

No. 51885*

**United States of America
and
Palau**

Exchange of notes constituting an agreement between the Government of the United States of America and the Government of the Republic of Palau for a cooperative shiprider agreement. Koror, 5 March 2008, and Melekeok, 20 March 2008

Entry into force: *20 March 2008 by the exchange of the said notes, in accordance with their provisions*

Authentic text: *English*

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**États-Unis d'Amérique
et
Palaos**

Échange de notes constituant un accord entre le Gouvernement des États-Unis d'Amérique et le Gouvernement de la République des Palaos pour un accord de coopération dit shiprider. Koror, 5 mars 2008, et Melekeok, 20 mars 2008

Entrée en vigueur : *20 mars 2008 par l'échange desdites notes, conformément à leurs dispositions*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *États-Unis d'Amérique, 2 mai 2014*

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[ENGLISH TEXT – TEXTE ANGLAIS]

Note No. 0014/2008

I

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