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**Mexico  
and  
Italy**

**Agreement between the Government of the United Mexican States and the Government of the Italian Republic concerning mutual administrative assistance in customs matters (with annex). Rome, 24 October 2011**

**Entry into force:** *1 January 2017, in accordance with article 23*

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

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**Mexique  
et  
Italie**

**Accord d'assistance administrative mutuelle en matière douanière entre le Gouvernement des États-Unis du Mexique et le Gouvernement de la République italienne (avec annexe). Rome, 24 octobre 2011**

**Entrée en vigueur :** *1<sup>er</sup> janvier 2017, conformément à l'article 23*

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

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**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES AND THE GOVERNMENT OF THE ITALIAN REPUBLIC CONCERNING MUTUAL ADMINISTRATIVE ASSISTANCE IN CUSTOMS MATTERS**

The Government of the United Mexican States and the Government of the Italian Republic, hereinafter referred to as “the Parties”;

**CONSIDERING** that offences against Customs laws are prejudicial to the economic, tax, cultural, commercial, social, industrial and agricultural interests, as well as to the national security of their respective countries;

**ATTENDING** to the importance of ensuring the accurate assessment of Customs duties and taxes as well as any other charges due to importation or exportation of goods, and the proper enforcement of prohibition, restriction and control provisions;

**CONVINCED** that the fight against customs offences, including the Intellectual Property Rights violations, can be made more effective through cooperation between Customs Authorities;

**AWARE** that a more effective cooperation between Customs Authorities can be achieved through the exchange of information;

**CONSIDERING** that the traffic of narcotic drugs and psychotropic substances represents a threat to public health and society;

**HAVING REGARD** to the Recommendation of the Customs Cooperation Council on Mutual Administrative Assistance of December 5, 1953;

**HAVING REGARD** to the Convention of the United Nations Educational, Scientific and Cultural Organization on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property, signed in Paris on November 14, 1970, on the extent that those cultural goods are subject of customs offences;

**HAVING REGARD** to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed in Washington on March 3, 1973, aimed at their protection through the international control of trade;

**HAVING REGARD** to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, signed in Basel on March 22, 1989, which regulates the transboundary movements, the recycling and disposal of hazardous wastes;

**HAVING REGARD** 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 Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

**HAVING REGARD** also that on April 28, 2004, the United Nations Security Council unanimously adopted the Resolution 1540, stating that proliferation of nuclear, chemical, and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security;

Have agreed as follows:

## ARTICLE 1

### Definitions

For the purposes of this Agreement:

1. "Requested Customs Authority" shall mean the Customs Authority that receives a request for assistance in customs matters;
2. "Requesting Customs Authority" shall mean the Customs Authority that submits a request for assistance in customs matters;
3. "Customs Authority" shall mean, for the United Mexican States, the Ministry of Finance and Public Credit; and for the Italian Republic, the Customs Agency that relies on the Finance Guard's support to perform certain tasks;
4. "international trade supply chain" shall mean every procedure and activity related to the transboundary movement of goods from the place of origin to the final destination;
5. "significant damage" shall mean the damage that could result from the illegal use of chemical precursors; of the illegal circulation of dangerous goods, nuclear, chemical, biological or mass destruction weapons; of contaminated food, or of goods or of means of transportation suspected of representing a danger to the environment, national security, human health or the international trade supply chain security;
6. "endangered species" shall mean all animal or plant species protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed in Washington on March 3, 1973;
7. "narcotic drugs and psychotropic substances" shall mean the substances and products containing those substances detailed in the Single Convention on Narcotic Drugs of 1961 amended by its Protocol of 1972, and in the Convention on Psychotropic Substances of 1971, as well as in the paragraphs (n) and (r) of Article 1 of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of December 20, 1988;
8. "official" shall mean any official of the Customs Authority, or, for the United Mexican States, any other Government official designated by the Customs Authority;

9. "Customs duties" shall mean Customs duties, tariffs and any other charges levied in the territory of the Parties in application of the Customs Legislation;
10. "information" shall mean any data, whether or not being processed or analyzed, documents, reports, and any other communication in any format, including electronic format, or certified or authenticated copies thereof;
11. "Customs offence" shall mean any violation or attempted violation of the Customs Legislation of the Parties;
12. "Customs Legislation" shall mean such laws, regulations and any other legal and administrative provisions enforced by the Customs Authorities concerning the importation, exportation, transshipment and transit of goods, relating to Customs duties and any other charges, such as countervailing and antidumping duties, as well as those related to measures of prohibition, restriction or other similar controls concerning the movement of goods that cross the national boundaries;
13. "sensitive goods" shall mean weapons, ammunition, explosives, hazardous and toxic substances and wastes, nuclear material, substances and components used for the fabrication of atomic, biological and/or chemical weapons and dual-use goods;
14. "person" shall mean any natural or legal person;
15. "antique pieces and archaeological goods" shall mean every object that has, for each of the Parties, an artistic and archaeological value, according to their national legal provisions; and
16. "substances frequently used for the fabrication of narcotic drugs (precursors)" shall mean those substances numbered on Table I and Table II annexed to the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of December 20, 1988.

## ARTICLE 2

### Scope of the Agreement

1. The Parties shall, through their respective Customs Authorities, mutually assist in accordance with the provisions set out in this Agreement, to assure proper enforcement of the Customs Legislation and to prevent, investigate and repress any Customs Offence, as well as to guarantee the security of the international trade supply chain.