

IN THE ARBITRATION UNDER CHAPTER ELEVEN OF THE NORTH AMERICA
FREE TRADE AGREEMENT AND THE UNCITRAL RULES

CHEMTURA CORPORATION
CLAIMANT

v.

GOVERNMENT OF CANADA,
RESPONDENT

SUBMISSION OF MEXICO PURSUANT ARTICLE 1128 OF NAFTA

1. The Government of Mexico makes this submission pursuant to NAFTA Article 1128 with respect to the interpretation of NAFTA Article 1103. Mexico takes no position with respect to any matter or issue of fact in the dispute. Mexico's failure to comment on any other question of interpretation of the NAFTA should not be taken to signify its agreement or disagreement with respect to positions taken by either disputing party.
2. Mexico concurs generally in the submissions of the Government of Canada in paragraphs 860 to 873 of the Counter-Memorial and paragraphs 232 to 239 of the Rejoinder.
3. Mexico has reviewed the submission of the United States of America dated 31 July 2009 which makes reference to submissions made by Canada, the United States and Mexico to the Pope & Talbot tribunal.
4. Mexico continues to hold view that Article 1103 cannot be relevant to, or constitute an issue with respect to, the interpretation of Article 1105.
5. Mexico thus agrees that the MFN obligation under Article 1103 cannot alter the substantive content of the fair and equitable treatment obligation under Article 1105 (1).

All of which is respectfully submitted,



Aristeo López Sánchez
Deputy General Counsel

July 31, 2009