

FTAA – Free Trade Area of the Americas

Draft Agreement

Chapter I Institutional Issues

PREAMBLE

The Governments of Antigua and Barbuda, the Republic of Argentina, the Commonwealth of the Bahamas, Barbados, Belize, the Republic of Bolivia, the Federative Republic of Brazil, Canada, the Republic of Chile, the Republic of Colombia, the Republic of Costa Rica, the Commonwealth of Dominica, Dominican Republic, the Republic of Ecuador, the Republic of El Salvador, Grenada, the Republic of Guatemala, the Cooperative Republic of Guyana, the Republic of Haiti, the Republic of Honduras, Jamaica, United Mexican States, the Republic of Nicaragua, the Republic of Panama, the Republic of Paraguay, the Republic of Peru, the Federation of Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, the Republic of Suriname, the Republic of Trinidad and Tobago, United States of America, the Eastern Republic of Uruguay, the Bolivarian Republic of Venezuela, hereinafter “the Parties”.

[COMMITTED to advancing towards economic prosperity, strengthening ties of friendship [and cooperation] and democratic values and institutions, [and] protecting fundamental human rights and the security of persons, and promoting social development among the Parties, within a framework of equity, [and][consistent with the underlying principles [of the Summit of the Americas] and overall objectives of the Summit of the Americas process;]]

[CONSIDERING the need to [strengthen] [foster] the [close] economic relations and cooperation that unite the Parties so as to raise the productive capacity and competitiveness of their economies through the adoption of [uniform], balanced, clear, and transparent rules;]

[RECOGNIZING the broad differences in the levels of development and size of the economies of the region and the resulting need to create opportunities for all Parties, [and especially the smaller economies], to participate in taking advantage jointly and fully in the benefits deriving from hemispheric integration;]

[CONSIDERING the importance of attaining macro-economic stability and the efforts made by the Parties to achieve such stability;]

[TAKING INTO ACCOUNT the revitalization of frameworks for economic integration in the Hemisphere, the growing process of economic globalization of the economies, and the importance of securing proper international integration;]

[RESOLVED to foster a [more extensive and secure] market, [that is free of distortions], for goods produced and services provided, [as an important element in the facilitation of trade in goods and services and the flow of capital and technology];]

[COMMITTED to market-oriented agricultural trade that is free from trade-distorting subsidies, and recognizing that agriculture plays an important role in reducing poverty and promoting development;]

[RECOGNIZING that the Parties must maintain the ability to preserve, develop and implement their cultural policies for the purpose of strengthening cultural diversity, given the essential role that cultural goods and services play in the identity and diversity of society and the lives of individuals;]

[DETERMINED to better protect the environment and promote sustainable development [by adopting trade and environmental policies that are mutually supportive];]

[COGNIZANT of the need to [secure further, in accordance with their respective laws and regulations, the observance and promotion of worker rights, consistent with their commitment to [the observance of] internationally recognized core labor standards, and to acknowledge that the International Labour Organization is the competent body to set and deal with those core labor standards,][ensure, in accordance with their respective laws and regulations, the observance and promotion of the labor rights, and recognizing the International Labour Organization as the competent body to deal with the fundamental labor laws and regulations];]

[DETERMINED to promote higher standards of living and improve working conditions [in the Americas] through the creation of new and higher-paying employment opportunities, including, through increased economic integration and free trade, and the building of a democratic and just society based on solidarity;]

[CONSIDERING their respective rights and obligations under the World Trade Organization agreements and other multilateral, regional and sub-regional instruments of integration and cooperation;]

[CONSIDERING the need to promote the active involvement of the distinct private economic agents in efforts to achieve expansion and deepening of economic relations;]

[CONVINCED of the importance of economic integration, productive investment, and free trade based on [fair regulations that allow] fair competition;]

[REMOVING to the extent possible, consistent with Article XXIV of the GATT 1994, other restrictive regulations of commerce;]

[CONSIDERING the need to establish a fair and predictable framework for promoting and protecting investment and for avoiding the implementation of measures that hamper investment flows among the Parties;]

[DETERMINED to protect adequately and enforce intellectual property rights;]

[ACKNOWLEDGING the importance of regulatory reform to advancing [toward] trade liberalization, increasing market openness, and enhancing competition within the Hemisphere;]

[CONVINCED of the importance of creating effective procedures for the interpretation and application of this agreement, for its joint administration and for the resolution of disputes among the Parties;]

[RESOLVED to preserve their flexibility to safeguard the public welfare;]

[UNDERTAKING the preceding in a manner consistent with international human rights norms and principles]

[Enter into the present Free Trade Agreement of the Americas (hereinafter the “Agreement”)] [Have agreed to the following] [Agree to the following]: