

English edition

Information and Notices

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I

(Information)

COMMISSION

Ecu ⁽¹⁾

18 November 1997

(97/C 350/01)

Currency amount for one unit:

Belgian and Luxembourg franc	40,7197	Finnish markka	5,94897
Danish krone	7,51485	Swedish krona	8,61491
German mark	1,97405	Pound sterling	0,674461
Greek drachma	309,625	United States dollar	1,14173
Spanish peseta	166,635	Canadian dollar	1,61600
French franc	6,61015	Japanese yen	143,378
Irish pound	0,757969	Swiss franc	1,60870
Italian lira	1932,65	Norwegian krone	8,03948
Dutch guilder	2,22500	Icelandic krona	81,1312
Austrian schilling	13,8937	Australian dollar	1,63759
Portuguese escudo	201,447	New Zealand dollar	1,82152
		South African rand	5,54081

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day.

Users of the service should do as follows:

- call telex number Brussels 23789,
- give their own telex code,
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the ecu,
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

Note: The Commission also has an automatic fax answering service (No 296 10 97/296 60 11) providing daily data concerning calculation of the conversion rates applicable for the purposes of the common agricultural policy.

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ L 379, 30. 12. 1978, p. 1), as last amended by Regulation (EEC) No 1971/89 (OJ L 189, 4. 7. 1989, p. 1).

Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ L 349, 23. 12. 1980, p. 34).

Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ L 349, 23. 12. 1980, p. 27).

Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ L 345, 20. 12. 1980, p. 23).

Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ L 345, 20. 12. 1980, p. 1).

Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ L 311, 30. 10. 1981, p. 1).

Information procedure — technical regulations

(97/C 350/02)

(Text with EEA relevance)

- Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ L 109, 26. 4. 1983, p. 8).
- Directive 88/182/EEC of 22 March 1988 amending Directive 83/189/EEC (OJ L 81, 26. 3. 1988, p. 75).
- Directive 94/10/EC of the European Parliament and the Council of 23 March 1994 materially amending for the second time Directive 83/189/EEC (OJ L 100, 19. 4. 1994, p. 30).

Notifications of draft national technical regulations received by the Commission.

Reference (1)	Title	End of three-month standstill period (2)
97/582/NL	Regulation on the transport of dangerous household waste 1994	19. 11. 1997
97/583/NL	Notice to the shipping industry amending Notice to the shipping industry No 204/1986 (further rules for electrical equipment)	19. 11. 1997
97/584/NL	Notice to the shipping industry amending Notice to the shipping industry No 274/1992 (Directives and checklists with regard to temporarily unmanned engine rooms on board ships which are classed as large vessels)	19. 11. 1997
97/585/NL	Notice to the deep-sea fishing industry amending Notice to the deep-sea fishing industry No 17/1989	19. 11. 1997
97/586/NL	Notice to the deep-sea fishing industry amending Notice to the deep-sea fishing industry No 32/1989 (materials for the manufacture of inflatable life rafts)	19. 11. 1997
97/587/NL	Notice to the deep-sea fishing industry amending Notice to the deep-sea fishing industry No 33/1989 (materials for the manufacture of inflated relief boats)	19. 11. 1997
97/588/NL	Notice to the deep-sea fishing industry amending Notice to the deep-sea fishing industry No 64/1992 (assessment, testing and inspection of rescue aids and facilities)	19. 11. 1997
97/589/NL	Notice to the deep-sea fishing industry amending Notice to the deep-sea fishing industry No 65/1992 (echo sounders)	19. 11. 1997
97/590/NL	Notice to the deep-sea fishing industry amending Notice to the deep-sea fishing industry No 67/1992 (operational and general requirements for log installations)	19. 11. 1997
97/591/NL	Notice to the deep-sea fishing industry amending Notice to the deep-sea fishing industry No 68/1992 (gyrocompasses)	19. 11. 1997
97/592/NL	Regulation containing individual licence requirements (Regulation containing individual approval requirements)	20. 11. 1997
97/593/F	Order on buried tanks of inflammable liquids and associated equipment	19. 11. 1997
97/594/D	Act amending the Act on animal protection	24. 11. 1997
97/581/NL	Designation of 4-bromine-2,5-dimethoxyphenethylamine pursuant to Article 2 of the Opium Act	(3)
97/595/D	Additional technical conditions of contract and guidelines regarding the construction of asphalt road surfaces, 1994 edition (German designation; ZTV Asphalt-StB 94), 1997	24. 11. 1997
97/596/D	Leaflet relating to the equipping of central traffic computer exchanges and sub-exchanges (German designation: MARZ)	24. 11. 1997

Reference (*)	Title	End of three-month standstill period (*)
97/597/NL	Decree amending the Inland Waterways Shipping Decree	21. 11. 1997
97/598/NL	Regulation amending the Regulation of 12 April 1988, No S/J 30571/88, containing rules relating to the layout and equipment of ships on inland waterways (Government Gazette 96)	21. 11. 1997
97/599/NL	Regulation amending the Regulation on ferries	21. 11. 1997
97/600/NL	Regulation amending the Regulation of 20 December 1990 on safety provisions for open-topped round-trips boats (Government Gazette 248) (Regulation on open-topped round-trip boats)	21. 11. 1997
97/601/NL	Regulation amending the Regulation governing tour barges of the type used on the canals of Amsterdam	21. 11. 1997
97/602/NL	Regulation governing state inspection Regulations for the overland transportation of dangerous substances 1990 (Dutch designation: RVLG '90)	21. 11. 1997
97/603/NL	Regulation governing inspection of vehicles which must be at least equivalent to the inspection specified in the 1994 Road Traffic Act (Regulation governing equivalent inspections)	21. 11. 1997
97/604/NL	Regulation amending the Regulation governing the transportation by rail of hazardous substances 1997 (VSG)	24. 11. 1997
97/605/NL	Notice to the sea fishing industry amending Notice to the sea fishing industry No 10/1989 (removal of water used for washing and for fish waste from fish-processing areas)	24. 11. 1997
97/607/NL	Notice to the sea fishing industry amending Notice to the sea fishing industry No 12/1989 (stability)	24. 11. 1997
97/608/NL	Notice to the shipping industry amending Notice to the shipping industry No 306/1995 (assessment, testing and inspection of prototypes of fire-resistant constructions)	24. 11. 1997
97/609/NL	Notice to the sea fishing industry amending Notice to the sea fishing industry No 4/1989 (waterlight seals on doors and hatch openings)	24. 11. 1997
97/610/NL	Regulation amending the Regulation on the land transport of dangerous substances 1997 (Dutch designation: VLG)	24. 11. 1997
97/611/NL	Notice to the sea fishing industry amending Notice to the sea fishing industry No 14/1989 (Bow height)	24. 11. 1997
97/612/NL	Notice to the sea fishing industry amending Notice to the sea fishing industry No 19/1989 (fishing winches)	24. 11. 1997
97/613/NL	Notice to the deep-sea fishing industry amending Notice to the deep-sea fishing industry No 02/1995 (assessment, testing and inspection of prototypes of fire-resistant constructions)	24. 11. 1997
97/615/F	Draft decree approving provisions amending and supplementing the safety regulations against the fire risks and panic outbreaks in establishments open to the public	21. 11. 1997
97/616/F	Order establishing the conditions of approval for packaging centres for eggs in shell intended for human consumption	21. 11. 1997
97/617/NL	Decree amending the Fishing Vessels Decree (Fishing Vessels Decree)	24. 11. 1997
97/618/NL	Notice to the shipping industry amending Notice to the shipping industry No 262/1990 (materials for the manufacture of inflated relief boats)	24. 11. 1997
97/619/NL	Notice to the shipping industry amending Notice to the shipping industry No 263/1990 (materials for the manufacture of inflatable life rafts)	24. 11. 1997
97/620/NL	Notice to the shipping industry amending Notice to the shipping industry No 283/1992 (Regulations governing gyrocompasses)	24. 11. 1997
97/621/NL	Notice to the shipping industry amending Notice to the shipping industry No 287/1992 (operational and general requirements governing turn indicators)	24. 11. 1997
97/622/NL	Notice to the shipping industry amending Notice to the shipping industry No 288/1992 (operational and general requirements for heavy equipment)	24. 11. 1997
97/623/NL	Notice to the shipping industry amending Notice to the shipping industry No 293/1992 (assessment, testing and inspection of rescue equipment and provisions)	24. 11. 1997

Reference (1)	Title	End of three-month standstill period (2)
97/625/NL	Regulation designating vehicles which are excluded from the inspection obligation, referred to in Article 72 of the 1994 Road Traffic Act	24. 11. 1997
97/626/NL	Regulation establishing rules with regard to the intake in the reserve supply of vehicles with a type-approval granted pursuant to national requirements (Regulation governing remaining supplies of vehicles)	24. 11. 1997
97/627/NL	Regulation on structural modifications (Regulation on structural modifications)	24. 11. 1997
97/628/NL	Regulation containing Regulations relating to parking discs (Decree relating to parking discs)	24. 11. 1997
97/629/NL	Regulation establishing rules relating to application for a type-approval and monitoring of a type-approval granted (Regulation governing application and monitoring type-approval)	24. 11. 1997
97/630/NL	Notice to the shipping industry amending Notice to the shipping industry No 294/1992 (Regulations governing electrically operated elevators intended for persons on board ships)	24. 11. 1997
97/631/NL	Notice to the shipping industry amending Notice to the shipping industry No 298/1992 (echo sounders)	24. 11. 1997
97/632/NL	Notice to the shipping industry amending Notice to the shipping industry No 312/1996 (29th amendment to the Guide Book on dangerous substances and seventh amendment to the Guide Book on jettisoned cargo)	24. 11. 1997
97/633/NL	Regulation governing Regulations relating to the design, installation and construction of traffic lights	26. 11. 1997
97/634/NL	Regulation designating emergency services, defining activities and circumstances and establishing visual and sound signals (Decree relating to visual and sound signals)	26. 11. 1997
97/635/NL	Regulation governing the approval of child safety devices	26. 11. 1997
97/637/NL	First amendment to the implementation Decree governing compensation for handling extra returned packaging	24. 11. 1997
97/638/NL	Decree amending the 1965 Shipping Decree	26. 11. 1997
97/639/NL	Regulation governing requirements and inspection methods for limited manufacture vehicles	26. 11. 1997
97/640/NL	Regulation governing Regulations on the use, installation and design of traffic signs. This does not relate to traffic lights	26. 11. 1997
97/641/D	BAPT approval Regulation 211 ZV 039 for USW-radiotelephony equipment of the aeronautical mobile radio service	24. 11. 1997
97/642/NL	Notice to the shipping industry amending Notice to the shipping industry No 256/1990 (equipment for the repositioning of free-fall lifeboats)	27. 11. 1997
97/643/FIN	Council of State Decision on amending the Council of State Decision on the utilization and processing of tyres withdrawn from use (1246/1995)	26. 11. 1997
97/644/NL	Notice to the shipping industry amending Notice to the shipping industry No 260/1990 (application of light reflecting material to rescue apparatus)	27. 11. 1997
97/645/NL	Notice to the shipping industry amending Notice to the shipping industry No 18/1989 (influence of apparatus and equipment on magnetic compass readings)	27. 11. 1997
97/646/NL	Notice to the shipping industry amending Notice to the shipping industry No 53/1989 (operational and general requirements governing radar equipment and automatic radar-plotting-apparatus)	27. 11. 1997

(1) Year — registration number — Member State of origin.

(2) Period during which the draft may not be adopted.

(3) No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.

(4) No standstill period since the measure concerns technical specifications or other requirements linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1 (9) of Directive 93/189/EEC.

(5) Information procedure closed.

The Commission draws attention to the judgment given on 30 April 1996 in the 'CIA Security' case (C-194/94), in which the Court of Justice ruled that Articles 8 and 9 of Directive 83/189/EEC are to be interpreted as meaning that individuals may rely on them before the national court which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.

This judgment confirms the Commission's communication of 1 October 1986 (OJ C 245, 1. 10. 1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, so that they are unenforceable against individuals.

Information on these notifications can be obtained from the national administrations, a list of which was published in *Official Journal of the European Communities* C 324 of 30 October 1996.

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Decision concerning the conclusion 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

(97/C 350/03)

COM(97) 527 final — 97/0289(AVC)

(Submitted by the Commission on 24 October 1997)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 54 (2), 57, 66, 73c (2), 75, 84 (2), 113 and 130y thereof, in conjunction with the second sentence of Article 228 (2) and the second subparagraph of Article 228 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament,

Whereas 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, signed in ... on ..., should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

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, together with the declarations made by the Community unilaterally or jointly with other parties, is hereby approved on behalf of the European Community.

The texts are attached to this Decision.

Article 2

The President of the Council shall give the notification provided for in Article 60 of the Agreement on behalf of the European Community.

Article 3

1. The position to be taken by the Community within the Joint Council and the Joint Committee established by the Agreement, shall be laid down by the Council, on a proposal from the Commission, in accordance with the corresponding provisions of the Treaties establishing the European Community.

2. The President of the Council shall in accordance with Article 46 of the Agreement, preside over the Joint Council and present the position of the Community. In accordance with Article 48 of the Agreement, a representative of the Commission shall preside over the Joint Committee and present the position of the Community.

Article 4

This Decision shall be published in the *Official Journal of the European Communities*.

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, 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 1991 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 the context of their membership of the Organization for Economic Cooperation and Development (OECD), with particular emphasis on the importance of open regionalism,

MINDFUL of the terms of the Joint Solemn Declaration signed in Paris on 2 May 1995 in which both Parties decided to give their bilateral relationship a long-term perspective in all areas,

CONCLUDE this Economic Partnership, Political Coordination and Cooperation 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 the 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 on Political Dialogue between the European Union and Mexico, 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.

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 established by Article 45 of the Agreement 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 GATT, and taking account of the sensitive nature of certain products. This decision shall address, 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, etc.,

- (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, etc.,
- (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 established by Article 45 of the Agreement, 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 the 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 address, 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 address, 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. 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 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 relating to patents, industrial designs, geographical indications including designation of origins, trade marks, 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 measure 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. It 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 SMEs 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 General Agreement on Trade

in Services (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 administrative assistance in the field of customs, within the institutional framework of this Agreement.

Article 20

The information society

1. The Parties recognize that information and communication technologies are key elements of modern life and vital 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 telecommunication 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 special programmes in accordance with the terms of the latter;
- (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 databases 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, agroindustrial 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 hotelmanagement 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 will 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, and in the United Nations Vienna Convention of 1988.

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 acquired in this field.

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.

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 within the meaning of 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 sectoral agreement in the field of environment and natural resources if deemed appropriate.

*Article 35***Cooperation on fisheries**

In view of the socioeconomic importance of their respective fisheries sectors, the Parties undertake to develop closer cooperation in this field notably through the conclusion of a sectorial fisheries agreement, in

conformity 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 generation.

*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 that: promote intra-regional trade in Central America and the Caribbean; stimulate regional cooperation on the environment and on technological and scientific research; promote the development of the communications infrastructure needed for the economic development of the region; stimulate initiatives to improve the standards of living of those living in poverty.

3. Special attention shall be given to developing the role of women, particularly in the productive 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 of this Agreement.

2. Cooperation shall focus mainly on:

- (a) the developments 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 respect 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:

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

*Article 41***Cooperation on data protection**

1. In respect of Article 51 of this Agreement, 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**

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 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, in so far 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 hand.

2. Members of the Joint Council may arrange to be represented, in accordance with the conditions to be 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 over 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 hand, 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 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 connected with defence needs, 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 disrupt public order, 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 will not apply to tax advantages which the Member States of 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 pursuant to 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 pursuant to 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 hand.

*Article 57***Duration**

1. This Agreement shall be valid indefinitely.

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) violation 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 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 of this Agreement.

3. Notification shall be sent to the Secretary-General of the Council of the European Union who will 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 on the date on which Titles II and VI become applicable, as provided for in paragraph 2.

5. On 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 ... (initialled on ...) shall be deemed to have been adopted by the Joint Council established by Article 45.

ANNEX

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,
 - 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.
-

FINAL ACT

JOINT DECLARATION ON POLITICAL DIALOGUE BETWEEN THE EUROPEAN UNION
AND MEXICO (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 human dignity and 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 on social progress and solidarity,
- building on the preferential relations established by the framework Cooperation Agreement signed between the Community and Mexico in 1991,
- recalling the principles set out in the solemn Joint declaration signed in Paris on 2 May 1995 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.

It 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.

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.

OTHER JOINT DECLARATIONS

JOINT DECLARATION ON THE DIALOGUE AT PARLIAMENTARY LEVEL

The Parties underline the advisability of institutionalizing 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 ON 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 OF 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 WITH RESPECT 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.

**DECLARATIONS BY THE EUROPEAN COMMUNITY AND/OR
ITS MEMBER STATES**

DECLARATION BY THE EUROPEAN COMMUNITY ON ARTICLE 11

The Community declares that, until the adoption by the Joint Council of the implementing rules on fair competition referred to in Article (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 Coal and Steel Community, by those contained in Articles 65 and 66 of that Treaty and the Community rules on State aids, including secondary legislation.

**UNILATERAL 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 the the relevant multilateral conventions on intellectual property referred to in Article 12 (2) (b) include at least the following:

- Paris Convention for the Protection of Industrial Property (Stockholm Act 1967 and amended in 1979),
 - Bern Convention for the Protection of Literary and Artistic Works (Paris Act 1971, amended in 1979),
 - International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome 1961),
 - Patent Cooperation Treaty (Washington 1970, amended in 1979 and modified in 1984),
 - Madrid Agreement concerning the international registration of marks (Stockholm Act 1967 and amended in 1979),
 - Nice Agreement concerning the international classification of goods and services for the purposes of the registration of marks (Geneva 1977, amended in 1979),
 - Protocol to the Madrid Agreement concerning the international registration of marks (Madrid 1989),
 - Budapest Treaty on the international recognition of the deposit of micro-organisms for the purposes of patent procedure (1977, modified in 1980),
 - International Convention for the Protection of New Varieties of Plants (UPOV) (Geneva Act 1991),
 - Trademark Law Treaty (Geneva, 1994).
-

DECLARATION BY THE UNITED MEXICAN STATES**UNILATERAL DECLARATION BY MEXICO ON ARTICLE 1**

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,
- juridical 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 Community and its Member States, governed by this Agreement, and for its relationship with any other country or group of countries.

Proposal for a Council Regulation (EC) amending Regulation (EEC) No 2075/92 on the common organization of the market in raw tobacco

(97/C 350/04)

COM(97) 529 final — 97/0286(CNS)

(Submitted by the Commission on 24 October 1997)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas Article 26 of Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco⁽¹⁾ requires the Commission to submit proposals on the premium and quota arrangements to be used in the organization of this market;

Whereas because of the time needed for the required procedures it is impossible to implement from the 1998 harvest the reform envisaged by the Commission in its report to the Council and Parliament⁽²⁾;

⁽¹⁾ OJ L 215, 30. 7. 1992, p. 70.

⁽²⁾ COM(96) 554 final.

Whereas the market organization arrangements in force since the 1993 crop should apply up to the 1998 crop so that a reform in depth can apply from the 1999 crop,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2075/92 is hereby amended as follows:

1. Article 3 (1) is replaced by:

‘1. A premium scheme shall apply to tobacco of the 1993 to 1998 crops. Within each variety group the premium rate shall be the same for all varieties’.

2. Article 9 (1) is replaced by:

‘1. To ensure observance of the guarantee thresholds, production quotas shall be imposed for the 1993 to 1998 crops’.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

III

(Notices)

COMMISSION

NOTICE OF INVITATION TO TENDER

(97/C 350/05)

On 9 April 1997, pursuant to Articles 92 and 93 of the EC Treaty, the Commission adopted, a Decision not to raise objections regarding a tax exemption for biofuels (state aid N 941/96 — France, letter to the Member State SG(97) D/3266 of 28 April 1997). In conformity with this Decision, France has requested publication of the following notice in the *Official Journal of the European Communities*:

NOTICE OF INVITATION TO TENDER WITHIN THE FRAMEWORK OF THE
EUROPEAN COMMUNITIES

APPROVAL OF BIOFUEL PRODUCTION UNITS FOR VOLUMES TO BE RELEASED FOR
CONSUMPTION IN FRANCE, WITH PARTIAL EXEMPTION FROM THE DOMESTIC
CONSUMPTION TAX ON PETROLEUM PRODUCTS APPLICABLE IN FRANCE

File reference: BIOCARBURANTS (Biofuels)

1. Competent authority

Name: Ministère de l'agriculture et de la pêche
Direction générale de l'alimentation

(Ministry of Agriculture and Fisheries, Department for Food)

Address: 175, rue du Chevaleret

Postcode: 75646

Town: F-Paris Cedex 13

Telephone: (33 1) 49 55 58 09
(33 1) 49 55 81 02

Fax: (33 1) 49 55 50 56

2a) Subject of approval

Following the favourable decision of the European Commission on 28 April 1997, France has set up a tax exemption scheme for biofuels.

Companies wishing to take advantage of this exemption must receive prior approval.

b) Form of the contract

Granting of tax approval of release for consumption of biofuels in France.

3a) Place of consumption

Geographical area: Metropolitan France

b) Nature and quantity eligible for tax exemption

Two categories of product are concerned:

I. Nature: Methyl esters from vegetable oils used in combination with gas oil or domestic fuel

Quantity: Maximum volume 350 000 tonnes per year

II. Nature: Ethyl tertiary butyl ether mixed, with premium grade unleaded petrol

Quantity: Maximum volume 270 000 tonnes per year

c) Nature and level of tax exemption

Partial exemption from the domestic consumption tax on petroleum products for a unit amount fixed annually by the French Parliament.

d) Derogation from the use of standards

No

4. Deadline for release for consumption

Annual, on 31 December for each calendar year covered by the approval.

5a) Obtaining complete set of approval application documents

Companies wishing to take advantage of the scheme must obtain a set of application documents from the Ministère de l'agriculture et de la pêche (Ministry of Agriculture and Fisheries) (address given in point 1).

b) Deadline for application

31 December 1997

c) Amount and applicant procedures (where applicable)

None

6a) Deadline for receiving approval applications

Midnight on 31 December 1997

b) Applications to be sent to

To be marked with reference: biocarburants (biofuels)

Address: competent authority referred to in point 1.

c) Language in which applications must be drafted

French

7a) Arrangements for granting approval

After consultation of the French committee for the examination of approval applications, the ministries concerned will grant approval and inform each applicant company within two months whether its application has been accepted or refused. Decisions are subject to appeal before either the French authorities or the competent courts.

b) **Date for examination of applications**

From 2 January 1998

At: address given in point 1.

8. **Surety and guarantees required (where applicable)**

20 % of the total of exempted tax corresponding to the volume approved.

9. **Basic technical arrangement for products qualifying for exemption from the domestic consumption tax on petroleum products**

Mixture of biofuels or biomass fuels in tax warehouses in the European Union where goods are produced or held (Council Directive 92/12/EEC of 25 February 1992, as amended) and presentation of a certificate of production, conformity and mixture to the French customs office where the mixture is released for consumption.

10. **Legal structure to be adopted by the group of suppliers to whom the contract is awarded (where applicable)**

None

11. **Minimum financial and technical conditions to be met by applicants**

Certificate issued by the competent authority of the Member State where the applicant is established stating that the applicant has fulfilled his obligations concerning payment of taxes and duties in accordance with the law of that country.

Submission of company balance sheets or extracts from balance sheets.

Certificate issued by the competent authority stating that the applicant complies with the environmental regulations in force in the country where the production unit is situated. Technical report giving the characteristics of the biofuels production unit and the nature and characteristics of the biofuels produced there. Detailed report on the activity of the unit over the previous three financial years.

Certificate issued by the competent authority of the Member State where the supplier is established stating that he has fulfilled all his obligations concerning the payment of social security contributions in accordance with the law of that country.

12. **Criteria to be used for the granting of approval**

Those laid down in the approval application documents referred to in 5a above.

13. **Other information**

None

14. **Date on which notice sent**

13 November 1997.
