

FOR PUBLIC RELEASE

**DECLARATION OF PRINCIPLES
BETWEEN
THE DEPARTMENT OF HOMELAND SECURITY
OF THE UNITED STATES OF AMERICA
AND
THE MINISTRY OF FINANCE AND PUBLIC CREDIT OF
THE UNITED MEXICAN STATES**

The Department of Homeland Security (DHS) of the United States of America and the Ministry of Finance and Public Credit (SHCP) of the United Mexican States, hereinafter referred to collectively as the “Participants”,

Recognizing the longstanding relationship and cooperation between their customs administrations;

Considering the constant and significant increase in bilateral trade, as well as in the flow of people and capital between the United States of America and the United Mexican States and the strong ties between the economies of the two nations;

Having regard for their common concern for and approach to the security and safety of North America, their common interest in protecting their peoples and production capabilities, and the relevant role their customs administrations and other agencies and divisions within their Departments have in such concerns, approaches and interests;

Recognizing the role their customs administrations play in safeguarding their nations and citizens;

Recognizing the needs for enhanced joint management of the shared border;

Further recognizing the desire of the Participants to collaborate and coordinate, as appropriate and to the extent practicable, subject to their capabilities and discretion, to interdict criminal acts and improve the movement of legitimate trade and travel, thus enhancing the security of Mexico and the United States;

Recognizing the relevant role their customs administrations and other agencies and divisions within their Departments have in fostering the competitiveness of their countries’ economies and their important role in the development and implementation of the World Customs Organization’s Framework of Standards for the Security and Facilitation of the International Trade Supply Chain;

Having regard for, and recognizing the legal basis of and achievements reached through, the instruments provided to their customs administrations by the North American Free Trade Agreement (NAFTA) and the Agreement between the Government of the United States of America and the Government of the United Mexican States

Regarding Mutual Assistance Between their Customs Administrations (CMAA Agreement) signed on June 20, 2000;

Recognizing the ongoing cooperative efforts of the Participants in customs-related matters, as set forth within NAFTA, specifically, Article 512(2)(c); and

Recognizing the spirit of, and achievements reached through other bi-national fora and arrangements;

Hereby express their desire to increase and strengthen their cooperation, by applying the necessary efforts and resources to fulfill the goals, initiatives, programs and mechanisms listed and envisioned under this Declaration of Principles (Declaration).

SCOPE OF COOPERATION

The Participants intend to develop and implement initiatives, programs and mechanisms aimed at the following goals:

1. Strengthening of cooperation in matters related to enforcement by expanding existing programs and establishing new collaborative security and enforcement initiatives.
2. Promotion of professionalism of the Participants' personnel through integrity-related training and the sharing of best practices, improving their capacity to control borders and enforce laws that strengthen security and govern the movement of travelers, baggage, cargo and conveyances into and out of both countries
3. Sustaining support for, and promotion of the full implementation of the World Customs Organization's Framework of Standards.
4. Increasing trade compliance and facilitation by further developing mechanisms for the exchange of information.
5. Improving trade partnerships and supply chain security by supporting bilateral programs with the private sector, and expanding upon the improvements the Participants have made, through greater government-trade cooperation.
6. Improving efficiency at the shared border by aligning operations, infrastructure planning and technologies to facilitate the movement of legitimate trade for compliant and secure importers, exporters, carriers, drivers and other stakeholders.
7. Strengthening cooperation in matters related to law enforcement by expanding existing institutional cooperation mechanisms related to the application of technology, data sharing and communication coordination and establishing new collaboration programs to be implemented along the shared border and in other

regions, which are designed to fight contraband trafficking, smuggling of prohibited goods, fraud, and related crimes, to the extent the Participants have enforcement jurisdiction over such activities.

IMPLEMENTING AGENCIES

The Department of Homeland Security designates U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP), and The Ministry of Finance and Public Credit designates the Tax Administration Service and the Administration General of Customs of the United Mexican States, as their respective implementing agents (Implementing Agencies) under this Declaration.

BILATERAL STRATEGIC PLAN

The Participants hereby identify the Bilateral Strategic Plan (BSP) as the framework for their intended engagement, outlining their strategic goals, working groups and priority initiatives intended to guide the bi-lateral efforts of the Participants and facilitate timely implementation of all programs or initiatives established therein.

LEADERSHIP AND COORDINATION

The Participants are to establish an Executive Steering Committee (ESC), to be comprised of the Department of Homeland Security's Assistant Secretary for International Affairs, the Assistant Secretary for ICE and the Commissioner of CBP, and the Ministry of Finance and Public Credit's Chief of the Tax Administration Service and the Administrator General of Customs. The Participants, through the ESC and to the extent appropriate, are expected to jointly review and approve, as appropriate, new initiatives presented to them by the Implementing Agencies during such meetings, for implementation under the provisions of this Declaration.

The Implementing Agencies are expected to reach out to any other government agency that may assist them in the development and implementation of initiatives, programs and mechanisms contemplated under this Declaration, which are mutually determined by the Implementing Agencies to be beneficial.

PRIORITY INITIATIVES

The Participants intend to explore the feasibility of projects which enhance risk management and joint targeting efforts that would allow them to process, monitor and control the movement of inbound, outbound and in-transit cargo, in all modes of transportation, jointly and in a coordinated manner, through their territories. For these purposes, the Participants are expected to study the financial, operational and legal challenges of such projects.

The Participants intend to coordinate with each other in this process, utilizing the ESC and the aforementioned working groups, and to consult with other competent departments or agencies within their respective governments, at a federal, state, local, and tribal level, as appropriate.

BILATERAL WORKING GROUPS

The Participants support the maintenance of formal contacts and mechanisms for the appropriate implementation of the provisions of this Declaration. The bilateral working groups are tasked with the exploration, development and implementation of specific initiatives, programs and mechanisms

The Participants of these working groups are to include officials from different agencies within DHS and SHCP, respectively, and should include officials from other government departments and agencies, as the Participants deem appropriate.

GENERAL PROVISIONS

This Declaration of Principles represents an understanding between the Participants and does not constitute a legally binding agreement.

All activities of the Participants and their Implementing Agencies under this Declaration should be carried out in accordance with the laws and regulations of the Participants' Governments, and applicable international agreements to which the Participants' Governments are party.

The Participants are expected to bear their own costs in performing their functions under this DOP. All activities of the Participants are subject to the availability of funds and necessary human resources.

On an annual basis every year thereafter, the Participants intend to review their cooperative efforts under the provisions of this Declaration with a view to determining their desire to continue to cooperate in accordance with this arrangement in the future.

Upon signature of this document by both Participants, this Declaration is intended to replace the Declaration of Principles signed June 1, 2007.

Signed in Washington, D.C. on the 7th day of December of the year 2009, in duplicate in the English and Spanish languages.

For the Department of Homeland Security
of the United States of America

For the Ministry of Finance
and Public Credit of the
United Mexican States

Janet Napolitano
Secretary of Homeland Security

Agustín Carstens Carstens
Secretary of Finance and
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