

# 墨西哥與中國 反傾銷稅過渡貿易協議

整理◎編輯部

**依**據駐墨西哥代表處經濟組本(2008)年7月2日墨經字第09700001010號函辦理。查中國申請加入WTO過程中，曾與墨西哥就墨國對中國部分產品課徵反傾銷稅問題進行雙邊諮商並達成雙邊協議，依據中國WTO入會議定書附件7之WTO會員保留清單記載，墨國可對中國製21大類產品，包括自行車、鞋靴、紡織品、成衣、玩具、門鎖等涉及1,310個稅號實施反傾銷措施，在中國入會後6年【即去(2007)年12月11日到期】內，其原有措施不受WTO反傾銷協定及中國

入會相關承諾條款之限制。

墨國經濟部為保護國內敏感性產業，自去(2007)年起與中國政府就本案展開諮商，期能達成對敏感性產品維持課徵反傾銷稅。兩國於本(2008)年6月1日簽署反傾銷稅過渡貿易協議(Acuerdo Comercial de Transición en Materia de Cuotas Compensatorias)，墨國參議院並於6月20日通過批准該協議。

根據旨揭協議內容，墨國對該協議附件所列自中國進口產品須於2008年10月15日前撤銷反傾銷措施，不過墨國對於

## 附件

Agreement between the Government of the People's Republic of China and the Government of the United Mexican States on Trade Remedy Measures

The Government of the People's Republic of China and the Government of the United Mexican States, hereafter referred to as the "Parties": united by close bonds of friendship; committed to strengthening their trade relationships; conducted the negotiations under the framework of the Marrakech Agreement establishing the World Trade Organization ("WTO Agreement"), have agreed as follows:

### Article 1. Termination of the antidumping measures

Taking into account the fact that Mexico's reservation contained in Annex 7 of China's Protocol on the Accession to the WTO ("Annex 7") ceased to have effects on December 11, 2007, Mexico shall terminate all the antidumping measures maintained on imports of products originating in China under the tariff items listed in Annex 7, and shall not invoke the provisions of Annex 7 in the future to take antidumping measures on goods originating in China.

### Article 2. Elimination of the antidumping measures

1. Mexico side shall, no later than October 15th, 2008, revoke the antidumping measures maintained on the goods originating in China under the tariff items listed in Annexes 1 and 2 of this Agreement through means having legal effect as Presidential Decrees and Ministerial Decrees.
2. Upon revoking measures of paragraph 1 of this Article, for goods originating in China that are imported into Mexico under the tariff

items listed in Annex 1, Mexico may adopt a transitional arrangement that shall be phased out progressively, as indicated for each tariff item in the Annex 1, so that they are completely eliminated no later than December 11th, 2011. And the transitional arrangement shall not be extended further in whatever situations.

3. Any new trade remedy measures shall not be applied to the products listed in Annex 1 of this Agreement during the effective period of this Agreement.
4. Without prejudice to the provisions of Paragraph 3 of this Article, the conclusion of this Agreement shall not impair the rights and obligations of the Parties under the WTO Agreement.


### Article 3. Final provisions

1. The Annexes shall constitute an integral part of this Agreement.
2. Each Party shall notify in writing to the other Party after completing its internal legal procedures which are required for making this Agreement into effect. This Agreement shall enter into effect on the date of the notification of the later Party.
3. This Agreement shall come into effect no later than October 15th, 2008.

Done in duplicate at \_\_\_\_\_ on \_\_\_\_\_ in the Chinese, Spanish and English languages, all texts being equally authentic. In case of inconsistency of interpretation, the English version shall prevail.  
For the Government of the People's Republic of China For the Government of the United Mexican States

EDUARDO SOJO GARZA ALDAPE

附件 1 所列產品（即前述敏感性產品，計 204 項稅號）可採行過渡措施，逐漸調降反傾銷稅至 2011 年 12 月 11 日止，不得再延長，期間墨國不得採行任何貿易救濟措施；另墨國對於附件 2 所列產品（計 749 項稅號）則須於 2008 年 10 月 15 日前撤銷反傾銷措施。

鑒於前述墨國與中國反傾銷稅過渡貿易協議對台灣相關廠商亦可能有所影響，爰台灣駐墨西哥代表處經濟組特向墨國主管部門洽索本協議英文版（包括協議附件 1，惟非屬正式文件，正式內容以西班牙文版本為主），俾供台灣相關業者參考。 

（資料來源：經濟部國際貿易局）

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