

December 10, 2019

The Honorable Jesús Seade Kuri
Under Secretary for North America and
Chief Trade Negotiator for North America
Mexico City, Mexico

Dear Under Secretary Seade:

I have the honor to confirm the following understanding reached between the Government of the United States (“the United States”) and the Government of the United Mexican States (“Mexico”). Article 24.8.4 (Multilateral Environmental Agreements) of the Environment Chapter of the Agreement Between the United States of America, the United Mexican States, and Canada (USMCA) requires the United States and Mexico (collectively referred to as the “Parties”) to “adopt, maintain, and implement laws, regulations, and all other measures necessary to fulfill its respective obligations under the following multilateral environmental agreements (‘covered agreements’),” including the Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat, done at Ramsar, February 2, 1971, as amended.

In response to Mexico’s questions regarding whether this obligation would affect planned national development projects in Mexico, the Parties note that the Ramsar Convention explicitly provides for certain changes to wetlands within its territory that have been listed as Ramsar Wetlands of International Importance. Specifically, Article 2.5 of the Ramsar Convention states that “Each Contracting Party shall have the right to add to the List further wetlands situated within its territory, to extend the boundaries of those wetlands already included by it in the List, or, because of its urgent national interests, to delete or restrict the boundaries of wetlands already included by it in the List and shall, at the earliest possible time, inform the organization or government responsible for the continuing bureau duties specified in Article 8 of any such changes.” Furthermore, Article 4.2 of the Ramsar Convention states that “Where a Contracting Party in its urgent national interest, deletes or restricts the boundaries of a wetland included in the List, it should as far as possible compensate for any loss of wetland resources, and in particular it should create additional nature reserves for waterfowl and for the protection, either in the same area or elsewhere, of an adequate portion of the original habitat.”

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between the United States and Mexico, which shall enter into force on the date of your letter in reply.

Sincerely,

Robert E. Lighthizer
United States Trade Representative