

**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF
AMERICA AND THE GOVERNMENT OF THE PEOPLE’S DEMOCRATIC
REPUBLIC OF ALGERIA CONCERNING THE DEVELOPMENT OF TRADE AND
INVESTMENT RELATIONS**

PREAMBLE

The Government of the United States of America and the Government of the People’s Democratic Republic of Algeria individually a “Party” and collectively the “Parties”:

1. Desiring to enhance the bonds of friendship and the spirit of cooperation between the two countries;
2. Desiring to develop further trade and investment between the two countries;
3. Recognizing the importance of fostering an open and predictable environment for international trade and investment;
4. Recognizing the benefits to each Party resulting from increased international trade and investment, and that trade-distorting investment measures and protectionism would deprive the Parties of such benefits;
5. Recognizing the essential role of private investment, both domestic and foreign, in furthering growth, creating jobs, expanding international trade, improving technology, and enhancing economic development;
6. Recognizing that foreign direct investment confers positive benefits on each Party;
7. Acknowledging among others: the Agreement establishing the United States-Algerian Joint Commission for economic, technical and technological cooperation,

signed April 17, 1985; the Investment Incentive Agreement, signed June 22, 1990; the Agricultural Commodities Agreement, signed February 23, 1966; and the Memorandum of Understanding Concerning Cooperation and Trade in the Field of Agriculture;

8. Noting that this present Agreement is in no way prejudicial to the rights and obligations of the two Parties arising from the bilateral and international agreements in effect that are binding with respect to each Party;

9. Recognizing the increased importance of services in their economies and in their bilateral and international relations;

10. Taking into account the need to eliminate non-tariff barriers in order to facilitate greater access to the markets of both countries;

11. Recognizing the importance of providing adequate and effective protection and enforcement of intellectual property rights and of membership in and adherence to intellectual property rights conventions;

12. Recognizing the importance to both Parties of promoting internationally recognized workers' rights;

13. Desiring to work towards trade and environmental protection policies that are mutually supportive in furtherance of sustainable development; and

14. Considering that it would be in their mutual interest to establish a bilateral mechanism between the Parties for encouraging the liberalization of trade and investment by consulting on bilateral trade and investment issues;

To this end, the Parties agreed as follows:

ARTICLE ONE

The Parties affirm their desire to promote an attractive investment climate and expand trade in products and services consistent with the terms of this Agreement. They shall take appropriate measures to encourage and facilitate the exchange of goods and services and to secure favorable conditions for long-term development and diversification of trade between their respective nationals and companies.

ARTICLE TWO

The Parties shall establish a United States-Algeria Council on Trade and Investment (the "Council"), which shall be composed of representatives of both Parties. The United States of America side will be chaired by the Office of the U.S. Trade Representative (USTR), and the Algeria side will be chaired by the Ministry of Commerce. Each Chair may be assisted by officials of other government entities as circumstances require. Consultations will be held annually, unless otherwise agreed by the Parties. The Parties shall arrange, by mutual agreement, a date for these consultations to be held.

ARTICLE THREE

The objectives of the Council are to hold consultations on specific trade and investment matters of interest to the Parties; to identify agreements appropriate for negotiation; and to identify and work toward the removal of impediments to trade and investment flows.

ARTICLE FOUR

1. For the purpose of further developing bilateral trade and fostering a steady increase in the exchange of products and services and promoting investment in the two countries, the Parties shall consider whether the conclusion of further trade related agreements would be desirable.

2. The Parties will consider in their discussions their special respective needs for and levels of development, financing and trade.

ARTICLE FIVE

1. Either Party may raise for consultations any trade or investment matter between the Parties. Requests for consultations shall be accompanied by a written explanation of the subject to be discussed, and consultations shall be held within 30 days of the request, unless the requesting Party agrees to a later date.

2. This Agreement shall be without prejudice to the rights of either Party under its domestic law or under any international agreements to which either country is a party.

ARTICLE SIX

Each Party shall notify the other Party of the completion of its respective requirements for the entry into force of this Agreement, which shall take effect on the date of receipt of the last notification.

ARTICLE SEVEN

This Agreement shall remain in force unless terminated by mutual consent of the Parties or by either Party, subject to six months written notice. In the event that the two parties decide by mutual consent to amend this agreement, such amendment may be done by an exchange of letters.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective governments, have signed this Agreement.

DONE at Washington this thirteenth day of July, 2001, in the English and Arabic languages, both texts being equally authentic.

FOR THE GOVERNMENT OF
UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF
THE PEOPLE'S DEMOCRATIC
REPUBLIC OF ALGERIA: