

**MEMORANDUM OF AGREEMENT
BETWEEN
THE GOVERNMENT OF
THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF
THE COOK ISLANDS
CONCERNING
COOPERATION IN JOINT MARITIME SURVEILLANCE
OPERATIONS**

The Government of the United States of America and the Government of the Cook Islands (hereinafter, "the Parties");

Bearing in mind the special nature of the problem of detecting illegal activity at sea such as fisheries offences, illicit maritime drug traffic, and illegal migration;

Desiring to promote greater cooperation between the Parties, and thereby enhance their effectiveness, in detecting illegal activity at sea;

Based on the principles of international law, respect for the sovereign equality of States and in full respect of the freedom of navigation;

Have agreed as follows:

1. Up to two (2) officers of the Cook Islands (hereafter, "Cook Islands authorised officers") designated pursuant to section 45 of the Marine Resources Act 2005 of the Cook Islands (hereafter, "the Act") shall be embarked on selected United States Coast Guard law enforcement vessels or aircraft operating in support of an operation between November 09, 2007 and November 18, 2007, inclusive. The United States Coast Guard shall facilitate regular communications between the authorised officers and their headquarters in Rarotonga, and shall provide messing and quarters for the authorised officers aboard United States Coast Guard vessels in a manner consistent with United States Coast Guard personnel of the same rank.

2. Pursuant to section 45(1) of the Act, the Minister responsible for Marine Resources in the Cook Islands shall appoint the Commander and crew of the United States Coast Guard Cutters in which the Cook Islands authorised officers are embarked as authorised officers for the purpose of and to assist the Cook Islands authorised officers in performing fisheries surveillance and law enforcement activities in the Exclusive Economic Zone of Cook Islands, including stopping, inspecting, detaining, directing to port and seizing fishing vessels in accordance with the national laws and regulations of the Cook Islands.

3. The Cook Islands authorised officers shall not participate in any boarding undertaken solely pursuant to the authority of the United States, including right of visit boardings and boardings authorized by other flag and coastal States, as appropriate.

4. This Agreement shall enter into force upon signature by the Parties and terminate on November 19, 2007.

5. Either Party may terminate this Agreement at any time by giving written notice to the other Party through the diplomatic channel, such termination to take effect forty-eight (48) hours following the date of notification or on November 19, 2007, whichever is earlier.

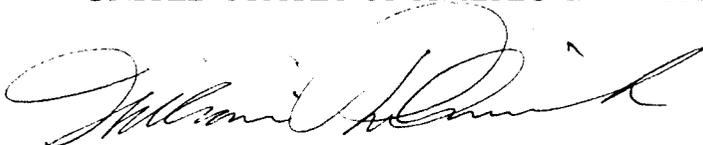
6. This Agreement shall continue to apply after termination with respect to any administrative or judicial proceedings arising out of actions taken pursuant to this Agreement.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

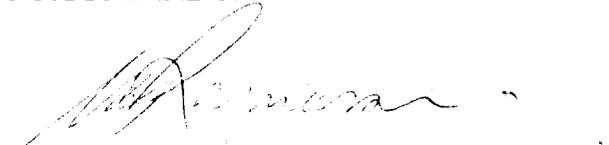
DONE in duplicate at Rarotonga this 8th day of November, 2007.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF
THE COOK ISLANDS:



U.S. Ambassador



Minister of Foreign
Affairs