

MARITIME INTERDICTION

**Agreement between the
UNITED STATES OF AMERICA
and PALAU**

Effected by Exchange of Notes at
Koror and Melekeok
March 5 and 20, 2008



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

PALAU

Maritime Interdiction

*Agreement effected by exchange of notes at
Koror and Melekeok March 5 and 20, 2008;
Entered into force March 20, 2008.*

Note No. 0014/2008

The Embassy of the United States of America in Koror presents its compliments to the Ministry of State of the Republic of Palau and, recalling the success of recent multi-national marine surveillance operations focusing upon detecting illicit activity at sea, such as fisheries offenses, illicit drug trafficking, and illegal migration, has the honor to propose a cooperative shiprider agreement to support ongoing regional maritime security efforts consisting of the following provisions:

1. Armed and uniformed officers of the Division of Marine Law Enforcement hereafter, "the embarked officers" may be embarked in selected United States Coast Guard law enforcement vessels or aircraft. When embarked, the United States Coast Guard shall facilitate regular communications between the embarked officers and their headquarters in the Republic of Palau, and shall provide messing and quarters for the embarked officers aboard United States Coast Guard vessels in a manner consistent with the United States Coast Guard personnel of the same rank.

2. The embarked officers shall be empowered to grant United States Coast Guard vessels and aircraft, on behalf of the Government of the Republic of Palau, authority to:

- a. enter the Republic of Palau's territorial sea to assist the embarked officers to stop, board, and search vessels suspected of violating the Republic of Palau's laws or regulations, assist in arrest of the persons on board and seizure of contraband and vessels;
- b. assist the embarked officers in performing fisheries surveillance and law enforcement activities in the Exclusive Economic Zone of the Republic of Palau, including stopping, inspecting, detaining, directing to port and seizing fishing vessels in accordance with the national laws and regulations of the Republic of Palau;
- c. stop, board, and search vessels located seaward of any State's territorial sea and claiming registry or nationality in the Republic of Palau to assist the embarked officers in the enforcement of applicable laws and regulations of the Republic of Palau; and
- d. employ reasonable force to stop non-compliant vessels subject to the jurisdiction of the embarked officers.

3. The embarked officers may assist United States Coast Guard personnel in the conduct of any boarding undertaken pursuant to the authority of the United States, including the right of visit boardings and boardings authorized by other flag and coastal States, as appropriate.

The Embassy has further the honor to propose that, if acceptable to the Government of the Republic of Palau, this Note, and the Ministry's Note in reply to that effect, shall constitute an Agreement between our two Governments, which shall enter into force upon the date of the Ministry's Note in reply. This Agreement may be terminated at any time by either of our Governments upon written notification to the other Government through the diplomatic channel. Such termination shall take effect thirty days from the date of notification. Nothing in this Agreement precludes either Government from otherwise agreeing on operations or other forms of cooperation to suppress illicit transnational maritime activity, nor does it supersede any bilateral or multilateral agreement or other cooperative mechanism concluded by either Government.

The Embassy of the United States of America in Koror avails itself of this opportunity to renew to the Ministry of State the assurance of its highest consideration.

Embassy of the United States of America
Koror, March 05, 2008





Note No. 006/MSUS/2008

The Ministry of State of the Republic of Palau presents its compliments to the Embassy of the United States of America in Koror and in reference to the Embassy's Note No. 0014/2008 regarding Cooperative Ship rider Agreement has the honor to inform the Embassy that the Government of the Republic of Palau accepts the proposal to enter into said Agreement with the Government of the United States of America.

The Ministry of State of the Republic of Palau avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Melekeok, REPUBLIC OF PALAU

20 March 2008

