

## **INTER-AMERICAN TROPICAL TUNA COMMISSION**

### **RESOLUTION ON THE MODIFICATION OF THE CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF COSTA RICA FOR THE ESTABLISHMENT OF AN INTER-AMERICAN TROPICAL TUNA COMMISSION SO THAT REGIONAL ECONOMIC INTEGRATION ORGANIZATIONS MAY ADHERE TO THE CONVENTION**

**OCTOBER 1998**

The Inter-American Tropical Tuna Commission (IATTC), meeting in La Jolla, California on October 15 and 16, 1998, during the 62nd Meeting of the IATTC,

Recalling the resolution they adopted on June 12, 1998, during the 61st Meeting of the IATTC ,

Reiterating their support of the declaration of the interest of the European Union in acceding to the Convention of 1949, by which the IATTC was established,

1. Decide to submit for consideration by the Contracting Parties the attached draft Protocol, which would be annexed to the text of the Convention.
2. Invite the Contracting Parties to state, after appropriate diplomatic consultations with the European Union, whether the draft Protocol is agreeable, by means of a note addressed to the Government of the United States of America in its capacity of Depositary of the Convention, before December 31, 1998.

If no objection to the draft Protocol as proposed has been received by this date from any Contracting Parties, the Government of the United States will provide a certified copy of the attached Protocol to each Contracting Party of the Convention, inviting them to initiate the necessary internal procedures for timely adherence to the Protocol and, pending its entry into force, inviting them to pronounce on the issue of provisional application of the Protocol.

#### **Protocol Amending Article V, paragraph 3, of the Convention in order to allow the accession of regional economic integration organizations to the Convention**

#### **ARTICLE I**

The following subparagraph 2 shall be inserted in Article V, paragraph 3, of the Convention:

The provisions of subparagraph 1 shall apply to regional economic integration organizations constituted by states that have transferred to such organizations competence over matters within purview of this Convention, including the competence to enter into agreements in respect of those matters. In case that a regional economic integration organization accedes to the Convention, its member states are barred from participating in the Convention unless they represent a territory which lies outside the territorial scope of the treaty establishing such organizations.

#### **ARTICLE II**

1. This Protocol shall be open for signature, subject to subsequent adherence, during the 63rd Meeting of the IATTC.

2. The original of this Protocol shall be deposited with the Government of the United States of America, which shall communicate certified copies thereof to all High Contracting Parties to the Convention.

3. This Protocol shall enter into force on the date upon which written notifications of adherence have been received by the Government of the United States of America on behalf of all High Contracting Parties to the Convention.

4. The Government of the United States of America shall inform all High Contracting Parties to the Convention of all notifications of adherence received and of the date upon which this Protocol enters into force.

5. Following entry into force of this Protocol, any Parties newly adhering to this Convention shall be deemed to also adhere to this Protocol.

### **ARTICLE III**

1. This Protocol shall be applied provisionally once all Contracting Parties have notified the Depositary Government of their intention to do so.

2. The Government of the United States of America shall inform all High Contracting Parties to the Convention of all notifications of provisional application received and of the date upon which this Protocol becomes provisionally applicable.

Done at La Jolla, California, in the English and Spanish languages, on \_\_\_\_\_, 1999.