



# The EU and Latin America

**Gustavo Prieto**

Postdoctoral Fellow

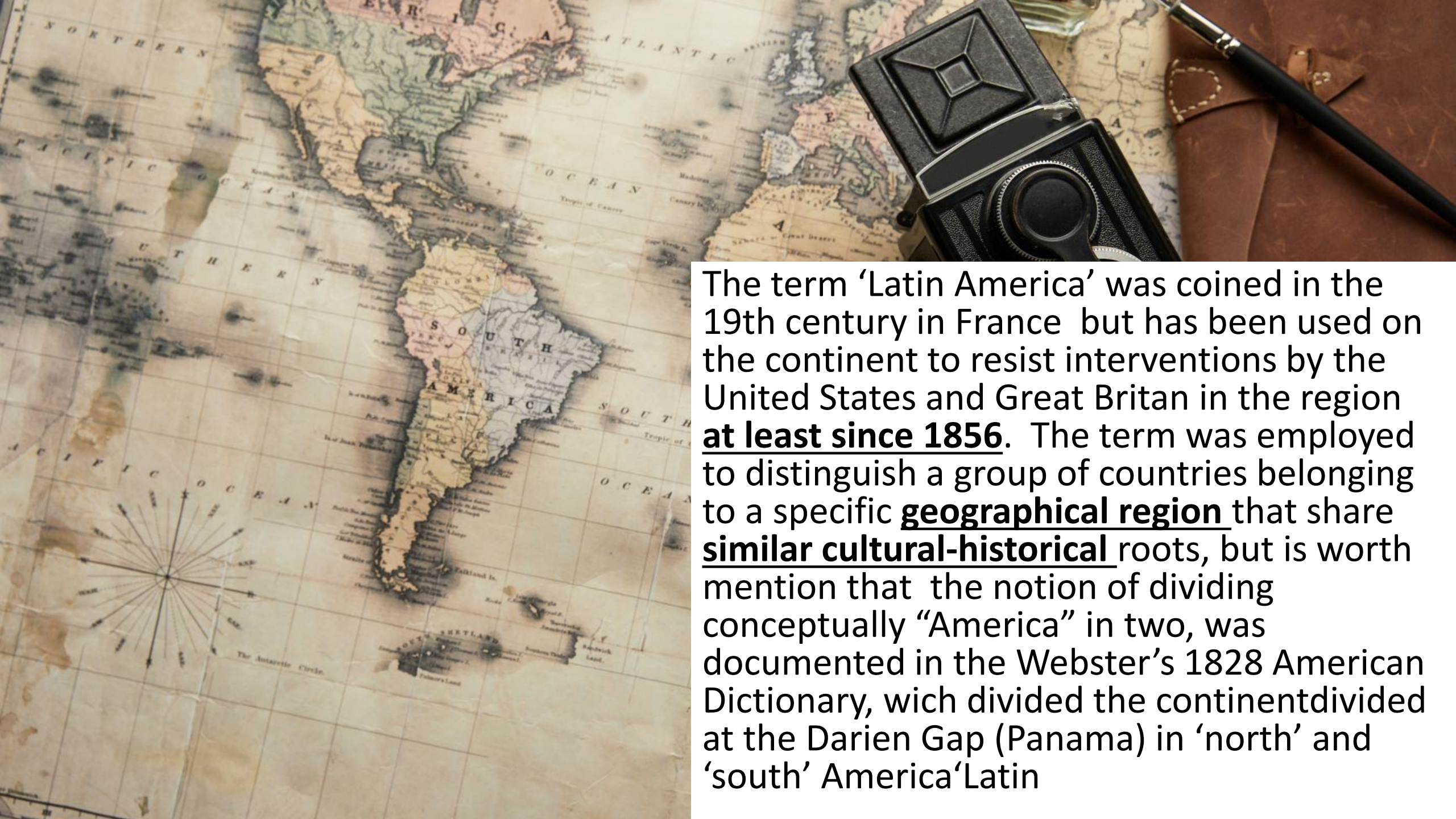
International Economic Law

[jgprietomunoz@gmail.com](mailto:jgprietomunoz@gmail.com)

[www.linkedin.com/in/gpriet](http://www.linkedin.com/in/gpriet)







The term 'Latin America' was coined in the 19th century in France but has been used on the continent to resist interventions by the United States and Great Britain in the region **at least since 1856**. The term was employed to distinguish a group of countries belonging to a specific **geographical region** that share **similar cultural-historical** roots, but it is worth mentioning that the notion of dividing conceptually "America" in two, was documented in the Webster's 1828 American Dictionary, which divided the continent at the Darien Gap (Panama) in 'north' and 'south' America. Latin

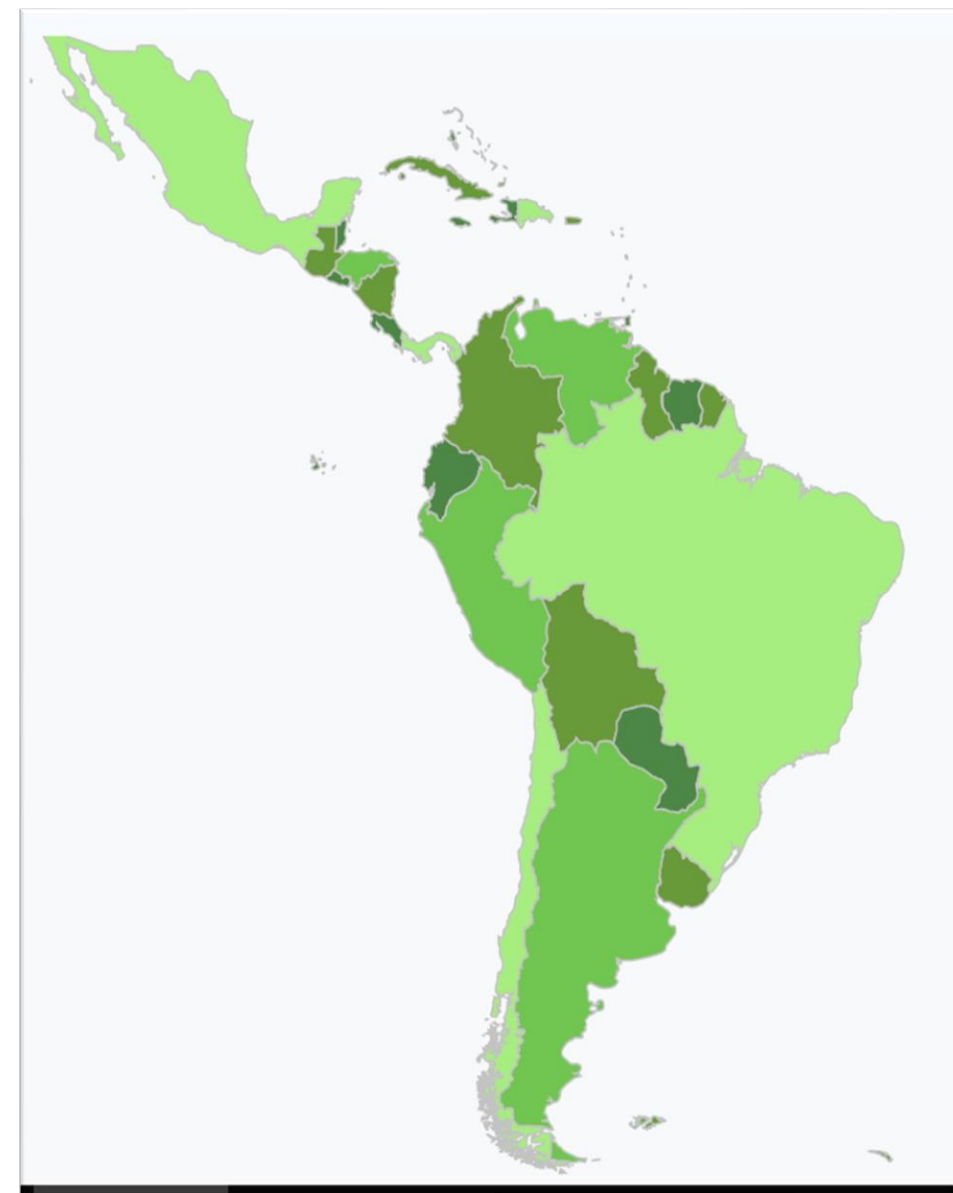




Latin America: In addition to having similar cultural-historical roots, also share features in terms of their internal organization, legitimation of power and constitutional practice over more than 200 years as independent states. In this regard, the notion of 'Latin America', entails three common additional elements that are more or less present in each of the nations of this geographical region:

# EU and the Community of Latin America and Caribbean states (CELAC)

Antigua and Barbuda		Argentina		Bahamas	
Barbados		Belice		Bolivia	
Brasil		Chile		Colombia	
Costa Rica		Cuba		Ecuador	
El Salvador		Fed. Sn Cristobal y Nieves		Grenada	
Guatemala		Guyana		Haiti	
Honduras		Jamaica		Dominica	
Mexico		Nicaragua		Panama	
Paraguay		Peru		Dominican Rep.	
Saint Vicent and the Granadines		Saint Lucia		Suriname	
Trinidad and Tobago		Uruguay		Venezuela	





# 1. ASSOCIATION OF THE OVERSEAS COUNTRIES AND TERRITORIES (Article 198)

“The Member States agree to associate with the Union the non-European countries and territories which have special relations with Denmark, France, the Netherlands and the United Kingdom. These countries and territories (hereinafter called the "countries and territories") are listed in Annex II.

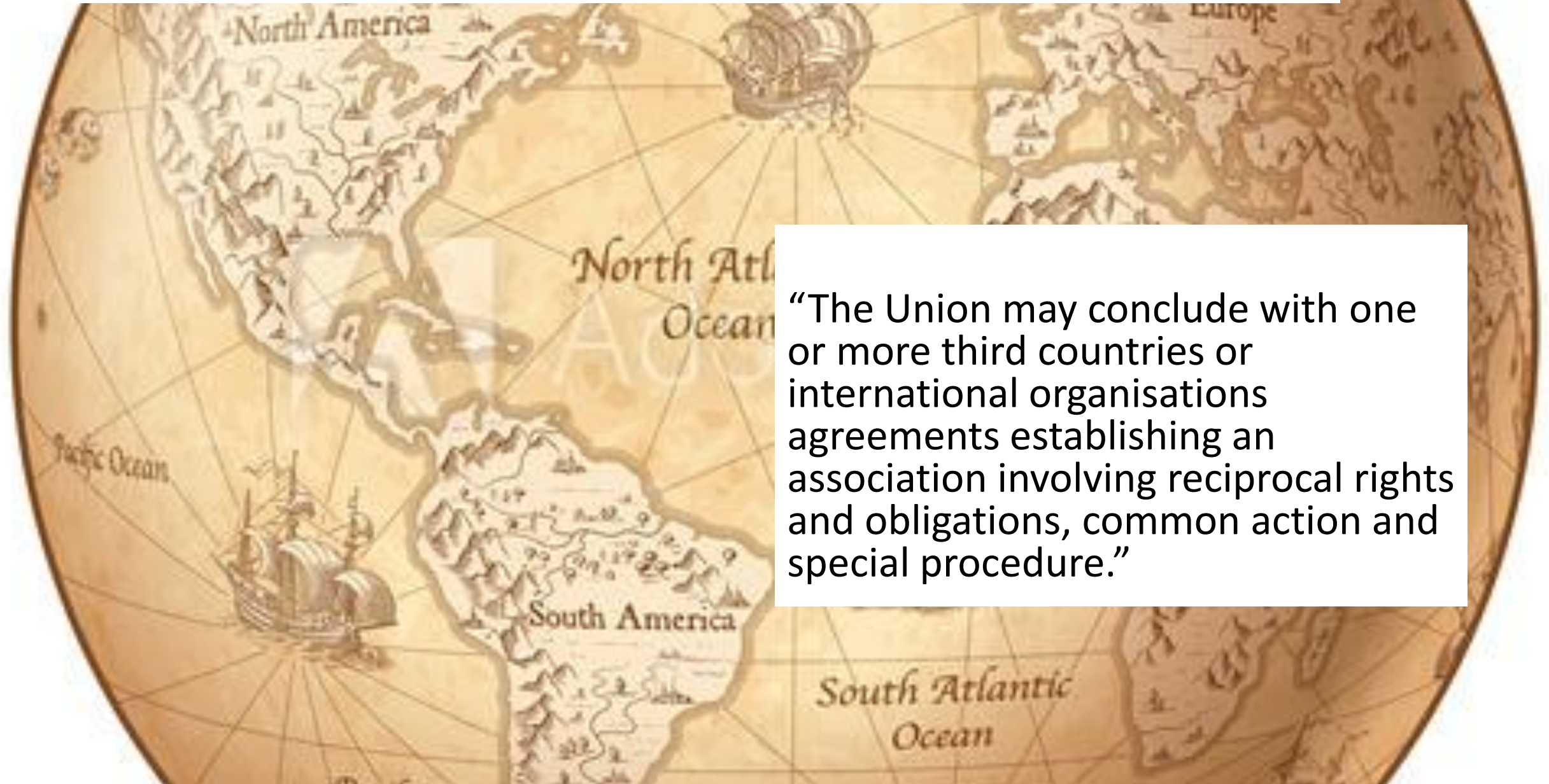
The purpose of association shall be to promote the economic and social development of the countries and territories and to establish close economic relations between them and the Union as a whole.

## OVERSEAS COUNTRIES AND TERRITORIES TO WHICH THE PROVISIONS OF PART FOUR OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION APPLY

Greenland, New Caledonia and Dependencies, French Polynesia, French Southern and Antarctic Territories, Wallis and Futuna Islands, Mayotte, Saint Pierre and Miquelon, Aruba, Netherlands Antilles: Bonaire, Curaçao, Saba, Sint Eustatius, Sint Maarten, Anguilla, Cayman Islands, Falkland Islands, South Georgia and the South Sandwich Islands, Montserrat, - Pitcairn, Saint Helena and Dependencies, British Antarctic Territory, British Indian Ocean Territory, Turks and Caicos Islands, - British Virgin Islands, Bermuda.



# Contractual Association ( ARTICLE 217 TFUE)



“The Union may conclude with one or more third countries or international organisations agreements establishing an association involving reciprocal rights and obligations, common action and special procedure.”



# SPECIAL ASSOCIATION: THE EUROPEAN NEIGHBOURHOOD POLICY (Art 8 TEU)

- 1. The Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation.
- 2. For the purposes of paragraph 1, the Union may conclude specific agreements with the countries concerned. These agreements may contain reciprocal rights and obligations as well as the possibility of undertaking activities jointly. Their implementation shall be the subject of periodic consultation.



# EU and Mercosur



## Inter-regional Framework Cooperation Agreement

- Into in force 1999

## Free trade agreement

- Negotiation re-launched 2010; paused 2012; re-launched negotiations 2016

# EU and Andean Comunity

## Comprehensive Trade Agreement EU with Colombia and Peru

- Peru March 2013
- Colombia

## Ecuador joins Comprehensive Trade Agreement EU with Colombia and Peru

- Negotiation concluded July 2014 and  
joined the trade agreement on January  
2017,





# EU and Caribbean Community (CARIFORUM)



## CARIFORUM-EU Economic Partnership Agreement

- Antigua y Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Lucia, Saint Vincent and the Grenadines, Saint Kitts and Nevis, Surinam, Trinidad and Tobago, and Dominican Republic signed the agreement in October 2008.
- Haiti signed the agreement in December 2009. Pending its ratification.

# EU and Chile



Association Agreement which includes Free Trade Agreement (FTA)

- Into force in February 2003



# EU and Mexico



## EU-Mexico Global Agreement

- In 2018, reached an “agreement in principle” on the trade part of modernised agreement.

## Agreement EU - Mexico

- Into force in 2000. The new Agreement will replace this previous agreement.



# Mexico BITs with EU Countries

Partner	Date of Signature	Status	Partner	Date of Signature	Status
Austria	29/06/1998	In force	Italy	24/11/1999	In force
Belgium	27/08/1998	In force	Netherlands	13/05/1998	In force
Czech Republic	04/04/2002	In force	Portugal	11/11/1999	In force
Denmark	13/04/2000	In force	Slovakia	26/10/2007	In force
Finland	22/02/1999	In force	Spain	23/06/1995	Terminated. Replaced by.
France	12/11/1998	In force	Spain	10/10/2006	In force
Germany	25/08/1998	In force	Sweden	03/10/2000	In force
Greece	30/11/2000	In force	United Kingdom	12/05/2006	In force

Total: Signature BITs 16 with 15 EU countries





# Colombia BITs with EU Countries

Partner	Date of Signature	Status
Belgium	04/02/2009	Signed
France	10/07/2014	Signed
Spain	09/06/1995	Terminated. Replaced by new treaty
Spain	31/03/2005	In force
United Kingdom	09/03/1994	Terminated. Replaced by new treaty
United Kingdom	17/03/2010	In force

Total: Signature BITs: 6  
with 4 EU Countries

# Argentina BITs with EU Countries

Partner	Date of Signature	Status
Austria	07/08/1992	In force
Belgium	28/06/1990	In force
Bulgaria	21/09/1993	In force
Croatia	02/12/1994	In force
Czech Republic	27/09/1996	In force
Denmark	06/11/1992	In force
Finland	05/11/1993	In force
France	03/07/1991	In force
Germany	09/04/1991	In force
Greece	26/10/1999	Signed

Partner	Date of Signature	Status
Hungary	05/02/1993	In force
Italy	22/05/1990	In force
Lithuania	14/03/1996	In force
Netherlands	20/10/1992	In force
Poland	31/07/1991	In force
Portugal	06/10/1994	In force
Romania	29/07/1993	In force
Spain	03/10/1991	In force
Sweden	22/11/1991	In force
United Kingdom	11/12/1990	In force

Total: Signature BITs 20 with 20 EU countries





# Ecuador BITs with EU Countries

Partner	Date of Signature	Status
Finland	18/04/2001	Terminated. Unilaterally denounced
France	07/09/1994	Terminated. Unilaterally denounced
Germany	28/06/1965	Terminated. Replaced by new treaty
Germany	21/03/1996	Terminated. Unilaterally denounced
Italy	25/10/2001	In force
Netherlands	27/06/1999	In force
Romania	21/03/1996	Terminated. Unilaterally denounced
Spain	26/06/1996	In force
Sweden	31/05/2001	Terminated. Unilaterally denounced
United Kingdom	10/05/1994	Terminated. Unilaterally denounced

Total: Signature BITs: 10. with 9 EU Countries



# Chile BITs with EU Countries

Partner	Date of Signature	Status
Austria	08/09/1997	In force
Belgium	15/07/1992	In force
Croatia	28/11/1994	In force
Czech Republic	24/04/1995	In force
Denmark	28/05/1993	In force
Finland	27/05/1993	In force
France	14/07/1992	In force
Germany	21/10/1991	In force
Greece	10/07/1996	In force
Hungary	10/03/1997	Signed

Partner	Date of Signature	Status
Italy	08/03/1993	In force
Netherlands	30/11/1998	Signed
Norway	01/06/1993	In force
Poland	05/07/1995	In force
Portugal	28/04/1995	In force
Romania	04/07/1995	In force
Spain	02/10/1991	In force
Sweden	24/05/1993	In force
United Kingdom	08/01/1996	In force

Total: Signature BITs 19 with 19 EU countries





# Peru BITs with EU Countries

Partner	Date of Signature	Status
Belgium	12/10/2005	In force
Czech Republic	16/03/1994	In force
Denmark	23/11/1994	In force
Finland	02/05/1995	In force
France	06/10/1993	In force
Germany	30/01/1995	In force
Italy	05/05/1994	In force

Partner	Date of Signature	Status
Netherlands	27/12/1994	In force
Portugal	22/11/1994	In force
Romania	16/05/1994	In force
Spain	17/11/1994	In force
Sweden	03/05/1994	In force
United Kingdom	04/10/1993	In force

Total: Signature BITs 13 with 13 EU countries