

INTER-AMERICAN TROPICAL TUNA COMMISSION

PROTOCOL TO AMEND THE 1949 CONVENTION ON THE ESTABLISHMENT OF AN INTER-AMERICAN TROPICAL TUNA COMMISSION

JUNE 1999

The Contracting Parties to the 1949 Convention on the Establishment of an Inter-American Tropical Tuna Commission have agreed as follows:

Article I

1. In Article I, paragraphs 1, 6, 7, 8, 12 and 15, the references to “national section” and “national sections” shall be changed to read “section” and “sections”.

2. In Article I, paragraph 1, the phrase “Governments of the respective High Contracting Parties” shall be changed to read “the respective High Contracting Parties”.

3. In Article I, paragraph 2, the phrase “the Government of each High Contracting Party” shall be changed to read “each High Contracting Party”, and the phrase “such Governments” shall be changed to read “such High Contracting Parties”.

4. Article I, paragraph 12, shall be changed to read as follows:

“12. The Commission may hold public hearings. Each section also may hold public hearings within its own territory.”

5. In Article II, paragraphs 1 and 7, the phrase “nationals of the High Contracting Parties” shall be changed to read “nationals under the jurisdiction of each High Contracting Party”.

6. Article III shall be changed to read as follows:

“The High Contracting Parties agree to take such internal measures as may be necessary to carry out the purposes of this Convention.”

7. Article V, paragraph 3, shall be changed in its entirety to read as follows:

“Any government or regional economic integration organization (constituted by states that have transferred to such organizations competence over matters within the purview of this Convention, including the competence to enter into agreements in respect of those matters) which have jurisdiction over nationals who participate in the fisheries covered by this Convention, desiring to adhere to the present Convention, shall address a communication to that effect to each of the High Contracting Parties. Upon receiving the unanimous consent of the High Contracting Parties to adherence, such government or regional economic integration organization shall deposit with the Government of the United States of America an instrument of adherence which shall stipulate the effective date thereof. In the case that a regional economic integration organization adheres to this Convention, each of its member states is barred from becoming a party (or continuing to be a party) to the Convention unless the member state represents a territory which lies outside the territorial scope of the treaty establishing the regional economic integration organization and provided that such member state’s participation be limited to representing only the interests of its territories. The Government of the United States of America shall furnish a certified copy of the

Convention to each government and regional economic integration organization desiring to adhere thereto. Each adhering government and regional economic integration organization shall have all the rights and obligations under the Convention as if it had been an original signatory thereof.”

8. In Article V, paragraph 4, the phrase “notifying government” shall be changed to read “notifying government or regional economic integration organization”.

Article II

1. This Protocol shall be open for signature, at Guayaquil, Ecuador, on June 11, 1999 by all States that are High Contracting Parties to the Convention and thereafter shall remain open for signature at Washington.

2. This Protocol shall be subject to ratification, acceptance, approval or accession, in accordance with the domestic laws and procedures of each Party.

3. 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.

4. This Protocol shall enter into force on the thirtieth day following the date upon which all High Contracting Parties to the Convention have indicated their consent to be bound, as provided in paragraph 2.

5. The Government of the United States of America shall inform all High Contracting Parties to the Convention of all signatures, all instruments of ratification, acceptance, approval or accession received and of the date upon which this Protocol enters into force.

6. Following entry into force of this Protocol, any States or regional integration economic organizations, adhering to the Convention shall adhere to the Convention as amended by this Protocol.