

No. 08-0026

The Embassy of the United States of America in Kolonia, the Federated States of Micronesia, presents its compliments to the Department of Foreign Affairs of the Federated States of Micronesia 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. Two (2) armed and uniformed officers of the Federated States of Micronesia Department of Justice, National Police Maritime Surveillance Division (hereafter, "the embarked officers") shall be embarked in selected United States Coast Guard law enforcement vessels or aircraft on or about March 24, 2008 through April 20, 2008. The United States Coast Guard shall facilitate regular communications between the embarked officers and their

headquarters in Kolonia, and shall provide messing and quarters for the embarked officers aboard United States Coast Guard vessels in a manner consistent with 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 Federated States of Micronesia, authority to:

(a) enter the Federated States of Micronesia territorial sea to assist the embarked officers to stop, board, and search vessels suspected of violating the laws or regulations of the Federated States of Micronesia, and assist in the arrest of the persons on board and the 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 Federated States of Micronesia, including stopping, inspecting, detaining, directing to port and seizing fishing vessels in accordance with the national laws and regulations of the Federated States of Micronesia;

(c) stop, board, and search vessels located seaward of any State's territorial sea and claiming registry or nationality in the Federated States of Micronesia to assist the embarked officers in the enforcement of applicable laws and regulations of the Federated States of Micronesia; 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 right of visit boardings and boardings authorized by other flag and coastal States, as appropriate.

The Embassy has the further honor to propose that, if acceptable to the Government of the Federated States of Micronesia, this Note, and the Department'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 Department's Note in reply and terminate upon the conclusion of the operation on or about April 20, 2008.

The Embassy of the United States of America in
Kolonias, the Federated States of Micronesia, avails itself
of this opportunity to renew to the Department of Foreign
Affairs of the Federated States of Micronesia assurances of
its highest consideration.

Embassy of the United States of America,

Kolonias, March 17, 2008.





DEPARTMENT OF FOREIGN AFFAIRS FEDERATED STATES OF MICRONESIA

DFA/LSR-093-08
March 19, 2008

The Department of Foreign Affairs of the Federated States of Micronesia presents its compliments to the Embassy of the United States of America to the FSM and with reference to the latter's Diplomatic Note 08-0026 regarding the cooperative shiprider agreement for the period March 24, 2008-April 20, 2008, has the honor to accept the terms of the proposed said agreement.

The Department of Foreign Affairs of the Federated States of Micronesia avails itself of this opportunity to renew to the Embassy of the United States of America to the FSM the assurance of its highest consideration.

Palikir, Pohnpei

