

7/12/00

AGREEMENT  
BETWEEN THE GOVERNMENT OF  
THE UNITED STATES OF AMERICA  
AND THE GOVERNMENT OF  
THE UNITED MEXICAN STATES  
TO ESTABLISH  
A UNITED STATES-MEXICO BORDER HEALTH COMMISSION

The Government of the United States of America and the Government of the United Mexican States (hereinafter referred to as the Parties),

*Considering* that the United States and Mexico share more than three thousand kilometers of common border constituting one of the most dynamic regions of the world,

*Appreciating* that the United States-Mexico Border Area has increasingly come to serve as a model of binational cooperation offering great challenges and opportunities and as a place that unites several cultures and global visions,

*Realizing* the importance of working together to address common health problems and public health issues of mutual concern,

*Recognizing* the historical relationship and shared commitments to improving the health status of people, particularly those in vulnerable high-risk groups, in the United States-Mexico Border Area,

*Noting* the intent of both governments to promote a "new Border Vision" as stated by Presidents William Clinton and Ernesto Zedillo in their Joint Statement on Migration of May 6, 1997,

*Further noting* the Memorandum of Cooperation between the Department of Health and Human Services of the United States of America and the Secretariat of Health of the United Mexican States for Cooperation in the Field of Health, signed at Mexico City, May 7, 1996,

*Supporting* health initiatives that result from collaboration, shared responsibility, and sensitivity to the health and well-being of the populations of the border region, and

*Wishing* to enhance their cooperation in the promotion of better conditions of health and well being for people on both sides of the border,

Have agreed as follows:

**Article 1  
Purpose**

The Parties hereby establish the United States-Mexico Border Health Commission. The purpose of the Commission is to identify and evaluate current and future health problems affecting the population in the United States-Mexico Border Area, and to encourage and facilitate actions to address these problems.

**Article 2  
Definitions**

For purposes of this Agreement:

- a. "Commission" means the United States-Mexico Border Health Commission;
- b. "Health Problem" means a disease or a public health condition that poses a public health risk to the population residing in the United States-Mexico Border Area, particularly those in vulnerable high-risk groups;
- c. "United States-Mexico Border Area" means the area located in the United States and Mexico within 100 kilometers of the inland and maritime boundary between the United States and Mexico.

**Article 3  
Functions**

1. In order to achieve its purpose, the Commission may undertake the following activities:
  - a. Conduct public health needs assessments in the United States-Mexico Border Area, and conduct or support investigations, research or studies designed to identify and monitor Health Problems;
  - b. Provide financial, technical or administrative support to assist the efforts of public and private nonprofit entities to prevent and resolve Health Problems;
  - c. Conduct or support health promotion and disease prevention activities in the United States-Mexico Border Area; and

d. Conduct or support the establishment of an extensive and coordinated system, which uses advanced technologies to the extent possible, for gathering health-related data and monitoring Health Problems in the United States-Mexico Border Area.

2. The Commission may, as appropriate, consult and collaborate with non-governmental bodies and other entities involved in public health activities in the United States-Mexico Border Area.

#### **Article 4 Reporting**

No later than October 1, 2001, and on October 1 of each year thereafter, the Commission shall submit an annual report to each Party regarding all activities of the Commission during the 12-month period ending on the preceding June 30.

#### **Article 5 Composition**

1. The Commission shall consist of a U.S. Section and a Mexican Section.

2. The U.S. Section of the Commission shall be composed of the Secretary of Health and Human Services or the Secretary's delegate and 12 other members, who shall be designated by the Government of the United States of America. The Commissioner of the U.S. Section shall be the Secretary of Health and Human Services or the Secretary's delegate.

3. The Mexican Section of the Commission shall be composed of the Secretary of Health or the Secretary's delegate and 12 other members, who shall be designated by the Government of the United Mexican States. The Commissioner of the Mexican Section shall be the Secretary of Health or the Secretary's delegate.

#### **Article 6 Operations**

1. Each Section of the Commission may establish its own executive secretariat.

2. Each Section of the Commission shall develop operational and administrative guidelines to facilitate its actions in carrying out the Commission's decisions.

3. The activities of each Section shall be subject to the availability of funds and resources provided by the Parties.

4. The Commission shall meet at least annually in the United States-Mexico Border Area.
5. The Commission shall adopt decisions by majority vote, representing a majority of the members of the U.S. Section, including the vote of the Secretary of Health and Human Services or the Secretary's delegate, and a majority of the members of the Mexican Section, including the vote of the Secretary of Health or the Secretary's delegate.

### **Article 7 Financing**

1. Commission activities shall be subject to the availability of funds and resources provided by the Parties.
2. Commission activities may be financed jointly by the Parties or solely by either Party.

### **Article 8 Legal Status**

1. The activities of the Commission shall conform to all laws and regulations in effect in the territory in which they are performed.
2. The Commission shall possess juridical personality, and in particular, full capacity to contract for advisory, research and support services.
3. Each Party shall, in accordance with its laws and regulations, facilitate the prompt and efficient entry into and exit from its territory of equipment and materials to be used in connection with activities of the Commission. The Parties may conclude under this Agreement arrangements for particular Commission activities, which shall address, as appropriate, procedures for the transfer of equipment and funds, and other relevant issues.
4. After the Commission has entered into operation, the Parties shall evaluate the possibility of agreeing on the granting of privileges and immunities if deemed necessary for the Commission and its members to function effectively.

### **Article 9 Organization of Cooperation**

Each Party shall designate a liaison for purposes of coordinating cooperation between the Parties under this Agreement. For the Government of the United States of America, the liaison shall be the Secretary of Health and Human Services or the Secretary's designee.

For the Government of the United Mexican States, the liaison shall be the Secretary of Health or the Secretary's designee.

### **Article 10 Limitations**

1. Nothing in this Agreement shall prejudice the rights and obligations of the Parties under other existing international agreements.
2. Nothing in this Agreement shall prejudice or otherwise affect the functions entrusted to the International Boundary and Water Commission in accordance with the Treaty between the United States of America and Mexico Relating to the Utilization of Waters of the Colorado and Tijuana Rivers, and of the Rio Grande, signed at Washington on February 3, 1944.
3. Nothing in this Agreement shall prejudice or otherwise affect the functions entrusted to the Border Environment Cooperation Commission or to the North American Development Bank in accordance with the provisions of the Agreement Between the Government of the United States of America and the Government of the United Mexican States Concerning the Establishment of a Border Environment Cooperation Commission and a North American Development Bank, signed at Mexico City on November 16, 1993, and at Washington on November 18, 1993.

### **Article 11 Dispute Settlement**

Any disputes concerning the interpretation or application of this agreement shall be settled through negotiation between the Parties.

### **Article 12 Entry into Force, Termination and Amendment**

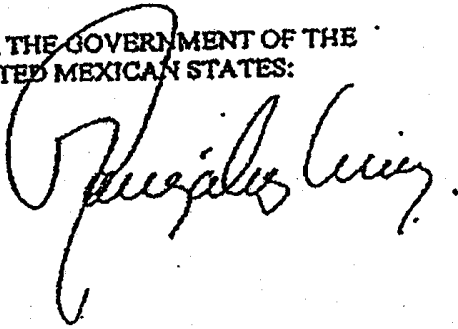
1. The Agreement shall enter into force upon an exchange of diplomatic notes confirming that all legal requirements for entry into force have been fulfilled by each Government.
2. The Agreement shall remain in force for five years and thereafter shall be automatically extended for additional five-year periods unless a Party gives written notice of its intent not to renew the Agreement at least 90 days before the date of renewal.
3. The Agreement may be amended by mutual written agreement of the Parties.

4. The Agreement may be terminated at any time by either Party upon 90 days written notice to the other Party. In the event of termination of this Agreement, ongoing projects will continue unless there is specific agreement to terminate them.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

Done at Washington this fourteenth day of July, and at Mexico City this twenty-fourth day of July, in duplicate, in the English and Spanish languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE  
UNITED MEXICAN STATES:



FOR THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA:

