AGREEMENT ON TRADE AND ECONOMIC COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL

The Government of the United States of America and the Government of the Federative Republic of Brazil (hereinafter individually a Party and collectively the Parties):

Desiring to enhance the bonds of friendship and spirit of cooperation, to expand trade, and to strengthen economic relations between the Parties;

Recognizing the importance of fostering an open and predictable environment for international trade and investment, both in goods and services;

Desiring to promote transparency and non-discrimination in international trade and investment policies and practices;

Taking into account the desirability of reducing non-tariff trade barriers and distortive subsidies in order to facilitate increased trade;

Recognizing the importance of providing adequate and effective protection and enforcement of intellectual property rights in a manner that avoids the creation of barriers to legitimate trade and is conducive to social and economic welfare, to the mutual advantage of producers and users of technological knowledge;

Recognizing the importance of promoting policies consistent with the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998) and the Global Jobs Pact (2009);

Reaffirming the importance of ensuring that Internet Governance is multilateral, transparent, and democratic, with the full involvement of governments, the private sector, civil society, and international organizations, as detailed in paragraph 29 of the Tunis Agenda;

Desiring to ensure that their trade and environmental policies promote sustainable development;

Desiring to increase the involvement of their private sectors in bilateral trade and investment issues;

Acknowledging the desirability of resolving trade and investment problems between them as expeditiously as possible; and

Desiring to reinforce the multilateral trading system and affirming that this Agreement is without prejudice to the rights and obligations of the Parties under the agreements, understandings, and other instruments related to or concluded under the auspices of the World Trade Organization.

HAVE AGREED AS FOLLOWS:

Article ONE.

The Parties hereby establish the United States-Brazil Commission on Economic and Trade Relations (hereafter referred to as the Commission), with the objective of promoting bilateral economic and trade cooperation.

Article TWO.

1. The Commission shall:

a) develop the work program contained in the Annex;

b) consult on specific trade and investment matters of interest to either Party;

c) identify opportunities for expanding bilateral trade and investment flows;

d) promote the removal of unnecessary bilateral trade and investment obstacles, particularly in the regulatory field;

e) facilitate cooperation between the Parties in multilateral trade fora;

f) facilitate the exchange of information on trade in goods and services, as well as investment data; and

g) seek the advice of the private sector and civil society, where appropriate, on matters related to the Commissions work.

Article THREE.

1. The Commission shall be co-chaired, on one side, by officials of the Office of the United States Trade Representative and, on the other side, by officials of the Brazilian Ministry of External Relations and of the Brazilian Ministry of Development, Industry and External Trade.

2. Representatives of governmental bodies with competence on the issues to be discussed and of the private sector may take part in meetings of the Commission, where appropriate. They shall be designated by the respective Co-Chairs.

3. The Commission shall meet once a year or when considered appropriate, alternating the venue between Brazil and the United States, as may be agreed by the Parties.

4. The Commission may organize Expert Meetings and establish working groups to study issues of common interest in order to comply with the Commissions objectives.

Article FOUR.

1. The Parties shall agree to the agenda for each meeting of the Commission in advance of the meeting.

2. A Party may refer a specific trade and investment matter, or any matter related to the interpretation or application of this Agreement, to the Commission by delivering a written request to the other Party that includes a description of the matter concerned.

Article FIVE.

1. This Agreement shall be without prejudice to the law of either Party or to the rights and obligations of either Party under any other agreement.

2. This Agreement does not imply any financial transfer obligations or any other activity onerous to the national treasury.

3. This Agreement shall enter into force on the date of its signature and shall remain in force unless terminated by either Party by providing written notice to the other Party. The termination shall take effect on a date the Parties agree or, if the Parties cannot agree, 180 days after the date of notification.

In witness whereof, the undersigned, being duly authorized by their respective governments, have signed this Agreement in duplicate, in the English and Portuguese languages, both texts being equally authentic.

Done in Brasilia this 18 day of March 2011.

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

FOR THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL

ANNEX

WORK PROGRAM

The Commission shall consider the following matters:

Facilitation and liberalization of bilateral trade and investment;

Cooperation on shared objectives in the World Trade Organization;

Cooperation in the United States - Brazil Consultative Committee on Agriculture;

Sanitary and phytosanitary measures;

Technical barriers to trade;

Intellectual property rights;

Regulatory issues affecting trade and investment;

Information and communications technology and e-commerce;

Trade and technical capacity building;

Trade in services; and

Any such matters as the Commission may decide.