

No. 30116

MEXICO
and
EUROPEAN ECONOMIC COMMUNITY

Trade and Economic Cooperation Agreement (with annexes and exchange of letters). Signed at Brussels on 15 July 1975

Authentic texts: Spanish, Danish, Dutch, English, French, Italian and German.

Registered by Mexico on 13 July 1993.

MEXIQUE
et
COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE

Accord de coopération commerciale et économique (avec annexes et échange de lettres). Signé à Bruxelles le 15 juillet 1975

Textes authentiques : espagnol, danois, néerlandais, anglais, français, italien et allemand.

Enregistré par le Mexique le 13 juillet 1993.

AGREEMENT¹ BETWEEN THE UNITED MEXICAN STATES AND THE EUROPEAN ECONOMIC COMMUNITY

The Government of the United Mexican States, of the one part,

The Council of the European Communities, of the other part,

Having regard to the friendly relations and traditional links between the Member States of the European Economic Community and Mexico and their common desire to develop and balance their reciprocal trade and to extend their commercial and economic co-operation;

Inspired by their determination to strengthen, deepen and diversify these relations for their mutual benefit;

Adhering to the spirit of co-operation which inspires them;

Convinced that a trade policy based on co-operation is an ideal instrument for fostering the development of international economic relations;

Affirming their common will to contribute to a new phase of international economic co-operation and to facilitate the development of their respective human and material resources on the basis of freedom, equality and justice;

Have decided to conclude this Agreement and to this end have designated as their Plenipotentiaries:

The Government of the United Mexican States: Mr. Emilio O. Rabasa, Minister for Foreign Affairs;

The Council of the European Communities: Mr. Mariano Rumor, Minister for Foreign Affairs, President of the Council of the European Communities; Mr. François-Xavier Ortoli, President of the Commission of the European Communities;

who, having exchanged their Full Powers, found in good and due form,

Have agreed as follows:

Article 1

The Contracting Parties are resolved to develop their trade to their mutual benefit and, to this end, will establish and encourage commercial and economic co-operation in all sectors of interest to them so as to contribute to their economic and social progress and to the balance of their reciprocal trade at the highest possible level taking into account Mexico's special situation as a developing country.

Article 2

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

Customs duties and charges of all kinds on imports or exports, including the procedures for collecting such duties and charges;

¹ Came into force on 1 January 1993, i.e., the first day of the month following the date on which the Contracting Parties had notified each other of the completion of the required procedures, in accordance with article 12 (1).

Regulations concerning customs clearance, transit, warehousing or transshipment of imported or exported products;

Taxes and other internal charges directly or indirectly imposed on imported or exported goods or services;

Arrangements governing the quantity of imports and exports;

Regulations concerning payments in respect of trade in goods or services, including the allocation of foreign currency and the transfer of such payments;

Regulations affecting the sale, purchase, transport, distribution and use of goods and services on the internal market.

2. Paragraph 1 shall not apply to:

(a) Advantages granted by the Contracting Parties to neighbouring countries to facilitate frontier-zone traffic;

(b) Advantages granted by the Contracting Parties with the object of establishing a customs union or a free trade area or as required by such a customs union of free trade area;

(c) Advantages which the Contracting Parties grant to particular countries in conformity with the General Agreement on Tariffs and Trade;¹

(d) Advantages which Mexico grants to certain countries in accordance with the Protocol on trade negotiations between developing countries in the context of the General Agreement on Tariffs and Trade,

(e) Other advantages granted or to be granted by Mexico to any Latin American or Caribbean country or group of countries.

Article 3

The Contracting Parties undertake to promote the development and diversification of their reciprocal trade to the highest possible level.

Article 4

The Contracting Parties will develop their economic co-operation, where linked with trade, in fields of mutual interest and in the light of developments in their economic policies.

Article 5

With a view to implementing Articles 3 and 4, the Contracting Parties agree to promote contacts and co-operation between their economic operators and institutions with a view to undertaking practical economic co-operation projects which are likely to contribute to the development and diversification of their trade.

Article 6

1. A Joint Committee shall be set up comprising representatives of the Community and of the United Mexican States. It shall meet once a year. Additional meetings may be convened by mutual agreement.

2. The Joint Committee shall ensure the proper functioning of this Agreement and may formulate recommendations to this end.

¹United Nations, *Treaty Series*, vol. 55, p. 187.

3. The Joint Committee shall adopt its own rules of procedure and programme of work.

4. The Joint Committee may set up specialized sub-committees to assist it in carrying out its tasks.

Article 7

The Joint Committee shall in particular:

(a) Examine the difficulties which might hinder the growth and diversification of trade between the Contracting Parties;

(b) Study and devise ways of overcoming trade barriers, in particular non-tariff and quasi-tariff barriers in various sectors of trade, taking into account the principles and commitments agreed to by the two Contracting Parties within international bodies and the relevant work undertaken in this field by the international organizations concerned with such problems;

(c) Seek the means necessary to foster, between the Contracting Parties, greater trade and economic co-operation such as to contribute to the development and diversification of their trade, and recommend the implementation of these means;

(d) Study and recommend trade promotion measures likely to encourage the development and diversification of imports and exports so as to foster balanced trade at the highest possible level;

(e) Study and recommend ways and means of facilitating contacts for co-operation between Community and Mexican firms with the aim of adapting existing trade patterns and marketing structures to the attainment of the Contracting Parties' long-term economic objectives;

(f) Identify, taking into account the specific interests of Mexico, the various sectors and products likely to contribute to an expansion of reciprocal trade flows and recommend measures to promote and encourage trade which would enable these flows to develop in the mutual interest and in accordance with the economic policies of the two Parties;

(g) Facilitate exchanges of information and encourage contacts on all subjects bearing upon the prospects for economic co-operation between the Contracting Parties on a mutually advantageous basis and the creation of favourable conditions for such co-operation.

Article 8

This Agreement shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; national defence or the maintenance of peace and international security; the protection of health and life of humans, animals or plants; the protection of national treasures of artistic, historic or archaeological value; the protection of industrial and commercial property; or rules relating to gold and silver or limiting the export, use or consumption of nuclear materials, radioactive products or any other material utilized in the development or use of nuclear energy. Such prohibitions or restrictions must not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Contracting Parties.

Article 9

The provisions of this Agreement shall be substituted for provisions of agreements concluded between Member States of the Community and the United Mexican States where the latter provisions are either incompatible with or identical to the former.

Article 10

This Agreement shall apply to the territories in which the Treaty establishing the European Economic Community¹ applies, on the conditions established in that Treaty, and to the territory of the United Mexican States.

Article 11

The Annexes form an integral part of this Agreement.

Article 12

1. This Agreement shall enter into force on the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.

2. This Agreement is concluded for a period of five years and shall be extended from year to year if neither Contracting Party denounces it six months before it expires.

3. If both Contracting Parties agree, this Agreement may be amended to take account of emerging situations in the economic field and the evolution of economic policies on either side.

Article 13

This Agreement is drawn up in two copies in the Spanish, Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic.

[*For the testimonium and signatures, see p. 76 of this volume.*]

¹United Nations, *Treaty Series*, vol. 294, p. 3.

EN FE DE LO CUAL los Plenipotenciarios infrascritos han firmado al pie del presente acuerdo.

TIL BEKRAEFTELSE HERAF har undertegnede befuldmægtigede underskrevet denne aftale.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hetben gesteld.

Firmado en Bruselas el quince de julio de mil novecientos setenta y cinco.

Udfærdiget i Bruxelles, den femtende juli nitten hundrede og femoghalvfjerds.

Geschehen zu Brüssel am fünfzehnten Juli neunzehnhundertfünfundsiebzig.

Done at Brussels on the fifteenth day of July in the year one thousand nine hundred and seventy-five.

Fait à Bruxelles, le quinze juillet mil neuf cent soixante-quinze.

Fatto a Bruxelles, addì quindici luglio millenovecento settantacinque.

Cedan te Brussel, de vijftiende julio negentienhonderd vijfenzeventig.

En nombre del Gobierno de los Estados Unidos Mexicanos.

For regeringen for Mexicos forenede stater.

Für die Regierung der Vereinigten Mexikanischen Staaten.

For the Government of the United Mexican States.

Pour le gouvernement des Etats-Unis du Mexique.

Per il Governo degli Stati Uniti del Messico.

Voor de Regering van de Verenigde Mexicaanse Staten.

En nombre del Consejo de las Comunidades Europeas.

For Rådet for De europæiske Fællesskaber.

Im Namen des Rates der Europäischen Gemeinschaften.

For the Council of the European Communities.

Pour le Conseil des Communautés européennes.

Per il consiglio delle Comunità Europee.

Voor de Raad van de Europese Gemeenschappen.

ANNEX I

Joint Declaration on Article 6 of the Agreement

1. The representatives of the Contracting Parties in the Joint Committee will transmit any agreed recommendations to their respective authorities so that they may consider them and take appropriate action as speedily and effectively as possible. In the event of the representatives of the Contracting Parties within the joint Committee being unable to evolve a recommendation on a matter considered by either Contracting Party to be urgent or important, they will submit the views of the two sides to their authorities.

2. When making proposals and recommendations the Joint Committee will have due regard to the United Mexican States development plans and policies and to the progress of the Community's economic, industrial, social, scientific and environmental policies as well as to the level of economic development of the Contracting Parties.

3. The Joint Committee will examine possibilities of and make recommendations for the efficient utilization of all available instruments, in addition to the most-favoured-nation clause and the generalized scheme of preferences, in order to promote trade in items of interest to the United Mexican States.

4. The Joint Committee will study opportunities for expanding economic co-operation as an additional factor furthering development of mutual trade.

ANNEX II

Declaration by the European Economic Community on generalized preferences

On 1 July 1971 the Community autonomously introduced a Generalized Scheme of Preferences on the basis of Resolution 21 (II)¹ of the Second United Nations Conference on Trade and Development of 1968. The Community is prepared, in the course of its endeavours to improve this system, to take into account the interest of the United Mexican States in the inclusion of new products and in the improvement of terms relating to some of those already included with a view to broadening and strengthening its trade relations with the Community.

¹United Nations, *United Nations Conference on Trade and Development, Second Session*, New Delhi, (TD/97), vol. 1, p. 38.

I have the honour to confirm the following:

In view of the interest shown during the negotiation of the Agreement between the European Economic Community and the United Mexican States in the transport sector, particularly sea transport, the Contracting Parties have agreed to examine in the Joint Committee any problems which may arise in this sector in order to seek mutually satisfactory solutions.

J'ai l'honneur de vous confirmer ce qui suit :

Tenant compte de l'intérêt manifesté au cours des négociations de l'accord entre la Communauté économique européenne et les Etats-Unis du Mexique pour le secteur des transports, notamment maritimes, les parties contractantes sont convenues d'examiner au sein de la commission mixte les problèmes qui pourraient se poser dans ce domaine en vue de rechercher des solutions mutuellement satisfaisantes.

I have the honour to confirm the following:

In view of the interest shown during the negotiation of the Agreement between the European Economic Community and the United Mexican States in the transport sector, particularly sea transport, the Contracting Parties have agreed to examine in the Joint Committee any problems which may arise in this sector in order to seek mutually satisfactory solutions.

J'ai l'honneur de vous confirmer que ce qui suit :

Tenant compte de l'intérêt manifesté au cours des négociations de l'accord entre la Communauté économique européenne et les Etats-Unis du Mexique pour le secteur des transports, notamment maritimes, les parties contractantes sont convenues d'examiner au sein de la commission mixte les problèmes qui pourraient se poser dans ce domaine en vue de rechercher des solutions mutuellement satisfaisantes.

Le ruego acepte, Señor Presidente, el testimonio de mi más alta consideración.

Modtag, hr. formand, forsikringen om min mest udmærkede højagtelse.

Genehmigen Sie, Herr Präsident, den Ausdruck meiner ausgezeichnetsten Hochachtung.

Please accept, Sir, the assurance of my highest consideration.

Je vous prie d'agrèer, Monsieur le Président, les assurances de ma très haute considération.

La prego di gradire, Signor Presidente, i sensi della mia alta considerazione.

Gelieve, Mijnheer de Voorzitter, de gevoelens van mijn bijzondere hoogachting te willen aanvaarden.

En nombre del Gobierno de los Estados Unidos Mexicanos
For regeringen for Mexico's forenede stater
Für die Regierung der Vereinigten Mexikanischen Staaten
For the Government of the United Mexican States
Pour le gouvernement des Etats-Unis du Mexique
Per il Governo degli Stati Uniti del Messico
Voor de Regering van de Verenigde Mexicaanse Staten

E. O. Rabasa¹

¹ Signed by E. O. Rabasa — Signé par E. O. Rabasa.