

No. 47663

**International Trade Centre (UNCTAD/WTO)
and
Mexico**

Agreement between the Government of the United Mexican States and the International Trade Centre (UNCTAD/WTO) concerning the establishment of an office in Mexico. Mexico City, 14 October 2008 and Geneva, 14 October 2008

Entry into force: *13 August 2009 by notification, in accordance with article XVII*

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**Centre de commerce international (CNUCED/OMC)
et
Mexique**

Accord entre le Gouvernement des États-Unis du Mexique et le Centre du Commerce International (CNUCED/OMC) relatif à l'établissement d'un bureau au Mexique. Mexico, 14 octobre 2008 et Genève, 14 octobre 2008

Entrée en vigueur : *13 août 2009 par notification, conformément à l'article XVII*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES
AND THE INTERNATIONAL TRADE CENTRE (UNCTAD/WTO) CONCERNING THE
ESTABLISHMENT OF AN OFFICE IN MEXICO**

The Government of the United Mexican States (hereinafter “the Government”) and the International Trade Centre (hereinafter “ITC”),

CONSIDERING that the Government and the ITC have held consultations on the establishment of an Office of ITC in Mexico (hereinafter “the Office”),

BEARING IN MIND that the Government has agreed to the establishment of this Office, and

DESIRING to place on record by means of this Agreement all matters pertaining to the establishment and functioning of the Office,

HAVE AGREED AS FOLLOWS:

**ARTICLE I
DEFINITIONS**

For the purpose of the present Agreement, the following definitions shall apply:

- a) “Office” means the ITC Regional Coordination Unit for Latin America and the Caribbean in Mexico City and any other sub-offices which may be established in Mexico, with the consent of the Government;
- b) “The appropriate authorities” means central, local and other competent authorities under the law of the United Mexican States.

- c) "Convention" means the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946.
- d) "Head of the Office" means the official in charge of the Office.
- e) "Officials of the Office" means the Head of the Office and all members of its staff, irrespective of nationality, employed under the Staff Regulations and Rules of the United Nations, with the exception of persons who are recruited in the United Mexican States and assigned to hourly rates, as provided for in United Nations General Assembly resolution 76 (I) of 7 December 1946.
- f) "Experts on missions" means individual, other than official of the Office, performing missions for the ITC within the scope of Articles VI and VII of the Convention.

ARTICLE II PURPOSE

The purpose of this Agreement is to regulate the status of the Office and its personnel, and facilitate its cooperation activities with the Government.

ARTICLE III JURIDICAL PERSONALITY AND FREEDOM OF ASSEMBLY

1. The Office shall have juridical personality and the legal capacity to:
 - a) contract;
 - b) acquire and dispose of movable and immovable property; and
 - c) institute legal proceedings.
2. For the purpose of this Article, the Office shall be represented by the Head of the Office.

3. The Government recognizes the rights of ITC to convene meetings within the ITC Office, or with the concurrence of the appropriate authorities, elsewhere in Mexico. At meetings convened by ITC, the Government shall take all proper steps to ensure that no impediment is placed in the way of full freedom of discussion and decision.

ARTICLE IV APPLICATION OF THE CONVENTION

The Convention shall be applicable to the Office, its property, funds and assets, and to its officials and experts on missions in the United Mexican States.

ARTICLE V STATUS OF THE OFFICE

1. The Office, its property, funds and assets wherever located and by whomsoever held, shall be immune from every form of legal process, except insofar as in any particular case, the Secretary-General of the United Nations has expressly waived its immunity. It is understood, however, that no waiver of immunity shall extend to any measure of execution.

2. The premises of the Office shall be inviolable. The property, funds and assets of the Office, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

3. The archives of the Office, and in general all documents belonging to or held by it, shall be inviolable.

4. The appropriate authorities shall not enter the Office premises to perform any official duties, except with the express consent of the Head of the Office and under conditions agreed to by him or her.

5. The appropriate authorities shall exercise due diligence to ensure the security and protection of the Office, and ensure that the tranquility of the Office is not disturbed by the unauthorized entry of persons or groups of persons from outside or by disturbances in its immediate vicinity.

6. ITC shall be entitled to display its emblem and marking at its premises and on vehicles and other means of transportation used for official purposes.

ARTICLE VI FUNDS, ASSETS AND OTHER PROPERTY

Without being restricted by financial controls, regulations or moratoria of any kind, the Office:

- a) may hold and use funds, gold or negotiable instruments of any kind and maintain and operate accounts in any currency and convert any currency held by it into any other currency;
- b) shall be free to transfer its funds, gold or currency from one country to another or within the United Mexican States to other organizations or agencies of the United Nations system;
- c) shall enjoy the most favorable, legally available rate of exchange for its financial transactions.

ARTICLE VII EXEMPTION FROM TAXATION

- 1. The Office, its funds, assets, income and other property shall: