

No. 26436

**MEXICO
and
CUBA**

**Trade Agreement (with annexes). Signed at Mexico City on
21 November 1984**

Authentic text: Spanish.

Registered by Mexico on 8 February 1989.

**MEXIQUE
et
CUBA**

**Accord commercial (avec annexes). Signé à Mexico le 21 no-
vembre 1984**

Texte authentique : espagnol.

Enregistré par le Mexique le 8 février 1989.

[TRANSLATION — TRADUCTION]

TRADE AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES AND THE GOVERNMENT OF THE REPUBLIC OF CUBA

The Government of the United Mexican States and the Government of the Republic of Cuba (hereinafter referred to as the “Contracting Parties”), with a view to promoting and increasing trade relations between the two countries, have agreed to adopt this Trade Agreement which shall be governed by the following provisions:

Article I

Both Contracting Parties shall endeavour to foster and increase trade between the two countries in a manner consistent with the provisions of this Agreement and with their existing legislation and regulations.

Article II

The export of goods from Cuba to Mexico and from Mexico to Cuba shall be effected in accordance with lists A and B annexed to this Agreement and in conformity with their existing trade laws, regulations and provisions.

List A and B annexed to this Agreement shall not be regarded as exhaustive.

Cuban foreign-trade enterprises and Mexican natural and juridical persons may conclude contracts with each other for the purchase or sale of goods not included in lists A and B.

Article III

The Contracting Parties shall accord each other most-favoured-nation treatment in their trade relations in all matters relating to:

- (a) Customs duties and taxes of whatever kind levied on imports or exports, including the procedures for collecting such duties and taxes;
- (b) Regulations relating to the valuation, transit, storage and transshipment of imported or exported goods;
- (c) Internal taxes and other charges which directly or indirectly affect imported or exported goods and services;
- (d) Quantitative restrictions and other non-tariff limitations relating to exports and imports, including import and export licences;
- (e) Regulations concerning payments for trade in goods and services, including the granting of foreign exchange and the transfer of such payments.

¹ Came into force on 27 February 1986, the date of the exchange of notes by which the Parties informed each other of the completion of their constitutional formalities, in accordance with article XV.

Article IV

The provisions of Article III shall not apply to:

- (a) Any preferential treatment granted or to be granted in the future by one of the Contracting Parties to a third country for the purpose of facilitating trade with neighbouring countries;
- (b) Any preferential treatment resulting from customs unions or free trade zones and regional and subregional economic integration agreements in which either of the Contracting Parties participates or may participate.

Article V

In accordance with the laws, regulations and provisions in effect in their territories, the Contracting Parties agree to permit the import and export free of customs duties of the following articles:

- (a) Samples of products having no commercial value and commercial advertising materials;
- (b) Products imported temporarily and intended for fairs and exhibitions, which, if they are sold, shall be subject to the laws in force in the country concerned;
- (c) Equipment and instruments imported temporarily and intended for experiments, tests or research in connection with a commercial or economic operation, in accordance with programmes previously agreed upon by the Contracting Parties.

Article VI

Every year the Contracting Parties may extend the preferential treatment referred to in the articles of this Agreement and include new products. Such decisions shall be set out in additional protocols to this Agreement and may consist of trade policy measures or the elimination or reduction of non-tariff limitations applied both to products already agreed upon and to the new products included.

Article VII

Both Contracting Parties agree that products exported from one country to the other shall not be re-exported to a third country without the prior consent of the country from which they were originally imported.

Article VIII

Payments related to the trade between the two countries shall be made in freely convertible currency, in accordance with the exchange regulations in effect in each country.

Article IX

Both Contracting Parties agree to take the measures necessary in their respective territories to protect natural or manufactured products originating in the territory of the other Party from any form of unfair competition, or to prevent or suppress the import, export, manufacture or sale of products bearing false and misleading names with respect to the origin of the products or to materials or quality.

Article X

Both Contracting Parties agree to facilitate, in accordance with their respective laws and regulations, the registration, renewal or transfer, through their corresponding official institutions, of patents, trade marks, trade names and similar indications which protect products originating in either of the Contracting Parties.

Article XI

The Contracting Parties shall facilitate reciprocally the organization of trade fairs and exhibitions in each country and the promotion and organization of trade missions in the territory of the other country on the terms agreed between the competent bodies of the two countries.

Article XII

In order to facilitate the implementation of this Agreement and to consider matters relating to the development of trade between the two countries, the Contracting Parties agree to meet under the auspices of the Working Group on Foreign Trade consisting of the Ministry of Trade and Industrial Development and the Ministry of Foreign Trade of Cuba, periodically and alternately in Havana and Mexico City or at the request of either Contracting Party, subsequent to the establishment of the date and agenda for the meeting.

In particular, the Contracting Party may:

- (a) Alter lists A and B referred to in article II of this Agreement, provided that such alterations are necessary;
- (b) Analyse the trade between the two countries and adopt the necessary recommendations and proposals for promoting such trade;
- (c) Resolve any difficulties which may arise during the implementation of this Agreement.

Article XIII

This Agreement shall remain in force for three years, after which it shall be extended automatically every year unless one of the Contracting Parties wishes to terminate it and gives prior notice to that effect to the other Party six months before the end of the calendar year in question; the Agreement shall expire then at the end of that year.

Article XIV

The provisions of this Agreement shall apply to contracts signed during its period of validity even when their implementation is completed after that period has expired.

The Contracting Parties may amend this Agreement by common accord through an exchange of notes, without affecting previously contracted trade operations.

Article XV

This Trade Agreement shall enter into force on the date on which the two Contracting Parties inform each other through an exchange of notes that they have completed their corresponding constitutional procedures.

DONE AND SIGNED at Mexico City, on 21 November 1984 in four original copies, all in the Spanish language and equally authentic.

For the Government
of the United Mexican States:

[Signed]

HECTOR HERNANDEZ CERVANTES
Minister of Trade
and Industrial Development of Mexico

For the Government
of the Republic of Cuba:

[Signed]

JOSÉ FERNÁNDEZ DE COSSIO
Ambassador
of the Republic of Cuba
to the United Mexican States

LIST A

GOODS WHICH THE CUBAN PARTY OFFERS FOR EXPORT
TO THE UNITED MEXICAN STATES

Rum in bulk	Waste paper and cardboard
Nickel	Dairy cattle
Chrome	Fishing boats up to 750 tons capacity
Undressed marble	Non-motorized hand or foot pumps
Ferrous steel scrap, uncompressed	Gramophone publications and records
Bond or ledger paper	Magnetic recording tapes
Antibiotics in dose form or packaged for retail sale (ampicillin and amoxicillin trihydrate)	Positive films for cinematography
Shark skins	Board for corrugation
Frozen lobster (tails)	Components and parts for sugar-industry machinery or equipment

LIST B

GOODS WHICH THE MEXICAN PARTY OFFERS FOR EXPORT
TO THE REPUBLIC OF CUBA

Dehydrated garlic	Copper pipes, including shavings and offcuts
Black beans	Other pipes (including shavings and offcuts) and hollow copper bars
Beans except soya beans	Adjustable wrenches (flat)
Natural barium sulphate, unconcentrated barite and barite in concentrates	Pliers
Lampblack	Chisels
Nitrogen	Hammers
Red oxide of lead	Screwdrivers
Hydrogen peroxide (oxygenated water)	Welding electrodes
Sorbitol	Components and parts for diesel engines
Acetone	Compressors
Pigments or plasticizers and prepared col- ourings	Industrial fans
Rosin	Mechanical seals for pumps and compres- sors
Oil of turpentine	Refrigeration equipment
Polyol polystyrene	Hydraulic back-hoes
Natural and synthetic latex	Milling machines
Cotton thread packaged for retail sale	Pneumatic machine tools
Industrial and military boots	Cash registers
Natural-leather footwear	Bearings of all types
Expanded steel bars	Electric motors
Galvanized steel sheets	Electric batteries and cells
Uncoated iron or steel wire	Electric storage batteries
Seamless iron or steel pipes	Low-tension circuit-breakers for general use
Seamed iron or steel pipes	Fuses
Copper-coated seamed pipes	Other incandescent electric lamps
Steel structures	Telephone cables
Iron or steel containers for compressed or liquid gases	Carbon electrodes for ovens
Iron or steel cables	Carbon or graphite electrodes
Screws, nuts and bolts	Insulators in any material
Pressure cookers	Axles for trailers or semi-trailers
Copper sheets, plates and strips 13 mm or less thick	Trailers and semi-trailers
Bronze, brass or white-metal sheets, plates and strips	Measuring equipment
	Zip fasteners
	Components for fasteners