

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE UNITED MEXICAN STATES AND  
THE REPUBLIC OF GUATEMALA ON THE PROTECTION AND  
IMPROVEMENT OF THE ENVIRONMENT IN THE BORDER  
AREA

The United Mexican States and the Republic of Guatemala,

Recognizing their mutual concern and responsibility for the protection and improvement of the environment in the border area and for the conservation of the natural resources to be found on both sides of the border, which form part of their respective assets;

Recalling that the Declaration of the United Nations Conference on the Human Environment, proclaimed at Stockholm in 1972,<sup>2</sup> called upon all nations to cooperate in solving environmental problems of common concern;

Taking into account the studies of the border area being made by the International Boundary and Water Commission and its Advisory Group, the first result of which is the physical atlas of the basins of the international rivers between Mexico and Guatemala;

Reaffirming the importance attached by both Governments to cooperation in environmental matters and in observing the principle of good-neighbourliness;

Have agreed as follows:

*Article 1*

The Parties agree to cooperate with each other in the tasks of protection and improvement of the environment and conservation of the natural resources in the border area, on the basis of equality, reciprocity and mutual benefit and in accordance with their respective national laws, regulations and policies on the matter.

The above objectives may be pursued without prejudice to such cooperation as the Parties may undertake outside the border area.

*Article 2*

The Parties undertake, to the fullest extent possible, to adopt measures to prevent, reduce and eliminate in their territory sources of pollution which affect the border area.

*Article 3*

The Parties agree to coordinate their efforts, in conformity with their own national legislation and with international agreements in force on the matter, to address problems of air, land and water pollution and other environmental problems of common concern, and for this purpose may conclude specific agreements through

<sup>1</sup> Came into force on 22 March 1988 by the exchange of the instruments of ratification, which took place at Cancun, in accordance with article 11.

<sup>2</sup> United Nations, *Official Records of the General Assembly, Forty-eighth Session (A/CONF.48/14/Rev.1)*.

the diplomatic channel, which shall form an integral part of this Agreement when annexed to it.

#### *Article 4*

For the purposes of this Agreement, the Parties shall:

(a) Instruct the International Boundary and Water Commission of Mexico and Guatemala to incorporate environmental aspects into future work on the studies of river basins in the border area, establishing such specific working groups as may be required by the studies on the protection and improvement of the environment in the border area, including the protection of threatened or endangered species, and to make appropriate recommendations to their Governments;

(b) Take whatever action is necessary for the conservation of protected natural zones in the border area, in order to preserve the various ecosystems and permit continuity in the processes of ecological evolution and environmental regulation;

(c) Promote and take the necessary measures for the protection of threatened or endangered species;

(d) Coordinate the efforts of their respective governmental bodies and the cooperation of local communities to prevent illicit trade in threatened or endangered plant and animal species.

The recommendations referred to in this article may be the subject of the specific agreements or technical annexes mentioned in article 3.

#### *Article 5*

The Parties shall assess, in accordance with their respective national laws, regulations and policies, projects that may have a significant impact on the environment in the border area and shall consider appropriate measures to prevent or mitigate adverse effects.

#### *Article 6*

The national authorities responsible for supervising the implementation of this Agreement shall be: for Mexico, the Department of Urban Development and the Environment, and for Guatemala, the Ministry of Foreign Affairs.

#### *Article 7*

Unless otherwise agreed, each Party shall bear the cost of its participation in the implementation of this Agreement, including the expenses of personnel who participate in any activity undertaken on the basis of the Agreement.

For the training of personnel, the transfer of equipment and the construction of facilities in connection with the implementation of this Agreement, the Parties may agree on special financing procedures, taking into account the objectives defined in this Agreement and its annexes.

#### *Article 8*

The Parties shall facilitate the entry of equipment and personnel in connection with this Agreement, subject to the laws and regulations of the receiving country, and shall hold consultations concerning the measurement, analysis and evaluation of pollutants in the border area.

*Article 9*

Activities carried out under this Agreement shall be subject to the availability of funds and other resources to each Party, and to the applicable laws and regulations of each country.

*Article 10*

None of the provisions of this Agreement shall be construed to prejudice other existing or future agreements between the Parties, nor affect their rights and obligations under international agreements to which they are a party.

*Article 11*

This Agreement shall enter into force on the date of the exchange of the instruments of ratification, once each Party has completed its necessary internal procedures.

*Article 12*

This Agreement shall remain in force indefinitely unless one of the Parties notifies the other, through the diplomatic channel, of its desire to denounce it, in which case the Agreement shall terminate six months after the date of such written notification. Unless otherwise agreed, such termination shall not affect the validity of any agreement or arrangement made under this Agreement.

*Article 13*

This Agreement may be amended by agreement between the Parties, subject to the provisions of article 11.

DONE at Guatemala City on 10 April 1987, in two original copies in the Spanish language, both texts being equally authentic.

For the Government  
of the United Mexican States:

[Signed]

VÍCTOR MANUEL CAMACHO SOLÍS  
Secretary  
for Urban Development  
and the Environment

For the Government  
of the Republic of Guatemala:

[Signed]

MARIO QUIÑONES AMÉZQUITA  
Minister  
for Foreign Affairs