

No. 20440

**MEXICO
and
SPAIN**

**Agreement on co-operation in the field of industry, energy
and minerals. Signed at Mexico City on 21 November
1978**

Authentic text: Spanish.

Registered by Mexico on 28 October 1981.

**MEXIQUE
et
ESPAGNE**

**Accord relatif à la coopération en matière industrielle,
énergétique et minière. Signé à Mexico le 21 novembre
1978**

Texte authentique : espagnol.

Enregistré par le Mexique le 28 octobre 1981.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON CO-OPERATION IN THE FIELD OF INDUSTRY, ENERGY AND MINERALS BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES AND THE GOVERNMENT OF THE KINGDOM OF SPAIN

The Government of the United Mexican States on the one side,

The Government of the Kingdom of Spain on the other side,

Considering the traditional ties of friendship between Mexico and Spain and the desire of the two countries to develop and broaden their economic co-operation, whose foundations were laid in the Agreement on economic and commercial co-operation signed at Madrid on 14 October 1977;²

Confirming that, within the framework of that economic co-operation, industrial co-operation in all its aspects has proven to be especially important and dynamic;

Being aware that joint investments are an effective instrument for promoting and increasing reciprocal industrial trade flows;

Bearing in mind that this matter should be the subject of a special legal arrangement between the two countries that would make it possible to take the most effective action in order to establish and maintain co-operation presenting the greatest possible advantage to both Parties;

Mexico and Spain have decided to sign this Agreement on co-operation in the field of industry, energy and mining.

Article I. Both Parties undertake to foster and facilitate the implementation of joint investment programmes in accordance with the economic and social development objectives of both countries.

Article II. Both Contracting Parties shall endeavour to increase co-operation between Mexican and Spanish enterprises, economic organizations and institutions.

Article III. The co-operation which is the subject of this Agreement shall be directed especially to the following:

- (a) Joint studies for the development of industry, mining and the energy sector;
- (b) Participation in the installation of new industrial plants and in the expansion and/or modernization of existing plants;
- (c) Exchange of patents, licenses, technology and technical information and improvement of existing technologies and/or development of new technological processes, and provision of technical services through the sending or training of specialists;
- (d) Exchange of technical and industrial missions;
- (e) Organization of industrial expositions;
- (f) Establishment of Mexican-Spanish production companies;
- (g) Notification of chambers of commerce and industrial associations concerning investment prospects in each country for the purpose of finding suitable partners.

¹ Applied provisionally from 21 November 1978, the date of signature, and definitively on 22 November 1979, the date when the Parties notified each other of the completion of the required legal procedures, in accordance with article X.

² United Nations, *Treaty Series*, vol. 1177, p. 183.

Article IV. Both Contracting Parties shall exchange information on the major economic development trends in their countries, particularly in the industrial, mining and energy fields, and on investment projects likely to offer prospects for future joint participation.

Article V. On the basis of the aforementioned co-operation and information, both Contracting Parties shall support the establishment of joint ventures between the two countries, in accordance with the provisions regulating foreign investment.

Article VI. Both Contracting Parties agree to provide official representatives, businessmen and experts from both countries who are required to stay in either country for the purpose of engaging in activities related to the co-operation referred to in this Agreement with the facilities necessary for their work.

Article VII. This Agreement shall not prevent either of the Contracting Parties from adopting or implementing measures relating to:

- (a) Security and public order, national defence or the maintenance of international peace and security;
- (b) The protection of the national artistic, historical and archeological heritage;
- (c) The protection of human, animal or plant life and health;
- (d) The utilization or consumption of nuclear materials or radioactive by-products.

Article VIII. Both Contracting Parties agree that, bearing in mind the economic potential of both countries, co-operation may be carried out in the following areas:

- Food industry,
- Secondary petrochemical industry,
- Fertilizers,
- Mining,
- Fishing industry,
- Shipbuilding,
- Publishing and printing industry,
- Chemical and pharmaceutical industry,

and in other areas to be determined by mutual agreement between the Parties.

Article IX. 1. In order to co-ordinate the activities to be carried out under this Agreement, the two Parties agree to establish a Mexican-Spanish sub-commission for industrial, energy and mining co-operation.

The sub-commission shall come under the direct supervision of the intergovernmental joint commission established by the two Governments through an exchange of notes on 14 October 1977.¹

2. The sub-commission shall be composed of those persons appointed by each Government in the light of the items included in its agenda. Corresponding working groups may be set up to examine those items.

3. The matters covered by this Agreement, which have until now fallen within the competence of the sub-commission for economic and commercial co-operation established by the Agreement on economic and commercial co-operation of 14 October 1977, shall, upon signature of this Agreement, fall within the competence of the joint sub-commission for industrial, energy and mining co-operation.

4. The sub-commission for industrial, energy and mining co-operation shall meet alternately in Mexico and in Spain at least once a year on mutually agreed dates.

¹ United Nations, *Treaty Series*, vol. 1219, p. 125.

5. The chairmen of the sub-commission for industrial, energy and mining co-operation on the Mexican and Spanish sides shall, respectively, be the Director General for International Affairs of the Secretariat of National Property and Industrial Development and the Secretary-General for Technical Affairs of the Ministry of Industry and Energy.

Article X. This Agreement shall apply provisionally from the date of its signature and shall enter into force on the date of the exchange of notes by which the two Parties inform each other that they have fulfilled the formalities required under their respective legislation.

Article XI. This Agreement shall remain in force indefinitely unless denounced by one of the Contracting Parties in writing, in which case the denunciation shall have effect six months from the date of notification.

DONE at Mexico City on 21 November 1978, in two equally authentic originals, in the Spanish language.

For the Government
of the United Mexican States:

{*Signed*}

SANTIAGO ROEL
Secretary for Foreign Relations

Lic. JOSÉ ANDRÉS OTEYZA
Secretary for National Property
and Industrial Development

For the Government
of the Kingdom of Spain:

{*Signed*}

MARCELINO OREJA
Minister for Foreign Affairs