



Treaty Series No. 13 (2001)

**Economic Partnership, Political Coordination
and Cooperation Agreement**

**between the European Community and its Member
States, of the one part,
and the United Mexican States, of the other part,
with Annex, Declarations and Final Act**

Brussels, 8 December 1997

[The United Kingdom instrument of approval was deposited on 21 October 1999 and the Agreement entered into force for the United Kingdom on 1 October 2000]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
February 2001*



Treaty Series No. 13 (2001)

**Economic Partnership, Political Coordination
and Cooperation Agreement**

**between the European Community and its Member
States, of the one part,
and the United Mexican States, of the other part,
with Annex, Declarations and Final Act**

Brussels, 8 December 1997

[The United Kingdom instrument of approval was deposited on 21 October 1999 and the Agreement entered into force for the United Kingdom on 1 October 2000]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
February 2001*

© Crown Copyright 2001

The text in this document may be reproduced free of charge in any format or media without requiring specific permission. This is subject to the material not being used in a derogatory manner or in a misleading context. The source of the material must be acknowledged as Crown copyright and the title of the document must be included when being reproduced as part of another publication or service.

Any enquiries relating to the copyright in this document should be addressed to HMSO, The Copyright Unit, St Clements House, 2-16 Colegate, Norwich NR3 1BQ. Fax: 01603 723000 or e-mail: copyright@hmso.gov.uk

**ECONOMIC PARTNERSHIP, POLITICAL COORDINATION AND
COOPERATION AGREEMENT BETWEEN THE EUROPEAN COMMUNITY
AND ITS MEMBER STATES, OF THE ONE PART, AND THE UNITED
MEXICAN STATES, OF THE OTHER PART**

The Kingdom of Belgium, The Kingdom of Denmark, The Federal Republic of Germany, The Hellenic Republic, The Kingdom of Spain, The French Republic, Ireland, The Italian Republic, The Grand Duchy of Luxembourg, The Kingdom of the Netherlands, The Republic of Austria, The Portuguese Republic, The Republic of Finland, The Kingdom of Sweden, The United Kingdom of Great Britain and Northern Ireland,

Parties to the Treaty establishing the European Community and the Treaty on European Union,¹ hereinafter referred to as the "European Community Member States",

THE EUROPEAN COMMUNITY, hereinafter referred to as the "Community",

of the one part, and

THE UNITED MEXICAN STATES, hereinafter referred to as "Mexico",

of the other part,

CONSIDERING their common cultural heritage and the strong historical, political and economic ties which unite them;

MINDFUL of the broader aim to develop and reinforce the overall framework of international relations, in particular, between Europe and Latin America;

CONSIDERING the significant contribution made by the Framework Agreement for Cooperation between the Community and Mexico signed on 26 April 1991² in Luxembourg to strengthening these ties;

CONSIDERING their mutual interest in establishing new contractual links in order to further strengthen their bilateral relations, mainly through greater political dialogue, progressive and reciprocal liberalization of trade, liberalization of current payments, capital movements and invisible transactions, promotion of investment, and through broader cooperation;

CONSIDERING their full commitment to respecting democratic principles and fundamental human rights set out in the Universal Declaration of Human Rights, as well as to the principles of international law regarding friendly relations and cooperation between States in accordance with the United Nations Charter, the principles of the rule of law and good government, as set out in the Rio Group/European Union Ministerial Declaration adopted in São Paulo in 1994;

MINDFUL that in order to intensify relations in all fields of common interest, their political dialogue should be institutionalized at both the bilateral and international levels;

CONSIDERING the importance which both Parties attach to the principles and values set out in the final Declaration of the World Summit for Social Development in Copenhagen in March 1995;

MINDFUL of the importance that both Parties attach to the proper implementation of the principle of sustainable development, as agreed and set out in Agenda 21 of the 1992 Rio Declaration on Environment and Development;

CONSIDERING their attachment to the principles of the market economy and mindful of the importance of their commitment to free international trade in conformity with the rules of the World Trade Organization (WTO) and in their capacity as members of the Organization for Economic Cooperation and Development (OECD), with particular emphasis on the importance of open regionalism;

¹ Treaty Series No. 52 (1999) Cm 4434.

² European Communities No. 41 (1991) Cm 1642.

MINDFUL of the terms of the Joint Solemn Declaration signed in Paris on 2 May 1995¹ in which both Parties decided to give their bilateral relationship a long term perspective in all areas,

HAVE DECIDED to conclude this Agreement:

TITLE I

NATURE AND SCOPE

ARTICLE 1

Basis of the Agreement

Respect for democratic principles and fundamental human rights, proclaimed by the Universal Declaration of Human Rights, underpins the domestic and external policies of both Parties and constitutes an essential element of this Agreement.

ARTICLE 2

Nature and Scope

The object of this Agreement is to strengthen existing relations between the Parties on the basis of reciprocity and mutual interest. To this end, the Agreement shall institutionalize political dialogue, strengthen commercial and economic relations by means of the liberalization of trade in conformity with the rules of the WTO and shall reinforce and broaden cooperation.

TITLE II

POLITICAL DIALOGUE

ARTICLE 3

1. The Parties agree to institutionalize an intensified political dialogue based on the principles referred to in Article 1 covering all bilateral and international matters of mutual interest and leading to closer consultation between the Parties within the context of the international organizations to which they both belong.
2. The dialogue shall be conducted in accordance with the "Joint Declaration by the European Union and Mexico on Political Dialogue", which shall form an integral part of the Agreement and which is contained in the Final Act.
3. The ministerial dialogue provided for in the Joint Declaration shall take place mainly within the Joint Council established by Article 45.

¹ Not published.

TITLE III

TRADE

ARTICLE 4

Objective

The objective of this Title is to establish a framework to encourage the development of trade in goods and services, including a bilateral and preferential, progressive and reciprocal liberalization of trade in goods and services, taking into account the sensitive nature of certain products and service sectors and in accordance with the relevant WTO rules.

ARTICLE 5

Trade in goods

In order to achieve the objective laid down in Article 4, the Joint Council shall decide on the arrangements and timetable for a bilateral, progressive and reciprocal liberalization of tariff and non-tariff barriers to trade in goods, in accordance with the relevant WTO rules, in particular Article XXIV of the General Agreement on Tariffs and Trade (GATT), and taking account of the sensitive nature of certain products. This decision shall include, in particular, the following matters:

- (a) coverage and transitional periods;
- (b) customs duties on imports and exports and charges having an equivalent effect;
- (c) quantitative restrictions on imports and exports and measures having equivalent effect;
- (d) national treatment including the prohibition of fiscal discrimination in respect of taxes imposed on goods;
- (e) anti-dumping and countervailing measures;
- (f) safeguard and surveillance measures;
- (g) rules of origin and administrative cooperation;
- (h) customs cooperation;
- (i) customs valuation;
- (j) technical regulations and standards, sanitary and phytosanitary legislation, mutual recognition of conformity assessment, certifications, marks systems, inter alia;
- (k) general exceptions justified on grounds of public morality, public policy or public security; the protection of human, animal or plant life or health; the protection of industrial, intellectual and commercial property, inter alia;
- (l) restrictions in case of balance of payments difficulties.

ARTICLE 6

Trade in services

In order to achieve the objective laid down in Article 4, the Joint Council shall decide on the appropriate arrangements for a progressive and reciprocal liberalization of trade in services, in accordance with the relevant WTO rules, in particular, Article V of the General Agreement on Trade in Services (GATS), and taking due account of the commitments already undertaken by the Parties within the framework of that Agreement.

ARTICLE 7

The decisions of the Joint Council referred to in Articles 5 and 6 of this Agreement in respect of trade in goods and services, shall adequately cover all these issues within a comprehensive framework and shall enter into force as soon as they have been adopted.

TITLE IV

CAPITAL MOVEMENTS AND PAYMENTS

ARTICLE 8

Capital movements and payments

The objective of this Title is to establish a framework to encourage the progressive and reciprocal liberalization of capital movements and payments between Mexico and the Community, without prejudice to other provisions in this Agreement and further obligations under other international agreements that are applicable between the Parties.

ARTICLE 9

In order to achieve the objective laid down in Article 8, the Joint Council shall adopt the measures and timetable for a progressive and reciprocal elimination of restrictions on capital movements and payments between the Parties, without prejudice to other provisions in this Agreement and further obligations under other international agreements that are applicable between the Parties.

This decision shall include, in particular, the following matters:

- (a) the definition, content, extension and substance of the concepts included explicitly or implicitly in this Title;
- (b) capital transactions and payments, including national treatment, to be covered by the liberalization;
- (c) scope of the liberalization and transitional periods;
- (d) the inclusion of a clause allowing the Parties to maintain restrictions in this area justified on grounds of public policy, public security, public health and defence;
- (e) the inclusion of clauses allowing the Parties to introduce restrictions in this area in case of difficulties in the operation of exchange-rate or monetary policy of one of the Parties, balance of payments difficulties or, in conformity with international law, the imposition of financial restrictions on third countries.

TITLE V

PUBLIC PROCUREMENT, COMPETITION, INTELLECTUAL PROPERTY AND OTHER TRADE-RELATED PROVISIONS

ARTICLE 10

Public procurement

1. The Parties shall agree to the gradual and mutual opening of agreed government procurement markets on a reciprocal basis.

2. In order to achieve this objective, the Joint Council shall decide on the appropriate arrangements and timetable. The decision shall include, in particular, the following matters:

- (a) coverage of the agreed liberalization;
- (b) non-discriminatory access to the agreed markets;
- (c) threshold values;
- (d) fair and transparent procedures;
- (e) clear challenge procedures;
- (f) use of information technology.

ARTICLE 11

Competition

1. The Parties shall agree on the appropriate measures in order to prevent distortions or restrictions of competition that may significantly affect trade between Mexico and the Community. To this end, the Joint Council shall establish mechanisms of cooperation and coordination among their authorities with responsibility for the implementation of competition rules. Such cooperation shall include mutual legal assistance, notification, consultation and exchange of information in order to ensure transparency relating to the enforcement of competition laws and policies.

2. In order to achieve this objective, the Joint Council shall decide in particular, on the following matters:

- (a) agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings;
- (b) the abuse by one or more undertakings of a dominant position;
- (c) mergers between undertakings;
- (d) state monopolies of a commercial character;
- (e) public undertakings and undertakings to which special or exclusive rights have been granted.

ARTICLE 12

Intellectual, industrial and commercial property

1. Reaffirming the great importance they attach to the protection of intellectual property rights (copyright—including the copyright in computer programmes and databases—and neighbouring rights, the rights related to patents, industrial designs, geographical indications including designation of origins, trademarks, topographies of integrated circuits, as well as protection against unfair competition as referred to in Article 10 bis of the Paris Convention for the Protection of Industrial Property and protection of undisclosed information), the Parties undertake to establish the appropriate measures with a view to ensuring an adequate and effective protection in accordance with the highest international standards, including effective means to enforce such rights.

2. To this effect, the Joint Council shall decide on:

- (a) a consultation mechanism with a view to reaching mutually satisfactory solutions in the event of difficulties in the protection of intellectual property;
- (b) the detailed measures to be adopted in pursuance of the objective set out in paragraph 1, taking into account in particular the relevant multilateral conventions on intellectual property.

TITLE VI
COOPERATION

ARTICLE 13

Dialogue on cooperation and economic matters

1. The Joint Council shall institute a regular dialogue in order to intensify and improve the cooperation provided for in this Title which will include, in particular:
 - (a) information exchange and the periodic revision of the development of cooperation;
 - (b) coordination and supervision of the implementation of sectoral agreements provided for in this Agreement, as well as the examination of the possibility of new agreements of this type.
2. The Joint Council shall also establish a regular dialogue on economic matters that shall include the analysis and exchange of information, in particular on the macro-economic aspects, in order to stimulate trade and investments.

ARTICLE 14

Industrial cooperation

1. The Parties shall support and promote measures to develop and strengthen efforts to set in motion a dynamic, integrated and decentralized management of industrial cooperation in order to create a climate conducive to economic development, taking account of their mutual interests.
2. Such cooperation shall focus in particular on:
 - (a) strengthening contacts between both Parties' economic operators, by means of conferences, seminars, missions to seek out industrial and technical opportunities, round tables and general and sector-specific fairs, with a view to identifying and exploiting areas of mutual business interest and to boosting trade, investment and industrial cooperation and technology-transfer projects;
 - (b) strengthening and extending the existing dialogue between both Parties' economic operators through the promotion of further consultation and coordination activities in order to identify and eliminate obstacles to industrial cooperation, to encourage respect for competition rules, to ensure the consistency of overall measures and to help industry adapt to market requirements;
 - (c) promoting industrial cooperation initiatives in the context of the process of privatization and liberalization of both Parties in order to encourage investments by means of industrial cooperation between undertakings;
 - (d) supporting modernization, diversification, innovation, training, research and development and quality initiatives;
 - (e) promoting the participation of both Parties in pilot projects and in special programmes according to their specific terms.

ARTICLE 15

Investment promotion

The Parties shall help to create an attractive and stable environment for reciprocal investment.

Such cooperation shall take the form inter alia of:

- (a) arrangements for information, identification and dissemination relating to legislation and investment opportunities;
- (b) support for the development of a legal environment conducive to investment between the Parties, where appropriate, by the conclusion between the Member States and Mexico, of agreements to promote and protect investment and agreements to prevent double taxation;
- (c) the development of harmonized and simplified administrative procedures;
- (d) the development of mechanisms for joint investments, in particular, with the small and medium-sized enterprises of both Parties.

ARTICLE 16

Financial services

1. The Parties undertake to establish cooperation in the financial services sector, in conformity with their laws, regulations and policies and in accordance with the rules and disciplines of the GATS, in light of their mutual interest and long and medium-term economic objectives.
2. The Parties agree to work together both bilaterally and at the multilateral level to increase mutual understanding and awareness of their respective business environments and to bring about exchanges of information on financial regulations, financial supervision and control and other aspects of common interest.
3. Such cooperation shall have the particular objective of encouraging improved and diversified productivity and competitiveness in the financial services sector.

ARTICLE 17

Cooperation on small and medium-sized enterprises

1. The Parties shall promote a favourable environment for the development of small and medium-sized enterprises.
2. Such cooperation shall consist in:
 - (a) promoting contacts between economic operators, encouraging joint investments and establishing joint ventures and information networks through existing horizontal programmes such as ECIP, AL-INVEST, BRE and BC-NET;
 - (b) facilitating access to finance, providing information and stimulating innovation.

ARTICLE 18

Technical regulations and conformity assessment

The Parties undertake to cooperate on technical regulations and conformity assessment.

ARTICLE 19

Customs

1. The purpose of customs cooperation shall be to ensure fair trade. The Parties undertake to promote customs cooperation with a view to improving and consolidating the legal framework for their trade relations.

2. Such cooperation shall deal, in particular, with the following:
 - (a) exchanges of information;
 - (b) the development of new training techniques and coordination of activities which should be undertaken within the international organizations specializing in this field;
 - (c) exchanges of officials and senior personnel from the customs and tax administrations;
 - (d) the simplification of customs procedures for the clearance of goods;
 - (e) technical assistance, whenever necessary.
3. Without prejudice to other forms of cooperation provided for under this Agreement, the Parties state their interest in considering, in the future, the conclusion of a Protocol on mutual assistance in the field of customs, within the institutional framework laid down in this Agreement.

ARTICLE 20

The information society

1. The Parties recognize that information and communication technologies are key elements of modern life and of vital importance to economic and social development.
2. Cooperation in this area shall focus in particular on:
 - (a) a dialogue on all aspects of the information society;
 - (b) exchanges of information and any technical assistance required in connection with regulations and standardization, conformity testing and certification for information and telecommunications technologies;
 - (c) the dissemination of new telecommunications and information technologies and the refining of new services in advanced communication, services and information technology facilities;
 - (d) promoting and undertaking joint research and technological and industrial development projects in the field of new information, communication, telematics and information society technologies;
 - (e) promoting the participation of both Parties in pilot projects and in special programmes according to their specific terms;
 - (f) the interconnection and interoperability of telematic networks and services;
 - (g) a dialogue on regulatory cooperation concerning international on-line services, including aspects related to the protection of privacy and personal data;
 - (h) the reciprocal access to data bases according to terms to be agreed upon.

ARTICLE 21

Cooperation in agriculture and the rural sector

1. The Parties undertake to promote development and cooperation in the agricultural, agro-industrial and rural sectors.
2. To this end they shall examine, inter alia, the following:
 - (a) measures to harmonize health, plant-health and environmental standards and rules, with a view to facilitating trade, taking account of the legislation in force for both Parties and in conformity with the rules of the WTO, in addition to the terms of Article 5;

- (b) the potential for exchanging information and setting up projects and activities, with that aim in mind, notably in the fields of information, scientific and technical research and the development of human resources.

ARTICLE 22

Cooperation on mining

The Parties agree to promote cooperation in mining, chiefly through operations aimed at the following:

- (a) promoting exploration, exploitation and profitable use of minerals in accordance with each Party's legislation in this field;
- (b) promoting exchanges of information, experience and technology relating to mining exploration and exploitation;
- (c) promoting exchanges of experts and performing joint research to increase opportunities for technological development;
- (d) developing measures to promote investment in this field.

ARTICLE 23

Cooperation on energy

1. Cooperation between the Parties shall aim to develop their respective energy sectors, concentrating on the promotion of transfer of technology and exchanges of information about their respective legislation.

2. Cooperation in this sector shall mainly be carried out through exchanges of information, training of human resources, transfer of technology and joint technological development and infrastructure projects, designing more efficient energy generation processes, promoting the rational use of energy, supporting the use of alternative renewable sources of energy which protect the environment, and the promotion of recycling and processing residues for use in generating energy.

ARTICLE 24

Cooperation on transport

1. Cooperation between the Parties regarding transport shall seek to:

- (a) support the restructuring and modernization of transport systems;
- (b) promote operating standards.

2. In this context, priority shall be given to:

- (a) exchanges of information between experts on the Parties' transport policies and other subjects of common interest;
- (b) economic, legal and technical training programmes aimed at economic operators and senior public officials;
- (c) exchanges of information on the Global Navigation Satellite System (GNSS);
- (d) technical assistance to help in the restructuring and modernization of the transport system in all its forms.

3. The Parties shall look at all aspects relating to international maritime transport services to ensure that they do not hamper the mutual expansion of trade. In this context, the liberalization of international maritime transport services shall be negotiated, in accordance with the terms of Article 6 of this Agreement.

ARTICLE 25

Cooperation on tourism

1. Cooperation between the Parties shall primarily aim to improve the exchange of information and establish best practices in order to ensure a balanced and sustainable development of tourism.

2. In this context, the Parties shall focus in particular on:

- (a) safeguarding and maximizing the potential of natural and cultural heritage;
- (b) respecting the integrity and interests of local communities;
- (c) promoting cooperation between regions and towns in neighbouring countries;
- (d) improving training in the hotel industry, with particular emphasis on hotel management and administration.

ARTICLE 26

Cooperation on statistics

The Parties agree to promote the harmonization of statistical methods and practice with a view to using, on a mutually acceptable basis, statistics on trade in goods and services and, more generally, on any area covered by this Agreement which lends itself to statistical processing.

ARTICLE 27

Government

The Contracting Parties shall cooperate in matters relating to government and institutions at national, regional and local levels, with a view to promoting the training of human resources and administrative modernization.

ARTICLE 28

Cooperation on combating drug trafficking, money-laundering and chemical precursors

1. The Parties shall take the appropriate measures for cooperation and liaison, that they consider appropriate, to intensify their actions for the prevention and reduction of production, distribution and illegal consumption of drugs, in conformity with their respective internal legal regulations.

2. Relying on the competent bodies in this field, such cooperation shall involve in particular:

- (a) developing coordinated programmes and measures regarding the prevention of drug abuse and the treatment and rehabilitation of drug addicts, including technical assistance programmes. These efforts may also include research and measures designed to reduce drug production by means of regional development of areas inclined to be used to produce illegal crops;

- (b) developing coordinated research programmes and projects on drug control;
- (c) exchange of information regarding legislative and administrative treatment and the adoption of appropriate measures on the control of drugs and on combating money-laundering, including measures adopted by the Community and international bodies active in this field;
- (d) preventing the diversion of chemical precursors and other substances used in the illegal production of drugs and psychotropic substances, in accordance with the "Agreement on the Control of Drugs Precursors and Chemical Substances" signed by the Parties on 13 December 1996,¹ and in the 1988 United Nations Vienna Convention.²

ARTICLE 29

Scientific and technological cooperation

1. The Parties agree to cooperate in the field of science and technology in areas of mutual interest, taking account of their respective policies.
2. The aims of such cooperation shall be:
 - (a) to encourage exchanges of information and know-how on science and technology, especially on the implementation of policies and programmes;
 - (b) to promote enduring relations between the two Parties' scientific communities;
 - (c) to promote human resources training.
3. Cooperation shall take the form of joint research projects and exchanges, meetings and training of scientists, providing for the maximum dissemination of the results of research.
4. In this cooperation, the Parties shall favour the participation of their respective higher education institutions, research centres and productive sectors, in particular small and medium-sized enterprises.
5. Cooperation between the Parties may result in a sectoral agreement on research and technological development, if deemed appropriate.

ARTICLE 30

Cooperation on training and education

1. The Parties shall identify ways of markedly improving the situation in the education and vocational training sector. Special attention shall be paid to the education and training of the most disadvantaged social groups.
2. The Parties shall step up cooperation on education, including higher education, vocational training and exchanges between universities and businesses, in order to improve the level of expertise of senior staff in the private and public sectors.
3. The Parties shall place emphasis on measures designed to create permanent links between their respective specialist agencies and to encourage exchanges of information, know-how, experts, technical resources and in the field of youth, taking advantage of the facilities offered by the ALFA programme and the experience that both Parties have acquired in these areas.
4. Cooperation between the Parties may lead, by mutual consent, to a sectoral agreement in the field of education, including higher education, vocational training and youth related affairs.

¹ Not published.

² Miscellaneous No. 12 (1989) Cm 774.

ARTICLE 31

Cultural cooperation

1. The Parties agree to promote cultural cooperation, that duly respects their diversity, in order to increase mutual understanding and the spreading of their respective cultures.
2. The Parties shall take appropriate measures to promote cultural exchanges and carry out joint initiatives in various cultural spheres. In this regard, the Parties shall define, in due time, the relevant cooperation activities and arrangements.

ARTICLE 32

Cooperation in the audiovisual sector

The Parties agree to promote cooperation in this sector, mainly through training programmes in the audiovisual sector and the media, including co-production, training, development and distribution activities.

ARTICLE 33

Cooperation on information and communication

The Parties agree to encourage the exchange and dissemination of information and to undertake and support activities of mutual interest in the field of information and communication.

ARTICLE 34

Cooperation on the environment and natural resources

1. The need to preserve the environmental and ecological balances shall be taken into account in all cooperation measures undertaken by the Parties under this Agreement.
2. The Parties undertake to develop cooperation to prevent degradation of the environment; to promote the conservation and sustainable management of natural resources; to develop, spread and exchange information and experience on environmental legislation, to stimulate the use of economic incentives to promote compliance; to strengthen environmental management at all levels of government; to promote the training of human resources, education in environmental topics and the execution of joint research projects; to develop channels for social participation.
3. The Parties shall encourage mutual access to programmes in this field, in accordance with the specific terms of such programmes.
4. Cooperation between the Parties may lead to the conclusion of a sectorial agreement in the field of environmental and natural resources if deemed appropriate.

ARTICLE 35

Cooperation on fisheries

In view of the socio-economic importance of their respective fisheries sectors, the Parties undertake to develop closer cooperation in this field in particular through the conclusion of a sectorial fisheries agreement, in accordance with their respective legislation, if deemed appropriate.

ARTICLE 36

Cooperation on social affairs and poverty

1. The Parties shall conduct a dialogue on all aspects of the social agenda of interest to one or other Party.

This should include topics related to vulnerable groups and regions such as: indigenous population, the rural poor, women on low incomes and other population groups living in poverty.

2. The Parties recognize the importance of harmonizing economic and social development taking into account the need to respect the basic rights of the groups mentioned in the previous paragraph. The new basis for growth should create employment and ensure a better standard of living for the least favoured sections of the population.

3. The Parties shall hold periodic consultations regarding cooperation activities involving civil society and destined to offer opportunities for the creation of jobs, vocational training and income growth.

ARTICLE 37

Regional cooperation

1. The Parties shall promote activities aimed at developing joint actions by means of cooperation, mainly in Central America and the Caribbean.

2. Priority shall be given to initiatives channelled towards promoting intra-regional trade in Central America and the Caribbean; stimulating regional cooperation on the environment and on technological and scientific research; promoting the development of the communications infrastructure needed for the economic development of the region and supporting initiatives to improve the standard of living of those living in poverty.

3. Special attention shall be given to developing the role of women, particularly in the production process.

4. The Parties shall study appropriate means for the promotion and monitoring of joint cooperation with other countries.

ARTICLE 38

Cooperation on refugees

The Parties shall endeavour to preserve the benefits of the aid already granted to Central American refugees in Mexico and shall cooperate in the search for lasting solutions.

ARTICLE 39

Cooperation on human rights and democracy

1. The Parties agree that cooperation in this field should promote the principles referred to in Article 1.

2. Cooperation shall focus mainly on:

- (a) the development of civil society by means of education, training and public awareness programmes;
- (b) training and information measures designed to help institutions function more effectively and to strengthen the rule of law;

(c) the promotion of human rights and democratic principles.

3. The Parties may carry out joint projects in order to strengthen cooperation between their respective electoral bodies as well as between other bodies responsible for monitoring and encouraging the observance of human rights.

ARTICLE 40

Cooperation on consumer protection

1. The Parties agree that cooperation in this area should be aimed at refining their consumer protection systems and seeking, within their respective legislations, to make their systems compatible.

2. Cooperation shall focus mainly on the:

- (a) exchange of information and experts and encouraging cooperation between consumer bodies of both Parties;
- (b) organization of training schemes and provision of technical assistance.

ARTICLE 41

Cooperation on data protection

1. With regard to Article 51, the Parties agree to cooperate on the protection of personal data in order to improve the level of protection and avoid obstacles to trade that requires transfers of personal data.

2. Cooperation on personal data protection may include technical assistance in the form of exchanges of information and experts and the establishment of joint programmes and projects.

ARTICLE 42

Health

1. The objectives of health cooperation shall be to strengthen activities in the fields of research, pharmacology, preventive medicine and contagious diseases such as AIDS.

2. Cooperation shall take place mainly through:

- (a) projects on epidemiology, decentralization and administration of health services;
- (b) development of vocational training programmes;
- (c) programmes and projects to improve health conditions and social welfare in rural and urban areas.

ARTICLE 43

Future developments clause

1. The Parties may by mutual consent expand this Title with a view to enhancing the levels of cooperation and supplementing them by means of agreements on specific sectors or activities.

2. With regard to the implementation of this Title, the Parties may put forward suggestions for widening the scope of mutual cooperation, taking into account the experience gained in its application.

ARTICLE 44

Resources for cooperation

1. The Parties shall make available the appropriate resources, including financial means, insofar as their respective resources and regulations allow, in order to fulfil the cooperation objectives set out in this Agreement.
2. The Parties shall encourage the European Investment Bank to continue its operations in Mexico, in accordance with its procedures and financing criteria.

TITLE VII

INSTITUTIONAL FRAMEWORK

ARTICLE 45

Joint Council

A Joint Council is hereby established which shall supervise the implementation of this Agreement. It shall meet at ministerial level, at regular intervals, and when circumstances require. It shall examine any major issues arising within the framework of this Agreement and any other bilateral or international issues of mutual interest.

ARTICLE 46

1. The Joint Council shall consist of the Members of the Council of the European Union and Members of the European Commission on the one hand, and Members of the Government of Mexico, on the other.
2. Members of the Joint Council may arrange to be represented, in accordance with the conditions laid down in its rules of procedure.
3. The Joint Council shall establish its own rules of procedure.
4. The Joint Council shall be presided in turn by a Member of the Council of the European Union and a Member of the Government of Mexico, in accordance with the provisions to be laid down in its rules of procedure.

ARTICLE 47

The Joint Council shall, for the purpose of attaining the objectives of this Agreement, have the power to take decisions in the cases provided for herein. The decisions taken shall be binding on the Parties which shall take the measures necessary to implement them. The Joint Council may also make appropriate recommendations.

It shall draw up the decisions and recommendations by agreement between the two Parties.

ARTICLE 48

Joint Committee

1. The Joint Council shall be assisted in the performance of its duties by a Joint Committee composed of representatives of the members of the Council of the European Union and of the European Commission, on the one hand, and of representatives of the Government of Mexico on the other, normally at senior civil servant level.

In its rules of procedure the Joint Council shall determine the duties of the Joint Committee, which shall include the preparation of meetings of the Joint Council and how the Committee shall function.

2. The Joint Council may delegate to the Joint Committee any of its powers. In this event the Joint Committee shall take its decisions in accordance with the conditions laid down in Article 47.

3. The Joint Committee shall generally meet once a year, on a date and with an agenda agreed in advance by the Parties, in Brussels one year and Mexico the next. Special meetings may be convened by mutual agreement. The office of chairman of the Joint Committee shall be held alternately by a representative of each of the Parties.

ARTICLE 49

Other special committees

The Joint Council may decide to set up any other special committee or body to assist it in the performance of its duties.

In its rules of procedure, the Joint Council shall determine the composition and duties of such committees or bodies and how they shall function.

ARTICLE 50

Dispute settlement

The Joint Council shall decide on the establishment of a specific trade or trade related dispute settlement procedure compatible with the relevant WTO provisions in this field.

TITLE VIII

FINAL PROVISIONS

ARTICLE 51

Data protection

1. The Parties agree to accord a high level of protection to the processing of personal and other data, in accordance with the standards adopted by the relevant international organizations and the Community.
2. To this end they shall take account of the standards referred to in the annex which shall form an integral part of this Agreement.

ARTICLE 52

National security clause

No provision of this Agreement shall preclude a Party taking measures:

- (a) which it considers necessary to prevent disclosures of information which are contrary to the essential interests of its security;
- (b) relating to the production of, or trade in, arms, munitions or war material or to research, development or production necessary to guarantee its defence, provided these measures do not adversely affect the conditions of competition regarding products which are not intended for specifically military purposes;

- (c) which it considers essential to its security in the event of serious domestic disturbances liable to jeopardize public order, of war or serious international tensions that might erupt into armed conflict or to fulfil obligations it has entered into for the maintenance of peace and international security.

ARTICLE 53

The Final Act contains the Joint and Unilateral Declarations made at the signature of this Agreement.

ARTICLE 54

1. Should Most Favoured Nation treatment be granted in accordance with the provisions of this Agreement, or any arrangements adopted under this Agreement, it shall not apply to tax advantages which the Member States or Mexico are providing or may provide in the future on the basis of agreements to avoid double taxation or other tax arrangements, or domestic fiscal legislation.
2. Nothing in this Agreement, or in any arrangements adopted under this Agreement, may be construed to prevent the adoption or enforcement by the Member States or Mexico of any measure aimed at preventing the avoidance or evasion of taxes pursuant to the tax provisions of agreements to avoid double taxation or other tax arrangements, or domestic fiscal legislation.
3. Nothing in this Agreement, or in any arrangements adopted under this Agreement, shall be construed to prevent Member States or Mexico from distinguishing, in the application of the relevant provisions of their fiscal legislation, between taxpayers who are not in the same situation, in particular with regard to their place of residence, or with regard to the place where their capital is invested.

ARTICLE 55

Definition of the Parties

For the purposes of this Agreement, "the Parties" shall mean, on the one hand, the Community or its Member States or the Community and its Member States, in accordance with their respective areas of competence, as derived from the Treaty establishing the European Community and, on the other hand, Mexico.

ARTICLE 56

Territorial application

This Agreement shall apply to the territory in which the Treaty establishing the European Community is applied under the conditions laid down in that Treaty, on the one hand, and to the territory of the United Mexican States, on the other.

ARTICLE 57

Duration

1. This Agreement shall be valid for an indefinite period.
2. Either Party may denounce this Agreement by notifying the other Party. This Agreement shall cease to apply six months after the date of such notification.

ARTICLE 58

Fulfilment of obligations

1. The Parties shall adopt any general or specific measure required for them to fulfil their obligations under this Agreement and shall ensure that they comply with the objectives laid down in the Agreement.

If either Party considers that the other Party has failed to fulfil an obligation under this Agreement, it may take appropriate measures. Before doing so, except in cases of special urgency, it must supply the Joint Council with all the relevant information required for a thorough examination of the situation, within 30 days, with a view to seeking a solution acceptable to the Parties.

In this selection of measures, priority must be given to those measures which least disturb the functioning of this Agreement. These measures shall be notified immediately to the Joint Council and shall be the subject of consultations in that Council, if the other Party so requests.

2. The Parties agree that the term “cases of special urgency” in paragraph 1 of this Article means a case of material breach of the Agreement by one of the Parties. A material breach of the Agreement consists of:

- (a) repudiation of the Agreement not sanctioned by the general rules of international law;
- (b) breach of the essential elements of the Agreement referred to in Article 1.

3. The Parties agree that the “appropriate measures” referred to in this Article are measures taken in accordance with international law. If a Party takes a measure in a case of special urgency as provided for under this Article, the other Party may ask that an urgent meeting be called to bring the Parties together within 15 days.

ARTICLE 59

Authentic text

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

ARTICLE 60

Entry into Force

1. This Agreement shall be approved by the Parties in accordance with their own procedures.
2. This Agreement shall enter into force on the first day of the month following the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.

The application of Titles II and VI shall be suspended until the adoption by the Joint Council of the decisions provided in Articles 5, 6, 9, 10, 11 and 12.

3. Notification shall be sent to the Secretary-General of the Council of the European Union who shall be the depositary for the Agreement.

4. This Agreement shall replace the Framework Agreement for Cooperation between the European Community and Mexico signed on 26 April 1991 upon the date on which Titles II and VI become applicable, as provided for in paragraph 2.

5. Upon entry into force of the Agreement, any decisions adopted by the Joint Council established by the Interim Agreement on trade and trade related matters between the European Community and Mexico, signed on 8 December 1997, shall be deemed to have been adopted by the Joint Council established by Article 45.

Done at Brussels on the eighth day of December in the year one thousand nine hundred and ninety-seven.

PROTECTION OF PERSONAL DATA REFERRED TO IN ARTICLE 51

- Guidelines for the regulation of computerized personal data files, modified by the General Assembly of the United Nations on 20 November 1990.
- Recommendation of the OECD Council concerning guidelines governing the protection of privacy and trans-border flows of personal data of 23 September 1980.
- Council of Europe Convention for the protection of individuals with regard to automatic processing of personal data of 28 January 1981.¹
- Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

¹ Treaty Series No. 86 (1990) Cm 1329.

FINAL ACT

The plenipotentiaries of the Member States and of the Community and the plenipotentiaries of the United Mexican States hereby adopt the following Final Act, with regard to the:

- (1) Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part,
- (2) Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the United Mexican States, of the other part, and
- (3) Joint Declaration between the European Community and its Member States and the United Mexican States.

- (1) The plenipotentiaries of:

The Kingdom of Belgium, The Kingdom of Denmark, The Federal Republic of Germany, The Hellenic Republic, The Kingdom of Spain, The French Republic, Ireland, The Italian Republic, The Grand Duchy of Luxembourg, The Kingdom of the Netherlands, The Republic of Austria, The Portuguese Republic, The Republic of Finland, The Kingdom of Sweden, The United Kingdom of Great Britain and Northern Ireland,

Contracting Parties to the Treaty establishing the EUROPEAN COMMUNITY, hereinafter referred to as the "Member States", and

THE EUROPEAN COMMUNITY, hereinafter referred to as "the Community",
of the one part, and

the plenipotentiaries of the UNITED MEXICAN STATES, hereinafter referred to as "Mexico",

of the other part,

meeting at Brussels on the eighth day of December in the year one thousand nine hundred and ninety-seven for the signature of the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part, hereinafter referred to as the "Agreement" have adopted the following texts:

— The Agreement and Annex thereto.

The plenipotentiaries of the Member States and of the Community and the plenipotentiaries of Mexico have adopted the texts of the Joint Declarations listed below and annexed to this Final Act:

Joint Declaration by the European Union and Mexico on Political Dialogue referred to in Article 3 of the Agreement,

Joint Declaration on the Dialogue at Parliamentary level,

Joint Interpretative Declaration relating to Article 4 of the Agreement,

Joint Declaration relating to Article 24(3) of the Agreement,

Joint Declaration relating to Article 35 of the Agreement.

The plenipotentiaries of Mexico have taken note of the Declarations of the European Community and/or its Member States mentioned below and annexed to this Final Act:

Declaration relating to Article 11 of the Agreement,

Declaration relating to Article 12 of the Agreement.

The plenipotentiaries of the Member States and of the Community have taken note of the Declaration of Mexico mentioned below and annexed to this Final Act:

Declaration on Title I of the Agreement.

Done at Brussels on the eighth day of December in the year one thousand nine hundred and ninety-seven.

JOINT DECLARATIONS
JOINT DECLARATION
BY THE EUROPEAN UNION AND MEXICO
ON POLITICAL DIALOGUE

(Article 3)

1. Preamble

The European Union of the one part, and Mexico, of the other part,

- conscious of their historical, political, economic and cultural ties, and of the bonds of friendship between their peoples,
- mindful of their desire to strengthen the political and economic freedoms which are fundamental to society in the Member States of the European Union and Mexico,
- reaffirming the value of human dignity and of the promotion and protection of human rights as cornerstones of a democratic society, as well as the essential role of democratic institutions based on the rule of law,
- desiring to strengthen international peace and security in accordance with the principles of the United Nations Charter,
- sharing an interest in regional integration as a means of enabling their citizens to achieve sustainable and harmonious development predicated upon the principles of social progress and solidarity between members,
- building upon the preferential relations established by the Framework Agreement for Cooperation signed between the Community and Mexico in 1991,
- recalling the principles set out in the Solemn Joint Declaration signed in Paris on 2 May 1995¹ by the Commission and the Council, of the one part, and Mexico, of the other part,

have decided to develop relations on a long-term basis.

2. Objectives

The European Union and Mexico consider that the establishment of greater political dialogue represents a fundamental aspect of their envisaged economic and political rapprochement and constitutes a decisive factor in promoting the principles set out in the preamble to this Declaration.

That dialogue shall be based on the Parties' shared attachment to democracy and respect for human rights as well as the desire to maintain peace and establish a just and stable international order, in accordance with the United Nations Charter.

Its aims shall be to forge lasting links of solidarity between the European Union and Mexico, contributing to the stability and prosperity of their respective regions, to strive to implement the process of regional integration and to promote a climate of understanding and tolerance between their peoples and cultures.

The dialogue shall cover all subjects of shared interest and shall aim to open up paths towards new forms of cooperation with shared objectives, including by means of joint international initiatives, particularly in the areas of peace, security and regional development.

3. Dialogue mechanisms

The Parties shall conduct such political dialogue by means of contacts, information exchanges and consultations between the various Mexican and European Union bodies, including the European Commission.

¹ Not published.

It shall be held, in particular:

- at presidential level;
- at ministerial level;
- at senior official level;
- and by using diplomatic channels to maximum advantage.

Presidential meetings, the detailed arrangements for which shall be decided on by the Parties, shall take place regularly between the highest authorities of the Parties.

Meetings at ministerial level, the detailed arrangements for which shall be decided on by the Parties, shall take place regularly between the Ministers for Foreign Affairs.

JOINT DECLARATION ON THE DIALOGUE AT PARLIAMENTARY LEVEL

The Parties underline the advisability of institutionalising a political dialogue at Parliamentary level by means of contacts between the European Parliament and the Mexican Congress (Chamber of Deputies and Senate).

JOINT INTERPRETATIVE DECLARATION RELATING TO ARTICLE 4

The commitments that result from Article 4 of this Agreement shall not take effect until the decision referred to in Article 5 is adopted, in conformity with Article 7 of this Agreement.

JOINT DECLARATION RELATING TO ARTICLE 24(3)

The Parties confirm their multilateral obligations on maritime transport services undertaken as members of the WTO, taking also into account their respective obligations under the OECD Code of Liberalization of Current Invisible Operations.

JOINT DECLARATION RELATING TO ARTICLE 35

Both Parties agree to give their institutional support, in the multilateral field, to the adoption, entry into force and enforcement of the International Code of Conduct for Responsible Fishing.

UNILATERAL DECLARATIONS

DECLARATION BY THE COMMUNITY RELATING TO ARTICLE 11

The Community declares that, until the adoption by the Joint Council of the implementing rules on fair competition referred to in Article 11(2) it shall assess any practice contrary to that Article on the basis of the criteria resulting from the rules contained in Articles 85, 86 and 92 of the Treaty establishing the European Community,¹ and, for products covered by the Treaty establishing the European Coal and Steel Community,² by those contained in Articles 65 and 66 of that Treaty and the Community rules on State aids, including secondary legislation.

DECLARATION BY THE COMMUNITY AND ITS MEMBER STATES ON THE INTELLECTUAL PROPERTY CONVENTIONS REFERRED TO IN ARTICLE 12

The Community and its Member States understand that the relevant multilateral conventions on intellectual property referred to in Article 12(2)(b) include at least the following:

- Bern Convention for the Protection of Literary and Artistic Works (Paris Act, 1971,³ amended in 1979);
- International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome 1961);⁴
- Paris Convention for the protection of industrial property (Stockholm Act 1967⁵ and amended in 1979);
- Patent Cooperation Treaty (Washington 1970,⁶ amended in 1979 and modified in 1984);⁷
- Madrid Agreement concerning the International Registration of Marks (Stockholm Act 1967⁸ and amended in 1979);

¹ Treaty Series No. 52 (1999) Cm 4434.

² Not published.

³ Treaty Series No. 63 (1990) Cm 1212.

⁴ Treaty Series No. 38 (1964) Cmnd 2425.

⁵ Treaty Series No. 61 (1970) Cmnd 4431.

⁶ Treaty Series No. 78 (1978) Cmnd 7340.

⁷ Treaty Series No. 44 (1985) Cmnd 9604.

⁸ Treaty Series No. 62 (1970) Cmnd 4426.

- Protocol to the Madrid Agreement concerning the international registration of marks (Madrid 1989);¹
- Nice Agreement concerning the International Classification of Goods and Services for the purposes of the Registration of Marks (Geneva 1977,² amended in 1979);
- Budapest Treaty on the International Recognition of the deposit of Micro-organisms for the Purposes of Patent Procedure (1977,³ modified in 1980);
- International Convention for the protection of new varieties of plants (UPOV) (Geneva Act 1991);⁴
- Trademark Law Treaty (Geneva, 1994).⁵

¹ Treaty Series No. 3 (1997) Cm 3505.

² Treaty Series No. 72 (1979) Cmnd 7671.

³ Treaty Series No. 5 (1981) Cmnd 8136.

⁴ Treaty Series No. 12 (2001) Cm 5045.

⁵ Treaty Series No. 76 (1996) Cm 3348.

DECLARATION BY MEXICO ON TITLE I

Mexico's foreign policy is founded on the principles enshrined in its Constitution:

Self determination of Nations

Non-intervention

Peaceful settlement of disputes

Prohibition of the threat or use of force in international relations

Legal equality of States

International cooperation for development

The struggle for international peace and international security.

Given its historical experience and the supreme mandate of its Political Constitution, Mexico expresses its full conviction that only the full observance of International Law is the foundation of peace and development. Mexico declares, likewise, that the principles of coexistence of the international community, as expressed in the United Nations Charter, the principles enunciated in the Universal Declaration of Human Rights and democratic principles, are the permanent guide of its constructive participation in international affairs and are the framework for its relationship with the Community and its Member States, governed by this Agreement, and for its relationship with any other country or group of countries.

RATIFICATIONS, ACCESSIONS, EFFECTIVE DATES AND DECLARATIONS

<i>State</i>	<i>Action</i>	<i>Date</i>	<i>Effective Date</i>
Austria	Signature	08 Dec 1997	
	Acceptance	11 May 1999	1 Oct 2000
Belgium	Signature	08 Dec 1997	
	Acceptance	12 Jul 2000	1 Oct 2000
Denmark	Signature	08 Dec 1997	
	Acceptance	27 Mar 2000	1 Oct 2000
European Community	Signature	08 Dec 1997	
	Acceptance	28 Sept 2000	1 Oct 2000
Finland	Signature	08 Dec 1997	
	Acceptance	09 Apr 1998	1 Oct 2000
France	Signature	08 Dec 1997	
	Acceptance	19 Aug 1999	1 Oct 2000
Germany	Signature	08 Dec 1997	
	Acceptance	23 Nov 1999	1 Oct 2000
Greece	Signature	08 Dec 1997	
	Acceptance	19 Nov 1999	1 Oct 2000
Ireland	Signature	08 Dec 1997	
	Acceptance	30 Jun 1999	1 Oct 2000
Italy	Signature	08 Dec 1997	
	Acceptance	18 Sept 2000	1 Oct 2000
Luxembourg	Signature	08 Dec 1997	
	Acceptance	19 May 2000	1 Oct 2000
Mexico	Signature	08 Dec 1997	
	Acceptance	24 Jul 2000	1 Oct 2000
Netherlands	Signature	08 Dec 1997	
	Acceptance	30 Jun 1999	1 Oct 2000
Portugal	Signature	8 Dec 1997	
	Acceptance	11 Nov 1998	1 Oct 2000
Spain	Signature	08 Dec 1997	
	Acceptance	12 Nov 1998	1 Oct 2000
Sweden	Signature	08 Dec 1997	
	Acceptance	03 Apr 1998	1 Oct 2000
United Kingdom	Signature	08 Dec 1997	
	Acceptance	21 Oct 1999	1 Oct 2000

ISBN 0-10-150462-4



9 780101 504621



Published by The Stationery Office Limited

and available from:

The Stationery Office

(Mail, telephone and fax orders only)

PO Box 29, Norwich NR3 1GN

General enquiries 0870 600 5522

Order through the Parliamentary Hotline *Lo-call* 0845 7 023474

Fax orders 0870 600 5533

Email book.orders@theso.co.uk

Internet <http://www.ukstate.com>

The Stationery Office Bookshops

123 Kingsway, London WC2B 6PQ

020 7242 6393 Fax 020 7242 6394

68–69 Bull Street, Birmingham B4 6AD

0121 236 9696 Fax 0121 236 9699

33 Wine Street, Bristol BS1 2BQ

0117 9264306 Fax 0117 9294515

9–21 Princess Street, Manchester M60 8AS

0161 834 7201 Fax 0161 833 0634

16 Arthur Street, Belfast BT1 4GD

028 9023 8451 Fax 028 9023 5401

The Stationery Office Oriel Bookshop

18–19 High Street, Cardiff CF1 2BZ

029 2039 5548 Fax 029 2038 4347

71 Lothian Road, Edinburgh EH3 9AZ

0870 606 5566 Fax 0870 606 5588

Accredited Agents

(See Yellow Pages)

and through good booksellers

ISBN 0 10 150462 4