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**Mexico  
and  
Turkey**

**Agreement between the Government of the United Mexican States and the Government of the Republic of Turkey on mutual administrative assistance and exchange of information on customs matters. Ankara, 17 December 2013**

**Entry into force:** *16 July 2015, in accordance with article 23*

**Authentic texts:** *English, Spanish and Turkish*

**Registration with the Secretariat of the United Nations:** *Mexico, 5 August 2015*

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**Mexique  
et  
Turquie**

**Accord entre le Gouvernement des États-Unis du Mexique et le Gouvernement de la République turque sur l'entraide administrative et l'échange d'information en matière douanière. Ankara, 17 décembre 2013**

**Entrée en vigueur :** *16 juillet 2015, conformément à l'article 23*

**Textes authentiques :** *anglais, espagnol et turc*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Mexique, 5 août 2015*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES AND THE GOVERNMENT OF THE REPUBLIC OF TURKEY ON MUTUAL ADMINISTRATIVE ASSISTANCE AND EXCHANGE OF INFORMATION ON CUSTOMS MATTERS**

The Government of the United Mexican States and the Government of the Republic of Turkey, hereinafter referred to as the "Parties"

**AWARE OF** the offences against Customs Legislation are prejudicial to the economic, tax, financial, social, cultural and commercial interests of their respective countries;

**CONSIDERING** the importance of assuring the accurate assessment of Customs duties, taxes, other charges and fees, collected on the importation or exportation of goods, with the correct determination of their tariff classification, value and origin, as well as the proper enforcement of the provisions of prohibition, restriction and control;

**RECOGNIZING** the importance of international cooperation in matters related to the application and enforcement of their Customs Legislation;

**CONVINCED** that efforts to prevent offences against Customs Legislation and efforts to ensure accurate collection of import and export duties, taxes, fees and other charges may be rendered more effectively through cooperation between the Customs Authorities;

**CONCERNED** about the scales and growth tendencies of the illicit traffic of narcotic drugs and psychotropic substances, which constitute a danger to public health and to society;

**TAKING INTO CONSIDERATION** to the Single Convention on Narcotic Drugs of 1961 amended by its Protocol of 1972 and the Convention on Psychotropic Substances of 1971, created under the auspices of the United Nations, as well as the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

**HAVING REGARD** to the obligations imposed under international conventions already accepted or applied by the Parties;

Have agreed as follows:

## **CHAPTER I**

### **GENERAL PROVISIONS**

#### **ARTICLE 1**

##### **Definitions**

For the purposes of this Agreement:

- 1) "Customs Authority" shall mean in the United Mexican States, the Ministry of Finance and Public Credit and, in the Republic of Turkey, the Ministry of Customs and Trade;
- 2) "Customs duties" shall mean all duties, taxes, fees or any other charges which are levied in the territories of the Parties in the application of the Customs Legislation excluding fees and charges for services rendered;
- 3) "Customs Legislation" shall mean the statutory and regulatory provisions relating to the importation, exportation, movement or storage of goods, the administration and enforcement of which are specifically entrusted to the Customs Authorities, and any regulations made by Customs Authorities under their statutory powers;
- 4) "Customs offence" shall mean any violation or attempted violation of Customs Legislation;
- 5) "Information" shall mean any data, whether or not processed or analyzed, documents, reports, certified or authenticated copies thereof or other communications, including electronic data;
- 6) "International trade supply chain" shall mean any process in which the cross-border movement of goods from the place of origin to its final destination is involved;

- 7) "Official" shall mean any Customs officer or other Government agent designated by a Customs Authority;
- 8) "Person" shall mean any natural or legal person;
- 9) "Personal data" shall mean any information concerning an identified or identifiable natural person;
- 10) "Requesting Customs Authority" shall mean the Customs Authority which requests assistance in Customs matters;
- 11) "Requested Customs Authority" shall mean the Customs Authority which receives a request for assistance in Customs matters, and
- 12) "Territory" shall mean:
  - a) regarding the United Mexican States, the territory of the United Mexican States as it is defined in its Political Constitution, including any area beyond its territorial sea on which the United Mexican States can exercise sovereign rights of exploration and exploitation of the natural resources of the depth of the sea, subsoil and the overlapping waters, and the air space above those areas, according to the International Law, and
  - b) regarding the Republic of Turkey, the land territory, the territorial sea and the air space above them, as well as the sea and submarine areas over which Turkey is entitled to exercise, in conformity with international law, sovereignty and jurisdiction.

## **ARTICLE 2**

### **Scope of the Agreement**

1) The Parties shall, through their Customs Authorities, provide each other with mutual assistance in accordance with the terms set out in this Agreement, for the proper application of the Customs Legislation and for the prevention, investigation, and repression of Customs offences and to protect the security of the international trade supply chain.

2) Assistance, as provided for in this Agreement, shall also be extended on a Party's own initiative or upon request for the purposes of assessing Customs duties and other taxes or charges with respect to the Customs legislation, and enforcing controls within the Customs Authority.

3) Any action carried out under this Agreement by either Party will be performed in accordance with its national legal and administrative provisions and within the limits of its Customs Authority's competence and economic available resources.

4) No provision in this Agreement shall be interpreted in a manner that would restrict an agreement relating to mutual assistance and cooperation that is already in force between the Parties.

5) The provisions of this Agreement shall not give rise to a right to any private person to obtain, suppress or exclude any evidence or to impede the execution of a request for assistance.

6) The assistance as provided in the present Agreement does not include requesting the arrest of people or the collection of Customs duties, charges, fines or any other amounts determined by the Customs Authority of one of the Parties.

## **CHAPTER II**

### **GENERAL ASSISTANCE PROCEDURES**

#### **ARTICLE 3**

##### **Form and Substance of Requests for Assistance**

1) Requests for assistance under this Agreement shall be communicated directly between the Customs Authorities concerned. Each Customs Authority shall designate an official contact point for this purpose and shall communicate this information and any updates thereof to the other Customs Authority.