 经协商后，成员国可针对另一成员国的进口产品定向实施各产品的年度配额；
- e. 只要某产品被列入管理贸易清单，便不得享受关税减免计划带来的优惠。成员国可随时将产品移出清单并立即享受相应优惠。

6. 玻利维亚和厄瓜多尔针对哥伦比亚、秘鲁和委内瑞拉制定的管理贸易清单，应遵循以下特殊规则：

- a. 玻利维亚和厄瓜多尔应确定适用于各自清单中每项产品的年度配额，这些配额必须与其出口产品所设定的配额相平衡；且
- b. 在前款所述配额范围内进行的进口，应根据其关税减免计划缴纳相应征税，且不得对其实施超出配额管理所需的其他限制。

III. 厄瓜多尔因采用布鲁塞尔关税分类而对其国家关税进行调整所产生的税率变动，不受第**84**条规定约束。

IV. 委员会可在第**120**号决定废止后，将其涉及的产品归入关税减免计划的任一类别；同样地，也可将其纳入第二过渡条款所述的新保留清单。