

No. 23405

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**MEXICO
and
ITALY**

**Trade Agreement. Signed at Mexico City on 15 September
1949**

**Additional Protocol to the above-mentioned Agreement
(with lists). Signed at Mexico City on 28 October 1963**

Authentic texts: Spanish and Italian.

Registered by Mexico on 20 June 1985.

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**MEXIQUE
et
ITALIE**

Accord commercial. Signé à Mexico le 15 septembre 1949

**Protocole additionnel à l'Accord susmentionné (avec listes).
Signé à Mexico le 28 octobre 1963**

Textes authentiques : espagnol et italien.

Enregistrés par le Mexique le 20 juin 1985.

[TRANSLATION — TRADUCTION]

TRADE AGREEMENT¹ BETWEEN THE UNITED MEXICAN STATES AND THE ITALIAN REPUBLIC

The Government of the United Mexican States and the Government of the Italian Republic, desiring to strengthen the traditional bonds of friendship between the two nations and to facilitate and further develop the existing trade relations between Mexico and Italy, have decided to conclude a Trade Agreement and, for this purpose, have appointed as their Plenipotentiaries:

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

The President of the Italian Republic: Senator Salvatore Aldisio, Vice-Chairman of the Senate, and Deputy Giuseppe Brusasca, Under-Secretary of State for Foreign Affairs,

who, having exchanged their full powers, found in good and due form, have agreed as follows:

1. The High Contracting Parties agree to accord each other, on a basis of reciprocity, unconditional and unrestricted most-favoured-nation treatment in all matters pertaining to customs duties and all ancillary charges, the collection of duties and taxes on imports and exports, the storage of goods in customs warehouses, the system of verification and analysis and customs classification of goods, the interpretation of tariffs, and also the rules, formalities and charges or taxes applicable to customs operations.

2. Accordingly, products grown, produced or manufactured in the territory of either High Contracting Party and imported into the territory of the other Party shall in no case be subject, so far as customs treatment is concerned, to duties, taxes or charges or to rules or formalities different from, or more onerous than, those to which similar products originating in any third country are or may be subject.

3. Natural or manufactured products exported from either High Contracting Party to the territory of the other Party shall in no case be subject, so far as customs treatment is concerned, to duties, taxes or charges or to rules or formalities different from, or more onerous than, those to which similar products exported to the territory of any third country are or may be subject;

4. All favours, advantages, concessions or immunities which are or may be accorded by either High Contracting Party, so far as the aforesaid customs treatment is concerned, for natural or manufactured products originating in a third country shall be applied, automatically and immediately and without compensation, to similar products originating in or exported to the territory of the other Party.

5. The obligations stipulated in the foregoing provisions shall not apply to:

- (a) Such favours, advantages, concessions or immunities as either High Contracting Party accords or may accord to adjacent countries for the purpose of facilitating or developing frontier trade;

¹ Came into force provisionally on 15 September 1949, the date of signature, in accordance with paragraph 13, and definitively on 21 November 1952 by the exchange of the instruments of ratification, which took place at Rome, in accordance with paragraph 11.

- (b) Such favours, advantages, concessions or immunities as either High Contracting Party accords or may accord as a member of a customs union or of a free-trade zone already established or which may be established by either Party, the exception being the provisional agreements necessary for the creation of a customs union or a free-trade zone;
- (c) Such favours, advantages, concessions or immunities as the Italian Republic accords or may accord to States within its metropolitan territory.

6. None of the provisions in this Agreement shall be construed as an impediment to the adoption or implementation by either High Contracting Party of measures relating to:

- (a) Public security;
- (b) Traffic in weapons, munitions and war materials;
- (c) Protection of public health and protection of animal and plant life against diseases, insects or harmful parasites;
- (d) Safeguarding the national artistic, historical and archaeological heritage;
- (e) Exports of gold and silver;
- (f) Fiscal or police measures for extending to foreign products the treatment applied in the territory of each High Contracting Party to similar national products.

7. The competent authorities of either High Contracting Party may require goods imported from the other Party to be accompanied by a commercial or consular certificate of origin or invoice, or both such documents, endorsed by the respective consular authority of the importing country.

8. The High Contracting Parties may conclude special payment arrangements or agreements for the purpose of facilitating exchanges of specific goods or services.

9. The High Contracting Parties shall grant such authorization as may be necessary for enabling trade transactions between the two countries to be executed on a basis of private compensation, subject to the relevant legal provisions and having regard to the relative economic value of the goods to be traded, in such a way as to maintain an appropriate balance in terms of the economic importance of the goods concerned.

10. None of the provisions in this Agreement shall be construed as an impediment to the application, by either High Contracting Party to trade with the other Party, of the general import and export treatment applied to the most favoured nation.

11. This Agreement shall be ratified and the instruments of ratification shall be exchanged at Rome as soon as possible. It shall remain in force for one year and, at the end of that period, it shall remain in force for thirty days after the date on which either Party has notified the other Party that it considers the Agreement terminated.

12. This Agreement supersedes the Provisional Agreement which was concluded by an exchange of notes dated 31 July 1934 and extended by the two Governments as from 1 July 1949.

13. This Agreement, which shall be considered provisional, may be replaced at any time by a trade treaty which the High Contracting Parties agree to negotiate as soon as possible, and it shall enter into force provisionally from the date of its signature, pending the exchange of ratifications. Either Government may, prior to such exchange, suspend the provisional implementation of this Agreement on three months' notice given to the other Contracting Party.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Agreement and affixed their seals thereto, in duplicate, in the Spanish and Italian languages, at Mexico City, on 15 September 1949.

[MANUEL TELLO]

[SALVATORE ALDISIO]

[GIUSEPPE BRUSASCA]

[TRANSLATION — TRADUCTION]

ADDITIONAL PROTOCOL¹ TO THE TRADE AGREEMENT BETWEEN THE UNITED MEXICAN STATES AND THE ITALIAN REPUBLIC OF 15 SEPTEMBER 1949²

Raúl Salinas Lozano, Minister of Industry and Trade of the United Mexican States, and Giuseppe Trabucchi, Minister of Foreign Trade of the Italian Republic, duly authorized by their respective Governments, have agreed to sign the following Additional Protocol to the Trade Agreement between the United Mexican States and the Italian Republic of 15 September 1949:²

Article I. The amount of 4,000,000 (four million) United States dollars in each direction shall be set as a tentative figure for additional trade in goods between the two countries. This additional trade shall be independent of the normal import and export trade between Mexico and Italy which shall continue to develop, as in the past, in accordance with the relevant provisions in force in each country.

Article II. The Government of the Italian Republic shall, so far as possible, promote the annual purchase, in the United Mexican States, of the goods indicated in list A, which forms part of this Protocol, in the quantities specified therein.

Article III. The Government of the United Mexican States shall, so far as possible, promote the import from Italy of the goods indicated in list B, which forms part of this Protocol, in the quantities specified therein.

Article IV. The Government of the United Mexican States agrees to grant, at the request of the importers concerned and if necessary, the relevant licences for importing the articles on list B up to the specified amounts, provided that a similar amount of the Mexican products on list A have been exported to Italy. Such licences shall be issued to the importing enterprises in accordance with the relevant provisions and procedures in force for each of the products on list B.

For this purpose, and prior to the issue of import licences for the products on list B, it must be established to the satisfaction of the Government of Mexico that an equal amount of any of the Mexican products on list A has been exported to Italy.

Article V. The Government of the Italian Republic agrees that, at the request of the importers concerned and if necessary, it will issue the import and export licences for executing the transactions referred to in this Protocol.

Article VI. The amounts of the products listed may be changed if justified by the balance-of-payments situation of either country.

Article VII. It shall be understood that both the imports to Mexico from Italy and those to Italy from Mexico shall be geared to the demand of final consumers in the importing country.

¹ Came into force on 28 October 1963 by signature, in accordance with article VIII.

² See p. 101 of this volume.

Article VIII. This Protocol, which shall enter into force on the date of its signature, may be amended through annual consultations which shall be carried out alternately in the capital of each Contracting Party, it being agreed that the next meeting shall be held at Rome.

[IN WITNESS WHEREOF the undersigned, duly authorized thereto by their respective Governments, have signed this Protocol and have thereto affixed their seals.]¹

DONE in four copies, two in Spanish and two in Italian, at Mexico City, Federal District, on 28 October 1963, both texts being equally authentic.

[RAÚL SALINAS LOZANO]

[GIUSEPPE TRABUCCHI]

LIST A²

LIST B²

¹ The paragraph within brackets appears only in the authentic Spanish text of the Protocol (information provided by the Government of Mexico).

² Not published herein in accordance with article 12 (2) of the General Assembly regulations to give effect to Article 102 of the Charter of the United Nations as amended in the last instance by General Assembly resolution 33/141 A of 19 December 1978.