

CHAPTER TWENTY COOPERATION

ARTICLE 20.1: OBJECTIVE

The objective of this Chapter is to facilitate the establishment of close cooperation aimed, *inter alia*, at:

- (a) strengthening the capacities of the Parties to maximize the opportunities and benefits under this Agreement;
- (b) strengthening and developing cooperation at a bilateral, regional, or international level;
- (c) promoting economic and social development;
- (d) stimulating productive synergies, creating new opportunities for trade and investment, and promoting competitiveness and innovation;
- (e) increasing the level of cooperative activities while taking into account the cooperative relation between the Parties; and
- (f) encouraging the presence of the Parties and their goods and services in the international markets.

ARTICLE 20.2: GENERAL PROVISIONS

1. The Parties affirm the importance of all forms of cooperation, with particular attention to economic, trade, and technical cooperation, as a means to contribute to implementing the objectives and principles of this Agreement.

2. Cooperation between the Parties under this Chapter will supplement the cooperation and cooperative activities between the Parties set out in other Chapters of this Agreement and in other bilateral cooperation mechanisms.

ARTICLE 20.3: ECONOMIC COOPERATION

1. The Parties will encourage the utilization of cooperation instruments and mechanisms between the Parties with a view to strengthening the processes of economic integration and increasing commercial exchanges.

2. The objectives of economic cooperation are to:

- (a) build up a close relationship between the Parties on existing agreements or arrangements already in effect for trade and economic cooperation; and

- (b) advance and strengthen trade and economic relations between the Parties.

3. The Parties will encourage and facilitate, as appropriate, including, but not limited to the following activities:

- (a) dialogue on policies and regular exchanges of information and views on ways to promote and expand trade in goods and services between the Parties;
- (b) joint elaboration of studies and technical projects of economic interest according to the economic development needs identified by the Parties;
- (c) keeping each other informed of important economic and trade issues and any impediments to furthering their economic cooperation;
- (d) providing assistance and facilities to business persons and trade missions of a Party that visit the other Party with the knowledge and support of its relevant agencies
- (e) supporting dialogue and exchanges of experience among the respective business communities of the Parties;
- (f) establishing and developing mechanisms for providing information and identifying opportunities for business cooperation, trade in goods and services and investment; and
- (g) stimulating and facilitating roles of public and/or private sectors in areas of economic interest.

ARTICLE 20.4: SMALL AND MEDIUM-SIZED ENTERPRISES¹ COOPERATION

The Parties will promote a favorable environment for the development of small and medium-sized enterprises by encouraging relevant private and governmental bodies to build the capacities of small and medium-sized enterprises. The cooperation will include, among others:

- (a) designing and developing mechanisms in order to foster partnerships and the development of productive chains;
- (b) promoting cooperation between the economic agents of the Parties in order to identify areas of mutual interest and to obtain the maximum benefits possible of trade, investment, and small and medium-sized enterprises;
- (c) fostering more dialogue and exchange of information on mandatory procedures, enhanced access to trade promotion networks, business fora,

¹ For purposes of this Article, for Peru, “small and medium-sized enterprises” includes micro enterprises as defined in Peru’s domestic legislation.

business cooperation instruments, and any other relevant information for small and medium-sized enterprises exporters;

- (d) promoting training and exchange programs for small and medium-sized enterprises exporters of the Parties;
- (e) promoting exchange of experiences between the public agencies of the Parties on initiatives and policy instruments for the development of enterprises in general with special focus on small and medium-sized enterprises; and
- (f) encouraging public and private institutions related to small and medium-sized enterprises to cooperate in aspects such as environmental management, information and communications technology, nanotechnology, biotechnology, renewable energy, and other subjects of mutual interest.

ARTICLE 20.5: FISHERIES AND AQUACULTURE COOPERATION

1. The Parties, recognizing the social and economic importance of fish and fisheries products, shall endeavor to cooperate in the field of fisheries and aquaculture.

2. The objectives of cooperation in fisheries and aquaculture are to:

- (a) strengthen the research and productive capacities for the development of seedstock and processing of hydro-biological species, with the aim of increasing direct human consumption; and
- (b) facilitate information exchange and the conservation of natural resources under the approach of responsible fishing.

3. The Parties will develop fisheries and aquaculture through:

- (a) strengthening public and private institutions related to fisheries and aquaculture development and promoting investment in those sectors;
- (b) promoting research and development of new products for direct human consumption, as well as the consumption of major aquatic resources to support food security programs;
- (c) combating illegal, unreported, and unregulated fishing;
- (d) facilitation of mutually beneficial developments in the field of aquaculture;
- (e) exchanging information regarding fisheries, aquaculture, and fish resources. For that purpose, the corresponding institutions of the Parties will establish appropriate contact points;
- (f) promoting the sustainable and optimal utilization of fish resources of the Parties in compliance with laws and regulations of a Party, through a fisheries

cooperation arrangement² of which negotiations to begin after entry into force of this Agreement³;

- (g) exchanging officials, scientists, technicians, and trainees to promote the development of fisheries between the Parties;
- (h) promoting the training of national officials and members of the fishery community of the Parties, through their participation in jointly organized courses, visits, seminars, and workshops;
- (i) building partnerships and exchange between research institutes of the Parties; and
- (j) other forms of cooperation as may be agreed by the Parties.

ARTICLE 20.6: TOURISM COOPERATION

The Parties, recognizing that tourism contributes to the enhancement of mutual understanding between the Parties and is an important industry for their economies, will:

- (a) explore the possibility of undertaking joint research on tourism development and promotion to increase inbound visitors to each Party;
- (b) consider setting up linkages and networks between the websites of the Parties;
- (c) encourage tourism authorities and agencies of the Parties to strengthen cooperation in tourism training and education, to ensure high-quality services for tourists of the Parties;
- (d) cooperate in joint campaigns to promote tourism in the territories of the Parties through workshops and seminars among tourism authorities and agencies of the Parties;
- (e) collaborate to promote the sustainable development of tourism in the territories of the Parties;
- (f) exchange information on relevant statistics, promotional materials, policies, and, laws and regulations in tourism and related sectors; and
- (g) encourage tourism and transportation authorities and agencies to improve the aviation connectivity between the Parties.

² The fisheries cooperation arrangement may include, among others, the cooperation between the Parties regarding trade facilitation and, enhancement of research of the Parties in the fields of fish resources, hydro-biological species and aquaculture.

³ The Parties shall make their best efforts to conclude the fisheries cooperation arrangement within two years after entry into force of this Agreement.

ARTICLE 20.7: FORESTRY COOPERATION

1. The Parties will promote and strengthen cooperation in the field of forestry.
2. The Parties will encourage and facilitate, as appropriate, including, but not limited to the following activities:
 - (a) implementation of sustainable forest management, including the development of related indicators;
 - (b) management, development, and utilization of forest resources;
 - (c) forest protection, including the prevention and control of forest fires, diseases, and insect pests;
 - (d) promotion of joint measures to limit or reduce the adverse effects of the climate change;
 - (e) investment in forest plantation and wood processing industries;
 - (f) processing of, supply of, and trade in forest products;
 - (g) development of eco-forestry technology and conservation of forest ecosystems;
 - (h) research and development, education, and training; and
 - (i) any other areas as may be agreed by the Parties.

ARTICLE 20.8: ENERGY AND MINERAL RESOURCES COOPERATION

1. The Parties shall promote cooperation under this Chapter as a means of building a stronger, more stable, and mutually beneficial partnership in the field of energy and mineral resources.
2. Areas of energy and mineral resources cooperation may include, but are not limited to, the following:
 - (a) upstream activities such as the exploration, exploitation, and production of oil and gas;
 - (b) downstream activities such as the refining of oil, processing of petrochemicals, liquefaction of gas, and transportation and distribution of crude oil and oil products;
 - (c) activities such as the exploration, exploitation, production, smelting, refining, processing, transportation, and distribution of mineral resources;

- (d) cartographic activities (geodesy, satellite images, remote sensing and, geographic information systems) applied to cadastral, mining, and environmental and geological activities required for an efficient use and administration of the territories of the Parties related to mining activities;
- (e) exchange of mining technology for remediation of mining-related environmental liabilities;
- (f) exchange of information and experiences on environmental issues and sustainable development in mining;
- (g) activities for encouraging and facilitating the business relations regarding energy and mineral resources cooperation between the Parties; and
- (h) any other areas as may be agreed by the Parties.

3. The Parties shall facilitate the exchange of information freely available to public on the following subjects in the field of energy and mineral resources:

- (a) current investment data for domestic and foreign enterprises;
- (b) investment opportunities such as tenders and mining projects;
- (c) geological data/information;
- (d) relevant laws, regulations, and policies; and
- (e) mine reclamation technology and environmental issues that could arise between the developers and the local people in the process of mine development.

4. Each Party shall ensure that its laws and regulations regarding energy and mineral resources are published or otherwise made publicly available.

5. To the extent possible, each Party shall inform the other Party, in advance, of any provision that the Party considers might substantially affect cooperation in energy and mineral resources.

6. Upon request of the other Party, a Party shall promptly provide information and respond to questions pertaining to any provision regarding cooperation in energy and mineral resources, regardless of whether the other Party has been previously informed of the provision.

7. Any notification or information provided under paragraphs 5 and 6 shall be without prejudice as to whether the measure is consistent with this Agreement.

8. The Parties shall:

- (a) promote cooperation between the public and private sectors in the Parties, through their government bodies, public organizations, research centers, universities, and enterprises engaged in the field of energy and mineral resources;
- (b) encourage and support business opportunities, including investment, related to plant construction in the field of energy and mineral resources, for a stable and mutually beneficial bilateral relationship; and
- (c) recognize and facilitate activities related to agreements and cooperation entities that have already been organized, such as the Joint Committee on Energy and Mineral Resources Cooperation.

9. The Parties shall facilitate visits and exchanges of researchers, technicians, and other experts, and shall also promote joint fora, seminars, symposia, conferences, exhibitions, and research projects.

ARTICLE 20.9: SCIENCE AND TECHNOLOGY COOPERATION

1. The Parties, recognizing the importance of science and technology in their respective economies, will develop and promote cooperative activities in the field of science and technology.

2. The Parties will encourage and facilitate, as appropriate, including, but not limited to the following activities:

- (a) joint research and development, and educational projects, including, if necessary, sharing of equipment, exchange and supply of non confidential scientific and technical data, as well as exchange of scientific samples;
- (b) exchange of scientists, researchers, technicians, and experts;
- (c) joint organization of seminars, symposia, conferences, and other scientific and technical meetings, including the participation of experts in those activities;
- (d) promotion of joint science and technology research activities under existing national programs or policies, where the Parties agree on the necessity of the activities;
- (e) exchange of information on practices, policies, laws, regulations, and programs related to science and technology;
- (f) cooperation in the commercialization of products and services, as a result of scientific and technological activities; and
- (g) any other forms of scientific and technological cooperation as may agreed by the Parties.

3. Undertaking joint research and development projects, especially in high-end science or key technology areas, may include:

- (a) biotechnology;
- (b) nanotechnology;
- (c) microelectronics;
- (d) new materials;
- (e) e-government;
- (f) manufacturing technology;
- (g) environmental technology; and
- (h) science and technology policy and research and development systems.

ARTICLE 20.10: INFORMATION AND COMMUNICATIONS TECHNOLOGY COOPERATION

1. The Parties, recognizing the rapid development, led by the private sector, of Information and Communications Technology (hereinafter referred to as the “ICT”) and of business practices regarding ICT-related services both in the domestic and international contexts, will cooperate to promote the development of ICT and ICT-related services with a view to obtaining the maximum benefit of the use of ICT for the Parties.

2. Cooperation in accordance with paragraph 1 may include the following:

- (a) promoting dialogue on policy issues;
- (b) promoting cooperation between the private sectors of the Parties;
- (c) enhancing cooperation in international fora related to ICT; and
- (d) undertaking other appropriate cooperative activities.

3. The Parties will encourage cooperation in, including, but not limited to, the following areas:

- (a) cyber-infrastructure and policy issues for e-government;
- (b) inter-operability of Public Key Infrastructure;
- (c) development, processing, management, distribution, and trade of digital contents;
- (d) scientific and technical cooperation for the software industry of the Parties;

- (e) research and development and management of information technology parks;
- (f) research and development on information technology services such as integration of broadcasting and telecommunications;
- (g) research and development and deployment of networks and telecommunications, when the Parties agree on the necessity of the activities;
- (h) business opportunities in the international markets; and
- (i) any other areas as may be agreed by the Parties.

ARTICLE 20.11: MARITIME TRANSPORT COOPERATION

The Parties shall promote cooperation in maritime transport through:

- (a) establishing contact points to facilitate information exchange on matters related to maritime transportation and logistics services;
- (b) arranging training programs and technical cooperation related to port operation and management;
- (c) developing exchange programs for training of merchant marine students; and
- (d) arranging technical assistance and capacity building activities related to maritime transportation, including the vessel traffic service.

ARTICLE 20.12: CULTURAL COOPERATION

1. The objectives of cultural cooperation are to:

- (a) respect the existing agreement or arrangement already in effect for cultural cooperation; and
- (b) promote cultural exchanges between the Parties.

2. Recognizing that audio-visual, including film, animation, and broadcasting program, co-productions can significantly contribute to the development of the audio-visual industry and to the intensification of cultural and economic exchange between them, the Parties agree to consider and negotiate co-production agreements in the audio-visual sector.

3. The co-production agreement referred to in paragraph 2, once concluded, will be considered to be an integral part of this Agreement. The detailed co-production agreement would be negotiated between the competent authorities of the Parties, which are the *Ministry of Education* for Peru, and the *Ministry of Culture, Sports and Tourism* and the *Korea Communications Commission* for Korea.

4. Co-produced projects in compliance with the co-production agreement referred to in paragraph 3 shall be deemed to be national productions in the territory of each Party and shall thus be fully entitled to all benefits including government support which are accorded under the applicable laws and regulations of each Party.

5. The Parties, in conformity with their respective legislations and without prejudice to the reservations included in their commitments in the other Chapters of this Agreement, shall encourage exchanges of expertise and best practices regarding the protection of cultural heritage sites and historic monuments, including environmental surroundings and cultural landscape.

6. The Parties commit to exchanging information through their diplomatic channels to identify, recover, and avoid the illegal traffic of their cultural heritage.

ARTICLE 20.13: AGRICULTURAL COOPERATION

The objectives of cooperation in agriculture are to:

- (a) promote the creation of partnerships for projects in areas of mutual interest, including agricultural research including plantation commodities, the development of small-scale agriculture, the conservation and management of water resources for agricultural use, sustainable agricultural development, and the application of good agricultural practices, among others;
- (b) promote the exchange of information on trade in agricultural goods between the Parties; and
- (c) develop training programs for leading producers, technicians, and professionals in order to improve the productivity and competitiveness in livestock and agricultural value-added products .

ARTICLE 20.14: COMMITTEE ON COOPERATION AND CONTACT POINTS

1. The Parties hereby establish a Committee on Cooperation comprising representatives of each Party.

2. The Committee on Cooperation shall:

- (a) monitor and assess the progress in implementing the cooperation projects agreed by the Parties;
- (b) establish rules and procedures for the conduct of its work;
- (c) make recommendations on the cooperative activities under this Chapter, in accordance with the strategic priorities of the Parties; and

(d) review, through regular reporting from the Parties, the operation of this Chapter and the application and fulfillment of its objectives.

3. Notwithstanding paragraph 2, the Parties may use diplomatic channels to promote dialogue and cooperation consistent with this Agreement.

4. The Parties will designate contact points to facilitate communication on possible cooperative activities. The contact points will work with government agencies, business sector representatives, and educational and research institutions for the operation of this Chapter.

ARTICLE 20.15: DISPUTE SETTLEMENT

Neither Party shall have recourse to Chapter Twenty-Three (Dispute Settlement) for any matter arising under this Chapter.