

signification peut être donnée en incluant les éléments susmentionnés sur l'exemplaire qui est restitué.

2. La Partie requise envoie sans délai à la Partie requérante le reçu ou l'attestation prouvant la signification.

Article 17. COMPARUTION SUR LE TERRITOIRE DE LA PARTIE REQUÉRANTE

La personne qui, se trouvant sur le territoire de la Partie requise, est citée à comparaître, en qualité de témoin ou d'expert, devant l'autorité judiciaire de la Partie requérante, ne peut être contrainte à comparaître et ni l'une ni l'autre des Parties ne peut lui appliquer les sanctions prévues en cas de non-comparution.

TITRE IV. RECONNAISSANCE ET EXÉCUTION DE DÉCISIONS ET AUTRES MESURES

Article 18. CONDITIONS EXIGÉES

Les décisions rendues en matière civile par les autorités judiciaires de chacune des Parties, ainsi que les dispositions des sentences pénales qui concernent l'indemnisation des dommages et la restitution de biens, sont reconnues par l'autre Partie, sous réserve des dispositions de l'article 2 du présent Traité, à condition que :

a) La décision ne porte pas sur une matière qui relève de la compétence exclusive de la Partie requise ou d'un Etat tiers, conformément à la législation de cette Partie ou d'un Traité entre cette Partie et un Etat tiers;

b) La partie à l'instance a été citée dans les règles prévues par la législation de la Partie sur le territoire de laquelle la décision a été rendue, ou cette partie a comparu dûment représentée par un conseil conformément à cette législation;

c) La décision a acquis force de chose jugée, conformément à la législation de la Partie sur le territoire de laquelle la décision a été rendue;

d) Les autorités judiciaires de la Partie requise n'ont rendu aucune décision dans un litige entre les parties à l'instance portant sur le même objet;

e) Aucun litige portant sur le même objet n'est en instance entre les parties à l'instance devant l'autorité judiciaire de la Partie requise, depuis une date antérieure à celle de la requête émanant de l'autorité judiciaire qui a rendu la décision dont la reconnaissance est demandée.

Article 19. REQUÊTES AUX FINS DE RECONNAISSANCE ET D'EXÉCUTION

Toute requête aux fins de reconnaissance et d'exécution d'une décision doit être accompagnée des pièces et actes suivants :

a) Une copie authentique du texte intégral de la décision;

b) Un certificat attestant de son passage en chose jugée;

c) Une copie certifiée conforme de la citation originale, ou une pièce attestant également de la citation en règle si la décision a été rendue par contumace, à moins que cela ne découle à l'évidence du texte de la décision;

d) En cas d'incapacité légale, un document indiquant que la personne a été dûment représentée, sauf s'il est spécifié dans la décision que tel a été le cas.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON COOPERATION IN THE FIELD OF THE ENVIRONMENT BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE UNITED MEXICAN STATES

The Government of the Federative Republic of Brazil and the Government of the United Mexican States, hereinafter referred to as the “Parties”;

Recognizing that a global approach is required in order to analyse and solve many environmental problems;

Convinced that it is in the common interest of all States to develop policies compatible with sustainable development;

Convinced also that environmental cooperation among States is to their mutual benefit, both at the national and regional levels and at the international level;

Bearing in mind that environmental policies require the development and implementation of measures for prevention and environmental management, based on research and environmental monitoring;

Have agreed as follows:

Article 1

The Parties shall continue and broaden bilateral cooperation in the field of environmental issues on a basis of equality and mutual benefit, in accordance with and taking into account their respective environmental policies.

Article 2

1. The cooperation shall include:

(a) Issues related to the Earth’s atmosphere, including climate change and its impact on global climate, the greenhouse effect, acid rain, the ozone layer and air quality;

(b) Protection of marine and aquatic ecosystems and coastal zones;

(c) Prevention of the pollution of surface water and groundwater;

(d) Protection and conservation of land ecosystems, of biological diversity, especially in protected nature reserves, of habitats and of endangered flora and fauna;

(e) Management and disposal of industrial wastes and management of the hazardous wastes and substances cycle;

(f) Development of environmentally sound or friendly technologies;

(g) Environmental monitoring and evaluation methods;

¹ Came into force on 7 June 1995, the date of receipt of the last of the notifications by which the Parties informed each other of the completion of the internal legal procedures, in accordance with article VII (1).

(h) Exchange of information on the environment and organization of environmental data banks;

(i) Environmental contingency and emergency response planning;

(j) Relationship between the environment and development;

(k) Ecological policies and evaluation of their environmental impact;

(l) Environmental training and education;

(m) Identification of and approach to environmental issues which affect or may affect the region to which the Parties belong.

2. Cooperation may be extended to other areas of common interest by mutual agreement between the Parties.

Article 3

The types of cooperation in the areas listed in article 2 may include:

(a) Exchange of information on policies, management, regulation and socio-economic implications and major studies on the issues indicated in article 2;

(b) Joint projects, exchange of experts, technicians and students, bilateral meetings and symposia, joint publications and such other types of cooperation as are agreed to by the Parties.

Article 4

1. Expenses relating to the activities referred to in the preceding article shall be determined and apportioned by mutual agreement.

2. Any cooperation activities arising out of this Agreement shall be subject to the laws and regulations of the Parties when undertaken in their respective territories.

Article 5

The Secretariat for the Environment of the Office of the President of the Federative Republic of Brazil and the Secretariat for Urban Development and Ecology of Mexico shall be the respective national coordinators, responsible for the establishment and development of the programme of work based on this Agreement. The national coordinators shall also be responsible for increasing participation by governmental, scholarly and other organizations in their respective States.

Article 6

1. The national coordinators, taking this Agreement as a starting point, may recommend to the Parties the adoption of special supplementary agreements relating to any of the points covered in article 2, which shall be regarded as annexes to this Agreement.

2. The supplementary agreements shall enter into force following an exchange of diplomatic notes between the Parties.

Article 7

1. Each Party shall inform the other, through the diplomatic channel, that it has complied with the domestic legal requirements for the entry into force of this instrument, which shall take effect on the date the second notification is received.

2. This Agreement shall remain in force for a period of four years, and shall be tacitly renewed for periods of four years unless one of the Parties informs the other through the diplomatic channel, with at least 12 months' prior notice, of its intention to terminate it.

3. This Agreement may be amended through the diplomatic channel by mutual agreement.

4. Termination of this Agreement shall not affect the validity of special agreements arising out of it which are already in force, unless the Parties decide otherwise by mutual agreement.

DONE at Brasília on 10 October 1990, in duplicate, in the Portuguese and Spanish languages, both texts being equally authentic.

For the Government
of the Federative Republic of Brazil:

FRANCISCO REZEK
Minister of State for Foreign Affairs

For the Government
of the United Mexican States

FERNANDO SOLANA
Secretary for Foreign Affairs