

No. 42798. United States of America and Mexico

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. WASHINGTON, 16 NOVEMBER 1993, AND MEXICO CITY, 18 NOVEMBER 1993 [*United Nations, Treaty Series*, vol. 2372, I-42798.]

SECOND PROTOCOL OF AMENDMENT TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN STATES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING THE ESTABLISHMENT OF A BORDER ENVIRONMENT COOPERATION COMMISSION AND A NORTH AMERICAN DEVELOPMENT BANK (WITH APPENDIX). WASHINGTON, 17 JANUARY 2017, AND MEXICO CITY, 18 APRIL 2017*

Entry into force: 10 November 2017, in accordance with its provisions

Authentic texts: English and Spanish

Registration with the Secretariat of the United Nations: Mexico, 14 December 2017

*No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.

N° 42798. États-Unis d'Amérique et Mexique

ACCORD ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE ET LE GOUVERNEMENT DES ÉTATS-UNIS DU MEXIQUE RELATIF À LA CRÉATION DE LA COMMISSION DE COOPÉRATION ÉCOLOGIQUE FRONTALIÈRE ET DE LA BANQUE DE DÉVELOPPEMENT DE L'AMÉRIQUE DU NORD. WASHINGTON, 16 NOVEMBRE 1993, ET MEXICO, 18 NOVEMBRE 1993 [*Nations Unies, Recueil des Traités*, vol. 2372, I-42798.]

DEUXIÈME PROTOCOLE PORTANT MODIFICATION À L'ACCORD ENTRE LE GOUVERNEMENT DES ÉTATS-UNIS DU MEXIQUE ET LE GOUVERNEMENT DES ÉTATS-UNIS D'AMÉRIQUE RELATIF À LA CRÉATION DE LA COMMISSION DE COOPÉRATION ÉCOLOGIQUE FRONTALIÈRE ET DE LA BANQUE DE DÉVELOPPEMENT DE L'AMÉRIQUE DU NORD (AVEC APPENDICE). WASHINGTON, 17 JANVIER 2017, ET MEXICO, 18 AVRIL 2017*

Entrée en vigueur : 10 novembre 2017, conformément à ses dispositions

Textes authentiques : anglais et espagnol

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : Mexique, 14 décembre 2017

*Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.

**SECOND PROTOCOL OF AMENDMENT TO THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED MEXICAN STATES AND THE
GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING
THE ESTABLISHMENT OF A BORDER ENVIRONMENT COOPERATION
COMMISSION AND A NORTH AMERICAN DEVELOPMENT BANK**

The Parties to the Agreement between the Government of the United Mexican States and the Government of the United States of America Concerning the Establishment of a Border Environment Cooperation Commission (BECC) and a North American Development Bank (NADB) signed in Washington and Mexico City on November 16 and 18, 1993, respectively, and amended by a Protocol of Amendment signed by the parties on November 25 and 26, 2002, hereinafter the “Charter”,

CONVINCED of the importance of continuing to conserve, protect and enhance the environment of the border region through binational cooperation in order to achieve sustainable development for present and future generations;

RECOGNIZING the significant work carried out by BECC and NADB in the development and financing of environmental infrastructure in the border region over the past twenty years;

TAKING INTO CONSIDERATION the increasing institutional integration of BECC and NADB, including the establishment of a single Board of Directors for both organizations by the 2002 Charter amendment and Board Resolution 2014–19 on “Institutional Integration,” which resolved to achieve the juridical and organizational integration of the institutions under the umbrella of NADB; and

CONSIDERING the Charter should be amended for the purposes of:

- Transforming the BECC into a standing subsidiary component of NADB that is a fully integrated part of NADB, while preserving its purpose, functions, and operations as established by the Charter;
- Achieving the full juridical, operational, and budgetary integration of BECC and NADB, under a unified management structure;
- Streamlining the core project development and implementation functions and increasing organizational efficiency while preserving the environmental mandate, purposes, functions, geographic jurisdiction, and binational presence currently established by the Charter;
- Establishing the position of Chief Environmental Officer as a key position within NADB to ensure that the purpose, functions, and operations of the BECC are preserved and that the environmental integrity of projects financed by NADB is maintained;
- Modifying the term of the NADB Managing Director and Deputy Managing Director from five to four years and allowing the Board of Directors to renew such term or terms for one additional period of four years;
- Clarifying the grant-making and technical assistance authority of NADB;

Have agreed to the following:

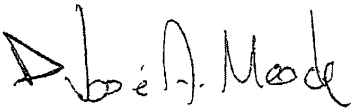
The Charter is amended by replacing the text in its entirety with the text contained in Appendix I hereto, which shall be an integral part of this Protocol.

This Protocol shall enter into force thirty (30) days after the date of the last Note in an exchange of diplomatic notes between the **Parties**, in which each Party notifies the other that it has completed its domestic **legal** procedures for entry into force of the Protocol.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Protocol.

DONE in duplicate in the Spanish and English languages, both texts being equally authentic.

**FOR THE GOVERNMENT OF THE
UNITED MEXICAN STATES:**



**FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:**



Date: 18-April-2017

Date: January 17, 2017

Place: Mexico City

Place: Washington, DC

**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED MEXICAN
STATES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA
CONCERNING THE ESTABLISHMENT OF A NORTH AMERICAN
DEVELOPMENT BANK**