

Environment Cooperation and Customs Verification Agreement between the United States and Mexico

Section I – Strengthening Cooperation and Enforcement of Environmental Laws

1. The United States of America and the United Mexican States (collectively “the Parties”) recognize that compliance with and effective enforcement of environmental laws related to the environmental obligations in Chapter 24 (Environment) are integral to trade between Parties.
2. The Parties recognize the goal of trading only in goods and services produced in compliance with Chapter 24.
3. Each Party shall, subject to its laws and regulations, share information with the other Party to further cooperate on environmental law enforcement. If the Party involved requests that the information be treated as confidential, the other Party shall maintain the confidentiality of the information.
4. The Parties are committed to working cooperatively to implement the actions required to effectively enforce their environmental laws, including through capacity-building and other joint initiatives to promote the enforcement of environmental laws. The Parties shall develop and implement appropriate capacity-building activities to support that work.

Section II – Customs Verifications related to Trade in Illegally Taken Wild Flora and Fauna, including Transshipment

1. Further to Article 24.22 (Conservation and Trade), a Party may request another Party to provide relevant information with respect to the legality of a particular shipment to assist the requesting Party to determine whether an importer has provided adequate and accurate information, including documents and other records. The requesting Party shall make the request in writing.
2. The requested Party shall respond to the request promptly as to whether it will provide information and in no case later than 20 days after the date it receives the request. If the Party does not intend to share relevant information, the response will indicate the basis for refusal. If the Party will share requested information, the response will indicate the intended timing and other relevant details.
3. If the requested Party agrees to share the information requested under paragraph 1, it shall provide the requesting Party relevant documentation no later than 90 days after the date of the request or as otherwise agreed by the Parties.
4. The requesting Party may, as appropriate, request additional steps to verify information provided or related to the particular shipment identified under paragraph 1. Should the requested Party deny this request, the requested Party shall provide a written response indicating the basis for refusal.

5. In the case of a site visit by the requested Party, the requesting Party may, through officials it designates, seek to accompany the requested party. The requested Party may decline such a request, but shall provide a written response indicating the basis for refusal.

Section III – Verifications related to Fishing Practices

1. Further to Article 24.17 (Marine Wild Capture Fisheries), Article 24.19 (Conservation of Marine Species), and Article 24.21 (Illegal, Unreported, and Unregulated (IUU) Fishing), a Party may request the other Party to provide relevant information with respect to the legality of a particular shipment to assist the requesting Party to determine whether an importer has provided adequate and accurate information, including documents and other records. The requesting Party shall make the request in writing.

2. The requested Party shall respond to the request promptly as to whether it will provide information and in no case later than 20 days after the date it receives the request. If the Party does not intend to share relevant information, the response will indicate the basis for refusal. If the Party will share requested information, the response will indicate the intended timing and other relevant details.

3. If the requested Party agrees to share the information requested under paragraph 1, it shall provide the requesting Party relevant documentation no later than 90 days after the date of the request or as otherwise agreed by the Parties.

4. The requesting Party may, as appropriate, request additional steps to verify information provided or related to the particular shipment identified under paragraph 1. Should the requested Party deny this request, the requested Party shall provide a written response indicating the basis for refusal.

5. In the case of a site visit by the requested Party, the requesting Party may, through officials it designates, seek to accompany the requested party. The requested Party may decline such a request, but shall provide a written response indicating the basis for refusal.

Section IV – Verifications related to Harvesting Forest Products

1. Further to Article 24.23 (Sustainable Forest Management and Trade), a Party may request the other Party to provide relevant information with respect to the legality of a particular shipment to assist the requesting Party to determine whether an importer has provided adequate and accurate information, including documents and other records. The requesting Party shall make the request in writing.

2. The requested Party shall respond to the request promptly as to whether it will provide information and in no case later than 20 days after the date it receives the request. If the Party does not intend to share relevant information, the response will indicate the basis for refusal. If a Party will share requested information, the response will indicate the intended timing and other relevant details.

3. If the requested Party agrees to share the information requested under paragraph 1, it shall provide the requesting Party relevant documentation no later than 90 days after the date of the request or as otherwise agreed by the Parties.

4. The requesting Party may, as appropriate, request additional steps to verify information provided or related to the particular shipment identified under paragraph 1. Should the requested Party deny this request, the requested Party shall provide a written response indicating the basis for refusal.

5. In the case of a site visit by the requested Party, the requesting Party may, through officials it designates, seek to accompany the requested Party. The requested Party may decline such a request, but shall provide a written response indicating the basis for refusal.

Section V - Public Comments

Each Party shall establish a procedure for the public to submit comments regarding any matter under this Agreement, including a request for verification. Each Party shall take these comments into account and transmit them to the other Party if they are not publicly available.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Mexico City, Mexico, this 10th day of December 2019.

For the Government of the United States of America:

For the Government of the United Mexican States: