

Date of most recent action: November 1, 2011

Convention between the United States of America and the Republic of Costa Rica for the Establishment of an Inter-American Tropical Tuna Commission

Done: Washington; May 31, 1949

Entry into force: March 3, 1950

In accordance with Article V, paragraph 2, the Convention entered into force upon exchange of ratifications by the United States of America and the Republic of Costa Rica.

In accordance with Article V, paragraph 3, any government, whose nationals 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 shall deposit with the Government of the United States of America an instrument of adherence which shall stipulate the effective date thereof. Each adhering government shall have all the rights and obligations under the Convention as if it had been an original signatory thereof.

Legend: (no mark) = ratification; **adh** = adherence; **w** = withdrawal or equivalent action

| Participant | Signature | Consent to be bound | | Entry into Force/ Effective Date | Other Action | Notes |
|---------------|--------------|---------------------|------------|-------------------------------------|-----------------|--------------|
| Canada | | October 3, 1967 | adh | April 1, 1968 | w | ¹ |
| Colombia | | October 10, 2007 | adh | October 10, 2007 | | ² |
| Costa Rica | May 31, 1949 | March 3, 1950 | | March 3, 1950 | | ³ |
| Ecuador | | April 7, 1961 | adh | April 7, 1961 | w | ⁴ |
| | | July 3, 1997 | adh | August 2, 1997 | | |
| El Salvador | | October 27, 1997 | adh | October 27, 1997 | | |
| France | | May 22, 1973 | adh | May 22, 1973 | | ⁵ |
| Guatemala | | June 27, 2000 | adh | June 27, 2000 | | |
| Japan | | June 25, 1970 | adh | July 1, 1970 | | |
| Korea (ROK) | | December 13, 2005 | adh | December 13, 2005 | | |
| Mexico | | January 29, 1964 | adh | February 28, 1964 | w | ⁶ |
| | | June 4, 1999 | adh | June 4, 1999 | | |
| Nicaragua | | November 6, 1973 | adh | November 6, 1973 | | |
| Panama | | September 21, 1953 | adh | September 21, 1953 | | |
| Peru | | June 27, 2002 | adh | June 27, 2002 | | |
| Spain | | January 27, 2005 | adh | January 27, 2005 | w | ⁷ |
| United States | May 31, 1949 | March 3, 1950 | | March 3, 1950 | | |

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|-----------|--|--------------------|-----|--------------------|--|--|
| Vanuatu | | September 10, 1990 | adh | September 10, 1990 | | |
| Venezuela | | June 10, 1992 | adh | June 10, 1992 | | |

¹ A notification of denunciation of the Convention by Canada was received on May 17, 1983; effective May 17, 1984.

² The instrument of adherence to the Convention by Colombia contained a declaration, an informal English translation of which provided by the Embassy of Colombia reads as follows:

“The Government of the Republic of Colombia declares that none of the provisions of the Convention nor of any subsequent decisions adopted in relation to the same and not provided for in the same, including the definition of the area of the Eastern Pacific Ocean (EPO), the incorporation or exclusion of vessels on the regional vessel register and the allocation of well volume, can be construed as a modification in the position of the Republic of Colombia in relation to said Convention or the International Law of the Sea, in particular with regard to its maritime areas over which it has sovereignty or sovereign rights or jurisdiction in accordance with its internal legislation and international law, including applicable international treaties, nor as an express or tacit acceptance of the provisions adopted in relation to this Convention which limit or have the effect of limiting the full exercise of any right held by the Republic of Colombia.”

A diplomatic note from the Embassy of Colombia to the Department of State, received on November 1, 2011, enclosed a diplomatic note from the Minister of Foreign Relations of Colombia to the Secretary of State, an official English translation of which provided by the Department of State reads as follows:

“Madam Secretary:

“I have the honor to refer to the Convention between the United States of America and the Republic of Costa Rica for the Establishment of an Inter-American Tropical Tuna Commission, done at Washington on May 31, 1949, for which treaty the United States of America is the depositary.

“In this sense, I should like to inform you that the Republic of Colombia is Party to this Convention, pursuant to the deposit of the instrument of accession on October 10, 2007, which included the following interpretative declaration:

‘The Government of the Republic of Colombia declares that none of the provisions of the Convention nor of the subsequent decisions adopted in relation to it and not provided for in it, among others the definition of the area of the Eastern Pacific Ocean (EPO), the incorporation or exclusion of vessels from the regional vessel register and the allocation of carrying capacities, may be interpreted as a modification of the position of the Republic of Colombia with regard to that convention or to the International Law of the Sea, in particular about its maritime areas regarding which it has sovereignty or sovereign rights or jurisdiction in accordance with its domestic laws and international law, including the applicable international treaties, or as express or tacit acceptance of the provisions adopted in relation to this Convention that limit or whose effect is to limit the full exercise of any right belonging to the Republic of Colombia.’

“The Republic of Colombia hereby informs Your Excellency of its decision to amend the above interpretative declaration and replace it with the following declaration:

‘The Government of the Republic of Colombia declares that the provisions of the Convention pertaining to the definition of the area of the Eastern Pacific Ocean (EPO) may not be interpreted as a modification of the position of the Republic of Colombia with regard to that convention or to the International Law of the Sea, in particular about its maritime areas regarding which it has sovereignty or sovereign rights or jurisdiction in accordance with its domestic laws and international law, including the applicable international treaties, or as express or tacit acceptance of the provisions adopted in relation to this Convention that limit or whose effect is to limit the full exercise of any right belonging to the Republic of Colombia.’

“On behalf of the Government of the Republic of Colombia, I should be grateful if you would take the necessary steps to record this amendment to the interpretative declaration and notify the States Party to the Convention.

“Accept, Madam Secretary, the assurances of my highest consideration.”

³ A notification of denunciation of the Convention by Costa Rica was received on April 27, 1978; effective April 27, 1979. Costa Rica resumed its participation in the Commission effective May 29, 1989.

⁴ A notification of denunciation of the Convention by Ecuador was received on August 21, 1967; effective August 21, 1968. Ecuador resumed its participation in the Commission effective August 2, 1997, Ecuador's instrument of adherence having specified an effective date of thirty days following the date of deposit of the instrument.

⁵ By a note dated October 14, 1974, the Ministry of Foreign Affairs of France notified the American Embassy in Paris that, pending constitutional formalities, the adherence by France to the Convention which was deposited on May 22, 1973, must be considered as being provisional and subject to confirmation. The French Ministry of Foreign Affairs notified the American Embassy by note of July 17, 1975, that the constitutional formalities had been completed and that the Ministry of Foreign Affairs was thus able to confirm the instrument of adherence as previously deposited.

⁶ A notification of denunciation of the Convention by Mexico was received on November 8, 1977; effective November 8, 1978. Mexico resumed its participation in the Commission effective June 4, 1999.

⁷ A notification of denunciation of the Convention by Spain was received on February 1, 2011; effective February 1, 2012.