

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.

第五十五条

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，以及对本协定各项机制的平衡遵守，批准相关规则，并确定逐步协调经济法规及成员国`对外贸易监管与促进工具和机制的日期，这些法规和机制影响本协定为创建次区域市场所预见的各项机制。

第五十六条

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

第五十七条

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. 最优利用区域内可用资源，特别是通过自然资源的工业化；
- d. 生产力的提高；
- e. 次区域工业企业之间更高程度的关系、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高程度的参与。

第五十八条

关于前条，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. 根据计划所涉行业的特点，在次区域国家内确定生产设施的选址，在此情况下，必须包括不鼓励在未被分配优势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. 协调直接影响计划的政策方面；h. 可增强产业关联并促进计划目标实现的补充措施；i. 在协定被废止的情况下，计划所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为此规定的时间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，依照本协定的一般规则。

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.

第六十一条

未参与工业一体化计划的国家可随时申请加入，在此情况下，委员会应按照第26条b款规定的投票制度批准该加入的条件。在相关提案中，委员会应考虑参与国与非参与国之间进行的谈判。

B节

关于工业互补协议

第六十二条

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，协定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，以及其他能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质，除确定协议所涉产品及参与成员国权利义务的到期日外，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，前提是该等措施代表与现有互惠交换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

对于工业互补协议所涉产品，应适用以下规则：

- a. 若产品属于保留产品清单，参与国和非参与国均可将其保留在清单内；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加入，在此情况下，所述加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共同参与实施。

在实施这些项目时，除其他外，应执行以下任务：

- 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（优选次区域原产）；
- 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进行联合谈判，以获取外国资金或技术转让。

工业一体化项目应根据相应行业或产业的特点，在必要时包含关于生产设施在成员国境内选址的条款，并可包含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特定项目，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。对于次区域内未生产的产品，若将其纳入此类，则应包含对第75条第1款规定的不可撤销性原则的例外条款。

其他规定

第66条

在实施工业一体化模式时，委员会与总秘书处应充分考虑中小型工业的现状及需求，特别是涉及以下方面的内容：

- a. 现有公司的装机容量；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. 在同类公司之间建立联合营销、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。

第六十七条

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佳利用，并达到更高的生产力和效率水平。

第六十八条

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，以支持该领域的任何活动，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。

第六十九条

当总秘书处认为适当时，并在其定期评估中，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、其实施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，其技术和财政贡献被认为有利于以下方面：

- 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产业整合过程中遇到的问题；
- c. 推动因不同工业一体化模式实施而产生的投资项目的融资；
- d. 扩大、现代化或改造可能因贸易自由化而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。