

No. 1661

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**NETHERLANDS  
and  
MEXICO**

**Commercial Agreement (with exchange of notes). Signed  
at Mexico City, on 27 January 1950**

*Official texts: Dutch and Spanish.*

*Registered by the Netherlands on 12 March 1952.*

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**PAYS-BAS  
et  
MEXIQUE**

**Accord commercial (avec échange de notes). Signé à Mexico,  
le 27 janvier 1950**

*Textes officiels néerlandais et espagnol.*

*Enregistré par les Pays-Bas le 12 mars 1952.*

[TRANSLATION — TRADUCTION]

No. 1661. COMMERCIAL AGREEMENT<sup>1</sup> BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE UNITED MEXICAN STATES. SIGNED AT MEXICO CITY ON, 27 JANUARY 1950

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The Government of the Kingdom of the Netherlands and the Government of the United Mexican States, being desirous of strengthening the traditional bonds of friendship existing between the two countries by maintaining the principle of equality of treatment in its unconditional and unlimited form as the basis of commercial relations, have agreed as follows :

I

In respect of the import, export, transit and customs storage of goods, the two Governments agree to grant each other reciprocally unconditional and unrestricted most-favoured-nation treatment so far as concerns customs duties and all accessory duties, charges and taxes; the method of collection or recovery of the said duties, charges and taxes; and the regulations, formalities and requirements to which customs operations may be subject.

II

In consequence of article I, articles grown, produced or manufactured in the territory of either country shall in no case, when imported into the territory of the other, be subject, in the above respects, to duties, fees or charges other or higher, or to regulations, formalities or requirements other or more onerous, than those to which articles of a like nature originating in any third country are at present or may hereafter be subject.

III

Similarly, articles grown, produced or manufactured shall not, when exported from the territory of either country to the territory of the other, be subject, in the said respects, to duties, fees or charges other or higher, or to regulations, formalities or requirements other or more onerous, than those to which articles of a like nature consigned to any third country are at present or may hereafter be subject.

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<sup>1</sup> Came into force on 5 February 1952, by the exchange of instruments of ratification at The Hague, in accordance with article VIII.

## IV

All favours, advantages, concessions or immunities which, in the said respects, are or may be granted by either country to articles, whether grown, produced or manufactured, originating in a third country, shall be accorded automatically and immediately and without compensation to similar articles originating in or consigned to the territory of the other country.

## V

The two countries shall grant each other reciprocal and unconditional most-favoured-nation treatment in applying, with respect to their mutual trade, all forms of control of the means of payment and all international exchange regulations which they have established or may hereafter establish.

## VI

The following shall not be subject to the obligations specified in the preceding articles :

(a) Favours, advantages, concessions or immunities which are at present or may hereafter be granted by either of the two countries in respect of a free zone or a customs or economic union of which either country has or may become a member;

(b) Favours, advantages, concessions or immunities which are or may be applied by the Kingdom of the Netherlands to territories which on 1 July 1939 were united to the Netherlands or Belgium under a single sovereignty;

(c) Favours, advantages, concessions or immunities which either country at present grants or may in future grant to neighbouring countries for purposes of frontier traffic;

(d) Action taken under provisions adopted on moral or humanitarian grounds or relating to public safety; the traffic in arms, munitions and war materials; the protection of public health; the protection of animals or plants from diseases, insects or harmful parasites; the defence of the artistic, historical or archeological heritage of the nation; the export of gold or silver in coin or bars; and, in general, to fiscal or police measures for extending to foreign products the system imposed in the territory of either country on similar national products;

(e) Favours, advantages, privileges or concessions granted by either country to one or more third countries under special treaties, agreements or arrangements

of a regional nature the exclusive purpose of which is to facilitate the reconstruction or economic development of the countries concerned.

## VII

Any disagreement between the two Governments concerning the interpretation or application of this Agreement which cannot be satisfactorily solved by diplomatic means shall be submitted for settlement to the International Court of Justice unless the two Governments agree to resolve it by some other peaceful means.

## VIII

This Agreement shall be ratified as soon as possible, and the exchange of ratifications shall take place at The Hague. It shall enter into force as from the date of the exchange of ratifications and remain in force for a period of two years. Unless not less than six months before the date of expiry of the said period either of the two Governments notifies the other of its intention to terminate the Agreement, the Agreement shall be extended automatically for another year, and so on until either of the two Governments, not less than six months before the date of expiry of the current period of validity, notifies the other of its intention to terminate the Agreement.

DONE in duplicate, in Dutch and Spanish, at Mexico City, on 27 January 1950.

For the Government  
of the Kingdom of the Netherlands :  
Ch. J. H. DAUBANTON  
Envoy Extraordinary and Minister  
Plenipotentiary

For the Government  
of Mexico :  
Manuel TELLO  
Under-Secretary in Charge  
of the Department of Foreign Affairs

## EXCHANGE OF NOTES

## I

*The Minister of the Netherlands to the Under-Secretary, Acting Director of the Department of Foreign Affairs of Mexico*

NETHERLANDS EMBASSY

Mexico City, 27 January 1950

No. 120

Sir,

With reference to the Commercial Agreement signed today between the Government of the Kingdom of the Netherlands and the Government of Mexico, I have the honour to inform Your Excellency that, in accordance with the relevant negotiations, my Government regards the measures for applying the Netherlands monopoly system in the agricultural sector as included among those mentioned in the final part of paragraph (*d*) of Article VI of the said Commercial Agreement.

So far as the importing of agricultural products is concerned, the said system makes it possible, by levying a charge or alternatively by granting an allowance, to equalize any difference which may exist between the c.i.f. prices of imported agricultural products and the prices reckoned as profitable for an efficient Netherlands producer in respect of the same or similar goods.

It is intended that the exceptions referred to in paragraph (*e*) of Article VI of the said Commercial Agreement shall apply to obligations assumed by the Kingdom of the Netherlands in accordance with :

(*a*) The Convention for European Economic Co-operation, signed in Paris on 16 April 1948; (*b*) the Economic Co-operation Agreement between the Governments of the Kingdom of the Netherlands and of the United States of America, signed on 2 July 1948;<sup>1</sup> and (*c*) any similar existing or future contractual obligation; and, in respect of Mexico, any similar future contractual obligation relating to economic development.

I also have the honour to inform your Excellency that my Government agrees that the said Agreement shall enter into force provisionally on today's date subject to the reservation that the exchange of ratifications provided for in article VIII takes place.

<sup>1</sup> United Nations, *Treaty Series*, Vol. 20, p. 91, and Vol. 93, p. 361.

Lastly, I have the honour to bring to Your Excellency's attention that the Kingdom of the Netherlands, according to its Constitution, consists of the mother country and the overseas territories.

I have the honour to be, etc.

Ch. J. H. DAUBANTON  
Ambassador

His Excellency Mr. Manuel Tello  
Under-Secretary, Acting Director  
of the Department of Foreign Affairs,  
Mexico City

## II

*The Under-Secretary, Acting Director of the Department of Foreign Affairs of Mexico, to the Minister of the Netherlands*

SECRETARY FOR FOREIGN AFFAIRS  
UNITED MEXICAN STATES  
MEXICO CITY

Mexico City, 27 January 1950

6-A-148

Sir,

In reply to Your Excellency's note No. 120 of today's date, I have the honour to inform Your Excellency that, with reference to the Commercial Agreement signed today between our respective Governments, the Government of Mexico takes note of the principle and form of operation of the Netherlands monopoly system for the import of agricultural products and agrees to regard any measures carried into effect under that system as included among those mentioned in the final part of paragraph (*d*) of Article VI of the said Agreement.

It is understood that the exceptions referred to in paragraph (*e*) of article VI of the said Commercial Agreement shall apply to obligations assumed by the Kingdom of the Netherlands in accordance with: (*a*) the Convention for European Economic Co-operation, signed in Paris on 16 April 1948; (*b*) the Economic Co-operation Agreement between the Governments of the Kingdom of the Netherlands and of the United States of America, signed on 2 July 1948; and (*c*) any similar existing or future contractual obligation; and, in respect of Mexico, any similar future contractual obligation relating to economic development.

No. 1661

I also have the honour to inform Your Excellency that my Government agrees that the said Commercial Agreement shall enter into force provisionally on today's date subject to the reservation that the exchange of ratifications provided for in article VIII takes place.

Lastly, the Government of Mexico notes that the Kingdom of the Netherlands, according to its Constitution, consists of the mother country and the overseas territories.

I have the honour to be, etc.

Manuel TELLO

His Excellency Mr. Ch. J. H. Daubanton  
Envoy Extraordinary and Minister Plenipotentiary  
of the Netherlands,  
Mexico City