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TRADE

Exchange of Letters between the Government of **CANADA**, the Government of the **UNITED STATES OF AMERICA** and the Government of the **UNITED MEXICAN STATES** constituting an Agreement to amend Article 104.1 of the North American Free Trade Agreement (NAFTA)

Ottawa, Washington and Mexico, October 19, 1993

In force January 1, 1994

COMMERCE

Échange de Lettres entre le gouvernement du **CANADA**, le gouvernement des **ÉTATS-UNIS D'AMÉRIQUE** et le gouvernement des **ÉTATS-UNIS DU MEXIQUE** constituant un Accord modifiant l'Article 104.1 de l'Accord de libre-échange nord-américain (l'ALÉNA)

Ottawa, Washington et Mexico, le 19 octobre 1993

En vigueur le 1^{er} janvier 1994



CANADA

Dept. of Foreign Affairs
Min. des Affaires étrangères

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TRADE

Exchange of Letters between the Government of **CANADA**, the Government of the **UNITED STATES OF AMERICA** and the Government of the **UNITED MEXICAN STATES** constituting an Agreement to amend Article 104.1 of the North American Free Trade Agreement (NAFTA)

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Minister for International Trade

Ministre du Commerce extérieur

The Honourable L'honorable

Tom Hockin P.C. M.P.

OCT 19 1993

The Honourable Jaime Serra Puche
 Secretary of Commerce and Industrial
 Development
 Alfonso Reyes 30, Piso 10
 Col. Hipodromo de la Condesa
 06179 Mexico D.F.
 Mexico

Dear Dr. Serra:

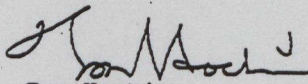
I have the honour to confirm the following understanding reached between the delegations of the United States, Canada and the United Mexican States with respect to Article 104 of the North American Free Trade Agreement (hereinafter referred to as the "NAFTA"):

"The Parties to the NAFTA will modify Annex 104.1 of NAFTA to include the following additional agreements:

- a) The Convention Between the United States of America and the United Mexican States for the Protection of Migratory Birds and Game Mammals, done at Mexico, February 7, 1936; and
- b) The Convention on the Protection of Migratory Birds, done at Washington, August 16, 1916."

I have the further honour to propose that this letter, which is authentic in English and French, and your letter of confirmation in reply, constitute an agreement between our two governments, to enter into effect upon the entry into force of the NAFTA.

Yours sincerely,



Tom Hockin

Minister for International Trade

Ministre du Commerce extérieur

The Honourable L'honorable

Tom Hockin P.C. M.P.

OCT 19 1993

L'honorable Jaime Serra Puche
 Secrétaire au Commerce
 et au Développement industriel
 Alfonso Reyes 30, Piso 10
 Col. Hipodromo de la Condesa
 06179 Mexico D.F.
 Mexique

Monsieur le Secrétaire,

J'ai l'honneur de confirmer l'entente suivante, intervenue entre les délégations des États-Unis d'Amérique, du Canada et des États-Unis du Mexique relativement à l'article 104 de l'Accord de libre-échange nord-américain (ci-après dénommé l'«ALENA»):

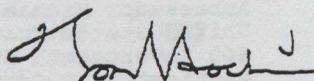
«Les Parties à l'ALENA modifieront l'annexe 104.1 dudit ALENA afin d'y ajouter les accords suivants:

- a) la Convention entre les États-Unis d'Amérique et les États-Unis du Mexique relative à la protection des oiseaux migrateurs et des mammifères chassés, signée à Mexico, le 7 février 1936; et
- b) la Convention concernant les oiseaux migrateurs, signée à Washington, le 16 août 1916.»

...2/

J'ai en outre l'honneur de proposer que la présente lettre, dont les versions française et anglaise font également foi, et votre lettre de confirmation en réponse constituent entre nos deux Gouvernements un accord qui prendra effet dès l'entrée en vigueur de l'ALENA.

Je vous prie de croire, Monsieur le Secrétaire, aux assurances renouvelées de ma très haute considération.



Tom Hockin

Minister for International Trade

Ministre du Commerce extérieur

The Honourable L'honorable

Tom Hockin P.C. M.P.

OCT 19 1993

Ambassador Michael Kantor
 United States Trade Representative
 600 Seventeenth Street, N.W.
 Washington, D.C. 20006

Dear Ambassador Kantor:

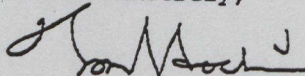
I have the honour to confirm the following understanding reached between the delegations of the United States, Canada and the United Mexican States with respect to Article 104 of the North American Free Trade Agreement (hereinafter referred to as the "NAFTA"):

"The Parties to the NAFTA will modify Annex 104.1 of NAFTA to include the following additional agreements:

- a) The Convention Between the United States of America and the United Mexican States for the Protection of Migratory Birds and Game Mammals, done at Mexico, February 7, 1936; and
- b) The Convention on the Protection of Migratory Birds, done at Washington, August 16, 1916."

I have the further honour to propose that this letter, which is authentic in English and French, and your letter of confirmation in reply, constitute an agreement between our two governments, to enter into effect upon the entry into force of the NAFTA.

Yours sincerely,



Tom Hockin

Minister for International Trade

Ministre du Commerce extérieur

The Honourable L'honorable

Tom Hockin P.C. M.P.

OCT 19 1993

Monsieur l'Ambassadeur Michael Kantor
 Représentant au Commerce des États-Unis
 600 Seventeenth Street, N.W.
 Washington, D.C. 20006

Monsieur l'Ambassadeur,

J'ai l'honneur de confirmer l'entente suivante, intervenue entre les délégations des États-Unis d'Amérique, du Canada et des États-Unis du Mexique relativement à l'article 104 de l'Accord de libre-échange nord-américain (ci-après dénommé l'«ALENA»):

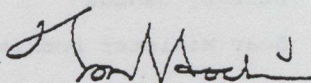
«Les Parties à l'ALENA modifieront l'annexe 104.1 dudit ALENA afin d'y ajouter les accords suivants:

- a) la Convention entre les États-Unis d'Amérique et les États-Unis du Mexique relative à la protection des oiseaux migrateurs et des mammifères chassés, signée à Mexico, le 7 février 1936; et
- b) la Convention concernant les oiseaux migrateurs, signée à Washington, le 16 août 1916.»

...2/

J'ai en outre l'honneur de proposer que la présente lettre, dont les versions française et anglaise font également foi, et votre lettre de confirmation en réponse constituent entre nos deux Gouvernements un accord qui prendra effet dès l'entrée en vigueur de l'ALENA.

Je vous prie de croire, Monsieur le Secrétaire, aux assurances renouvelées de ma très haute considération.



Tom Hockin

THE UNITED STATES TRADE REPRESENTATIVE
 Executive Office of the President
 Washington, D C. 20506

OCT 19

The Honorable Tom Hockin
 Minister for International Trade
 Ottawa, Canada

Dear Minister Hockin:

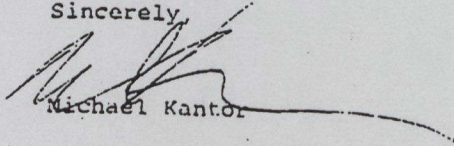
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"The Parties to the NAFTA will modify Annex 104.1 of the NAFTA to include the following additional agreements:

- (a) The Convention Between the United States of America and the United Mexican States for the Protection of Migratory Birds and Game Mammals, done at Mexico, February 7, 1936; and
- (b) The Convention on the Protection of Migratory Birds, done at Washington, August 16, 1916."

I have the further honor to propose that this letter, and your letter of confirmation in reply, constitute an agreement between our two governments, to enter into effect upon the entry into force of the NAFTA.

Sincerely,



Michael Kantor

(courtesy translation)

Mexico City, October 19, 1993.

The Honourable Tom Hockin
Minister for International Trade
Ottawa, Canada K1A 0G2

Dear Minister Hockin:

I am pleased to receive your letter dated October 19, 1993, which reads as follows:

"I have the honour to confirm the following understanding reached between the delegations of the United States, Canada and the United Mexican States with respect to Article 104 of the North American Free Trade Agreement (hereinafter referred to as the "NAFTA"):

The Parties to the NAFTA will modify Annex 104.1 of NAFTA to include the following additional agreements:

- a) The Convention Between the United States of America and the United Mexican States for the Protection of Migratory Birds and Game Mammals, done at Mexico, February 7, 1936;
- b) The Convention on the Protection of Migratory Birds, done at Washington, August 16, 1916.

I have the further honour to propose that this letter, which is authentic in English and French, and your letter of confirmation in reply, constitute an agreement between our two governments, to enter into effect upon the entry into force of the NAFTA."

I have the honor to confirm that the understanding expressed in your letter is shared by my Government, and that your letter and this reply shall constitute an agreement between our respective Governments, to enter into effect upon the entry into force of the NAFTA.

Yours sincerely

DR. JAIME SERRA
SECRETARIO DE COMERCIO
Y FOMENTO INDUSTRIAL

México, D.F., a 19 de octubre de 1993.

El Honorable Tom Hockin
Ministro de Comercio Exterior
Ottawa, Canadá K1A 0G2

Estimado Ministro Hockin:

Le agradezco su carta de fecha 19 de octubre de 1993,
con el siguiente texto:

"Tengo el honor de confirmar el siguiente entendimiento alcanzado entre las delegaciones de los Estados Unidos, Canadá y los Estados Unidos Mexicanos, con respecto al Artículo 104 del Tratado de Libre Comercio de América del Norte (en los sucesivos denominado TLC):

Las Partes del TLC modificarán el Anexo 104.1 del TLC, para incluir los siguientes acuerdos:

- a) La Convención entre los Estados Unidos de América y los Estados Unidos Mexicanos para la Protección de Aves Migratorias y Mamíferos Cinegéticos, firmada en México el 7 de febrero de 1936; y
- b) La Convención sobre la Protección de Aves Migratorias, firmada en Washington el 16 de agosto de 1916."

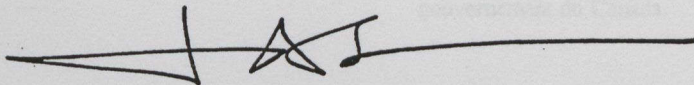
DR. JAIME SERRA
SECRETARIO DE COMERCIO
Y FOMENTO INDUSTRIAL

2.

Asimismo propongo que esta carta, la cual es auténtica en inglés y francés, y la carta de respuesta que la confirme, constituyan un acuerdo entre nuestros dos gobiernos, que surtirá efectos a la entrada en vigor del TLC".

Tengo el honor de confirmar que mi gobierno comparte el entendimiento expresado en su carta, y que la misma y ésta respuesta constituyen un acuerdo entre nuestros respectivos gobiernos, con efectos a partir de la entrada en vigor del TLC.

Atentamente,

A handwritten signature in black ink, consisting of a stylized 'J' followed by 'AI' and a long horizontal line extending to the right.

Department of Foreign Affairs
and International Trade



Ministère des Affaires étrangères
et du Commerce international

The Deputy Minister for Foreign Affairs certifies that this is a true copy of the *Exchange of Letters between the Government of Canada, the Government of the United States of America and the Government of the United Mexican States constituting an Agreement to amend Article 104.1 of the North America Free Trade Agreement (NAFTA)*, done at Ottawa, Washington and Mexico on October 19, 1993, the original of which is deposited in the Treaty Archives of the Government of Canada.

Le sous-ministre des Affaires étrangères certifie que la présente est une copie conforme de l' *Échange de Lettres entre le gouvernement du Canada, le gouvernement des États-Unis D'Amérique et le gouvernement des États-Unis du Mexique constituant un Accord modifiant l'Article 104.1 de l'Accord de libre-échange nord-américain (l'ALENA)*, fait à Ottawa, Washington et Mexico, le 19 octobre 1993, dont l'original se trouve déposé au greffe des traités du gouvernement du Canada.

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