

ENVIRONMENT AND CONSERVATION

Migratory Birds and Game Mammals

**Protocol Between the
UNITED STATES OF AMERICA
and MEXICO**

**Amending the Convention
of February 7, 1936**

Signed at Mexico City May 5, 1997



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

MEXICO

Environment and Conservation: Migratory Birds and Game Mammals

Protocol amending convention of February 7, 1936.
Signed at Mexico City May 5, 1997;
Transmitted by the President of the United States of America
to the Senate September 15, 1997 (Treaty Doc. 105-26,
105th Congress, 1st Session);
Reported favorably by the Senate Committee on Foreign Relations
October 8, 1997 (Senate Executive Report No. 105-5,
105th Congress, 1st Session);
Advice and consent to ratification by the Senate
October 23, 1997;
Ratified by the President September 9, 1999;
Ratifications exchanged at Washington December 30, 1999;
Entered into force December 30, 1999.

PROTOCOL
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE UNITED MEXICAN STATES
AMENDING THE CONVENTION
FOR THE PROTECTION OF MIGRATORY BIRDS AND GAME MAMMALS

The Government of the United States of America and the Government of the United Mexican States, hereinafter the Parties,

REAFFIRMING their commitment to achieving the purposes and objectives of the Convention between the United States of America and the United Mexican States for the Protection of Migratory Birds and Game Mammals, signed at Mexico City February 7, 1936, as supplemented by the agreement effected by exchange of notes at Mexico March 10, 1972, hereinafter "the Convention",

ENCOURAGED by the desire to amend the convention to enable effective actions to be taken to improve the conservation of migratory birds;

COMMITTED to the long-term conservation of shared species of migratory birds for their nutritional, social, cultural, spiritual, ecological, economic, and aesthetic values through a more comprehensive international framework that involves working cooperatively to manage their populations;

ACKNOWLEDGING the desire of the United States to provide for the customary and traditional taking of certain species of migratory birds and their eggs for subsistence use by indigenous inhabitants of the State of Alaska in designated subsistence areas;

HAVE AGREED as follows:

ARTICLE I

Article II (D) of the Convention shall be replaced by the following:

- D)** The establishment of a closed season for wild ducks from the tenth of March to the first of September, except in the state of Alaska, United States of America, where wild ducks and their eggs may be harvested by the indigenous inhabitants thereof provided that seasons and other regulations implementing the non-wasteful taking of wild ducks and their eggs in such cases shall be consistent with the customary and traditional uses by such indigenous inhabitants for their own nutritional and other essential needs.

ARTICLE II

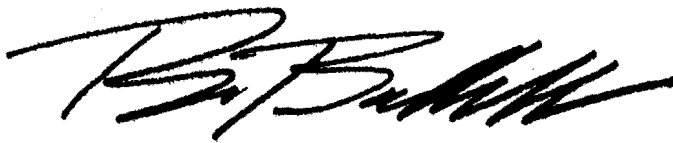
- 1.** This Protocol shall enter into force on the date the Parties exchange instruments of ratification.
- 2.** This Protocol shall continue in force for the duration of the Convention and shall be considered an integral part of the Convention.

IN WITNESS WHEREOF the undersigned representatives, being duly authorized by their respective Governments, have signed the present Protocol.

DONE at Mexico City, this 5th day of May, 1997, in duplicate, in the English and Spanish languages, both texts being equally authentic.

FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA

FOR THE GOVERNMENT OF
THE UNITED MEXICAN STATES



BRUCE BABBITT

Secretary of the Interior



JULIA CARABIAS LILLO

Secretary of Environment, Natural

Resources and Fisheries

**PROTOCOLO ENTRE EL GOBIERNO DE LOS ESTADOS UNIDOS DE AMERICA Y
EL GOBIERNO DE LOS ESTADOS UNIDOS MEXICANOS POR EL QUE SE
MODIFICA LA CONVENCION PARA LA PROTECCION DE AVES MIGRATORIAS Y
DE MAMIFEROS CINEGETICOS**

El Gobierno de los Estados Unidos de América y el Gobierno de los Estados Unidos Mexicanos, en adelante denominados "las Partes";

REAFIRMANDO su compromiso con los propósitos y objetivos de la Convención entre los Estados Unidos de América y los Estados Unidos Mexicanos para la Protección de Aves Migratorias y de Mamíferos Cinegéticos, firmada en la Ciudad de México, el 7 de febrero de 1936, tal como fue modificada mediante Canje de Notas, fechadas en México, el 10 de marzo de 1972, en adelante "la Convención";

ANIMADOS por el deseo de modificar la Convención para tomar medidas eficaces, que mejoren la conservación de las aves migratorias;

COMPROMETIDOS con la conservación a largo plazo de especies de aves migratorias compartidas para sus valores nutricionales, sociales, culturales, espirituales, ecológicos, económicos y estéticos, a través de una estructura internacional más amplia que involucre el trabajo conjunto para el manejo de sus poblaciones;

RECONOCIENDO el deseo de los Estados Unidos de permitir la captura acostumbrada y tradicional de ciertas especies de aves migratorias y sus huevos para la subsistencia de los habitantes indígenas del Estado de Alaska en áreas de subsistencia designadas;

Han acordado lo siguiente:

ARTICULO I

El artículo II, inciso D) de la Convención deberá ser reemplazado por el siguiente:

D) El establecimiento de una temporada de veda para patos silvestres del diez de marzo al primero de septiembre, excepto en el Estado de Alaska, Estados Unidos de América, en donde los patos silvestres y sus huevos podrán ser capturados por habitantes indígenas del lugar, siempre que las temporadas y otras reglamentaciones implementando el no-desperdicio en la captura de patos silvestres y sus huevos sean consistentes con los usos habituales y tradicionales de los habitantes indígenas y sean para su propia alimentación y otras necesidades esenciales.

ARTICULO II

1. Este Protocolo entrará en vigor en la fecha en que las Partes se intercambien sus respectivos instrumentos de ratificación.

2. Este Protocolo continuará vigente en tanto lo esté la Convención y será considerado parte integral de la misma.

En fe de lo cual, los representantes suscritos, debidamente autorizados por sus respectivos Gobiernos, han firmado el presente Protocolo.

Hecho en la Ciudad de México, el cinco de mayo de mil novecientos noventa y siete, en dos ejemplares originales en idiomas inglés y español, siendo ambos textos igualmente auténticos.

POR EL GOBIERNO DE LOS
ESTADOS UNIDOS
DE AMERICA



Bruce Babbitt
Secretario del Interior

POR EL GOBIERNO DE LOS
ESTADOS UNIDOS MEXICANOS



Julia Carabias Lillo
Secretaria de Medio Ambiente,
Recursos Naturales
y Pesca