AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF EL SALVADOR ON RECIPROCAL TRADE

Preamble

The United States of America and the Republic of El Salvador (hereinafter referred to individually as "Party" and collectively as "the Parties"), Emphasizing their shared values, including democracy, economic freedom, and the rule of law;

Recognizing the special bonds of friendship and cooperation between them, in particular in their trade and investment relations;

Intending to enhance reciprocity in their bilateral trade relationship by addressing tariff and non-tariff barriers; Seeking to strengthen their commercial relationship through increased alignment on national and regional economic security matters; and

Desiring to complement their rights and obligations under the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR);

HAVE AGREED as follows:

Section 1. Tariffs and Quotas

Article 1.1. Tariffs

The United States shall apply a revised reciprocal tariff rate on originating goods of El Salvador as set out in Annex I of this Agreement.

Section 2. Non-Tariff Barriers and Related Matters

Article 2.1. Import Licensing

El Salvador shall not require non-automatic import licenses (1) for U.S. goods except where non-automatic import licensing is necessary to administer measures that fulfill legitimate public health or safety or national security objectives.

(1) For greater certainty, for purposes of this paragraph, import licensing, automatic import licensing, and non-automatic import licensing have the same meanings as provided in the World Trade Organization Agreement on Import Licensing Procedures.

Article 2.2. Technical Regulations, Standards, and Conformity Assessment

1. El Salvador reaffirms its commitments to the use of international standards, described in Article 7.3 of the CAFTA-DR (International Standards). El Salvador shall apply no additional principles or criteria other than those in the TBT Committee Decision on International Standards (2) in order to recognize a standard as an international standard. For greater certainty, criteria that are not relevant to determining whether a standard is an international standard include:

(2) TBT Committee Decision on International Standards means Annex 2 to Part 1 (Decision of the Committee on Principles for the Development of International Standards, Guides and Recommendations with relation to Articles 2, 5 and Annex 3 of the Agreement) in the Decisions and Recommendations adopted by the WTO Committee on Technical Barriers to Trade Since 1 January 1995 (G/TBT/1/Rev.13), as may be revised, issued by the World Trade Organization Committee on Technical Barriers to Trade.

(a) the domicile of the standards body;

(b) whether the standards body is non-governmental or inter-governmental; and

(c) whether the standards body limits participation to delegations.

2. El Salvador shall accord to the conformity assessment bodies of the United States treatment no less favorable than that it accords to its own bodies.

3. El Salvador shall facilitate the acceptance of U.S. compliance procedures for goods which are not subject to third-party conformity assessment in the U.S. regulatory framework.

4. El Salvador shall ensure that technical regulations, standards, and conformity assessment procedures are applied in a non-discriminatory manner and do not operate as disguised restrictions on bilateral trade and shall remove existing technical barriers to trade in areas that undermine reciprocity including requirements for duplicative or unnecessary testing or conformity assessment.

Article 2.3. Agriculture

El Salvador shall provide non-discriminatory market access for U.S. agricultural goods.

(a) El Salvador shall ensure that its sanitary and phytosanitary (SPS) measures are science- and risk-based and do not operate as disguised restrictions on bilateral trade, and shall remove unjustified SPS barriers in areas that undermine reciprocity.

(b) El Salvador shall not adopt or maintain non-scientific, discriminatory, or preferential measures that are incompatible with U.S. or international standards or otherwise disadvantage U.S. exports to El Salvador, including as a result of entering into agreements or understandings.

Article 2.4. Cheese and Meat Terms

El Salvador shall continue to not restrict U.S. market access due to the mere use of the individual cheese and meat terms listed in Annex II.

Article 2.5. Intellectual Property

El Salvador shall provide a robust standard of protection for intellectual property. (3) El Salvador shall present to the Legislative Assembly, for its consideration, the request for accession to the international intellectual property treaties in Article 1.17 of Annex III. El Salvador shall provide effective systems for civil, criminal, and border enforcement of intellectual property rights and shall ensure that such systems combat and deter the infringement or misappropriation of intellectual property, including in the online environment. El Salvador shall prioritize and shall take effective criminal and border enforcement actions against copyright and trademark infringements.

(3) For purposes of this Agreement, "intellectual property" refers to all categories of intellectual property that are the subject of Sections 1 through 7 of Part II of the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights. Further, for purposes of this Agreement, the protection of intellectual property includes matters related to technological protection measures and rights management information.

Article 2.6. Good Regulatory Practices

El Salvador shall continue to adopt and implement good regulatory practices, as set out in Article 1.19 of Annex III, that ensure greater transparency, predictability, and participation throughout the regulatory lifecycle.

Article 2.7. Labor

1. El Salvador shall prohibit the importation of goods mined, produced, or manufactured wholly or in part by forced or compulsory labor.

2. El Salvador reaffirms its obligation as a member of the International Labor Organization (ILO) and its commitments under the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998), as amended in 2022. Accordingly, El Salvador shall protect internationally recognized labor rights. (4) This includes by adopting or maintaining such rights in its law and practice, and effectively enforcing its labor laws, including by creating or maintaining necessary

institutions to protect labor rights. El Salvador shall establish and effectively apply appropriate legal sanctions for violations of those laws. El Salvador shall not weaken or reduce the protections in its labor laws and shall address any such weakening or reduction that has been made to encourage trade or investment to date. (5) In addition, El Salvador shall address any issues related to labor rights that contribute to non-reciprocal trade as set out in Article 1.20 of Annex III.

(4) For purposes of this paragraph, internationally recognized labor rights include those in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998), as amended in 2022; a prohibition on the worst forms of child labor; and acceptable conditions of work with respect to minimum wages and hours of work.

(5) For greater certainty, the scope of this paragraph includes special economic zones, including export processing zones, or sector-specific laws or regulations that have lesser labor protections than the overall economy.

Article 2.8. Environment

El Salvador shall adopt and maintain environmental protections, effectively enforce its environmental laws, uphold or institute as necessary strong environmental governance structures, and address environment-related issues that contribute to non-reciprocal trade.

Article 2.9. Customs and Trade Facilitation

El Salvador shall maintain or implement technology solutions that allow for full pre-arrival processing, paperless trade, and digitalized procedures for the movement of goods of the United States across its borders.

Article 2.10. Border Measures and Taxes

1. If the United States adopts a border measure to combat regulatory arbitrage that would disadvantage U.S. workers and businesses, El Salvador shall cooperate with the United States through appropriate border measures to address the issue.

2. El Salvador shall not impose value-added taxes that discriminate against U.S. companies in law or in fact.

Section 3. Digital Trade and Technology

Article 3.1. Digital Services Taxes

El Salvador shall not impose digital services taxes, or similar taxes, that discriminate against U.S. companies in law or in fact.

Article 3.2. Facilitation of Digital Trade

El Salvador shall facilitate digital trade with the United States, including by refraining from measures that discriminate against U.S. digital services or U.S. products distributed digitally, ensuring the free transfer of data across trusted borders for the conduct of business, and collaborating with the United States to address cybersecurity challenges.

Article 3.3. Market Entry Conditions

El Salvador shall not impose any condition or enforce any undertaking requiring U.S. persons to transfer or provide access to a particular technology, production process, source code, or other proprietary knowledge, or to purchase, utilize, or accord a preference to a particular technology, as a condition for doing business in its territory. This paragraph does not preclude a regulatory body or judicial authority of El Salvador from requiring a person of the United States to preserve and make available the source code of software, or an algorithm expressed in that source code, to the regulatory body for a specific investigation, inspection, examination, enforcement action, or judicial proceeding, subject to safeguards against unauthorized disclosure.

Article 3.4. Customs Duties on Electronic Transmissions

El Salvador shall not impose customs duties on electronic transmissions, including content transmitted electronically, as set out in Chapter 14 (Electronic Commerce) of the CAFTA-DR. The Parties shall support a permanent multilateral moratorium

on customs duties on electronic transmissions.

Section 4. Rules of Origin

Article 4.1. General Provision

The Parties intend for the benefits of this Agreement to accrue substantially to them and their nationals. If benefits of this Agreement are accruing substantially to third countries or third-country nationals, a Party may establish rules of origin necessary to achieve the Parties' intention for this Agreement.

Section 5. Economic and National Security

Article 5.1. Complementary Actions

1. When the United States imposes a customs duty, quota, prohibition, fee, charge, or other import restriction on a good or service from a third country pursuant to relevant domestic law, and such measures are taken in furtherance of shared economic and national security objectives, El Salvador shall regulate the importation of that good or service into its territory through measures, deemed appropriate by El Salvador, having an equivalent restrictive effect as those of the United States.

2. El Salvador shall address unfair trade practices of companies operating in El Salvador by adopting and implementing appropriate measures, in collaboration with the United States, to prevent: (1) the export of below-market price goods from El Salvador to the United States; (2) increased exports of such goods from El Salvador to the United States that have a distortive effect in the United States; (3) a reduction in U.S. exports to El Salvador; or (4) a reduction in U.S. exports to third-country markets due to exports from El Salvador to those third country markets.

3. El Salvador shall adopt appropriate measures to encourage market-oriented conditions in the shipbuilding and shipping sector.

Article 5.2. Export Controls, Sanctions, Investment Security, and Related Matters

1. El Salvador shall cooperate with the United States to regulate trade in national security-sensitive technologies and goods through existing multilateral export control regimes, cooperate on alignment in the Parties' respective systems with U.S. export controls, and ensure that its companies do not backfill or undermine these controls.

2. El Salvador shall cooperate with the United States with a view to promoting compliance with U.S. sanctions and export controls and make best efforts to assist the United States in enforcement of U.S. sanctions and export controls.

3. El Salvador shall cooperate with the United States on investment security matters related to national security risks.

4. If the United States determines that El Salvador is cooperating to address shared national and economic security issues, the United States may take such cooperation into account in administering its laws and regulations pertaining to export controls and other measures.

Article 5.3. Procurement

El Salvador shall ensure a level playing field in procurement for countries with which it has trade agreements that include government procurement commitments.

Article 5.4. Other Measures

1. The United States shall work with El Salvador to streamline and enhance defense trade.

2. El Salvador and the United States shall enter into a duty evasion cooperation agreement within 60 days from the date of entry into force of this Agreement. The Parties shall collaborate through their customs authorities for the fulfillment of this provision.

3. El Salvador shall purchase any nuclear reactors, fuel rods, or enriched uranium from countries that do not present national security concerns.

Section 6. Commercial Considerations and Opportunities

Article 6.1. Commercial Considerations

1. El Salvador shall ensure that its State-Owned or Controlled Enterprises (SOEs), and SOEs of third countries operating in its market, when engaging in commercial activities: (1) act in accordance with commercial considerations in their purchase of goods or services; (2) refrain from discriminating against U.S. goods or services; and (3) refrain from subsidizing domestic goods producers. El Salvador shall refrain from providing non-commercial assistance or otherwise subsidizing its goods-producing SOEs, insofar as it affects trade or investment between the parties.

2. Upon the written request of the United States, El Salvador shall provide information regarding all forms of non-commercial assistance or subsidies that it provides to a manufacturing enterprise in its territory and shall take action to address the distortive impacts of those subsidies and support mechanisms on trade and investment with the United States.

Article 6.2. Investment

1. El Salvador shall allow and facilitate U.S. investment in its territory to explore, mine, extract, refine, process, transport, distribute, and export critical minerals and energy resources and to provide power generation, telecommunication, transportation, and infrastructure services on terms no less favorable than it accords to its own investors in like circumstances and shall regulate those investments in keeping with minimum standards of international law, in compliance with the commitments set out in the CAFTA-DR.

2. The United States shall work through U.S. institutions such as the Export-Import Bank of the United States (EXIM Bank) and the U.S. International Development Finance Corporation (DFC), if eligible, to consider supporting investment financing in critical sectors in El Salvador in collaboration with U.S. private sector partners, consistent with applicable law.

3. El Salvador shall facilitate private sector initiatives on job-creating, greenfield investment in the United States.

Section 7. Implementation, Enforcement, and Final Provisions

Article 7.1. Bilateral Working Group

1. The Parties hereby establish a Bilateral Working Group (the "Working Group") comprising representatives of the Parties to monitor the implementation and operation of this Agreement.

2. The Working Group shall convene no later than 6 months after entry into force of this Agreement and periodically thereafter.

Article 7.2. Annexes and Footnotes

The annexes and footnotes to this Agreement constitute an integral part of this Agreement.

Article 7.3. Authentic Languages

The texts of this Agreement in the English language and the Spanish language shall be equally authentic, except for the texts of Schedules 1A, 1B, and 2, which shall be authentic only in English.

Article 7.4. Amendments

Each Party may request reasonable modifications to this Agreement, which the other Party shall consider in good faith. The Parties may agree, in writing, to amend this Agreement if such amendment does not undermine the benefits of this Agreement or other agreements between the Parties.

Article 7.5. Enforcement

1. If either Party considers that the other Party has not complied with a provision of this Agreement, the Party may review the terms of the Agreement and take action in accordance with its law. Prior to taking such an action, a Party shall, when practicable, seek consultations with the other Party.

2. Nothing in this Agreement shall prevent, or otherwise constrain, a Party from imposing additional tariffs to remedy unfair trade practices, to address import surges, to protect economic or national security, or for other similar reasons consistent

with its law.

Article 7.6. Termination

Either Party may terminate this Agreement by providing written notice of termination to the other Party. Termination shall take effect after 90 days or on another date as the Parties decide. When practicable, a Party shall provide the other Party an opportunity to consult before providing such notice.

Article 7.7. Entry Into Force

This Agreement shall enter into force five (5) days after the date on which the Parties have notified each other in writing of the completion of their respective applicable legal procedures, or on such other date as the Parties may decide.

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

DONE in duplicate at Washington, District of Columbia, this twenty-ninth day of January, 2026.

For the United States of America:

For the Republic of El Salvador:

Annex III. Specific Commitments

Section A. Non-Tariff Barriers and Related Matters

Industrial Goods

1.1. Medical Devices

1. El Salvador shall accept a prior marketing authorization that is issued by the U.S. Food and Drug Administration (FDA) as sufficient evidence that a medical device manufactured in the United States meets its requirements for marketing authorization in El Salvador. (1)

(1) For greater certainty, this paragraph does not prevent El Salvador from requesting information from the manufacturer for purposes of post-market surveillance of medical devices that are already on the market in its territory.

2. El Salvador shall accept Medical Device Single Audit Program MDSAP audit reports or certificates for medical device manufacturing facilities when available, and shall not adopt additional conformity assessment requirements for any routine inspections.

3. El Salvador shall accept the U.S. FDA's electronic certificates to foreign government (eCFGs) as sufficient for its certificate to foreign government (CFG) requirements for medical devices and shall not require wet signatures or apostilles.

1.2. Pharmaceutical Products

1. El Salvador shall accept a prior marketing authorization that is issued by the U.S. FDA as sufficient evidence that a pharmaceutical product manufactured in the United States meets its requirements for marketing authorization in El Salvador. (2)

(2) For greater certainty, this paragraph does not prevent El Salvador from requesting information from the manufacturer for purposes of post-market surveillance of pharmaceutical products that are already on the market in its territory.

2. El Salvador shall accept the U.S. FDA's electronic certificates for pharmaceutical products (eCPPs) as sufficient for its

certificate for pharmaceutical product (CPP) requirements and shall not require wet signatures or apostilles.

3. El Salvador shall accept the results of a good manufacturing practice surveillance inspection conducted by the U.S. FDA of a manufacturing facility for pharmaceutical products without further need for an inspection or reinspection performed by El Salvador's relevant regulatory authorities when the following conditions apply:

(a) The manufacturing facility is within the territory of the United States; and

(b) The most recent U.S. FDA inspection report as provided by the facility is classified as no action indicated, demonstrating no objectionable conditions or practices.

1.3. Motor Vehicles and Auto Parts

1. El Salvador shall accept vehicles and vehicle parts that are manufactured to comply with U.S. Federal Motor Vehicle Safety Standards (FMVSS) and U.S. emissions standards and accept U.S. compliance procedures for automotive products without requirements for U.S. vehicles to undergo additional processes to enter El Salvador's market. This paragraph does not apply to importation of motor vehicles older than eight years or of buses and trucks older than 15 years.

2. El Salvador shall address any other standards or requirements that discriminate against U.S. vehicles and vehicle parts.

1.4. Remanufactured and Refurbished Goods

1. El Salvador shall remove any import restrictions on U.S. remanufactured goods or their parts. (3)

(3) For purposes of this article, remanufactured good means a good classified in Harmonized System (HS) Chapters 84 through 90 or under heading 94.02 except goods classified under HS headings 84.18, 85.09, 85.10, and 85.16, 87.03 or subheadings 8414.51, 8450.11, 8450.12, 8508.11, and 8517.11, that is entirely or partially composed of recovered materials and: (a) has a similar life expectancy and performs the same as or similar to such a good when new; and (b) has a factory warranty similar to that applicable to such a good when new.

2. El Salvador may require that a remanufactured good:

(a) be identified as such, including through labelling, for distribution or sale in its territory, and

(b) meet all applicable technical requirements that apply to an equivalent good in new condition.

1.5. Railway Infrastructure Development Standards

1. El Salvador shall enter into regulatory and economic dialogue with U.S. transportation authorities to facilitate convergence of standards and explore business opportunities in the rail sector.

2. El Salvador shall take steps to coordinate government departments and industry stakeholders' participation in rail regulatory and economic dialogue.

1.6. Worn Clothing

El Salvador shall treat exports of worn clothing classified in HS heading 63.09 as originating under the CAFTA-DR when exported from the United States, taking into account U.S. Customs and Border Protection ruling HQ 960577 (Aug. 7, 1988).

Documentation Requirements, Formalities, and Taxes

1.7. Certificate of Free Sale

El Salvador shall ensure that its regulatory authorities accept any documentation establishing that a good may be sold on the U.S. market, or adherence to manufacturing practices recognized by U.S. regulatory authorities, as satisfying the requirement for a Certificate of Free Sale for such a good.

1.8. Product Registration

1. El Salvador shall recognize product registrations granted for U.S. products by other Central American countries under the harmonized Central America regulations as it would recognize product registrations for products of other Central American

countries. Any U.S. products so registered shall be subject only to a random inspection at the point of entry in the Republic of El Salvador.

2. For purposes of a product registration requirement, El Salvador shall accord U.S. products treatment no less favorable than the treatment accorded to food and agricultural products from El Salvador or from third countries.

3. El Salvador shall publish on an official, public government website all relevant information regarding its product registration requirements, including the process for product registration, any criteria that a product must meet in order to be registered, and the standard processing period for a new product registration.

4. El Salvador shall ensure any laboratory testing results required for product registration are only required for products that have clear, documented risk based on the available science. Where El Salvador maintains a laboratory testing requirement, El Salvador shall accept laboratory testing results from accredited U.S. laboratories and shall not require lot-based testing for product registration requirements.

5. El Salvador shall ensure that any future changes made to any product registration requirements are made following public consultation.

1.9. Apostille Requirements

El Salvador shall not adopt or maintain a requirement for importers to apply an apostille to product registration documents for products from the United States and shall not require hard copies, original copies, or authenticated copies, or wet signatures.

1.10. Excise Tax on Distilled Spirits

El Salvador shall modify the application of its domestic excise tax on distilled spirits so as not to discriminate against U.S. distilled spirits exports compared to any like, directly competitive, or substitutable products.

Agriculture

1.11. Recognition of the U.S. Food and Agricultural Control System and Acceptance of Certificates Issued by U.S. Regulatory Authorities

1. El Salvador affirms its rights and obligations under the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement).

2. El Salvador shall recognize that the U.S. sanitary and phytosanitary (SPS) measures and other measures for food and agricultural products, including technical regulations and standards, adopted or maintained by the U.S. government (4) satisfy the requirements of El Salvador's measures applied to food and agricultural products imported into El Salvador.

(4) For greater certainty, these U.S. measures include: measures related to food safety; the regulatory oversight of processed food production; labeling of perishable and processed foods; measures to protect U.S. agricultural production from the introduction of plant and animal pests and diseases; and regionalization protocols for animal disease and plant pest outbreaks.

3. Further to paragraph 1, El Salvador shall accept any bilateral export certification documents or electronic data elements agreed upon between the United States and El Salvador, or other official U.S. government certification of compliance with U.S. requirements, for imports of food and agricultural products into El Salvador. El Salvador shall continue to ensure that any changes made to any bilateral export certification documents are made through a consultative process with the United States.

4. El Salvador shall limit attestations and information required in certificates required for imports of U.S. food and agricultural products to what is necessary to comply with applicable U.S. requirements.

I5. El Salvador affirms its commitments under Annex B of the WTO SPS Agreement and Article 2 and Article 5 of the Agreement on Technical Barriers to Trade (TBT) to notify proposed measures to the WTO SPS or TBT Committee, as appropriate, and to take into account comments received from WTO Members before the measure is final.

1.12. Risk-based Requirements for Food and Agricultural Products

El Salvador's Ministry of Agriculture (MAG) shall ensure that fumigation of food and agricultural products at ports of entry shall be conducted only when justified through a science-based risk analysis.

1.13. Facility Registration / Establishment Listing

Dairy Products

1. El Salvador shall:

(a) recognize the U.S. dairy-safety system as providing at least the same level of protection as El Salvador's dairy-safety system;

(b) allow imports of U.S. dairy products of bovine, ovine, and caprine origins when accompanied by a standard U.S. Department of Agriculture (USDA) Agricultural Marketing Service (AMS) dairy sanitary certificate; and

(c) not adopt or maintain a facility registration requirement for imports of U.S. dairy products into El Salvador.

Meat and Poultry (Including Offal), Meat and Poultry Products, Processed Meat and Poultry, Siluriformes, and Egg Products

2. El Salvador shall recognize USDA Food Safety and Inspection Service (FSIS) oversight of U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg product facilities, including cold storage warehouse facilities, for purposes of allowing imports of U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products.

3. El Salvador shall accept the FSIS Meat, Poultry and Egg Product Inspection (MPI) Directory, which lists all Federally inspected establishments producing meat, poultry, Siluriformes, and egg products regulated by FSIS, as the official list of eligible U.S. establishments eligible to export meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products to El Salvador.

4. El Salvador shall accept U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products inspected by FSIS and certified using a FSIS Export Certificate of Wholesomeness (FSIS 9060-5 series certificate) or electronic data elements, or any successor thereto. El Salvador shall not require El Salvador's Certificate of Free Sale for U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products.

5. El Salvador shall accept digitally signed FSIS Form 9060-5 series certificates signed by any FSIS-authorized personnel.

6. El Salvador shall impose no additional facility registration requirements on U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products.

1.14. Fraudulent Labeling of Non-U.S. Rice

El Salvador shall cooperate with the United States and take action to prevent the fraudulent labeling of non-U.S. origin rice as U.S. origin rice and the re-export of such fraudulently labeled rice.

1.15. Agricultural Biotechnology

1. Noting the ability of agricultural biotechnology to improve lives by helping to feed growing populations and by promoting improved agricultural productivity while optimizing inputs, El Salvador shall endeavor to maintain, for products of agricultural biotechnology, science- and risk-based regulatory frameworks and efficient authorization processes, in order to facilitate increased trade in such products.

2. Recognizing the efficacy of the U.S. regulatory system to assess the safety of products of agricultural biotechnology, within six months of the date of entry into force of this Agreement, El Salvador shall endeavor to implement a policy whereby any food or feed developed from products of agricultural biotechnology that can be legally sold in the United States can be imported and marketed in El Salvador for the same purposes without requiring a pre-market review, deregulation, additional labeling requirements, or approval by El Salvadorian authorities.

3. In the event of an occurrence of low-level presence (LLP) affecting a U.S. shipment exported to El Salvador, El Salvador shall ensure that the LLP occurrence is managed without unnecessary delay; and shall take into account any relevant risk or safety assessment provided, and authorization granted, by the United States or any third country when deciding how to manage the LLP occurrence.

1.16. Geographical Indications

1. With respect to the protection or recognition of a geographical indication, including pursuant to an international agreement, El Salvador shall:

(a) ensure transparent and fair procedures for examination, opposition, and cancellation, including with respect to a translation or transliteration;

(b) provide that the grounds for refusal, opposition, and cancellation include the likelihood of confusion with a prior trademark and whether the term is the term customary in common language as the common name for the relevant good in its territory;

(c) publicly identify which component or components it is protecting and which it is not protecting;

(d) not protect an individual component of a multi-component term that is protected or is recognized as a geographical indication if that individual component is the term customary in common language as the common name for the relevant good in its territory;

(e) in determining whether a term is the term customary in common language as the common name for the relevant good in its territory, have the authority to take into account how consumers understand the term in its territory and recognize that factors relevant to that consumer understanding may include:

(i) whether the term is used to refer to the type of good in question, as indicated by competent sources such as dictionaries, newspapers, and relevant websites;

(ii) how the good referenced by the term is marketed and used in trade in its territory;

(iii) whether the term is used in relevant international standards to refer to a type or class of good in its territory, such as pursuant to a standard promulgated by the Codex Alimentarius;

(iv) whether persons other than the person who claims rights in the term use the term as the name for the type of product in question;

(v) whether the good in question is imported into its territory, in significant quantities, from a place other than the territory identified in the application or petition, and whether those imported goods are named by the term; and

(v) whether the good in question is imported into its territory, in significant quantities, from a place other than the territory identified in the application or petition, and whether those imported goods are named by the term; and

I(vi) whether the product associated with the term is manufactured or traded in significant quantities from a place other than the territory identified in the application or petition.

1.17. International Agreements

Within a period not exceeding two years, the Government of El Salvador shall submit to the Legislative Assembly a request for accession to the following Agreements for consideration:

(a) Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs, done at Geneva on July 2, 1999;

(b) Patent Law Treaty, done at Geneva on June 1, 2000;

(c) Singapore Treaty on the Law of Trademarks, done at Singapore on March 27, 2006; and

(d) International Convention for the Protection of New Varieties of Plants, done at Paris on December 2, 1961, as revised at Geneva on March 19, 1991.

Services

1.18. Data Storage

El Salvador shall implement the amendment to the Law on the Regulation of Credit History Information Services, allowing data storage in cloud-based systems.

Transparency and Good Regulatory Practices

1.19. Adoption and Implementation of Good Regulatory Practices

With respect to the adoption and implementation of good regulatory practices at the central level of government, the El Salvador shall:

(a) ensure that laws, regulations, procedures, and administrative rulings are promptly published and made easily accessible online;

(b) publish and make easily accessible online the text of proposed regulatory actions, as well as any regulatory impact analysis, an explanation of the regulation, and its objective;

(c) conduct public consultations for proposed regulatory actions in a transparent manner; allow adequate time for interested persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received;

(d) give reasonable notice of planned regulatory actions and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term;

(e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation;

(f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade;

(g) conduct reviews of regulation in effect to determine whether new information or other changes justify modification or repeal of regulation; and

(h) use tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations, which could also include alternative approaches to regulation, where appropriate.

Labor

1.20. Enforcement of Labor Laws

El Salvador shall strengthen the effective enforcement of its labor laws with respect to:

(a) sufficient resourcing of its labor inspectorate, including with respect to funding, personnel, training, transportation, and equipment;

(b) targeted enforcement efforts in export sectors;

(c) efficient credentialing of trade union officers; and

(d) effective and expeditious investigation and prosecution of any cases of anti-union violence or threats of violence against trade unionists.

Environment

1.21. Illegal Logging and Associated Trade

1. El Salvador shall take measures to combat, and cooperate with the United States to prevent, trade in illegally harvested forest products.

2. El Salvador shall establish an independent forestry oversight body in the government to supervise timber concessions and permits.

3. El Salvador shall continue to strengthen prosecution of forest sector crimes and ensure sufficient resources to do so, including with respect to enforcement and prosecution funding, personnel, and training.

4. El Salvador shall continue to enforce penalties for illegal logging are sufficient to deter violations of relevant environmental laws.

5. Pursuant to its existing authorities, El Salvador shall enhance its inspections of timber imports.

1.22. Fisheries Subsidies

1. El Salvador shall work towards accepting as soon as possible the WTO Agreement on Fisheries Subsidies (AFS) and the provisions contained therein.

2. In the event that the AFS is terminated pursuant to Article 12 of the AFS, El Salvador shall nonetheless endeavor to implement the obligations of the AFS.

3. In addition, El Salvador shall ensure its fisheries subsidies do not contribute to overcapacity and overfishing, including through the use of robust fisheries management regimes and reform of such subsidies.

1.23. Sustainable Fisheries Management and Illegal, Unreported, and Unregulated Fishing

1. El Salvador shall operate a sustainable fisheries management system that regulates marine wild capture fishing and promotes the long-term conservation of marine species including sharks, sea turtles, seabirds, and marine mammals.

2. El Salvador shall strengthen enforcement of fisheries-related laws, regulations, and other measures to effectively combat illegal, unreported, and unregulated (IUU) fishing and deter trade in products from IUU fishing.

1.24. Combating Illegal Wildlife Trade

El Salvador shall continue to strengthen measures to combat, and cooperate to prevent, the trade of wild fauna and flora that were taken or traded in violation of its law or another applicable law, including through the following actions:

(a) take measures to enhance the effectiveness of inspections of shipments containing wild fauna and flora, including parts and products thereof, at ports of entry;

(b) take measures to combat the trade of wild fauna and flora transshipped through its territory that, based on credible evidence, were illegally taken or traded;

(c) treat intentional transnational trafficking of wild fauna and flora as a serious crime as defined in the United Nations Convention on Transnational Organized Crime; and

(d) take measures to dismantle organized trafficking networks involved in nature crimes.

1.25. Illegal Mining

El Salvador shall take measures to combat, and cooperate to prevent, trade in illegally extracted precious metals, including by strengthening institutions responsible for enforcing laws and regulations related to mining activities.

Customs & Trade Facilitation

1.26. Single Window

El Salvador shall implement its Single Window for all products by its definitive date notified according to the WTO Agreement on Trade Facilitation. El Salvador shall allow for the electronic submission of pre-arrival declaration data and require all border agencies to conclude their processing of that data prior to arrival in order to allow for immediate release of low-risk shipments without transfer to a customs warehouse, including for express shipments from the United States.

1.27. Periodic Payment and Import Declarations for Express Shipments

1. El Salvador shall implement periodic payment for express delivery shipments.

2. El Salvador shall allow express shipments under $200 to be declared together on a single import declaration up to a combined value of $3000.

1.28. Advance Rulings

El Salvador shall establish or maintain a website for Advance Ruling applications that allows applicants to submit requests online and receive responses from El Salvador's customs authority within 150 days.

1.29. Electronic Certification Data

El Salvador shall work with USDA FSIS to establish and maintain a system that receives system-to-system electronic certification (eCert) data from USDA FSIS for exports of meat, poultry, Siluriformes, and egg products of the United States.

1.30. Protection of Proprietary Data

El Salvador shall protect proprietary data submitted to the Dirección General de Aduanas by U.S. traders from unauthorized disclosure.

Section B. Digital Trade

2.1. Data Transfers

1. El Salvador shall consider the United States as a country that has an adequate data protection standard for the purpose of transferring personal data across borders under its law.

2. El Salvador shall consider the Global Cross-Border Privacy Rules (CBPR) System and Global Privacy Recognition for Processors (PRP) System certifications as valid mechanisms under El Salvador's law to transfer data across borders while protecting personal information and reducing compliance costs.

Section C. Economic and National Security

3.1. Strategic Trade

1. In order to advance the mutual national security interests of El Salvador and the United States, El Salvador shall establish measures to restrict the unauthorized export, reexport, and in-country transfer of U.S.-origin or U.S.-controlled items subject to the Export Administration Regulations (EAR) unless the exporter presents U.S. Department of Commerce's Bureau of Industry and Security (BIS) reexport authorization or demonstrates no BIS authorization is required.

2. El Salvador shall screen and share its customs and transaction data related to U.S.-origin or U.S.-controlled items to identify transactions of concern to U.S. authorities, including BIS or its surrogate, and shall adopt and implement measures to prevent and address violations of U.S. export controls. The United States shall cooperate with El Salvador on these efforts.

3. El Salvador shall further develop domestic export control systems and enforcement mechanisms, including by establishing and implementing civil and criminal penalties, and strengthening its auditing and investigative capabilities, and shall partner with the United States on such enforcement actions where appropriate, including by sharing information when violations may have occurred and cooperating on end-use checks and investigations.

3.2. Government Procurement

For the purposes of government procurement, if El Salvador requires cloud service providers to qualify for a certification or standard in order to be awarded a procurement contract, El Salvador shall accept as equivalent to its domestic requirement any U.S. cloud computing service that meets the requirements established in the Federal Risk and Authorization Management Program (FedRamp) or a similar standard.

3.3. Equipment and Platform Security

1. El Salvador shall align performance and cybersecurity standards for aviation security screening equipment with international standards.

2. El Salvador shall only use communication technology and security scanning equipment suppliers that do not compromise the security, safeguards, and intellectual property of information and communication technology (ICT) infrastructure, including 5G, 6G, communication satellites, and undersea cables. El Salvador and the United States shall consult on standards and security specifications.

3. El Salvador shall ensure that its ports, port terminals, and logistics tracking networks, and its commercial fleet, use digital logistics platforms that provide appropriate cybersecurity protection, protection against the unauthorized disclosure of data, and protection against national security risks from data access.

3.4. Antidumping and Countervailing Duty Cooperation

El Salvador shall expand cooperation and exchange information with the United States, as appropriate, related to U.S. and Salvadoran antidumping and countervailing duty proceedings (to include circumvention inquiries).

Section D. Commercial Considerations and Opportunities

4.1. Energy

1. El Salvador is encouraged to increase U.S. sources of liquefied natural gas (LNG) for future supplies of existing LNG import capacity or any future LNG import capacity expansions.

2. El Salvador shall encourage U.S. civil nuclear technology investment to meet its nuclear power development.