

No. 26059

MULTILATERAL

Agreement establishing the Latin American and Caribbean Trade Information and Foreign Trade Support Programme (PLACIEX). Concluded at Caracas on 29 May 1987

Authentic text: Spanish.

Registered by Peru on 1 July 1988.

MULTILATÉRAL

Accord relatif à la création du Programme latino-américain et des Caraïbes d'information commerciale et d'appui au commerce extérieur (PLACIEX). Conclu à Caracas le 29 mai 1987

Texte authentique : espagnol.

Enregistré par le Pérou le 1^{er} juillet 1988.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ESTABLISHING THE LATIN AMERICAN AND CARIBBEAN TRADE INFORMATION AND FOREIGN TRADE SUPPORT PROGRAMME (PLACIEX)

The States members of the Latin American Economic System, SELA, represented at the meeting convened to establish the Latin American and Caribbean Trade Information and Foreign Trade Support Programme (PLACIEX),

Considering that:

The promotion of exports from Latin America and the Caribbean and the strengthening of intraregional and third country trade are fundamental factors in overcoming the crisis affecting the region and in attaining the goal of integral, self-sustaining and independent development;

The dynamization of intraregional and third country commercial transactions can only be achieved through an integral, permanent trade information mechanism which systematically provides pertinent information to both suppliers and purchasers in a timely and accurate manner;

In the Quito Plan of Action, the Heads of State or Government of Latin America and the Caribbean required regional and subregional organizations that deal in trade information to coordinate effectively their efforts and programmes for the purpose of providing the region with an efficient system of trade information within the framework of SELA;

At its Twelfth Regular Meeting, the Latin American Council agreed, in Decision No. 239, on the objective of establishing the Latin American and Caribbean Trade Information Programme to consolidate, organize and supplement the initiatives undertaken in the region and to assume responsibility for collecting, processing and

¹ Came into force on 29 May 1987, after it had been accepted definitively by three signatory States, in accordance with article 27:

<i>State</i>	<i>Date of acceptance</i>
Bolivia	29 May 1987
Cuba	29 May 1987
El Salvador	29 May 1987
Paraguay	29 May 1987

Subsequently, the Agreement came into force for the following States as from the date the depositary had received from the said States the appropriate official notification of acceptance, in accordance with article 28:

<i>State</i>	<i>Date of acceptance</i>	<i>State</i>	<i>Date of acceptance</i>
Peru	10 June 1987	Trinidad and Tobago	15 October 1987
(With effect from 10 June 1987.)		(With effect from 15 October 1987.)	
Nicaragua	16 June 1987	Guatemala	21 January 1988
(With effect from 16 June 1987.)		(With effect from 21 January 1988.)	
Ecuador	6 August 1987	Honduras	22 January 1988
(With effect from 6 August 1987.)		(With effect from 22 January 1988.)	
Chile	8 September 1987	Uruguay	25 January 1988
(With effect from 8 September 1987.)		(With effect from 25 January 1988.)	
Mexico	2 October 1987	Haiti	29 January 1988
(With effect from 2 October 1987.)		(With effect from 29 January 1988.)	

disseminating the information needed to facilitate the purchase and sale of goods and services both in its own region and on the international market;

To these ends and in view of the work accomplished, particularly the experience accumulated through the Latin American Trade Information Network (RELIC), a technical cooperation project which ended in December 1986 and in which 19 States members of SELA participated, it is necessary to adopt and implement the appropriate decisions for the immediate establishment of a permanent, integral trade information system at the regional level;

Agree:

To sign the following Agreement Establishing the Latin American and Caribbean Trade Information and Foreign Trade Support Programme (PLACIEX).

CHAPTER I NAME, DEFINITION AND OBJECTIVE

Article 1. The Latin American and Caribbean Trade Information and Foreign Trade Support Programme, whose acronym is PLACIEX, shall be established within the framework of the Latin American Economic System (SELA).

PLACIEX shall be governed by the provisions contained in this Agreement and, where appropriate, by the Agreement of Panama.

Article 2. The objective of PLACIEX is to contribute to the expansion of intraregional trade and of exports to third countries through the systematic compilation, consolidation, processing, dissemination and exchange of trade information and through the implementation of the projects, activities and actions necessary to establish and maintain a permanent, integral trade information system at the regional level, to which end the annexed Latin American and Caribbean Trade Information and Foreign Trade Support Programme forms part of this Agreement.

CHAPTER II PARTICIPATING STATES AND HEADQUARTERS

Article 3. The participating States of PLACIEX are the States members of the Latin American Economic System that sign or accede to this Agreement.

Article 4. The participating States shall determine which of their national institutions will represent them in PLACIEX; preferably, such institutions will be connected to the foreign trade sector.

Article 5. The permanent headquarters of PLACIEX shall be determined by the Plenary Assembly at its first regular session.

Article 6. PLACIEX shall conclude the appropriate Headquarters Agreement with the Government in whose territory its Headquarters is located.

CHAPTER III ORGANIZATIONAL STRUCTURE

Article 7. The structure of PLACIEX shall consist of the following organs:

- (a) The Plenary Assembly,
- (b) The Technical Committee,
- (c) The Executive Secretariat.

Title I
THE PLENARY ASSEMBLY

Article 8. The Plenary Assembly is the supreme organ of PLACIEX and shall be responsible for the adoption of resolutions and basic guidelines, the approval of specific normative instruments, general outlines for operational budgets and plans and the evaluation and adjustment of the Programme. It shall consist of one high-level representative from each of the participating States of PLACIEX.

The Plenary Assembly shall adopt its own rules of procedure.

Article 9. The Plenary Assembly shall meet in regular session once every two years and in special sessions whenever necessary for the performance of its functions. At each regular session, the Plenary Assembly shall elect its Officers, including a Chairman, a Vice-Chairman and a Rapporteur.

Title II
THE TECHNICAL COMMITTEE

Article 10. The functions of the Technical Committee shall be to prepare and approve the annual operational work plan and the annual operational budget, to discuss the technical aspects of the implementation of the Programme, to carry out the tasks assigned to it by the Plenary Assembly and to agree on recommendations contributing to the achievement of the objectives of PLACIEX.

Article 11. The Technical Committee shall consist of one representative from each of the States members of PLACIEX who belongs to the national foreign trade organization responsible for trade information. The Technical Committee shall meet in regular session once a year and in special session as often as necessary. At each regular session, the Technical Committee shall elect its Officers, including a Chairman, a Vice-Chairman and a Rapporteur.

The Technical Committee shall adopt its own rules of procedure.

Article 12. For the design and development of activities and projects and the supervision of their implementation, the Technical Committee may establish working groups or other operative modalities at the technical level in other areas of support for foreign trade.

Title III
THE EXECUTIVE SECRETARIAT

Article 13. The Executive Secretariat of PLACIEX is the technical administrative organ of PLACIEX and shall be headed by an Executive Secretary; it shall be located at the Headquarters of PLACIEX.

Article 14. The Executive Secretary shall be elected by the Plenary Assembly for a four-year term and may not be re-elected. He shall be the legal representative of the Executive Secretariat of PLACIEX and, in certain cases as determined by the Plenary Assembly, he shall also act as legal representative of PLACIEX.

Article 15. The Executive Secretary shall have the following functions:

(a) To carry out the tasks assigned to him by the Plenary Assembly and, as appropriate, by the Technical Committee;

(b) To coordinate the implementation of the annual operational work plan;

(c) To maintain the necessary contact with the Governments of the participating States, particularly with the institutions representing them in PLACIEX, in order to promote their effective participation in the implementation of the annual work plan;

(d) To formally convene and organize both regular and special sessions;

(e) To administer the resources of PLACIEX in accordance with the resolutions adopted by the corresponding organs;

(f) To propose to the Technical Committee the establishment of working groups or other operative modalities at the technical level that may contribute to the efficient implementation of the work plans;

(g) To prepare and present to the Technical Committee an evaluation of the preceding annual work plan, the draft annual work plan and proposals for adjustments, where appropriate;

(h) To prepare or, as appropriate, to coordinate the preparation of studies and other documentation of interest to PLACIEX, including the basic documents of the sessions;

(i) To maintain the necessary coordination with subregional, regional and international organizations conducting projects and programmes relating to trade information. To this end, he may conclude cooperation and participation agreements with such organizations;

(j) To submit a report on the activities of PLACIEX to the regular sessions of the Latin American Council of SELA;

(k) To appoint and direct the staff of the Secretariat.

Article 16. In the performance of their functions, the Executive Secretary and the staff of the Executive Secretariat shall not seek or receive instructions from any Government or any national or international body, nor shall they act in a manner inconsistent with their position as international officials or occupy any other post, whether remunerated or not. The Executive Secretary is answerable for his actions to the Plenary Assembly and, as appropriate, to the Technical Committee.

The Executive Secretary must be a national of one of the participating member States and must reside during his term of office in the country in which the Headquarters of the Programme is located.

CHAPTER IV BUDGET, AUDITING, SUPPORT RESOURCES AND OPERATIONAL WORK PLANS

Article 17. For the achievement of its objectives and the implementation of its activities, PLACIEX shall rely on annual operational budgets designed to cover the administrative, logistic and operating costs incurred through the operation of the Programme.

Such budgets shall consist of resources derived from the following sources:

(a) Contributions from participating member States;

(b) Non-repayable contributions from international, regional and subregional sources;

(c) Income generated by the Programme's operations;

(d) Other sources.

Each year, the participating member States shall determine the total amount of the budget and the corresponding annual contribution of each member State.

Special efforts shall be made to ensure that the projects and activities of PLACIEX are financially self-sustaining.

To contribute to the initiation of the activities of the Programme, priority shall be given to securing non-repayable technical, financial and material resources, particularly from international, regional and subregional organizations.

Article 18. At the end of each financial year, an external auditor designated by the Plenary Assembly shall examine the ledgers and accounting records of PLACIEX and shall submit the appropriate financial reports.

Article 19. The participating States may provide experts, to the extent of their abilities, without cost to the Programme, in order to furnish technical support in both the formulation and the execution of the annual operational work plans of PLACIEX.

Article 20. The annual operational work plans shall be drawn up in the framework of the objectives and activities provided for in the Programme. Each annual operative work plan shall include, to the extent possible, specific activities, execution periods, modalities of implementation and requirements, with cost estimates and the corresponding sources of financing.

CHAPTER V COOPERATION WITH OTHER ORGANIZATIONS

Article 21. In the conduct of activities, close communication and coordination shall be maintained, through the appropriate organs, with the Permanent Secretariat of SELA, the Action Committees and the permanent organizations existing within the framework of the System. In addition, with a view to contributing to the more effective execution of the activities contained in the Programme, participation and coordination with subregional, regional and international organizations conducting programmes and projects relating to trade information and support for foreign trade shall be promoted and, where appropriate, formalized.

CHAPTER VI LEGAL CAPACITY

Article 22. PLACIEX shall be a juridical person under public international law, and in this capacity it shall have the power to contract, to acquire and dispose of movable and immovable property, and to institute legal proceedings in fulfilment of its objectives, subject to the national laws of the State in which that power is exercised.

CHAPTER VII QUORUM AND ADOPTION OF DECISIONS

Article 23. In the sessions of the Plenary Assembly and of the Technical Committee, a quorum shall consist of one half plus one of the participating States of PLACIEX.

Article 24. The resolutions of the Plenary Assembly shall preferably be adopted by consensus. Otherwise, decisions shall be taken by a majority of two thirds of the member States in cases involving the establishment of general policies, the interpretation of the normative provisions, changes in the conception of the Programme, or a decision to dissolve PLACIEX; and by a majority of two thirds of the participating States, present and voting, in questions relating to the operations of PLACIEX.

Any motion involving a change in the conception of the Programme or the dissolution of PLACIEX must have the support of at least two participating States and be submitted for consideration by the appropriate organ.

Article 25. The resolutions of the Technical Committee shall preferably be adopted by consensus. Otherwise, decisions shall be taken by a majority of two thirds of the participating States, present and voting.

CHAPTER VIII ENTRY INTO FORCE AND ACCESSION

Article 26. No reservations to this Agreement may be formulated.

Article 27. This Agreement shall enter into force upon its definitive acceptance by three signatory States.

Article 28. Following its entry into force, this Agreement shall become effective for each new signatory State as from the time it is signed by that State. However, any State may sign it *ad referendum*.

For each State having signed *ad referendum*, the Agreement shall become effective as from the time the depositary receives from that State the appropriate official notification of acceptance.

Article 29. The Government of the country in which the Headquarters is located shall be the depositary of this Agreement.

Article 30. This Agreement shall be open for signature by all the States members of SELA from 29 May to 31 July 1987. After that date, it shall remain open for accession by any State member of the Latin American Economic System. The instruments of accession shall be deposited with the Government of the country in which the headquarters is located.

Article 31. Any participating State may propose amendments to this Agreement through the Executive Secretariat, which shall transmit them to all the other participating States. The Plenary Assembly shall examine such proposed amendments at its following regular session, or it may convene a special session for that purpose.

Article 32. This Agreement shall remain in force indefinitely, but any participating State may denounce it at any time by written notification addressed to the Government of the country in which the headquarters is located.

The denunciation shall become effective one year after the date on which the notification is received by the depositary.

The Government of the country in which the headquarters is located shall inform the participating States of the notification of denunciation and of the date from which the denunciation is effective.

CHAPTER IX
GENERAL PROVISIONS

Article 33. The official languages shall be those recognized as such by the Latin American Economic System.

Article 34. This Agreement shall be registered with the Secretariat of the United Nations by the Government of the country in which the headquarters is located.

Article 35. Each participating State shall establish the most appropriate means of coordinating, supporting and administering the actions and projects related to PLACIEX in accordance with the recommendations of the Plenary Assembly and, as appropriate, of the Technical Committee.

TRANSITORY PROVISIONS

Article 36. In order to promote the effective and integral implementation of the Programme, the Plenary Assembly may agree, at the request of interested member States, to provisional modalities allowing the participation of those States which have not completed the formalities for their incorporation into this Agreement.

Article 37. The States members of SELA represented at the meeting to establish PLACIEX shall take appropriate steps to facilitate the launching of the activities of the Programme, including such administrative, programmatic and financial arrangements as are deemed suitable.

IN WITNESS WHEREOF, the States members of SELA hereby sign this Constituent Agreement on behalf of their respective Governments, in the city of Caracas, on 29 May 1987:

Argentina:

[RICARDO JORGE MASSOT]¹

Ad referendum

Bolivia:

[CÉSAR CHÁVEZ TABORGA]

Colombia:

[SERGIO CALLE SÁNCHEZ]

Ad referendum

Cuba:

[MAGALY ASCAÑO DELGADO]

Barbados:

Brazil:

[FRANCISCO CAMPOS]

Ad referendum

Costa Rica:

[ALVARO VALVERDE]

Ad referendum

Chile:

[JAIME PARDO H.]

Ad referendum

¹ The names of signatories appearing between brackets were not legible and have been supplied by the Government of Peru.

Ecuador: [CÉSAR MOLINA PÉREZ] <i>Ad referendum</i>	El Salvador: [LUISA ACEVEDO]
Grenada:	Guatemala: [MARCO ANTONIO VENTURA MEJÍA] <i>Ad referendum</i>
Guyana:	Haiti: [YOLETTE AZOR CHARLES] <i>Ad referendum</i>
Honduras: [ALEJANDRINA GAMUNDI VÁSQUEZ] <i>Ad referendum</i>	Jamaica: [JOY HALL] <i>Ad referendum</i>
Mexico: [ANTONIO MARTÍN DEL CAMPO] <i>Ad referendum</i>	Nicaragua: [ALEJANDRO MARTÍNEZ CUENCA]
Panama: [GONZALO B. CHÁVEZ] <i>Ad referendum</i>	Paraguay: [RAMÓN MACIEL ROJAS]
Peru: [GABRIEL FERRER WURST] <i>Ad referendum</i>	Dominican Republic: [PABLO GIUDICELLI VELÁSQUEZ] <i>Ad referendum</i>
Suriname:	Trinidad and Tobago:
Uruguay: [MARIA TERESA CASTILLA] <i>Ad referendum</i>	Venezuela: [MANUELA DE RANGEL]

The Permanent Secretary of the Latin American Economic System has also signed this Convention.

[SEBASTIÁN ALEGRETT]
