

EU/Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama agreement: political dialogue and cooperation agreement, with the exception of Article 49(3) thereof

2012/0219A(NLE) - 14/04/2014 - Final act

PURPOSE: to conclude the Political Dialogue and Cooperation Agreement with the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama with the exception of provisions on readmission of illegal migrants.

NON LEGISLATIVE ACT: Council Decision 2014/211/EU on the conclusion on behalf of the European Union of the Political Dialogue and Cooperation Agreement between the European Community and its Member States, of the one part, and the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, of the other part, with the exception of Article 49(3).

BACKGROUND: [the EU – Central America Political Dialogue and Cooperation Agreement](#) was signed on 15 December 2003, subject to its conclusion at a later date. All Contracting Parties to the Agreement, including all the Member States of the Union at the time of the signing of the Agreement, have now deposited their instruments of ratification, with the exception of the Union.

Article 49(3) of the Agreement sets out the obligations for the Contracting Parties on **readmission of illegal migrants**. As a consequence, that provision falls within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union (TFEU), and in particular Article 79(3) thereof, as well as Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice and Protocol (No 22) on the position of Denmark, both annexed to the Treaty on European Union and to the TFEU, apply.

The Agreement should be approved with the exception of Article 49(3). [A separate decision](#) on the conclusion of Article 49(3) of the Agreement **is adopted in parallel** to this Decision.

CONTENT : with this Decision, the Council concluded, with Parliament's approval, the Agreement negotiated in 2003 between the EC and Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, on the strengthening of political dialogue and cooperation.

The text of the Agreement is presented in accordance with the **2003 version**.

Objective: the main objective of the Agreement is to consolidate the political dialogue and economic cooperation process built up between the Parties under the San Jose Dialogue. The clause regarding respect for democratic principles, human rights and rule of law constitute essential parts of the Agreement.

Main provisions: the Agreement aims to:

- consolidate the political dialogue and economic cooperation process built up between the Parties under the **San Jose Dialogue** initiated in 1984 and renewed in Florence in 1996 and in Madrid in 2002;

- strengthen the programme of cooperation governed by the Framework Cooperation Agreement between the European Economic Community and the Republics concerned;
- promote **sustainable development in both regions** through a development partnership involving all relevant stakeholders, including civil society and the private sector;
- establish **cooperation on various issues** including external policy and **migration** issues. The Agreement shall also prepare the way for new initiatives for pursuing common goals and establishing common ground in areas such as human rights, democracy, good governance, conflict prevention, modernisation of public administration, regional integration, cooperation in the field of services, intellectual property, public procurement, competition, customs cooperation etc. With regard to provisions on migration, the Parties have included a clause on **readmission and illegal immigration**. A new Agreement includes provisions on the fight against terrorism, drugs, money laundering and organised crime.

The Agreement **does not contain a trade component**.

Territorial provisions : in a declaration, it is stated that the provisions of the Agreement that fall within the scope of Part III, Title IV of the Treaty establishing the European Community bind the United Kingdom and Ireland as separate Contracting Parties, and not as part of the European Community, until the United Kingdom or Ireland (as the case may be) notifies the Central American Party that it has become bound as part of the European Community in accordance with the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and the Treaty establishing the European Community. The same applies to Denmark, in accordance with the Protocol annexed to those Treaties on the position of Denmark.

ENTRY INTO FORCE: 16.04.2014. The date of entry into force of the Protocol will be published in the Official Journal by the General Secretariat of the Council.