

**No. 23111**

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**MEXICO  
and  
FRANCE**

**Trade Agreement (with annex). Signed at Mexico City on  
29 November 1951**

*Authentic texts: Spanish and French.*

*Registered by Mexico on 30 October 1984.*

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**MEXIQUE  
et  
FRANCE**

**Accord de commerce (avec annexe). Signé à Mexico le  
29 novembre 1951**

*Textes authentiques : espagnol et français.*

*Enregistré par le Mexique le 30 octobre 1984.*

[TRANSLATION — TRADUCTION]

## TRADE AGREEMENT<sup>1</sup> BETWEEN THE UNITED MEXICAN STATES AND THE FRENCH REPUBLIC

The Government of the United Mexican States and the Government of the French Republic, desiring to strengthen the traditional bonds of friendship between the two countries by upholding the principle of equal treatment, unconditionally and without restriction, as the basis for trade relations, have decided to conclude a Trade Agreement and, to that end, have appointed as their plenipotentiaries:

The President of the United Mexican States: Mr. Manuel Tello, Minister for Foreign Affairs; and

The Government of the French Republic: Mr. Gabriel Bonneau, Ambassador Extraordinary and Plenipotentiary, who, having exchanged their full powers, found in good and due form, have agreed as follows:

### TRADE AGREEMENT

#### TITLE I. TARIFF PROVISIONS

*Article 1.* The High Contracting Parties undertake, on a basis of reciprocity, immediately and unconditionally to extend to products originating in or exported to the other Contracting Party all favours, advantages, privileges or immunities which they grant or may grant for similar products originating in or exported to any third country. This provision refers to customs duties and to taxes and other charges of all kinds levied on imports or exports or collected thereon; to charges or taxes levied on international transfers of funds in settlement of import or export transactions; to the method of collecting such duties, taxes or other charges; and to all regulations and formalities relevant to imports or exports.

*Article 2.* For the purpose of implementing the provisions of article 1, products originating in and exported from Mexico under the regulations shall, when imported into France and the other territories specified in annex 1 of this Agreement, be entitled to the lowest charges that France applies or may apply for similar products of any third country.

Products originating in and exported from France or the other territories specified in annex 1 of this Agreement shall, when imported into Mexico, be entitled to the lowest charges that Mexico applies or may apply for similar products of any third country.

*Article 3.* Each High Contracting Party undertakes not to levy on imports from the territory of the other Party taxes or other internal charges different from, or higher than, those to which similar products of national origin are or may be subject in the domestic market.

Each High Contracting Party likewise undertakes, with respect to trade transactions involving imports from the other Party, not to retain or implement internal regulations different from those that are or may be applied to trade transactions for similar national products.

<sup>1</sup> Came into force on 12 April 1954 by the exchange of the instruments of ratification, which took place at Paris, in accordance with article II.

Pursuant to these provisions, products originating in the territory of either High Contracting Party shall not be subject, in the territory of the other Party, to treatment less favourable than that applied to similar products of national origin in all matters pertaining to statutory provisions or regulations governing the purchase, sale, transport and utilization of such products.

The provisions of this article shall not apply to exceptional cases established by the laws of the High Contracting Parties.

Such exceptional cases shall be established only where deemed indispensable for protecting the national economy of either High Contracting Party but shall not in any way be discriminatory in favour of products coming from any other country.

*Article 4.* With regard to all the taxes or charges, all the regulations and all the formalities applicable to transit, the High Contracting Parties shall apply to transit traffic treatment no less favourable than that applied to transit traffic coming from or proceeding to the territory of any third country.

*Article 5.* The High Contracting Parties shall do their utmost to limit all duties, taxes and charges of whatever kind, other than customs duties on imports and exports and the charges referred to in article 3, to the approximate cost of the respective services rendered. In addition, they shall seek to reduce the number and diversity of such duties, taxes and charges, the scope of application and complexity of import and export formalities, and the formalities relating to the documents to be submitted for import and export.

*Article 6.* Most-favoured-nation treatment shall not apply:

- (1) To the preferential advantages that France grants or may grant to other territories of the French Union or which these territories grant or may grant to France;
- (2) To the particular advantages that are or may be granted by either High Contracting Party to facilitate frontier trade with adjacent countries;
- (3) To the advantages that are or may be granted by either High Contracting Party to other States as a result of the establishment of a customs union or free-trade zone.

## TITLE 2. MISCELLANEOUS PROVISIONS

*Article 7.* No provision of this Agreement shall be construed as an impediment to the adoption or implementation by either Party of the following measures, provided that they do not constitute a means of arbitrary or unjustified discrimination or a disguised restriction on trade:

- (a) Measures necessary for protecting public morality;
- (b) Measures necessary for implementing laws and regulations concerning public safety;
- (c) Measures necessary for protecting human or animal life or health or the preservation of plant life;
- (d) Measures concerning imports or exports of gold or silver;
- (e) Measures concerning articles manufactured in prisons;
- (f) Measures for safeguarding national treasures of artistic, historical or archaeological value;
- (g) Measures to control imports or exports of weapons, munitions or war materials and, in exceptional circumstances, any other military supplies.

*Article 8.* Each High Contracting Party undertakes to take all necessary action to protect natural or manufactured products originating in the other High Contracting Party effectively against unfair competition that may exist in trade transactions.

In particular, each High Contracting Party undertakes to take all necessary action to prevent misuse of the names or geographical marks of origin of the other Party, provided that such names and marks are duly protected and notified by the said other Party. Such notification shall specify principally the documents issued by the competent authority of the country of origin in which the authority establishes the right to such names or marks of origin. No name or mark of origin shall be held to be generic.

*Article 9.* Should the Government of either High Contracting Party adopt any measure which, while not incompatible with the terms of this Agreement, may be regarded by the other Party as liable to nullify or diminish the scope thereof, the Government which adopted the measure shall take into account the objections of the other Government and afford it all facilities necessary for an exchange of views on the matter in order to reach an agreement satisfactory to both Parties.

The Government of each High Contracting Party shall, in a friendly spirit, consider any representations that may be made by the other Party concerning the implementation of customs regulations, the control of international trade, quantitative restrictions, customs formalities, or health legislation and regulations for the protection of human, animal or plant health or life. The Government to which representations are made shall provide all necessary facilities for the respective exchanges of views.

*Article 10.* In the case of France, this Agreement shall apply to the territories specified in annex 1.

#### FINAL PROVISIONS

*Article 11.* This Agreement shall be ratified in accordance with the constitutional laws of the High Contracting Parties and the ratifications shall be exchanged at Paris.

It shall enter into force immediately after the exchange of ratifications.

Nevertheless, the High Contracting Parties reserve the right to implement the Agreement provisionally in accordance with their respective laws with effect from the date jointly determined.

This Agreement shall remain in force for a period of two years counting from its entry into force; it may be denounced at any time on three months' notice; it shall be automatically extended for a similar period unless denounced three months prior to its expiry.

IN WITNESS WHEREOF the plenipotentiaries have signed this Agreement and have affixed their seals thereto at Mexico City, in duplicate, in the Spanish and French languages, both texts being equally authentic, on 29 November 1951.

[MANUEL TELLO]

[GABRIEL BONNEAU]

#### ANNEX 1

##### *Territories under French authority to which the provisions of this Agreement apply*

With regard to the French Union, this Agreement applies to the following territories:

- Metropolitan France including Corsica;
- Algeria;
- The French Overseas Departments of Guadeloupe, Guyana, Martinique and Reunion;
- Morocco and Tunisia;
- The territories forming a customs union with France (Principality of Monaco and the Saar).